

**VILLAGE OF ESSEX JUNCTION  
BOARD OF TRUSTEES  
MINUTES OF MEETING  
November 16, 2010**

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

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

Village President, Deb Billado, called the meeting to order at 6:30 PM and led the assemblage in the Pledge of Allegiance. Ms. Billado apologized for the last meeting and any role she may have played while chairing the meeting that was perceived as less than cordial in nature. Everyone is allowed to participate in what is being discussed, stated Ms. Billado, but to avoid chaos the meeting protocol outlined in *Roberts Rules of Order* will be more closely followed. Support of the Board of Trustees in this endeavor is requested as well as a reminder if too much time is being spent on one topic.

**II. AGENDA ADDITIONS/CHANGES**

Add under Consent Agenda:

- VLCT Health Trust vision program change
- Information from Lt. Col. Chris Caputo re: slippage in the Air Guard F-35 Program

**III. GUESTS AND PRESENTATION**

1. Comments from Public on Items Not on Agenda

Dave Riester, village resident and member of the Prudential Committee, acknowledged the apology from Deb Billado. Mr. Riester opined Jeff Harton went overboard in his presentation, leading people to believe there is improper action by CCSU and the Prudential Committee and the need to investigate which is far from true. Mr. Riester expressed disappointment the Village Trustees did not stop the discussion sooner. Apology should be made to the Prudential Committee, CCSU, and the village overall, said Mr. Riester, adding Mr. Harton owes apologies as well. Mr. Riester expressed frustration with the situation, noting the first step with Jeff Harton was not in the right direction. Mr. Harton needs to make fewer accusations, said Mr. Riester. Offense was taken and the village as a whole was embarrassed. What transpired was not professional and the Trustees let Mr. Harton go on in a manner that implied wrong doing. George Tyler spoke in agreement of Mr. Riester's assessment of the previous meeting, adding he has not witnessed such discourse in his many years of covering trustee, selectboard and school board meetings.

**IV. OLD BUSINESS**

1. Discussion/Action re: Recreation Agreement and Lease

John Lajza joined the meeting via teleconference. There was discussion of the timeline for decisions and the charge of the ad hoc committee. It was noted the February date is a target to allow orderly consideration of whether to continue the recreation agreement. A

final decision is needed by April 1<sup>st</sup>. With regard to the ad hoc committee, information is needed as to number of employees and costs associated with the recreation program and the ad hoc committee could ferret out answers to questions. George Tyler suggested discussing the ad hoc committee with the Prudential Committee first so this is a mutual venture rather than a unilateral action by the Trustees since the Trustees are essentially appointing a committee to extract information from another administrative unit governed by another elected board. There was mention of the previously appointed joint committee of two Trustees and two members of the Prudential Committee meeting in January to compile information and answer questions. Peter Gustafson reminded everyone of his relationship with CCSU as a teacher and suggested based on what happened at the previous meeting that the information should be provided without the need to establish an ad hoc committee. There was discussion of the lack of a timely response by the Prudential Committee to requests for information which prompted some citizens to pursue the matter independently. George Tyler observed the Trustees have a different sense of urgency than the Prudential Committee which promised to address the matter in January after handling pressing “Challenge for Change” issues. The boards are out of sync, said Trustee Tyler. Deb Billado stated the level of frustration increased with each delay by the Prudential Committee. Taxpayers are free to pursue their own mission, but it seems logical to incorporate them into the ad hoc committee to deliver balance.

#### Timeline

John Lajza outlined two priorities including confirming there is a common legal opinion between the entities and negotiating how to move forward with the extended recreation contract. Dave Crawford recalled the Trustees directed the Village Manager and Village Attorney to draft ideas on extension of the agreement to be presented to the Board at the December 7<sup>th</sup> meeting. Deb Billado suggested the timeline be changed to reflect January 11<sup>th</sup> to hear the report of the ad hoc committee and January 18<sup>th</sup> to review the Prudential Committee question and answer document. George Tyler expressed concern that some of the questions and answers are not appropriate for the ad hoc committee to address. Trustee Tyler reiterated the Prudential Committee should have input on the ad hoc committee so there is balance.

The timeline was revised to include January 11 for the report from the ad hoc committee, January 18 for review of the Prudential Committee Q&A document, a joint meeting with the Prudential Committee in January, and February as the target date to sign the extension of the recreation agreement. Dave Riester said as a taxpayer and recreation user the legal issues should be resolved so there is a clear idea of the path before putting in a transition plan. Steve Atwood stated the village must have enough money to support the extension. Dave Crawford assured the money is there; the issue is whether it will be with the village or CCSU.

#### Appointment of Ad Hoc Committee

It was noted more letters of interest are expected to be received.

**MOTION by Steve Atwood, SECOND by George Tyler, that the Board of Trustees postpone appointment of members to the ad hoc committee.**

**DISCUSSION:** George Tyler asked for assurance the appointments will be done in a public meeting and not via email. Deb Billado stated there will be a work session the last week of November and the Board will discuss the appointments along with other matters.

**VOTING:** 4 ayes, one abstention (Gustafson); motion carried.

John Lajza mentioned the Recreation Advisory Committee could help gather information from CCSU and the Prudential Committee.

**Role of Ad Hoc Committee**

The consensus of the Board is an ad hoc committee with five members and the mission to gather financial information, staffing information (number of employees), and information from surrounding towns on staffing and costs. The Trustees will charge the ad hoc committee with specific tasks as matters gets better defined. Steve Atwood made a motion to forward the questions from the Recreation Advisory Committee to the Prudential Committee and CCSU for response. The motion was not seconded. Trustee Atwood withdrew the motion. Deb Billado stated the questions may be assigned to the ad hoc committee or the Village Manager or a consultant that could be hired. Trustee Lajza observed some questions can be answered without additional information, but some require more information. Also, the list of questions might be expanded. Following further discussion the role of the ad hoc committee was deferred to the December 7<sup>th</sup> meeting. The Trustees will draft questions if any on the presentation given by CCSU to the Prudential Committee.

**Hiring a Consultant**

Trustee Tyler spoke against hiring a consultant to help compile information due to the associated expense adding a burden on the taxpayers. Steve Atwood pointed out hiring a consultant has some merit in that this will take the emotion out of the situation. Also, CCSU and the Prudential Committee have indicated they do not have time to gather the information. John Lajza spoke in support of hiring a consultant if the cost is reasonable. Dave Crawford reported two consultants have been contacted and both are available to collect data from recreation programs in area towns and draft questions. Staff could also do this task though this will put a strain on staff. Deb Billado spoke in support of the concept, noting input from a professional is of value and impartial. George Tyler felt hiring a consultant to obtain the requested information is confrontational and combative to another elected board in the community.

**MOTION by Steve Atwood, SECOND by John Lajza, to hire a consultant to do a study of recreation governance at a cost not to exceed \$3,000.**

**DISCUSSION:** There was discussion of finding the money in the budget. Dave Crawford stated choices will have to be made. There was mention of each trustee perhaps contacting an area town and gathering information about the recreation program. Dave Crawford noted the consultants are professionals with knowledge of Chittenden County and Essex Junction, and will likely be able to meet with key contacts quickly. George Tyler recalled money (\$3,000) was spent on a consultant who worked on the local options

**tax which was not approved by the voters. John Lajza suggested each consultant submit a proposal before the Trustees decide who to hire.**

**FRIENDLY AMENDMENT to ask the Village Manager to contact the two potential consultants and request a proposal for review at the December 7, 2010 meeting.**

**VOTING ON MOTION AS AMENDED: 3 ayes, one nay (George Tyler), one abstention (Peter Gustafson); motion carried.**

Regarding the correspondence from the Recreation Advisory Committee, Dave Crawford will inform the committee that the Trustees will further discuss the questions and answers document at the 12/7/10 meeting. John Lajza suggested a copy of the meeting agenda and an invitation be sent to the Prudential Committee, CCSU, and the Rec Advisory Committee when the item is to be discussed.

John Lajza left the meeting.

## **V. NEW BUSINESS**

### **1. Review of First Draft of General Fund Capital Plan**

Dave Crawford pointed out capital projects have been pushed out further into the future since the local options tax was defeated. The projects have been prioritized. The South Summit Street water line replacement is driving the priority of the sidewalk and road reconstruction on the street. The multi-use path project will only go forward if an earmark or grant funding is secured for the project. The capital plan does not address paving needs in the village. George Tyler calculated the capital fund transfer increases about 5% per year which assumes the general fund increases as well, however, the IBM subsidy will end in 2014 so the 5% increase may not be realistic. Dave Crawford noted a cost factor increase for inflation must also be budgeted and salary/benefit increases. The capital plan is not building reserves, but simply maintaining the plan. Several roads needing attention have been pushed out, but the roads are in disrepair now. Deb Billado asked about sidewalk reconstruction and suggested an evaluation be done of addressing sidewalk on only one side of the street rather than both sides since sidewalk on only one side is plowed in winter. Dave Crawford pointed out the plan addresses the current sidewalk policy. The exception is Summit Street which is plowed on both sides of the street because there are two schools there. George Tyler asked about the Main Street Bridge replacement. Dave Crawford stated structurally the bridge will last beyond 2013, but the project has to get on the state's queue. The culvert on Densmore Drive needs more immediate attention. The state will not allow Route 15 to be impassable, but if the culvert fails there are ways to get around albeit inconvenient.

### **2. Discussion of 2011 Legislative Priorities**

Dave Crawford will invite state representatives and senators to attend the discussion of the list at a future meeting. George Tyler suggested focusing on one or two items that are critical for the village.

## **VI. VILLAGE MANAGER'S REPORT**

The Trustees received a written report on items from the Village Manager.

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**1. Meeting Schedule**

- December 7 @ 6:00 – Special Trustees Meeting
- December 14 @ 1:00 - Budget Day and 6:30 - Regular Trustees Meeting
- January 11 @ 6:30 – Regular Trustees Meeting
- 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

**Special Meetings/Events:**

- December 1 – Light the Village Celebration

**2. WWTP Improvements**

A letter of support from the Town of Williston for the refurbishment of the treatment plant was received.

**3. Interns**

Interns through UVM's Masters of Public Administration Program continue to be sought.

**4. Amtrak Museum**

Clean up continues. The goal is to have something to display for the December 1<sup>st</sup> lighting ceremony.

**5. Pearl Street and Summit Street Projects**

The last bills have been paid to contractors.

**6. Website**

The recommended proposal for the website upgrade will be presented at the 12/7/10 meeting.

**7. Prebates**

Earnings cannot be determined from the prebate notice so the Village will not get involved in the lawsuit.

**VII. TRUSTEES COMMENTS/CONCERNS**

Peter Gustafson gave an update on the police building search (3 acres of land or 15,000 s.f. building to retro-fit). Interested parties should contact the Town of Essex by December 1<sup>st</sup>.

Deb Billado observed the streetlights on Park Street are still operating. Dave Crawford said the power company has been notified.

**VIII. CONSENT AGENDA & READING FILE**

**MOTION by Peter Gustafson, SECOND by Steve Atwood, to approve the consent agenda as follows and with the addition of the VLCT Health Trust vision provider and information on the Air Guard F-35 program:**

- 1. Approve PWD purchase of valve exerciser/controller**
- 2. Approve delinquent tax agreement for 4 Park Street and 34 Park Street**
- 3. Approve banner application for Vermont International Festival 12/3/10-12/15/10**
- 4. VLCT Health Trust vision provider**
- 5. Information from Lt. Col. Chris Caputo re: slippage in the Air Guard F-35 program**
- 6. Reading List Acceptance (Letters & Communications)**
  - CSWD FY10 Annual Report**

**VOTING: unanimous (4-0)[John Lajza not present for vote]; 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 matters, contracts, personnel matters, and/or real estate 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 (4-0)[John Lajza not present for vote]; motion carried.**

Executive Session was convened at 8:55 PM and adjourned at 9:59 PM. The regular meeting was adjourned at 10 PM.

*RScty: M.E.Riordan*