

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
August 24, 2010**

BOARD OF TRUSTEES: Deb Billado (Village President); John Lajza, George Tyler, Peter Gustafson. (Larry Yandow was absent.)
ADMINISTRATION: Dave Crawford, Village Manager; Jonathan Williams, Manager Assistant.

EXECUTIVE SESSION

The Board met in Executive Session prior to the regular meeting to discuss personnel issues.

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.

II. AGENDA ADDITIONS/CHANGES

Add under Consent Agenda:

- List of recommended motions

MOTION by John Lajza, SECOND by Peter Gustafson, to approve adding the recommended motions as presented to the Consent Agenda. VOTING: 4 ayes; motion carried.

III. GUESTS AND PRESENTATION

1. Comments from Public on Items Not on Agenda

Chris Chiquoine re: Noise Waivers

Chris Chiquoine, village resident, voiced concern about the management of the noise waiver process, recalling at the end of last year a statement was made agreeing improvement to the waiver system was needed. Mr. Chiquoine said he submitted suggestions which were acknowledged, but not used and no explanation was given as to why the suggestions were not taken. Mr. Chiquoine asked what has been done to improve the waiver system, noting two events occurred before the public was notified of the waiver (posted late and incorrectly). Relay for Life needs two waivers because the event covers two days, but only one waiver was posted, said Mr. Chiquoine. There was further discussion of the Relay for Life event. Dave Crawford said the Relay for Life event was evaluated and staff felt the event is a one day event that occurs within a 24 hour period (the event goes overnight). John Lajza noted the noise agreement refers to 'event days'. Chris Chiquoine commented it is hoped that position does not apply to the monster truck event, adding it is a 'slippery slope' to have the one waiver change. Dave Crawford said in conversation with Mr. Chiquoine he asked for a list of issues to review together and if there is disagreement then a request in writing can be made for the item(s) to be on a future Trustees agenda.

Mr. Chiquoine asked if ‘grandfathered’ events will be monitored, and asked to have all waived events monitored for noise. Dave Crawford explained waived events are monitored, and while grandfathered events are not required to be monitored CVE chooses to monitor some. Chris Chiquoine contended the ‘grandfathered’ rule is not in the noise agreement, and asked to be shown where in the document it identifies event that should not be monitored. Mr. Chiquoine requested that the noise agreement be enforced.

A meeting with Trustee Billado, Dave Crawford, and Chris Chiquoine will be scheduled to discuss the noise ordinance.

Bob Willey and Jeff Harton re: Essex Jct. Parks & Rec

Bob Willey and Jeff Harton read the signed petition (335 signatures) that was submitted to the Prudential Committee requesting the Prudential Committee and Board of Trustees meet as soon as possible to re-evaluate the recreation department being under the supervision of the school board, to discuss the pros and cons of the current arrangement, and to decide what the next agreement will constitute. The request is not criticism of the recreation department, but more of a governance issue, said Mr. Willey. Jeff Harton added the taxpayers want to know the cost of the service. Deb Billado stated the Trustees did send a letter to the Prudential Committee on the matter, but a response has not yet been received. John Lajza said his impression at the Prudential Committee was that a letter was going to be sent to the Trustees respectfully declining to meet at this time due to time constraints.

2. Public Hearing: Land Development Code Amendments re: Storm Water Management
The public hearing was opened at 6:55 PM. There were no comments.

MOTION by John Lajza, SECOND by George Tyler, to close the public hearing on the Land Development Code amendments regarding storm water management.
VOTING: 4 ayes; motion carried.

The public hearing was closed at 6:57 PM.

3. Waste Water Treatment Facility Overview

Jim Jutras, Public Works Director, and Wayne Elliot, engineering consultant, gave a brief history of the treatment plant operation (since the 1960s) and major upgrades beginning in 1984 to manage flow volumes from Essex Junction, Essex, and Williston and to comply with changing state regulations. Past capital projects have helped refine the treatment process and keep the plant operating efficiently. Inspection of the facility was done to determine the useful life of the plant and identify what is needed to keep the facility in operation. The plant which is now 26 years old was designed for 20 years of operation. There are deficiencies which have been identified. Current/future technologies are being evaluated to address phosphorus removal, nitrogen removal, expansion opportunity, biosolids treatment, and on-site dewatering. A list of short term capital priorities to keep the existing facility operating has been compiled. The recommendation is to upgrade the facility as the highest priority and then deal with sludge as the second phase of improvements. Estimated cost is \$15,228,000 for construction, engineering, and

contingency. The village's share is \$5,629,782. Funding sources include a revolving loan from the state (\$4 million), grants, bonds (\$11,155), and local share. The village's first year loan payment would be \$436,129. The sewer rate for the average village household will increase from approximately \$115 to about \$130 per year. The average sewer rate in the state is \$400. The preliminary engineering study should be complete in October, 2010. A bond vote would be held in April, 2011. Construction documents would be finalized in February, 2012. Construction would begin July, 2012 and be complete by July, 2014.

Dave Crawford mentioned funding will likely be in the form of loans. Grant money is not anticipated. Mr. Crawford suggested joining with other towns and legislators to discuss the change in the state and federal grant process which puts a burden on sewer users. More grants should be in the mix.

George Tyler asked about green project elements. Wayne Elliot explained green project elements relate to energy efficiency in the operation of the plant (effluent is used for heating and cooling, for example). Jim Jutras noted the treatment plant is an energy star rated facility. George Tyler asked about upgrade of the plant versus a new facility. Mr. Elliot stated a new plant would cost no less than \$50 million. The study addresses deficiencies and needs, but is not a 'Cadillac' project. Dave Crawford noted failures at the plant have been repaired, but it is getting more challenging due to the age of the equipment.

Peter Gustafson mentioned the increase in water bills being due to the decreased water use by IBM. Dave Crawford added the rate increase also covers repairs to the plant and needed pump station upgrades. Wayne Elliot calculated the sewer rate per household is approximately \$20 per month as compared to \$160 per month for cable or \$130 per month for cell phone service. The benefits of indoor plumbing cannot be understated.

MOTION by Peter Gustafson, SECOND by George Tyler, to authorize the Village Manager to negotiate and sign the Consulting Engineering Agreement with FAA to prepare preliminary plan documents and an application for planning funds from the Agency of Natural Resources, and further, that this work will be to assist the Village Administration in preparation of a bond vote at the 2011 Annual Meeting for the WWTF Rehabilitation Project at an estimated cost of \$15,228,000. VOTING: 4 ayes; motion carried.

The Tri-Town Committee is investigating doing a management review of the plans to double check estimates and the approach. Wayne Elliot will be presenting the information on the plant refurbishment to Essex and Williston.

4. Department Head Briefing by Water Quality Superintendent

Jim Jutras briefed the Trustees on the WWTF. Storm water permits (phase 2) have not been issued by the state as yet. The waste water permit is on hold due to appeal related to phosphorus. The treatment facility is in compliance with deficiencies corrected. Staff is engaged in getting feedback early on regarding any operational problems so these can be

addressed as part of the design in the rehab project. Detection of water leaks is on-going. The village has less than a 2% water loss. The national average is over 10%. Williston has flow metering at one location only. Essex has flow input at five or six different locations. Essex is moving to flow metering. Wet and dry weather flow data are collected and analyzed. Various portions of the system and flow at different times within a 24 hour period are reviewed. Decrease in flow could be due to low flow devices and correction of infiltration problems. Fixed costs remain even though flows are down. The rates must cover the fixed costs. Staff is always seeking ways to be more efficient. Regarding ground application of sludge, discussions continue with the Whitcomb Farm and CSWD.

IV. OLD BUSINESS

1. Discussion of Amtrak Station Issues

Dave Crawford briefed the Trustees on discussions with New England Central Railroad, CCTA, and the Essex Police about purchase and use of surveillance cameras at the train station as a way to deter vandalism and other unwanted activities in the area. Grants are being researched for the equipment. Jonathan Williams mentioned other devices that may be effective (high frequency noise device). Information will be forwarded to the Trustees. Motion lighting was also mentioned.

MOTION by George Tyler, SECOND by John Lajza, to authorize the Village Manager to negotiate with NECR, the Town of Essex, and CCTA to investigate the use of surveillance cameras at the Amtrak Station and to report to the Board of Trustees as soon as possible with potential costs. VOTING: 4 ayes; motion carried.

V. NEW BUSINESS

1. Appointment of Library Board Trustee

MOTION by Peter Gustafson, SECOND by John Lajza, to appoint with pleasure Nick Lemon to the Library Board of Trustees. VOTING: 4 ayes; motion carried.

Peter Gustafson commented Mr. Lemon is a great candidate for the library board.

2. Action on the LDC Storm Water Management Amendments

MOTION by George Tyler, SECOND by John Lajza, to amend the Land Development Code with regard to storm water management as presented. VOTING: 4 ayes; motion carried.

3. Discussion/Action on Park Street Signal Study

Dave Crawford reported the study done by Hamlin Engineering indicates the traffic lights on Park Street should be coordinated. The cost for the necessary equipment is approximately \$13,000. Jeff Kershner, Hamlin Engineering, reviewed the results of the study to improve traffic flow on Park Street. Coordinating the lights will allow cars on Park Street to move through several lights in the corridor. The side streets will have a slight wait. A second goal is not to penalize cars in the queue for the vehicle wanting to turn left out of South Street or River Street. The alignment of roads at the intersection of Park/South/River streets must be considered (not square) along with the level of service. Park Street handles 21,000 vehicles per day up from 20,900 vehicles per day in 2008.

Two-way hourly volume is between 11,000 – 14,000 cars on Park Street. Based on the analysis of the data the recommendation is to shortening the traffic light cycle lengths which will decrease delay, queue, and capacity at the intersections, but continue with acceptable volume to capacity ratios, said Mr. Kershner. The model takes into account lost time for winter driving. Regarding the left turning driver (South Street onto Park Street for example), the driver must take the opportunity to make the turn and not hesitate or back up of traffic will occur unless a right turn slip lane is created. Changing the sequence of the light will cause level of service “F” at the intersection. Mr. Kershner briefly explained how detectors in the road control the signal (i.e. light will remain green on the main artery if there is no demand on the side street to change the light). Five Corners is not included in the coordination scheme for Park Street, Iroquois Ave., and South Street.

Peter Gustafson asked about the traffic numbers through Five Corners onto Park Street. Jeff Kershner reported peak AM has 1,800 cars per hour, off peak (10 AM – 3 PM) has 1,700 cars per hour and peak PM has 2,200 cars per hour. A “smart light” system is installed at Five Corners which automatically adjusts the green timing to clear the intersection. Trustee Gustafson pointed out improving traffic flow and decreasing delay improves the carbon footprint.

John Lajza asked the wait time at Park St./South St. Jeff Kershner stated going south on Park Street the average delay is 32.2 seconds per vehicle. With the change in the timing of the light the average delay is 29.3 seconds per vehicle. Turning out of South Street onto Park Street in either direction the average wait is 52.3 seconds per vehicle before adjustment to the timing and 43.7 seconds per vehicle after the adjustment. The level of service is “D”. The master controller for the traffic lights will use wireless technology to have the light at South Street in sync with the light at Iroquois Ave. Adjustments can be made as needed. It was noted IBM requested ingress/egress on River Street be adjusted for their shift changes and that was included in the study and recommendation.

MOTION by George Tyler, SECOND by John Lajza, to revise the current Capital Improvement Plan to include the Park Street traffic signals upgrade in the amount of \$14,000 and to authorize the Village Manager to contract for the equipment and installation as soon as possible (i.e. waive the normal bid process), and further, to have the Village Manager work with the Finance Director, Village Attorney, and auditors to determine if the Village share can come from the FY2010 year end balance and grant(s) if any are available. VOTING: 4 ayes; motion carried.

VI. VILLAGE MANAGER’S REPORT

1. Meeting Schedule

- 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
- November 23 @ 6:30 – Regular Trustees Meeting

- December 14 @ 6:30 – Regular Trustees Meeting
- December 28 @ 6:30 – Regular Trustees Meeting

Special Meetings/Events:

- October 7 @ CVE – VLCT Town Fair
- December 1 – Light the Village Celebration
- Week of December 13 – Budget Day with Department Heads

2. South Summit Street Project

Work is progressing on South Summit Street. The contractor will maintain two-way traffic unless a better plan is presented.

3. Volunteer Groups Events Budget

The budget for planned events has been submitted and is under review (memo from Jonathan Williams to Village Trustees for 8/24/10).

MOTION by George Tyler, SECOND by Peter Gustafson, to grant approval as a community ‘seasonal’ or ‘holiday’ event the placing of ‘scarecrows’ as October decorations on village rights-of-way with the Village Manager being responsible for the approval of specific requirements for the sponsoring group to follow, and further, the Trustee note that this action shall not be considered as a precedent setting action for approval or rejection of future village approved seasonal decorations.

DISCUSSION: There was mention of the impressive success of the first season of the farmers market which has advanced to hiring a farmer’s market manager. Dave Crawford pointed out the event pays for clean up and trash removal from the street. There will be discussion of the event at the end of the season to see where any improvements can be made.

VOTIGN: 4 ayes; motion carried.

4. Champlain Valley Fair

Fair traffic plans include a three lane configuration. Animal protestors are anticipated to be staging a protest at the fair.

5. Filming in Village

Permission was given to a Los Angeles film company to film the village downtown for the Tennis Channel.

VII. TRUSTEES COMMENTS/CONCERNS

- George Tyler urged revisiting the issue of surveillance cameras soon.
- John Lajza suggested the traffic signal study be on the CCMPO’s agenda. Dave Crawford reported the TAC denied support of the signal synchronization project, but offered to help with the study in the next fiscal year budget. Assistance from CCMPO will continue to be pursued, assured Mr. Crawford.

- Deb Billado asked about streetlamps in stock. Dave Crawford stated there is one unit on hand. Each lamp costs about \$8,000. The lamp that was damaged will be replaced when the new one arrives.
- Deb Billado mentioned the overlay on Elm Street being an improvement. Also, the streets in the housing development west of the fairgrounds (Grandview Ave. and other streets) are in bad shape. Dave Crawford agreed, adding more money is needed in the paving fund.

VIII. CONSENT AGENDA & READING FILE

MOTION by George Tyler, SECOND by Peter Gustafson, to approve the consent agenda as follows and with the addition of the motions as presented by staff:

- 1. Approve Minutes of Previous Meetings (8/9/10)**
- 2. Approve Warrants**
- 3. Approval of Sanitation Capital plan Modification**
- 4. Approval of Wastewater Fund Capital Plan Modification**
- 5. Approval of Banner Application for Vermont Quilt Festival, June 2011**
- 6. Reading List Acceptance (Letters & Communications)**
 - **Memo re: Village 2010-11 Grand List**
 - **LCRCC Memo on Board of Directors 2010-11**
 - **VLCT Town Fair Schedule/Registration at CVE 10/7/10**

VOTING: 4 ayes; motion carried.

IX. EXECUTIVE SESSION

MOTION by Peter Gustafson, SECOND by George Tyler, that the Board of Trustees go into Executive Session to consider legal matters, contract negotiations and personnel matters, and/or 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, Dave Crawford, and Manager Assistant, Jonathan Williams, to attend. VOTING: 4 ayes; motion carried.

Executive Session was convened at 9:30 PM.

MOTION by Peter Gustafson, SECOND by George Tyler, to adjourn Executive Session and reconvene the regular meeting. VOTING: 4 ayes; motion carried.

Executive Session was adjourned and the regular meeting reconvened at 10:39 PM.

X. ADJOURNMENT

MOTION by John Lajza, SECOND by George Tyler, to adjourn the meeting. VOTING: 4 ayes; motion carried.

The meeting was adjourned at 10:40 PM.