

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
February 28, 2012**

BOARD OF TRUSTEES: George Tyler (Village President); Mary Morris, Lori Houghton, John Lajza. (Dan Kerin was absent.)

ADMINISTRATION: Dave Crawford, Village Manager; Lauren Morrisseau, Finance Director; Jim Jutras, Waste Water Treatment Facility Director, Darby Brazoski, Management Assistant Intern.

OTHERS PRESENT: Fred Duplessis, Brad Aldrich, Norm Smith, Nancy Radley, Harlan Smith, Andrew Brown, Everett Peyrat.

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.

II. AGENDA ADDITIONS/CHANGES

Additions to the agenda:

- Letter from Sullivan Powers & Co. re: audit
- Overview of joint meeting with Prudential Committee
- Graphs for annual report
- Sample ballot for annual meeting
- Executive Session material (minutes from negotiation sessions with Employee Association)
- Trustees report for annual report
- Letter from Village Attorney, Dave Barra re: auditor's request
- Update on UVM capstone project (Amtrak station upgrade)
- Boundary discussion relative to Stevens Park
- Memo on Management Assistant activities with grant applications

III. GUESTS AND PRESENTATION

1. Comments from Public on Items Not on Agenda
None.

2. Fred Duplessis of Sullivan Powers on FY11 Audit Report

Fred Duplessis reported per the FY11 audit the Village is in full accordance with U.S. generally accepted accounting principles and there were no material weaknesses or deficiencies. The Village has good internal controls and compliances in place. The year ended with a surplus on both the revenue and expense sides of the budget and this increased the fund balance (5% fund balance maintained). All funds have a positive balance except Waste Water with a deficit of \$25,000 which continues to be decreased. Footnotes and Schedules in the audit report provide details on various Village funds. Mr. Duplessis mentioned avoiding ach and wire transfer scams by using the bank device. The Village has good controls in place and is taking proper steps to avoid problems.

Dave Crawford commended Lauren Morrisseau and Susan McNamara-Hill for a clean audit, noting staff does review the financials quarterly to flag anything unusual. Department heads are a good team to work with and make necessary budget adjustments when warranted. To be within \$35,000 of expenditures on a \$3 million budget is good management by staff and department heads.

3. Aldrich & Elliott Engineers on Pump Station Bid Award

Brad Aldrich recommended awarding the pump station contract to Kingsbury (low bidder) in the amount of \$1,013,656. The bid amount exceeds the construction cost by \$49,226. There are change orders (nine items) totaling \$4,758. A five percent construction contingency required by the Vermont DEC is included in the project cost. The numbers are still within the bond authorization of \$1,257,000. Work will begin by June 15th or sooner. Planning Commission approval is needed before the project can proceed.

IV. OLD BUSINESS

1. Approval of 2011 Audit Report

MOTION by George Tyler, SECOND by John Lajza, that the Board of Trustees hereby accept the FY11 annual audit as presented. VOTING: unanimous (4-0); motion carried.

2. Authorize Village Manager to Award Bid for Pump Station Project

MOTION by George Tyler, SECOND by John Lajza, that the Board of Trustees hereby authorize the Village Manager to award the High School Pump Station construction contract to Kingsbury Companies in the amount of \$1,013,656 and to sign all related documents and change orders for the project, and further, to authorize the Village Manager to preorder equipment prior to signing the construction contract documents in order to expedite delivery. VOTING: unanimous (4-0); motion carried.

3. Adopt Annual Meeting Warning

The Board reviewed and accepted Article 6 as drafted.

MOTION by Lori Houghton, SECOND by Mary Morris, to sign the 2012 Annual Meeting Warning as presented:

**WARNING
VILLAGE OF ESSEX JUNCTION ANNUAL MEETING
APRIL 4 & 10, 2012**

The legal voters of the Village of Essex Junction are hereby notified and warned to meet at the Essex Community Educational Center on Educational Drive in the Village of Essex Junction on Wednesday, April 4, 2012 at 7:00 PM to act upon any of the following articles not involving voting by Australian ballot, said meeting to be adjourned to reconvene at the Essex Community Educational Center, on Tuesday, April 10, 2012 to vote for Village officers and transact any business involving voting by Australian ballot, said voting by Australian ballot to begin at 7 AM and close at 7PM.

ARTICLE 2. Shall the voters approve an annual General Fund Budget in the amount of \$3,256,340 for fiscal year July 1, 2012 to June 30, 2013, \$2,666,989 of which is to be levied in taxes against the Village Grand List?

ARTICLE 3. Shall the Village authorize the transfer of all funds above \$100,000 in the Land Acquisition Fund, estimated to be approximately \$320,000, to the Capital Program Fund?

ARTICLE 4. Shall the Village authorize the Trustees to use up to \$25,000 of the remaining balance of the Land Acquisition Fund for the purchase of property?

ARTICLE 5. Shall the voters approve holding the 2013 Annual Meeting on Wednesday, April 3, 2013 to act upon any articles not involving voting by Australian ballot and to reconvene on Tuesday, April 9, 2013 to vote for the Village officers and transact any business involving voting by Australian ballot?

ARTICLE 6. To transact any other business that may lawfully come before the meeting?

- Presentations about the Crescent Connector project, the Heart and Soul program, and the Amtrak station upgrade process are expected.
- A question about whether to request the Vermont Legislature to release health care finance data in September 2012 is expected.

BALLOT QUESTIONS

ARTICLE 7. To elect Village officers required by law including: Moderator (one year term); two Village Trustees (three year terms); one Library Trustees (five year term)?

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

It was noted water and sewer budget graphs are not included in the annual report because a rate study is underway.

4. Discussion on Capital Program Analysis Committee

The capital program analysis committee will begin work in May and sunset in early fall so information will be available as the budget is developed. Membership will include one member from the Planning Commission, the Village Manager or designee, two members from the Board of Trustees, and three citizens at large. Advertisement for volunteers should be done as soon as possible so the committee can begin work. Interviews of candidates will be done in open session. Discussion of the candidates will be done in Executive Session.

MOTION by George Tyler, SECOND by Lori Houghton, to direct the Village Manager to advertise for volunteers to serve on the Capital Program Analysis Committee. VOTING: unanimous (4-0); motion carried.

5. Update on Amtrak Station Renovation Process

George Tyler reported the community forum on the Amtrak station project was attended by about 50 people. There was good discussion with the UVM engineering students about the project. John Alden and Liza Kilcoyne provided their architecture expertise on the project design. The scope of work and projected timeline for the project are available. The project is on track to date. TIGER III grants are not applicable to the project. Staff will pursue Amtrak funds for the integration of ADA compliance requirements. Amtrak

has offered to do architectural and engineering review in addition to what they are required to do at the station. There was mention of the need for improvements by Amtrak to match what the community wants. Potential sources of funding include grants and private foundations.

V. NEW BUSINESS

1. Request from South Street Resident for Boundary Agreement

Attorney Norm Smith, representing Nancy Radley, and Nancy Radley, 25 South Street, proposed 163.94' of frontage between Stevens Park and 25 South Street be equally divided into two 81.75' sections and applied to frontage for 25 South Street and Stevens Park respectively. Attorney Smith provided a draft boundary agreement to reflect the proposal. Historical information on the land (1920 to the present) taken from tax maps, land deeds, and permit applications show the usage at 25 South Street is 85' of frontage. The Village was bequeathed Stevens Park from the estate of Helen Stevens. The park was defined as the remaining building lots on South Street. Photographs of the properties were shown. Following discussion there was agreement the requested change is reasonable and a survey should be done to delineate the exact boundary line between Stevens Park and 25 South Street for future reference.

MOTION by George Tyler, SECOND by Lori Houghton, to direct the Village Manager to do a survey using the Village Engineer or designee of the entrance to Stevens Park on South Street to establish four points at the west and east boundary of 25 South Street (i.e. per the tax map the easterly boundary of 25 South Street and the westerly boundary of 19 South Street) at the Village's expense. VOTING: unanimous (4-0); motion carried.

MOTION by George Tyler, SECOND by Lori Houghton, to authorize the Village Manager to move forward with signing the boundary agreement (prepared by Attorney Norm Smith) pending completion of the survey.

DISCUSSION: The numbers must match the description before the documents will be signed.

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

The Trustees added the boundary definition for Stevens Park to the list of agenda items to be discussed at the joint meeting with the Prudential Committee.

2. Petition from Loubier Drive Residents for Sidewalk Plowing Change

Everett Peyrat, 9 Loubier Drive, explained the request to plow the sidewalk on the left side of the street for the safety of children walking to school (the children will not have to cross the street twice).

MOTION by George Tyler, SECOND by John Lajza, that the Board of Trustees approve the request to change sidewalk plowing on Loubier Drive from the east side of the street to the west side of the street. VOTING: unanimous (4-0); motion carried.

VI. VILLAGE MANAGER'S REPORT

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

1. Meeting Schedule

- 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
- May 8 @ 6:30 – Regular Trustees Meeting
- May 22 @ 6:30 – Regular Trustees Meeting
- June 12 @ 6:30 – Regular Trustees Meeting
- June 26 @ 6:30 – Regular Trustees Meeting

Special Meetings/Events:

- March 7 – Special Meeting with Prudential Committee
- April 4 – Village Annual Meeting
- April 10 – Australian Ballot Voting
- May 26 – Memorial Day Parade (10 AM)

2. Meeting Room Enhancements to Display Graphics

A television screen is the best choice to display graphics in the meeting room. The cost is approximately \$3,000. Hamlin Engineering volunteered to install the unit at no cost. The Trustees will add the item to a future agenda for further discussion. The cost for a limited use item is a concern. One alternative may be to reconfigure the room layout and furniture.

3. Orton Agreement

The Orton agreement is signed.

4. Circ Task Force Meeting

The multi-use path and a park-and-ride around the station are on the agenda for discussion.

5. Meeting with CVE

George Tyler and Lori Houghton will attend the meeting with CVE. Tim Shea is the new CVE Executive Director.

6. Al Overton

The passing of Al Overton was noted. Mr. Overton served as Village Attorney from 1966-1972, was a Library Trustee, and was very involved in Village and Town affairs.

7. CHIPS Anti-Smoking Day

On March 21, 2012 there will be tombstones displayed on the Lincoln Hall lawn for the CHIPS anti-smoking campaign.

8. Questions on Fire Truck

Staff has been responding as best possible to the inquiries by George Dunbar, III pertaining to the fire truck. The Village Attorney advises the Village is operating appropriately.

9. Manufacturing Study

Research by Robin Pierce, Village Development Director, shows there are 6,962 industrial jobs in the Village, the highest in the area.

10. Go Vermont Grant

Darby Brazoski reported the Go Vermont grant for \$500 can be used for a park-and-ride or sustainable transportation, but the Village must establish a committee. Ms. Brazoski will form a committee.

VII. TRUSTEES COMMENTS/CONCERNS

- The consensus of the Board is to discuss improvements to the meeting room after the annual meeting when there is a clear idea of finances.
- I-Pads for the Board of Trustees will alleviate staff time to assemble the meeting notebooks and decrease paper use.
- Discussions will begin on the Lincoln Inn project in conjunction with the crescent connector.
- Thanks to Ken Braverman, Lincoln Development Group, for the letter of support for the crescent connector. An email was sent to the legislature with promise of a letter to follow.

VIII. CONSENT AGENDA & READING FILE

MOTION by John Lajza, SECOND by Lori Houghton, to approve the consent agenda as presented:

1. Approve Minutes of Meeting(s): 2/14/12
2. Approve Warrants
3. Reading List Acceptance (Letters & Communications)
 - Planning Commission Meeting Minutes 2/2/12
 - Letter of Response from Linda Myers, Essex Selectboard 2/17/12
 - VLCT Selectboard Institutes 3/31/12 & 4/28/12
 - VLCT Certificate of Recognition for Wellness Leader Program

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

IX. EXECUTIVE SESSION and/or ADJOURNMENT

MOTION by George Tyler, SECOND by Lori Houghton, to go into Executive Session to discuss personnel matters (Village Manager's evaluation, employee/personnel issue) and Employee Association negotiations where premature public knowledge would place the Village at a substantial disadvantage, and to invite the Village Manager to attend. VOTING: unanimous (4-0); motion carried.

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