

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

**BOARD OF TRUSTEES:** Deb Billado (Village President); Larry Yandow, John Lajza, George Tyler, Peter Gustafson.

**ADMINISTRATION:** Dave Crawford, Village Manager.

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**WORK SESSION**

The Board held a work session beginning at 5:34 PM to discuss the Manager's task list. The Board also was briefed on the Parks & Recreation issue.

**EXECUTIVE SESSION**

**MOTION by John Lajza, SECOND by Peter Gustafson, to go into Executive Session to interview candidates for vacancies on the Planning Commission and Brownell Library Board. VOTING: 5 ayes; motion carried.**

Executive Session was convened at 6:10 PM.

**MOTION by John Lajza, SECOND by Peter Gustafson, to adjourn Executive Session. VOTING: 5 ayes; motion carried.**

Executive Session was adjourned at 6:29 PM.

**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 'New Business' – Appointments to Planning Commission and Library Board
- Under 'New Business' – Request for Signs in the Village Right-of-Way for Event at CVE on August 1<sup>st</sup>-6<sup>th</sup>.
- Under 'Consent Agenda' – First Bill List for FY11
- Under 'Consent Agenda' – Information on the Circ-Williston EIS & Public Hearings

**MOTION by Larry Yandow, SECOND by George Tyler, to amend the agenda by adding items under "New Business" and "Consent Agenda" as noted. VOTING: 5 ayes; motion carried.**

**III. GUESTS AND PRESENTATIONS**

1. Comments from Public on Items Not on Agenda  
There were no comments from the public.

**IV. OLD BUSINESS**

1. Discussion of Termination of Recreation & Parks Agreement with School District  
Deb Billado briefed the assemblage on how renewal of the Recreation & Parks Agreement came under discussion, noting the purpose of the discussion is to identify how to proceed with a process so an informed and responsible decision can be made.

Linda Waite-Simpson, Chairwoman of the Prudential Committee, asked for an explanation of the specific problem to be addressed and the decision to be made. Ms. Waite-Simpson stated the school district has significant financial challenges in the next budget cycle and teacher negotiations will begin again soon so to ask the CCSU administrative staff and Prudential Committee to add to the strategic plan an issue that will require additional meetings and time is difficult. To hold a public forum on an issue that is not clearly articulated is a concern. Ms. Waite-Simpson asked what is trying to be accomplished. Deb Billado explained comments from citizens were received which uncovered an apparent communication breakdown as to what is going on with Rec & Parks, the Trustees, and the public. The Trustees leased responsibility to the Prudential Committee to run the Rec & Parks program and there is some question in the public's mind about how well that is working. The Trustees would like to look at the raw data and see if Rec & Parks is most appropriately serving the public as is or should be under the jurisdiction of the Trustees. Linda Waite-Simpson stressed the requested meetings will occur right in the middle of the school district's budget cycle and there is not time to handle the matter now. The school district administrators are working hard on budget matters and it is not clear that the Rec & Parks issue is so pressing that it must be addressed right now. Ms. Waite-Simpson asked to publicly postpone the meetings until the budget work is done. Deb Billado interjected the Trustees are trying to give the public due diligence and waiting 10 months to start working on a request from a taxpayer is not due diligence. Ms. Waite-Simpson contended the request for review should have come to the Prudential Committee, not the Trustees. Ms. Billado pointed out the request can come to the Trustees because both parties are listed on and sign the agreement. Ms. Waite-Simpson interjected the question was about the assessment and that should have been addressed by the Prudential Committee.

George Tyler observed the governance and process issue are the Prudential Committee's jurisdiction right now. The question is whether running the Rec & Parks program is the best use of the Prudential Committee's time. The facilities are all taxpayer owned. The question is determining if the village can provide the same service to Rec & Parks without impact to programs. It will take time to review the data and hold public conversation on the matter. Linda Waite-Simpson said she is not opposed to the process, but is asking to postpone the conversation and data collection until after the school budget process is complete. Ms. Waite-Simpson invited the baseball group to meet with her to review how the assessment is set. The same tax rate has been maintained for the Rec & Parks organization for the past eight years. Ms. Waite-Simpson said she does not see the problem. The issue needs to be worked into the school district's schedule in an appropriate way.

Peter Gustafson mentioned the signed petition that was submitted to the Trustees. Ms. Waite-Simpson said the Prudential Committee did not receive the petition, and requests for a copy were denied. The Prudential Committee heard about the request after the group addressed the Trustees. Ms. Waite-Simpson acknowledged there is confusion, but transparency and simplifying governance is a broader question of which Rec & Parks is a part. There was legislation about

school consolidation, but there was very little comment from the public on this matter. Ms. Waite-Simpson assured the recreation program will not stand in the way of a larger initiative and who governs the department should not be a stumbling block for the greater good, but that is not the conversation. The agreement was drafted by a predecessor on the Prudential Committee to articulate what would happen under different scenarios, such as municipal merger or school district merger. Ms. Waite-Simpson reiterated her request to postpone the meetings on governance of Rec & Parks because the school district cannot compile the data or communicate effectively at this time. Much administrative time will be needed to decipher the time spent overseeing the Rec & Park program, said Ms. Waite-Simpson, suggesting the conversation be held with the community at the annual meeting to determine if the matter should be pursued further.

John Lajza stated there are two reasons to move forward including the request by constituents and the fact that the current contract expires July, 2011. Trustee Lajza acknowledged the amount of time and effort required to satisfy the request, but that is part of the job. Data needs to be gathered and public meetings held to see what the public wants the Trustees to do. Deb Billado stressed programs and personnel are not the issues. The Trustees simply want to look at the financial structure associated with the Rec Dept. through CCSU. Linda Waite-Simpson stated input from CCSU's Business Manager will be necessary. Cost figures are already available in the school district's annual report. The system is complex on how the assessment is determined, added Ms. Waite-Simpson. Deb Billado reiterated the Trustees are simply trying to be reactive and respond in a timely manner to the request from taxpayers, and 10 months is not an appropriate time to set an issue aside. Linda Waite-Simpson countered the matter is not a crisis. The next four months are a point in time when the Prudential Committee and school district administration are swamped with the budget process.

Ms. Waite-Simpson asked for clarification of the information being requested. Deb Billado explained what is needed is information to process the proposed budget for the Rec Dept. under the village budget. Ms. Waite-Simpson requested a list of items that the Trustees need. The list will be submitted to the CCSU Business Manager for action. Trustee Billado confirmed a list will be compiled and given to Linda Waite-Simpson. It was emphasized the two boards want to work together and do what is best for the community.

Peter Gustafson reviewed the catalyst for the request that came to the Trustees. A signed petition (500 signers) against relocating the baseball field was submitted to the Trustees followed by a request from about 20 citizens to not renew the agreement concerning governance of Rec & Parks. Linda Waite-Simpson expressed dismay that the request came to the Trustees (rather than the Prudential Committee) and that there was the implication CCSU is not performing according to what is being charged. Deb Billado suggested moving forward despite the comments and working together. The process should be open to the public - all discussion and agenda items. The public will be invited to communicate electronically, by telephone, or in person. Linda Waite-Simpson concurred.

Peter Gustafson said as an interested party he will give comment and input on the matter, but will recuse himself from any votes due to his current status as a teacher in the school district and having family members in the past who worked for the Rec & Parks Dept.

John Lajza commented the financial situation is important. Oversight is a concern as is the communications link between the Rec Dept. management and the Trustees. Trustee Lajza said he was not happy with how the skate park went through the process in that the Trustees were informed after the park had well advanced. Linda Waite-Simpson stated there was a Trustee as a member of the Recreation Advisory Board.

George Tyler acknowledged the 30 year relationship between the Rec Dept. and the Prudential Committee, and that the program evolved under their guidance. The community has been served well. Resistance to interference is understandable and the Trustees have not done enough to give assurance. Many of the rec programs occur in the school and there are issues with municipal government running the programs.

Larry Yandow invited the Prudential Committee to any of the Trustees meetings to provide comment and input at any time. Trustee Yandow noted the lack of interaction between the two boards. Linda Waite-Simpson stressed that is exactly why she attended the Trustees meeting.

#### *PUBLIC COMMENTS*

Joyce Stannard, Warner Ave. and village resident for the past 37 years, encouraged the boards to move forward on the matter.

Bridget Meyers, Chairwoman of the Rec Advisory Committee, urged not going forward per the request to postpone by the Prudential Committee so a thorough job can be done.

Tim Jerman, former Trustee and Rec Advisory Committee member, testified for about 10 years there was a trustee on the Rec Advisory Committee. Mr. Jerman said the committee handled service issues and there was always a close link (between the committee and trustees).

Diane Clemens, former Rec Advisory Committee member, stressed the need to inform the general public on where to go for what. The request to postpone discussion of the issue before the Trustees until January at least is because the information being requested must be compiled and presented. Also, it will take time to transfer seamlessly so the public is not impacted. Ms. Clemens said she has observed process by both boards. There is a cost associated in terms of staff time. Ms. Clemens mentioned the Trustees discussion on the village website and suggested looking at the Rec Dept. website as a good working model.

Kevin Dorn, village resident and former chairman of the Prudential Committee, stated the school district is incorporated. The voters are asked to pass a budget. It appears a small group of people came before the Trustees and triggered the present discussion. The more appropriate discussion to have would be within the confines of the Rec Dept. and its budget. Regarding the Trustees taking back the Rec Dept., there is no mechanism in place to do this. The Rec Dept. is run by the school district. The Trustees can start their own recreation department or the school district could ask the Trustees to take over the existing department. The Trustees have better things to do than embark on this process, said Mr. Dorn. Deb Billado stated the Trustees have two legal readings that the agreement between the Rec Dept. and the Trustees can be broken with a 90 day notice. Kevin Dorn acknowledged contracts can be broken, but the employees and programs are still

under the jurisdiction of the school district. There is no mechanism to pull the employees and programs out of the school district. Dave Crawford agreed the school district can continue the programs, but the park (land) is under the jurisdiction of the Trustees and leased to the school district to operate the programs. The lease expires July 1, 2011 and the Trustees and school district have to decide whether to extend the lease or not. Linda Waite-Simpson clarified the school district owns the buildings and pool as well as the debt. George Tyler reiterated the Trustees did not create the Rec Dept. of today. The department was more of an evolution over the past 30 years by the school district. The focus should be on how the boards can collaborate and get to a good place together.

Harlan Smith, Essex Jct. Rec Program employee and Rec Advisory Committee member as well as President of Little League, asked about the number of people who requested information on the rec program. Deb Billado said the tape of the meeting and the sign-in sheet will confirm the number of people at the meeting when the request was made. Mr. Smith observed the urgency seems to be to respond to the public, but as a member of the public he did not ask for the information and how 15 people as a percent of the public fit in needs to be explained. Mr. Smith stressed there is no urgency, but the Trustees are trying to get an answer for 15 people. Also, there has been a lot of misinformation, for example, Little League invested “blood, sweat, and tears” in the ball field, but no money. Essex Jct. Rec Program paid back Little League in full. Mr. Smith urged the Trustees not to distract the school district which does a good job educating the children, and to take the time to get more information to get better educated to make a decision.

Andrew Smith, student senator, mentioned being run by mob rule and having to act now versus having a government system in place to put on the brakes so bigger issues can be addressed. Linda Waite-Simpson said the school district has larger issues to address, noted Mr. Smith, urging that emotion not be allowed to interfere, but to deal with the facts. The issue of emotion is the baseball field. The fact is a budget is needed for the school system.

A woman in the audience commented the community park is not just for children. People of all ages use the facilities.

There were no further comments from the public. The Trustees reviewed the draft letter to the Prudential Committee and agreed to the following:

- More flexible time schedule
- Administrative staff will be in contact
- Prudential Committee and Rec Advisory Committee and Trustees should have a meeting when possible
- Determine if oversight is a possibility
- Provide the Prudential Committee with a list of information requests and ask for a timeline for response.

Linda Waite-Simpson stated CCSU administrators requested no further tasks be assigned until budgets are done in April. The school district must find \$1 million to cut from the school budgets. CCSU administers the high school and Westford school budgets as well. John Lajza noted the contract is with the Prudential Committee, but was outsourced to a third party (CCSU). Ms. Waite-Simpson explained the Prudential Committee is a board of volunteers who do not do

the administrative work. Trustee Lajza suggested the Rec Dept. could stand alone and provide a budget rather than go through CCSU. It was mentioned that budget information is public and available upon request. Trustee Lajza said the Board of Trustees has to look at the cost of the function and determine if there is a cost savings under the Trustees jurisdiction. Linda Waite-Simpson stated there are thousands of accounting transactions within the Rec Dept. Over 100 employees, full and part-time, are processed.

**MOTION by Deb Billado, SECONDED by Larry Yandow, to accept the draft letter with any amendments and work with the Prudential Committee to develop a timeline appropriate for all so the response to the public is not hanging for 12 months.**

**DISCUSSION: George Tyler stated any schedule must be respectful of the Prudential Committee's time, and the language must reflect that the issue is renewal of the contract for use of the property, not the Rec Dept.**

**VOTING: 4 ayes, 1 abstention (Gustafson); motion carried.**

2. Continue Discussion of Village Website and RFP Preparation

George Tyler reviewed the proposed webpage design and specifications for the RFP including graphics on the landing page, news briefs, quick links, drop down menu, security of the site, accessibility by major web browsers, being able to complete forms and pay bills on-line, generate a street map, key word search, link to video and Channel 17, connect to Facebook, and compile an email address database. The Trustees will review the information and provide comment.

**V. NEW BUSINESS**

1. Set FY11 Village Tax Rate

**MOTION by Peter Gustafson, SECONDED by George Tyler, to set village tax rate for FY11 at \$.2331 to raise \$2,384,826 approved at the annual meeting. VOTING: 5 ayes; motion carried.**

2. Appointments

*Planning Commission*

**MOTION by George Tyler, SECONDED by Peter Gustafson, to appoint Nick Meyer to the Essex Junction Planning Commission for a three year term ending June 30, 2013.**

**VOTING: 5 ayes; motion carried.**

*Brownell Library Board*

**MOTION by George Tyler, SECONDED by John Lajza, to appoint Jacqueline Hooker to the Brownell Library Board to fill an unexpired term until the next election in April, 2011.**

**VOTING: 5 ayes; motion carried.**

3. Signs in the Right-of-Way

Dave Crawford explained the request for directional signs for a national conference to be held at the fairgrounds from August 1<sup>st</sup> through August 6<sup>th</sup>. In the past directional signs in the right-of-way have been denied, but due to the event being national and many travelers coming from out of state the signs may be warranted. The Trustees may want parameters on the number, size, and

location of the signs. It is suggested signs be posted by the power plant, Five Corners, Route 2A, and Suzie Wilson Road, and be no larger than 18"x 24" in size.

**MOTION by John Lajza, SEOCND by Peter Gustafson, to authorize the Village Manager to communicate with the applicant for the directional signs that the Trustees are allowing the signs because it is unusual for a national organization to hold a national convention in the community and that a total of four directional signs can be posted in the village right-of-way on Route 2A, at Five Corners, and on Pearl Street, and that the size of the signs is limited to 18"x 24" or smaller, and further, that the signs shall be removed at the completion of the convention. VOTING: 5 ayes; motion carried.**

The Trustees are invited to attend the opening ceremony on August 2, 2010 at 8:30 AM.

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

### **1. Meeting Schedule**

- 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
- October 12 @ 6:30 – Regular Trustees Meeting
- October 26 @ 6:30 – Regular Trustees Meeting
- November 9 @ 6:30 – Regular Trustees Meeting

### **Special Meetings/Events:**

- August 9 @ 6:30 – Joint Meeting with Essex Selectboard
- August 24 @ 5:30 – Work Session
- October 7 @ CVE – VLCT Town Fair

### **2. Champlain Valley Fair Day and Dedication of Pearl Street – August 28, 2010**

Dave Crawford announced August 28, 2010 is Champlain Valley Fair Day celebrating the 89<sup>th</sup> anniversary of the Champlain Valley Exposition and the dedication of Pearl Street.

### **3. South Summit Street**

Notices were sent to residents about a meeting on July 29, 2010 regarding the work on South Summit Street.

### **4. Waste Water Treatment Facility Blower Upgrade**

The blower is not yet installed. A piece did not meet specifications so the company is going to pick up the failed blower.

### **5. Essex Economic Development Study**

Robin Pierce continues to attend meetings on the town's economic development study.

## **VII. TRUSTEES COMMENTS/CONCERNS**

None.

**VIII. CONSENT AGENDA & READING FILE**

**MOTION** by John Lajza, **SECOND** by Peter Gustafson, to approve the consent agenda as follows and with the addition of the first bill list for FY11 and information on the Circ-Williston EIS and public hearings:

1. Approve Warrants
2. Sign Proclamation for Champlain Valley Fair Day 8/28/10
3. Reading List Acceptance (Letters & Communications)
  - Final Environmental Impact Statement (FEIS) for Circ-Williston Transportation Project available for review 7/23/10 at [www.circeis.org/final\\_eis.html](http://www.circeis.org/final_eis.html)
  - Public Information Meetings for Circ-Williston FEIS on August 9&10 with last day to submit comments 8/27/10.

**VOTING: 5 ayes; motion carried.**

The Board signed the proclamation declaring August 28, 2010 as Champlain Valley Fair Day and recognizing the 89<sup>th</sup> anniversary of Champlain Valley Exposition.

**IX. EXECUTIVE SESSION**

None.

**X. ADJOURNMENT**

**MOTION** by John Lajza, **SECOND** by George Tyler, to adjourn the meeting. **VOTING: 5 ayes; motion carried.**

The meeting was adjourned at 8:30 PM.

*RScty: M.E.Riordan*