



**TRUSTEES MEETING NOTICE & AGENDA**  
**TUESDAY, SEPTEMBER 23, 2014 at 7:00 PM**  
**LINCOLN HALL MEETING ROOM, 2 LINCOLN STREET**

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG** [7:00 PM]
2. **AGENDA ADDITIONS/CHANGES** [7:00 PM]
3. **APPROVE AGENDA** [7:05 PM]
4. **GUESTS, PRESENTATIONS AND PUBLIC HEARINGS** [7:05 PM]
  - a. Comments from Public on Items Not on Agenda
5. **OLD BUSINESS** [7:10 PM]
  - a. Bid Award for Co-Generation Installation at Wastewater Facility
  - b. Revision of Septage Receiving Policy at Wastewater Facility
  - c. Update on Pearl Street Link Project
6. **NEW BUSINESS** [7:30 PM]
  - a. Request to Amend Regulation of Public Nuisance Ordinance about Open Burning
  - b. Grant Application for Downtown Charrette
  - c. Grant Application by Bike/Walk Advisory Committee
  - d. Grant Application for Fire Department iPads
7. **MANAGER'S REPORT** [7:50 PM]
  - a. Various Meetings
  - b. Trustees meeting schedule
8. **TRUSTEES' COMMENTS & CONCERNS/READING FILE** [7:55 PM]
  - a. Board Member Comments
  - b. Minutes from Other Boards, Commissions and Committees:
    - Tree Advisory Committee 9/16/14
  - c. Notice of Appeal of Decision Regarding Water and Sewer Fees for 38 Thasha Lane
  - d. Memo about Lease with NECR for Multiuse Safety Path
  - e. Email Correspondence about Unsafe Walking Conditions
  - f. Draft Letter to the Essex Resort and Spa
  - g. Lincoln Hall Building Envelope Evaluation with Final Summary of the Extent of Repairs
9. **CONSENT AGENDA** [8:00 PM]
  - a. Approve Minutes of Previous Meeting 9/9/14
  - b. Approve Warrants Check #10050007 to Check #10050091 totaling \$607,199.23.
  - c. Approve Noise Waiver for EHS Homecoming Fireworks on 10/10/14
10. **ADJOURN** [8:05 PM]

*Meetings of the Trustees are accessible to people with disabilities. For information on access or this agenda, call the Village Manager's office at 878-6944. Times on the agenda are approximate.*

Dear Heart & Soul of Essex Mini-Grant Review Committee,

The Village of Essex Junction Bike/Walk Advisory Committee would like to respectfully request for funding for a “guerilla signage” project. This project involves placing several movable, eye-catching signs in highly visible locations around Essex. Similar projects have been done in other communities. Attached to this application is an example from Colorado Springs. These signs are intended to let citizens know how long it would take to bike or walk from one destination to another. For example, a sign large enough for motorists to notice could be placed at Five Corners stating that it is a five (5) minute walk to the Champlain Valley Exposition. This would certainly catch the interest of someone who has been stuck in traffic for that amount of time! We think that this is a fun and interesting way to get community members excited about biking and walking, and to remind them that it is not as difficult of a task as they may have thought.

Currently, the Bike/Walk Advisory Committee has a budget of \$0 for the 2015 fiscal year. As a result of this, we would be unable to complete this project in a timely fashion without outside assistance. Considering the fact that the signs have already been introduced to the community at Bike Day at the Farmer’s Market, we believe that it would be advantageous to get them out into the community as soon as possible.

Should we receive this grant, we anticipate formally requesting permission from the Village Trustees to place signs in the Village right-of-way in November of 2014. We will develop and print these signs during the winter of 2014-2015, and plan to publicize their launch into the community during March of 2015. We believe that March is an optimal time to do this, due to the fact that the weather will be warming up, and spring is a popular time for outdoor recreation.

This project would enrich the Heart & Soul value of health and recreation. The Bike/Walk Advisory Committee was formed in part due to the identification of this value by Heart & Soul. We believe that the “guerilla signage” project will help grow and spread the value in the community by making biking and walking more visible. We also consider this project to be an easy win for the community, something that will encourage and energize citizens around biking and walking but will not require a large amount of financial investment. It will also help to promote the visibility of bikers and walkers to motorists, which will increase their safety, which would serve to enhance this value as well.

Should we receive this grant, we would use the funds for printing 30 signs and the supplies needed to affix the signs. It should be noted that these signs will be able to be easily moved to

different locations for maximum visibility. We will consider this project to be a success if it provides a safe and easy way for numerous citizens to try biking and walking. Despite the fact that the Bike/Walk Advisor Committee is a Village committee, should we receive this grant we will also create signs for destinations in the town outside of the Village.

We would like to request a dollar amount of \$1,500 for this project. These funds will be matched in volunteer and staff time. The main person staff person that will be working on this project is Community Relations/Economic Development Assistant Darby Mayville. Committee Chair Rick Hamlin, who is a civil engineer based out of Essex Junction, will be spending a considerable amount of time on this project. Both of their hourly wage information will be made available should this grant be received. All other committee members on the Bike/Walk Advisory Committee are also anticipated to assist with this project. The value of their contributions will be calculated by the Chittenden County United Way, and will be based on the average hourly wage for a worker in Vermont.

Thank you for your consideration, and for all the work that you do for the community.

Richard Hamlin  
Chair, Essex Junction Bike/Walk Advisory Committee





Dear Heart & Soul of Essex Mini-Grant Review Committee,

The Essex Junction Fire Department would like to respectfully request funding in the amount of \$540 to purchase an iPad Air. This purchase would enable us to directly connect with our data tool firehouse on emergency calls through an app. Using firehouse allows us to access all of our data on various properties, which can include lifesaving information such as floor plans. The fire department currently uses a Panasonic Toughbook on calls; however this device does not enable us to quickly connect with the firehouse data service. The iPad is also smaller and easier to transport than the Toughbook.

It should be noted that the Essex Junction Fire Department responds to both calls in the Village of Essex Junction and the Town outside of the Village. As a result, we can safely say that this purchase would positively impact every citizen in the Essex community. The fire department responds equally to all calls in the community regardless of the time and demographics of the caller. The most expensive home in the community will get the same response time as the least expensive. As a result of this, the services of Fire Department could be considered to be a community equalizer of sorts.

Should the Fire Department receive this grant, we intend to purchase an iPad immediately. Once the iPad is delivered, we expect that it will take approximately one week to educate the firefighters on how to use it. After this training is complete, we will begin using the iPad on calls. We intend to discuss how this is working at our weekly meetings three times: at the one month, three month, and six month increments. After six months, we will determine if the department should transition fully to the use of iPads. We will consider this purchase to be a success if the majority of our members consider the use of an iPad to be an easier, quicker way to obtain lifesaving information at the scene of an emergency.

We believe that this purchase will contribute to the value of safety. At the Community Action Summit, 37% of respondents stated that they believed that safety could be defined as, "A robust first responder system (police, fire, and rescue) and a police department that is engaged, active,

visible, and strong.” The purchase of iPads, which will allow our first responders to better serve the community, will clearly assist with the development of this value.

The total cost of a new iPad Air is \$540. A printout of the iPad that we intend to purchase is included with this grant application. We believe that our application is unique in that the match that the fire department will be providing is more than 135 times the required match, as calculated by the value of our yearly volunteer hours. Members of the Essex Junction fire department completed 7,317 volunteer training hours in the past year. If these individuals were paid \$10 per hour, which is the base pay rate for fire calls, this would amount to \$73,170. Without the numerous hours that these volunteer put in, our Fire Department would never be able to offer the high level of service that we currently offer to the citizens of the Essex Community.

Sincerely,

Chris Gaboriault  
Essex Junction Fire Chief

Apple iPad Air MD786LL/A (32GB, Wi-Fi, Black with Space Gray) NEWEST VERSION

by Apple

1,522 customer reviews

| 123 answered questions

List Price: \$599.00

Price: \$540.00 & FREE Shipping. Details

You Save: \$59.00 (10%)

In Stock.

Sold by Quality Photo and Fulfilled by Amazon.

Want it tomorrow, Sept. 24? Order within 10 hrs 18 mins and choose One-Day Shipping at checkout.  
Details

Size: 32 GB

Item Shape: Wi-Fi

Color: Black

Apple iOS 5, 9.7 inches Display

Apple A6 1.4 GHz

32 GB Flash Memory, 1 GB RAM Memory

10-hour battery life, 1.00 pounds

Apple iOS 7; 9.7 Retina display; 2048 x 1536 resolution

5 MP iSight camera; 1080p HD video recording

A7 chip with 64-bit architecture and M7 motion coprocessor

**Patty Benoit**

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**From:** Patty Benoit  
**Sent:** Friday, September 19, 2014 11:48 AM  
**To:** '1611dave@gmail.com'  
**Cc:** Pat Scheidel - Village; George Tyler; Daniel Kerin  
**Subject:** FW: Speed tables and Keep Kids Alive Drive 25 cones

Dear Dave,

See below for responses to your questions and concerns. We apologize for the delay, but Pat has been extremely busy and needed time to review your email.

**From:** d s [<mailto:1611dave@gmail.com>]  
**Sent:** Friday, September 12, 2014 10:26 AM  
**To:** Patrick C. Scheidel; Patty Benoit  
**Cc:** George Tyler; Daniel Kerin  
**Subject:** Re: Speed tables and Keep Kids Alive Drive 25 cones

Hello,  
so it sounds like the people who get the cones don't pay anything for them, not even a deposit.  
Is that correct ? ***They are paying for them with their tax money.***

May I suggest a deposit lets say \$20 , otherwise there is no incentive for them to even return them.

Or, maybe I should ask, what incentive IS there for people to return them ? ***We have not considered that. People have returned them on their own.***

Of the 99 that are out there, do we even know how many are still in use ? ***We do not keep track.***  
or conversely how many are not in use i.e., how many have moved away when the people moved out of town etc ? ***We do not keep track. It would not be a good use of Village resources.***

I see many in the St in the winter in the snow banks.  
Perhaps it should be a policy; in the winter, when they are buried in the snow banks, the St. dept. should pick them up when they see them there.

Three or Four hundred dollars for these may not seem like much, but if a program as simple and minimal as this is run so loosely and basically with not much accountability, it doesn't help with my confidence in other major programs and expenditures.

***The popularity of the Keep Kids Alive Drive 25 program is evidenced by the number of people who have requested cones. It is their effort to slow down traffic and make their streets safer. When they call in a request, that is their stated concern and we support them with our traffic calming policy.***

Question; since the individuals who get the cones don't have any real personal ownership in them ie. know minimum payment or deposit, as a taxpayer I assume I have as much ownership in them as anyone.  
So if I needed to move them a few feet away in one direction or the other, so that I can park my car on the St, that shouldn't be a problem, correct ? ***No. Citizens are allowed to have one in front of their house and the house across from them. When they call in for cones, they are told to confirm with their neighbor across the street that it's okay to have the cone there. You do not have the right to move cones in front of other people's property. Only the Village of Essex Junction has the right to remove them.***

p.s. Is there a policy concerning placement, in this regard; is homeowner "A" allowed to place the cones in front of homeowner's "B" house ? *See last answer. It is not written in the policy.*

Please address all of my concerns here.

On Thu, Sep 4, 2014 at 2:09 PM, Patty Benoit <[patty@essexjunction.org](mailto:patty@essexjunction.org)> wrote:

Dear Dave,

Your request for a speed study on South Street has been referred to the Essex Police. For your information, residents of South Street had requested a speed study and petitioned for a speed table, in accordance with the Traffic Calming Policy. As I indicated in my July 9th letter, 70% of the residents would have to sign another petition to have the speed table removed.

In regard to the Keep Kids Alive cones, the Trustees amended the policy on 8/26/14 so that there is no requirement to remove the cones at night (see attached). We consider "adjacent to the edge of the pavement" to mean next to the curb or the edge of the road if there is no curb. In regard to your other questions, see below:

Along these lines, I would like additional information on;

- |  |   |
|--|---|
| - how many cones, total, (used or not used) do we have   | 99 requests for cones since 2004              |
| - is there a record kept of all the people who have cones  | Yes   |
| - is there a record kept when they are returned them   | Yes – 9 returned, 5 mos.-6 years after having |
| - is there a time limit as to how many a person can get  | Two cones                                     |
| - is there a time limit i.e. do people get these indefinitely  | No time limit in the policy                   |
| - how much do they cost the Village and how are they funded budget. Cones are reused if they have been returned. | \$75 per set from the Public Works            |

We are receiving 2-4 requests per year for cones. In order to discontinue this program, the policy would have to be amended by the Trustees based on feedback by citizens who have cones as well as yourself.

Pat Scheidel

Municipal Manager

**Patty Benoit**

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**Subject:** Additional Requests from EHS for Homecoming

**From:** Jeff Goodrich [mailto:jgoodrich@ccsvt.org]

**Sent:** Tuesday, September 23, 2014 12:55 PM

**To:** Patty Benoit

**Subject:** Re: Trustees meeting 9/23/14

Attention Village Trustees:

There is an effort being made to hold a homecoming bonfire at Essex High School on Thursday October 9th from 6:30 pm to 9:00 pm.

The High School athletic department and the Athletic Leadership Council would request that the open fire ban be suspended for this purpose. If approved we would communicate with the EJFD moving forward when / if the event is confirmed. Thank you for your consideration of this additional request.

Jeff

Here is the addendum to the request: From Jenna Lasko (Athletic Leadership Council Board Member)

To whom it may concern:

I'm writing on behalf of the Athletic Leadership Council at Essex High School. We are submitting a request for a portion of Route 15 to be closed on Friday October 10. We are hoping to reinstate the traditional homecoming parade this year. There will be 4 floats leaving from the VFW on Pearl street and going through 5 corners to Essex High School. We are requesting that Route 15 be blocked off for the parade from 5:30 pm to the arrival at 2 Educational Drive (anticipated arrival 6:00 pm.) On the behalf of ALC I thank you for considering this request.

Jenna Lasko

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Jefferson Goodrich

Athletic Director

Essex High School

2 Educational Drive

Essex Junction, VT 05452



## **MEMORANDUM**

TO: Essex Junction Trustees and Pat Scheidel, Village Manager  
FROM: James Jutras, Water Quality Superintendent  
cc: Lauren Morrisseau Assistant Manager/Finance Director  
DATE: September 18, 2014  
SUBJECT: CoGeneration installation Bid Award

A handwritten signature in blue ink, appearing to read "James Jutras", is positioned to the right of the memorandum header.

**Issue:** Whether or not to approve award of bids received for the installation of the methane powered heat and power CoGeneration system at the wastewater facility.

**Discussion:** The wastewater facility improvements are nearing completion. The only major item remaining is the installation of the methane cogeneration unit. This unit was approved for purchase and the power generating unit is currently on site. The project costs for this installation are part of the bond authorization and will be covered by the remaining Bradford Bond funds. There are sufficient funds remaining in the bond authorization.

Three bids received are for installation and connection of the cogeneration unit to the new infrastructure provided with the plant upgrade. Basis for award is the base bid. The bid package also includes basic installation for the high strength waste infrastructure to automatically add this material to the digester for increased methane production. The scope of work on this portion of the project maintains eligibility for an additional \$15,000 incentive from Efficiency VT.

**Costs:** Base bids received are as follows:

Kingsbury Companies LLC	\$200,463.00
NECCO, Inc.	\$249,333.00
Neagley & Chase Construction	\$325,000.00

**Recommendation:** It is recommended that the Village Trustees award the methane CoGeneration installation project to Kingsbury Companies LLC in the amount of \$200,463.00.



## **MEMORANDUM**

TO: Essex Junction Trustees and Pat Scheidel, Village Manager  
FROM: James Jutras, Water Quality Superintendent  
cc: Lauren Morrissette Assistant Manager/Finance Director  
DATE: September 18, 2014  
SUBJECT: Septage Receiving Policy updates

A handwritten signature in blue ink, which appears to read "James Jutras", is positioned to the right of the memorandum header.

**Issue:** Whether or not to approve modifications to the existing Septage Receiving Policy dated August 22, 2000.

**Discussion:** Construction is substantially complete at the wastewater facility. We can now begin to receive septage and other waste streams from outside septage hauling firms. In the years leading up to construction, there have been several items that needed to be addressed within the policy. Given the transition out of construction and back into operation, this presents an opportunity to make those changes noted by the TriTown participating facilities and by the WWTF staff.

Key elements of the modification:

- Notification of security cameras on site.
- Acknowledgement by the hauling firm of receipt of the policy
- Charges for material from non-municipally controlled pump stations  
(note: This type of material was previously accepted at no charge, often not a typical material expected as part of normal wastewater flow.
- Clear direction regarding truck procedures and responsibility for offloading waste.

**Costs:** There are no cost increases to the facility. This policy update will clarify charges that are revenues applied to the Village capacity at the facility.

**Recommendation:** This Policy revision is being presented for your review and consideration.

It is recommended that the Trustees approve the Essex Junction Wastewater Treatment Facility Septage Receiving Policy at the next regularly scheduled meeting.

**VILLAGE OF ESSEX JUNCTION  
WASTEWATER TREATMENT FACILITY  
SEPTAGE RECEIVING POLICY**

1. Septage is accepted at the Essex Junction Wastewater Treatment Facility on a limited basis from any community. Priority will be given to sewer district communities followed by Chittenden County residents. Any remaining capacity will be available as determined by the WWTF Chief Operator or his/her designee. The Village is under no obligation to accept any waste at any time.
2. The amount of septage on any given day will be limited, at the discretion of the Chief Operator. The volume to be accepted depends on the plant's capability to adequately treat without odors, without process upsets, or without deterioration of the treatment process.

Trucks delivering material to the facility are not to use engine brakes at any time while on Cascade Street or in the WWTF complex.

By use of the facility, the hauler acknowledges that security cameras are present and monitoring the septage receiving area at all times.

**NOTE: It is illegal to discharge septage, leachate, graywater, carpet cleaning waste or any such material covered by this policy into the manholes, storm sewer system or domestic wastewater collection system**

3. All material brought in for treatment shall be recorded on the appropriate log located at the septage receiving area. Relevant information must be filled in completely and approved by staff as required or material may be billed at the highest rate.
4. The septage disposal area must be maintained in a clean and odor free manner by the disposing hauler. Leaky valves, connections and hoses will not be accepted. Spillage onto the ground will not be tolerated. Failure to keep the area clean will result in a cleanup fee of up to \$250 when demonstrated that a spill occurred and was not attended to. Further action may include the potential loss of disposal privilege.

The Village is under no obligation to provide a discharge hose or fittings. The septage hauler shall provide his/her own hose and fittings necessary to connect to a 4 inch Type B female quick connect fitting. Drivers will not be allowed to do vehicle maintenance while on site.

5. Disposal hours are from 7 AM to 3 PM weekdays, and 7 AM to 8:30 AM weekends and holidays. After hours emergency deliveries shall only be accepted from municipalities of the Tri-Town communities (Essex, Essex Junction and Williston) for wastewater from public infrastructure when the request is by the participating community for their own infrastructure. All emergency loads will be on a fee basis with charges as per the approved Fee Schedule.
6. Only septic hauling firms providing an approved Waste Transportation Vehicle Report shall be allowed to dump at the facility. Bills will be issued monthly by the Village of Essex Junction and will be due on the date shown on the invoice. Interest of 1% per month will be charged on all overdue balances. Lack of payment will result in withdrawal of disposal privilege. Carpet care companies are permitted to dump when an account is established and maintained in good status. Invoicing by the Village will be at intervals as noted in the fee schedule. Failure to keep an account in good standing may result in permanent loss of disposal privilege.

7. The rates for septage disposal shall be set by the Essex Junction Board of Trustees and posted at the facility. Rates shall cover all reasonable costs associated with operation, maintenance and construction of the facility (including both past and future capital costs). The Village will attempt to provide haulers with fifteen (15) days prior notice whenever rates are changed. (See Attachment A – Septage Receiving Fee Schedule.) Rate classes include septage, graywater, leachate and special waste.

A lower rate may be charged for domestic graywaters containing less than 1,000 mg/L of solids and oxygen demand (BOD) or wastes with less than 30 mg/L TKN. These will be charged at the graywater rate. Prior approval must be given by the operational staff or the septage rate will be charged. Samples must be drawn from the truck by the hauler and as directed by the wastewater facility staff.

Excessively greasy or concentrated septic loads may be assessed a higher grease rate at the discretion of the Chief Operator to cover the cost for treatment and handling of nonconforming septic load. Misrepresentation of material brought to the facility, resulting in toxicity to the process, will result in revocation of septage disposal privilege.

8. **Use of raised bodies while dumping is specifically prohibited.** The septage receiving area is pitched to the discharge area. Use of a raised body will immediately result in the entire load being billed at the septage rate for the maximum truck volume subject to further action including penalty or removal of disposal privilege.
9. Appeal of any facility decision under this policy is to be made to the Village Manager and in accordance with the policy and procedures of the Village of Essex Junction Section 1, Administration Citizen Complaint form.

ATTACHMENT A

SEPTAGE RECEIVING FEE SCHEDULE

**Note Well:** By use of the facility, the hauler acknowledges that security cameras are present and monitoring the septage receiving area at all times.

**\*Septage Rate: \$95 per 1,000 gallons based on tank truck capacity.** Septage is material greater than 1000 mg/l BOD or TSS.

Any septic waste that is generated from Williston, Essex or Essex Junction public infrastructure will be accepted at the Essex Junction Wastewater Facility during normal hours at no charge. A municipal employee must represent that the septage is from the publicly owned sanitary collection system within Williston, Essex or Essex Junction. All other material from privately owned infrastructure or other materials shall be billed at the septage rate or in accordance with the following.

**Graywater rate: \$20 per 1,000 gallons.** A lower rate will be charged for domestic graywaters containing less than 1,000 mg/l of solids and oxygen demand (BOD) or less than 30 mg/L TKN. Prior approval must be given by the Chief Operator. Samples must be drawn from the truck for the Village and evaluated by wastewater facility staff in order to be eligible for this lower rate.

**Special Waste: \$35 per 1000 gallons.** Specialty wastes are wastes that have high strength and minimal solids that lead to direct digestion without significant impact on the digestion process. This material is specific to the waste fed to the digester processes.

**Grease: \$120 per 1,000 gallons.** Grease trap waste will be accepted only at the discretion of the wastewater facility staff. Acceptance will be very limited and only on a scheduled basis from connections to our service area ONLY and in volumes of 2,000 gallons or less. Grease shall only be accepted Monday through Friday during normal receiving hours.

**Sewage from private systems connected to Williston, Essex and Essex Junction sanitary sewer systems.** The Village wastewater facility will accept typical waste from this class on an emergency basis at no charge during normal business hours ONLY. After hours emergency deliveries shall only be accepted when the request is directly by Williston, Essex or Essex Junction. ALL emergency loads will be on a fee basis with a minimum charge of \$150. Loads that are not typical for graywater, as noted above, will be charged the septage rate.

**Septage area cleaning penalty: \$250** Failure to keep the septage receiving area clean will result in a cleanup fee of up to \$250 and further action when demonstrated that a spill occurred and was not attended to.

**Carpet cleaning waste:** This special class of waste will be charged at the septage rate and invoiced October 1 and April 1 each year.

**Billing and payment.** Bills will be issued by the Village of Essex Junction and will be due on the date shown on the invoice. Failure to pay bills by this date will result in the Village refusing to accept any septage from that individual or company. Interest of 1% per month will be charged on all overdue balances. All fees shall be billed to the septage hauler.

Adopted by the Village Trustees on \_\_\_\_\_.

**ACKNOWLEDGEMENT**  
Of the Village of Essex Junction  
Septage Receiving Policy

I, \_\_\_\_\_, representative of (company name) \_\_\_\_\_, acknowledge that I have received a copy of the Village of Essex Junction's Septage Receiving Policy and understand the terms and conditions by which we can deliver septage, leachate, etc. to the Essex Junction Wastewater Treatment Facility.

Failure to abide by the Policy may result in revocation of hauler privileges.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

Please return this completed acknowledgement to:

The Village of Essex Junction WWTF by delivery to the facility or

Mail to: 2 Lincoln Street, Essex Junction, VT 05452-3685

Email : [wwadmin@essexjunction.org](mailto:wwadmin@essexjunction.org)

Fax : 802-878-6948

**VILLAGE OF ESSEX JUNCTION  
WASTEWATER TREATMENT PLANT  
SEPTAGE RECEIVING POLICY**

1. Septage will be accepted at the Essex Junction Treatment Plant only from Vermont communities. Priority will be given to sewer district communities, followed by Chittenden County residents. Any remaining capacity will be available to Vermont communities.
2. The amount of septage on any given day will be limited, at the discretion of the Chief Operator. The volume to be accepted will depend on the plant's capability to adequately treat without odors, without process upsets or without deterioration of the final effluent quality.
3. Dumping to be permitted only between the hours of 7 AM to 3 PM weekdays and 7 AM to 9:00 AM weekends and holidays.
4. The Chief Operator will have the right to refuse dumping of any material brought in by tank truck that he feels may cause odors, be harmful to the treatment equipment or process, or cause a reduction in final effluent quality. Anyone who wishes to dump any materials must have prior approval from the Chief Operator.
5. Only septic hauling firms, providing an approved Waste Transportation Vehicle Report shall be allowed to dump at the facility.
6. Everyone dumping at the plant will be required to fill out a septage load receipt, provided by the Village, for each load dumped. Failure to properly complete a receipt may result in refusal to dump.
  - Samples will be collected by the septic haulers as directed by the facility's staff.
7. The rates for septage disposal shall be set by the Board of Trustees. Rates shall cover all reasonable costs associated with operation, maintenance and construction of the facility (including both past and future capital costs). The Village will attempt to provide haulers with fifteen days prior notice whenever rates are changed.

Effective July 1, 1994, the fee for septage material will be \$95/1,000 gallons based on tank truck capacity, or as amended in the future by the Board of Trustees.

A lower rate will be charged for domestic gray waters containing less than 1,000 mg/l of solids and oxygen demand of less than 30 mg/LTKN. These will be charged \$15/1,000 gallons, or as amended in the future by the Board of Trustees.

Prior approval must be given by the Chief Operator. Samples must be drawn by the Village from the truck and evaluated by Village staff in order to be eligible for this lower rate.

8. Septage haulers dumping at the plant will be expected to keep the dumping area as clean and odor free as possible. Leaky valves, connections, and hoses will not be accepted. Spillage onto the ground will not be tolerated. Failure to follow this rule will result in refusal to dump.
9. Billing and Payment: Bills will be issued by the Village of Essex Junction and will be due on the date shown on the invoice. Failure to pay bills by this date will result in the Village refusing to accept any septage from that company. Interest of 1% per month will be charged on all overdue balances.
10. Excessively greasy or concentrated septic loads may be assessed a higher rate at the discretion of the Chief Operator to cover cost for treatment and handling of atypical septic load.

Misrepresentation of material brought to the facility, resulting in toxicity to the process, will result in revocation of septage disposal privilege.

Adopted by the Village Trustees on June 27, 1989.

Revised and adopted by the Village Trustees on February 9, 1993.

Rates in #7 revised by the Board of Trustees on June 28, 1994 to be effective July 1, 1994.

Last sentence in #9 added as of June 23, 1998.

Policy revised by the Village Trustees on August 22, 2000.



*The economic engine of Vermont.*

Patrick Scheidel  
Municipal Manager  
[PatS@essexjunction.org](mailto:PatS@essexjunction.org)

2 Lincoln Street  
Essex Junction, VT 05452  
[www.essexjunction.org](http://www.essexjunction.org)

Office: (802) 878-6944  
Fax: (802) 878-6946

## **MEMORANDUM**

**TO:** Village Trustees  
**FROM:** Pat Scheidel, Municipal Manager   
**DATE:** September 23, 2014  
**SUBJECT:** Pearl Street Link Project

### **Issue**

The issue is to revisit Alternative A of the Pearl Street Link Project which was endorsed by the Trustees two years ago.

### **Discussion**

Attached are all alternatives from the scoping study and the minutes of 10/9/12. Rick Hamlin will be present to update the Trustees and answer any questions.

### **Cost**

There is no cost associated with this issue.

### **Recommendation**

This item is informational only.

## 6.0 Alternatives

With the project's purpose and need in mind, the project committee discussed several alternatives for a typical section along the corridor. It was recommended that any alternative selected should remain within the existing 60-foot right of way (ROW) to minimize impacts to adjacent properties and to avoid potential delays due to ROW acquisition and Section 4(f) impacts. This suggested the three lanes of traffic, two sidewalks, and bicycle facilities needed to be within the existing 60-foot-wide ROW.

An off-road bicycle facility using the space between the ROW and the existing curbs was discussed. With only six to 13 feet between the curb and ROW there are many areas where an eight- to 10-foot-wide facility will not fit. It was determined that to accommodate bicycles, an on-road facility fit better and would address the more experienced bicyclists needs, while school children continue to use sidewalks. It was also noted an adjacent rail trail along the rail corridor has been discussed and may eventually provide an off-road alternative.

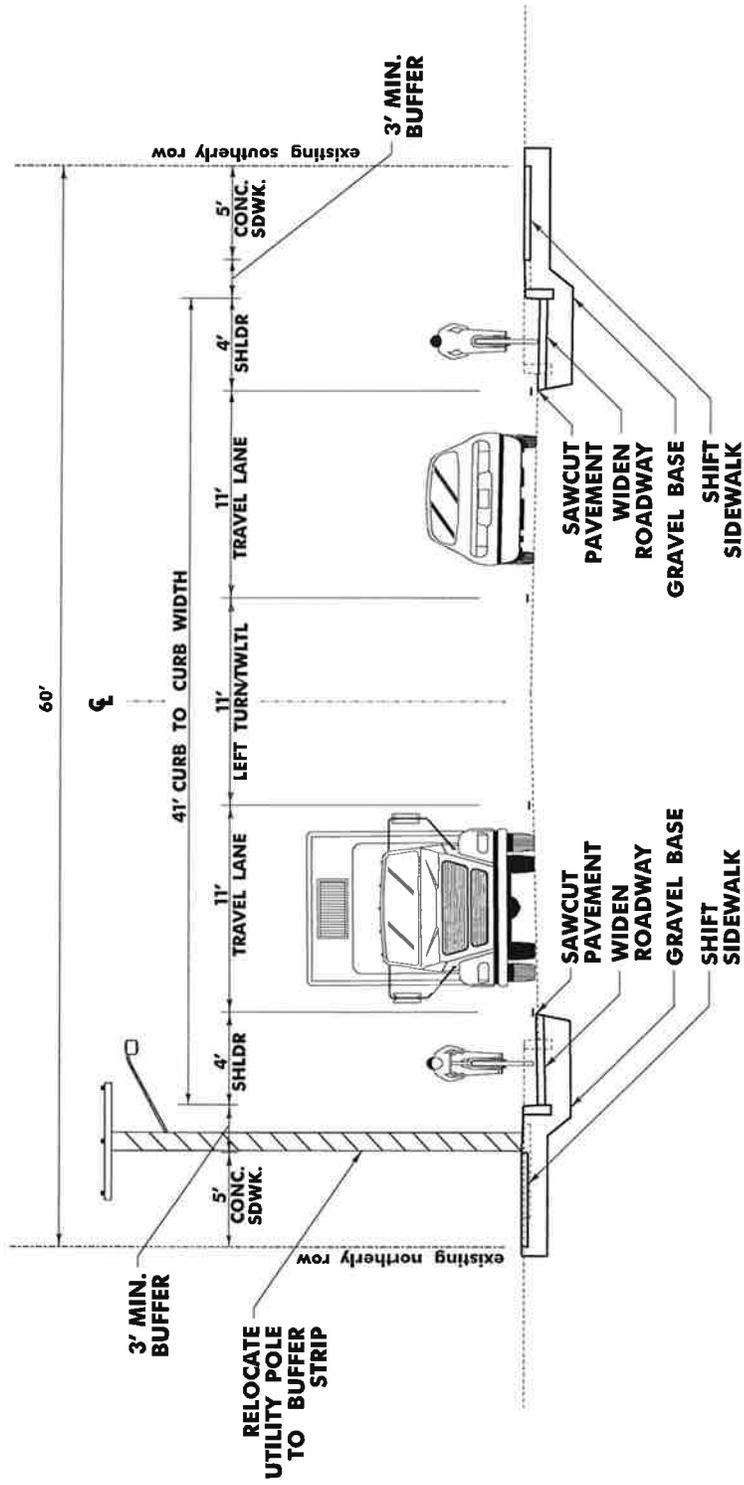
Various lane, shoulder, buffer strip and sidewalk arrangements and widths were considered. The project committee settled on three distinct and varied alternative typical sections to evaluate. These are described in the following sections.

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### 6.1 Alternative A – Three 11-Foot Lanes, 4-Foot Shoulders

This alternative provides three 11-foot travel lanes, two four-foot shoulders, and two five-foot-wide sidewalks with a buffer strip between the curb and sidewalk that varies between one and five feet. To accommodate the relocated utility poles on the north side, a three foot minimum buffer space is proposed. This requires widening the curb-to-curb width from 36 feet (existing) to 41 feet, five feet of widening. To remain within the existing ROW, the proposed curb-to-curb widening is not a consistent amount on each side. A typical section is included on the following page and a plan of this alternative is included in Appendix A.

The 11-foot lane width is consistent with the lane width on many urban arterials in the area. The Vermont State Standards (VSS) suggests a four-foot paved shoulder be provided to accommodate shared use by bicycles. The VSS also indicates recessed drainage inlets or curb inlets should be used with the width is less than five feet. Specific details of this alternative are as follows:



**ALTERNATIVE A**  
**TYPICAL SECTION**  
**11' TRAVEL LANES AND 4' BIKE LANES**  
**WIDEN ROAD ON BOTH SIDES**

(ASSUME 1 1/2" COLDPLANE AND OVERLAY FULL PAVEMENT WIDTH)



VT ROUTE 15/  
PEARL ST. IMPROVEMENTS  
ESSEX JUNCTION, VT  
8/30/2012

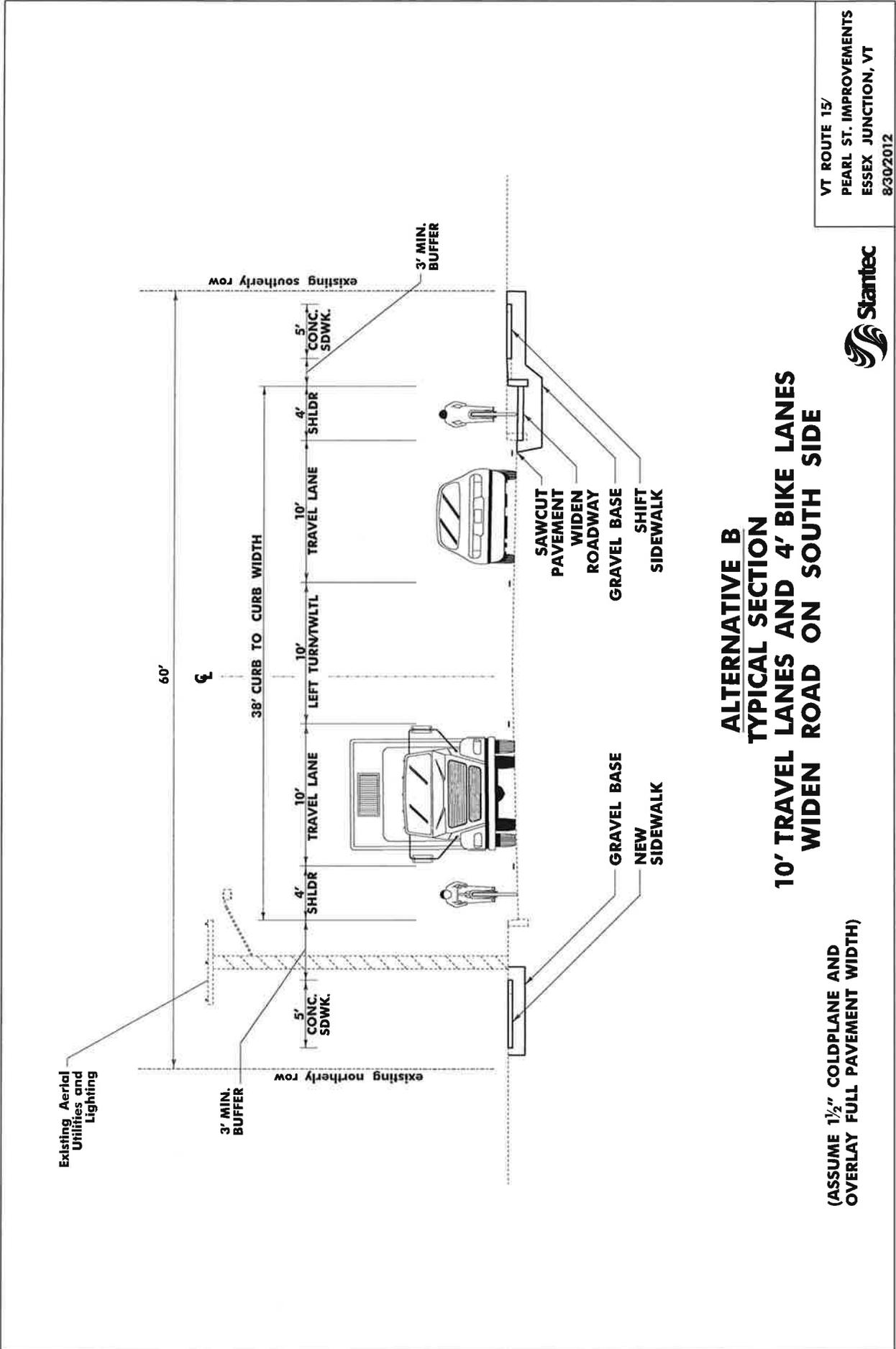
- Does not require a stream operational stormwater permit since the total impervious area, which does not include the cold planed pavement, is less than one acre.
- Requires aerial utility pole relocation into the three-foot-wide buffer strip on the north side and some underground water, gas, and communications relocation for these relocated utility poles.
- Necessitates signal relocation at South Summit Street.
- Has some street tree impacts.
- Reduces the buffer area between curb and sidewalk.
- Requires drainage system modifications on both sides.
- Provides the greatest safety improvement for vehicles and bicycles.
- Increases crossing distance for pedestrians by five feet.
- The south side shoulder ends at Curtis Street for eastbound bikes to assume a lane as they approach the intersection.
- Has the greatest costs.

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## 6.2 *Alternative B – Three 10-Foot Lanes, 4-Foot Shoulders*

This alternative provides three 10-foot travel lanes and two four-foot shoulders and two five-foot-wide sidewalks. The buffer strip between the curb and sidewalk varies between three feet and eight feet. This requires widening the curb-to-curb width from the existing 36 feet to 38 feet, or two feet of widening. The widening is proposed on the south side with the north side curb and the north side utility poles remaining where they are. A typical section is provided on the following page and a plan is included in Appendix A.

Ten-foot-wide travel lanes for urban principal arterials are not common locally, although Vermont State Standards indicate they are appropriate in highly restricted areas such as historic districts having little or no truck traffic. Truck traffic for this corridor is approximately 2.5 percent of the AADT or 360 trucks/day. During the morning peak hour, the truck percentage is 3 percent or greater while during the evening peak hour the truck percentage drops to 1.5 percent. Reduced lane widths have the potential to degrade safety and free flow speeds. These effects are greatly reduced in a reduced speed urban environment such as the 25 mph Pearl Street corridor. FHWA research suggests “For multi-lane urban arterials, the expected difference in substantive safety for variations in lane width is much less and on the order of a few percentage points when comparing lane widths of 10 feet.” With 10-foot lanes, large vehicles that are commonly 8.5 feet wide can off-track into the adjacent center turn lane or shoulder, when negotiating the curves such as the one near School Street. This condition is addressed with wider lanes in this



VT ROUTE 15/  
PEARL ST. IMPROVEMENTS  
ESSEX JUNCTION, VT  
8/30/2012



**ALTERNATIVE B  
TYPICAL SECTION  
10' TRAVEL LANES AND 4' BIKE LANES  
WIDEN ROAD ON SOUTH SIDE**

(ASSUME 1 1/2" COLDPLANE AND  
OVERLAY FULL PAVEMENT WIDTH)

area and bicycles are expected to assume a lane as they approach the five corners intersection. Based on FHWA research, the reduced free-flow speed is approximately 2.4 mph or 10 percent. This is not expected to affect the corridor's traffic capacity.

CCTA expressed some concern with the narrower lanes, since they currently operate as frequently as every 15 minutes and expanding transit use is a strong desire for this corridor. On streets with narrow travel lanes next to bike lanes, bus operators tend to shift towards the right side of their lane giving themselves as much buffer to traffic on the left as they would a wide lane. When encountering a bicycle, the tendency for a bus is to shift a bit to the left. In this case, the shift is typically towards a center two-way left turn lane that is not always occupied by a vehicle such as a dedicated travel lane. Also, when compared to existing conditions, this alternative provides 14 feet (10-foot travel lane and 4-foot shoulder) while the existing is 12 feet.

The design objective is how to best distribute limited cross sectional width to maximize safety for the wide variety of users. Narrower lane widths have potential effects as discussed above, but they also have the potential to manage or reduce speed and they would shorten crossing distances for pedestrians.

There are some local examples of 10-foot lane widths. The Colchester Campus Connector, connecting St. Michael's College to Fort Ethan Allen was recently constructed with 10-foot travel lanes and four-foot shoulders. Also, Shelburne Road in Burlington between I-189 and Home Avenue, in the area of the shopping plazas, narrows to 10-foot lanes to accommodate a left turn lane.

Specific details of this alternative include:

- Does not necessitate utility pole relocation.
- Reduces the existing buffer width on the south side.
- Has some street tree impacts.
- Requires drainage modifications on the south side.
- Does not necessitate signal replacement at South Summit, but it is recommended.
- Provides less safety for motorists and bicycles.
- Increases crossing distance for pedestrians by two feet.
- Promotes slower vehicle speed.
- Has somewhat reduced safety for vehicles (i.e. sideswipe crashes) and bicycles (i.e. large vehicle off-tracking)

- Has less cost.
- Requires a strip of ROW acquisitions in the area east of South Summit Street to provide a minimum three-foot buffer between the sidewalks and curb.
- Does not require an operational stormwater permit since the total impervious area, which does not include the cold planed pavement, is less than one acre.

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### 6.3 *Alternative C – Two 13-Foot Outside Lanes, 10-Foot Center Lane*

This alternative provides two 13-foot curb lanes, a 10-foot center lane, two five-foot sidewalks, and a buffer strip between the curb and sidewalk. This requires no widening and, therefore, does not include new curbs, but does include widening the sidewalks from four feet to five feet where needed. The 13-foot curb lane is “shared use” curb lane meeting the minimum width in Vermont Standards to accommodate bicycles on principal arterial streets for the corridor’s traffic volumes and speed. Typically, there is no white edge line delineating the shoulder, but there are “sharrows” pavement marking and warning signs indicating the shared use.

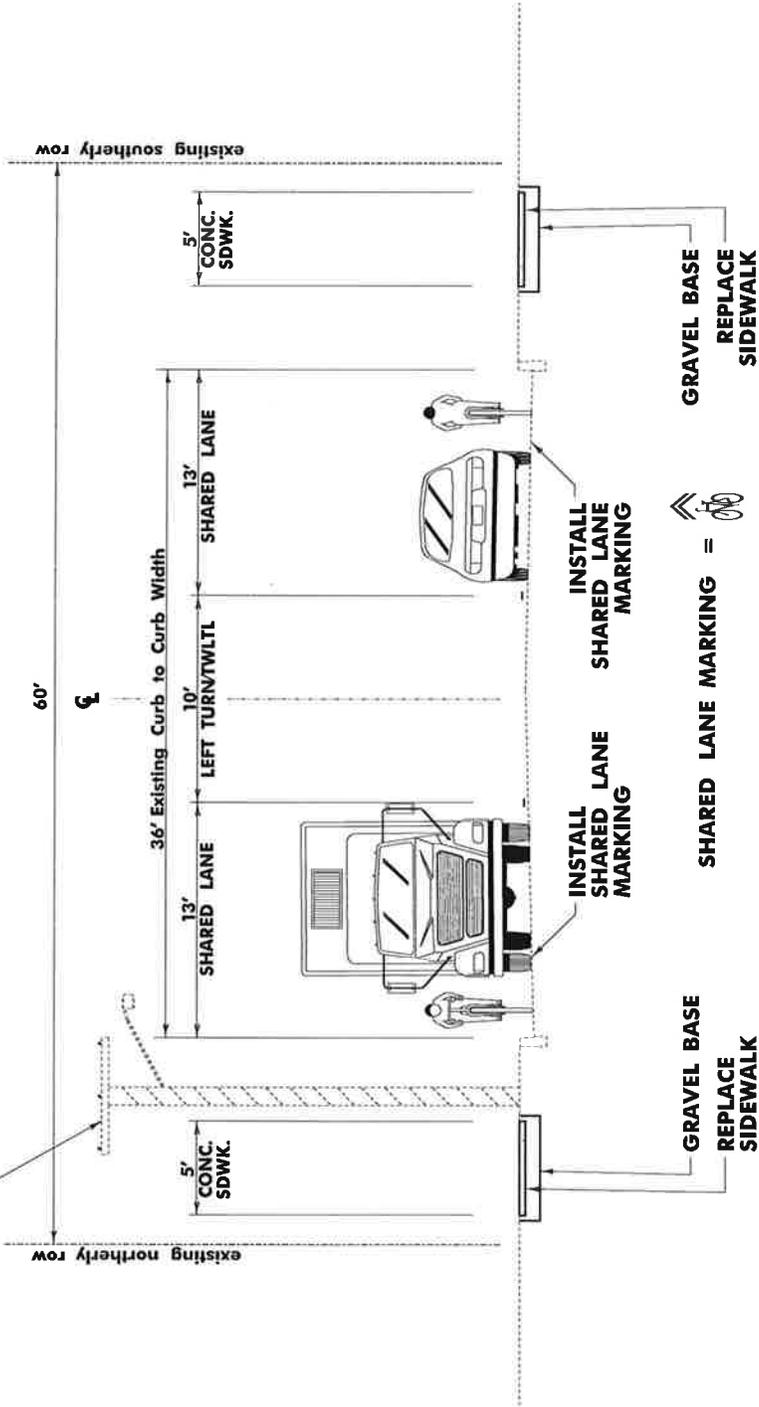


Wide curb lanes are usually considered for restrictive low speed settings where shoulders or bike lanes cannot be provided. There is three percent to five percent uphill grade on each end of the corridor and a wider lane would benefit bicycles climbing these grades. A typical section is provided on the following page and a plan is included in Appendix A.

This alternative includes the following:

- Does not necessitate the relocation of utility poles.
- Does reduce the buffer area by approximately one foot due to widening of the sidewalk.
- Does not have street tree impacts.

Existing Aerial  
Utilities and  
Lighting



**ALTERNATIVE C  
TYPICAL SECTION  
SHARED TRAVEL LANES  
NO WIDENING  
N.T.S.**

(ASSUME 1 1/2" COLDPLANE AND  
OVERLAY FULL PAVEMENT WIDTH)

VT ROUTE 15/  
PEARL ST. IMPROVEMENTS  
ESSEX JUNCTION, VT  
8/30/2012



- Requires recessed drainage inlets on both sides.
- Maintains the existing pedestrian crossing distance.
- Provides the least safety improvement for vehicles and bicycles.
- Does not necessitate signal replacement at South Summit but it is recommended.
- Does not require an operational stormwater permit since the total impervious area, which does not include the cold planed pavement, is less than one acre.
- Has the least cost.

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## 6.4 Pearl Street / Post Office Square Intersection Alternatives

### 6.4.1 Signalized Intersection Improvements

Improvements considered to the existing intersection and signal operation included the following:

- **Option 1**
  - Fully actuating the operation to enable the traffic signal to be more responsive to varying traffic demands. All approaches would have vehicle detection and demand responsive timing.
  - Providing protected/permitted left turn operation that permits left turns on green ball as well as a protected left turn movement on green arrow.
- **Option 2**
  - Fully actuating the signal operation, as mentioned in Option 1 and incorporating a leading pedestrian interval operation that initiates a pedestrian crossing phase that is followed by a concurrent traffic/pedestrian phase.
- **Option 3**
  - In addition to options 1 and 2 above, adding a VT 15 eastbound right turn lane into Post Office Square for the almost 200 right turning vehicles in the peak hours along with full actuation and a leading pedestrian interval.

A capacity analysis to quantify the capacity improvement was performed for these options. On the following page are the detailed results for the design year 2032 DHV's.

compiling a list and then posting the list. There was discussion of monitoring events with noise waivers. It was clarified that a waiver means the event can exceed the noise level in the Land Development Code, but must stay within the guidelines of the waiver. Therefore waived events must be monitored. Tom Oddy noted all concerts during the fair (Category B events) are monitored.

- “Grandfathered” events for noise including the fireworks at the fair, tractor pull event, and 4-wheel jamboree event – Chris Chiquoine contended there is no language in the noise agreement that addresses these events not being monitored for noise. Andrew Brown referred to Page 3, Bullet #10 which speaks to waiver of fireworks, tractor pull and 4-wheel jamboree from 2009-2014. The three events are part of the 20 waived events. Chris Chiquoine pointed out not monitoring the events allows an unlimited level of noise to be made which potentially could be a public safety issue. Monitoring the events will assure the limits will be maintained.
- End times for events – Chris Chiquoine said he has not seen any restriction on when a concert is to end. Lauren Morrisseau stated the permit states the start/end times which are governed by the Land Development Code. Robin Pierce added each permit is different. Chris Chiquoine suggested posting the planned start/end times on the list of events.

The Trustees will review and clarify what events are to be monitored. Chris Chiquoine requested being part of the discussion on the noise agreement.

#### **IV. OLD BUSINESS**

##### **1. Discuss/Approve Pearl Street Corridor Scoping Study Preferred Alternative**

Christine Forde, CCRPC, and Greg Edwards, Stantec, reported Alternative A is the chosen preferred alternative by the committee because the layout maximizes safety and saves the most existing trees and green space. Alternative A includes three 11' wide travel lanes plus four foot wide shoulders for bikes. There is a three foot buffer the length of the road and at the crest of the hill before Five Corners the shoulder is lost to the travel lanes which include a turn lane. The intersection at Post Office Square preferred alternative is to improve signal operations. The alternative provides good results, has less impacts and more property owner support.

Dan Kerin mentioned encouraging property owners to plant trees on their property along the roadway. Lori Houghton suggested there be an incentive for residents to do landscaping. Dan Kerin noted George Tyler mentioned planters on utility poles to add greenery.

Lori Houghton asked about the process. Christine Forde explained the plan is conceptual and indicates the direction of the project. The next step is to draft a preliminary plan which is more detailed. The Village will have input into the plan. Ms. Houghton requested the three foot buffer be grass rather than concrete, and stenciling be done to alert motorists and bicyclists to the change in lanes at the crest of the hill. Also, there is a gap in the bike lane between Post Office Square and the fairgrounds so consideration should be given to having the bike lane continue in the parking lot. And, if possible, some

of the gas streetlamps by the fairgrounds could be relocated and used along the new section of the road.

Andrew Brown spoke in support of a single lane roundabout as the safest alternative for the Post Office Square intersection, noting timing the traffic lights is a short term solution while a roundabout is a long term solution. Elaine Sopchak countered a roundabout would adversely impact the entrance to Northfield Bank and changing the timing of the traffic lights is one third the cost so this option should be tried first.

**MOTION by Lori Houghton, SECOND by Elaine Sopchak, that the Essex Junction Board of Trustees endorses Alternative A for the scoping study of the “missing link” portion of Pearl Street from Post Office Square to Five Corners.**

**DISCUSSION: Andrew Brown asked about separating the intersection project from the road project. Robin Pierce explained both parts are considered one project and approval by the Trustees allows the concept to be added to the Chittenden County Transportation Improvement Plan.**

**Christine Forde stated the two parts are separate and can be looked at separately. There were no further comments.**

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

2. Discuss Local Match for Heart & Soul ECOS Grant/Participatory Budget

**MOTION by Andrew Brown, SECOND by Elaine Sopchak, that the Board of Trustees contribute \$600 toward the Heart & Soul ECOS Grant/Participatory Budget.**

**DISCUSSION: Lauren Morriseau noted the money will come from the Economic Development budget matching grant fund line item.**

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

## **V. NEW BUSINESS**

1. Review/Approve Amendment to FY13 Capital Plan for Meeting Room Upgrade

**MOTION by Elaine Sopchak, SECOND by Lori Houghton, to add the Lincoln Hall conference room upgrade to the FY13 Capital Reserve Plan for the estimated amount of \$16,500.**

**DISCUSSION: Lauren Morriseau noted an earlier estimate for the upgrade was \$15,400 not including the expense of an electrician and miscellaneous items which will be needed. Staff is recommending the \$1,100 increase to \$16,500 to cover expenses.**

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

2. Set FY14 Budget Goals/FY14 Budgets and Capital Program Adoption Schedule

Lauren Morriseau reviewed budget goals that include:

- Approximately 3% pay increase set by the signed contract;
- Maintaining current level of service (report any outstanding items);
- Justifying all increases in the budget (inflation level of 1.3%).



## **MEMORANDUM**

**TO:** Village Trustees and Pat Scheidel, Municipal Manager  
**FROM:** Chris Gaboriault, Essex Junction Fire Chief *CG*  
**DATE:** September 17, 2014  
**SUBJECT:** Response to Open Burn Request

### **Issue**

The issue is whether or not the Trustees rescind the ban on open burning in Chapter 13 Regulation of Public Nuisance in the Municipal Code.

### **Discussion**

A Village resident has submitted a letter requesting open burn weekends in the spring and fall to deal with yard waste and to manage fungus on their property. The Essex Junction Fire Department suggested the elimination of burn permits within the Village due to the large number of complaints from neighbors of the burning party. Open burning was eliminated in 2004. Burning yard waste generates smoke that ends up in neighboring households and the fire department is called to address the issue. The individuals who have to put out the fire are not happy and the neighbors who have smoke in their homes are not happy. We are a densely populated community with the effects of burning yard waste reaching many neighboring homes. Many individuals have breathing issues that are compounded by smoke, even light smoke. The Fire Department is recommending that the Village continue with the no open burn policy.

### **Cost**

If the Essex Junction Fire Department is dispatched, the Village incurs approximately \$300 in payroll costs per alarm.

### **Recommendation**

It is recommended that the Trustees do not amend Section 1302, Chapter 13 Regulation of Public Nuisance in the Municipal Code.

RECEIVED

September 15<sup>th</sup>, 2014

SEP 16 2014

Village of Essex Junction

Dear Trustees,

I would like to propose a reinstatement of burning yard waste. A once or twice yearly date where community members are able to burn their yard debris. This will help cut down on fungal outbreaks and other diseases present in our gardens and yards. Removing our yard clippings to the CSWD is not always easy, nor does it cut down on fungus, which has been plaguing the area for several years.

Sincerely yours,

Boris Srostlik  
29A Grove Street  
Essex Junction, VT 05452

**VILLAGE OF ESSEX JUNCTION, VT  
MUNICIPAL CODE  
CHAPTER 13  
REGULATION OF PUBLIC NUISANCE**

**PURPOSE:** In accordance with 24 V.S.A. 2291, to define what constitutes a public nuisance, and to provide procedures and take action for its abatement or removal as the public health, safety or welfare may require.

**SECTION 1301. DISORDERLY CONDUCT, ASSAULT AND BATTERY:**

- a. No person shall intentionally cause public inconvenience, disturbance or annoyance, or with reckless disregard of the risk thereof by:
  1. Engaging in fighting or in violent or tumultuous behavior which a reasonable person would believe to be threatening; or
  2. In a public place or upon private property generally accessible to the public, engaging in conduct, including uttering words or making gestures, which a reasonable person would believe constitutes threats to his or her personal safety, combative behavior or interference with public peace and order; or
  3. In a public place or upon private property generally accessible to the public, obstructing or impeding vehicular or pedestrian traffic upon any street, or highway or sidewalk; or
  4. Obstructing, impeding, or in any way inhibiting access to an entrance to public or private property.
- b. Prior to issuing a citation to any person under Paragraph a (3 or 4); a law enforcement officer shall give notice to the person that his or her conduct is in violation of a Village Ordinance, and shall order the person to cease such conduct and leave that place. Upon the person's failure to comply with such order, a citation for violation of Paragraph a (3 or 4) may be issued and the person's refusal to comply with the order of the law enforcement officer shall create a permission inference that the proscribed conduct was done intentionally or recklessly.
- c. In addition to citing a person for violating the provisions of paragraphs a (1-4), whenever any law enforcement officer shall observe any act or conduct proscribed in such paragraphs, the officer may, if he/she deems it necessary for the preservation of the public peace and safety, order the person engaged in such act or conduct to leave that place. Any person who shall refuse to leave after being ordered to do so by a law enforcement officer can be charged with unlawful trespass according to 13 V.S.A. Section 3705.

**SECTION 1302. OPEN BURNING:**

Burning brush, trash or debris is not allowed in the Village of Essex Junction. Cooking or outdoor fireplaces are allowed with proper fuels to include charcoal, firewood, liquid propane (LP) or natural gas. Fires must be attended at all times with an extinguishment resource within twenty (20) feet of the fire. Fires must be ten (10) feet away from a structure and must be built where they will not escape. A person starting a fire is responsible for preventing its escape. This prohibition shall not include training exercises by the Essex Junction Fire Department. The Village Trustees, with the concurrence of the Essex Junction Fire Chief, may approve a burn permit for a community event provided that the Essex Junction Fire Department is present.

*Chapter 13 adopted by Trustees October 13, 1998, amended 9/14/04 and 02/12/08.*

to be. There was brief discussion of cases where a town plan and Act 250 were in conflict or the local plan was over-ridden.

Tim Jerman asked how the work of task forces (i.e. housing task force, open space, public safety) will work into the regional plan. Mr. Brown replied this will depend on whether the municipalities want the information in the plan. CCRPC is working to develop information and tools towns can use in their decision making.

Greg Brown said he will return periodically to discuss the draft regional plan.

#### Regulation of Public Nuisance Ordinance (Open Burning)

Charles Safford stated the Fire Department issues a limited number of burn permits each year, and does receive calls about backyard burns. Residents have the option to bring their lawn debris to the Solid Waste District at no charge. Fire Chief John Rowell said backyard burns in a tight community do create a nuisance, and suggested the Board consider limiting the number of burn permits issued or setting a date or two per year to allow open burns. Village resident, Dave Flatley (17 Hawthorne Circle), expressed concern about the pollution from open burns and the nuisance of the smoke for residents. Mr. Flatley stressed burning trash is illegal; all residents should be on the look out for offenders. Trustee Gustafson stressed the Village needs to take the lead on air and water quality and recycling, and should disallow backyard open burning. Tim Jerman felt the suggestions of the Fire Chief warrant further consideration, although disallowing open burns would also be acceptable. Deb Billado felt open burning should not be allowed, but backyard BBQ or fire pits are acceptable. Larry Yandow pointed out Bill Weatherbee and the VFW both have outdoor cook pits for events which should be allowed. There was discussion of adding language to better define what is allowed to be burned in the village. Minor edits to the suggested language of Section 1302 were made to strengthen the rule that there will be no open burning in the village. It was noted letters were sent to people who received burn permits last year, but no one chose to comment.

**MOTION by Peter Gustafson, SECOND by Deb Billado, to adopt Section 1302 (Open Burning ordinance) as amended. VOTING: 5 ayes; motion carried.**

#### Route 15 Update

Paul Craven, CCMPO, reviewed the preferred route of the bike path along Route 15: Park Street to St. Michael's College using the railroad right-of-way to West Street Extension then crossing Route 15 at the signalized crossing, entering Pearl Street Park, going along Sunderland Brook to Rite Aid, crossing Suzie Wilson Road at the traffic signal, using an expanded sidewalk to a 10' wide path in the Route 15 right-of-way into the Fort and following the running track along the fence to Barnes Drive, using the Route 15 right-of-way to Camp Johnson (the section from Camp Johnson to the college needs further work since there are space limitations on Johnson Drive). The \$4.5 million earmark secured by Senator Jeffords was to buy right-of-way for an alternative transportation path from Essex to Burlington, but this did not occur. The money will be returned to the Federal Transit Administration since the State did not fulfill the initiative (commuter rail was a component of the initiative). Mr. Craven stated the MPO recommended to the



2 Lincoln Street  
Essex Junction, VT 05452  
[www.essexjunction.org](http://www.essexjunction.org)

Office: (802) 878-6944  
Fax: (802) 878-6946

## MEMORANDUM

**TO:** Village Trustees and Pat Scheidel, Municipal Manager  
**FROM:** Darby Mayville, Community Relations and Economic Development Assistant  
**DATE:** 9/23/14  
**SUBJECT:** Heart & Soul of Essex Mini-Grant Application



### **Issue**

The issue is whether or not the Village should apply for three separate Heart & Soul of Essex mini grants. These grants are as follows:

- Funding to hold a charrette on the future of downtown Essex Junction;
- Funding for a “guerilla signage” project for the Bike/Walk Advisory Committee;
- Funding for an iPad for the Fire Department.

### **Discussion**

- **Charrette Project:** The Village Trustees and community development staff have expressed a desire to hold a charrette on the future of downtown Essex Junction this fall. A charrette would be a method of bringing in an outside facilitator to have a discussion with residents, planning staff, and elected officials to determine what they believe is most important about downtown Essex Junction. We feel that the Heart & Soul of Essex grant is a good way to deflect some of the cost for this much needed event.
- **Bike/Walk Guerilla Signage Project:** The Bike/Walk Advisory Committee has been trying a variety of “out of the box” methods to encourage citizens to try biking and walking. One of these projects is the guerilla signage initiative. This involves the creation of a series of temporary signs that will tell readers the distance between two points if walking or biking. For example, a sign that was posted at Five Corners might say, “Five minute walk to CVE.” Please note that the Bike/Walk Advisory Committee will request approval from the Trustees prior to placing any signs in the Village right of way.
- **Fire Department iPad Purchase:** The Fire Department would like to purchase an iPad to take on calls. This would be an experimental purchase, in order to see if the iPad would be a valuable tool for ensuring the safety of firefighters and citizens during emergencies. Having an iPad would allow first responders to immediately access property data through an app. This

- data includes vital information, such as floor plans, that could be lifesaving during an emergency. In addition, the iPad would be much smaller and easier to transport than the currently used Panasonic Toughbook.

#### **Cost**

- **Charrette Project:** The total amount of the grant application would be \$1,500. This would include a \$1,000 cash match, as well as \$500 in staff and volunteer time.
- **Bike/ Walk Guerilla Signage Project:** The total amount of the grant application would be \$1,500. This would not include a cash match, only the value of staff and volunteer time.
- **Fire Department iPad Purchase:** The total amount of this grant application would be \$540. This would not include a cash match, only the value of volunteer time.

#### **Recommendation**

It is recommended that the Trustees make a motion to authorize staff to submit all three Heart & Soul of Essex Mini-Grant Applications.



September 24, 2014

Dear Heart & Soul of Essex Mini-Grant Review Committee,

The Village of Essex Junction Community Development Department would like to respectfully request \$1,500 in grant funding to hold a Charrette. A Charrette will allow residents to directly participate in determining the potential future growth and development of Downtown Essex Junction. While we expect that this event will primarily appeal to Village residents, especially those who live or work in the downtown area, residents of the Town outside the Village will also be welcome to attend and participate fully.

A Charrette is an intensive planning session where citizens, designers, and other involved parties collaborate on a long-term vision for development. The intention of a Charrette is to bring together community members of all walks of life to discuss their ideas on a particular planning issue, and finish the event with a possible scenario of the future.

One unique benefit of a Charrette is the fact that citizens are able to provide immediate feedback to designers. Its design allows citizens to feel deeply connected with the work that comes out of the Charrette, as they were integral to forming it. The Charrette will be hosted by an outside party who is unaffiliated with Essex Junction, in order to have it be as objective as possible. Attendees will be able to discuss their opinions on current developments, as well as their vision for a five and ten year plan for the Village Center. This will be done through brainstorming, design exercises, and conversations with local officials.

We believe that holding a Charrette will strengthen the value of thoughtful growth. A Charrette exemplifies this value by placing the ability to discuss and dream of a possible vision for the future directly in the hands of those who will be most affected: the citizens of a community. It should be noted that thoughtful growth was the value that participants at the recent Community Action Summit felt required the most amount of immediate attention. As a result of this, we believe that it is an optimal time to deeply engage residents in the downtown visioning process. We also believe that this will strengthen community connections, as it will allow residents to respectfully share their ideas for the future of downtown Essex Junction with individuals that they may not have connected with previously.

Should we receive this grant, we anticipate scheduling a Charrette and beginning publicity immediately. We hope to hold the Charrette in 2014, as soon as a consultant has been selected.

We will consider this project to be a success if we are able to get at least fifty residents to attend. Although it is more difficult to measure, we also believe that the event would be seen as even more of a success if it was able to attract a diverse group of residents (i.e., socio-economic status, education level, homeowner status).

It is estimated that the total cost of the Charrette will be \$2,500. We are requesting \$1,500 from Heart & Soul of Essex. This figure includes the cost of hiring a facilitator, providing refreshments for attendees, and event publicity. The Village will match these funds with \$1,000 in cash, and \$500 in staff and volunteer hours. The cash match will come from the matching grant fund, which is housed in the Community Development budget. The primary staff members that will be working on this project include: Robin Pierce (Community Development Director), Terry Hass (Assistant Zoning Administrator), and Darby Mayville (Community Relations/Economic Development Assistant). Should this grant be awarded, project employee wage data will be provided to Heart & Soul of Essex.

Equally important to our financial request, we would also like to ask Heart & Soul of Essex to assist us with publicity. Heart & Soul of Essex has proven that they are able to effectively engage residents and successfully encourage them to attend events in the community. We believe that this partnership with Heart & Soul will help us attract more participants to this event.

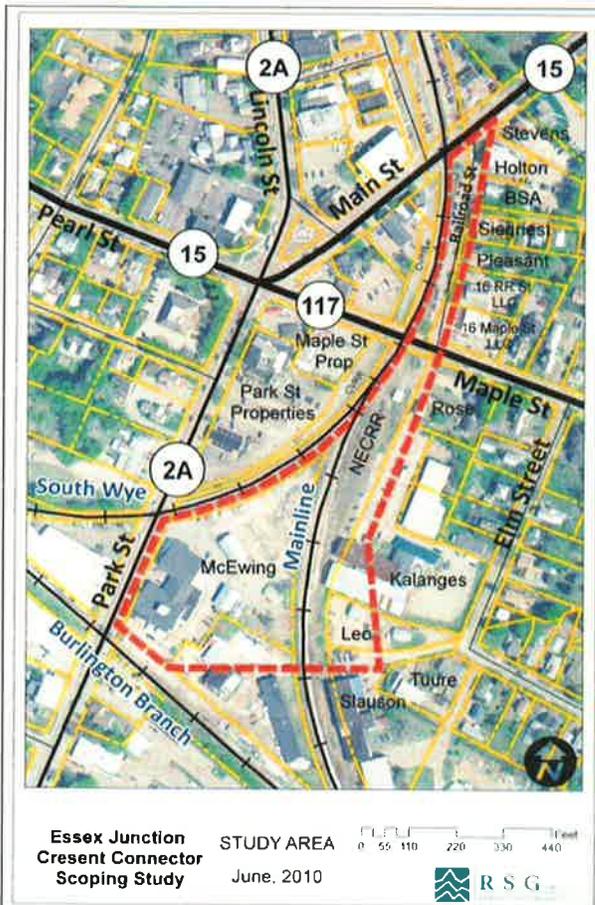
Thank you for your time and consideration,

Patrick C. Scheidel  
Municipal Manager

# Crescent Connector Road Public Information Update Meeting

Wednesday, October 8<sup>th</sup> 2014 at 7 PM

Essex Junction Village Offices, 2 Lincoln Street, Essex Junction, VT



The Village of Essex Junction will be holding a public meeting to inform residents of progress on the plans for the Crescent Connector. The Crescent Connector is a roadway construction project that is anticipated to reduce traffic and waiting times at Five Corners. A current project drawing will be available at this meeting. It is anticipated that this project will be constructed in two phases; firstly the new rail crossing and the legs from Park and Maple Streets.

If you are unable to attend this meeting, but would like more information about the Crescent Connector, please contact Community Development Director Robin Pierce at [robin@essexjunction.org](mailto:robin@essexjunction.org) or 878-6950.



Reasonable accommodations will be provided, upon request to the Village office, to assure that Village meetings are accessible to all individuals regardless of disability.

## FYE 16 BUDGETS AND CAPITAL PROGRAM ADOPTION SCHEDULE

October 3, 2014	Finance Director provides Department Heads with budget sheets.
October 14, 2014	Village Trustees set budget goals.
October 20, 2014	Department Heads provide completed capital request sheets to Finance Director.
November 3, 2014	IBM provides FYE 16 estimated water use.
November 7, 2014	Department Heads provide completed budget sheets to Finance Director.
November 10-14, 2014	Finance Director prints out budget summaries for Department Heads. Revisions are made and final printout of budgets and non-general fund project budget summaries are provided to the Manager.
November 10, 2014	Manager presents General Fund Capital Plan to Trustees.
November 17-26, 2014	Manager and Finance Director meet with Department Heads in regard to budgets. Revisions are made and operating budgets and non-general fund capital budgets are prepared for Trustees' consideration.
Week of Dec. 1, 2014	Send water budget to IBM before submitting budget to Trustees.
Week of Dec. 8, 2014	Budget Day with Trustees – (Dec. 9?)
January 13, 2015	Trustees review budgets.
January 27, 2015	Public Hearing on budgets and capital programs.
February 10, 2015	Adopt budgets and capital programs, per Charter, Section 6.06.
February 24, 2015	Adopt Warning for Annual Meeting (17 V.S.A. 2641(a)).
April 1, 2015	Annual Meeting



## **MEMORANDUM**

**TO:** Village Trustees  
**FROM:** Pat Scheidel, Municipal Manager  
**DATE:** September 23, 2014  
**SUBJECT:** Trustees Meeting Schedule

### **TRUSTEES MEETING SCHEDULE/EVENTS**

**October 9 – VLCT Town Fair at CVE**

**October 14 at 6:30 – Regular Trustees Meeting**

- Presentation on Town and Village Bike/Pedestrian Plan
- Set FYE 16 budget goals

**October 28 at 6:30 – Regular Trustees Meeting**

**November 10 at 6:30 – Joint meeting with Essex Selectboard**

**November 11 at 6:30 – Regular Trustees Meeting – Cancelled**

**November 25 at 6:30 – Regular Trustees Meeting – Cancelled**

**December 9 at 6:30 – Regular Trustees Meeting – FYE 16 Budget Day in lieu of night meeting?**

**December 12 from 6-9 PM – Tree Lighting & Train Hop**

**December 23 at 6:30 – Regular Trustees Meeting**

MINUTES SUBJECT TO CORRECTION BY THE ESSEX JUNCTION TREE ADVISORY COMMITTEE.  
CHANGES, IF ANY, WILL BE RECORDED IN THE MINUTES OF THE NEXT MEETING OF THE  
COMMITTEE.

**VILLAGE OF ESSEX JUNCTION  
TREE ADVISORY COMMITTEE  
MINUTES OF MEETING  
SEPTEMBER 16, 2014**

**MEMBERS PRESENT:** Nick Meyer, Paula DeMichele, Warren Spinner, Rich Boyers

**ADMINISTRATION:** Darby Mayville, Community Relations and Economic Development  
Assistant

---

**1. CALL TO ORDER**

The meeting was called to order at 5:33 PM by Nick.

**2. ADDITIONS OR AMENDMENTS TO AGENDA**

None.

**3. MINUTES REVIEW**

**MOTION by Warren, SECOND by Nick, to approve the August minutes. VOTING: unanimous; motion carried.**

**MOTION by Warren, SECOND by Nick, to approve the April minutes. VOTING: unanimous; motion carried.**

Nick asked that the phrase "emerald boor disease" in the May minutes be changed to "emerald ash borer."

**MOTION by Nick, SECOND by Paula, to approve the May minutes, with changes. VOTING: unanimous; motion carried.**

**MOTION by Nick, SECOND by Rich, to approve the June minutes. VOTING: unanimous; motion carried.**

**MOTION by Warren, SECOND by Paula, to approve the July minutes. VOTING: unanimous; motion carried.**

**4. MANAGEMENT PLAN REVIEW**

The committee reviewed the management plan paragraph by paragraph making edits.

**5. DISCUSSION OF PRUNING PROCESS**

Nick said that Public Works had already received one quote for pruning. He reminded the committee members that this would be paid for in part by the Caring for Canopy Grant.

Nick mentioned that the Conservation Committee in Essex Town had contacted him to say that they are interested in the work the committee is doing.

Nick reminded that committee that there would be a public meeting on the proposed Crescent Connector on October 8<sup>th</sup>.

Warren noted that he thought that the committee should work on updating the list of approved plant materials in the Essex Junction Land Development Code.

## **6. PUBLIC INPUT**

None.

## **7. MEETING SCHEDULE**

### Next meeting

- October 6<sup>th</sup> at 5:30 PM

### Agenda Items

- Minutes Review;
- Management Plan Review;
- Future Tree Planting Initiatives;
- Pruning Update;
- Public Input.

## **8. ADJOURNMENT**

**MOTION by NICK, SECOND by WARREN, to adjourn the meeting. VOTING: unanimous; motion carried. The meeting was adjourned at 7:37 PM.**

Respectfully submitted,  
Darby Mayville

**LISMAN LECKERLING, P.C.**

ATTORNEYS AT LAW

84 Pine Street, Fifth Floor  
Post Office Box 728  
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LOUIS LISMAN (1910-2000)  
BERNARD LISMAN (1919-2014)

DOUGLAS K. RILEY (Of Counsel)

CARL H. LISMAN  
E. WILLIAM LECKERLING\*  
RICHARD W. KOZLOWSKI  
CHRISTINA A. JENSEN  
MERIDETH C. CHAUDOIR

\*Board Certified Civil Trial Advocate,  
National Board of Trial Advocacy

RECEIVED

SEP 15 2014

Village of Essex Junction

September 10, 2014

Village of Essex Junction  
Susan MacNamara-Hilli, Clerk  
2 Lincoln Street  
Essex Junction, VT 05452

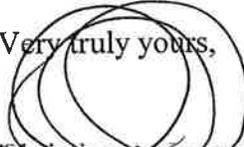
In Re: 38 Thasha Lane

Dear Susan:

Enclosed please find a copy of a Notice of Appeal filed with the Environmental Division of the Vermont Superior Court from the Decision of the Village of Essex Junction Board of Trustees decision reflected in the Minutes dated August 12, 2014. Pursuant to the Vermont Rules for Environmental Court Proceedings 5(b)(4)(A), please provide me with a list of interested persons so that I may complete service of the Notice.

Thank you for your assistance. Please do not hesitate to contact me should you have any questions, or need any further information.

Very truly yours,



Christina A. Jensen

Enclosure

CAJ/ccd  
Z:\22322\040\letters\Village of Essex 09.10.14

**LISMAN LECKERLING, P.C.**

ATTORNEYS AT LAW

CARL H. LISMAN  
E. WILLIAM LECKERLING\*  
RICHARD W. KOZLOWSKI  
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National Board of Trial Advocacy

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September 10, 2014

**VIA FIRST CLASS MAIL  
CERTIFIED RETURN RECEIPT REQUESTED**

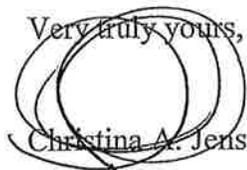
Jacalyn M. Fletcher, Court Manager  
Vermont Superior Court  
Environmental Division  
32 Cherry Street, 2<sup>nd</sup> Floor, Suite 303  
Burlington, VT 05401

In Re: 38 Thasha Lane

Dear Jackie:

In connection with the above-referenced matter, I am enclosing a Notice of Appeal. I am also enclosing a check in the amount of \$265.00 to cover the filing fee.

Thank you for your assistance. Please do not hesitate to contact me should you have any questions, or need any further information.

Very truly yours,  
  
Christina A. Jensen

Enclosures

cc: Village of Essex Junction

CAJ/ccd  
Z:\22322\040\letters\Environmental Court 09.10.14

STATE OF VERMONT  
SUPERIOR COURT

IN RE: 38 THASHA LANE

) ENVIRONMENTAL DIVISION  
) DOCKET NO. \_\_\_\_\_

NOTICE OF APPEAL

Green Meadows Apartments, LLC, applicant (the "Appellant"), hereby appeals to the Environmental Division of the Vermont Superior Court from the Minutes of Meeting and final decision made by the Board of Trustees of the Village of Essex Junction on August 12, 2014, denying the Appellant's appeal of the water and sewer service fees imposed for the Applicant's 38 Thasha Lane development in the Village of Essex Junction. The Appellant has party status pursuant to 24 V.S.A. § 4465(b)(3).

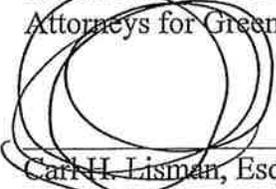
Pursuant to V.R.E.C.P. 5(b)(3), the Appellant hereby notifies all interested persons that they must enter an appearance in writing with the Court within 20 days of receiving the Notice of Appeal, or in such other time as may be provided in V.R.E.C.P. 5(c), if they wish to participate in the appeal.

A copy of the Minutes of the decision made by the Essex Junction Board of Trustees is attached.

DATED at Burlington, Vermont, this 10<sup>th</sup> day of September, 2014.

LISMAN LECKERLING, P.C.  
Attorneys for Green Meadows Apartments, LLC

By: \_\_\_\_\_

  
Carl H. Lisman, Esq.  
[clisman@lisman.com](mailto:clisman@lisman.com)  
Christina A. Jensen, Esq.  
[cjensen@lisman.com](mailto:cjensen@lisman.com)

Vermont Superior Court  
Vermont Environmental Division  
32 Cherry Street, 2nd Floor, Suite 303  
Burlington, VT 05401



(802) 951-1740  
[www.vermontjudiciary.org](http://www.vermontjudiciary.org)

Docket Number: 136-9-14 Vtec

38 Thasha Lane Dev. Water & Sewer Fees Denial

Initial Notification

RECEIVED

SEP 16 2014

Village of Essex Junction

September 12, 2014

The above-referenced appeal from a municipal panel, district commission, Agency of Natural Resources, or Agency of Agriculture was received at the Environmental Division on September 11, 2014. Environmental Division docket number 136-9-14 Vtec has been assigned to this appeal. Please use the Environmental Division docket number and the above case name when filing any documents or asking any questions concerning this case. Please note, this case name may not be final if we are missing necessary information from the appellant.

All documents should be filed with the Environmental Division at:

Superior Court  
Environmental Division  
32 Cherry Street, 2nd Floor, Suite 303  
Burlington, VT 05401  
(802) 951-1740

Also, if you have not provided the Environmental Division with a telephone number where you can be reached during working hours for the purpose of telephone conferences, please do so as soon as possible.

The Vermont Rules for Environmental Court Proceedings (V.R.E.C.P.) set out the procedures to follow for this appeal. You may obtain a full copy of the Rules and Reporter's Notes at [www.vermontjudiciary.org](http://www.vermontjudiciary.org).

The person filing the appeal is called "the appellant." The appellant must take certain actions in order to assure that this appeal is not dismissed. Consult the V.R.E.C.P. to see what those actions are. For requirements regarding the appellant's responsibility to notify interested parties, see V.R.E.C.P. 5(b)(4) for municipal appeals (see also Form 900 available on the Court's web site at [www.vermontjudiciary.org](http://www.vermontjudiciary.org) by calling the Environmental Division at the above number and requesting that one be sent to you).

This case will be ready for an initial pretrial conference when the time for filing the appellant's statement of questions has expired, or 20 days after the notice to interested parties has been sent,

whichever occurs later. To complete service of appeals, the appellant must do as follows:

- From an Appropriate Municipal Panel, follow V.R.E.C.P. 5(b)(4)(A). The clerk of the appropriate municipal panel must provide the appellant with a list of interested persons within five working days of the municipality's receipt of a copy of the notice of appeal.
- From a District Commission, District Coordinator or the Secretary of the Agency of Natural Resources, follow V.R.E.C.P. 5(b)(4)(B): Take special notice that no list of interested parties will be provided by the tribunal, other than the service list on the decision appealed from.

The Environmental Division may extend timeframes if a request is made by written motion filed with the Environmental Division before the deadline has expired. If this case is set for a hearing on the merits, the hearing will take place in or near the county in which the case originated. Please note that pursuant to V.R.E.C.P. 5(b)(4)(g), these appeals are de novo, unless the municipality has adopted procedures to make certain appeals on the record.

Faxing or e-mailing a copy of a document is not sufficient to meet deadlines for filing documents with the Environmental Division. Faxed or e-mailed copies may be authorized by the Court in certain circumstances, but the Environmental Division will not accept a faxed or e-mailed document unless the sender has first telephoned the Court and obtained permission to do so and/or unless the judge has authorized faxing or e-mailing in a court order.

A person filing any documents (including letters) with the Environmental Division must also send a copy of that document to each of the other parties.

The Clerk of the Environmental Division will schedule a conference in person or by telephone as soon as all necessary documents have been filed with the Court or at the expiration of the deadlines for those documents. Before the initial conference, the Appellant is requested to provide the Environmental Division with a copy of the decision being appealed from. The Environmental Division finds it useful in preparing to discuss the appeal with the parties at the initial conference.

Electronically signed on September 12, 2014 at 10:37 AM pursuant to V.R.E.F. 7(d).



Laura Zeisel  
Environmental Case Manager



Community Development Department

2 Lincoln Street  
Essex Junction, VT 05452  
[www.essexjunction.org](http://www.essexjunction.org)

Office: (802) 878-6944  
Fax: (802) 878-6946

## **MEMORANDUM**

**TO:** Village Trustees and Pat Scheidel, Municipal Manager  
**FROM:** Robin Pierce, Community Development Director  
**DATE:** September 23, 2014  
**SUBJECT:** Lease with NECR for the Multiuse Safety Path

### **Issue**

The issue is the Village has received a proposed lease for the Multiuse Safety Path from NECR.

### **Discussion**

The Village attorney has reviewed the Lease and found no issues. Ande Deforge of VTrans reviewed the lease and found no issues. Joe Damiata, Manager, Underwriting, Safety and Health Promotion at VLCT also reviewed the Lease and suggested a few typo changes and possible adjustments to the word form of the document.

It is hoped to have the bid documents ready for January 2015 and begin work on the Path in 2015.

### **Cost**

The lease states that there will be a \$3,500 per annum lease fee for the proposed path. In the first year there will be an additional \$1,000 charge for NECR to partially defray their administrative costs in preparing the lease.

### **Recommendation**

It is recommended that the Trustees approve the \$4,500 first year lease fee and the ongoing \$3,500 a year lease fee after the first year. It is further recommended that the Trustees authorize the Village Manager and Staff to enter into formal negotiations with NECR and execute the lease.

## Patty Benoit

---

**From:** Patty Benoit  
**Sent:** Friday, September 19, 2014 9:42 AM  
**To:** 'Carisa Jewell'  
**Subject:** RE: unsafe walking conditions to school

Dear Ms. Jewell,

Thank you for your email and request on See Click Fix for a crosswalk at the intersection of Mohawk Avenue and So. Summit Street. After having visited the intersection with the Public Works Superintendent, it seems impractical to put a crosswalk there as it ends at the curb. It does not justify a crosswalk study, which is required before one can be installed. We also cannot accommodate your request for Keep Kids Alive Drive 25 cones at the intersection as that is not permitted. Perhaps an alternate route exists so that your daughter does not have to cross So. Summit Street. Please be assured that our efforts to make the Village more pedestrian-friendly are ongoing.

Patrick C. Scheidel  
Municipal Manager

**From:** Carisa Jewell [<mailto:carisajewell@gmail.com>]  
**Sent:** Monday, September 08, 2014 11:54 AM  
**To:** Patrick C. Scheidel  
**Cc:** Patty Benoit  
**Subject:** unsafe walking conditions to school

)  
Pat Scheidel,

I recently contacted the village of Essex Junction and spoke with Patty regarding my concern at the lack of crosswalks on my daughter's way to school.

We live on Mohawk Ave (which has no sidewalk). In order for my daughter to walk to school (Fleming) she has to walk down our street, and then cross south summit street (without a cross walk/ crossing guard/ sign/ anything). At 7:40 in the morning there is a lot of traffic on south summit (with all the parents driving their children to various schools). I asked Patty about placing a couple drive 25 cones at the end of the street to perhaps make drivers more aware of the children crossing, she said that wasn't possible because the cones had to go directly in front of my house).

So my question is this.... what am I supposed to do? Hold my breath and hope that my 9 year old daughter makes it to school without getting hit by a car?

There has to be a solution that makes walking to school (in a walking district) a little bit safer.

I eagerly await your reply,  
Carisa Jewell (concerned mother)

**DRAFT**

September 5, 2014

Karen Smegal, Spa Director  
Jim Glanville, General Manager  
The Essex  
70 Essex Way  
Essex, VT 05452

Dear Ms. Smegal and Mr. Glanville,

Thank you very much for your recent letter to Pat Scheidel regarding the proposed changes to the Village of Essex Junction's land development code and the Town of Essex's zoning ordinances. I am sorry I was unable to attend the meeting you had with Pat to address your concerns—I was unavailable due to a family health emergency. Pat shared your letter with me because I wrote the proposed changes and have been working on them with him, the Essex Police and both the Village and Town attorneys for the past several months.

I certainly understand your concerns about how this proposed section of the land development code could affect your business, and I appreciate the specific issues you stated in your letter.

Our goal is not only to prevent illegitimate massage businesses from opening in the Village and the Town, but also to prevent human trafficking. As I am sure you know, there have been three massage parlors driven out of Essex within the last several years, all of which were alleged to be part of human trafficking networks. It is certainly embarrassing to be called out by the local media about how easy it is to open up a massage parlor in Essex; it is another thing entirely to know that human trafficking occurs here and do nothing about it.

The basis of the language you saw is from a model ordinance developed by the Polaris Project, a national organization dedicated to preventing human trafficking. There are dozens of cities across the country with massage parlor ordinances in effect, and the language under consideration for Essex is based on some of them. Our version has been reviewed and edited by Essex Police Chief Brad LaRose, Village Attorney Dave Barra, Town Attorney Bill Ellis, and Chittenden County State's Attorney T.J. Donovan. We have made adjustments to the language multiple times to address concerns from a legal, ethical, logistical, and business standpoint. We wanted to share it with you to understand more about how it might impact your business.

You are correct that this new language affects all legitimate massage therapy establishments within our borders. The Essex especially is hardly the kind of business that would ever come into question under these proposed rules. We are aware of the high caliber of the staff you employ and services you offer. But to prevent illegitimate massage businesses from opening in our community, the tools we use must apply to all massage businesses.

We chose to address the problem through the land development code in order to give municipal staff and the police more tools with which to assess the legitimacy of businesses claiming to offer massage services. By having permit requirements, we will be able to alert law enforcement sooner of the possibility of illegal activity. We realize that there has long been talk of statewide

licensure of massage therapists in Vermont, but the Secretary of State's office has made it very clear that there are no plans to do so for the foreseeable future.

We chose this path also because the Chittenden County State's Attorney has made it clear that his office will not prosecute cases of suspected human trafficking because to do so requires revictimizing women, possible retribution, potential charges of prostitution, and potential consequences related to immigration. He has instructed municipalities to come up with legal tools to combat human trafficking that do not involve charges for prostitution. The proposed changes to our land development code are our response.

Another goal is to make local landlords aware that they are culpable if a tenant of theirs operates an illegitimate massage business. By making landlords more aware, and by establishing a robust permit process, we hope to prevent illegitimate massage establishments from opening up in the first place. If we are successful, then excellent businesses like yours will not be negatively impacted by the presence of disreputable establishments.

To our knowledge, other towns in the area are not considering this kind of code change, and in fact we believe we are the first municipality in the state to do so. It is our goal to share this language with cities and towns in Vermont to allow them to adopt or adapt it as well, so that they too may have additional tools to prevent the opening of illegitimate massage businesses. Your sharing your concerns with us before the new language is approved will help us ensure that all Vermont towns have a model ordinance that will minimize the impact on local businesses.

In consideration of the fact that a legitimate, existing massage establishment like yours would experience a negative financial impact by applying for a permit and fingerprinting employees who provide massage services, we are willing to update the new language to waive the permit fee for massage businesses already existing in the Village and the Town. In addition, language can be added stating that the cost of fingerprinting massage therapists currently employed by existing massage establishments will be discounted 50%.

We realize that in spite of our best intentions, someone may find a way to operate a massage parlor anyway. And until the state decides to license massage therapists individually, we must come up with local solutions. Either way, with more tools available, we will hopefully be able to spot it sooner and investigate it more thoroughly.

Thank you very much for sharing your concerns about this new code. We want to create language that will address the problem with as little impact on local businesses as possible. If you have any other concerns or questions, please do not hesitate to contact me or Pat Scheidel.

Sincerely,

Elaine Sopchak  
Village Trustee  
(802) 324-2546  
esopchak@essexjunction.org

THE *Essex*  
VERMONT'S CULINARY RESORT & SPA™

RECEIVED

SEP 04 2014

Village of Essex Junction

September 2, 2014

Patrick Scheidel  
Municipal Manager  
Village of Essex Junction  
2 Lincoln Street  
Essex Junction, VT 05452

Dear Mr. Scheidel,

Thank you for giving us the opportunity to review the proposed ordinance pertaining to massage establishments in the village of Essex, as well as the Junction. As concerned community members, we appreciate the need to ensure that businesses create a positive, safe and productive environment for the community in which they serve. We work very hard here at The Essex Resort and Spa, as do almost all massage therapists and business owners and managers, to provide respectable massage services and hire educated massage therapists whose sole purpose is to help heal others. Unfortunately, there have been a very small percentage of businesses that are unethical and provide services that work against the strong morals of our neighborhoods.

This ordinance, while filled with good intentions, does very little to address the issues created by the small percentage of people it was written for. It does not support the majority of establishments that are ethical and law-abiding. In fact, the expense of the permit and fingerprinting, combined with the additional administrative hours needed to ensure compliance, it is set to create a significant financial burden on both small and large operations. Furthermore, we run the risk of losing very qualified and respectable massage therapists because of the requirements placed upon them. Since an ordinance like the one proposed for Essex, is not being considered in surrounding towns, the pool of massage therapists is expected to significantly decrease for our immediate area thereby causing even more detriment to existing massage facilities, their reputations and revenues. Our guests already know we are trustworthy; they do not need a permit posted in our lobby to reassure them of this. Our interview process is extensive- references are called, procurement of massage licenses from other states is strongly preferred, education is verified and criminal background checks are conducted on every massage employee. Why must additional fees be paid and processes be enforced upon respectable businesses? The establishments that you are trying to deter will find a way to work around this proposed system and will continue to provide unsavory "services" unless there are significant legal measures in place to prosecute those who do not have high moral and ethical operations.

We urge you to reconsider your current ordinance to ensure it supports the majority of your community; to take under advisement the need to regulate those who are performing massage services, not just the manager, owners and landlords; to work with surrounding towns and devise a comprehensive strategy of

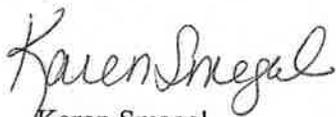


consistent regulation and enforcement; and ensure that police agencies (local and federal) are prepared to back up the plan that is put in place.

Vermont is one of only 6 states (the others being Minnesota, Alaska, Wyoming, Kansas and Oklahoma) in the country that do not require massage therapists to be licensed or certified. There is very good reason for such a small number as there are significant benefits to government oversight. We fully support regulation and licensing within our state to help ensure that all massage therapists are educated and qualified to have a positive effect on people's health and well-being, to safe-guard against illegal business operating under the guise of "massage" and instill confidence in our clients that our professional is not only legal, but honorable. However, it must be done in a way that is well planned, supports all parties and is enforceable with clear consequences to those who are found to be in violation.

Thank you for your time and consideration.

Sincerely,



Karen Smegal                      and  
Spa Director



Jim Glanville  
General Manager

**Essex Junction Village Offices**

**(Lincoln Hall)**

**Building Envelope Evaluation**

**September 15, 2014**

**Liszt Historical Restoration, Inc.**

## **I. Introduction**

**A. The building envelope analyses of the Essex Junction Village Offices, conducted on August 6 & 7, 2014 for the village by Liszt Historical Restoration, Inc. involved a complete notation of observable conditions. These include the visible foundation and load-bearing brick masonry, windows, doors, and wooden elements, as well as the roof and chimneys. This document is arranged by way of a summary of the conditions, presented by elevation and corresponding wings and segments with the focus on poor, failing, or negative conditions. The presentation is in outline form (the numbering proceeds categorically according to the elevation title, region description, and observation(s), followed by the recommendation or prescription(s)), with adjacent photographic examples for most, but not all of the conditions mentioned. Many of the photos are representative of the condition as is typical, although the majority show the problem location for direct reference.**

**B. For each elevation, suggestions and prescriptions are presented for most of the concerns seen, however common repair methods for frequent problem areas will be assumed in reference to previously noted elevations, unless otherwise indicated in order to minimize needless repetition in this document. Additionally, some areas, such as proper repainting, are obvious. First, a summary of the general widespread issues concerning the building envelope will be addressed in order to present a forensic background for better understanding the specific problems areas. While the focus is the nature of masonry failure and repair, wood, roofing, steel, etc. have been included. The outline also includes photographs of both general and specific areas, however it must be understood that certain conditions will emerge to be seen and addressed as 'typical. Following the outline, a philosophy of approach and outlook toward general scheduling are addressed.**

## **II. Overall state of external envelope**

### ***A. Sandblasting:***

**1. The building has been cleaned by sandblasting in the past and this will present a long-term cause for concern. Sandblasting removes, wholesale, the protective sand-face of the bricks, hastening the decomposition of the external masonry envelope by way of the elements, one sign of which is premature spalling.**



2. Many brick throughout the building show signs of spalling, particularly 'salmon' brick used during past repairs. These bricks were never intended for external use, as they experienced less heat during the kilning process and therefore are quite soft in composition. These bricks most often spall and crack earlier, due to their more fragile nature.

B. *Frequent building repairs:* Many of the various repairs made to the building in the past have caused a variety of damage to the Town Offices building and will continue to do so, both in obvious areas and in areas yet fully affected by the seasons and stresses.



**1. Portland cement: noted as 'PCM' throughout the document.**

a) Portland cement mortars, while useful with modern building products and design, most often prove harmful in the long run to historical edifices.

(1) *First, Portland mortars are most often too hard for vintage brick.*

(2) *With building shift over time, modern mortars crack and do not self-heal. This joint failure allows liquid water into the envelope.*



(a) *Additionally, the hard mortars frequently cause spalling and cracking in the bricks, themselves, allowing more liquid water into the envelope and the individual brick, as well.*

(b) *Vintage lime mortars, however, are sacrificial and self-healing, to an extent. This protects the brick and ensures that small cracks in the joints will most likely not yield to water-problems. This is the proper remedy and one not in use on Lincoln Hall.*

(3) Portland cement mortars trap moisture by blocking vapor transfer during the drying process.

(a) *All buildings breathe but the design of historical buildings includes the evaporation of vapor through the materials used.*

(b) *Portland mortars are known to hold in the liquid mortar within the wall, slowing drying time.*

(c) *Vintage lime mortars breathe as part and parcel of the process of carbonation and setting of the mortar, hence their world-wide, millennia-old use.*



(4) Modern Portland cement hasten freeze/thaw damage because water expands during freezing. This causes spalling of the masonry, among other problems.

(a) *The cyclical process continues to allow more and more moisture into the envelope due to the continuing and worsening failure of the mortar and/or the brick, a cycle of decay.*

(b) *This can yield severe structural damage, as well as aesthetic concerns.*

(5) *Vintage lime mortars, including judicious use of hydraulic setting lime mortar in the proper locations will be the best way to conduct the vast majority of repairs. I.e., most proper repairs made to historical buildings ought to utilize vintage materials best matching the physical requirements and characteristics of the original materials, thus the use of non-portland cement lime mortar is recommended throughout.*

(6) *PCM, where used for deep repairs such as brick replacements/rebuilding or when used in structural elements such as jack arches usually require 100% remediation for a proper repair.*

(a) *Even if properly repointed over using lime mortar, the PCM, where not failed, will not breathe and the symptoms will again become evident over a few years in most cases.*

(b) *Since in each region of concern, the PCM is failing in some way, removal necessitates rebuilding in structural elements. PCM is brittle, due to excessive strength, and more failure points will erupt, spreading the problem more quickly.*



**2. Rusting steel: The natural oxidation process of steel has caused damage as the rust has grown in some areas.**

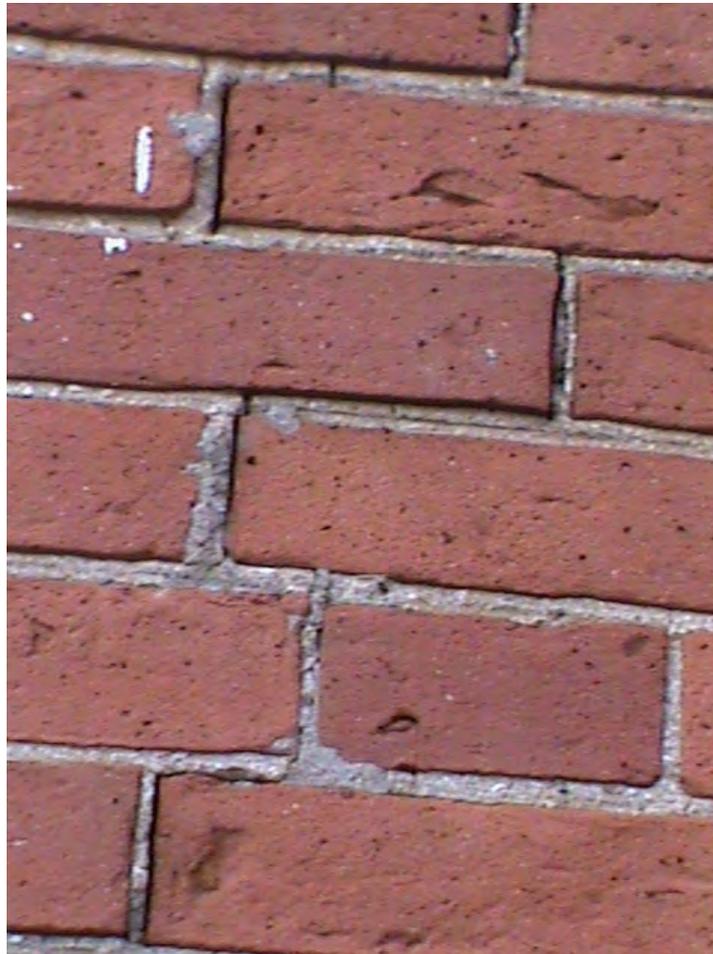
a) Rust expands very strongly, which causes movement and breakage in both bricks and mortar. This hastens the freeze-thaw damage as more and more water penetrates the building envelope.

b) Steel can be scaled of rust and coated with a preventative, if needed. Steel lintels installed on the East Elevation are an example.

***C. Other wide-spread masonry issues:***

**1. Jack-arches throughout the building elevations need attention by either repointing or rebuilding, as noted.**

**2. Step Cracks are a cause for concern throughout the elevations and require repointing.**



3. Slight bulging in the east/west elevations suggest a need for rosettes to be installed to keep the walls erect over the long-term.

***D. Woodwork: Rot***

1. In several areas of the building sills, lower sash areas, and trim show signs of rot. In most cases, consolidation and repair is needed at the punky areas.

a) The majority of the window sills across the building require at least minor wood consolidation. *In certain areas either replacement or Dutchmen may be required.*

b) Major focus areas are noted in the elevation details below.



**E. Other important water penetration issues**

(1) *Roof: The roof over the Youth/Senior wing has badly deteriorated.*

(a) *The shingles have blown off on the south side.*

(b) *The south roof is badly sagging and the wood trim below shows signs of rot: The sheathing looks to be compromised and likely requires replacement.*

(2) *Flashing/diverters: The steel flashing on the Youth/Senior wing shows signs of rusting, with some holes: Replace. Diverters can channel water away from problem areas.*

(3) *Sealant*

(a) *Sealant is lacking at most junctions of wood & masonry, e.g. windows and doors. The thermal properties of two dissimilar materials are best dealt with by using a good sealant to keep out the weather.*



(b) *Sealant has failed at the flashing for the chimneys and all over the Youth/Senior wing roof.*

**2. Paint:**

a) Much of the woodwork has been repainted several times over the years, with varying regard to proper preparation of the wood underneath or care for adjacent materials like glass and brick. Underneath, the wood was found to be in varying states of health. A thorough preparation for repainting will reveal the full nature of what will need to be addressed for rot, although much has been identified. The paint likely contains lead, so proper remediation will need to be used in the preparation process.



**b)** Poor painting technique and lack of care/attention has yielded a plethora of paint drips and stains on the masonry throughout the building.



Gentle cleaning (due to the sandblasting) using an appropriate paint stripper and judicious use of a brick colored stain would clear away and/or hide to shoddy work of the years. (Some paint may not come off without damaging the brick, due to the age of the paint and the removal of the brick's sand face.)

c) Most elevations exhibit staining from rain runoff at the metal shutters around the windows. This may be cleaned. This is a problem with oxidation of the paint over time.



### III. East Elevation

#### A. *Foundation:*

##### 1. **Right-hand corner:**

- a) Loose corner stones and improper running bond at cornerstone with perpetuating cracks moving upward into the brick.
- b) Resetting recommended, along with repointing using appropriate pozzolanic mortar, including the brick above.



##### 2. **Failed mortar and PCM throughout the foundation area.**

- a) Repoint using pozzolanic mortar: ~ 75'x 2'.
- b) ~ 6-8 stones bonds have failed and will need to be set-in-place.





**B. South Wing**



**1. Masonry between the foundation and below 1st floor windows:**

a) Several areas of mortar failure.



b) Repointing of ~ 10' sq. recommended at select locations.

**2. Left-hand cornice projection: Sealant failed at flashing above.**

**3. Step-crack issuing from cornice projection tracing the gable line: Repoint ~ 8" wide band for ~ 6 l.f.**

**4. 2nd Floor window on the left:**

- a) Arch has dropped and mortar is failing: Rebuild.
- b) Step-crack issues upward ~ 4' ft towards roofline: Repoint.
- c) Sill: Very punky on right side: Replace.
- d) Bad mortar (small) repairs to the left of the window: ~ 1 l.f.



- e) About 12-6 count small repairs needed by the conduit.

**5. Stepcracks between the left and center upper window: Repoint ~12 linear feet.**

**6. First Floor Window:**

- a) Sill and trim require consolidation.
- b) Jack arch failing and there is a bulge overhead: Rebuild, including 2' above.



- c) Two metal brackets on the right of the window repaired using PCM have cracks/holes: Replace 2 c.t.

**7. Gable window:**

- a) Requires glazing and consolidation.
- b) One window pane is cracked.
- c) Piece of wood missing: ~ 4.5" radius.
- d) Lowest bricks in the arch have severely eroded mortar: ~ 1 l.f. repointing.
- e) Mortar joints void beneath sill: ~ 1.5 l.f. repointing.

**8. 2nd Floor Center Window:**



- a) Sill: Ends badly rotted. Replace.

**9. 1st Floor Center Window:**

- a) Sill: Consolidation required with an in-depth repair on the left.
- b) Hole in brick filled with PCM: Repair using matching mortar color.

**10. 2nd Floor Right window:**

- a) Parging under the arch is failing: Reparge.



b) Sill: Consolidation required.



c) Broken bricks (2) to the right repaired with PCM: Replace.

**11. Window on North Return:**



a) Joint failure above window: Repoint ~ 4' sq.



b) Joint between wings has failed using PCM: Install backer and sealant at corner.

c) Sill: Requires some consolidation.

d) Nearby there are about 12 small PCM repairs and chipped brick: Repair appropriately.

**12. Hose Bib:**

a) Wood quite punky. Consolidation recommended.

b) Mortar at the bricks above has failed because there is no proper lintel at this opening.

(1) Mortar failures issue to the window above.



(2) Install lintel or a jack arch and repoint above.

**C. Central Wing**



**1. Masonry surrounding the front steps:**

- a) Spalled brick to the right of entry steps, ~5 c.t.





b) Spalled brick to the left of entry steps, ~ 10 c.t.



c) Several brick have holes, ~ 9 c.t.

d) Replace brick and repair damage with appropriate mortar.

**2. Masonry between the foundation and below 1st floor windows:**



- a) Several areas of mortar failure, including step cracks.
- b) Repointing of ~ 10' sq. recommended at select locations.

**3. Main arch.**

- a) The arch has dropped very slightly and when sounded, resonates as though some bonds have failed.
- b) Repointing of the large, continuous joint recommended.
- c) Several PCM repairs (~12) at various joints and on chipped/broken brick near the arch. Repair appropriately.



- d) Repoint ~22' sq. @ select eroded spots above the arch.

**4. Left-hand window, 2nd floor:**

- a) Some sill consolidation repair required.
- b) Repoint the top and center joints of the jack arch.

**5. Center window, 2nd floor:**

- a) Mortar soft and eroded in the jack arch: Repoint 100%.
- b) Sill badly rotted. Replace.
- c) Lower part of trim in need of consolidation repair.
- d) Below the sill, there is a very poor PCM repair that is failing: Rebuild 4'x 2.5' recommended.
- e) Repoint the ~12' bad PCM repairs between the columns.

**6. Center window, 1st floor:**

- a) Jack arch bulging with stepcracks. Rebuild and repair above, ~16' sq.



- b) Sill and lower trim requires a small amount of consolidation repair.

**7. Right-hand window, 1st floor:**

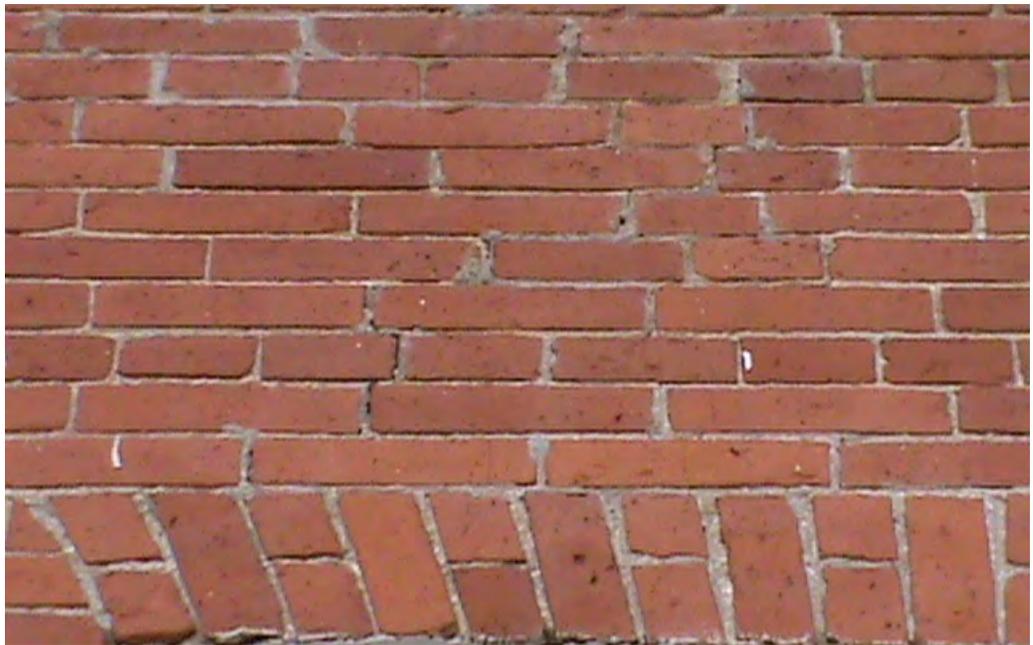
- a) Sill and trim require a small amount of consolidation repairs.



b) Jack arch has dropped and bricks are loose: Rebuild.

**8. Right-hand window, 2nd floor:**

a) Jack arch joints failing at the horizontal and above - severely cracked: Repoint 100% up to the trim, ~4' x 3'.



b) Sill and lower trim require a small amount of consolidation repairs.

c) Severe bulge under sill from failed PCM repair: Rebuild ~2' x 3'.

**9. Upper right-hand corner at the northern return:**

a) Failed joints: Repoint both faces ~ 1' sq.



b) Failed vertical joint between wings: Cut out and install backer rod/sealant.

**D. Hose Bib:**

**1. Wood quite punky and split. Consolidation repair recommended.**

**2. Mortar at the bricks above has failed because there is no proper lintel at this opening.**

*a) Mortar failures issue to the window above.*





*b) Install lintel or a jack arch and repoint above. Gravity is pulling the bricks downward. The wood frame has flexed with time, furthermore, the bricks are heavily cantilevered. This will continue to worsen with time and as increasing moisture fills the gaps, enhancing the freeze-thaw cycle.*

***E. North Wing***



**1. Southern Return and left-hand column:**

- a) This segment of the building has been rebuild 100% and/or repointed using PCM over a poured concrete footer. (Very messy craftsmanship.)
- b) Many 'salmon' brick were used and they are beginning to see severe weathering. These brick will be the first to spall as they age and should be replaced in a timely manner. Not urgent as of yet.

c) Several voids/mortar failures observed at the transition points between the modern rebuild and the original masonry in the joints: Fill with appropriate mortar.

**2. Left-hand window, 1st floor:**

a) Steel I-beam lintel above the window is badly rusted and has caused the mortar around it to crack and fail.



*(1) Bulging wall. Expanding rust will continue to worsen the problem.*

*(2) The steel should be exposed, scaled down to good metal, and coated with a rust inhibitor and the surrounding masonry rebuilt appropriately.*

b) Repointing of about 20' sq. above required, along with about 10 count brick replacement nearby.

**3. Left-hand window, 2nd floor:**

- a) Jack arch has dropped and mortar is soft and failing.



- b) Rebuild, including ~2' above.

**4. Center window, 2nd floor:**

- a) Below:

*(1) The roof flashing has cracked at the rosette and the sealant has failed: Repair appropriately to minimize further freeze/thaw damage.*



(2) *Soft/failed mortar and PCM repair joints, along with several loose brick build up to the window sill: Rebuild ~ 10' sq. and repoint PCM joints to the right.*

- b) Sill and trim typical: Some consolidation required.
- c) Trim on the left is loose.
- d) Jack arch has dropped slightly: Repoint 100% and ~ 9' sq. above due to soft and severely eroded mortar.



e) Repoint around rosette (~1' sq.) and repair 2 holes from old hardware with appropriate mortar.

**5. Right-hand window, 2nd floor:**

a) Mortar is eroded and soft at the jack arch and above to the trim. Repoint 100%:  
~ 20' sq.

b) Sill:  
Typical.



6. Right-hand window, 1st floor:

- a) Steel I-beam lintel above the window is badly rusted and has caused the mortar around it to crack and fail.



(1) *Bulging wall. Expanding rust will continue to worsen the problem.*

(2) *The steel should be treated as with the other side.*

- b) Repointing of ~ 50' sq. above lintel required due to failed mortar/PCM repairs.

- c) Repointing of area below and to each side of the window required due to failed mortar/bad PCM repairs, ~ 12' sq.



**7. Upper right-hand corner of wall:**

- a) Deep mortar voids and failures observed.
- b) Repoint ~ 2'x 2' area recommended.

**8. Right-hand and left hand-window wells:**

- a) Wells are in very bad shape.

*(1) Mortar cap has broken and pieces are loose in some places.*



*(2) There are many loose brick and much failed mortar.*

*(3) Rebuild window wells with weeps and through-wall flashing under caps recommended.*

- b) Left-hand window:

*(1) Trim panel is loose.*

*(2) Some consolidation required.*

c) Doorway:

(1) Threshold:

(a) Lower area of doorframe slightly punky.

(b) Some wood consolidation required.

(2) Masonry failure due to erosion and PCM repairs on each side of doorway.



(a) Repoint from slab to 2' high on each side, ~ 12' sq.

(b) Replace ~ 5 spalled brick on the left of the doorway.

(c) Reset ~3-4 loose bricks on the upper right side of doorway.

*(d) Both vertical joints have failed: Repoint 7 l.f. each side.*



*(3) Concrete steps and porch are badly cracked and in need of concrete repair or replacement.*



## **IV. South Elevation**

### ***A. Main Building***



#### **1. Redstone Foundation:**

- a) Lower right-hand corner sunken.
- b) Repointing recommended to replace old and failing PCM mortar at redstone. Approx. 36'w x 2'h.

**2. Region below 1st-floor windows:**

a) Spalled and cracked brick up to 4' above foundation: 10 c.t. on the left and 40 c.t. on the right side of the steps.



b) Approx. 30 s.f. of mortar failure due to freeze-thaw and PCM repairs: Repoint recommended.



3. Doorway:



a) Badly prepped and painted with failed sealant next to brick.

b) Woodwork: Several rotten/punky areas observed.

*(1) Loose molding and trim on left side at window inset & loose trim on the right-hand return at the window inset.*

*(2) Bases of wooden elements all rotted somewhat on both sides.*

- (3) *Rotten panel on the right at window inset.*
- (4) *Loose dutchman piece on the lower left. Reattach.*
- (5) *Windows at the insets and above door in need of reglazing and cleaning: Very poor paint job.*



- (6) *Spider-web window needs reglazing.*
- (7) *Column tops need consolidation and varying degrees of repair.*

**4. 1st Floor Windows:**

- a) 1st window on the left: punky and rotted in places, including the lowest portion of trim.
- b) Right-hand shutter is dented on top.



- c) Very bad failing PCM repair above lintel and below 2nd floor sill yielding damage to original mortar below: Repointing of 5'x 5' areas between the left windows is recommended.
- d) 2nd window from the left: Similar scenario to that listed above.



- e) Badly rotten sill and lowest portion of trim.
- f) 2nd window from the right:
  - (1) *Slight consolidation repair recommended for sill.*



(2) *Very bad repair above lintel with skim-coat of PCM: ~4' x 4' repointing recommended. Skim coats tend to damage any good original mortar underneath, lending the illusion of solidity.*

- g) 1st window on the right:
  - (1) *Slightly punky sill. Consolidation needed.*
  - (2) *Very bad skim-coat PCM repair above lintel failing and causing adjacent old mortar to fail between the two lower right windows: Total region for repoint recommendation is 14' x 1.5'.*
- h) Bricks above left-most sill missing on either side

5. **3" peice of Soffit and cornice missing at transition to Senior Center:**  
Gap allows in insects and weather.



6. **Upper left-most corner region: 2'x 2' area of cracked joints requiring repoint.**  
Caused by gap in the buildings.  
Sealant and new flashing, should be reinstalled between in order to remedy this.

7. **2nd-Floor Windows:**

- a) Windows to the left:

(1) *Very bad PCM repair failing at jack arches and above: repair, including bulge to the left of the arch due to same bad PCM repair.*





(2) *Major repair or replacement of sill needed due to rot.*

b) Center window:

(1) *Parging under jack arch failed: reparge.*



(2) *Sill is punky: Some consolidation recommended.*



c) Windows to the right:

(1) *1st window at the right:*

(a) *Trim on right-side badly split up about 2' high started due to rot.*

(b) *Sill requires a repair or a dutchman on the right side due to severe rot, in addition to general consolidation repair.*

(c) *Jack arch PCM skim-coat repair failing: Repair recommended.*

(d) *Right-hand corner column original mortar eroded and nearby 'repairs' just skim coated covering many actual mortar voids. This is often worse for the masonry than leaving slightly eroded joints, due to the water vapor retention of the PCM and the hidden damage.*

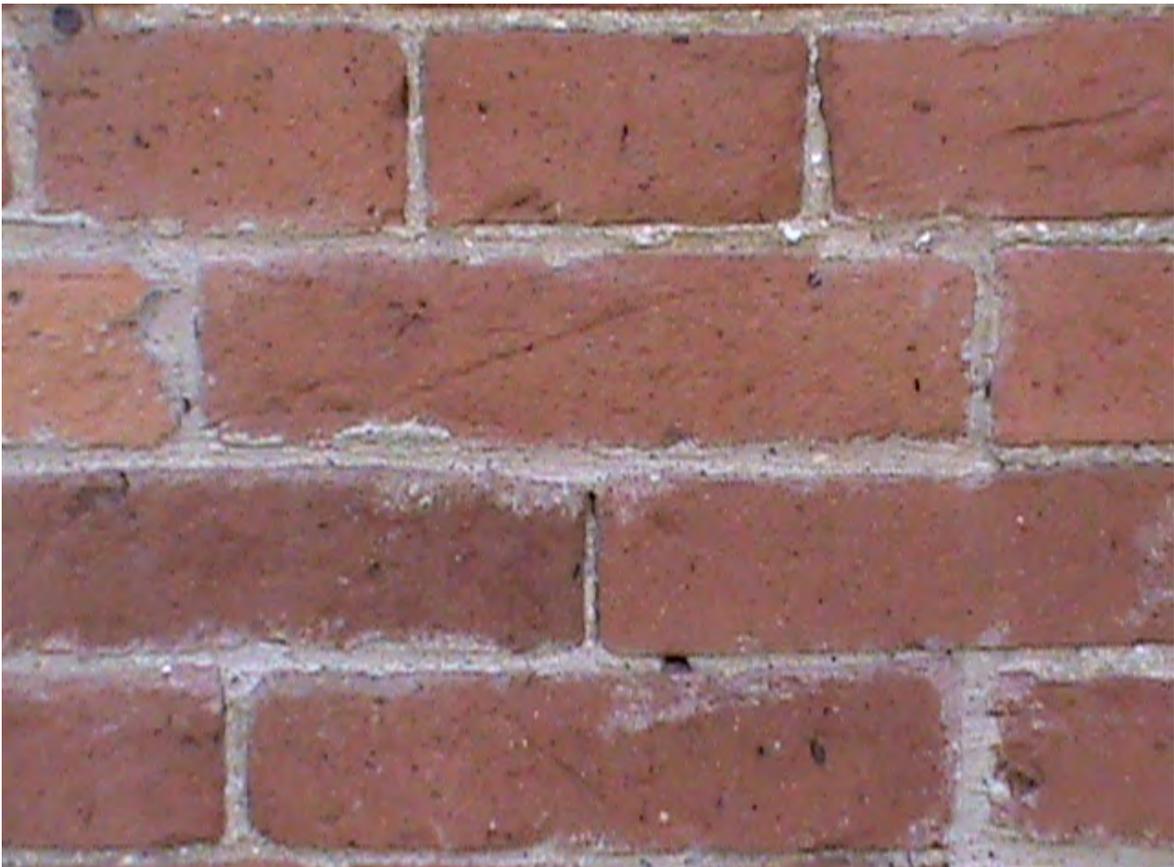


(2) 2nd window from the right:

(a) Sill very punky: Wood consolidation repair recommended.

(b) Jack arch and above: Failing poor PCM repair. Rebuild recommended.

(c) Column between the upper windows has badly eroded old mortar joints and poor PCM skim-coated repairs: 3' x 10' repoint recommended.



**B. Senior/Youth Center**

**1. Roof: Urgent!!!**

a) Most tabs have blown off the shingles.

- b) Sagging evident: likely rot in the sheathing.
- c) Flashing looks rusty and compromised.

**2. Front Entry:**

- a) Rot on both sides at the bottom of the doorway in many places.



- b) Right side capital trim is quite punky: Consolidation recommended.

**3. Both upper left and right capital are quite punky: Consolidation repair recommended.**



**4. Upper Cornice:**

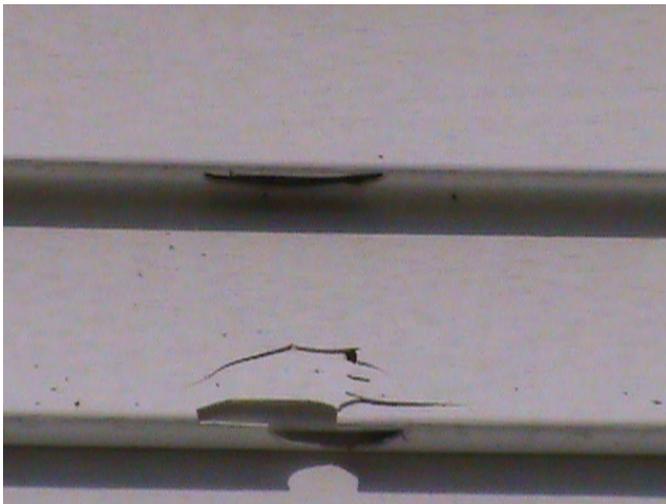
- a) Wood is punky and cracked at the center of the building: Consolidation and wood repair recommended.

- b) ½-round above fascia is rotten in the center of the building:  
Replace rotten portion recommended.



5. Foundation: PCM repairs have cracked and are starting to fail. Repoint recommended using appropriate mortar.

6. Siding: Vinyl siding is beginning to crack. Residing should take place soon.



## **V. North Elevation**

### ***A. Main Building***



#### **1. Foundation**

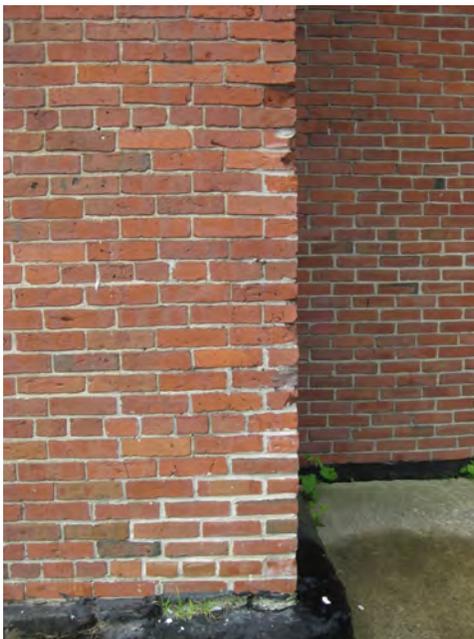
a) Mastic covering fieldstone: prevents natural cement from breathing and could yield premature failure due to freeze/thaw of captured water since holes are evident. This does little to stop the flow of moisture via 'damp wicking' from the ground. If holes exist in the mastic, then water retention occurs. Minimally, these voids should be filled with the appropriate mortar. (It may be discovered that there are more pronounced foundation issues below the surface of the ground.)

b) Left corner: Mortar void observed- water penetration and internal powdering of mortar from freeze/thaw likely.



**2. Brick region at first floor:**

a) Right corner: Brick repair using PCM immediately above shows signs of failing by way of cracked and failed joints.



(1) *Rebuild using pozzolanic lime mortar and remove surrounding PCM.*

(2) *See note 2. below for more information.*

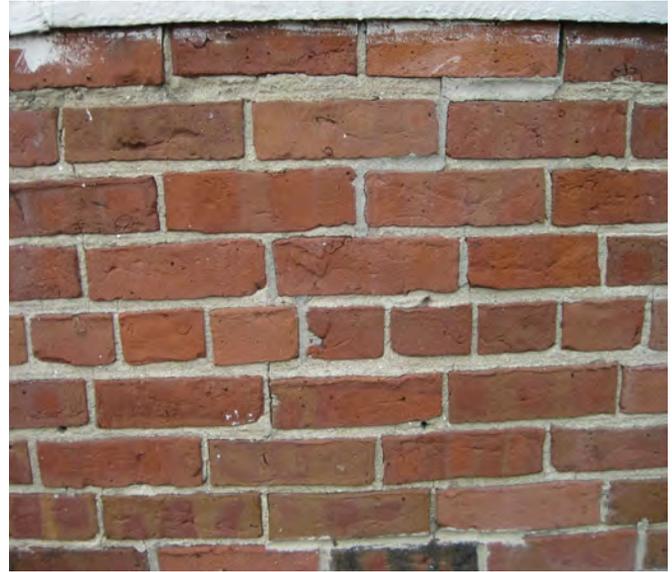
b) One foot above foundation: Repointed in the past with PCM: Failing in several locations.



(1) *Repoint using pozzolanic lime mortar recommended.*

(2) *A pozzolanic lime mortar will delay erosion due to the persistence of ice and snow in this area, while maintaining breathability.*

- c) Step cracks evident below left, center, and right windows.  
(1) *Repoint using lime mortar recommended.*



- d) Broken/cracked/spalled bricks.

(1) *Three (3) broken brick on left-hand column 3' above foundation.*

(2) Six (6) broken bricks at western corner.

(3) Replacing broken and cracked bricks can help with water penetration issues over time.



- e) Mortar erosion, varying degrees of intensity: ~40 ft. sq.

(1) *Repointing recommended below 8' mark on this elevation for any joints with 'scrapable' mortar (case-by-case) for depths greater than 3/8".*

(2) *Joints exhibiting ~1/4" erosion likely do not require immediate repoint, however subsequent degradation should be tracked over time.*

**3. First floor window on the right:**

- a) Area repointed with PCM failed: Step crack between arch and sill above. Rebuild area recommended.



**4. First floor window on the left:**



- a)** PCM repair failed: step cracks up to 2<sup>nd</sup> floor window from the arch.
- b)** Arch failing: Rebuild required, plus 2' immediately above.

c) Wood trim Dutchman:

(1) 2 poor repairs at lower 6" on each side of window.

(2) Dutchman needed at upper right of trim.

**5. Area between first and second floor windows:**

a) Most of a 5' run between upper and lower windows badly repointed with PCM, mortar staining.



(1) Such lack of craftsmanship and care exhibited indicates a likely failure in the near future.

(2) Repoint using lime mortar.

b) Repointing work noted above best conducted following jack arch repair, as newly rebuilt areas above jack arches will not need repointing.

**6. 2nd Floor Brick Region:**

a) Upper western corner badly in need of repoint.



- b) Morning dew drips and in this corner regularly, install a diverter at the roof.



- c) Rebuild ~3'x3' area, each side of corner.  
d) Step crack issuing from the jack arch at the window below.

**7. 2nd Floor window on the right: Arch looks intact with some mortar damage.**

- a) Arch in need of repoint.  
b) Repoint step crack mentioned above.

**8. Middle 2<sup>nd</sup> floor window:**

- a) Mortar deeply eroded at several joints and rather soft in jack arch, but it looks to be intact.
- b) Jack arch in need of repointing, including ~5 linear feet of joints immediately above.



**B. North Elevation at Southern Wing**



**1. Doorway:**

- a) Jack arch failure and step crack above- Rebuild recommended, including up to 2' above.

b) Door: Wood panel below window is badly rotten, as well as the ¼-round trim particularly down low.

**2. Lower corner at transition to senior center: Mortar failure to salt and freeze-thaw water damage: Rebuild recommended using a pozzolanic lime mortar.**



**3. Lower 2-3' of wall shows clear signs of salt damage and mortar erosion: Repoint area using pozzolanic mortar recommended.**



4. **Gap between dissimilar materials at Senior Center transition: Sealant recommended.**

5. **Brick area between door and 2nd-floor window: Repointing ~5'x4'**



area of step cracks recommended.

6. **Various small PCM spot-repairs all the way up side adjacent to wooden Senior Center.**

7. **2nd-Floor Window: Failing jack arch and masonry up to the soffit.**



Rebuild recommended.

8. Wood soffit rotten by the vents, possibly from old roof leak.

**C. Newer Addition**

1. Some cracking and minor mortar failure and erosion of PCM, as well as a few impact-damaged brick along corner.
2. Spot repoint with PCM appropriate on this portion of the building as needed.





***D. Senior/Youth Center***

**1. Barn Door:**



a) Severely rotten by the door handle.

b) Trim next to the brick transition by the lower hinge is rotten.



2. Siding: Vinyl severely cracked with large holes in several places with insulation and old clapboard easily visible. Residing required.





3. **Trim is rotten by the doors on the return.**
4. **Western corner woodwork is rotten at the base by the drainpipe.**
5. **Drainpipe falling off wall because the clamps are broken.**
6. **Roof:**
  - a) Flashing seams failing.
  - b) Shingles buckled and failing: New roof required immediately.
  - c) Holes in the fascia by the gutter on the western return.
  - d) Entryway roof shingles slightly cracked and buckled.
7. **Eastern Return:**
  - a) 2nd Floor Window: Sill and lower trim rotten.
  - b) Capital has some rot and mitre joints show a wide gap.
  - c) Upper Cornice rotten in spots due likely to failing roof: seams, trim and fascia.



## **VI. West Elevation**



### ***A. Main Building***

#### **1. NW Corner**

a) PCM repair failing immediately above foundation due to constant drippage off roof which is affecting this whole corner.

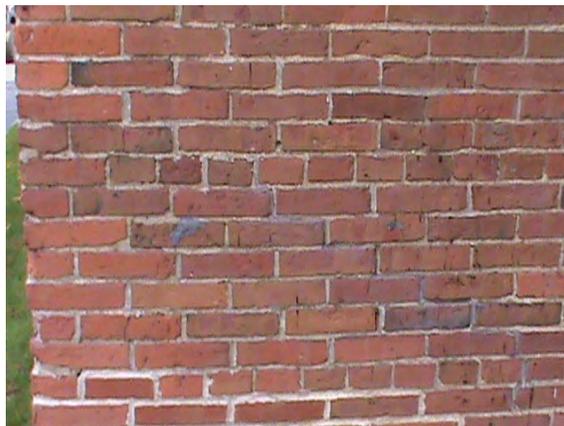
(1) *Diverter needed at roof.*



(2) *Repair corner: ~3'x 3'.*

(3) *Cornice, trim, molding at this corner is rotten. Wood repairs recommended.*

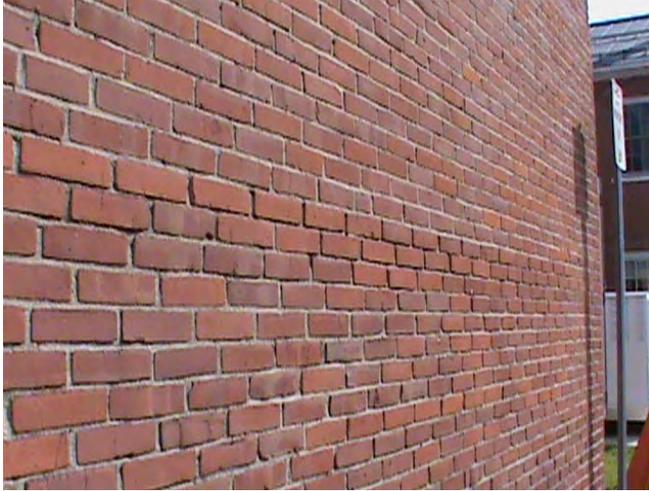
(4) *Mortar badly repaired with sealant and PCM in widespread locations up corner, deterioration:*



(5) *Repoint up ~15' above foundation recommended.*

**2. 'Modern' Addition:**

a) Some sign of early mortar failure in spots (~ 25-30 l.f.): Repoint using a Type N PCM recommended.



b) Several joints failing at the CMU foundation: Repoint recommended using a Type S PCM.

c) Portland cement mortars are an appropriate product to use to repair modern construction (after ~1930's) in most cases.



d) Sealant between old and modern building sections failing: Install new sealant and backer rod between buildings recommended.

**3. Wall segment above 'modern' addition:**

- a) Repointing needed around vent grate: ~12" both sides.
- b) Repointing needed about 12" below the soffit from the corner of the building to the grill. (~ 9 l.f.).
- c) Mortar is badly eroded and failing about the roofline: ~ 3'x 14'.
- d) Old roofing tar stain above addition: ~ 2 s.f.
- e) Window above roof:



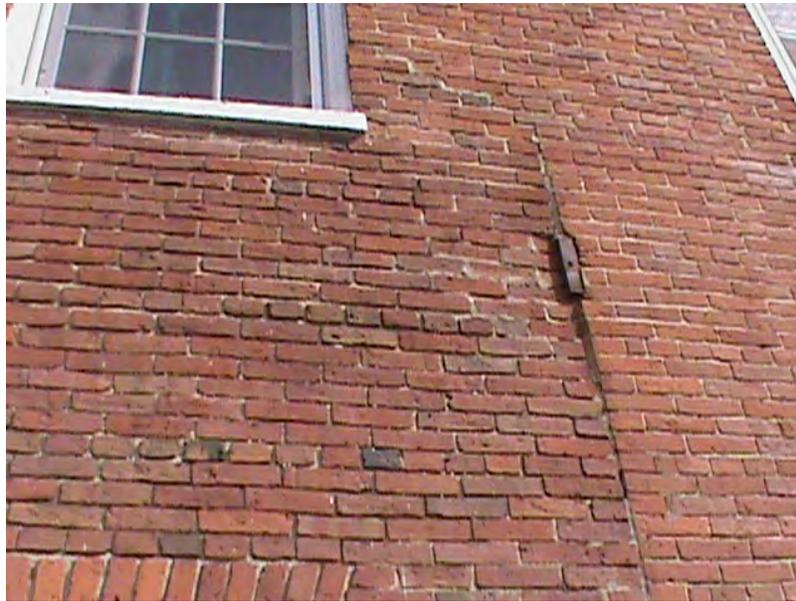
- f) Jack arch has dropped very slightly and bonds are starting to break.
- g) Rebuild recommended.

**B. Wall segment from 'addition' to fire escape:**

a) Mortar in need of repointing below window-height: ~ 15' x 3'.

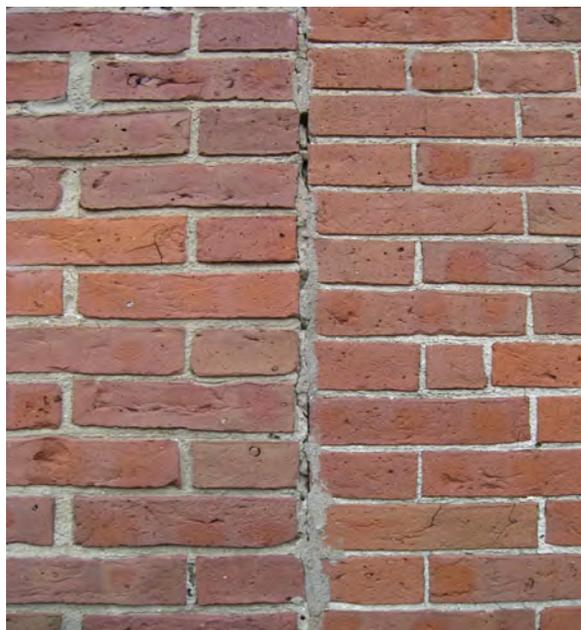
b) At rosette:

(1) *Joint has failed up to 13' in height, then proceeds in a stepcrack to edge the nearby window of the left.*



(2) *Rebuild area at step crack: ~3'x 5'*

(3) *Deep repoint the entire joint.*



c) Above the emergency door area:

- (1) *PCM repair has failed with a slight bulge: Repair ~ 3'x 3' area above the door.*



- (2) *Repoint: PCM repair above light, 5' to the left under the soffit.*

- (3) *Repoint: ~ 1'x 1' area left of the light and above.*

- (4) *Repoint: Stepcrack with bad PCM repairs in some of the joints to the right of light.*

d) Windows:

- (1) *1st Floor, 2nd window to left: Replace rotten sill.*

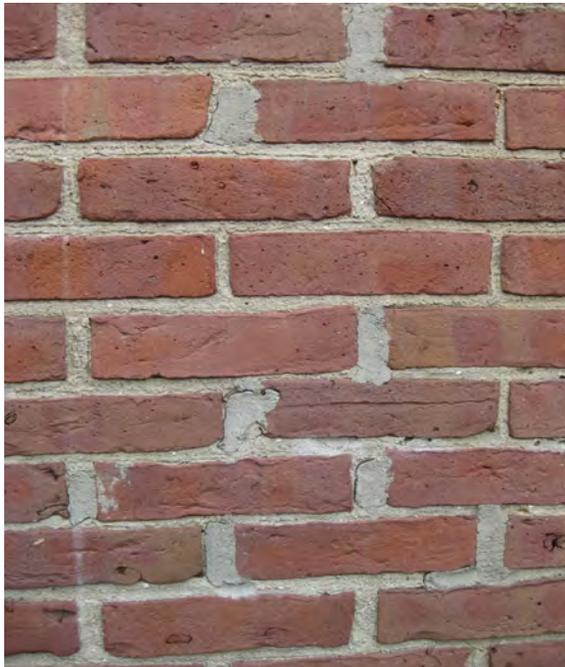




(a) *Jack arch mortar bonds are weak:*

(i) *Rebuild recommended.*

(b) *There are ~ 10 wide, vertical joints that have failed/PCM mortar in the joints: repoint.*





- (2) 1st Floor, 3rd window to the left:
- (a) *Masonry failing immediately above window because there is no jack arch or lintel: Install one or other recommended.*
  - (b) *Seven broken brick line the sides of this window: replace.*





(3) *1st Floor, below fire escape:*

(a) *Failed jack arch: rebuild and repoint until threshold above.*

(b) *Repointing needed at the upper right corner by the drainpipe elbow: ~ 2'x 2'.*



(4) 2nd Floor, 2nd window to the left:

(a) Mortar showing some signs of failure in jack arch: rebuild or deep repoint.



(b) Badly eroded mortar below window and to the immediate right: ~ 25' sq. repointing recommended.

(5) 2nd Floor, 3rd window to the left:



(a) Jack arch failing: Rebuild including ~ 3'x 4' area above and repoint to roofline following the remaining stepcracks.

(b) Replace rotten sill.

(6) 2nd Floor, 4th window to the left:

(a) Jack arch failing: Rebuild including ~ 3'x 4' area above and repoint to roofline following the remaining stepcracks.



(7) Emergency Doorway:

(a) Bricks below threshold damaged and badly parged: Replace ~ 10 c.t. recommended.



*(b) Soffit above emergency door is hanging loosely: attached wood piece more firmly.*

**2. Wall segment between fire escape and the inside corner:**

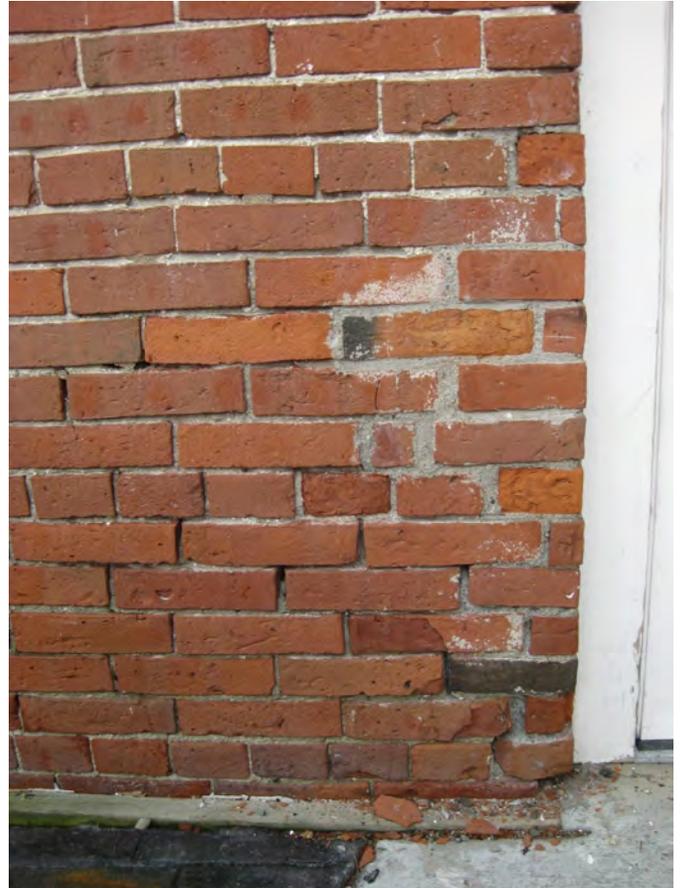
a) Doorway:

*(1) Sealant stains on bricks from an old door and many paint stains.*



(2) Mortar failure from salt and freeze/thaw on both sides of doorway: Repoint ~3-4' on each side.

(3) ~ 10 bricks spalling/cracked due to the same, inc. PCM repairs: Replace.



b) 1st Floor window to the left of the door:

(1) Rotten lower side trim is rotten: Repair.

(2) *Badly repaired masonry below the window using both inappropriate bricks and mortar show signs of failure and*



*spalling: Rebuild using the proper materials - ~6'x 2.5' area.*

(3) *Paint stains surrounding window on both sides: ~ 6 l.f.*

(4) *Jack arch failing and poor PCM repairs above: Rebuild, including ~ 16" above using appropriate materials.*



- c) 2nd Floor window closest to the inside corner:
- (1) *Jack arch mortar failed: Rebuild including 16" above.*
  - (2) *Eroded joints and wrong use of repair material (sealant): Repoint ~ 5'x 3' area up to the soffit.*
  - (3) *Right-hand at the inside corner needs 100% repoint: ~ 1'x 5' area including failed vertical joints at the corner itself.*



- (4) *Sill: Small wood dutchman needed on the left.*



d) 2nd Floor window, 2nd window to the right:

(1) *Sagging jack arch with failing mortar bonds: Rebuild.*

(2) *Above window there are mortar voids under the soffit and several voids between: Repair using appropriate mortar.*

(3) *Bricks under sill to the left are inset and loose: reset properly.*

**C. Senior/Youth Center**



1. **Capital trim: Punky. Consolidation recommended.**
2. **Cornice Fascia: Cracked and missing pieces at the capital: repair recommended.**



3. **Emergency Door: Rotten lower panel with badly rusted kickplate on a punky threshold: Wood repair for door, replace threshold, and replace kickplate are the recommendations.**



4. **The siding, while not in as poor condition as the North Elevation, was no doubt installed at the same time and will experience material failure soon enough. Therefore, it should be addressed in the same timeframe as other Elevation's residing.**

5. **Southern Column: Base is rotten. Wood dutchman repair recommended.**



## **VII. Roof**

### **A. *Main Building***

- 1. Copper standing-seam: Newer, looks to be in fine shape.**
- 2. Rubber: Newer, looks to be in fine shape.**

### **B. *Senior/Youth Center: UGENT - REPLACE IMMEDIATELY!***

- 1. South roof has few shingles left with a large sag indicating compromised sheathing.**
- 2. North roof shingles are worn.**
- 3. Flashing is rusted with holes in places.**
- 4. Sealant has failed.**

## VIII. Chimneys

### A. *Southwest:*

1. Masonry bonds largely failed above copper-flashed base.



2. 100% rebuild recommended.

**B. Northwest**



1. **Loose and cracked brick observed in the corbelling courses.**
2. **Chimney repointed with PCM but some joints have failed.**
3. **Sealant has failed at the flashing.**
4. **Recommendations:**
  - a) Best - Rebuild chimney 100% using pozzolanic lime cement.
  - b) Good - Rebuild corbelling courses, repoint 20% using portland cement mortar, struck to match, install high-quality sealant.

**C. Southeast:**



- 1. Upper corbelling is failing and some of it loose.**
- 2. Mortar is badly eroded.**
- 3. Mortar in base extremely eroded and bonds have failed.**
- 4. Sealant at the flashing has failed.**
- 5. 100% rebuild recommended.**

**D. Northeast:**



1. Corbelling brick are loose.
2. Heavily eroded joints with any failed joints throughout and most damage is at the base.
3. Sealant at the flashing is failing.
4. 100% Rebuild recommended.

## **IX. Conclusion**

### ***A. Approach***

1. The best approach to take in repairing a historical building like Lincoln Hall is one of careful consideration for matching appropriate materials with craftspeople featuring several years of successful completion of like projects using like materials. Today's materials, particularly with regards to masonry construction, are very different than the past and require far more care and knowledge for a proper end-product and lasting value.

2. While there is little that is requiring attention in any kind of emergency capacity, a few elements ought to be addressed prior to others due to liability issues should failure occur. In this case, the chimneys would be of initial concern following, of course, the immediate issue of the Senior Center roof. It is most importantly that the right mindset is applied. Too, often these beautiful old buildings, stocked with a nearly priceless amount of inherent value in terms of the quality of materials and craftsmanship, are mangled by careless tradespeople, chasing mere dollars (the root of the 'skimcoat' repair. One simple look at the (lack of) quality of the more recent paint jobs is enough for anyone with even an inexperienced eye to see the importance here.

3. Ultimately, the artisan must love their craft and understand the value of the dollar over the long-term. Utilising the vintage materials will stretch the value of the repairs and restore the structure to its original simple elegance. Matching materials are important due to the similarity of response to heat and moisture (properties of expansion and contraction). A trust must be built in a step-wise fashion and the first best step is through a thorough checking of references for several years of successful projects using lime cement mortars and historically significant projects.

4. Some items are typical: In general, all of the jack arches will need some sort of repair. All of the sills need at least some consolidation of the wood, if not replacing, but a few could use a dutchman in addition to the consolidation. The portland cement-based mortar should be removed and repointed using lime mortar. Additionally, some 10-15% repointing ought to be done in addition to what has been noted. (There is widespread variation of mortar erosion, in addition to discrete locations containing PCM that ought to be addressed in-situ.) Finally, all the woodwork should be refinished to reveal the actual extent of repair needed, as the many years of paint cover more than could be explored in the scope of this analyses.

## ***B. Schedule***

1. Following the rather urgent repair of the Senior Center roof, it would be best to approach the chimney repairs first. They are in various states of degradation, so the liability and risk is highest here, although the possibility of a tremblor or high enough wind to cause them damage is small. Additionally, the installation of the diverter on the Northwest corner roof is imperative to reduce further damage to the wood and masonry of that corner.
  
2. The general flow will be to begin with the masonry restoration, first. While this analyses covers that which could be readily seen and/or deduced, often hidden conditions are revealed and need to be addressed. This often occurs at the foundation level. The repointing can proceed once the various mortars are matched properly for properties and color, along with the jack arch and other structural repairs. The majority of the woodwork should follow, with preparation for consolidation, wood dutchman, wood element replacement, and painting taking place in close fashion. Once the woodwork is complete, the painting can proceed, followed by the completion of the sealant. Once again, not all construction or building repair companies are created equal. Time and again failed sealant has caused concern for many a client through the dual deaths of leaks and messy work. Again, check references!
  
3. It would be best to approach the restoration of the building on a elevation-by-elevation basis. Starting with the most innocuous regions, the restoration expert can begin to understand the nature of the structure in a more intimate way by the initial hours spent working the repairs; and that crucial, initial trust can be built between the client and the artisan. The West and North elevations would be an appropriate starting point for the masonry. Similarly, the West and North elevations would be a fine starting point for the woodwork. The elevation-as-a-whole approach produces a comprehensive product and allows the artisan to hone the restoration strategy prior to taking on the larger and more publicly prominent elevations while allowing for budgets to develop. At the end of the restoration for each Elevation, a gentle cleaning will be necessary to remove the dust and the paint stains and streaks. If qualified painters follow afterward, they should not create such a mess.
  
4. Following the initial work, the next elevation to be addressed ought to be the entire South Elevation, finishing with the siding. The public confidence from an outstanding project will allow the most complex and largest body of work on the East Elevation to proceed smoothly and with strong momentum. Using the proper materials under the careful hands of qualified personnel, the Town Offices at Essex Junction may stand strong another century or more.

C. ***Final Summary of the Extent of Repairs (approximate):***

1. New roof and flashing over Senior Center
2. Masonry:
  - a) Rebuild all chimneys.
  - b) Reset ~ 15-20 stones. Some could be reset-in-place.
  - c) Repointing:
    - (1) 150 linear feet (l.f.) where specified.
    - (2) 1000 square feet where specified.
    - (3) Factor about 10% repointing per elevation in spot locations not specified that have PCM, eroded joints, etc.
  - d) Jack arches:
    - (1) Rebuilding of 20 arches where recommended, including 16-24" area immediately above.
    - (2) Repointing where specified (included in repointing estimate).
  - e) Individual brick replacement: ~60 count.
  - f) Brick damage from holes: ~30-50 small repairs with 'Jahn Cathedral Stone' custom mortar recommended.
  - g) Brick rebuild areas not including jack arches nor chimneys: ~100 sq. ft. where indicated.
  - h) Window wells at East Elevation
3. Concrete: *North Wing Steps/Landing at East Elevation in need of major repair.*
4. Woodwork:
  - a) Consolidation repair of window sills and lower trim likely at all windows not needed complete sill replacement.
  - b) Replace ~6 windowsills.
  - c) Repairs include ~6 wood dutchman at specified locations.

- d) Wood repair and consolidation focii on:
  - (1) *Historical doorways at East and South Elevations.*
  - (2) *Senior Center cornices, fascia, capitals, soffit.*
  - (3) *Northwest corner of main building.*
- 5. Windows and doors:
  - a) Reglazing of ~4 historical windows.
  - b) Pane replacement of historical windows: 2.
  - c) Clean/scrape old paint off windows.
  - d) Firescape door: Metal panel, lower frame, and threshold need work.
  - e) All doors need some work at lower frame areas near thresholds.
- 6. Paint:
  - a) Strip and repaint all woodwork to reveal *complete* extent of wood damage. Take lead abatement precautions.
  - b) Clean brick of paint stains using low-pressure washing and appropriate paint stripper.
- 7. Sealant:
  - a) Sealant recommended at all junctions/transitions between dissimilar materials, (i.e., brick and wood, metal and wood, brick and metal flashing, etc.).
  - b) Sealant recommended at all major transitions between separate masonry elements and large vertical joints where specified.
- 8. Siding: Senior/Teen Center needs new siding with the priority being the North Elevation.

**VILLAGE OF ESSEX JUNCTION  
BOARD OF TRUSTEES  
MINUTES OF MEETING  
September 9, 2014**

**BOARD OF TRUSTEES:** George Tyler (Village President); Elaine Sopchak, Lori Houghton, Andrew Brown. (Dan Kerin was absent.)  
**ADMINISTRATION:** Pat Scheidel, Municipal Manager; Lauren Morrisseau, Assistant Manager & Finance Director; Rick Hamlin, Village Engineer.  
**OTHERS PRESENT:** Daniel Stein, Jeff Carr, Mary Morris.

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

Village President, George Tyler, called the meeting to order at 6:32 PM.

**2. AGENDA ADDITIONS/CHANGES**

There were no changes to the agenda.

**3. APPROVE AGENDA**

**MOTION by Andrew Brown, SECOND by Lori Houghton, to approve the agenda as presented. VOTING: unanimous (4-0); motion carried.**

**4. GUESTS, PRESENTATIONS, PUBLIC HEARINGS**

1. Comments from Public on Items Not on Agenda

Daniel Stein, bicyclist, mentioned two months and a few days ago he experienced a bike accident due to a pothole on Route 15 by Merchants Bank and at that time informed the Trustees about the hazard who indicated the pothole would be filled, but that has not happened. A number of other potholes have been filled on the street. Mr. Stein will forward pictures of the pothole to staff.

**5. OLD BUSINESS**

1. Acceptance of Shared Services Assessment Study Team Report

Jeff Carr and Mary Morris reviewed corrections and edits to the report since the last meeting. Any further edits will still be accepted. George Tyler mentioned the request for an “apples-to-apples comparison” of the Essex Junction Employees Association contract and the Essex Employees Union contract relative to benefits and any significant differences. Jeff Carr said the study did not go into that area which is a logical next step. Pat Scheidel noted the comparison work is underway. There was discussion of drafting an executive summary of the report and posting both the summary and the full report on the website for public comment. Following further discussion there was agreement a summary of the report is not necessary and the full report should be posted on the village website with an introductory statement. Elaine Sopchak will draft the introductory statement.

**MOTION by Lori Houghton, SECOND by Andrew Brown, to adopt the report by the Shared Services Assessment Study Team titled “An Examination of a Shared**

**Services Delivery Model in the Village of Essex Junction-Town of Essex, Vermont”, and to authorize the Municipal Manager to take the action steps recommended therein. VOTING: unanimous (4-0); motion carried.**

2. Interdepartmental Collaboration

The mission statement for interdepartmental collaboration was reviewed.

**MOTION by Elaine Sopchak, SECOND by Andrew Brown, to approve the following statement:**

**“It is the expectation of the Board of Trustees that the village departments will collaborate with their town counterparts whenever practicable as determined by the Department Heads/Municipal Manager.”**

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

3. Bid Award for School Street Reconstruction Project

Rick Hamlin, Village Engineer, explained the reason for the accelerated process for the School Street reconstruction project (to avoid going through another winter under current conditions). Bids for the project were opened 9/9/14 and Don Weston Excavating, Inc. was the low project bid at \$440,477. Discussions have been held with residents on the street and the police department regarding traffic flow and access during the work period. The project must be complete by November 19, 2014.

**MOTION by George Tyler, SECOND by Lori Houghton, to accept the bid for the School Street reconstruction project by Don Weston Excavating, Inc. in the amount of \$440,477. VOTING: unanimous (4-0); motion carried.**

6. NEW BUSINESS

1. Bid Award for Sidewalk Plow

Lauren Morrisseau reported only one bid was received for the sidewalk plow. The bid amount is below the amount in the budget for the plow.

**MOTION by Elaine Sopchak, SECOND by Andrew Brown, to award the bid for the sidewalk plow to H.P. Fairfield, LLC of Morrisville for the not to exceed amount of \$100,500. VOTING: unanimous (4-0); motion carried.**

2. Bid Award for Lincoln Hall Roof

Lauren Morrisseau reported bids were received to install a metal roof on Lincoln Hall. The low bidder previously did work on the fire station and there were problems. Staff is recommending the next lowest bid (Reap Construction, \$24,215) with additional funds for plywood to replace any wood rot that is found (\$4,674). The total amount (\$28,889) is still under budget.

**MOTION by Andrew Brown, SECOND by Lori Houghton, to award the Lincoln Hall roof bid to Reap Construction, LTD for an amount not to exceed \$28,889.**

**DISCUSSION: There was mention of the metal roof blending with the rest of the Lincoln Hall building.**

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

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

### 1. Meeting Schedule

- September 23, 2014 @ 6:30 – Regular Trustees Meeting
- October 14, 2014 @ 6:30 – Regular Trustees Meeting
- October 28, 2014 @ 6:30 – Regular Trustees Meeting
- November 11, 2014 @ 6:30 – Regular Trustees Meeting
- November 25, 2014 @ 6:30 – Regular Trustees Meeting
- December 9, 2014 @ 6:30 – Regular Trustees Meeting
- December 23, 2014 @ 6:30 – Regular Trustees Meeting

### 2. New Police Station

Walk through of the new police building was done. There are no issues to prevent the issuance of a certificate of occupancy. The project is on time and on budget. A grand opening celebration will be held once the police department is moved into the building.

### 3. Manager's Assistant

Brendan Keleher has been hired on a part-time basis (20 hours/week) to assist the Municipal Manager. Mr. Keleher brings stellar qualifications and a depth of experience to the position (prior Winooski City Manager for seven years and Burlington Chief Operating Officer for 17 years).

### 4. PACIF Grant

The village received a \$5,000 grant from PACIF for cameras at the library. There is \$10,000 in the capital program slated for cameras. The project will move forward.

### 5. Act 250 for 4 Pearl Street

Staff is monitoring the Act 250 process for the 4 Pearl Street development. A decision has not yet been made. The developer recorded the plat.

### 6. Pearl Street Link Project

Rick Hamlin and Rick Jones are meeting with the state regarding the VTrans paving schedule and the Pearl Street Link Project. George Tyler asked that the link project be added to a future Trustees agenda to refresh the Board on 'Alternative A'.

### 7. Open Meeting Law

Per the Open Meeting law there must be public discussion of any anticipated Executive Session where the topic(s) to be discussed and that full disclosure would place the municipality at substantial disadvantage are stated as well as who will attend the session.

## **8. TRUSTEES COMMENTS/CONCERNS & READING FILE**

### 1. Board Member Comments

- There was discussion of the meeting schedule and potentially starting the meeting on September 23, 2014 later than 6:30 PM. Also, there was discussion of consolidating the meetings in November to a single joint meeting with the Essex

Selectboard on November 10, 2014. Discussion of rescheduling the December 23<sup>rd</sup> meeting will be done at another time.

- There was discussion of the summary report on the evaluation of Lincoln Hall and waiting for results of the assessment of 81 Main Street before moving forward. There was agreement a broader discussion of Lincoln Hall will be held once the prioritized list from Liszt Historical Restoration, Inc. is received.

2. Reading file:

- Capital Program Review Committee 8/5/14
- Bike/Walk Advisory Committee 8/18/14
- CCRPC Notice of Public Hearing for 2014 Public Engagement Plan Draft 10/15/14
- IBM Variance Application Notice Statement
- Memo re: Pearl Street Project Cooperative Agreement
- Email Correspondence re: Speed Table and Keep Kids Alive Cones
- Summary of Lincoln Hall Building Envelope Evaluation

9. **CONSENT AGENDA & READING FILE**

**MOTION by Andrew Brown, SECOND by Elaine Sopchak, to approve the consent agenda as follows:**

1. **Approve Minutes of Previous Meeting 8/26/14**
2. **Approve Warrants Check #10049951 to Check #10050006 totaling \$82,702.34.**
3. **Approve Revised Drug and Alcohol Policy for CMV Operators.**

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

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

**MOTION by George Tyler, SECOND by Lori Houghton, that the Board of Trustees make a specific finding that the premature public knowledge of the village's negotiations concerning a proposed property purchase contract including the negotiating strategy in connection therewith would clearly place the village at a substantial disadvantage. VOTING: unanimous (4-0); motion carried.**

**MOTION by George Tyler, SECOND by Lori Houghton, that the Board of Trustees enter Executive Session to discuss contracts pursuant to 1VSA§313(a)(1)(B), and to invite the Municipal Manager to attend. VOTING: unanimous (4-0); motion carried.**

The regular meeting was adjourned and Executive Session was convened at 7:44 PM.

**MOTION by Elaine Sopchak, SECOND by George Tyler to adjourn Executive Session. VOTING: unanimous (4-0); motion carried. Executive Session was adjourned at 8:30 PM.**

**MOTION by Andrew Brown, SECOND by George Tyler to adjourn the regular meeting. VOTING: unanimous (4-0); motion carried. The meeting adjourned at 8:31 PM.**

RScty: M.E.Riordan



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Village of Essex Junction

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10050027	09/23/2014	Printed		0500	CHAMPLAIN WATER DISTRICT	WATER USAGE-WATER	286,118.27
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10050029	09/23/2014	Printed		10353	CIVES CORP	HARNESS W/FLASHERS-STREET	124.90
10050030	09/23/2014	Printed		2305	CLARK'S TRUCK CENTER	PAN/GASKET -STREET	325.24
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10050039	09/23/2014	Printed		0770	ESSEX JUNCTION SCHOOL DISTRICT	SCH IMPACT FEES TRANSFER	6,928.24
10050040	09/23/2014	Printed		0795	TOWN OF ESSEX	TAX PAYMENTS TRANSFER	14,864.91
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Date: 09/19/2014

Time: 11:33 am

Page: 2

Village of Essex Junction

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10050073	09/23/2014	Printed		1908	THE RADIO NORTH GROUP, INC.	SERVICE PAGERS-FIRE	73.00
10050074	09/23/2014	Printed		10344	RDJ SPECIALTIES, INC.	COLORING BOOKS-FIRE	168.44
10050075	09/23/2014	Printed		10676	REAP CONSTRUCTION LTD	50 % DEPOSIT LH ROOF-CAP R	14,444.50
10050076	09/23/2014	Printed		10386	SAC INCORPORATED	DOOR HARDWARE-WWTF	19.05
10050077	09/23/2014	Printed		20401	SCHOLASTIC LIBRARY PUBLISHING	CIRCULATION MATERIALS-LIBRARY	676.00
10050078	09/23/2014	Printed		21153	SOVERNET COMMUNICATIONS	TELE&INTRNT-VARIOUS	629.88
10050079	09/23/2014	Printed		10071	SPECTER INSTRUMENTS	SOFTWARE MAINT &SUPPORT-WWTF	395.00
10050080	09/23/2014	Printed		2124	STAPLES ADVANTAGE	SUPPLIES - VARIOUS	622.76
10050081	09/23/2014	Printed		0545	THE TECH GROUP	HRS & MGD SVCS-ADM/COM DEV	3,414.00
10050082	09/23/2014	Printed		2227	TI-SALES, INC.	WATER METERS-WATER/SANI	931.69
10050083	09/23/2014	Printed		2385	VT LEAGUE OF CITIES AND TOWNS	CLERKS WORKSHOP-ADM/COM DEV	180.00
10050084	09/23/2014	Printed		2258	VTGFOA	REGISTRATIONS-ADMIN	100.00
10050086	09/23/2014	Printed		0811	F.W. WEBB COMPANY	CHEM-SEALING-WWTF	535.39
10050087	09/23/2014	Printed		10238	DAVID M. WECHSLER	NOISE MONITORING - CVE	3,197.50
10050088	09/23/2014	Printed		2485	WESCO DISTRIBUTION, INC.	BATTERIES-ADMIN	83.52
10050089	09/23/2014	Printed		2505	DAVID WHITCOMB	FUEL & TOWING-WWTF	187.16
10050090	09/23/2014	Printed		9356	WILLIAMSON ELECTRICAL, INC	STAIRWELL LIGHT MAINT-LIBRARY	172.50
10050091	09/23/2014	Printed		25261	MATTHEW WITTEN	STORIES&SONGS PERF-LIBRARY	200.00

Total Checks: 80

Checks Total (excluding void checks): 607,199.23

Total Payments: 80

Bank Total (excluding void checks): 607,199.23

Total Payments: 80

Grand Total (excluding void checks): 607,199.23

## **Patty Benoit**

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**From:** Jeff Goodrich <jgoodrich@ccsuvt.org>  
**Sent:** Thursday, September 11, 2014 9:07 AM  
**To:** Patty Benoit  
**Subject:** EHS Fireworks

Good Morning,

I am requesting the Village Trustees to waive the noise ordinance on 10-10-14 to allow Essex High School to celebrate homecoming with a short fireworks display at approximately 7:10 pm.

This is an annual tradition that I hope to continue in my new role as Athletic Director.

Thank you for your consideration of this request.

Respectfully,

Jeff Goodrich

Fax Number - 872-0090

Jefferson Goodrich  
Athletic Director  
Essex High School  
2 Educational Drive  
Essex Junction, VT 05452

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