

**VILLAGE OF ESSEX JUNCTION  
BOARD OF TRUSTEES  
MINUTES OF MEETING  
September 13, 2011**

**BOARD OF TRUSTEES:** George Tyler (Village President); Dan Kerin, John Lajza, Mary Morris. (Lori Houghton was absent.)  
**ADMINISTRATION:** Dave Crawford, Village Manager; Rick Hamlin, Village Engineer; Robin Pierce, Development Director.  
**OTHERS PRESENT:** Kevin Collins, Elaine Sopchak, Jay Chiarito, Bridget Meyer, Wendy Needham, Erin Needham, Martin Rilling.

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**I. CALL TO ORDER and PLEDGE OF ALLEGIANCE**

Village President, George Tyler, called the meeting to order at 6:30 PM and led the assemblage in the Pledge of Allegiance. Mr. Tyler mentioned the upcoming Phish concert and the anticipated 12,000 people coming to the fairgrounds. Proceeds from the concert will help flood victims from Hurricane Irene. The concert was hastily scheduled so there may be some disruptions due to the volume of people anticipated to attend, but the event will benefit many fellow Vermonters who suffered losses due to the hurricane.

**II. AGENDA ADDITIONS/CHANGES**

Additions to the agenda were provided in a memo from the Village Manager to the Board of Trustees.

**III. GUESTS AND PRESENTATION**

**1. Comments from Public on Items Not on Agenda**

There were no comments from the public in attendance. Letters of comment received were noted and will be held on file at the village office.

**2. CVE Noise Agreement Discussion**

Dave Crawford explained the agreement with CVE following two technical noise violations that occurred during the Relay for Life event at the fairgrounds. Noise volume monitoring and a recording of the sound itself (to identify the source of the sound) will be done in the future. Both the village and CVE want to handle events in an appropriate fashion and be in compliance with the noise ordinance.

**IV. OLD BUSINESS**

**1. Update on Circ Highway Alternative Projects**

Task force meetings are underway, but extensive damage to the state's infrastructure from Hurricane Irene has caused delay. Further information from the Secretary of Transportation is anticipated.

**2. Discussion of Crescent Connector and Other Development Projects**

Village Engineer, Rick Hamlin, reviewed the proposed crescent connector roadway (curvilinear and 3-D layout), noting the road will provide development opportunity not

previously available because properties along the roadway will have frontage and interconnectivity across the tracks. The crescent connector will provide the opportunity to bypass the Five Corners intersection. Next steps include securing right-of-way and funding. There was discussion of the traffic analysis relative to the crescent connector. The Board is in agreement with the proposed configuration and continuing to the next steps of the project. Support was expressed for doing an active public information campaign on the crescent connector.

### *PUBLIC COMMENTS*

A woman in the audience asked where the funding would come from for the road and if it would be better to improve what is here now rather than add more roads and traffic lights. Dave Crawford said the hope is funding will come as an alternate project chosen to replace the defunct circ highway (100% of the cost covered). A more probable scenario is money allocated by the legislature for planning and construction in the future. Finally, there may be money available through federal stimulus programs. There was mention of focusing on improving the roads in the community to benefit the community.

### 3. Discussion of Property Maintenance and Building Control

There was discussion of an ordinance versus a regulation in the Land Development Code to control property and building maintenance in the village. Dan Kerin explained the village needs an ordinance to address properties that have not been maintained and present a health risk to the community and degrade the quality of life for citizens. There are two issues: abandoned buildings and upkeep of property (noxious weeds, debris, and such). Design review as part of the Land Development Code will allow control on how a building looks in order to fit with the character of the village. There was continued discussion of an ordinance for building maintenance and design review for building aesthetics. The Trustees will further review the matter at the next meeting.

## **V. NEW BUSINESS**

### 1. Approval to Enroll in National Flood Insurance Program (NFIP)

Staff reported businesses in a municipality enrolled in NFIP can retain flood insurance at a lesser rate. The village must adopt federal flood regulations in order to enroll in NFIP. Essex Pediatrics in the village recently learned they need flood insurance.

**MOTION by John Lajza, SECOND by Dan Kerin, to direct staff to bring together the information necessary for the Board of Trustees to make a decision on enrolling in NFIP. VOTING: unanimous (4-0); motion carried.**

### 2. Process for Consideration of Proposed Chicken/Fowl Ordinance

There was discussion of the proposal to allow a limited number of chickens at residences in the village. Issues to consider include noise, smell, attraction of predators, slaughtering. The committee working on establishing a fowl ordinance will gather further information, meet with staff and begin drafting an ordinance. A public hearing will be held to hear comment. It was clarified the committee has already drafted an ordinance. Further detail will be included in the ordinance with regard to enforcement. A permit will be required each year to have the birds.

Elaine Sopchak, resident, asked if village rules supersede homeowner association rules. Dave Crawford stated homeowner association rules prevail for members in the association.

Wendy Needham, Seneca Ave., stated the village is one of the last communities in Chittenden County not allowing chickens. There are existing ordinances that could be reviewed. Also, noise and odor are subjective measures. Ms. Needham showed the ordinance drafted by the committee for the village.

### 3. Resolution of Appreciation for Essex Junction Fire Department

Appreciation was expressed to the Fire Department for taking the initiative to repaint the fire station over the summer. The Board signed the resolution of appreciation.

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

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

### 1. Meeting Schedule

- 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
- January 10 @ 6:30 – Regular Trustees Meeting
- January 24 @ 6:30 – Regular Trustees Meeting
- February 14 @ 6:30 – Regular Trustees Meeting
- February 28 @ 6:30 – Regular Trustees Meeting
- March 13 @ 6:30 – Regular Trustees Meeting
- March 27 @ 6:30 – Regular Trustees Meeting
- April 10 @ 6:30 – Regular Trustees Meeting
- April 24 @ 6:30 – Regular Trustees Meeting

#### Special Meetings/Events:

- October 6 – VLCT Town Fair, Killington
- December 7 – Light the Village Celebration and Train Hop
- March 7 – Special Meeting with Prudential Committee
- April 4 – Village Annual Meeting
- April 10 – Australian Ballot Voting

### 2. Phish Concert

Planning with the police and fire departments has taken place. Details are being finalized. The village fee was not waived, but could be contributed to the flood relief fund.

**MOTION by John Lajza, SECOND by Dan Kerin, to direct the \$200 village fee for the Phish concert to the relief fund for Hurricane Irene flood victims. VOTING: unanimous (4-0); motion carried.**

**3. Project Updates**

- Summit Street work is complete and final payment to the contractor is being processed. The contractor took extra diligence in communicating with property owners. The project will be under budget by about \$40,000.
- The railroad has added the Maple Street crossing rehab to their list of projects. The crossing is anticipated to be closed for two days. Suggestions include doing the work over the weekend rather than during the work week. Staff is trying to work out the least disruptive schedule.

**VII. TRUSTEES COMMENTS/CONCERNS**

- Village-wide WiFi was discussed at the Prudential Committee meeting. The school district would like all students to have computers and access to the internet. A committee will study the matter further.

**VIII. CONSENT AGENDA & READING FILE**

**MOTION by Dan Kerin, SECOND by Mary Morris, to approve the consent agenda as presented:**

- 1. Approve Minutes of Previous Meetings (8/9/11 & 8/16/11)**
- 2. Approve Warrants**
- 3. Approve Bid Award for Lincoln Hall Flat Roof Replacement**
- 4. Approve Banner Application for 2012 Vermont Quilt Festival**
- 5. Approve Donation of Old Generator to Essex Rescue**
- 6. Approve Noise Waiver for EHS Homecoming Fireworks 10/1/11**
- 7. Reading List Acceptance (Letters & Communications)**
  - **Thank You Note to Public Works from Residents**
  - **State Approval of Loan Amendment for WWTF Projects**
  - **State Approval of Facilities Planning Documents for WWTF Projects**
  - **Press Release from Brownell Library**
  - **Door Signs for Residents with Overgrown Vegetation**
  - **Update on VLCT Town Fair 10/6/11**

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

**IX. EXECUTIVE SESSION and/or ADJOURNMENT**

**MOTION by Dan Kerin, SECOND by Mary Morris, that the Board of Trustees go into Executive Session to discuss personnel matters and legal matters involving real estate where premature general public knowledge would place the village at a substantial disadvantage, and to invite the Village Manager to attend. VOTING: unanimous (4-0); motion carried.**

Executive Session convened at 8:47 PM. The regular meeting reconvened at 9:32 PM. General discussion was held. The meeting was adjourned at 9:50 PM.

*RScty: M.E.Riordan*