

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
April 27, 2010**

BOARD OF TRUSTEES: Larry Yandow; John Lajza, George Tyler. (Deb Billado and Peter Gustafson were absent.)

ADMINISTRATION: Dave Crawford, Village Manager.

[Note: the minutes reflect the order of the published agenda.]

I. CALL TO ORDER and PLEDGE OF ALLEGIANCE

In the absence of Village President, Deb Billado, Vice President, Larry Yandow, called the meeting to order at 6:30 p.m. and led the assemblage in the Pledge of Allegiance.

II. AGENDA ADDITIONS/CHANGES

Add to Consent Agenda: Green Mountain Power Request for Waiver of Sewer Fee.

III. GUESTS AND PRESENTATIONS

1. Comments from Public on Items Not on Agenda
None.

2. CSWD Proposed FY11 Budget

Tom Moreau, CSWD General Manager, briefly reviewed the highlights of the proposed FY11 CSWD budget. The operating budget shows a decrease of 6/10 of one percent or \$57,000. Revenues are up \$232,000 (2.6%) due to strong recycling markets. The budget net is a decrease of \$57,000. The capital budget is up \$1.75 million of which \$1.2 million is for the compost facility and replacement of trucks. Funds are also designated to handle construction and demolition debris (clean sheetrock and wood, plastic film wrap, and asphalt shingles). CSWD has decreased the MRF fee to haulers due to the increase in recycling. Mr. Moreau briefly explained the compost project to be moved from the Intervale to Williston. The facility will take in organic waste (food and leaves) and make composted soil which will then be sold as a useful commodity. Five full time jobs will be created. The material helps grow crops and retain storm water run off. Williston as the host town will receive a host town fee as now occurs with the landfill. Williston had concerns about odor, noise and traffic. The composting facility is designed to eliminate odors, and the peak noise and traffic to/from the facility will be less than a typical Saturday at the Williston Drop Off Center. The facility will meet or exceed state standards. Mr. Moreau mentioned that the Intervale Compost has been at the Burlington site since 1993 and Burlington has not charged a host town fee.

There was further discussion of recycling and the markets for recycled materials. China is the largest market for recycled materials. Tom Moreau mentioned recent legislation mandating recyclable packaging for goods and manufacturers taking responsibility for product disposal (product stewardship). The E-Waste recycling bill (computers, televisions, and other electronics) has already been passed by the legislature.

Mr. Moreau acknowledged the effort at the village's waste water treatment plant with regard to the land application project.

MOTION by John Lajza, SECOND by George Tyler, to accept the CSWD FY11 Operating and Capital budgets as presented. VOTING: 3 ayes; motion carried.

3. Essex Community Farmers Market Proposal & Street Closure Request

Lori Houghton, 40 School Street, gave a briefing on the efforts to date to establish a farmers market in the village (non-profit status, contact of businesses, grant money received). Presently, there are 13 signed contracts with vendors and 11 verbal commitments. The request before the Trustees is approval for the date, time, location, signs, fee waivers, and funds for advertising. The market is proposed to be held every Friday on Lincoln Place (close the street) from 3:30 PM to 7 PM beginning June 18 and ending October 29. Signage is needed for parking, directions, and advertisement. Benches and trash receptacles are also needed. The street will have to be closed from 9:30 AM to 10 PM to avoid cars parking on the street before the farmers market and to allow vendors to set up and break down their booths.

There was discussion of precedent, revitalizing the downtown area, economic development, and funding. Dave Crawford noted there is \$2,000 in the FY10 budget for radio advertisements (\$1,000) and gardening activities (\$1,000). There is \$7,000 in the FY11 budget for community activities. It was noted the community events steering committee will have a budget and assign money to each group that is worthy. There was mention of the fee waiver request. The regulations require a fee for signs and technically the Zoning Board grants waivers, not the Trustees. An option may be for the village to subsidize the event for the cost of the sign fees. The name of the event was discussed. John Lajza said the goal is to brand the village as a destination location so the name should be specific to Essex Junction or Five Corners, rather than generic (e.g. community farmers market). There was discussion of insurance coverage. General liability coverage is provided, but product liability is not. Larry Yandow stated the vendors need to provide the farmers market organization with a certificate of general liability in an amount equal to the coverage for the farmers market. The same must be provided to the Village Manager.

Tom O'Brien, resident, stated the Five Corners area may not be the best place for a farmers market due to the lack of parking. A similar event was held on Railroad Ave. about 10 years ago and failed because of the parking situation. The proposed market is eliminating parking on Lincoln Place. Mr. O'Brien suggested the event be held in front of the fairgrounds or by Post Office Square because of all the available parking. People will not walk far to the event and will not want to cross the Five Corners intersection, said Mr. O'Brien. George Tyler pointed out the annual block party is well attended (2,700 people last year) and people parked all over the village. Bus service provided rides from satellite parking lots. Lori Houghton stated the location was chosen because the goal is to revitalize Railroad Ave. Area businesses and churches have been asked about use of their parking lots. Vendors will park in the parking lot on School Street. There will be a map to

direct people to the event. It is hoped many will walk rather than take their car. George Tyler commented people can plan how to get to the event. With an estimated loss of 1,000 farms in Vermont in the coming year, this is another needed venue for the small local farmer to market their goods.

Zach Nuse, 52 Park Street, spoke in favor of the location because the event will get people out of their cars to interact with each other which is necessary for economic development.

Elaine Sopchak, resident, said the public support of the farmers market by the Board of Trustees is greatly appreciated. The committee is grateful for the use of staff time and appreciates the continued support.

MOTION by George Tyler, SECOND by John Lajza, that the Board of Trustees approves the farmers market (name to be determined) to run from June 18th through October 29th, closing Lincoln Place from 2 PM to 9 PM for the event to operate from 3:30 PM to 7 PM, and further, to instruct staff to work with the farmers market group to define signage, fee waivers, and other details that need to be settled with final approval by the Board of Trustees. VOTING: 3 ayes; motion carried.

4. Proposed Maple Street Bike Park Presentation

Kahlil Zaloom, 45 Mansfield Ave., reported the Essex Jct. Rec & Parks Advisory Committee discussed a bike park at Maple Street Park in a location beyond the existing skate park. The bike park uses dirt mounds and some wood features. Users of the bike park will likely be some of the same users of the skate park. The park will appeal to all ages and ability levels. Many BMX and mountain bike riders travel to Johnson and Stowe to use similar public bike park facilities there. A professional in the field is assisting with the design and construction of the course. There will be minimal impact to existing trees. The path that is there will remain. There will be no impact to the baseball diamond. The noise level is the same as that of the skate park. There are no plans for lighting. The group will work with the neighbors on design and layout to ensure there is a buffer for noise. The location is outstanding because there is water, public bathrooms, and other recreational opportunities on the site. The school board is aware of the plans for a bike park.

MOTION by George Tyler, SECOND by John Lajza, to give permission to the Essex Jct. Rec & Parks Dept. to submit an application to the Planning Commission for the Maple Street Bike Park. VOTING: 3 ayes; motion carried.

IV. OLD BUSINESS

1. Discussion/Action on Creation of 'Essex Jct. Events Steering Committee'

There was discussion of the steering committee for events in the village. The committee will be the interface between staff and the public. Citizen members, staff, and Trustees will be on the committee. Once the committee is established the mission will be drafted. There is \$2,000 remaining in the FY10 budget which will be rolled into the \$7,000 in the

FY11 budget for events. The committee will make recommendations on how to expend the budget. There was discussion of the committee membership (nine members). It is assumed the Railroad Ave. Revitalization Committee and three subcommittees (farmers market, gardening, events/activities) will become part of the steering committee. Some tasks, such as the train station improvements, traffic, parking, and land uses, are more regulatory in nature and cannot be handled by the citizens group. The Trustees stressed the steering committee needs to push the issues so progress can continue. Elaine Sopchak stated assurance will be needed that the committee's interests are represented and the committee is doing what the Trustees want done. There was mentioned of the concern that the committee will rely too heavily on staff. The committee needs to make sure the volunteers facilitate the events and use staff only when necessary. An individual in the audience commented there is energy in motion now and the steering committee will need freedom to move forward with ideas. George Tyler explained there will be one Trustee and one staff member on the committee, but not with voting authority. There must be a balance to keep the energy going and have the right amount of village staff and Trustee involvement. The Trustees need to recognize the committee and need a roster of members. The committee will define the structure of the committee, the charge, and the role.

Diane Clemens asked if the committee is ad hoc or standing. Dave Crawford said the committee is standing, but the group will suggest how the committee is perpetuated. Ms. Clemens asked if efforts identified at the Railroad Ave. neighborhood forum will be undertaken by the committee. George Tyler stated the steering committee can discuss this, but there are already a number of events so the committee should think seriously about taking on more. The goal is revitalizing the downtown area, not specific neighborhoods per se. John Lajza said it is hoped the steering committee will become an example for the rest of the village with the energy and enthusiasm to make things happen. Dave Crawford noted there is a staff person in the FY11 budget (listed as "Manager's Assistant") to work with the steering committee.

MOTION by George Tyler, SECOND by John Lajza, to approve the formation of a downtown revitalization steering committee charged with identifying the committee members, structure, and role. VOTING: 3 ayes; motion carried.

V. NEW BUSINESS

1. Consider Taxpayer Request re: Late Tax Payment

Dave Crawford explained the village policy of accepting the USPS postmark, not a metered postmark, for payment by the 15th of the month. The owner of property at 43 Jackson Street Unit A2 was informed of the policy. The majority of the penalty is school tax, not village tax. If the delinquency is not resolved, a lien will remain on the land title. The mail date of the taxpayer's payment was the 15th of the month, but the bank dated the check on the 17th so the check was not negotiable on the due date regardless of the date of receipt.

MOTION by John Lajza, SECOND by George Tyler, that the owner of 43 Jackson Street Unit A2 be notified via letter that the check was not negotiable on the 15th of

the month which is the due date for taxes so the payment is considered late.

VOTING: 3 ayes; motion carried.

VI. VILLAGE MANAGER'S REPORT

1. Meeting Schedule

- May 4 @ 6:30 – Special Trustees Meeting
- May 18 @ 6:30 – Special Trustees Meeting
- May 25 @ 6:30 – Regular Trustees Meeting
- June 8 @ 6:30 – Regular Trustees Meeting
- June 22 @ 6:30 – Regular Trustees Meeting
- July 13 @ 6:30 – Regular Trustees Meeting
- July 27 @ 6:30 – Regular Trustees Meeting
- August 10 @ 6:30 – Regular Trustees Meeting
- August 24 @ 6:30 – Regular Trustees Meeting
- September 14 @ 6:30 – Regular Trustees Meeting
- September 28 @ 6:30 – Regular Trustees Meeting

2. Budget Surplus

Department Heads have been notified that any surplus in their budgets cannot be spent without authorization from the Village Manager or Finance Dept. because some departments were under budget and some were over budget.

3. CVE & Village Annual Meeting

Larry Yandow, John Lajza, and Dave Crawford will attend a meeting with CVE the week of May 17, 2010.

4. Sen. Leahy's Staff Visit

Members of Sen. Leahy's staff were on site to review the Pearl Street project and the section from the fairgrounds to Five Corners. Improvements at Five Corners were also viewed.

5. National Train Day – May 8, 2010

A welcoming ceremony is planned at the train station on National Railroad Day, May 8th. There will be a display of the activities planned and underway on Railroad Ave.

6. Champlain Leadership Group

The Trustees will meet with the Champlain Leadership Group on May 4th to discuss an email database and online newsletter for village residents.

7. Green Up Day – May 1

The Railroad Ave. group will be picking up trash along the railroad tracks on Green Up Day.

VII. TRUSTEES COMMENTS/CONCERNS

None.

VIII. CONSENT AGENDA & READING FILE

MOTION by John Lajza, SECOND by George Tyler, to approve the consent agenda as noted below and with the addition of approval of the sewer fee waiver request by Green Mountain Power:

- 1. Approve Minutes of Previous Meetings (4/13/10)**
- 2. Approve Warrants**
- 3. Approve and Sign Annual Town Financial Plan**
- 4. Approve and Sign 2009 Bridge Inspection Report**
- 5. Approve and Sign Thank You Letter/Certificate of Appreciation for Citizen Volunteer**
- 6. Approve Staff Request re: Fairview Farms Pond Design Modification**
- 7. Approve Staff Request to Write Off Debt of Stephens Group for WWTF Services**
- 8. Reading List Acceptance (Letters & Communications)**
 - Planning Commission Minutes (4/1/10)**
 - Certification of Election Results 4/13/10**
 - Letter of Support to Comcast for Channel 17**
 - Memo re: Acting Village Manager 5/10/10-5/14/10**
 - Letter to Agency of Natural Resources by Jim Jutras re: Pending Phase 2 Storm Water Permit**
 - Email re: State Transportation Budget**
 - Email re: Tree Removal in Whitcomb Heights I**

VOTING: 3 ayes; motion carried.

IX. EXECUTIVE SESSION

MOTION by George Tyler, SECOND by John Lajza, that the Board of Trustees go into Executive Session to consider legal matters, contract negotiations and personnel matters, and potential budget changes related to personnel issues where premature general public knowledge would clearly place the Village at a substantial disadvantage, and to invite the Village Manager to attend. VOTING: 3 ayes; motion carried.

The Board entered Executive Session at 9:25 PM.

MOTION by George Tyler, SECOND by John Lajza, to adjourn Executive Session and reconvene the regular meeting. VOTING: 3 ayes; motion carried.

Executive Session was adjourned and the regular meeting reconvened at 9:49 PM.

X. ADJOURNMENT

MOTION by John Lajza, SECOND by George Tyler, to adjourn the meeting. VOTING: 3 ayes; motion carried.

The meeting was adjourned at 9:50 PM.

RScty: M.E.Riordan