

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
June 14, 2011**

BOARD OF TRUSTEES: George Tyler, Dan Kerin, Lori Houghton, John Lajza. (Deb Billado was absent.)
ADMINISTRATION: Dave Crawford, Village Manager; Jonathan Williams, Management Assistant.

EXECUTIVE SESSION

The Board met in Executive session at 6 PM to interview candidates for the vacancy on the Planning Commission.

I. CALL TO ORDER (regular meeting) and PLEDGE OF ALLEGIANCE

Village President, George Tyler, 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 "Old Business":

- WWTF Bond Anticipation Borrowing Resolutions

Add under "New Business":

- Draft Trustees Annual Action Plan

Add under "Manager's Report":

- Management Assistant's Report
- CCMPO Email re: Circ highway Alternate Projects

Add under "Consent Agenda":

- Summit Street Project Award Memos (2)

III. GUESTS AND PRESENTATION

1. Comments from Public on Items Not on Agenda

None.

2. Annual Update by Geoff Wyman, Channel 17

Jeff Wyman reviewed data showing the viewership of Essex Junction governmental meetings including the following:

- Average number of viewers per meeting is 11.5.
- Largest viewership was on February 22, 2011 (90 viewers) followed by 45 viewers on 2/25/11.
- The landing page on Channel 17 for the Village of Essex Junction had 477 hits or 95 hits per month or three hits per day.
- Programming for Essex Junction includes 36 meetings covered by Channel 17 per year or three meetings per month.
- Programming can be revisited if the trend is toward more meetings per month.
- There is opportunity to cover committee meetings over the summer or produce another informational video on a specific subject or issue.

- The clickable agenda will be searchable in the future.
- Major purchases in the fall for Channel 17 include revamping the studio for a digital server (file based) and purchasing three new studio cameras to broadcast switch (\$115,000 cost).

Geoff Wyman will further investigate the number of viewers using the clickable agenda feature (government officials versus citizens). There was mention of government access via Comcast not providing much information.

3. Tom Moreau, General Manager CSWD, re: FY12 Budget

Tom Moreau CSWD General Manager reviewed highlights of the CSWD FY12 budget noting:

- Expenditures decreased 1.6%. Revenues are down as well.
- The budget includes a 1.75% cost of living adjustment.
- The deductible for the health insurance benefit was increased. CSWD is with BC/BS rather than insurance through VLCT.
- Compost program in Williston will be operational July, 2011 with compost product available by fall. Tip fee for compost will increase to cover the host town agreement.
- MRF expected to have a \$1 million surplus due to strong recycling markets.
- Fees for recycling decreased. Biosolids fee will increase due to the cost of diesel fuel. A study of biosolids is being done to analyze alternative disposals.
- A study of consolidating trash collection will be done.
- E-waste bill and mercury bulb bill will save CSWD \$100,000.

John Lajza, village representative on the CSWD Board, commented positively on the expertise of CSWD staff. Thanks were extended to CSWD for taking the lead on the chemical removal at a residence in Countryside.

IV. OLD BUSINESS

1. Approval of Agreement of Sale of WWTF Capacity to Town of Williston

MOTION by John Lajza, SECOND by Dan Kerin, to authorize the Village Manager to sign the agreement with the Town of Williston in its final version following review and approval by the Village Attorney and to move forward with selling 50,000 gallons per day of capacity from the WWTF over a five year plan to the Town of Williston.

DISCUSSION: George Tyler confirmed the additional 50,000 gallons of capacity are incorporated in the calculation for the prorated payment on the upgrades to the treatment facility.

VOTING: unanimous (4-0); motion carried.

2. Discussion/Sign Bond Documents for WWTF and Pump Station Projects

MOTION by John Lajza, SECOND by Lori Houghton, to adopt and authorize the following resolution:

WHEREAS, the Village of Essex Junction (the “Village”) at its April 12, 2011 special meeting authorized the construction of certain wastewater treatment facility and

sewage system pumping station improvements (the “Village improvements”), and the issuance of up to \$16,487,000 of general obligation bonds to finance the Village’s share of the costs thereof; and

WHEREAS, the Town of Bradford (the “Town”) at its August 24, 2010 and November 2, 2010 special meetings authorized the construction of public sewer system collection and transmission lines in the so-called Bradford Lower Plain (the “Town improvements”), and the issuance of up to \$1,705,000 of general obligation bonds to finance the Town’s share of the costs thereof; and

WHEREAS, on December 8, 2010, the Town issued and sold to the Vermont Municipal Bond Bank (the “Bank”) its General Obligation Bond in the principal amount being \$1,705,000, the amount of indebtedness authorized for the construction of the Town improvements; and

WHEREAS, the Town’s General Obligation Bond was purchased by the Bank with the proceeds of obligation it has designated and issued as a Recovery Zone Economic Development Bond (the “RZEDB”) under Section 14000-2 of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, the Bank has elected to treat its RZEDB as a Build America Bond under Section 54AA(d)(1)(c) of the Code, and as bond qualified under Section 54AA(g)(2)(B) and Section 14000-2 of the Code for the purpose of receiving a U.S. Treasury subsidy payment, the benefit of which inuring to the Town; and

WHEREAS, no expenditure of the Town’s General Obligation Bond have been made for the purpose of financing the costs of constructing the Town improvements or for any other purpose; and

WHEREAS, at the May 24, 2011 special meeting of the Town there was approved a proposition to loan the proceeds of the Town’s General Obligation Bond to one or more qualifying Vermont municipalities in exchange for an assumption of all debt service liability; and

WHEREAS, pursuant to such vote, the Town has arranged to transfer its General Obligation Bond proceeds to the Bank; and

WHEREAS, the Village is desirous of entering into a Loan Agreement with the Bank with respect to a loan in the principal amount of \$1,705,000, the proceeds of which will be used to pay in part the costs of the Village improvements; and

WHEREAS, the Village improvements are such that qualify for financing under Section 54AA(d)(1)(c), 54AA(g)(2)(B) and 1400-2 of the Code.

NOW, THEREFORE, BE IT RESOLVED THAT:

- (1) The Village proceed to take all measures and do all things necessary of convenient to secure a loan for the Bank in the amount of \$1,705,000, the proceeds of which shall be used to finance in part construction of the Village improvements.
- (2) The Village enter into such agreements and bind itself to such covenants as may be necessary or convenient to ensure the Bank’s \$9,770,000 2010 Series 2 Bonds (Federally Taxable Recovery Zone Economic Development Bonds) are and remain qualified under Sections 54AA(d)(1)(c), 54AA(g)(2)(3) and 14000-2 of the Code.
- (3) To the extent necessary to secure its undertaking herein, the Village agrees that it will take no action inconsistent with or violative of the undertakings, representation and covenants of the Town set forth in the December 1, 2010 Loan Agreement between the Town and the Bank, or in the Town’s December 8, 2010 Tax Certificate.

VOTING: unanimous (4-0); motion carried.

MOTION by John Lajza, SECOND by Lori Houghton, to approve the bond anticipation note (BAN) and sign the appropriate documents for the line of credit being the BAN of \$200,000 with People's United Bank. VOTING: unanimous (4-0); motion carried.

The Board signed the documents.

V. NEW BUSINESS

1. Discussion/Approve Appointments to Boards and Commissions

Positive comment was made on the qualifications of all the candidates and the opportunity to involve new people in service on village boards and commissions.

MOTION by Dan Kerin, SECOND by Lori Houghton, to reappoint the following individuals to the Planning Commission for terms ending June 30, 2014:

- **Aaron Martin**
- **John Alden**
- **Andrew Boutin**

VOTING: unanimous (4-0); motion carried.

MOTION by Lori Houghton, SECOND by John Lajza, to appoint David Nistico to a one year term on the Planning Commission ending June 30, 2012. VOTING: 3 ayes, one abstention (Dan Kerin); motion carried.

MOTION by John Lajza, SECOND by Lori Houghton, to reappoint Ron Gauthier to a three year term on the Zoning Board of Adjustment ending 6/30/14. VOTING: unanimous (4-0); motion carried.

It was noted Ron Gauthier also served as the village representative on the Regional Planning Commission, but with the merged organization John Lajza will be the representative and Dan Kerin will be the alternate.

2. Discussion/Approve Village Manager's Annual Appointments for FY12

MOTION by John Lajza, SECOND by Dan Kerin, to confirm the appointments by the Village Manager for FY12 as follows:

- **Dave Barra – Village Attorney**
- **Chris Gaboriault – Fire Chief**
- **Hamlin Consulting Engineering – Village Engineer**
- **Susan McNamara-Hill - Clerk/Treasurer/Tax Collector**

VOTING: unanimous (4-0); motion carried.

Rick Hamlin thanked the Board for the reappointment, noting Hamlin Engineering has served as Village Engineer since 1965. A majority of the staff at Hamlin Engineering are village residents who take great pride in their work for the village.

**3. Discuss 5/12/11 Work Session and Draft Annual Action Plan
*Circumferential Highway***

George Tyler mentioned the suggestion from Linda Myers (Essex Selectboard) for a joint meeting with the towns of Essex, Essex Junction, Colchester, and Williston to discuss strategy to approach an alternative to the circ highway which will not be built. There is \$34 million (placeholder) in the TIP for the project and CCMPO is starting an initiative. The money for an alternative should be directed to the communities that would have been served by the highway. The Trustees will further discuss the matter at the 6/28/11 meeting.

Action Plan

George Tyler reported by the August meeting there will be a progress report on the action plan. It is suggested a public meeting be held at Maple Street Park to gather public comment on the plan. Dave Crawford pointed out several of the items on the action plan have established processes in place per the charter (establishing ordinances and village sanctioned committees/events, for example) and staff has a role. There was mention of periodically changing the location of Trustees meetings, and even potentially periodically changing the day and time of the meetings to provide opportunity for the public to attend.

4. Consider Process to Appoint Members to Town Police Facilities Plan Committee
Staff will gather available information (past reports, background information on the work done to date to site a building) to help determine the commitment to serve on the committee. The Board will further discuss appointment of a Trustee and a citizen at large to the committee at the next meeting.

VI. VILLAGE MANAGER'S REPORT

The Trustees received a memo on items in the Manager's Report.

1. Meeting Schedule

- June 28 @ 6:00 – Board of Civil Authority followed by Regular Trustees Meeting
- July 19 @ 6:30 – Regular Trustees Meeting
- July 26 @ 6:30 – Regular Trustees Meeting
- August 9 @ 6:30 – Regular Trustees Meeting
- August 23 @ 6:30 – Regular Trustees Meeting
- September 13 @ 6:30 – Regular Trustees Meeting
- September 27 @ 6:30 – Regular Trustees Meeting
- October 11 @ 6:30 – Regular Trustees Meeting
- October 25 @ 6:30 – Regular Trustees Meeting
- November 8 @ 6:30 – Regular Trustees Meeting
- November 22 @ 6:30 – Regular Trustees Meeting
- December 13 @ 6:30 - Regular Trustees Meeting
- December 27 @ 6:30 – Regular Trustees Meeting

Special Meetings/Events:

- July 23 – 10th Annual Block Party
- October 6 – VLCT Town Fair, Killington
- December 7 – Light the Village Celebration and Train Hop

2. Project Brief from Jonathan Williams, Management Assistant

The memo from Jonathan Williams noted progress on security cameras on the Amtrak station, replacement of the train station roof, application for the Orton community planning grant, application for a sidewalk grant through CCMPO, and improving the functionality of the village website.

3. VLCT Policy Committee

There are vacancies on the committee that need to be filled. The committee makes recommendations to VLCT on the action plan.

4. Delinquent Tax List

The delinquent tax list has been forward to the Village Attorney per village policy.

5. Street Closings

Main Street will be closed June 19th and 20th, Central Street will be closed June 21st and 22nd, and Maple Street will be closed at a future date for work on the railroad crossings.

6. Fairview Farms Storm Water Pond Bids

Weston was awarded the bid for the storm water pond at a cost of \$147,785. Work is currently underway.

7. FY11 Financial Report

Staff anticipates a very modest, if any, surplus at the end of FY11.

8. Draft Recreation Lease

Village Attorney and CCSU legal team are working on the draft recreation lease. The item will be added to a future Trustees agenda for further discussion if necessary.

9. Fire Station Painting

The painting will be done by department personnel.

10. Tree Farm Agreement

Administrative discussions have begun with the management group. The item will be added to a future Trustees agenda for further discussion if necessary.

11. Summit Street Project Update

Rick Hamlin reported an excellent bid price was received for the Summit Street project. In addition, recycled foam will be used in the roadbed resulting in a savings of \$60,000.

VII. TRUSTEES COMMENTS/CONCERNS

John Lajza suggested the village try to integrate with the town's computer system (i.e. common server). Jonathan Williams confirmed the matter is being researched to make the server more accessible and emails more available. Dave Crawford will contact the Essex Town Manager.

VIII. CONSENT AGENDA & READING FILE

MOTION by John Lajza, **SECOND** by Dan Kerin, to approve the consent agenda with the addition of the Summit Street Project award memos (2) and as presented below:

1. Approve Minutes of Previous Meetings (4/26/11, 5/3/11, 5/12/11, 5/24/11)
2. Approve/Attest Annual Meeting Minutes 4/6/11
3. Approve Warrants
4. Approve Closeout of CVE Obligation for Pearl Street Project
5. Approve 2011 Dental Plan Renewal
6. Approve Bid Award for summit Street Water Line and Roadway Project
7. Approve FY12 Paving Bid Award
8. Reappoint Robin Pierce and Dave Crawford to the CCMPO/CCRPC Technical Advisory Committee (TAC) for a two year term ending 6/30/13
9. Approve Delinquent Tax Agreement for 4 & 34 Park Street
10. Reading List Acceptance (Letters & Communications)
 - Planning Commission minutes (4/28/11 & 5/19/11)
 - Block Party Committee minutes 5/23/11
 - Email from Michele Boomhower re: Municipalities Support of Merger
 - Notice of Award to Regional Stormwater Education Program
 - CCMPO Public Hearing Notice and Proposed FY12-15 (TIP) including the crescent connector roadway
 - CVE Neighborhood Meeting Notice 6/7/11

VOTING: unanimous (4-0); motion carried.

IX. EXECUTIVE SESSION and/or ADJOURNMENT

MOTION by George Tyler, **SECOND** by Lori Houghton, that the Board of Trustees go into Executive Session to discuss real estate matters where premature general public knowledge would clearly place the village at a substantial disadvantage, and to invite the Village Manager and Jonathan Williams to attend. **VOTING:** unanimous (4-0); motion carried.

The regular meeting was adjourned and Executive Session convened at 9:30 PM.
Executive Session adjourned at 10:15 PM.

RScty: M.E.Riordan