

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
September 8, 2009**

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

I. CALL TO ORDER and PLEDGE OF ALLEGIANCE

Village 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

MOTION by Deb Billado, SECOND by Peter Gustafson, to approve the addition of the following items under "New Business":

- 1. Sale of three pieces of equipment from Public Works (catch basin cleaner, sewer rodder, electric spreader).**
- 2. Comprehensive facility plan/study for WWTF**

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 at this time.

IV. OLD BUSINESS

1. Update on Noise Complaints (CVE)

Dave Crawford reported complaints via email have been received about noise at the fair. Copies of the complaints have been forwarded to the Trustees. The complaints were communicated to CVE who told the concert workers to stay within the allowed decibel limits. There was mention of the concert on August 31, 2009 being heard by many outside the fairgrounds possibly due to atmospheric conditions (calm, cold air). The Trustees are waiting for the noise readings from 8/31/09.

Chris Chiquoine, village resident, said the noise is louder for residents on the east side of the fairgrounds. Mr. Chiquoine asked what action CVE is taking to decrease the noise. The Trustees pointed out barriers have been put up and the direction of some of the rides and the speakers has been changed to mitigate the noise. The decibel level for the rides themselves is 67. There was discussion of the grandstand speakers being directed to decrease noise outside the venue. Larry Yandow assured the Trustees are working to fit all the pieces together.

Nancy Chiquoine relayed an unsolicited complaint from a friend who lives on Mansfield Ave. about noise from the fairgrounds on the first day of school. The individual said they do not complain because nothing is done, said Ms. Chiquoine. The Trustees again assured there is much effort being put forth to try to resolve the noise matter. Better

communication about these efforts is needed. Resolution may take a while, but it is felt most people will feel better than the present time. John Lajza noted the contract in place now is considerably more stringent than that for most other public venues. Chris Chiquoine interjected the comparison is “apples and oranges”. Trustee Lajza pointed out CVE is a citizen of the village as well and the Trustees must try to make the best of both worlds for everyone. Mr. Chiquoine speculated the noise limits for concerts in 2009 are higher than concerts in 2008 so actually CVE is being encouraged to increase the noise level. Mr. Chiquoine said he would like to see effort by CVE to decrease noise. Nancy Chiquoine invited the Trustees to her house during a concert to hear the noise. Dave Crawford suggested arrangements be made when the sound company is doing noise testing at a stationary point so a test from the Chiquoine’s yard can be done. Ms. Chiquoine asked if a comparison of noise levels from last year to this year is done. Dave Crawford said last year there was more continuous testing being done. The Elton John concert which lasted over two hours exceeded the levels the entire show. All “B” shows are monitored for noise, said Mr. Crawford.

2. Update on Pearl Street Streetscape and Paving Projects

Dave Crawford reported many complaints about the lane changes and traffic have been received. People are having difficulty adjusting to the changes. There has also been a change in the traffic pattern on Susie Wilson Road by the Town of Essex and the Village is receiving complaints about that work. There was mention of directional arrows helping people get used to the configuration. It was acknowledged the bottleneck has been pushed back to West Street Extension rather than by the shopping center farther up Pearl Street. There was discussion of the transition to the bike lane. George Tyler suggested the bike lane go into the right turn lane to a bike stop sign before continuing to the next segment of the bike lane.

3. Recovery Act Projects

Dave Crawford report the Agency of Natural Resources wanted more information and letters from the Chittenden Bank. The borrowing matter continues to be a work in progress. Regarding the energy grant that was received, a letter of approval is expected on 9/12/09 after which the bid can be awarded to Overhead Door Company for replacement windows at a cost of \$25,384.73. Replacement entry doors are not included. Prices are being collected for removal of lead paint in some places. The new windows will be configured as the existing windows (same pane pattern). Deb Billado mentioned there may be funding available for lead paint abatement. Options for treatment include removal or covering with an aluminum clad sill.

4. Railroad Upgrade Project

Dave Crawford referred to the letter from Gov. Douglas regarding the NECR project and the response by the Village. The project is in the rail plan. The stimulus package did not mention the Middlebury rail spur project. The stimulus package press release speaks to rail improvements from St. Albans to the Massachusetts border to 286,000 pound rail standard on the main line which will increase speed of travel on the track and decrease travel time by 30 minutes. Of this \$5.2 million project, two million dollars worth of the work is on the section of rail that is part of the proposed project, explained Mr. Crawford,

so the request for earmarked funds would be decreased. There is also an initiative for a bus connector. Mr. Crawford said he has requested a meeting with Pat Brennan (House Transportation Committee). Regarding the railroad station, volunteers are sought to champion the organizing of volunteers to shepherd the improvement project.

5. Update on Local Option Tax Committee

Deb Billado announced the next meeting of the Local Options Tax Committee is 9/10/09. Rick McGuire, Williston Town Manager, is the speaker.

6. Update on Central St./Railroad Ave. Revitalization

George Tyler reported a steering committee was formed to move forward on some of the suggestions for revitalization. At the meeting on 9/1/09 there was discussion of the initiatives. A definitive plan is needed for the railroad station. Painting, planters, paving, posting a bulletin board, displaying artwork in downtown store fronts, having a railroad family restaurant at the former Manhattan Restaurant site are some suggested improvements. Sue McCormack, an experienced facilitator and community organizer, was contacted about moving the project forward. It was suggested an all day forum sponsored by the Vermont Council on Rural Development be held to compile more community input and focus on specific ideas for the redevelopment of the downtown area. Larry Yandow mentioned a conversation with the Northwest Railroad Modelers which is very interested in a museum and meeting space in the railroad station.

V. NEW BUSINESS

1. Review and Approve Alternative Health Plan

MOTION by Deb Billado, SECOND by John Lajza, to discuss the alternative health plan in Executive Session at the conclusion of the regular meeting.

DISCUSSION: Dave Crawford noted there is privileged information that the Trustees need to be aware of, but disclosure in open session would put the community and the individual at a disadvantage.

VOTING: 5 ayes; motion carried.

2. Protocol for Direct Service Requests from Citizens

There was discussion of how to handle email contacts/requests from citizens to assure that the information is heard and will be brought to the attention of the full Board of Trustees. Any response to an individual should be copied to the Village Manager and if necessary the Village President. The procedure for an item to be included on the agenda is to contact the Village Office during regular business hours to add the item to the list of potential agenda items. It was suggested a note be added to the agenda informing citizens of the procedure. The Trustees can bring an item up for discussion under the 'Trustees Comments' portion of the meeting. Dave Crawford will provide a template of the protocol for direct service requests for consideration at the next meeting.

3. WWTF Study

Dave Crawford briefly reviewed the study of capital maintenance needs at the treatment plant. The cost of the study is \$40,000 (\$50,000 has been appropriated). Staff recommends contracting with Forcier Aldrich & Associates (FAA), the current

engineering firm for the treatment plant, with the understanding there will be a peer review by another engineer. The study should be complete by the end of October or beginning of November to allow a 30% review to determine if a bond issue is needed or borrowing for a five year term or incremental spending of \$100,000 each year (budget impact).

MOTION by John Lajza, SECOND by Deb Billado, to agree to sole sourcing the contract for the WWTF study to look at the capital maintenance needs at the treatment facility and to authorize the Village Manager to enter into a contract with Forcier Aldrich & Associates for approximately \$40,000 including authorizing that an RFQ be done for a peer review, and further, the Village Manager will report back to the Board of Trustees.

DISCUSSION: Dave Crawford confirmed the Tri-Town Committee members agree with the approach as the most responsible and cost effective manner to handle the study including the peer review. Typical RFP procedure was reviewed. The process has been waived in other instances in order to expedite the matter especially if an item must be added to the budget. The quote from FAA was for \$38,500 (\$50,000 is available). The peer review is estimated to cost 10% of the total. There were no further comments.

VOTING: 5 ayes; motion carried.

4. Equipment Sales

MOTION by John Lajza, SECOND by Peter Gustafson, to authorize the Village Manager to put the following pieces of equipment out to public bid for sale to the highest responsible bidder:

- 1974 GMC 6500 Catch Basin Cleaner
- 1998 Sreco-Flexible Sewer Rodder Model HMRSR516TR
- Swanson Pick Up Bumper Mount Electric Spreader/Sander

And further, to direct the Village Manager to put the funds received from the sale of the catch basin cleaner and the sewer rodder into the Sanitation Fund and the funds received from the sale of the Spreader/Sander into the General Fund.

VOTING: 5 ayes; motion carried.

VI. VILLAGE MANAGER'S REPORT

1. Meeting Schedule

- Sept. 22 @ 6:30 – Regular Trustees Meeting
- Oct. 13 @ 6:30 – Regular Trustees Meeting
- Oct. 27 @ 6:30 – Regular Trustees Meeting
- Nov. 10 @ 6:30 – Regular Trustees Meeting
- Nov. 24 @ 6:30 – Regular Trustees Meeting (Thanksgiving week)
- Dec. 8 @ 6:30 – Regular Trustees Meeting
- Dec. 22 @ 6:30 – Regular Trustees Meeting

Jim Jutras will be acting Village Manager while Dave Crawford attends the ICMA conference (9/14/09 – 9/17/09). Budget goals will be set in October. The date for the Trustees fall retreat needs to be scheduled.

2. Energy Grant

An energy grant for \$11,000 is anticipated to improve the energy efficiency (heating) at the WWTF.

3. WWTF Open House

Staff is suggesting an open house be held at the WWTF in late September so the public can view the facility.

4. Streetlights

Citizens are urged to notify the Village Office of any streetlights that are out. Some of the lights have been turned off to reduce energy costs.

VII. TRUSTEES COMMENTS/CONCERNS

Larry Yandow mentioned the letter of appreciation sent to the United States Marine Band on behalf of the Trustees and the Village for their contributions.

Peter Gustafson mentioned the need to schedule a meeting of the Memorial Day Parade Committee.

VIII. CONSENT AGENDA & READING FILE

MOTION by John Lajza, SECOND by George Tyler, to approve the consent agenda as presented below:

- 1. Approve Minutes of Previous Meeting (8/25/09)**
- 2. Approve Warrants**
- 3. Senior Center Lease**
- 4. Approval of Fraud Policy**
- 4. Reading List Acceptance (Letters & Communications)**
 - **Memo re: Acting Village Manager 9/14/09-9/17/09**
 - **Planning Commission Minutes of 8/20/09**
 - **Email from Engineer re: Pearl Street Speed Reduction Zone**
 - **Administrative Procedures for Internal Controls**

VOTING: 5 ayes; motion carried.

IX. EXECUTIVE SESSION

MOTION by Peter Gustafson, SECOND by Deb Billado, 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 permit staff (i.e. Village Manager and intern, Sawyer Joecks) to be present for the session. VOTING: 5 ayes; motion carried.

The Board entered Executive Session at 8:20 p.m.

MOTION by Deb Billado, SECOND by George Tyler, to adjourn Executive Session. VOTING: 3 ayes [Peter Gustafson and John Lajza not present for vote]; motion carried.

Executive Session was adjourned and the regular meeting reconvened at 10:05 p.m.

ACTION FROM EXECUTIVE SESSION

MOTION by Deb Billado, SECOND by George Tyler, to authorize the Village Manager to increase the hours of the part-time position in the Finance Office from 30 hours per week to 40 hours per week, effective 10/12/09, with the position title of “Assistant to the Finance Director” and with a modified position description detailing the duties of the position. VOTING: 3 ayes [Peter Gustafson and John Lajza not present for vote]; motion carried.

X. ADJOURNMENT

MOTION by George Tyler, SECOND by Deb Billado, to adjourn the meeting. VOTING: 3 ayes [Peter Gustafson and John Lajza not present for vote]; motion carried.

The meeting was adjourned at 10:10 p.m.

RScty: M.E.Riordan