

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
March 27, 2012**

BOARD OF TRUSTEES: George Tyler (Village President); Dan Kerin, Lori Houghton, John Lajza. (Mary Morris was absent.)
ADMINISTRATION: Dave Crawford, Village Manager; Darby Brazoski, Management Assistant; Fire Chief, Chris Gaboriault.
OTHERS PRESENT: Gabe & Diane Handy, Norm Smith, Nancy Radley, Harlan Smith, Mary Jordan, Kevin Collins.

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:

- Information on the Employee Association Contract (to be discussed in Executive Session)
- Information from Norm Smith for Nancy Radley, 25 South Street
- Information on the Loan and Purchase of Fire Truck
- General Fund Facts
- CVE Meeting Minutes
- Management Assistant Report

III. GUESTS AND PRESENTATION

1. Comments from Public on Items Not on Agenda

None.

2. Presentation by Fire Chief Gaboriault on the Ladder Truck Bid Process

Chief Gaboriault reported on the source selection for the new ladder truck (two U.S. manufacturers) and the demo of the equipment conducted by the department. Truck specs have been drafted and will be sent out 3/30/12 for return by April 27, 2012. The bid award is planned in May, 2012, with product delivery in the first quarter of 2013. Truck life is approximately 20 years. The new truck will replace a 1991 truck which is still in operation and will be sold once the new truck is received. It is expected the new truck will respond to up to 120 calls per year. There was discussion of the contribution from Essex Town toward the truck purchase (\$50,000 each year for the next four years) which will help decrease the amount to be borrowed. The Village has accrued approximately \$450,000 to date toward the truck purchase. Dave Crawford reviewed the mechanism for funding the fire truck per the borrowing authorizations described in the memo from Paul Guiliani, dated 2/29/12.

IV. OLD BUSINESS

1. Reconsideration of 25 South Street/Stevens Park Boundary

George Tyler reported the Village Attorney disagrees with the adverse possession approach previously mentioned by Norm Smith. Options for the Village per legal advice include providing an easement or moving the curb cut to better align with the relocated driveway.

Norm Smith, attorney representing Nancy Radley, stated his client is in the process of doing a survey and requests 70' frontage from "Point A" to the boundary whether through a boundary agreement or boundary line adjustment. A pin has been found at the 82' mark. The survey should show what was and what is proposed. A land trade is not being proposed. There is a closing date on the sale of the property on April 20, 2012 and Mr. Smith suggested in order to save time he can draft the deed and meet with the Village Attorney. Mr. Smith also withdrew a prior statement he made regarding taxes paid over the years on the area in dispute by the property owner of 25 South Street.

Nancy Radley asked for an explanation of the opposition by the Village to simply moving the boundary line. George Tyler explained the Board of Trustees cannot 'give away' Village owned land, but must follow a process and regulations. Norm Smith interjected the Village would not be "gifting" the land, especially now that there is evidence of 82' of frontage. John Lajza countered 49' has been noted in the deed from owner to owner over a long period of time. Norm Smith said he will ask Mark Ward to draft the survey results both ways for discussion.

2. Annual Meeting Preparation

George Tyler reviewed the handout to be provided to the public at the annual meeting showing the proposed FY13 general fund, percent of increase, impact on the tax rate, major expenditures driving up costs, information on the Employee Association contract, and a summary of the land acquisition fund (when the fund was started will be added). There will be budget presentations and a report on ongoing projects. George Tyler and Dave Crawford will meet with meeting moderator, Steve Eustis, to discuss the meeting proceedings.

3. Preparation for April/May Meeting with Amtrak

A meeting date with Amtrak has not yet been set. The engineers and architects are meeting weekly to discuss the station plans. The Village Engineer will refine the graphic to be presented at the Village annual meeting for the meeting with Amtrak (estimated cost of the work is between \$2,000 and \$4,000). CCTA was briefed on the project and offered suggested amenities for bus riders, including bathrooms. CCTA can better support a capital budget than a maintenance budget and therefore may be better able to help with construction of the bathrooms versus maintenance and improvements to the enclosed passenger area. Additional meetings with CCTA are planned to continue discussion of potential offsite holding areas for buses and bus patrons using the public parking on Ivy Lane for parking. Darby Brazoski mentioned the Go Vermont grant that may help with establishing a commuter parking lot.

V. NEW BUSINESS

1. Request for Waiver of Sewer/Water Connection Fees

Dave Crawford reported at this time Gabe Handy is requesting waiver of fees for one house to be taken down, but there are plans to remove two more houses and the request for waiver will be made for these houses as well. The houses were built before the impact fee program was put into effect so no impact fees were paid. Options for action include granting the waiver or altering the fee schedule in the Land Development Code, both of which have no precedent and are not recommended by staff.

Gabe Handy stated he will be paying \$100,000 in impact fees for 29 of the 30 units he is building on the site, and is asking the Village in the spirit of being business friendly to waive the fee on one house currently on the sewer system which will be removed. It is common practice in other towns to grant such a waiver, said Mr. Handy, adding his developments have typically had very few children entering the school system (67 units on Route 15 had six children go into the school system and 50 units in the town had two children going into the school system).

MOTION by Dan Kerin, SECOND by John Lajza, following due consideration and acknowledging the points made by Gabe Handy to make the decision to deny the request for a fee waiver.

DISCUSSION: The Trustees acknowledged the difficulty of the decision and requested that Mr. Handy continue to be a good business partner with Essex Junction. Gabe Handy stated if other towns offer the waiver and the Village wants to be business friendly then the Village should consider granting the waiver. There were no further comments.

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

2. Employee Association Contract
To be discussed in Executive Session.

VI. VILLAGE MANAGER'S REPORT

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

1. Meeting Schedule

- 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
- July 10 @ 6:30 – Regular Trustees Meeting
- July 24 @ 6:30 – Regular Trustees Meeting
- August 14 @ 6:30 – Regular Trustees Meeting
- August 28 @ 6:30 – Regular Trustees Meeting

Special Meetings/Events:

- April 4 – Village Annual Meeting
- April 10 – Australian Ballot Voting
- May 26 – Memorial Day Parade (10 AM)

- September 5 – Semi-Annual Joint Meeting with Prudential Committee

2. Grants

Darby Brazoski updated the Board on the ongoing effort to secure grants for the Village. Ms. Brazoski announced she is to be the local project manager for the Lincoln Street sidewalk grant with assistance from the Village Engineer. Local Motion and UVM students are involved in the Building Healthy Communities grant.

3. Meetings

May 1st is the employee appreciation meeting. May 8th is the local concerns meeting on the missing link on Pearl Street (from the shopping center to Five Corners).

4. CCMPO Joint Meeting Request

A joint meeting with CCMPO, Essex Junction, and Essex Town is requested to discuss the bridge across the Winooski River and interstate access north as an alternate to the circ highway. May 7th is one possible date. Essex Selectboard will set the date.

5. Algonquin Avenue Water Line Project

Staff is meeting with property owners regarding the water line project on Algonquin Avenue before sending out the bid.

6. CVE Meeting Minutes

The meeting with CVE on the noise waiver program was positive. It appears the program is working satisfactorily overall, only requiring minor tweaks. CVE requested a waiver of zoning permit fees for a regrading project to handle overflow parking. Other towns charge \$900 or a high of \$1,300 versus \$3,500 by the Village. A formal proposal will be submitted by CVE. Dave Crawford noted staff is investigating an upper limit in fees and for commercial construction.

VII. TRUSTEES COMMENTS/CONCERNS

- George Tyler recognized Trustee John Lajza's last meeting. Trustee Lajza said the experience of serving as Village trustee has been rewarding and urged others to serve on the board. Mr. Lajza will continue to serve as the Village representative on the CSWD board and as alternate on the CCRPC board.

VIII. CONSENT AGENDA & READING FILE

MOTION by John Lajza, SECOND by Dan Kerin, to approve the consent agenda as presented:

- 1. Approve Minutes of Meeting(s): 3/7/12**
- 2. Approve Warrants**
- 3. Approve Tax Payment Agreements for 4 Park Street and 34 Park Street per staff memo**
- 4. Reading List Acceptance (Letters & Communications)**
 - VLCT 2011 Wellness Program Memo and Check
 - Essex Shelter Meeting Minutes 3/13/12
 - Block Party Committee Minutes 3/12/12

- Letter from and Response to Countryside Cluster Homes Association Parcel A re: Municipal Ownership of Storm Sewer system
- Letter and Proclamation to Trustees from Hattie Harris Good Spirits Club International

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

IX. EXECUTIVE SESSION and/or ADJOURNMENT

MOTION by George Tyler, SECOND by Dan Kerin, to go into Executive Session to discuss the Employee Association negotiations where premature public knowledge would place the Village at a substantial disadvantage and then resume the regular meeting to take action on the contract, and to invite the Village Manager and Management Assistant to attend. VOTING: unanimous (4-0); motion carried.

Executive Session was convened at 8:15 PM and adjourned at 8:23 PM. The regular meeting resumed.

ACTION FOLLOWING EXECUTIVE SESSION

MOTION by George Tyler, SECOND by Lori Houghton, to accept the new Employee Association contract with revisions effective July 1, 2012 and ending June 30, 2014.

DISCUSSION: George Tyler acknowledged the effort and cooperation of all parties with the negotiations.

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

MOTION by George Tyler, SECOND by Lori Houghton, to authorize the Village Manager to sign the contract on behalf of the Board of Trustees. VOTING: unanimous (4-0); motion carried.

MOTION by George Tyler, SECOND by Dan Kerin, to adjourn the regular meeting and reconvene Executive Session to discuss personnel matters including the Manager's evaluation 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 reconvened at 8:30 PM
Executive Session was adjourned and the meeting ended at 9:37 PM.

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RScty: M.E.Riordan