

**VILLAGE OF ESSEX JUNCTION  
BOARD OF TRUSTEES  
MINUTES OF MEETING  
January 11, 2011**

**BOARD OF TRUSTEES:** Deb Billado (Village President); Peter Gustafson, George Tyler, John Lajza, Steve Atwood.  
**ADMINISTRATION:** Dave Crawford, Village Manager.

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**EXECUTIVE SESSION**

The Board met in Executive Session prior to the regular meeting to interview a candidate for a position on the Brownell Library Board. Trustee Steve Atwood was not present for the interview.

**I. CALL TO ORDER and PLEDGE OF ALLEGIANCE**

Village President, Deb Billado, called the regular meeting to order at 6:30 PM and led the assemblage in the Pledge of Allegiance.

**II. AGENDA ADDITIONS/CHANGES**

Add under 'Consent Agenda':

- Appointment of Mark Weston to the Brownell Library Board of Trustees
- Street Information Panel at Main Street/Railroad Avenue
- Martin Luther King event added to reading file in consent agenda

**MOTION by John Lajza, SECOND by George Tyler, to add the appointment of Mark Weston to the Brownell Library Trustees and authorization to move forward with location of the street information panel to the Consent Agenda. VOTING: unanimous (5-0); motion carried.**

Add under 'New Business':

- Request from Maple Street Bike Park Committee for matching funds

Add under 'Manager's Report':

- Annual Meeting location and dinner (high school not available)
- Need to warn special trustees meeting if more than three trustees attend the informational meeting by Railroad Revitalization Committee on 1/20/11

**III. GUESTS AND PRESENTATION**

1. Comments from Public on Items Not on Agenda

Jeff Harton, village resident, commended the Trustees on doing a good job on what is best for the community and encouraged everyone to 'hang in there' because it is appreciated.

2. Report by Denise Clavette, Recreation Study Consultant

Deb Billado explained the procedure to be followed with the presentation, questions and comments. The professional experience of Denise Clavette relative to recreation was

briefly reviewed. It was noted Larry Mead, Village Manager of Kennebunkport, Maine was in attendance. Mr. Mead is the spouse of Denise Clavette.

Denise Clavette reviewed results of the study of the recreation departments in surrounding communities (Essex Junction, Essex Town, Colchester, Williston, South Burlington) and three recommendations for the Village of Essex Junction including: (1) having EJRP remain with the village school district; (2) transition EJRP to the Village Administration; (3) delegate oversight of EJRP to the Town of Essex. Ms. Clavette reported of the recreation departments studied the Colchester program is most comparable to EJRP. Time spent to manage the finances of the program in Colchester is difficult to ascertain though payroll requires up to four hours of time. Colchester Recreation is an enterprise fund (revenues brought in are turned back into the program). Ms. Clavette stated based on the research the EJRP program is one of most outstanding in the state and is unique in that it is run by the school district. There is more layering in its organizational chart. Payroll and finances are managed internally. There is shared supervision with the school district, but information is more nested and harder to access by the public. EJRP spends the highest of the area recreation programs with 73% spent on recreation and 10% on parks. Five percent of the school budget comes from revenue generated by EJRP. Supervisory assessment is 5.4% of the budget. The \$83,000 cost represents .5% of village school district budget. In conclusion EJRP is well supported by community and represents 9.6% of the village school district budget with 51.7% being user fee generated. The greatest generator is the after school program. Essex Town is the second highest spender on recreation programming. EJRP spends more on recreation than parks because the village has fewer parks. EJRP is also unique because it has debt service. Potential transfer of EJRP to the Village Administration would have nominal taxpayer impact, continued Ms. Clavette, adding .5 FTE in finance administration would be needed to cover the additional work load. Value would be added to the municipal team. EJRP has financial solvency and is on sturdy ground to generate revenue and offer outstanding programs. The parks/trails portion of service could be improved.

The easiest and least disruptive action is to remain with school district, said Ms. Clavette, but a new rec/parks committee is needed as an appointed, seven member committee with staggered three year terms and including one representative from the Prudential Committee and one from the Board of Trustees for balanced governance and issues. A legal MOU needs to be drafted to include a five year term renegotiated in Year 4. The EJRP Director would be required to make a formal presentation quarterly to the Board of Trustees on the status of the program. The level of direct costs provided by the school district is less than CCSU charges so there should be a direct charge for services. The EJRP Director should report to the Superintendent of Schools directly. Formal communications between the Prudential Committee and the Board of Trustees is needed as well as a formal process for oversight of parks.

With the transitioning option roles need to be clearly defined, current staffing levels maintained, and the entire unit preserved. The EJRP Director needs to be integrated in the department head framework supervised by the Village Manager. A new recreation/parks committee would be appointed by the Board of Trustees for three year terms only. The

committee should include a Village Trustee and citizen participation. A .5 FTE administrative staff would be needed and Village Administration would have oversight over parks and recreation. There is potential for staff turnover due to change. Budget impact of parks and recreation could become an issue in the future for the village.

With the option to delegate to Essex Town, the town has experience in running a parks and recreation program and if the option is chosen the entire unit should be transferred through FY12 and then re-evaluated. The EJRP Director would report to the Town Manager until roles are clear and staffing is determined after FY12. A .5 FTE administrative staff would be needed as well as a parks and rec committee in the interim. Collective bargaining or existing contracts could be an issue with the town, and the village loses a direct handle on parks and recreation.

#### *TRUSTEE COMMENTS*

Deb Billado distributed a document she drafted outlining common denominators in the consultant's report and explained Essex Junction spends less on parks than other communities because other communities have more parks and trails to manage.

Trustee George Tyler stated there is overwhelming community support for maintaining the current structure. The debate is not about whether the village should take over the recreation department. Forty years ago the village gave up legislative control of recreation department and a document has not been produced saying the Village Trustees have any degree of control on EJRP. The Trustees do not have regulatory control and it is not the Trustees' job to determine what should be done with a recreation department over which the Trustees do not have control. Regarding transferring EJRP to the village and integrating with Public Works and Planning and Zoning, CCSU takes care of all that for the high school, the tech center, all the buildings and grounds. CCSU has deep experience in doing this. In terms of having a traditional arrangement for a municipality running a recreation department versus a school district, village residents have access and pay for the town recreation department and parks and trails. There is a huge qualitative difference between the unique program offered by EJRP compared to area towns with a more traditional program. Converting the department back to village would mean the loss of that diversity. As a point of clarification if the recreation department is transferred the integration with other departments would not include police because the Police Department is not part of the village administration. Denise Clavette responded to Trustee Tyler's comments, noting the recreation department provides what the community wants and needs. The programs are a product of the community's needs. The report is an analysis of the program, not an evaluation or ranking of which one in which town is better. George Tyler stressed the qualitative piece is critical and what the entire issue is all about.

#### *PUBLIC COMMENTS*

Lori Houghton, School Street, agreed EJRP is one of the premium recreation and parks department in the state and "hits it out of the ballpark", and that every agency should continue to review expenses, but keep quality and quantity in mind. Ms. Houghton submitted and read a signed petition with 841 signature or 12% of voting population in

support of preserving the current governance structure under the Essex Junction School District and not to spend any more time, effort, meeting, or taxpayer money on the matter. The petition also supports having the Prudential Committee continue to provide oversight and renew the contract thru 2019 when the bond vote is fully paid.

Dan Kerin, Southview, pointed out with regard to community wants and needs 12% of the voting community wants to remain as is per the petition and that expresses what the community wants. The school district knows what the children and parents want, and have experience running the programs. Denise Clavette clarified she was referring to programming needs, not park needs.

Jeff Tardiff, West Hillcrest, speaking for residents who are not part of the 12% (signers of the petition) said he wants accountability and openness on where money is being spent and does not want any of the funding going out of state. Mr. Tardiff asked about program revenue taken off budget and that being the budget. Denise Clavette explained the figure is budget minus program revenue.

Diane Clemens, Williams Street, noted Williston pays a substantial fee to use school facilities and asked the cost to the village if governance were transferred and school facilities were used for programs. Denise Clavette explained Williston is an aberration, but it would be comparable to charge for custodial services. It is still taxpayer dollars so there is no net effect.

Diane Tardiff, Seneca Ave., stated the issue is about dollars and cents. The taxpayers want to know where the money is coming from and going, and where there can be reduction in costs. The issue is not about the recreation department itself, but about transparency and why it is taking so long to get answers to questions. Citizens have inquired and have a right to know. The matter is not political, but rather financial and economical.

Sandy Willey, St. James Place, observed the conversation would not be taking place if the understanding of how the public feels was clearly understood by the Recreation Department and that there should be no structural changes without consulting the Board of Trustees. Changes were going to be made without consultation and that started the controversy. If the Recreation Department had paid attention to that prescription this would not have happened, said Ms. Willey, adding individuals who serve on the council that advises the Recreation Department should serve a limited amount of time because longevity becomes ownership and that is not helpful. Dan Kerin interjected the same could be said for serving on the Board of Trustees or any board. In addition, continued Mr. Kerin, Trustee Steve Atwood should recuse himself as Trustee Peter Gustafson has done because Mr. Atwood signed the submitted petition and expressed his views publicly prior to filling the remaining term of Trustee Larry Yandow. Deb Billado expressed support for term limits, contending “a new broom sweeps clean”.

Charlee Day, Aspen Drive, announced the annual school budget planning meeting on 1/27/11 and invited all to attend and participate. The meetings are held every year prior to acceptance of the budget to be presented to the voters, said Ms. Day.

Brett Gaskill, South Street, opined the budget numbers are “out of whack” and unless current employees tied up in the system can be justified the villagers are not being well served.

Ron Preavy, Killoran Drive, asked if the village would have to buy more equipment if the recreation department goes back to village. Presently the village gets lots of equipment through the school department. Mr. Preavy asked if bookkeeping and payroll would be covered by village personnel. Denise Clavette explained equipment level of detail was not part of the study. There was discussion with village staff and confirmation the work load could be handled. Conversely, the work load at the school district would be reduced. Mr. Preavy mentioned payment he made for a recreation program and the use of a school building, questioning where the money for the program was used since there was no charge to EJRP.

Jeff Harton, Countryside Drive, stated agreement with the message of the petition that was submitted and statements about the quality of programs as well as the need to protect and preserve what is there. Mr. Harton said the taxpayers just want to know the numbers and if there is a savings and whether the current arrangement is the best. Mr. Harton encouraged the Trustees to stop the political games and look at the numbers to see what makes sense then go on to the next step. The matter should have been investigated and resolved a long time ago and is now getting out of hand. George Tyler explained if a complaint about the Brownell Library budget is received from a citizen it is the job of the Village Trustees to investigate because the library is part of the village budget. Looking at the recreation budget is the job of another elected board that oversees the budget of the Recreation Department, not the Trustees.

Leslie Mooney, Beech Street, mentioned the joint study committee with the Trustees and Prudential Committee that met regularly from 1992-95 to discuss recreation. The report concluded there is no financial or programmatic advantage to having recreation managed by the village. Ms. Mooney urged review of the report, and also mentioned the approach by the consultant to look at the number of programs rather than the number of participants might be apples to oranges comparison. Number of participants will determine if the program is cost effective. Deb Billado noted in 2005 a body of work was done by the village and town regarding recreation should merger occur.

Bridget Meyer, Pleasant Street, mentioned the 30 specific questions submitted to the Trustees by the recreation committee that need answers before details are known of what the village intends to do. CCSU did provide a detailed report, stated Ms. Meyer, and answers would be appreciated from the Trustees.

Al Parrella, Maple Street, asked if there is a state regulation prohibiting commingling of educational dollars with any other services so it is clear to the taxpayer what is being paid

for recreation and for education. If not, then full disclosure is needed. Deb Billado disclosed that Mr. Parrella is her spouse. Linda Waite-Simpson, Chairwoman of the Prudential Committee, assured there are clear lines between school expenses and recreation expenses. Essex Junction School District is a legal municipality that is chartered and incorporated with taxing authority approved by the legislature. The charter allows the school district to do recreation and is empowered to provide that service to the community. There is a recreation budget and recreation tax for public vote each year. The public is always invited to provide input though typically there is not much involvement. The Recreation Department is charged a portion of the Prudential Committee's share of the assessment by the central office for expenses. There is a detailed analysis of the expenses. The Prudential Committee has been providing all the requested information. The problem is the request was out of cycle for budget work. All public participation in the budget is welcome. The Trustees have been invited to budget work sessions. The Prudential Committee has legislative authority to do what is done and is very transparent, said Ms. Waite-Simpson. Mr. Parrella clarified he is not questioning whether the Prudential Committee has the authority, but rather if the funds are kept clean. Ms. Waite-Simpson replied policy is followed. Community members are not charged for use of facilities unless someone must be sent to unlock the door or supervise the activity. Recreation employees are employees of the school district. Trustee John Lajza pointed out the charter allowance of recreation and parks control was approved by Dept. of Education, not the legislature according to the October 19, 2005 minutes of the merger task force minutes. Deb Billado noted that is one of several legal questions that are in the process of being answered.

Shirley Zundell, Cushing Drive, asked about a timeline for answers to questions. Trustee Lajza said questions about finances need more detailed information (the gross cost figure of \$83,000 is known, but a breakout of amounts is needed to determine staffing needs). Deb Billado summarized the Trustees could not answer the questions because they had questions that needed to be answered.

Trustee Billado expressed hope that everyone has come to the same conclusion that something needs to be changed, and the change will be liked by some and hated by others. The petition that was just submitted will be respected as was the first petition. Work continues in search of an answer, but the end is near. Ms. Billado urged everyone to remain positive.

Trustee Tyler read a note from Brad Luck, EJRP Director, acknowledging the need to involve the public, recognize the historical significance of any change, and maintain open communications.

There were no further comments.

#### **IV. OLD BUSINESS**

##### **1. Review Capital Plans**

Postponed.

**V. NEW BUSINESS**

1. Request from Maple Street Bike Park Committee for matching funds

**MOTION by John Lajza, SECOND by George Tyler, to direct the Village Manager to gather more information on the request from the Maple Street Bike Park Committee and to authorize funding up to \$500 with a report to the Trustees on the action taken.**

**DISCUSSION:** George Tyler noted the total cost of the bike park project is \$25,000 and the committee is seeking a small grant that requires a match. The committee is likely to request additional funding for the park in the future. Deb Billado advised assuring the village is collaborative on the grant application if appropriate. There was brief further discussion of other sources of donations. It was noted the committee is a nonprofit organization (driven by the public and fund raising) and the village is making a donation to their project. Steve Atwood noted his confusion in thinking the bike park was part of the recreation department and requested more information before providing additional funds. There were no further comments.

**VOTING: unanimous (5-0); motion carried.**

**VI. VILLAGE MANAGER'S REPORT**

The Trustees received a memo on items in the Manager's Report.

1. Meeting Schedule

- January 18 @ 6:30 – Special Trustees Meeting
- January 25 @ 6:30 – Regular Trustees Meeting
- February 8 @ 6:30 – Regular Trustees Meeting
- February 22 @ 6:30 – Regular Trustees Meeting
- March 8 @ 6:30 – Regular Trustees Meeting
- March 22 @ 6:30 – Regular Trustees Meeting
- April 6 @ 7:00 – Village Annual Meeting
- April 12 @ 6:30 – Regular Trustees Meeting
- April 26 @ 6:30 – Regular Trustees Meeting

Special Meetings/Events:

- February 9 – Possible Joint Meeting with Prudential Committee
- February 10 @ 3 PM – Employee Appreciation Party (On Tap Bar & Grill)
- April 12 – Australian Ballot Voting for Annual Meeting

**VII. TRUSTEES COMMENTS/CONCERNS**

Deb Billado noted the level of importance of the petition submitted at the meeting on 1/11/11 with 831 signatures garnered in seven days which reflects a loud voice from the community on the issue of recreation governance.

Peter Gustafson announced he cannot attend the 1/20/11 meeting with the Railroad Revitalization Committee due to continued work on the police station study.

**VIII. CONSENT AGENDA & READING FILE**

**MOTION by John Lajza, SECOND by George Tyler, to approve the consent agenda as follows and with the addition of the appointment of Mark Weston to the Brownell Library Board, location of the street information panel, and the Martin Luther King Day event (to the reading list):**

- 1. Approve warrants**
- 2. Approve Veterans Memorial Park Policy Amendment**
- 3. Reading List Acceptance (Letters & Communications)**
  - Article in Champlain Business Journal (January issue)**

**VOTING: all ayes exception one abstention (Steve Atwood) on the appointment to the Brownell Library Board; motion carried.**

**IX. EXECUTIVE SESSION and/or ADJOURNMENT**

**MOTION by Peter Gustafson, SECOND by Steve Atwood, that the Board of Trustees go into Executive Session to consider legal issues involving contract negotiations and land lease negotiations where premature general public knowledge would clearly place the Village at a substantial disadvantage, and to invite the Village Manager, Dave Crawford, to attend. VOTING: unanimous (5-0); motion carried.**

Executive Session was convened at 8:23 PM and adjourned along with the regular meeting at 9:15 PM.

*RScty: M.E.Riordan*