



TRUSTEES MEETING NOTICE & AGENDA
TUESDAY, JUNE 28, 2016 at 6:00 PM
LINCOLN HALL MEETING ROOM, 2 LINCOLN STREET

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG** [6:00 PM]
2. **EXECUTIVE SESSION/PERSONNEL**
Interview Citizens for Reappointment:
 - a. Richard Hamlin, Bike/Walk Advisory Committee
 - b. Diane Clemens, Planning Commission
 - c. Martin Hughes, Zoning Board of Adjustment
3. **AGENDA ADDITIONS/CHANGES** [6:30 PM]
4. **APPROVE AGENDA**
5. **GUESTS, PRESENTATIONS AND PUBLIC HEARINGS**
 - a. Comments from Public on Items Not on Agenda
 - b. Public Hearing on FYE 17 Water/Sewer/Sanitation Rates – Lauren Morrisseau
 - c. Presentation by John Audy, Jr., Winooski Code Enforcement Director
6. **OLD BUSINESS**
 - a. Reappointments to Boards, Commissions & Committees – Lauren Morrisseau
 - b. Set FYE 17 Water/Sewer/Sanitation Rates – Lauren Morrisseau
 - c. Discuss Current Agreement with Essex Jct. School District with Possible Action to Terminate Agreement - George Tyler
 - d. Discuss and Take Action on Recommendation to Form a Union Municipal Recreation District with Essex Town - George Tyler
7. **NEW BUSINESS**
 - a. Pilot Study Closure of Park Terrace – Robin Pierce
 - b. Conversion of Streets Lights to LED Lighting – Reed Parker and Darby Mayville
 - c. Appointment of Independent Auditor – Lauren Morrisseau
 - d. Transfer of Funds Between General Fund Departments – Lauren Morrisseau
8. **MANAGER’S REPORT**
 - a. Trustees meeting schedule
9. **TRUSTEES’ COMMENTS & CONCERNS/READING FILE**
 - a. Board Member Comments
 - b. Minutes from Other Boards/Committees:
 - Tree Advisory Committee 6/7/16
 - Bike/Walk Advisory Committee 6/13/16
 - c. Memo from Susan McNamara-Hill re: Employment Law Updates
 - d. Memo from Vermont Public Service Board re: Comment Period and Amendments Pursuant to Act 130

10. **CONSENT AGENDA**

- a. Minutes of Previous Meeting 6/14/16
- b. Expense Warrant #16048 dated 6/16/16 in the amount of \$49,178.62

11. **ADJOURN**

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.



Patrick Scheidel
Municipal Manager
PatS@essexjunction.org

2 Lincoln Street
Essex Junction, VT 05452
www.essexjunction.org

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

MEMORANDUM

TO: Village Trustees
FROM: Pat Scheidel, Municipal Manager
DATE: June 27, 2016
SUBJECT: Reappointments – Revised*

Issue

The issue is whether or not the Trustees reappoint citizens to the Planning Commission, Zoning Board of Adjustment and Bike/Walk Advisory Committee.

Discussion

See attached letters from current members indicating they would like to be reappointed. The list of expiring terms is also attached.

Cost

There is no cost associated with this issue.

Recommendation

It is recommended that the Trustees make the following appointments:

Bruce Murdough – Zoning Board of Adjustment through 6/30/19
Martin Hughes – Zoning Board of Adjustment through 6/30/19
Diane Clemens – Planning Commission through 6/30/19
Richard Hamlin – Bike/Walk Advisory Committee through 6/30/19
Raj Chawla – Bike/Walk Advisory Committee through 6/30/19
*Rich Boyers – Tree Advisory Committee 6/30/19

Patty Benoit

Subject: FW: Reappointment to Tree Advisory Committee

From: Rachel and Rich Boyers

Sent: Monday, June 27, 2016 11:18 AM

To: Patty Benoit

Subject: Re: Reappointment to Tree Advisory Committee

To the Essex Junction Village Trustees:

I would like to be considered for reappointment to the Essex Junction Tree Advisory Committee for a three year term.

Thank you for your consideration.

Sincerely,
Rich Boyers

**Essex Area Senior Center, Inc.
2 Lincoln Street
Essex Junction, Vermont 05452**

DRAFT

Memorandum of Understanding

Between

**Essex Area Senior Center, Inc.,
and the Village of Essex Junction and Town of Essex**

This Memorandum of Understanding (MOU), dated June 27, 2016, sets forth an understanding between the Essex Area Senior Center, Inc. (EASC, Inc.), and the Village of Essex Junction and Town of Essex that, upon dissolution of the Essex Area Senior Center, Inc., a non-profit organization, all existing senior activities previously offered by EASC, Inc. will continue under the management and support of the Village of Essex Junction and the Town of Essex.

Background

EASC, Inc. is a non-profit corporation housed at 2 Lincoln Street, Essex Junction, VT that provides activities to the senior community. The Municipal Manager, after conferring with the Town of Essex attorney, notified EASC, Inc. that a Senior Activities Coordinator or similar position will not be provided to EASC, Inc. due to the fact that EASC, Inc. as a private, non-profit corporation is outside of the control of the Village of Essex Junction and the Town of Essex. After several meetings with the Manager, the EASC, Inc. Board of Directors and members of EASC, Inc. has expressed a desire to dissolve the EASC, Inc. Corporation and transfer ownership of all of its physical and financial assets, after payment of or provision for its debts and liabilities, to the Village of Essex Junction. The Municipal Manager stated that all existing senior services will continue under the management of the Village of Essex Junction and the Town of Essex. The day-to-day operations of the new senior center will be managed by a Senior Activities Coordinator or Senior Center Director provided by the Town of Essex Parks and Recreation Department. The EASC, Inc. Board of Directors will cease to exist upon dissolution of EASC, Inc.; however, there may be an Advisory Board appointed by the Village of Essex Junction to provide ideas for ongoing senior activities or membership concerns. It is expressly noted that such Advisory Board will have no authority over municipal staff.

Purpose

This MOU sets forth the following agreement as a commitment to keep the existing senior activities available to our membership:

1. The membership of EASC, Inc. must have an affirmative vote of two thirds (2/3rds) of those attending a special meeting for the purpose of changing the EASC, Inc. By Laws to allow for quorum and distribution of its assets to the Village of Essex Junction for specific use of the new municipality-supported senior center. This special meeting was warned for June 27, 2016.
2. The Village of Essex Junction agrees to provide space and support for the continuation of existing senior programs and activities (including, but not limited to, such activities as Bingo, Bridge, Cards, Cribbage, Duplicate Bridge, Games, Genealogy, Jazzercise, Knitting and Crocheting, Mah Jongg, Puzzles, Scrabble, Seated Yoga, Perfect Blend Cafe, Monthly Soup & Sandwich, guest speakers, trips, special events, etc.). The Town of Essex Department of Parks and Recreation will

provide a Senior Activities Coordinator or Senior Center Director to manage the successor senior center. Town of Essex staff will be under the supervision and guidance of the Director of Parks and Recreation.

3. EASC, Inc. agrees to transfer all physical and financial assets to the Village of Essex Junction by the end of business on June 30, 2016. It is expected that notice of dissolution will be filed with the Vermont Secretary of State by this date as well, and no further business of the non-profit corporation will be conducted at the senior center after this date. Both EASC, Inc., and the Village of Essex Junction and Town of Essex agree to work cooperatively to ensure minimal disruption to the EASC, Inc. membership activities.
4. The Town of Essex will assume the Ricoh four-year lease contract (signed March 2016 by EASC, Inc.) as of the date of dissolution of EASC, Inc. The successor of EASC, Inc., whatever it shall be named, will be responsible for making the monthly lease payments under the current terms of the agreement with Town of Essex Parks and Recreation (dated February 12, 2016). (See attached agreement.)
5. The successor senior center will continue to operate at 2 Lincoln Street, Essex Junction, VT.
6. The successor senior center will accept all existing members without any additional payment of dues through December 31, 2016.
7. EASC, Inc. will provide the Village of Essex Junction and the Town of Essex a complete and comprehensive list of current membership including names, addresses, phone numbers, emails, emergency contact information, and any volunteer roles, committees, etc. members may have signed up for by the end of business on June 30, 2016.
8. EASC, Inc. will provide the Village of Essex Junction with a list of all physical and financial assets, and will legally transfer ownership of said assets by the end of business on June 30, 2016.
9. The Village of Essex Junction will accept EASC, Inc. physical and financial assets and agrees to earmark all monies transferred specifically for the use of senior center expenses (to include supplies for meals, cleaning services, printer rental, program expenses, paper products, etc.).
10. The Village of Essex Junction agrees to provide liability insurance for the successor senior center under its insurance pool. This will realize a savings to the successor senior center.
11. The Village of Essex Junction and/or Town of Essex will be responsible for budget formulation and financial record-keeping for the successor senior center.
12. The Village of Essex Junction agrees to support the continuation of the existing EASC, Inc. meal site function based at the Maple Street Park facility from September through June under the successor senior center.
13. The Village of Essex Junction agrees to earmark any income from after-hours rentals or senior center fund-raisers (i.e., bridge tournament, craft fair, cribbage tournament, meal site, etc.) for the successor senior center.
14. Nothing in this Memorandum of Understanding limits or alters the Village's authority to make changes to the existing senior activities and/or services in the future.

The Essex Area Senior Center, Inc. Board of Directors, the Village of Essex Junction, and the Town of Essex agree to all of the terms as stated in the above Memorandum of Understanding.

Donna Rae Harnish
Chair, EASC, Inc. Board of Directors

Date

Patrick C. Scheidel, Municipal Manager

Date

Agenda Additions
Reading File

RECEIVED

JUN 28 2016

Village of Essex Junction

Date: June 28, 2016

To: George Tyler, Chair Village of Essex Junction Trustees

Re: Resignation from Brownell Library Trustees

I am writing to notify you that I am resigning from the Brownell Library Trustees effective July 1, 2016 as my family will be moving from the Village in the near future. I am pleased to have had the opportunity to serve the Village in this capacity and enjoyed working with the dedicated staff and trustees of the library.

Best, Daisy Benson

Daisy Benson

37 South Street
Essex Junction, VT 05452

Cc: Christine Packard, Chair, Brownell Library Trustees

**Village Trustees
Meeting Minutes June 22, 2016**

**Joint Meeting with the Recreation Study Committee, Prudential Committee,
Village Trustees and Essex Selectboard**

Albert D. Lawton School Cafeteria
104 Maple Street, Essex Junction, VT

Present:

From the Recreation Study Committee - Michael Smith, Raj Chawla, Lori Houghton, Kim Maiberger, Erika Baldassaro, Max Levy, Betzi Bilodeau, Theresa Fletcher, Jason DiRosa

From the Prudential Committee - Michael Smith, Marla Durham, Candace Morgan, Patrick Murray, and Jason DiRosa

From the Village Trustees - George Tyler, Dan Kerin, Elaine Sopchak, Andrew Brown, Lori Houghton

From the Selectboard - Irene Wrenner, Max Levy, Andy Watts

Absent:

From the Recreation Study Committee - Christine Packard

From the Selectboard - Michael Plageman, Susan Cook

Administrators present: Judith DeNova - CCSU, Patrick Scheidel – Village/Town, Brad Luck - EJRP, Ally Vile - ET Parks and Recreation.

Others present: Kim Kedzierski (minutes), Andrew Bolduc, Paul O'Brien - CCSU, Adam Sollace, Adriane Martin, Samantha Crocker, Greg Duggan, Harlan Smith, Kayhl Cooper, Craig B. Agricola, Dylan Giambatista, Randy Forguites, Diane Clemens, Lou Ann Pioli.

Call to Order:

This meeting is a joint meeting with the Recreation Governance Study Committee, Prudential Committee, Town of Essex Selectboard, and Essex Junction Village Trustees.

- Michael Smith, Chair of the Prudential Committee and member of the Recreation Governance Study Committee, called the meeting to order at 6:36 P.M.

- Max Levy, Chair of the Town of Essex Selectboard, called the meeting to order at 6:36 P.M.
- George Tyler, President of the Essex Junction Trustees, called the meeting to order at 6:36 P.M.

Introductions: Michael Smith asked the assembled members of the Recreation Governance Study Committee, Village Trustees, Essex Selectboard, and Prudential Committee to introduce themselves to each other and the audience.

Visitors to be Heard:

Lou Ann Pioli - Senior Coordinator - Essex Area Senior Center

- Lou Ann Pioli - Questioning if there will be a line item in the budget for Senior Services?

Agenda additions or changes: None

Agenda

Joint meeting with Essex Selectboard and Prudential Committee

Presentation of Recommendation by the Recreation Governance Study Committee

RGSC Presentations with Q&A - Max Levy and Erika Baldasaro:

The RGSC has created a Power Point presentation entitled, "Recreation Governance Study Committee". This Power Point is a presentation to the Selectboard, Trustees, Prudential Committee, and visitors. The presentation is an overview of the many hours of work done to get to the decision that is being presented today.

- **Slide 1 - 3: Why are we here?**
 - In November 2015, community members in EJSD, ETSD, U46 and Westford voted to consolidate school districts by July 1, 2017 - leaving EJRP without a governing body.
 - In March 2016, a 10 member study committee (both board and community representation) was formed to study recreation and explore all various options for potential restructure of the Village and Town recreation departments.
- **Slide 4: Governances Options Explored**
 - 14 governance models explored.
- **Slide 5: Let's Get Going**
 - Members agreed to meeting etiquette (i.e., on time, one speaker at a time, etc)
 - Members agreed to committee goals, to include:
 - Ensure that the current quality of recreation services are maintained or enhanced
 - Explore all avenues and entities before making a recommendation
 - Actively engage the community in the process and keep them informed by making information easily accessible.

- Keep the community's affordability in mind and ensure that the funding structure is fiscally responsible and will be supported by the public.
- Reach a consensus on a final recommendation by the middle of June 2016.

- **Slide 6: RGSC Summary of Work**

- RGSC held 7 (public) meetings between April 25 and June 22.
- An informational webpage was created and was marketed to the community via Facebook and Front Porch Forum.
- A community survey was done and 386 responses were gathered.
- RGSC looked at 7 of the governance options carefully - variations include if the recreation departments stayed separate or combined.

- **Slide 7 and 8: Survey Results**

- Survey asked 3 questions and 386 responses were gathered.
 - Recreation themes that matter most to you?
 - 38% year-round diversity, 25% variety of recreation facilities, 22% affordable and accessible, 20% maintenance
- What do you want the committee to keep in mind?
 - 29% Program Affordability, 26% Program Accessibility, 25% Change (appreciation of current programs and fear of changes), 24% Program Quality, 23% Program Diversity
- Most helpful ways of communication?
 - In order from most to least: Essex Reporter, Front Porch Forum, Facebook, Websites, Information shared at meetings, Informal face to face, Videos, Forums, Channel 17

- **Slide 9 to 14: Process of Elimination**

- Option 1 - Non-Profit
 - Not chosen due to concerns of ability to borrow funds, non-profit accountability to taxpayers, oversight of tax dollars supporting a non-public department
- Option 2 - Interlocal contract - an agreement between existing municipalities to perform a governmental service, activity or undertaking
 - Not chosen due to concerns of funding being compromised by other municipal needs, lack of community vote, not a permanent solution, confusion of joint oversight by 2 boards
- Option 3 - Village Municipality
 - Not chosen due to concerns that it's not a permanent solution, funding being compromised by other municipal needs, Parks and Rec budget not a separate article
- Option 4 - Town Municipality
 - Not chosen due to concerns that funding would be compromised by other municipal needs, Parks and Recreation budget not a separate article
- Option 5 - Essex Westford Unified Union School District

- August 10 - December 13: Publish community info, spread the word, created public outreach campaign, and implement public outreach strategies
- **Slide 23: Recreation Governance Transition Team**
 - The transition team will convene for a one hour meeting to learn about new governance model and timeline, to brainstorm additional questions to be addressed, and have questions answered about the process. Then, the co-chairs will work with different sub-groups on an as needed basis to address the relevant issues.
- **Slide 24 and 25: Transition team areas to address and Items to be Determined**
 - Timeline: June 22 to December 13, 2016
 - Exhaustive list includes (but not limited to): organizational structures, job descriptions, budget, IT, HR functions, maintenance, school use, EJRP debt relief, etc.
 - Items yet to be determined are: Prudential Committee (preschool resolution, etc.), Village Trustees (park property, etc.), Selectboard (park property, etc.)
- **Slide 26 to 28: Next Steps - Draft Timeline**
 - Starting in July 2016 - RGSC prepares agreement for the formation of the district through 1-3 work sessions. Major areas: purpose, composition, election, terms, budget vote, etc.
 - July 25 - District agreement filed with Trustees, Selectboard, Planning Commission, Town
 - August 2016 - District agreement presented to Selectboard (8/1), UU Board (8/1), Trustees (8/9), Prudential Committee (TBD)
 - August 10 - District agreement approved by RGSC - RGSC dissolves
 - August 11 - District agreement submitted to VT Attorney General
 - October 8 - Petitions available for candidates to the Recreation District Council
 - November 7 - Petitions due
 - November - Selectboard (11/7), Trustees (11/8) warn special meeting for December 13 for the voters to vote on District agreement and elect council
 - November 23 - Absentee ballots available
 - December 13 - District agreement is submitted to voters for approval by Australian ballot at special meeting and vote for Recreation District Council
 - January 13, 2017 - District agreement is submitted to VT Legislature for approval
 - January 2017 - New Recreation District Council takes seats
 - April 11, 2017 - Recreation District budget vote
 - May 2017 - District Agreement approved by VT Legislature and signed by Governor
 - July 1, 2017 - Union Municipal District commences
 - TBD:
 - Trustees and Selectboard land conveyance decision and timeline
 - PC to convey assets/buildings/improvements
 - SB & PC resolution to transfer assets, capital account monies, equipment, etc.
 - Addressing the bond debt for EJRP

- **Slide 29 to 34 - Top 5 FAQ's - DRAFT**
 - Work in progress. Will answer the following:
 - Why is it better to form a new recreation district than to follow a similar path to other village/town service consolidations?
 - What will be the tax implications of forming a new recreation district?
 - Will forming a new recreation district reduce expenses at all?
 - Are there examples of other union municipal districts? Are any related to recreation?
 - If the Village is subset of the Town, which entities are actually forming the new recreation district?

Questions & Answers

- Why vote on December 13? Why not vote in general election in November?
 - There are challenges with voting in general election in November 2016 due to:
 - Federal election
 - Absentee ballots timelines are different for local election
 - Folks could in theory get federal absentee ballots but not local election ballots
 - Deemed impossible by town clerk
 - If not December - then the next available vote date would be March 2017. A major issue would be budgets which start well before March
 - After a meeting with town clerk, it was deemed impossible to hold the Recreation vote in November. The Secretary of State was also consulted and it is confirmed that a November vote is impossible.
- Are you doing articles of agreement like what was done in the RED study? (Marla Durham)
 - Per Brad Luck, yes, the work group will be tackling that.
- Is there going to be a deadline if one of the municipalities wants to pull something out (land)? (Marla Durham)
 - Per Andrew Bolduc, no.
- In a district like this, what's the oversight?
 - Elected board. Rec governance committee will decide how many and from where, etc.
- When a new municipality is formed, normally the Legislature approves, with this only the attorney general needs to approve?
 - Per Andrew, this type is a little different, however, it has been recommended that we submit to Legislature as well as the Attorney General
- Will you base representation upon population or just open to everyone? (Marla Durham)
 - Per Brad, that is up for discussion
- Does all the work to be done by the transition team need to be done by July 25th? All the nuts and bolts, for example, property transfers, won't be done yet. (George Tyler)

- Andrew Bolduc states that because we are forming a new entity, don't need to deal with land transfers as of yet.
- Brad Luck states that there are a lot of parts. The public will be provided with as much info and intentions before Dec. 13. For example, the Village owns the three parks - they will have to decide on conveyance.
- Transition team - starting now (Brad). How the new consolidated district will process payroll for example, is info needed now. There will be a communications team to get that info out to the public.

Issues

Michael Smith, Chair of the Prudential Committee and member of the Recreation Governance Study Committee, called for the Village Trustees to discuss any issues.

George Tyler, President of the Essex Junction Trustees, reports no issues to be discussed.

Adjourn

Motion to adjourn by Elaine Sopchak, second by Dan Kerin. Motion passed. Trustees adjourn at 8:15 p.m.

*Respectfully Submitted By,
Kimberly Kedzierski*

Agenda Addition
Consent Agenda 10 d.

06/24/16
01:43 pm

Town of Essex / Village of EJ Accounts Payable
Check Warrant Report # 16049 Current Prior Next FY Invoices For Fund (GENERAL FUND)
For Check Acct 01(GENERAL FUND) All check #s 06/24/16 To 06/29/16 & Fund 2

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SFitzgerald

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
V10671	3DECALS REFLECTIVE DECALS	05/11/16	VF decals 00004674	210-42220.889 ROUTINE EQUIPMENT PURCHAS	46.00	5898	06/24/16
14400	ABOVE AND BEYOND	06/15/16	LH/BL contract services 2614	210-45551.423 CONTRACT SERVICES	1920.00	5901	06/24/16
14400	ABOVE AND BEYOND	06/15/16	LH/BL contract services 2614	210-41940.423 CONTRACT SERVICES	600.00	5901	06/24/16
14400	ABOVE AND BEYOND	06/15/16	BL supplies 2617	210-45551.610 SUPPLIES	72.00	5901	06/24/16
05290	ADVANCE AUTO PARTS	06/07/16	ST belos parts 2747	210-43110.432 VEHICLE MAINTENANCE	24.24	5903	06/24/16
05290	ADVANCE AUTO PARTS	06/08/16	ST anti freeze 7519	210-43110.432 VEHICLE MAINTENANCE	20.98	5903	06/24/16
07305	AIRGAS USA LLC	06/01/16	ST lease rentals 9936551770	210-43110.610 SUPPLIES	138.93	5905	06/24/16
42665	AMAZON/SYNCE	06/10/16	BL/BF materials 061016D-VIL	210-45551.641 JUVEN COLLECTION-PRNT & E	113.94	5911	06/24/16
42665	AMAZON/SYNCE	06/10/16	BL/BF materials 061016D-VIL	210-45551.640 ADULT COLLECTION-PRINT &	95.53	5911	06/24/16
42665	AMAZON/SYNCE	06/10/16	BL/BF materials 061016D-VIL	210-45551.837 CHILDRENS PROGRAMS	24.47	5911	06/24/16
42665	AMAZON/SYNCE	06/10/16	BL/BF materials 061016D-VIL	210-45551.610 SUPPLIES	406.24	5911	06/24/16
V10301	BARRA, PLC DAVID A.	06/01/16	ADEW May legal svcs EJ23812385	210-41320.320 LEGAL SERVICES	346.50	5914	06/24/16
V1655	BLUE CROSS BLUE SHIELD OF	06/06/16	VA July health ins 35280001193	210-14301.000 PREPAID EXPENSES	14936.69	5919	06/24/16
10510	BLUE TARP FINANCIAL INC	04/28/16	ST plastic 714425	210-43110.610 SUPPLIES	35.98	5920	06/24/16
10510	BLUE TARP FINANCIAL INC	05/02/16	LH door keys 714435	210-41940.610 SUPPLIES	5.97	5920	06/24/16
10510	BLUE TARP FINANCIAL INC	05/09/16	ST parade numbers sign 714467	210-43110.610 SUPPLIES	5.92	5920	06/24/16
10510	BLUE TARP FINANCIAL INC	05/13/16	ST painting supplies 714487	210-43110.610 SUPPLIES	31.16	5920	06/24/16
10510	BLUE TARP FINANCIAL INC	05/13/16	ST Shop supplies 714489	210-43110.610 SUPPLIES	35.16	5920	06/24/16
10510	BLUE TARP FINANCIAL INC	05/16/16	ST picnic table paint sup 714495	210-43110.610 SUPPLIES	22.05	5920	06/24/16
10510	BLUE TARP FINANCIAL INC	05/17/16	BL supplies 714501	210-45551.610 SUPPLIES	30.63	5920	06/24/16
10510	BLUE TARP FINANCIAL INC	05/18/16	ST shop supplies 714521	210-43110.610 SUPPLIES	18.34	5920	06/24/16
10510	BLUE TARP FINANCIAL INC	05/20/16	ST Fountain Tablets 714523	210-43161.002 MEMORIAL PARK	19.79	5920	06/24/16
10510	BLUE TARP FINANCIAL INC	05/20/16	VA thread rod & locktight 714524	210-43110.610 SUPPLIES	3.56	5920	06/24/16
10510	BLUE TARP FINANCIAL INC	05/23/16	VF Cleaning supplies 714535	210-42220.610 SUPPLIES	38.21	5920	06/24/16
10510	BLUE TARP FINANCIAL INC	05/25/16	ST weather stripping 714543	210-43110.610 SUPPLIES	10.78	5920	06/24/16

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
00530	06/08/16	BL books B4566592	210-45551.640 ADULT COLLECTION-PRINT &	43.82	5923	06/24/16
00530	06/08/16	BL books B4566592	210-45551.610 SUPPLIES	2.70	5923	06/24/16
00530	06/08/16	BL books B4566930	210-45551.640 ADULT COLLECTION-PRINT &	15.40	5923	06/24/16
00530	06/08/16	BL books B4566930	210-45551.610 SUPPLIES	0.90	5923	06/24/16
00530	06/09/16	BL books B4568114	210-45551.641 JUVEN COLLECTION-PRNT & E	23.47	5923	06/24/16
00530	06/09/16	BL books B4568114	210-45551.610 SUPPLIES	2.70	5923	06/24/16
00530	06/15/16	BL books B4572677	210-49345.000 LIBRARY DONATION EXPENDIT	169.50	5923	06/24/16
00530	06/15/16	BL books B4572879	210-45551.640 ADULT COLLECTION-PRINT &	9.89	5923	06/24/16
00530	06/15/16	BL books B4572879	210-45551.610 SUPPLIES	0.90	5923	06/24/16
00530	06/15/16	BL books B4573080	210-45551.641 JUVEN COLLECTION-PRNT & E	247.82	5923	06/24/16
00530	06/15/16	BL books B4573080	210-45551.610 SUPPLIES	19.80	5923	06/24/16
V0347	05/20/16	ST ac recharge 052016D	210-43110.432 VEHICLE MAINTENANCE	100.00	5925	06/24/16
V0347	06/04/16	Towing 060416D	210-43110.432 VEHICLE MAINTENANCE	85.00	5925	06/24/16
V9941	05/09/16	AD trustee meeting suppl 050916B	210-41320.560 TRUSTEES EXPENDITURES	10.25	5926	06/24/16
V9941	06/07/16	AD 36 mo e-mail certif 050916C	210-41320.340 COMPUTER EXPENSES	22.50	5926	06/24/16
V9941	06/07/16	AD 36 mo e-mail certif 050916C	210-14301.000 PREPAID EXPENSES	382.47	5926	06/24/16
V9941	06/07/16	VF Fireworker pizza 052316E	210-42220.500 TRAINING, CONFERENCES, DU	82.00	5926	06/24/16
V9941	06/07/16	AD Trustee mtg supplies 052416F	210-41320.560 TRUSTEES EXPENDITURES	10.49	5926	06/24/16
V9941	06/07/16	DV conference 060216I	210-41970.500 TRAINING, CONF, DUES	15.00	5926	06/24/16
V9941	06/07/16	LH Paint for Bldg. 060616J	210-41940.610 SUPPLIES	40.45	5926	06/24/16
V9941	06/07/16	AD wild card email cert 060616K	210-41320.340 COMPUTER EXPENSES	899.97	5926	06/24/16
V9941	05/09/16	BL monthly newsprr 060716A	210-45551.640 ADULT COLLECTION-PRINT &	23.00	5926	06/24/16
21500	06/12/16	AD copier lease June 16145777	210-41320.442 LEASED SERVICES	245.00	5928	06/24/16
V0455	06/01/16	BL SUPPLIES 4019308036	210-45551.610 SUPPLIES	64.83	5929	06/24/16
23525	06/16/16	VF BL3 air conditioning 58262	210-42220.432 VEHICLE MAINTENANCE	926.63	5944	06/24/16

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
04940	06/03/16	VF cable tv 0086187	210-42220.535 TELEPHONE SERVICES	40.77	5945	06/24/16
38280	06/16/16	ST bottled water 5165022590	210-43110.610 SUPPLIES	24.10	5948	06/24/16
25715	06/06/16	DV LDC END ASSIST 06061615-813	210-41970.330 OTHER PROFESSIONAL SVCS	1350.50	5949	06/24/16
25715	06/07/16	32 LAMOILLE ENG ASSIST 06071616-806	210-15102.000 EXCHANGE - ENGI/LEGAL	1220.00	5949	06/24/16
25715	06/06/16	ST cap project est asst 061616823	210-43110.576 ENGINEERING SERVICES	1089.12	5949	06/24/16
25715	06/06/16	ST paving prep 0661616809	210-43110.576 ENGINEERING SERVICES	403.75	5949	06/24/16
25715	06/06/16	ST various projects 0661616810	210-43110.576 ENGINEERING SERVICES	95.00	5949	06/24/16
25715	06/06/16	ST projects for website 0661616812	210-43110.576 ENGINEERING SERVICES	116.25	5949	06/24/16
25715	06/06/16	ST update village maps 0661616818	210-43110.576 ENGINEERING SERVICES	79.83	5949	06/24/16
25715	06/07/16	ST IBM groundwater 0671616808	210-43110.576 ENGINEERING SERVICES	641.25	5949	06/24/16
40025	06/09/16	ST manhole frames & cover 5093062	210-43151.430 STORM SEWER MAINTENANCE	1338.48	5951	06/24/16
35260	06/16/16	VF Department t shirts 05241634	210-42220.612 UNIFORMS,BOOTS,ETC	788.00	5955	06/24/16
24045	05/31/16	ST ash tray outdoor 189598	210-43110.610 SUPPLIES	86.00	5957	06/24/16
01010	06/01/16	ST seed and straw 320509	210-43110.616 GRAVEL,TOPSOIL	109.97	5959	06/24/16
28790	06/03/16	VF warranty work shipping 63004B	210-42220.570 MAINTENANCE OTHER	70.27	5962	06/24/16
V0795	06/22/16	1/12 manager contract 062216D	210-41320.150 MANAGER CONTRACT	5125.00	5966	06/24/16
V0797	06/10/16	ST outside hose bib issue 907951	210-43125.570 CONTRACT SERVICES	149.00	5968	06/24/16
41410	06/07/16	ST traffic light maint 053116D	210-43123.570 TRAFFIC LIGHTS MAINTENANC	119.59	5971	06/24/16
10705	06/29/16	ST maple tree 350159	210-43161.000 STREETSCAPE MAINT./IMP	2170.00	5983	06/24/16
34895	06/01/16	ST trash 1157940	210-43110.565 RUBBISH REMOVAL	415.77	5985	06/24/16
34895	06/01/16	ST trash 1158076	210-43110.565 RUBBISH REMOVAL	55.27	5985	06/24/16
21505	04/29/16	Shirts for Cycle De Mayo 04251633	210-41335.810 COMMUNITY EVENTS & PROGRA	175.00	5997	06/24/16
33495	06/01/16	BL BOOKS 93266227	210-45551.640 ADULT COLLECTION-PRINT &	22.50	6003	06/24/16
33495	06/03/16	BL books 93303042	210-45551.640 ADULT COLLECTION-PRINT &	15.59	6003	06/24/16
V10347	06/16/16	LH pest control qtrly 126806	210-41940.434 MAINT. BUILDINGS/GROUNDS	100.00	6011	06/24/16

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
V10646	06/11/16	VA July life ins premium 07161532732	210-14301.000 PREPAID EXPENSES	817.24	6012	06/24/16
08645	05/12/16	BL suppliee 1018319858	210-45551.610 SUPPLIES	69.43	6013	06/24/16
08645	05/13/16	ST wood for picnic table 2158402	210-43110.610 SUPPLIES	7.14	6013	06/24/16
08645	05/17/16	ST 81 Main St bridge 2485681	210-43110.610 SUPPLIES	94.03	6013	06/24/16
08645	05/19/16	ST tools for shop 2657971	210-43110.610 SUPPLIES	190.70	6013	06/24/16
08645	06/01/16	ST soil return credit 2776325	210-43161.001 VILLAGE GARDEN SPOTS	41.58	6013	06/24/16
08645	06/01/16	ST soil return credit 2776325CM	210-43161.001 VILLAGE GARDEN SPOTS	-41.58	6013	06/24/16
08645	06/01/16	ST soil for village plant 2776921	210-43161.001 VILLAGE GARDEN SPOTS	109.56	6013	06/24/16
05010	05/26/16	AD Vets Day Adver 113613	210-41320.550 PRINTING AND ADVERTISING	165.00	6015	06/24/16
05010	05/26/16	AD trustees public hearin 113678	210-41320.550 PRINTING AND ADVERTISING	51.00	6015	06/24/16
V10402	06/17/16	DV mileage reimb 061516D	210-41970.500 TRAINING,CONF,DUES	61.56	6019	06/24/16
V10402	06/17/16	DV Mileage reimb 061716D	210-41970.500 TRAINING,CONF,DUES	7.47	6019	06/24/16
14585	06/10/16	VF SCBA repair IN1038643	210-42220.570 MAINTENANCE OTHER	891.75	6025	06/24/16
V1636	05/31/16	ST Counter for SS 16272	210-43110.610 SUPPLIES	73.96	6028	06/24/16
24960	06/15/16	VA July dental ins 161506D	210-41320.210 HEALTH INS & OTHER BENEFI	305.72	6031	06/24/16
24960	06/15/16	VA July dental ins 161506D	210-43110.210 HEALTH INS & OTHER BENEFI	259.87	6031	06/24/16
24960	06/15/16	VA July dental ins 161506D	210-43151.210 HEALTH INS & OTHER BENEFI	40.51	6031	06/24/16
24960	06/15/16	VA July dental ins 161506D	210-45551.210 HEALTH INS & OTHER BENEFI	458.59	6031	06/24/16
24960	06/15/16	VA July dental ins 161506D	210-41970.210 HEALTH INS & OTHER BENEFI	152.86	6031	06/24/16
24960	06/15/16	VA July dental ins 161506D	210-41335.210 HEALTH INS & OTHER BENEFI	76.43	6031	06/24/16
25140	05/31/16	ST asphalt 866261	210-43120.610 FAVEMENT MAINTENANCE	182.40	6036	06/24/16
23465	05/26/16	ADpostage meter 6/20-9/19 3300601066	210-41320.536 POSTAGE	30.98	6038	06/24/16
23465	05/26/16	ADpostage meter 6/20-9/19 3300601066	210-14301.000 PREPAID EXPENSES	250.90	6038	06/24/16
26385	06/07/16	DV May Minutes 759-EJ	210-41970.530 COMMUNICATIONS	308.00	6043	06/24/16
24325	06/09/16	ST #34 radio parts 24136840	210-43110.432 VEHICLE MAINTENANCE	42.00	6045	06/24/16

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
24325	06/14/16	VF radio maintenance 24136861	210-42220.443 RADIO MAINTENANCE	135.50	6045	06/24/16
43320	05/01/16	LH balance for ext signs 5134	210-41940.891 CAPITAL OUTLAY	562.50	6054	06/24/16
42565	06/15/16	AD water tech ad 164947	210-41320.550 PRINTING AND ADVERTISING	288.00	6055	06/24/16
29835	06/16/16	ST paint supplies block 3302-6	210-43110.610 SUPPLIES	165.46	6057	06/24/16
29835	06/14/16	ST acetone for painting 6499-8	210-43120.444 STREET MARKINGS	68.57	6057	06/24/16
40840	06/01/16	AD May Ph/Internt 3640807	210-41320.535 TELEPHONE SERVICES	144.95	6060	06/24/16
40840	06/01/16	AD May Ph/Internt 3640807	210-45300.535 TELEPHONE SERVICES	98.59	6060	06/24/16
40840	06/01/16	AD May Ph/Internt 3640807	210-41970.535 TELEPHONE SERVICES	33.70	6060	06/24/16
40840	06/01/16	AD May Ph/Internt 3640807	210-41320.530 COMMUNICATIONS	34.95	6060	06/24/16
40840	06/15/16	VF phone svc 3646403	210-42220.535 TELEPHONE SERVICES	103.88	6060	06/24/16
V2124	05/03/16	AD/DV supplies 3301838174	210-41970.610 SUPPLIES	16.28	6061	06/24/16
V2124	05/03/16	AD/DV supplies 3301838174	210-41320.610 SUPPLIES	32.57	6061	06/24/16
V2124	05/03/16	AD/DV Credit supplies 3302378022	210-41970.610 SUPPLIES	-16.28	6061	06/24/16
V2124	05/03/16	AD/DV Credit supplies 3302378022	210-41320.610 SUPPLIES	-32.57	6061	06/24/16
02970	05/24/16	ST rubber gloves 961744	210-43110.612 UNIFORMS,BOOTS,ETC	395.45	6070	06/24/16
V24317	06/20/16	EMS district dues 062016D	210-42220.500 TRAINING, CONFERENCES, DU	60.00	6073	06/24/16
11935	05/25/16	ST Check valve sweeper 4468493	210-43110.432 VEHICLE MAINTENANCE	438.33	6074	06/24/16
11935	05/31/16	ST gutterbrooms 4468541	210-43110.432 VEHICLE MAINTENANCE	304.32	6074	06/24/16
11935	06/07/16	ST Credit on Ck Valves CR1985-0	210-43110.432 VEHICLE MAINTENANCE	-292.22	6074	06/24/16
V10488	06/10/16	BL SUPPLIES DCF61016	210-45551.610 SUPPLIES	12.00	6083	06/24/16
30210	05/31/16	Fire workers comp adj 16ARADT1436	210-20210.000 WORKERS COMP PAYABLE	1032.00	6084	06/24/16
30210	06/07/16	TM rec committee consult 201617629	210-41320.330 OTHER PROFESSIONAL SERVIC	120.82	6086	06/24/16
V2485	06/20/16	LH batteries meeting room 033757	210-41320.610 SUPPLIES	41.76	6094	06/24/16
21520	06/21/16	Building & grounds 1647	210-45551.434 MAINT. BUILDINGS/GROUNDS	1755.00	6098	06/24/16
21510	04/11/16	LH siding, shutters repai 1501	230-46801.010 LINCOLN HALL RESTORATIONS	25122.50	5908	06/24/16

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
25715	06/06/16	DONALD HAMLIN CONSULT ENG VR CRES CNTR PRTM APRIL 06061612833	230-46801.008 CRESCENT CONNECTOR	1830.33	5949	06/24/16
25715	06/06/16	DONALD HAMLIN CONSULT ENG VR PEARL LINK BRJM APRIL 06061614-807	230-46801.007 PEARL ST. LINKING SIDEWAL	1312.50	5949	06/24/16
25715	06/06/16	DONALD HAMLIN CONSULT ENG VR MULTIUSE PAT ENG APRIL 06061616-803	230-46801.006 MULTI-USE PATH NORTH	1530.37	5949	06/24/16
01730	06/20/16	VERDON SEAMLESS GUTTERS VR Lincoln Hall restorati 062016D	230-46801.010 LINCOLN HALL RESTORATIONS	1100.00	6072	06/24/16
37585	06/14/16	A H HARRIS & SONS INC VW/VB Briar Ln insulation 343143000	253-46801.005 BRIAR LANE RD/SDWK/WTR LI	13910.40	5899	06/24/16
37585	06/15/16	A H HARRIS & SONS INC VW/VB Briar Ln insulation 343143100	253-46801.005 BRIAR LANE RD/SDWK/WTR LI	13910.40	5899	06/24/16
37585	06/16/16	A H HARRIS & SONS INC VW/VB Briar Ln insulation 343143200	253-46801.005 BRIAR LANE RD/SDWK/WTR LI	13910.40	5899	06/24/16
37585	06/16/16	A H HARRIS & SONS INC VW/VB Briar Ln insulation 343196200	253-46801.005 BRIAR LANE RD/SDWK/WTR LI	2318.40	5899	06/24/16
V9941	06/07/16	BUSINESSCARD SERVICES VB/VW BriarLn Insul Shipp 052016D	253-46801.005 BRIAR LANE RD/SDWK/WTR LI	1638.75	5926	06/24/16
25715	06/06/16	DONALD HAMLIN CONSULT ENG VB/VW BRIAR LN RDWY/WTR 06061614-813	253-46801.005 BRIAR LANE RD/SDWK/WTR LI	14735.70	5949	06/24/16
33420	06/14/16	ORMOND BUSHEY & SONS INC VW/VB Hillcrest final pym PAYAPP#3	253-46801.003 HILLCREST DRNG/N HILLCRST	3595.69	6032	06/24/16
37585	06/14/16	A H HARRIS & SONS INC VW/VB Briar Ln insulation 343143000	254-43332.005 BRIAR LANE RD/SDWK/WTR LN	2217.60	5899	06/24/16
37585	06/15/16	A H HARRIS & SONS INC VW/VB Briar Ln insulation 343143100	254-43332.005 BRIAR LANE RD/SDWK/WTR LN	2217.60	5899	06/24/16
37585	06/16/16	A H HARRIS & SONS INC VW/VB Briar Ln insulation 343143200	254-43332.005 BRIAR LANE RD/SDWK/WTR LN	2217.60	5899	06/24/16
37585	06/16/16	A H HARRIS & SONS INC VW/VB Briar Ln insulation 343196200	254-43332.005 BRIAR LANE RD/SDWK/WTR LN	369.60	5899	06/24/16
V1655	06/06/16	BLUE CROSS BLUE SHIELD OF VA July health ins 35280001193	254-14301.000 PREPAID EXPENSES	2205.65	5919	06/24/16
10510	04/28/16	BLUE TARP FINANCIAL INC VW flash light batteries 714426	254-43200.610 SUPPLIES	7.19	5920	06/24/16
10510	05/20/16	BLUE TARP FINANCIAL INC VA thread rod & locktight 714524	254-43200.610 SUPPLIES	0.59	5920	06/24/16
V9941	06/07/16	BUSINESSCARD SERVICES VB/VW BriarLn Insul Shipp 052016D	254-43332.005 BRIAR LANE RD/SDWK/WTR LN	261.25	5926	06/24/16
V9941	06/07/16	BUSINESSCARD SERVICES VW job postingpocraiglist 053116H	254-43200.572 INTERVIEW COSTS	15.00	5926	06/24/16
23435	05/31/16	CHAMPLAIN WATER DISTRICT VW MAX WATER USAGE 053116D	254-43200.412 STATE WATER TAX	889.52	5938	06/24/16
23435	05/31/16	CHAMPLAIN WATER DISTRICT VW MAX WATER USAGE 053116D	254-43210.412 STATE WATER TAX - GF	5085.50	5938	06/24/16
23435	05/31/16	CHAMPLAIN WATER DISTRICT VW MAX WATER USAGE 053116D	254-43200.411 CWD WATER PURCHASE	35189.33	5938	06/24/16
23435	05/31/16	CHAMPLAIN WATER DISTRICT VW MAX WATER USAGE 053116D	254-43210.411 CWD WATER PURC - GF	201182.38	5938	06/24/16
25715	06/06/16	DONALD HAMLIN CONSULT ENG VB/VW BRIAR LN RDWY/WTR 06061614-813	254-43332.005 BRIAR LANE RD/SDWK/WTR LN	2349.17	5949	06/24/16

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14265	06/12/16	EARTH WATER SPECIALISTS I VW training RVJ/RB 61016	254-43200.500 TRAINING, CONFERENCES, DU	300.00	5954	06/24/16
18000	06/09/16	FERGUSON WATERWORKS #590 VW valve boxes 0404851	254-43200.610 SUPPLIES	101.07	5970	06/24/16
V10646	06/11/16	LINCOLN NATIONAL LIFE INS VA July life ins premium 07161532732	254-14301.000 PREPAID EXPENSES	120.68	6012	06/24/16
V1636	05/31/16	NEW ENGLAND MUNICIPAL ST Counter for SS 16272	254-43200.610 SUPPLIES	12.34	6028	06/24/16
24960	06/15/16	NORTHEAST DELTA DENTAL VA July dental ins 161506D	254-43200.210 HEALTH INS & OTHER BENEFIT	191.08	6031	06/24/16
33420	06/14/16	ORMOND BUSHEY & SONS INC VW/VB Hillcrest final pym PAYAPP#3	254-43332.003 HILLCREST DRNG/N HILLCRES	1141.31	6032	06/24/16
38760	05/31/16	TI-SALES INC VW 1 inch meter head 0065130	254-43330.002 METER REPLACEMENT PROGRAM	124.66	6066	06/24/16
38760	06/03/16	TI-SALES INC Meter heads 0065284	254-43330.002 METER REPLACEMENT PROGRAM	357.16	6066	06/24/16
42625	06/02/16	ALDRICH & ELLIOTT PC WW alkalinity adjustment 76306	255-43200.330 OTHER PROFESSIONAL SERVIC	1017.25	5906	06/24/16
V1655	06/06/16	BLUE CROSS BLUE SHIELD OF VA July health ins 35280001193	255-14301.000 PREPAID EXPENSES	4561.29	5919	06/24/16
10510	05/05/16	BLUE TARP FINANCIAL INC WW hose, knife 714452	255-43200.570 MAINTENANCE OTHER	26.96	5920	06/24/16
10510	05/06/16	BLUE TARP FINANCIAL INC WW safety knife 714460	255-43200.570 MAINTENANCE OTHER	17.94	5920	06/24/16
10510	05/09/16	BLUE TARP FINANCIAL INC WW ant bait 714465	255-43200.570 MAINTENANCE OTHER	3.14	5920	06/24/16
10510	05/13/16	BLUE TARP FINANCIAL INC WW hardware 714490	255-43200.570 MAINTENANCE OTHER	1.12	5920	06/24/16
10510	05/20/16	BLUE TARP FINANCIAL INC VA thread rod & locktight 714524	255-43200.610 SUPPLIES	0.59	5920	06/24/16
10510	05/23/16	BLUE TARP FINANCIAL INC WW window cleaner 714533	255-43200.570 MAINTENANCE OTHER	3.79	5920	06/24/16
10510	05/18/16	BLUE TARP FINANCIAL INC WW Fire plug 71510	255-43200.570 MAINTENANCE OTHER	10.34	5920	06/24/16
V9941	06/07/16	BUSINESSCARD SERVICES WW Monthly newsppr 053116G	255-43200.610 SUPPLIES	22.00	5926	06/24/16
11375	06/01/16	CASELLA WASTE SYSTEMS INC WW 1.87 TON 1066	255-43200.565 GRIT DISPOSAL	155.86	5930	06/24/16
11375	06/06/16	CASELLA WASTE SYSTEMS INC 1.16 TON GRIT 1080	255-43200.565 GRIT DISPOSAL	96.69	5930	06/24/16
V0525	06/10/16	CHITTENDEN SOLID WASTE DI WW DIRECT FEES IVC22817	255-43200.565 GRIT DISPOSAL	138.24	5943	06/24/16
V0710	06/09/16	ENDYNE, INC. WW EFF METALS 203416	255-43200.577 CONTRACT LABORATORY SERVI	73.00	5958	06/24/16
V0710	06/10/16	ENDYNE, INC. WW WEEKLY TKN 203611	255-43200.577 CONTRACT LABORATORY SERVI	25.00	5958	06/24/16
38955	06/01/16	F W WEBB COMPANY WW high strength waste 51145694	255-43200.570 MAINTENANCE OTHER	21.38	5967	06/24/16
V0833	06/09/16	FLEURY/BERNARD// WW pants 060916D	255-43200.612 UNIFORMS,BOOTS,ETC	49.98	5977	06/24/16

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V1023	06/02/16	WW power monitor BEL 055033	255-43200.330 OTHER PROFESSIONAL SERVIC	460.00	5996	06/24/16
V10646	06/11/16	VA July life ins premium 07161532732	255-14301.000 PREPAID EXPENSES	249.56	6012	06/24/16
08645	05/12/16	WW RIO power problem 02286	255-43200.570 MAINTENANCE OTHER	55.59	6013	06/24/16
V10432	06/09/16	WW mileage reimb 060916D	255-43200.500 TRAINING, CONFERENCES, DU	68.04	6017	06/24/16
10220	05/31/16	WW 2 CUSTOM SLIDE GATES U30438801	255-43200.570 MAINTENANCE OTHER	7955.00	6027	06/24/16
V1636	05/31/16	ST Counter for SS 16272	255-43200.610 SUPPLIES	12.32	6028	06/24/16
24960	06/15/16	VA July dental ins 161506D	255-43200.210 HEALTH INS & OTHER BENEFIT	395.15	6031	06/24/16
V1781	06/06/16	WW EQ3 VFD M2167	255-43200.570 MAINTENANCE OTHER	3563.67	6037	06/24/16
V2093	05/24/16	WW 50% caustic full load 325481	255-43200.619 CHEMICALS	6741.87	6058	06/24/16
40840	06/02/16	WW phones/internt 3640806	255-43200.535 TELEPHONE SERVICES	173.60	6060	06/24/16
V2124	05/25/16	WW printer local to compu 3303617073	255-43200.610 SUPPLIES	356.05	6061	06/24/16
V10319	06/07/16	WW BOOTS & PANTS 1653	255-43200.612 UNIFORMS,BOOTS,ETC	480.00	6096	06/24/16
V1655	06/06/16	VA July health ins 35280001193	256-14301.000 PREPAID EXPENSES	2117.43	5919	06/24/16
10510	04/28/16	SA o-rings 714424	256-43220.002 WEST ST PS COSTS	1.42	5920	06/24/16
10510	05/20/16	VA thread rod & locktight 714524	256-43200.610 SUPPLIES	7.12	5920	06/24/16
33850	06/01/16	SA 7/1-6/30 106321889760 9500161174	256-14301.000 PREPAID EXPENSES	50.00	5935	06/24/16
V10646	06/11/16	VA July life ins premium 07161532732	256-14301.000 PREPAID EXPENSES	67.58	6012	06/24/16
V1636	05/31/16	ST Counter for SS 16272	256-43200.610 SUPPLIES	147.92	6028	06/24/16
24960	06/15/16	VA July dental ins 161506D	256-43200.210 HEALTH INS & OTHER BENEFIT	183.44	6031	06/24/16
V9274	06/06/16	SA check return spring 162518	256-43220.002 WEST ST PS COSTS	64.84	6051	06/24/16
38760	05/31/16	VW 1 inch meter head 0065130	256-43330.002 METER REPLACEMENT PROGRAM	249.32	6066	06/24/16
38760	06/03/16	Meter heads 0065284	256-43330.002 METER REPLACEMENT PROGRAM	714.32	6066	06/24/16

06/24/16

01:43 pm

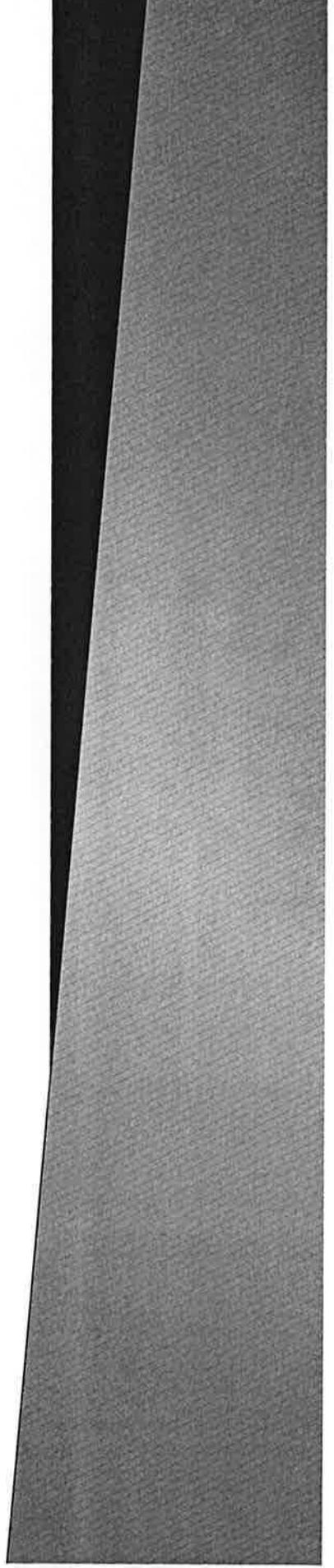
Town of Essex / Village of EJ Accounts Payable
Check Warrant Report # 16341 Current Prior Next FY Invoices For Fund (GENERAL FUND)
For Check Acct 01 (GENERAL FUND) All check #s 06/24/16 To 06/29/16 & Fund 2

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SFitzgerald

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
		Report Total		430149.76		

**FYE17
WATER/WWTF/SANITATION
RATES**



Village Water User Rate

FYE17 Proposed Rates

Usage	.0157/cubic foot
Fixed Charge	\$22.66/quarter or \$90.64/year
Increase over FYE16	1%
Cost to average user (Fixed charges represent 50% of budget)	\$182.33/year or \$15.19/month

Reasons for Increase

- 1) 4% increase in Operating budget
- 2) 3% increase in CWD Wholesale rate
- 3) 6% increase in Large User Rate



Village Wastewater Treatment User Rates

FYE17 Proposed Rates

Usage	.0092 /cubic foot
Fixed Charge	\$24.53 /quarter or \$98.12 /year
Decrease over FYE16	7%
Cost to average user (Fixed Charges are 65% of the budget)	\$151.85 /year or \$12.65 /month

Reasons for Decrease

- 1) 3% decrease in Operating budget
- 2) 1% decrease in Village percentage of flow



Village Sanitation User Rates

FYE17 Proposed Rates

Usage .0054/cubic foot
Fixed Charge \$22.97/quarter or \$91.88/year
Increase from FYE16 5%
Cost to average user \$123.42/year or \$10.29/month
(Fixed charges are 75% of budget)

Reasons for Increase

- 1) 3.5% increase in Operating budget
- 2) \$10,000 added for WWTF Bond Payment



Village Combined Utility Rates

FYE17 Proposed Rates

Usage	.0303/cubic foot
Fixed Charge	\$70.16/quarter or \$280.64/year
Decrease over FYE16	.7%
Cost to average user	\$457.60/year or \$38.13/month



Chapter 10

HOUSING*

Sections:

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- 10-71 Rooming House Rental License Required.
- 10-72 Bathroom Facilities.
- 10-73 Supplies, Bed Linens and Towels to be Changed Regularly.
- 10-74 Minimum Floor Area for Sleeping Rooms.
- 10-75 Means of Egress to be Provided.
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- 10-78 Standards for Communal Kitchens.

*Cross Reference--Buildings and building regulations, Ch. 5; electricity, Ch. 6; fire protection and prevention, Ch. 7; plumbing, Ch. 15; sewers and sewage disposal, Ch. 16; subdivisions, App. A; zoning, App. B.

State Law Reference--Municipal housing code generally, 24 V.S.A. s 5001 et seq.

Section 10-0A ARTICLE I. IN GENERAL

Section 10-1 Short Title.

This chapter may be referred to as the "Winooski Minimum Housing Code." (Ord. No. 72-9-G, s 15.0100, 7-6-72; Ord. No. 73-4-G, s 15.0100, 3-19-73)

Section 10-2 Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter:

Whenever the term "dwelling," "dwelling unit," "rooming unit," "house" or "premises," is used in this chapter, it shall be construed as though followed by the words "or any part thereof."

Whenever the masculine pronoun is used, it shall also mean the feminine pronoun.

BASEMENT shall mean a portion of a building located partly underground, but having less than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

BUILDING INSPECTOR shall mean the legally designated building inspector of the city or his designated assistant.

CELLAR shall mean a portion of a building located partly or wholly underground, and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.

CERTIFICATE OF Fitness shall mean the written approval, signed by the Code Enforcement Officer or, setting forth that the building, structure and premises comply with the Municipal & State Codes, . this Certificate of Fitness is required prior to a dwelling unit, and or a public building, to be occupied.

CERTIFICATE OF OCCUPANCY shall mean the written approval of the Zoning Administrator certifying that a newly constructed structure, addition and or alterations to an existing structure, or an

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existing structure undergoing a change in use is in full compliance with the zoning provisions of Municipal By-laws, Ordinances and Codes adopted under the authority of the City Charter. Conditions required for the issuance of a "Certificate of Occupancy" are, but not limited to:

- (a) Use of structure or land conforms to the zoning requirements [24 V.S.A. Section 4449]
- (b) Municipal Land Use Permit approved as completed [24 V.S.A. Section 4454]
- (c) Compliance with all regulations, codes, and ordinances adopted by Charter and Codification, i.e., no notice of violation or land use violations exist [9 V.S.A. Chapter 137, & 24 V.S.A. Sec 4454]
- (d) Approved Certificate of Compliance for residential dwelling units and all public buildings [24 V.S.A., Sec. 4303 (24)].

DWELLING shall mean any building which is used or intended to be used in whole or in part for living or sleeping by human occupants; provided that temporary housing as hereinafter defined shall not be regarded as a dwelling.

DWELLING UNIT shall mean one (1) or more rooms arranged for the use of one (1) or more individuals living together as a single housekeeping unit with cooking, living, sanitary and sleeping facilities.

EXTERMINATION shall mean the control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping; or by any other recognized and legal pest elimination methods approved by the building inspector and the state department of health.

FIRE CHIEF shall mean the legally designated fire chief of the city or his designated assistant.

GARBAGE shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

HABITABLE ROOM shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes excluding bathrooms, water closet compartments, laundries, pantries, foyers or hallways, closets, recreation rooms (but not excluding living rooms), private workshops or hobby rooms and storage spaces.

INFESTATION shall mean the presence, within or around a dwelling, of any insects, rodents or other pests.

MULTIPLE DWELLING shall mean any dwelling containing more than two (2) dwelling units.

OCCUPANT shall mean any person living, sleeping, cooking or eating in or having the actual possession of a dwelling unit or rooming unit.

OPERATOR shall mean any person who has the charge, care or control of a building, or part thereof, in which dwelling units or rooming units are let.

OWNER shall mean the owner or owners of the freehold of the premises or lessor estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm or corporation in control of a building or any duly authorized agent thereof.

PERSON INTERESTED shall mean and include any individual firm, corporation, association,

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partnership, company or organization of any type.

PLUMBING shall mean and include all the following supplied facilities and equipment: Gas pipes, gas-burning equipment, water pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, drains, vents and other similar supplied fixtures, together with all connections to water, sewer or gas lines.

REGISTERED MAIL shall mean registered mail or certified mail.

ROOMING HOUSE shall mean any dwelling, or that part of any dwelling, containing one (1) or more rooming units, in which space is let by the owner or operator to more than two (2) persons who are not husband or wife, son or daughter, mother or father, or sister or brother of the owner or operator; provided that hospitals, homes for the aged and other institutions licensed by the state department of health shall not be regarded as rooming houses or as subject to the provisions of this chapter.

ROOMING UNIT shall mean any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

RUBBISH shall mean combustible and noncombustible waste materials, except garbage; and the term shall include the residue from the burning of wood, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral, glass, crockery and dust or other items as specified by the building inspector.

SUPPLIED shall mean installed, furnished or provided by the owner or operator at his expense.

TEMPORARY HOUSING shall mean any tent, trailer or similar structure which is used for human shelter.

TOWN ENGINEER shall mean the legally designated town engineer of the city or his designated assistant. (Ord. No. 72-9-G, s 15.0101, 7-6-72; Ord. No. 73-4-G, s 15.0101, 3-19-73)
(10-2, Amended, 07/21/2005, cert of comp)

Section 10-3 Secs. 10-3 to 10-14

Sec. 10-3 Landlord Registry Required

Fire Safety and Prevention defines buildings in which people rent accommodations, whether overnight or for a longer period of time, as a public building. The City of Winooski Fire Marshal, the Health Officer, and the Building and Zoning Administrator are responsible for ensuring that all public buildings in the City of Winooski are maintained at established and adopted standards to protect the health, safety, and welfare of the occupants. The Winooski Minimum Housing Standards requires that a Certificate of Compliance be issued prior to the occupancy of any residential rental dwelling unit within the city. **All rental property owners shall file a yearly Landlord Registry Application** identifying their rental residential dwelling units for each building in the City of Winooski (see Sec. 10-5). Additionally, all property owners will ensure **each rental residential dwelling unit is inspected and that Certificates of Fitness are issued a minimum of every 4 years.**

Sec. 10-4 Administration

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Administration and enforcement is the responsibility of the Winooski Building Code Enforcement Office. Enforcement will be provided by the Winooski Building Inspector, the Winooski Health Officer, the Winooski Deputy Health Officer, the Winooski Fire Marshal and other individuals authorized to perform inspections by the Winooski City Council. Same shall hereby be known as the code official, the enforcement officer and the code enforcement department.

- (a) All records, including inspection reports, records of complaints received and investigated, and plans for inspections of rental units shall be available for public inspection.

Sec. 10-5 Registry Information Required

- (a) Rental Property owners must provide the following information to the department:
 - (1) The address of the property.
 - (2) The number of rental units at that address.
 - (3) The mailing address of each dwelling unit.
 - (4) The number of bedrooms.
 - (5) The name, address and phone number of the property owner, corporation, or registered corporate agent.
 - (6) The name, address and phone number of any managing agent.
 - (7) The name, address and phone number of a local emergency contact located in Chittenden County and/or a designated person within the state responsible for services on the property.
- (b) Upon purchase or transfer of each property containing one or more rental units, the purchaser shall file a new landlord registration application.
- (c) Prior to occupancy of any newly constructed rental unit or any conversion of the use to a rental unit, the owner shall file an application for landlord registration with the enforcement department.
- (d) It shall be a violation of the City Minimum Housing Code for an owner of any rental dwelling unit within the city to fail to register as required by this section.
- (e) Property owners shall have a continuing obligation to notify the enforcement department of any changes in the information required above during the periods between filings of the landlord registration application.

Sec. 10-6 Inspection Cycle

For the purposes of planning and scheduling, the owners of all rental dwelling units are subject to inspection pursuant Section 10-22 and to the schedule described as follows. The Landlord Registry Application and fee is required yearly for each building. **Every four (4) years a Minimum Housing Standards / Safety Inspection for each rental dwelling unit is required.** A Certificate of Fitness will be issued based on the results of the inspection, as appropriate (see Section 10-9).

Sec. 10-6 Inspection Cycle

- A. Program adopted in 2003, Quadrant 1, initiates program effective due date for registration April 1, 2004, with a one year inspection cycle that expires on March 31, 2005 of the following year. The quadrant schedule shall follow henceforth based on initial start-up date.

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- (1) Quadrant 1 (Property located west of Malletts Bay Ave from Colchester Boundary to lower Weaver Street).
 - (2) Quadrant 2 (Property located west of Weaver Street to Malletts Bay Ave).
 - (3) Quadrant 3 (Property located west of Franklin St. and Barlow Street north of East Allen St. to Weaver Street).
 - (4) Quadrant 4 (Property located from Florida Ave and Roland Court to Franklin St. to everything south of East Spring St to Weaver Street).
- B.** The Building and Zoning Department will make boundary, to include individual rental unit complex, adjustments as rental unit distributions change to ensure a balanced scheduling load for inspections is maintained. The department will inform the owners of any property affected by a boundary adjustment will be notified by mail.

Sec. 10-7 Inspection Requirements

The enforcement officer or his/her delegate shall make scheduled, periodic inspections of all rental units within the city, motel rooms, or any other accommodation for overnight stay, which are regularly let to the same tenant(s) for a period in excess of thirty -(30) days, which includes condominiums and any other Public Building as defined under 20 V.S.A. Section 2730. A certified Fire Inspector 1, approved by the National Fire Protection Association and the Vermont Department of Labor & Industry per State Regulations, will conduct the inspection of public buildings and all rental dwelling units (see other).

Excluded from periodic inspection:

- (a) Public Buildings owned by a government agency that conducts annual inspections under the HUD Program.
- (b) Buildings owned by nonprofit organizations under housing requirements and inspected by another government authority.
- (c) Buildings owned by individuals, corporations, partnerships or organizations that are subject to inspections by another government authority.

Note: All buildings that are nonprofit organizations that are excluded from this program shall provide an inspection report, which has been performed by a Certified Fire Inspector I or equivalent to The Winooski Code Enforcement Officer for approval. The issuance of a "Certificate of Compliance" for these structures and such documents shall be recorded in the City Land Records.

Sec. 10-8 Scheduling Inspection

- (a) The department shall schedule with the property owner or his / her agent the date and time of the Minimum Housing Inspection per Sec 10-15 Authority to Inspect. The owner or the agent shall arrange for the inspection within sixty days of the initial request, and shall provide the occupant(s) with notice of an inspection not less than forty-eight (48) hours prior to the actual inspections as provided in 9 V.S.A. Section 4460. During the inspection the owner shall provide access to the rental units and all common areas to include basements and other spaces.
- (b) For inspection or attempts to inspect which do not result in an inspection within the two months of the first (1st) request, it shall constitute a violation of this ordinance subject to forfeiture and / or withdrawal of any Certificate of Fitness.

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- (c) If the enforcement officer has reason to believe that an emergency situation exists tending to create an immediate danger to the health, welfare or safety of the occupants of any dwelling unit or the general public, he/she may enter, examine and inspect the dwelling unit at any time.
- (d) Persons requesting inspections for buildings lacking the proper Certificates recorded in the land records in order to refinance or to transfer ownership of the property will do so in writing. These out-of-cycle inspections will be scheduled as soon as possible and no later than sixty (60) days from receipt of a written request.
- (e) **Obtaining a Zoning Certificate of Occupancy is the final requirement of the City of Winooski.** The Certificate of Occupancy verifies that the entire property meets all codes, zoning conditions, ordinances, and permit requirements. No building shall be occupied or used, in whole or in part, for any purpose whatever, until a Certificate of Occupancy has been issued by the Zoning Administrator and a copy is filed in the City of Winooski Land Records. (Winooski Zoning Ordinance Sec. 11.300 and Municipal Code Section 10-2).
- (f) A building certificate of occupancy issued by any Division of Inspection Services other than the City of Winooski shall not constitute a Zoning Certificate of Occupancy unless specifically authorized in writing by the Zoning Administrator.

Sec. 10-9 Certificate of Fitness

It shall be a violation of the Winooski Minimum Housing Standards Program for an owner of a rental dwelling unit within the city that is subject to inspections pursuant to Section 10-22 of this chapter to rent or allow any person to occupy any dwelling or dwelling unit without a Certificate of Compliance.

Note: Certificates of Occupancy, as defined in Section 10-2, will not be issued by the Zoning Administrator for public buildings without current Landlord Registry Applications and a current Certificate of Compliance on file in the land records.

Sec. 10-10 Issuance of Certificates and Terms of Inspections

- (a) Upon completion of the initial inspection pursuant to section 10-22 of a rental property, if the property is found to be in compliance with the Winooski Minimum Housing Standards and all other adopted applicable Federal, State, and Municipal Codes, the enforcement officer shall issue a Certificate of Fitness, which shall expire four (4) years from the date of issuance.
- (b) Upon completion of the initial inspection of a rental property, if an individual unit is cited for **five (5) or less minor non life-threatening violations** of the Minimum Housing Standards, and if violations have been corrected within the time set for compliance, the enforcing officer shall issue a Certificate of Fitness which shall expire four (4) years from the date of issuance.
- (c) Upon completion of the initial inspection of the rental property, if any individual unit is cited **for more than five (5) minor non life-threatening violations** of the Minimum Housing Standards, the department shall issue a Conditional Certificate of Fitness for that rental property, which shall expire within, and no more than one (1) year from the date of issuance.
- (d) Follow-up inspections for verification by the code official that the corrective actions have been completed on the initial inspection shall not require a fee; noncompliance to the follow-up inspection resulting in more re-inspections shall be assessed additional fees for each additional inspection (refer to sec. 10-13 (c)).
- (e) Upon completion of the initial or any subsequent inspection of the rental property, if any individual unit is cited for any of the following conditions the enforcement officer **shall declare the dwelling unit uninhabitable** and deny the issuance of a Certificate of Fitness:

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- (1) The physical condition or use of any dwelling constitutes a public nuisance;
 - (2) Any physical condition, use or occupancy of any dwelling or its appurtenances that is considered an attractive nuisance to children, including, but not limited to, abandoned vehicles, appliances, basements and unsafe fences and structures;
 - (3) Any dwelling that has unsanitary sewage or plumbing facilities;
 - (4) Any dwelling that is designated as unsafe for human habitation or use;
 - (5) Any dwelling that is manifestly capable of being a fire hazard or is manifestly unsafe or unsecured so as to endanger life, limb or property;
 - (6) Any dwelling from which the plumbing, heating, fire protection systems, fire detection systems, or other facilities required by law have been removed, or from which utilities have been disconnected, destroyed, removed, or rendered ineffective, or the required precautions against trespassers have not been provided;
 - (7) Any dwelling that is unsanitary or which is littered with rubbish or garbage, or which has an uncontrolled growth of weeds, or which has nests or exhibits insects, pests, or rodents;
 - (8) Any dwelling that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent of not providing shelter; in danger of collapse or failure and dangerous to anyone on or near the dwelling.
 - (9) Any dwelling that is determined to be a health hazard, i.e., high carbon monoxide levels, unmitigated lead paint hazard, poisons present, and improper storage of flammables.
-
- (f) The department shall issue a Certificate of Fitness for a term of four (4) years for a newly constructed rental property upon final inspection of the Fire Marshal.
 - (g) Nothing in this section shall preclude the inspection of said dwelling more frequently than the term of the Certificate of Fitness.
 - (h) A Certificate of Fitness may be revoked if a subsequent inspection finds that any rental unit at a rental property is no longer in compliance with the provisions of the Minimum Housing Standards.
 - (i) Prior to the issuance of a Certificate of Fitness, all registration and additional inspection fees shall be paid to the department.
 - (j) The issuance of a Certificate of Compliance by the department for a term of less than four (4) years shall be an order that is subject to appeal as provided in Section 10-36.
 - (k) Availability of Certificates: Upon the request of an existing or prospective tenant, the owner or the owner's agent shall produce the Certificate of Fitness. All rental properties located in the City of Winooski are required to have a Certificate of Fitness on file, and recorded in the City Land Records, without which is a violation of the Municipal Codes.
 - (l) The enforcement officer shall have the discretion to place a rental property or dwelling unit on a more frequent inspection cycle for repeat violations and noncompliance.

Sec. 10-11 Issuance of a Conditional Certificate

The department may issue a **Conditional Certificate of Fitness** whenever the enforcement officer is unable to inspect a rental dwelling unit after the expiration of an existing certificate, or more time is required to remedy a minor code violation cited on an inspection report, when the inability to inspect is not due to obstruction by the property owner or agent.

Sec. 10-12 Fees

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As prescribed in Winooski City Ordinance, Chapter 20-2; Code Enforcement Department

Sec 10-13 Fines and Penalties

- A. A rental dwelling unit for which a registration fee is required in this section has not been paid shall be in violation of the City Minimum Housing Codes and subject to the penalties set forth in Section 1-11 (Civil Penalties).
- B. In addition, if the code enforcement department determines that a person has failed to pay the registration fee due under this section, the ~~code enforcement department~~ City of Winooski shall mail to such person a statement showing the balance due and shall add thereto a twenty-five (\$25.00) late payment fee plus interest at a rate of twelve (12%) percent per year. The unpaid balance and penalty shall be subject to interest at a rate of twelve (12%) percent per year from the due date until the date of payment. The charges levied in this chapter shall constitute a lien upon the property on which the rental unit is situated and may be enforced within the time and manner provided for collection of taxes on property.

(10-3 - 10-13, Amended, 03/10/2004; 10-3 to 10-14, Amended, 08/12/2003, Adopted 4-9-03)

Section 10-14 ARTICLE II. ADMINISTRATION AND ENFORCEMENT

Section 10-14 DIVISION 1. GENERALLY

Section 10-15 Administration of Code; Authority of Building Inspector

It shall be the duty of the building inspector to administer the housing code. Said officer is authorized to inspect all dwelling structures and to order any repairs or additional facilities necessary to meet code standards. He is authorized to condemn dwellings that are unfit for human habitation, and in that situation, the owner of the condemned building must comply with the minimum standards, or cease using the building for dwelling purposes. (Ord. No. 72-9-G, s 15.0102, 7-6-72; Ord. No. 73-4-G, s 15.0102, 3-19-73)

Cross Reference--Building inspector generally, s 5-19 et seq.

Section 10-16 Penalties for Violating Chapter.

Except as otherwise provided, any person who violates any provision of this chapter shall be subject to a civil penalty as prescribed for in Chapter, section 11 of the Winooski City Code.

Section 10-17 Conflicts

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In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, building, fire, safety, health or other ordinance or code of the city, the provision which established the higher standard for the promotion and protection of the health and safety of the people shall prevail. (Ord. No. 72-9-G, s 15.0202, 7-6-72; Ord. No. 73-4-G, s 15.0202, 3-19-73)

Section 10-18 Inspection of Dwellings, Dwelling Units, Rooming Units and Premises.

The building inspector is hereby authorized and directed to make inspections to determine the condition of dwellings, dwelling units, rooming units and premises located within the city, in order that he may perform his duty of safeguarding the health and safety of the occupants of dwellings and of the general public. For the purpose of making such inspections the building inspector is hereby authorized to enter, examine and survey at all reasonable times all dwellings, dwelling units, rooming units and premises. (Ord. No. 72-9-G, s 15.0103, 7-6-72; Ord. No. 73-4-G, s 15.0103, 3-19-73)

Section 10-19 Service of Notice of Violations.

Whenever the building inspector determines that there has been a violation of any provision of this chapter, he shall give notice of such violation to the owner and occupants of said building by letter sent by registered mail to the last known address of said owner and occupants, and any holder of any recorded interest in said property, listing the defects, the necessary repairs which are to be made and giving the owner a stated period of time to make these repairs. Said notice shall also notify the occupants of the building that it will be necessary for them to vacate the building if the necessary repairs are not made. Each occupant of a dwelling or dwelling unit shall give the owner thereof, or his agent or employee, access to any part of such dwelling or dwelling unit or its premises at all reasonable times for the purpose of making such repairs and/or alterations as are necessary to effect compliance with the provisions of this chapter or any lawful order issued pursuant to the provisions of this chapter. (Ord. No. 72-9-G, s 15.0104, 7-6-72; Ord. No. 73-4-G, 15.0104, 3-19-73)

Section 10-20 Refusal to Obey Inspection Order; Survey.

When an owner, agent or other person interested in property deemed unfit by an inspection as set forth in section 10-19, and notified as provided therein, fails, refuses or neglects to comply with the requirements of such order within the time limited, a careful survey of the premises shall be made by a board consisting of the chief of the fire department, the city medical inspector and one (1) disinterested person to be chosen by the other two (2) board members and who shall be a person knowledgeable in at least one (1) area in which the property is deficient. A report of such survey shall be made by each member of the board to the building inspector and copies of such reports shall be forwarded to the owner and occupants of the building, by registered mail. (Ord. No. 72-9-G, s 15.0105, 7-6-72; Ord. No. 73-4-G, s 15.0105, 3-19-73)

Section 10-21 Order.

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Upon completion of the survey and sending of the reports, as set forth in section 10-20, the building inspector shall, if such action is indicated as necessary by the survey, order the occupants of said building to vacate the building, revoke the rental and rooming license required under section 10.71 and take such other actions as are necessary to bring about compliance with said order. For each days; continuance of such refusal or neglect, the owner, occupant or person interested shall be fined not more than fifty dollars (\$50.00) nor less than ten dollars (\$10.00). Each days' refusal constitutes a separate offense. (Ord. No. 72-9-G, s 15.0106, 7-6-72; Ord. No. 73-4-G, s 15.0106, 3-19-73)

Section 10-22 Certificate of Fitness and Maximum Occupancy Load

- (a) All existing rental properties and public buildings as defined under Vermont State Statues will be required to have a "Certificate of Compliance" filed in the land records before it can be occupied once it has become vacant, changed occupants, use and/or ownership.
- (b) No new structure or addition can be occupied without first obtaining a "Certificate of Fitness" from the code enforcement officer, or successor, and a "Certificate of Occupancy" from the City Zoning Administrator.
- (c) All existing rental properties and public buildings not having a "Certificate of Fitness" on file in the city land records shall be inspected upon the request of the code enforcement department, upon a vacancy, change of use or ownership, and/or a complaint concerning health and safety issues, but not limited to, from the occupant, neighbors, landlord or property owner.
- (d) A property owner or his agent shall notify, during normal working hours the city code enforcement department or its successor that a rental dwelling unit and/or a public building vacancy exists and shall schedule an inspection with the city code enforcement department.
- (e) The city code enforcement department, or its successor, shall aspect for compliance under the adopted Winooski Municipal Codes, the specified rental dwelling unit, and/or a public building including the premises and common areas of said dwelling unit, and/or place of business upon an agreed scheduled time during the normal working hours of the city code enforcement department, or its successor, unless such agreement and arrangement causes undue hardship upon the property owner or his agent, in which case the agreement and arrangement for the inspection may be mutually agreed upon. Failure to mutually agree upon and arrange for the inspection shall be construed that the property owner or his agent has failed to comply with the requirements of the chapter and will be in violation of Winooski Municipal Codes and Ordinances.
- (f) Upon completion of the inspection, the building inspector or code enforcement officer shall either:
- (1) Issue a certificate of compliance and maximum occupancy load, or
 - (2) Cause an inspection report citing specific violations of this chapter and any other city ordinance to be sent to the last known address of the property owner or his agent.
- (g) If an inspection report citing a violation is issued for health, safety, inhabitability or immanent

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danger, occupancy of the dwelling shall not be permitted until such time as to the issuance of a certificate of compliance and maximum occupancy load is issued by the city code enforcement department or its successor. Upon verification by the city code enforcement officer that all cited violations have been corrected.

(h) Any aggrieved person, including the enforcement officer or his superiors, shall follow the appeal procedure as outlined elsewhere in this chapter.

(10-22, Amended, 07/21/2005; 10-22, Amended, 07/21/2005, adopted 5/6/02)

Section 10-23 Recording of Orders.

Any order provided for in this chapter shall be recorded in the office of the city clerk and indexed as a part of the land records. The order shall thereby be effective against any purchaser, mortgagee, attaching creditor, lienholder or other person whose claim or interest in the property arises subsequent to the recording of the order. The building inspector upon finding that any order issued under this chapter has been complied with shall issue forthwith a cancellation of the order. The cancellation shall be seconded in the office of the city clerk and indexed as a part of the land records. (Ord. No. 72-9-G, s 15.0116, 7-6-72; Ord. No. 73-4-G, s 15.0116, 3-19-73)

Section 10-24 Declaring Dwellings Unfit for Human Habitation.

Whenever any dwellings or dwelling premises are found by the building inspector to be unfit for human habitation because of defects which constitute a serious hazard or immediate peril to the health, safety or welfare of the occupants of the dwelling or the public, the building inspector may:

1. Order the dwelling or dwelling premises to be vacated and secured until such time as he determines that the dwelling is again fit for human habitation;
2. Order the repair, alteration or improvement of the dwelling or dwelling premises except that the owner shall have the right to vacate and secure the dwelling or dwelling premises within seven (7) days after receipt of the order by the owner or the owner's agent;
3. Initiate demolition proceedings pursuant to sections 3111, 3112, 3113, and 3114 or Title 24 of the Vermont Statutes Annotated. (Ord. No. 72-9-G, s 15.0117, 7-6-72; Ord. No. 73-4-G, s 15.0117, 3-19-73)

Section 10-25 Copy of Order to be Furnished to Grantee.

The owner of any dwelling which has been found by the building inspector to be unfit for human habitation shall not sell, transfer, mortgage, lease or otherwise dispose thereof until the owner has furnished the intended grantee, mortgagee or lessee a true copy of the order and has notified the building inspector, in writing, of his intent to sell, transfer, mortgage, lease or otherwise dispose of the dwelling, or until the building inspector has found that the conditions causing the dwelling to be unfit for human habitation have been corrected. A transferee, mortgagee or lessee who has received actual notice or constructive notice shall be bound by the order on the date of the transfer, mortgage or lease without

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service of further notice upon him by the building inspector. (Ord. No. 72-9-G, s 15.0118, 7-6-72; Ord. No 73-4-G, s 15.0118, 3-19-73)

Section 10-26 Relocation.

The building inspector shall provide those persons displaced by any action taken pursuant to subsection (c) of section 5003, Chapter 97, Title 24 Vermont Statutes Annotated or any ordinance adopted pursuant thereto with assistance in relocation. He shall establish a relocation program for the city that will make available to the displaced person all federal funded programs available in the city and shall make maximum use of public housing facilities and coordinate the placing of relatives with the Winooski Housing Authority. (Ord. No. 72-9-G, s 15.0119, 7-6-72; Ord. No. 73-4-G, s 15.0119, 3-19-73)

Section 10-27 Permit to Create Certain Dwelling and Rooming Units.

No dwelling unit or rooming unit shall be created within an existing structure or converted, remodeled or altered so as to create an additional dwelling unit or rooming unit, unless the building inspector has issued a written permit certifying that the plans and specifications for such work indicate that the provisions of this chapter will be complied with. (Ord. No. 72-9-G, s 15.0200, 7-6-72; Ord. No. 73-4-G, s 15.0200, 3-19-73)

Section 10-28 Secs. 10-28--10-33. Reserved.

Section 10-33 DIVISION 2. APPEALS*

*Cross Reference--Appeal of decisions by building inspector, s 5-24; wiring inspector, s 6-10.

Section 10-34 Housing Appeal Board--Established, Appointment and Organization.

A housing appeal board is hereby established which shall consist of five (5) persons appointed by the city council from such fields as financial, builders, labor, the clergy, doctors and social agencies. City officials responsible for code enforcement may be appointed by the council to act as ex officio members of the board. (Ord. No. 72-9-G, s 15.0107(1), 7-6-72; Ord. No. 73-4-G, s 15.0107(1), 3-19-73)

Section 10-35 Same--Powers and Duties.

The housing appeal board shall have all the powers and duties prescribed by law and by this division including, but not limited to, the following:

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(1) Upon appeal from a decision by an administrative official, to decide any question involving the interpretation of any provision of this chapter, including determination of the exact location of any district boundary if there is uncertainty with respect thereto.

(2) To issue special permits for any purpose for which this chapter requires a permit in such cases as the board deems advisable; and

(3) To make available specific advice and assistance to individuals who do not fully understand the requirements of this chapter. (Ord. No. 72-9-G, s 15.0107(5), 7-6-72; Ord. No. 73-4-G, s 15.0107(5), 3-19-73)

Section 10-36 Appeal of Orders of Officers.

An owner, occupant or person interested who is aggrieved by any order made under this chapter, may appeal to the housing appeal board set up in this division. Such appeal shall be taken within thirty (30) days after the decision appealed from by filing with the office of the housing inspector and the housing appeal board a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all of the papers constituting the record upon which the action appealed from was taken. (Ord. No. 72-9-G, s 15.0107(2), 7-6-72; Ord. No. 73-4-G, s 15.0107(2), 3-19-73)

Section 10-37 Stay of Proceedings.

An appeal shall stay all proceedings under such action appealed from unless the officer from whom the appeal is taken certifies to the housing appeal board, after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate of stay would, in his opinion, cause imminent peril to person or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board, the county court or by a superior judge on notice to the office from whom the appeal is taken and for cause unknown. (Ord. No. 72-9-G, s 15.0107(3), 7-6-72; Ord. No. 73-4-G, s 15.0107(3), 3-19-73)

Section 10-38 Hearing and Notice.

The housing appeal board shall fix a reasonable time for the hearing of the appeal, give at least six (6) days' notice thereof to the appellant by publication thereof in a newspaper of general circulation in the city, and decide the same within a reasonable time. Upon hearing, any party or taxpayer may appear in person or by agent or attorney. The appellant shall indicate when filing his appeal if he desires a private or public hearing. (Ord. No. 72-9-G, s 15.0107(4), 7-6-72; Ord. No. 73-4-G, s 15.0107(4), 3-19-72)

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Section 10-39 Authority for Board to Reverse, Affirm or Modify Orders Appealed From.

In exercising the powers in conformity with the provisions hereof, the board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order or decision as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of a majority of the board shall be necessary to reverse any action of such administrative official, or to decide in favor the applicant on any matter upon which it is required to pass under any ordinance or to affect any variation in an ordinance. (Ord. No. 72-9-G, s 15.0107(6), 7-6-72; Ord. No. 73-4-G, s 15.0107(6), 3-19-73)

Section 10-40 Appeal of Decision of Housing Appeal Board.

A person aggrieved by a decision of the housing appeal board may apply to the county court within twenty (20) days after the action complained of has been recorded, by a sworn petition, setting forth that such decision is illegal or unreasonable, in whole or in part, specifying the grounds upon which the same is derived to be illegal or unreasonable. (Ord. No. 72-9-G, s 15.0107(7), 7-6-72; Ord. No. 73-4-G, s 15.0107(7), 3-19-73).

Section 10-41 Secs. 10-41--10-51. Reserved.

HOUSING

Section 10-51A ARTICLE III. MINIMUM STANDARDS AND REQUIREMENTS

Section 10-52 Conformance to Standards Required.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit, for the purpose of living therein, which does not comply with the requirements of this article. (Ord. No. 72-9-G, s 15.0110, 7-6-72; Ord. No. 73-4-G, s 15.0110, 3-19-73)

Section 10-53 Minimum Standards for Basic Equipment and Facilities.

(a) **COOKING FACILITIES; SINK.** Every dwelling unit shall contain a room or space for a stove or other cooking facilities, space for dry food storage and space for refrigerated food storage, and shall include a kitchen sink installed. The sink shall be in good working condition and properly connected to a hot and cold running water system under pressure and a sewer system, which sink and systems shall be installed and maintained in a manner prescribed by ordinances, rules and regulations of the city.

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(b) **BATHROOM FIXTURES.** Every dwelling unit shall be equipped with a complete bathroom fixture group consisting of a flush water closet, lavatory basin and bathtub or shower in one (1) room in good working condition, and installed and maintained in a manner prescribed by ordinances, rules and regulations of the city. Said fixture group shall be properly connected to an approved sewer system and to an approved hot and cold running water system under pressure, except that the flush water closet shall be connected to an approved sewer system and to an approved cold running water system under pressure. The flush water closet, lavatory basin and bathtub or shower need not be installed in the same room, but said room shall afford privacy to a person within said room.

(c) **RUBBISH, STORAGE AND DISPOSAL FACILITIES.** Every dwelling unit shall be supplied with adequate rubbish storage facilities and with adequate garbage disposal facilities or garbage storage containers. The type and location of said containers and storage facilities are subject to approval by the building inspector. It shall be the responsibility of the owner to supply such facilities or containers for all dwelling units in a multiple dwelling. In all other cases it shall be the responsibility of the occupants to furnish such facilities or containers.

(d) **WATER HEATERS.** The water-heating facilities necessary to provide the hot water required under this section and sections 10-72 and 10-78(a) shall be properly installed and connected to the hot waterlines required under these subsections; shall be maintained in safe and good working conditions; and shall be capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory, basin, bathtub or shower at a temperature of not less than one hundred twenty (120) degrees Fahrenheit. Such supplied water-heating facilities shall be capable of meeting the requirements of this subsection when the dwelling, dwelling unit, rooming house or rooming unit heating facilities required under the provisions of section 10-54(e) are not in operation.

(e) **MEANS OF EGRESS.** Every dwelling unit shall have safe, unobstructed means of egress leading to safe and open space at ground level as required by the statutes, ordinances and regulations of the state and the city.

(f) **EXIT STAIRWAYS.** In two-family and multiple-family dwellings, the exit stairway shall not be less than three (3) feet in width and continuous walls, guards or handrails projecting not more than three and one-half (3 1/2) inches into the stair width.

(g) **MEANS OF ESCAPE IN SLEEPING ROOMS.** Every sleeping room in two-family and multiple-family dwellings, unless it has two (2) doors providing separate ways of escape, or has a door leading directly to the outside of the building, shall have at least one (1) outside window which can be opened from the inside without the use of tools of such design that it may serve as an emergency exit if the normal avenues of escape are blocked. The sill of the window shall not be more than three and one-half (3 1/2) feet above the floor. (Ord. No. 72-9-G, s 15.0108(1)-(7), 7-6-72; Ord. No. 73-4-G, 3 15.0108(1)-(7), 3-19-73)

Section 10-54 Minimum Standards for Light, Ventilation and Heating

(a) **LIGHTING.** Every habitable room shall have at least one (1) window of approved size facing directly to the outdoors or to a court. The minimum total window area, measured between stops, for every habitable room shall be ten (10) per cent of the floor area of such except in kitchens where artificial light may be provided in accordance with the provisions of the basic building code.

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(b) **VENTILATION.** Every habitable room shall have at least one (1) window which can easily be opened, or such other device as will adequately ventilate the room. The total of the openable window area in every habitable room shall be equal to at least forty-five (45) per cent of the minimum aggregate glass area of the window as required in this section, except where there is supplied some other device affording adequate ventilation and approved by the building inspector.

(c) **BATHROOM LIGHTING AND VENTILATION.** Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms contained in this section, except where the bathroom of the water closet compartment is adequately ventilated by a ventilation system which is kept in continuous or automatic operation and approved by the building inspector.

(d) **ELECTRICAL OUTLETS.** Every dwelling unit and all public and common areas shall be supplied with electric service, outlets and fixtures which shall be properly installed, shall be maintained in a good and safe working condition and shall be connected to the source of electric power in a manner prescribed by the ordinances, rules and regulations of the city. The capacity of such services and the number of outlets and fixtures shall be:

(1) Every habitable room shall have an electric service and outlets and/or fixtures capable of providing at least three (3) watts per square foot of floor area.

(2) Every habitable room shall have at least one (1) floor-or wall-type electric convenience outlet for each sixty (60) square feet or fraction thereof of floor area, and in no case less than two (2) such outlets.

(3) Every water closet compartment, bathroom, laundry room, furnace room and public hall shall contain at least one (1) supplied ceiling- or wall-type electric light fixture.

(4) In kitchens, three (3) separate and remote wall-type electric convenience outlets or two (2) such convenience outlets and one (1) ceiling- or wall-type electric light fixture shall be provided.

(e) **HEATERS.** Every dwelling or dwelling unit shall be supplied with heating facilities which are properly installed, are maintained in a safe and good working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments located therein to a temperature of at least seventy (70) degrees Fahrenheit at a distance of three (3) feet above floor level, when the outdoor temperature is zero (0) degrees Fahrenheit. Either central- or space-heating facilities may be used, but must meet the following requirements:

(1) Every central heating unit and/or central hot water heating unit shall:

(a) Have every heat duct, steam pipe and/or hot water pipe free of leaks and functioning properly to provide an adequate amount of heat and/or hot water to the intended place of delivery;

(b) Be provided with seals between sections of hot air furnaces to prevent the escape of noxious gases into heat ducts;

(c) If employing electricity, be connected to an electric circuit of adequate capacity in an approved manner; and

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(d) Be provided with automatic or safety devices and be installed and operated in the manner required by the statutes, ordinances and regulations of the state and the city.

(2) Every space heating unit and/or unit hot water facility shall:

(a) Not use gasoline as fuel;

(b) Not be of the portable type if using solid, liquid or gaseous fuel;

(c) If employing a flame, be connected to a flue or vent in the manner required by the statutes, ordinances and regulations of the city and the state;

(d) If employing solid or liquid fuels, have a fire-resistant panel beneath it;

(e) Be located at least two (2) feet away from any wall or be equipped in an approved manner, with insulation sufficient to prevent the overheating of any wall;

(f) If employing gaseous fuel, be equipped with other than rubber tube or armored rubber tube connector;

(g) If employing electricity, be connected to an electric circuit of adequate capacity in an approved manner;

(h) Be installed and operated in the manner required by the statutes, ordinances and regulations of the state and the city.

(f) **HALLWAYS AND STAIRWAYS.** Every common hallway and stairway in every multiple dwelling shall be adequately lighted with lighting facilities sufficient to provide a light intensity of at least one (1) lumen at the floor or stair tread level at all times. Every common hallway and stairway in structures devoted solely to dwelling occupancy and containing not more than four (4) dwelling units may be supplied with conveniently located switches controlling an adequate lighting system which may be turned on when needed, instead of full-time lighting.

(g) **SCREENING.** During that portion of each year when the building inspector deems it necessary for protection against mosquitoes, flies and other insects, every door opening directly from a dwelling unit to outdoor space shall have supplied screens and a self-closing device; and every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall likewise be supplied with screens; provided that such screens shall not be required during such period in rooms deemed by the building inspector to be located high enough in the upper stories of buildings as to be free from such insects, and in rooms located in areas of the city which are deemed by the building inspector to have so few insects as to render screens unnecessary.

(h) **SCREENING OF BASEMENT OR CELLAR WINDOWS.** Every basement or cellar window used or interested to be used for ventilation, and every other opening to a basement which might provide entry for rodents or other pests, shall be supplied with a screen or such other device as will effectively prevent their entrance. (Ord. No. 72-9-G, s 15.0109(1)-(8), 7-6-72; Ord. No. 73-4-G, s 15.0109(1)-(8), 3-19-73)

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Section 10-55 General Requirements Relating to the Safe, and Sanitary Maintenance of Parts of Dwellings and Dwelling Units.

(a) FOUNDATIONS, WALLS, ETC. Every foundation, floor, wall, ceiling and roof shall be reasonably weathertight, watertight and rodentproof, shall be capable of affording privacy and shall be kept in good repair.

(b) WINDOWS, DOORS, ETC. Every window, exterior door and basement hatchway shall be reasonably weathertight, watertight and rodentproof, and shall be kept in sound working condition and good repair.

(c) GENERAL MAINTENANCE REQUIREMENTS. Every dwelling unit, auxiliary building and every appurtenance to said dwelling unit or auxiliary building shall be maintained and kept in sound condition and good repair.

(d) PLUMBING FIXTURES AND PIPES. Every plumbing fixture and water and waste pipe shall be properly installed and maintained in a good sanitary working condition, free from defects, leaks and obstructions.

(e) BATHROOM FLOORS. Every water closet compartment, floor surface and bathroom floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

(f) DRAINAGE OF RAINWATER. All rainwater shall be so drained and conveyed from every roof so as not to cause dampness in the walls, ceilings or floors of any habitable room, bathroom or water closet compartment.

(g) EQUIPMENT TO BE MAINTAINED. Every supplied facility, piece of equipment or utility which is required under this chapter shall be so constructed or installed that it will function safely and effectively, and shall be maintained in a satisfactory working condition.

(h) SERVICES NOT TO BE CUT OFF. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this chapter to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies when discontinuance of service is approved by the building inspector.

(i) LETTING, UNCLEAN, UNSANITARY PLACES PROHIBITED. No owner shall occupy or let to any other occupant, any vacant dwelling unit unless it is clean, sanitary and fit for human occupancy. (Ord. No. 72-9-G, s 15.0110(1)-(9), 7-6-72; Ord. No. 73-4-G, s 15.0110(1)-(9), 3 -19-73)

Section 10-56 Minimum Space, Use and Location Requirements.

(a) FLOOR SPACE IN SLEEPING AREAS. Every room occupied for sleeping purposes shall contain the following usable floor space:

First occupant, 70 square feet

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Each additional occupant over age 12, 40 square feet

Each additional occupant under age 12, 20 square feet

Maximum occupancy is 4 persons, depending on room size.

(b) **CEILING HEIGHT.** The ceiling height in any room shall not be less than seven and one-half (7 1/2) feet.

(c) **USE OF CELLAR SPACE.** No cellar space shall be used as a habitable room or dwelling unit.

(d) **REQUIREMENTS FOR USE OF BASEMENT SPACE FOR DWELLING.** No basement space shall be used as a habitable room or dwelling unit unless, in addition to the other provisions of this chapter:

(1) The floor and walls are impervious to leakage of underground surface runoff water and insulated against dampness; and

(2) The minimum aggregate glass area of windows as required under section 1-54 is located entirely above the grade of the ground adjoining such window area.

(e) **FLOOR SPACE.** Every dwelling unit shall contain at least one hundred fifty (150) square feet of floor area for the first occupant thereof and at least one hundred (100) additional square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of the total habitable room area. (Ord. No. 72-9-G, s 15.0111(1)-(5), 7-6-72; Ord. No. 73-4-G, s 15.0111(1)-(5), 3-19-73)

Section 10-57 Responsibilities of Owners and Occupants.

The following responsibilities of owners and occupants are in addition to those specified elsewhere throughout this chapter:

A violation of this section is a civil violation enforceable in the Traffic and Municipal Ordinance Bureau.

(1) Every owner of a dwelling containing two (2) or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or common area of the dwelling and premises thereof.

(2) Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit and premises thereof which he occupies and controls.

(3) Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish in a clean and sanitary manner by placing it in the rubbish containers required by section 10-53(c).

(4) Every occupant of a dwelling or dwelling unit shall dispose of all his garbage, and any other organic waste which might be food for rodents, in a clean and sanitary manner, by placing it in the

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garbage disposal facilities or garbage containers required by section 10-53.

(5) Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one (1) dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only dwelling unit within the dwelling that is infested. However, the foregoing provisions which require the owner to maintain a dwelling in a rodent-free or reasonably insect proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two (2) or more of the dwelling units in any dwelling, or in the shared or common parts of any dwelling containing two (2) or more units extermination thereof shall be the responsibility of the owner.

(6) Every occupant of a dwelling unit shall keep all plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

(7) Every owner of a rental dwelling or a dwelling containing two (2) or more dwelling units shall be ultimately responsible for the removal or disposal of accumulated rubbish, garbage or organic wastes left or accumulated on the premises after reasonable notice to the owner that the condition exists by the building inspector. In the event of an owner's failure to comply with the order of the building inspector, to remove or dispose of accumulated rubbish, garbage or organic wastes, the city may abate or remove the accumulation and charge the costs of said removal to the owner of the premises. Nothing in this section is to prohibit tenants from making their own arrangements to provide rubbish and garbage removal nor to prohibit the landlord from charging tenants for the removal of such materials if that arrangement is made between the parties. (Ord. No. 72-9-G, s 15.0112(1)-(7), 7-6-72; Ord. No. 73-4-G, s 15.0112(1)-(7), 3-19-73; Ord. No. 74-8-G, 12-2-74)

A violation of this ordinance shall be a civil matter enforced in accordance with the provisions of 24 V.S.A. §

1974A and § 1977 et seq. A civil penalty of seventy-five dollars (\$75.00) may be imposed for the initial violation of this civil ordinance. The penalty for a second offense within a six month shall be one hundred twenty-five dollars (\$125.00). The penalty for an subsequent offense within a six month period shall be three hundred dollars (\$300.00). the waiver fee shall be set at fifty dollars (\$50.00) for the first offense, one hundred dollars (\$100.00) for a second offense within a six month period, and two hundred fifty dollars (\$250.00) fro all subsequent offenses within a six month period. Each day that the violation continues shall constitute a separate violation of this ordinance.

(061598, Amended, 06/15/1998)

Section 10-58 Authority to Raze Building/Structure.

Any building left in an extended state of gross disrepair and abandonment (more than ninety days) shall be torn down by the City at a cost to the owner. In the event of a fire or other natural catastrophe, this ordinance may be waived for a period of up to one hundred eighty days.

(4/07/1997, Added, 04/07/1997)

Section 10-59 Secs. 10-59--10-68. Reserved.

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Section 10-68A ARTICLE IV. ROOMING HOUSES

Section 10-69 Conformance to Standards Required; Exceptions.

No person shall operate a rooming house, or shall occupy or let to another for occupancy any rooming unit in any rooming house, except in compliance with the provisions of every section of this chapter except the provisions of sections 10-53 and 10-57. (Ord. No. 72-9-G, s 15.0113, 7-6-72; Ord. No. 73-4-G, s 15.0112, 3-19-73)

Section 10-70 Article Applicable to Hotels and Motels.

Every provision of this article which applies to rooming houses shall also apply to hotels and motels, except as provided in section 10-77 and except to the extent that any such provision may be found in conflict with the laws of the state or with the lawful regulations of any state board or agency. (Ord. No. 72-9-G, s 15.0113(6), 7-6-72; Ord. No. 73-4-G, s 15.0113(6), 3-19-73)

Section 10-71 Rooming House Rental License Required.

(a) Every person having a rooming unit or operating a rooming house shall obtain a license for the operation of the same from the building inspector.

(b) The license shall be in a form prescribed by the building inspector and shall be issued only upon inspection by the building inspector and his satisfaction that the requirements of this chapter have been complied with.

(c) The license prescribed by this section shall first become necessary one (1) year after adoption of this chapter.*

(d) Upon failure to comply with the terms of this chapter, the building inspector is authorized to commence condemnation proceedings as provided by the condemnation regulations of the city. (Ord. No. 72-9-G, s 15.0114(1)-(3), 7-6-72; Ord. No. 73-4-G, s 15.0114(1)-(3), 3-19-73)

Section 10-72 Bathroom Facilities.

(a) At least one (1) flush water closet, lavatory basin, bathtub or shower, properly connected to a sewer system approved by the building inspector and in a good working condition, shall be supplied for each five (5) persons or fraction thereof residing within a rooming house, including members of the operator's family whenever they share the use of said facilities; provided that in a rooming house where rooms are let only to males, flush urinals may be substituted for not more than one-half (1/2) the required number of water closets.

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(b) All such facilities shall be located within the dwellings as to be reasonably accessible from a common hall or passageway to all persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times in accordance with the provisions of section 10-53(d). Such required facilities shall not be located in a cellar and shall not be more than one (1) story removed from any of the persons sharing such facilities. (Ord. No. 72-9-G, s 15.0113(1), 7-6-72; Ord. No. 73-4-G, s 15.0113(1), 3-19-73)

*Editor's Note--This chapter was adopted July 6, 1972.

Section 10-73 Supplies, Bed Linens and Towels to be Changed Regularly.

The operator of every rooming house shall change supplies, bed linens and towels therein at least once a week, and prior to the letting of any room to any occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner. (Ord. No. 72-9-G, s 15.0114(2), 7-6-72; Ord. No. 73-4-G, s 15.0114(2), 3-19-73)

Section 10-74 Minimum Floor Area for Sleeping Rooms.

Every room occupied for sleeping purposes by one (1) person shall contain at least seventy (70) square feet of usable floor area and every room occupied for sleeping purposes by more than one (1) person shall contain at least fifty (50) square feet of usable floor area for each additional occupant thereof. (Ord. No. 72-9-G, s 15.0114(3), 7-6-72; Ord. No. 73-4-G, s 15.0114(3), 3-19-73)

Section 10-75 Means of Egress to be Provided.

Every rooming unit shall have safe, unobstructed means of egress leading to safe and open space at ground level, as required by the statutes, ordinances and regulations of the state and the city. (Ord. No. 72-9-G, s 15.0114(4), 7-6-72; Ord. No. 73-4-G, s 15.0114(4), 3-19-73)

Section 10-76 Responsibility for Sanitary Maintenance.

The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings and for maintenance of a sanitary condition in every other part of the rooming house; and he shall be further responsible for the sanitary maintenance of the entire premises where the structure or building is leased or occupied by the operator. (Ord. No. 72-9-G, s 15.0114(5), 7-6-72; Ord. No. 73-4-G, s 15.0114(5), 3-19-73)

Section 10-77 Preparation of Meals Restricted.

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(a) No meals may be prepared or eaten in a rooming house, other than in a dwelling unit contained therein, unless such meals are prepared and eaten in communal kitchens and dining rooms conforming to the standards of section 10-78 and except that this section shall not apply to the eating of meals in establishments which are operating a valid restaurant business and which have the rooming house and restaurant operations integrated as a single business enterprise.

(b) The operator of any rooming house shall post in every rooming unit a sign on which shall be written or printed in letters not less than three-eighths ($\frac{3}{8}$) of one (1) inch in height the following words: "No cooking permitted in this room," and such sign shall remain so posted at all times the room is occupied. (Ord. No. 72-9-G, s 15.0113(7), (10), 7-6-72; Ord. No. 73-4-G, s 15.0113(7), (10), 3-19-73)

Section 10-78 Standards for Communal Kitchens.

(a) A communal kitchen shall comply with the following standards:

(1) It shall contain at least sixty (60) square feet of floor area in every case and at least one hundred (100) square feet if meals are both prepared and eaten therein;

(2) If occupants are permitted to eat meals therein, it shall be supplied with one (1) dining chair and two (2) lineal feet of dining table space, in addition to the surface area for food preparation required under paragraph (6), for each occupant of the rooming house permitted to eat in the kitchen, the surface of each dining table to be smooth and easily cleanable;

(3) It shall contain at least one (1) supplied kitchen sink of an approved type which shall be supplied with hot water at all times in accordance with the provisions of section 10-53(d);

(4) It shall contain at least one (1) supplied kitchen gas stove or electric stove, every such stove to have at least two (2) top burners and an over;

(5) It shall contain one (1) supplied electric or gas refrigerator with an adequate food storage capacity;

(6) It shall contain one (1) or more supplied tables or other facilities have a total surface area for food preparation of not less than six (6) square feet, the surface of each table or other facility to be suitable for the preparation of food, smooth and easily cleanable;

(7) It shall contain at least one (1) supplied cabinet of adequate size for and suitable for storage of food and eating and cooking utensils;

(8) It shall be supplied by the operator with the rubbish storage facilities and the garbage disposal or storage facilities specified by section 10-53(c); and

(9) It shall be located within a room accessible to the occupant of each rooming unit sharing the use of such kitchen without going outside of the dwelling and without going through a dwelling unit or rooming unit of another occupant.

Amended: 5/2/2011

Effective: 6/2/2011

Winooski

(b) Where a communal kitchen does not conform to the provisions of subsection (a) relating to the eating of meals therein, meals shall be eaten in a communal dining room that complies with the following standards:

- (1) It shall contain at least seventy (70) square feet of floor area;
- (2) It shall be supplied with one (1) dining chair and two (2) lineal feet of dining table space for each occupant of the rooming house permitted to eat in the dining room, the surface of each dining table to be smooth and easily cleanable;
- (3) It shall be located on the same floor of the rooming house as the communal kitchen in which the meals are prepared and shall be as nearly adjacent to the communal kitchen as is practicable; and
- (4) It shall be located within a room accessible to the occupant of each rooming unit sharing such dining room without going outside of the dwelling and without going through a dwelling unit or rooming unit of another occupant. (Ord. No. 72-9-G, s 15.0113(8), (9), 7-6-72; Ord. No. 73-4-G, s 15.0113(8), (9), 3-19-73)

Amended: 5/2/2011
Effective: 6/2/2011

REGISTRATION FORM

Property Use Declaration

July 1, 2015 thru June 30, 2016

Annual Landlord Registry Program for Public Safety, Fire Protection and Health authorized under the Winooski Municipal Codes, Chapter 10 Housing for Minimum Housing Standards. The City of Winooski Code Enforcement Officer, the Health Officer, and Building Officials are responsible for ensuring that all public Buildings in the City of Winooski are maintained at established and adopted standards to protect the health, fire safety, and welfare of the occupants and owners.

<p>«PropertyCode»</p> <p>«Owner» «Address» «Town» «State_» «Zip»</p>	<p>Check mailing label If incorrect make Change of Address request below</p> <p>← Do not use Post Office Box #</p>	
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LANDLORD INFORMATION

Check off appropriate boxes

- | | |
|--|---|
| <input type="checkbox"/> Owner Occupied-Single Family renting room | <input type="checkbox"/> Rental of Single-Family Home |
| <input type="checkbox"/> Owner Occupied with Accessory Dwelling Unit | <input type="checkbox"/> Rental of Duplex <input type="checkbox"/> + business |
| <input type="checkbox"/> Owner Occupied Duplex | <input type="checkbox"/> Multi-Family (3 units + / commercial) |
| <input type="checkbox"/> Owner Occupied Condo | <input type="checkbox"/> Owner Occupied Multi-Family |
| <input type="checkbox"/> Owner Occupied Daycare | <input type="checkbox"/> Claim as owner occupied Homestead |
| <input type="checkbox"/> Rent Condo | <input type="checkbox"/> Day Care Facility |

Owner Contact Name _____ Phone _____

Owner E-mail Address _____

Emergency Contact Name _____ Phone _____

Emergency Contact E-mail Address _____

Number of dwelling units _____ x \$100.00 = total due _____

Number of bedrooms per building _____

Complete above, sign & return form to: **Winooski Code Enforcement Office**
27 West Allen Street
Winooski, Vermont 05404

New Address _____ Town _____ ZIP _____

Phone _____ E-Mail Change _____

Sign _____ Date _____

OFFICE USE ONLY

Lot # _____ Registration Fee _____ Cash Check # _____ Date _____

Lead Paint Certificate Quadrant 1 Quadrant 2 Quadrant 3 # LRP-I-MHS-FP-2015

2015 LRP Registration

Registration Required: All property owners are required by law to make an annual declaration of use of their properties in order to determine that the existing use has not been abandoned or changed; that the structure is either owner occupied or not is consistent with Code Classification.

Fill out the rental registration application for the Minimum Housing Standards Program and provide all the property information requested on this form (reverse side) for each building and dwelling unit located within the building that is used for any rental purposes. Winooski City Ordinances requires:

- A. **Compliance:** Any property with a residential dwelling unit (i.e. rent or any other compensation & services to owner) including condos and the renting of rooms is subject to the Winooski Minimum Housing Standards Program. If you claim this property as your legal Homestead and rent any part of same building you must fill-out this form and return for Code Classification. All other non-owner occupied buildings you own in Winooski are deemed commercial and have to be declared on this form.
- B. **Requirements:** The property owner of a rental property is required to:
1. File the Registration Application to retain existing use by **August 15, 2015**;
 2. Pay a fee to the City of Winooski for a sum of **\$100.00 for each rental dwelling unit located in each building**. This sum is due to the City of Winooski at the time of application. **Please submit this form with payment.**
- C. **Exemptions:**
1. Owner occupied dwelling units within that structure may be exempt from paying a fee for the dwelling unit they occupy during the inspection year; common areas within owner occupied unit are subject to inspection in the inspection year.
 2. Protection of use on existing structures having separate dwelling units not being rented shall file an annual registration declaration of intent to protect grandfathered use. Fees may be at a lower rate and exempted from inspection until occupancy is required or at Time of Sale.

Note: All buildings that are nonprofit organizations shall provide an inspection report, which has been performed by a Certified Fire Inspector 1 or equivalent to the Winooski Code Enforcement Department for approval. The issuance of a "Certificate of Fitness" for these structures and such documents shall be recorded in the City Land Records upon approval by the Winooski Code Enforcement Officer. Fees are required for all Public Buildings.

- D. **Penalties:** A rental unit for which a required registration fee and a FULLY COMPLETED application is not submitted shall be in violation of the Winooski Minimum Housing Standard Codes and be subject to a fine of up to \$800.00 per violation and civil action. In addition, late penalty fees and interest on the unpaid balance shall be assessed monthly after the **August 15, 2015** deadline. Municipal Code Violations under this chapter shall be recorded in the City Land Records and will constitute a lien on the property upon which the rental unit is situated.

We understand that the information attached may be new to you. Please feel free to contact Erika Bailey ext. 27 or John Audy Jr. ext. 17, with any questions or concerns regarding the program, its form, or requirements. Your cooperation is appreciated in helping to make Winooski a safer place to live!

**Complete the Reverse Side
Please return this form with payment**



CODE ENFORCEMENT OFFICE

27 West Allen Street
Winooski Vermont 05404
(802)655-6410

Minimum Housing Complaint Form

Please use this form to record and report code violations or concerns you observe. Mail or return this form in person at the address listed above. Please include your name, address, daytime contact phone number. You may also include an email address. Please note: all complaint information is kept confidential by our office. We appreciate the effort you have put forth to maintain quality housing in the City of Winooski.

Property Location: _____

Date and Time: _____

Exterior Property

- Trash, garbage, furniture or accumulation in the yard
- Trash, garbage, furniture or accumulation on the greenbelt or sidewalk
- Overgrown weeds or vegetation encroaching on the right of way
- Parking on grass or in the greenbelt
- Unregistered, inoperable or dismantled vehicles
- Sign or other obstruction placed in greenbelt or right of way
- Dumpster location, maintenance
- Dilapidated fences, garages or outbuildings
- Other: _____

Exterior Building

- Defective stairs, porches, or roof
- Broken or otherwise defective windows or doors
- Excessive peeling paint or other dilapidated surfaces
- Furniture constructed for indoor use or other accumulations on porch or stairs
- Other: _____

Interior Building

- Defects to electrical, heating or plumbing systems
- Stairs, handrails, or other egress defects
- Smoke or CO detectors inoperative or missing
- Over-crowding, illegal living space in cellar or attic
- Problems with means of egress
- Excessive accumulations or storage
- Other unsafe or unsanitary conditions: _____

Comments:

Name: _____

Address: _____

Phone /email: _____

Signature: _____



Patrick Scheidel
Municipal Manager
PatS@essexjunction.org

2 Lincoln Street
Essex Junction, VT 05452
www.essexjunction.org

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

MEMORANDUM

TO: Village Trustees
FROM: Pat Scheidel, Municipal Manager *PS*
DATE: June 22, 2016
SUBJECT: Reappointments

Issue

The issue is whether or not the Trustees reappoint citizens to the Planning Commission, Zoning Board of Adjustment and Bike/Walk Advisory Committee.

Discussion

See attached emails from current members indicating they would like to be reappointed. The list of expiring terms is also attached.

Cost

There is no cost associated with this issue.

Recommendation

It is recommended that the Trustees make the following appointments:

Bruce Murdough – Zoning Board of Adjustment through 6/30/19
Martin Hughes – Zoning Board of Adjustment through 6/30/19
Diane Clemens – Planning Commission through 6/30/19
Richard Hamlin – Bike/Walk Advisory Committee through 6/30/19
Raj Chawla – Bike/Walk Advisory Committee through 6/30/19

RECEIVED

JUN 09 2016

Village of Essex Junction

09June2016

Pat Scheidel
Municipal Manager
2 Lincoln Street
Essex Junction, Vt 05452

Dear Pat:

This letter is to inform the Village Trustees that I would be willing to serve another term on the Zoning Board of Adjustment. I have enjoyed being on the board the last 3 years.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce L. Murdough", with a stylized flourish at the end.

Bruce L. Murdough

15 Williams Street
Essex Junction, VT 05452
June 20, 2016

RECEIVED
JUN 20 2016
Village of Essex Junction

Trustees
Village of Essex Junction
2 Lincoln Street
Essex Junction, VT 05452

To the Trustees:

I am interested in continuing on the Planning Commission. Please consider me for reappointment.

As I write this, the Land Development Code is going through some fine tuning after our last hearing before reaching you. I believe the Participation Guide addition will help the readers/citizens/developers understand the planning and development process in the Village. Likewise the enlargement for the Village Center District.

I am encouraged by the presentations from the various code enforcement officials your board has had over the last few months. It is a topic we have discussed with more rental units being built in the Village and as residents are becoming concerned enough to talk about it.

Planning for the Village and Town may look different after the Governance discussions, but the function will still be there. How we set up our structure is important to fulfill the goals we have for our community. I look forward to being part of the process.

Sincerely,

Diane Clemens

21 Warner Avenue
Essex Junction, VT 05452
802-872-9146

RECEIVED

JUN 15 2016

Village of Essex Junction

Mr. Pat Scheidel
Village Manager
Village of Essex Junction

June 15, 2016

Dear Mr. Scheidel,

I'm writing to express my interest in continuing on the Bike / Walk Advisory Committee for a three-year term. Please let me know if you need any further information.

Sincerely,

Raj Chawla

Richard F. Hamlin, P.E.
6 Mansfield Avenue
Essex Junction, VT 05452

RECEIVED

JUN 09 2016

Village of Essex Junction

June 9, 2016

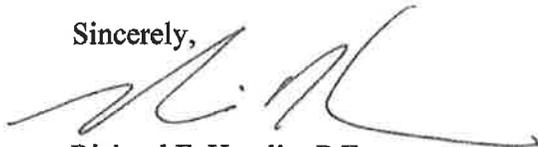
Mr. Patrick C. Scheidel
Village Manager
2 Lincoln Street
Essex Junction, VT 05452

Re: Bike-Walk Advisory Committee, Letter of Interest

Dear Mr. Scheidel:

Please accept this letter as confirmation that I am interested in continuing as a member of the Village Bike-Walk Advisory Committee and would welcome an appointment for another three year term.

Sincerely,



Richard F. Hamlin, P.E.

Martin J. Hughes

43 Juniper Ridge Road
Essex Junction, Vermont 05452

Home: (802) 878-1736
Cell: (802) 233-7682
eMail: mjhughes911@yahoo.com

RECEIVED

JUN 20 2016

Village of Essex Junction

June 19, 2016

Pat Scheidel, Municipal Manager
c/o Patty Benoit
Village of Essex Junction
2 Lincoln Street
Essex Junction, VT 05452

Re: Village of Essex Junction – Zoning Board of Adjustment – Letter of Interest

Dear Mr Scheidel,

Per the recent letter I received from Susan McNamara-Hill, I continue to be interested in being a part of shaping our community and in learning more about how that process takes place; I'd therefore like to declare my interest in renewing my appointment on the Essex Junction Zoning Board of Adjustment when my current term expires on June 30.

I look forward to hearing from you.

Sincerely,

Martin J Hughes



Volunteer Opportunities

The Village of Essex Junction is seeking citizens interested in serving on the following boards and committees:

Planning Commission

Two three-year terms through June 2019

Zoning Board of Adjustment

Two three-year terms through June 2019

Bike/Walk Advisory Committee

Three three-year terms through June 2019

Capital Program Review Committee

One three-year term through August 2019

Tree Advisory Committee

Two three-year terms through June 2019

A description of the individual committees and the duties associated with the position is available in the Municipal Manager's office.

Interested residents should send a letter to the Municipal Manager, 2 Lincoln Street, Essex Junction, VT 05452 or email admin@essexjunction.org. Questions regarding these positions may be directed to the Municipal Manager's office (878-6944).



2 Lincoln Street
Essex Junction, VT 05452
www.essexjunction.org

MEMORANDUM

TO: Village Trustees and Patrick Scheidel, Village Manager
FROM: Lauren Morrisseau, Finance Director/Assistant Manager *LM*
DATE: June 28, 2016
SUBJECT: FYE17 Utility Rates

Issue

The issue is whether the Trustees will set the FYE17 Utility Rates as presented below.

Discussion

In order to fund the FYE17 Water, WWTF, and Sanitation Fund budgets staff recommends the Village rates be set as follows:

Village User Water usage rate	\$0.0157 per cubic foot
Village User Quarterly Fixed Charge	\$22.66 per quarter
Village User Wastewater Treatment usage rate	\$0.0092 per cubic foot
Village User Wastewater Treatment Quarterly Fixed Charge	\$24.53 per quarter
Village User Sanitation usage rate	\$0.0054 per cubic foot
Village User Sanitation Quarterly Fixed Charge	\$22.97 per quarter
IBM Large Water User Rate	\$0.085/1000 gallons of water
Wastewater Treatment Wholesale rate	\$2.7306/1000 gallons of sewage

Cost

The cost to the Village resident using 120 gallons per day will decrease by .7% or \$3.25 per year. The large user rate is an increase of 6%. The Wastewater Treatment wholesale rate is increasing 3.85%.

Recommendation

It is recommended that the Trustees approve the FYE17 Utility rates as stated above.

MEMORANDUM OF AGREEMENT

The Village of Essex Junction ("Village") and the Essex Junction Incorporated School District ("District") have reached the following agreement to resolve pending litigation and provide a basis to assure the long-term success and excellence of recreation programs in Essex Junction. This Agreement amends the original Memorandum of Agreement executed by the parties on March 24, 2011 and has the following terms:

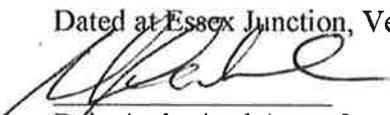
1. Pursuant to 31 V.S.A. §203, the Village delegates to the District the conduct of the recreation program in the Village of Essex Junction. This delegation does not affect or diminish any other powers the District has under law (including its charter) to operate its own recreation programs.
2. No later than June 1, 2011, the District and the Village shall enter a written lease agreement allowing the District to use Maple Street Park, Cascade Park and Stevens Park for recreation purposes during the term of this Agreement. The lease shall provide that the District shall defend, indemnify and hold the Village harmless from all claims, suits, actions, damages and expenses in connection with loss of life, bodily or personal injury or property damage arising from any occurrence which is the result of any negligence on the part of any Parks and Recreation employees or their agents. The Lease shall also provide that as long as the District is operating, maintaining, and administering Parks and Recreation, it shall maintain a combined single limit insurance policy of one million (\$1,000,000) dollars aggregate for general liability and property damage and name the Village of Essex Junction as an additional insured. Annually, the District shall provide a certificate from the insuring company indicating that such policy has been issued and is in force and that said insurance company agrees to notify the Village Manager at least ten (10) days prior to the date of termination of or change in said policy for the maintenance of insurance. There shall be no payment for use of the parks pursuant to the abovementioned lease. Provided, however, that beginning in Fiscal Year 2013, the District shall reimburse the Village for \$500 annual payment for land leased from IBM that is used for recreation. The Village and District will cooperate in the negotiation of any extension of the IBM lease.
3. At least once a year, the District and the Village shall hold a joint public meeting to address any issues of common interest. The District and the Village will work together to assure effective communication on all issues of common interest. The District and the Village shall discuss any issues related to any potential merger of the Town and the Village, or the District and other school districts. A meeting shall be held on the first Wednesday of March, or such other dates as would be established by agreement of the Village and the District.
4. The Recreation Advisory Council shall be changed as follows: A) There shall be two new voting members added immediately; one must be a member of the Prudential Committee, and the other must be a member of the Village's Board. B) The terms of the six adult members shall be filled by members of the public and staggered, so two expire in one year, two expire in two years, and two expire in three years. Upon expiration of these terms, their successors shall each have three year terms. The Village and the District shall each appoint one member in years one, two and three, none of whom shall be members of the Parties' respective governing boards. There shall also be a youth

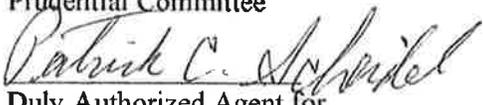
- member, appointed by the District, who shall serve a one-year term. C) The Recreation Advisory Council shall communicate directly to the Village Board and the Prudential Committee on issues of interest to the Board and the Prudential Committee through their ex officio members and in advance of the annual meeting discussed in paragraph three.
5. This Agreement will commence on July 1, 2011, and shall have an initial term of three years (ending on June 30, 2014). The initial term will be extended for an additional one year on each July 1 thereafter, unless prior to that date, a party has provided a written notice of renegotiation. Upon delivery of such notice, the contract will stay in force for its remaining two years, and shall expire if there is no written agreement on its renegotiation. The intent of this provision is to provide the stability of a rolling three-year agreement, but also provide the parties with a two-year window to renegotiate before the expiration of an agreement. This Agreement may not be assigned by either party without the written consent of the other.
6. By March 31, 2011, the Parties shall file a stipulation of dismissal of the pending lawsuit and counterclaim with prejudice. Each side shall bear its own costs and attorney's fees.
7. This Agreement is the successor to written Agreements between the Village and District that were dated February 12, 2001 (and later extended through June 30, 2010) and March 15, 2010, which extended to June 30, 2011.
8. Agreed Upon Public Statement.

The Village of Essex Junction Board of Trustees and the Essex Junction Prudential Committee are pleased to announce that they have reached an agreement to settle their lawsuit. The agreement dismisses the pending lawsuit and describes how the Board and Prudential Committee will work together in the future to address their shared interest in continuing the successful recreation program.

The agreement has an initial term of three years with annual one-year extensions. If the Board and the Prudential Committee want to renegotiate terms in the future, there will be at least two years for negotiations before the agreement expires. The Agreement provides for at least one meeting a year between the Board and the Prudential Committee. It also ensures active participation by both the Board and the Prudential Committee in the Recreation Advisory Council. As part of the agreement, the Board and Prudential Committee have also agreed to sign a lease for the Maple Street, Cascade and Stevens parks.

Dated at Essex Junction, Vermont, this 9th day of Dec, 2013.


Duly Authorized Agent for
Prudential Committee


Duly Authorized Agent for
Village of Essex Junction

MEMORANDUM

To: Village Trustees
From: Patrick C. Scheidel, Municipal Manager
Date: June 23, 2016
Re: Recreation Governance Study Committee

Issue

The issue is whether or not the Selectboard and Trustees will concur with the recommendation of the Recreation Governance Study Committee.

Discussion

In the wake of the vote for a unified school district, a discussion commenced focusing upon recreation governance. The Essex Junction Trustees, Essex Junction Prudential Committee, and Essex Town Selectboard attended a joint board meeting on June 22, 2016 at which the members of the Recreation Governance Study Committee reviewed their work and recommended that the three boards approve the creation of a union municipal district.

Cost

There is no cost associated with this issue.

Recommendation

If the boards are in agreement with the recommendation of the Recreation Governance Study Committee, the following motion is recommended:

I move the Trustees support the creation of a union municipal district between the Village of Essex Junction and Town of Essex to promote plans for more efficient and economical operation of local government services – specifically related to establishing, maintaining, and conducting a system of public recreation.



Community Development Department

2 Lincoln Street
Essex Junction, VT 05452
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 *RJP*
DATE: June 28, 2016
SUBJECT: Pilot Study – Closure of Park Terrace

Issue

The issue is whether or not the Trustees wish to close a portion of Park Terrace to eliminate the constant wrong turns from School Street to access Park Street.

Discussion

A meeting was held on site due to the number of complaints from residents about vehicles travelling the wrong way down Park Terrace and the subsequent reduction in safety and deterioration of the drive lane. Vehicles accessing and going the wrong way down Park Terrace from School Street do so in order to bypass the five corners intersection. It is a perennial issue.

Currently, Park Terrace is two-way from Park Street to just past the south western corner of the 4 Pearl Street property. From that point on, it is one-way to School Street. On numerous occasions neighbors have contacted the Village offices about traffic turning onto Park Terrace from School Street and driving the wrong way down the street. Proposed and possible changes at the five corners intersection may alleviate backups and wait times at the Five Corners lights and thus reduce drivers desire to find alternate routes through residential neighborhoods to avoid the five corners. In the interim a solution to the illegal turns would be beneficial to all concerned. Recently Officer Hall of the Essex Police contacted the Community Development Office about this illegal activity. Subsequent to this contact Chief LaRose, Rick Jones, Chuck Barry and I met on site to discuss possible solutions to this activity.

It was confirmed that it would be difficult to have staff at the intersection of Park Terrace and School Street on a daily basis to prevent the illegal turns. Once that point was reached the concept of a physical barrier was explored with several locations considered; at the intersection of School Street and Park Terrace, and the point that Park Terrace becomes a one way street going west to School Street. The group decided to propose to the Trustees a pilot closure of the street using a physical barrier that would prevent vehicles, but not pedestrians or bicycles, from accessing Park Terrace from School Street. This would reduce traffic dramatically on Park Terrace. The fire department was concerned that we ensure access for firefighting purposes was not impeded by any proposed solution by the use of removal bollards or some other fire department approved devices. This pilot study would also necessitate the Trustees suspending the Motor Vehicle ordinance regarding Park Terrace (one-way traffic), and Dave Barra should be consulted on this point.

It is suggested that the pilot closure be in place for at least four months and that the intersection of School Street and Park Terrace on the east side of School Street be the closure point for the pilot study. Signs would be needed at the Park Terrace and Park Street intersection, to alert drivers of the change in road configuration. The closure would also involve making Park Terrace east of the closure two-way so residents can access and leave Park Terrace via Park Street. This would not have an impact on residents on School Street who wish to access Park Terrace because it is currently an illegal turn.

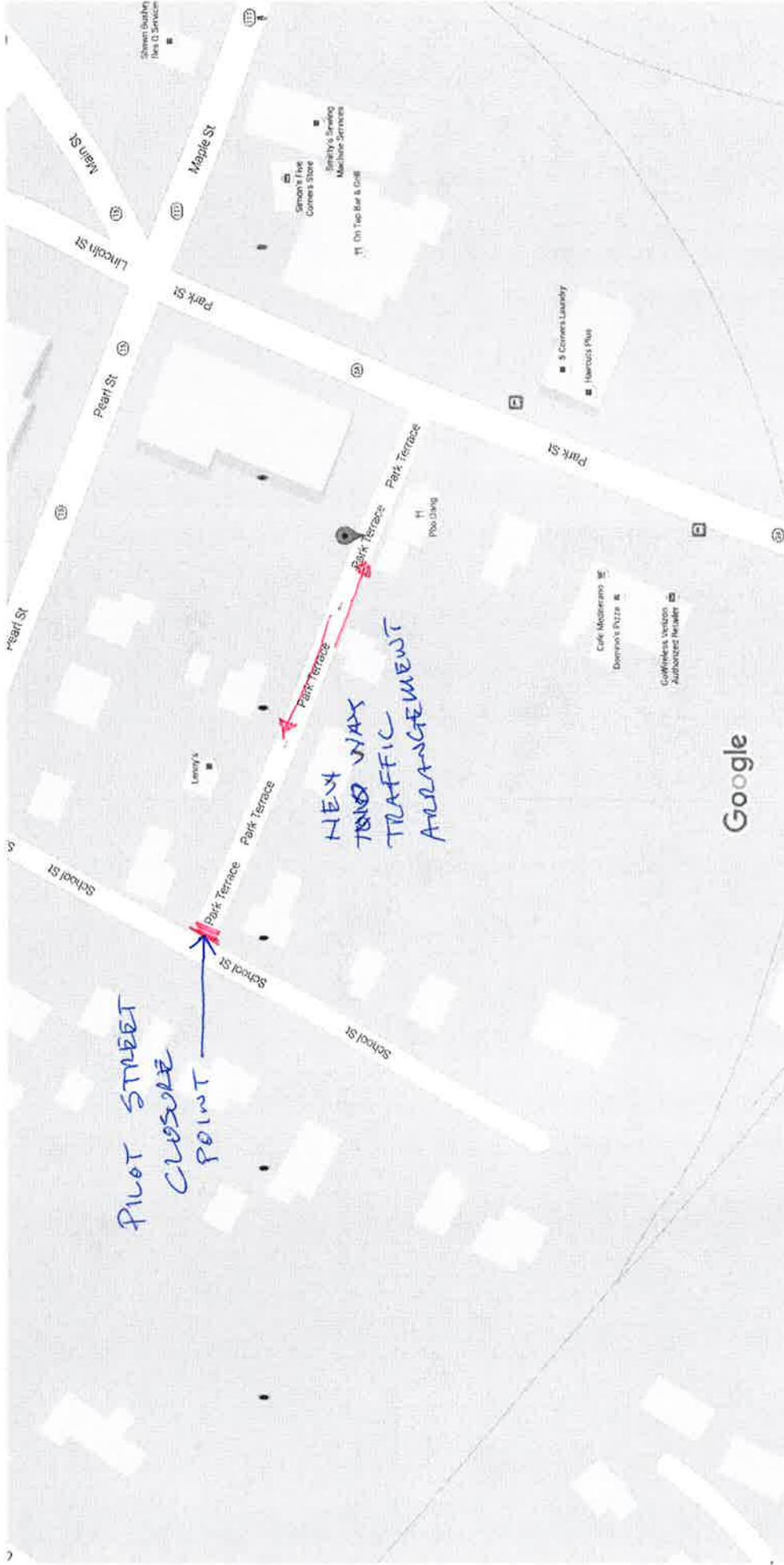
Cost

The cost would be minimal assuming that Public Works can provide the materials for closing the street during the pilot study period.

Recommendation

It is recommended by staff that the Trustees approve the pilot closure of Park Terrace for a minimum of four months, with the addition of a new two-way section for the entire length of Park Terrace to the closure point at the intersection of Park Terrace and School Street. And authorize the Municipal Manager to direct department heads to move forward with the closure of Park Terrace.

Google Maps Park Terrace



Map data ©2016 Google 50 ft

Park Terrace
Essex, VT 05452



TO: Village Trustees and Pat Scheidel, Municipal Manager
FROM: Reed Parker, Chair of the Essex Energy Committee
DATE: June 12th, 2016
RE: Conversion of Village Street Lights to LED Lighting

Issue

Shall the Trustees of the Village of Essex Junction approve a plan to convert existing sodium and mercury vapor (halide) streetlights to Light-Emitting Diode (LED) lights under a municipal street lighting program grant offered by Efficiency Vermont (EVT) and Green Mountain Power Corporation (GMP)?

Discussion

In June 2014, the Selectboard of the Town of Essex adopted a street light replacement proposal. As a result of that action, GMP has replaced older halide lights with newer LED bulbs. At the time of the proposal Municipal Manager Patrick Scheidel suggested that the Essex Energy Committee initiate a similar investigation for the Village of Essex Junction. Mr. Scheidel brought this topic to the Village Trustees who confirmed that the lighting replacement investigation should go forward.

Under the direction of Darby Mayville, members of the Energy Committee and volunteers from both inside and outside the Village undertook a field inventory of all streetlights in the Village in the spring of 2015. Using an inventory list and street light location map provided by GMP, this effort identified streetlights that would be potentially eligible for replacement. The field data was compared to information in the GMP database and differences noted. More fieldwork was undertaken to resolve discrepancies. In addition, lights were identified that were either inoperable, damaged, or were being charged to the Village but served private property. A final lighting assessment was received in the spring 2016 and is the basis for this report.

Cost

None.

Recommendation

It is recommended that the Village Trustees approve the plan to convert the Village's 417 existing high pressure sodium and mercury vapor street lights to LED lights under a program offered by EVT and GMP by authorizing the Municipal Manager to enter into an agreement with EVT and/or GMP to effect this change with a commencement of the conversion to LED lights to begin no later than summer 2016.

Additional Project Information

Scope:

This investigation found that 417 streetlights qualify for the EVT/GMP LED Light Conversion Program: (401) 100-watt mercury/sodium-vapor, (5) 175-watt sodium vapor lights, (9) 250-watt sodium vapor and (2) 250-watt sodium/mercury vapor. The lights included in the program are typically located on power poles or individual tall lamp poles and are commonly known as “cobra-head lights” because of their shape. (See pictures below.) In all, 61% of the 679 streetlights originally identified in the inventory are eligible for the LED Conversion Program.

¹ Cobra-head, Shoebox and Post-top light fixtures



It is important to note that the EVT/GMP conversion program only accounts for halide lights for which there is outstanding depreciation. The final assessment indicated that as many as 459 “cobra” halide lights exist within the Village. As the additional 42 lights do not appear to have outstanding depreciation, GMP should be responsible for upgrading them to LED bulbs at no cost to the Village or chargeable to the conversion grant.

The Village pays for the operation and maintenance of its streetlights through the lighting tariff approved by the Vermont Public Service Board (PSB). Included in this charge-per-light is a cost for depreciation. As most Village streetlights are fairly old, a significant amount has been paid over time toward their depreciation, leaving their individual un-depreciated values fairly low. Nevertheless, the total of undepreciated values for so many lights totals \$39,139.45.

This number is significant because GMP must be paid the undepreciated value of lights by the Village before it will convert or remove them. Fortunately, EVT incents towns like Essex Jct. to convert to LEDs by fully reimbursing the undepreciated costs to GMP.

Therefore, if the Village Trustees approves this proposal to convert 417 streetlights to LEDs, the Village can enter into an agreement with EVT, which will issue a grant to the Village to completely cover GMP’s undepreciated costs. A copy of this agreement is attached.

Out of scope items:

Lights not included in the proposal for the EVT/GMP LED program include:

1. Any streetlight for which it is not economically feasible to convert to an LED. These include lights on shorter poles, which commonly have a decorative look known, a “shoe-

box” lights or “post-top” lights (see pictures above)¹. Lights of this type contain a wiring structure, which is incompatible with LED fixtures. The cost to remove and replace the light, pole and wiring is prohibitive.

2. Village streetlights with higher-wattage ratings than the Mercury or Sodium lights in this proposal. Many of these include lights, which are attached to a building (eg: parking lot spotlights).
3. Lights on private property – These will be converted by GMP at their expense.
4. Streetlights owned and maintained by VTRANS. In these instances, the State owns the lights, which are fed with shared power going to the traffic signals.
5. Streetlights that are owned by the Village such as those along Route 15 near the fairgrounds.

Project Timing:

We propose that Phase 1 of the project commence during 2016 with the conversion of the 417 Sodium/Mercury streetlights. GMP personnel will be responsible for the switchover to LED fixtures and bulbs. Timing is critical, as other municipalities are developing similar proposals and vying for the same grant funding from EVT and resources to be allocated by GMP. If the Village hesitates, it may lose the opportunity to leverage the monies currently set aside by EVT toward our project.

In Phase 2, GMP should revisit the LED conversion issue, once the initial work has been completed, to verify that all the lights appropriate for conversion have been done.

In Phase 3, Village staff may look at lighting locations with higher-wattage fixtures for potential conversion as a follow-on project.

REASONS FOR CONVERTING TO LED STREETLIGHT

Reasons for moving from older Mercury/Sodium vapor lights to LEDs:

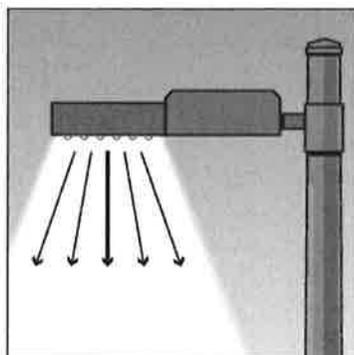
1. Cost Savings
2. Energy Savings
3. Environmental Concerns
4. Aesthetics

What LED lighting is and why it is the right solution for Village streetlights.

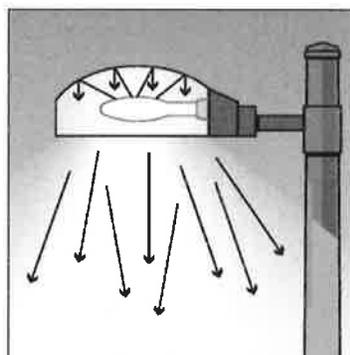
LED lighting technology offers a radical departure from traditional lighting systems. Exterior lighting has been historically provided by singular, high-output light sources. In contrast, LED lighting systems are based on clusters of individual LED lights grouped into modules, which operate as a unified system. Unlike other lighting technologies, LEDs are inherently directional, which improves efficiency by directing all of the light out from the fixture without having to rely on a reflector. In all other lighting technologies, a significant percentage of the light produced by the bulb is often trapped within the light fixture housing. LED light can be directed precisely where it is needed, thereby eliminating wasted light and its associated cost. When directional properties are accounted for, LEDs can provide a more even illumination pattern delivered to the

area being lighted with less overall light. An LED fixture with lower wattage and light output can effectively match the performance of a higher-wattage, single-lamp fixture using traditional technology. Typically, LED lighting can save between 50-80% of electricity use compared to existing equipment, depending on the specific application.

LED street lights provide more uniform illumination with less wasted light.



LED Street Light



Traditional Street Light

Cost Savings

As noted above, the undepreciated value of the current Sodium/Mercury light fixtures and bulbs, in the amount of \$39,139.45, will be offset by a grant from EVT. This is an immediate savings to the Village. Funding for the EVT grants is obtained through the monthly Energy Efficiency Charge, which all residents and businesses pay to their local utility company. As the residents of Essex Jct. have already contributed to this fund, the Town should recoup this cost/benefit via the EVT grant for the benefit of the community.

The tariff established by the PSB for the monthly cost of street lighting is significantly less for LED fixture/bulbs than for existing lighting. Based on current PSB tariffs and the number of bulbs to replace, EVT estimates an annual cost savings of \$2,359.00, which is equivalent to 2.37% annually based on the \$99,500 per year the Village currently pays for its top six lighting accounts. Additional savings not included in this figure are gained by less inspection and reporting by public works.

As an LED does not have filaments that quickly burn out, the light can last 100,000 hours, reducing the effective maintenance cost for the life of the bulb. While the LEDs are leased items from GMP and maintenance is not a direct cost to the Village, we should consider the value of a long-life LED bulb in terms of both the reduced tariff and the quality of service we provide to the residents by not having dimmed or burned out lights in the Village.

Energy Savings

This proposal calls for replacing 70-watt to 400-watt halide vapor lamps with 37-watt LED-20 lamps with the vast majority currently being 100-watt halide bulbs. To make this an even comparison, the lighting industry uses Lumens to compare the light output of the current bulbs to LEDs. In the table below the lumen-per-watt values are compared for high-pressure Sodium,

Mercury vapor and LED bulbs. Based on these assumptions of efficiency and light output (lumens), the energy savings for conversion to LED bulbs is on order of 50%-60% per fixture.

Street Light Technology	Percent Market Share ¹	Typical Source Efficacy (lumens per Watt)	Typical Luminaire Efficiency	Typical Net Efficacy ² (lumens per Watt)
High-pressure sodium	59%	70 – 150	45%	32 – 68
Low-pressure sodium	10%	68 – 177	25%	17 – 44
Mercury vapor	20%	34 – 58	30%	10 – 17
Metal halide	5%	61 – 85	35 – 40%	21 – 34
Compact fluorescent	2%	50 – 70	60%	30 – 42
Incandescent	4%	10 – 17	60%	6 – 10
Induction	0%	60 – 80	60 – 80%	36 – 64
HE ceramic MH	0%	95 – 120	60 – 80%	57 – 96
LED	0%	60 – 100	60 – 90%	36 – 90

Source: Clinton Climate Initiative, 2010

For this 417-bulb proposal, EVT has estimated the Village will utilize 176,900 kWh less electricity per year that the LED bulbs are in service.

Using the “Typical Luminaire Efficiency” factors above and street lighting lumen data from GMP², we find that the proposed 37-watt LED-20 lights calculated at 60% efficiency produce an effective Lumen per Watt value of on par with the sodium and mercury lamps. When comparing a higher efficiency rates, the LED-20 significantly outperforms the current mercury and sodium vapor lamps.

Environmental Conservation

In this proposal we have outlined the efficiency to be gained by converting to LED bulbs, resulting in real-dollar savings to the Village. We have also outlined the energy conservation gains of the LED bulb in that the electrical energy expended, as measured in wattage, is considerably less than with existing mercury/sodium bulbs. Because LEDs do not contain toxins such as mercury, making this change would also benefit the environment.

Aesthetics

Aesthetics may be difficult to measure, but the pure-white light emitted by an LED bulb and the concentrated directional capability of the fixture tend to result in a more natural light for anyone who encounters an LED. Additionally, the Dark Sky initiative in VT is working toward removing the orange glow in the sky, which has long been associated with non-directional Sodium and Mercury vapor lamps.

In some instances, LED bulbs have been criticized for being “too bright” and causing additional illumination in nearby homes. Two reasons factor into this impression:

1. Sodium/Mercury vapor lights fade slowly over time resulting in a less efficient light. As this is not a sudden event, people will usually not notice the change from one period of time to another, as they will after an LED is swapped in.

2. Some existing light fixtures are not optimally sited for illuminating streets and sidewalks. Installation of an LED may add additional light to residential property. It will be the responsibility of GMP to site the LED fixtures properly at the time of installation.

The consensus within the Town of Essex and many other VT communities is the new LED fixtures provide a cleaner, more direct and aesthetically pleasing light in our neighborhoods.

Summary

The Essex Energy Committee's charge is to *provide leadership, advocacy and outreach in the areas of conservation, efficiency, and renewable energy*. As energy advocates for the both the Town and the Village, we believe that this proposal meets or exceeds the goals of our mission and recommend that the Village Trustees adopt this proposal.

Contributors to the Essex Jct. Village Lighting Proposal

Darby Mayville, Village - Community Relations/Economic Development Assistant

Reed Parker, Chair, Essex Energy Committee

Alise Certa, Energy Committee

Sue Cook, Energy Committee (Ex Officio)

Chris Fayomi, Energy Committee

Kara Lenorovitz, Energy Committee

Payne Morgan, Energy Committee

Tom Tailer, Energy Committee

Irene Wrenner, Energy Committee (Ex Officio)

Volunteer Streetlight Auditors from Essex and Essex Junction



Patrick Scheidel
Municipal Manager
PatS@essexjunction.org

2 Lincoln Street
Essex Junction, VT 05452
www.essexjunction.org

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

MEMORANDUM

TO: Village Trustees
FROM: Pat Scheidel, Municipal Manager *PS*
Doug Fisher, Director of Administration *DF*
Lauren Morrisseau, Assistant Manager/Finance Director
DATE: June 28, 2016
SUBJECT: Appointment of Independent Auditor

Issue

The issue is whether or not the Trustees approve the appointment of Kittell, Brannagan & Sargent as the independent auditor for the FYE16, FYE17 and FYE18 audits.

Discussion

The Village has contracted with Sullivan, Powers and Co. for its independent audit for the last 27 years. On May 5 a joint request for proposal for the Town and Village FYE16 audits was sent to the following firms: A.M. Peisch; Fothergill Segale & Valley; Kittell, Brannagan & Sargent; and Sullivan Powers & Co. A.M. Peisch declined to bid citing an overload of work. Below is the list of the bids from the other 3 firms for the FYE16 audit. The Town has been contracting with Kittell, Brannagan & Sargent for a number of years and is satisfied with their services. We realize that the Village Trustees wish to have a fresh set of eyes review the Village accounts and controls. Therefore, as the lowest bidder, we are recommending the appointment of Kittell, Brannagan & Sargent for the FYE16 audit of the Village and Town. If the Trustees thought it prudent the Village Charter allows for the appointment of auditor for a three year period. Kittell, Brannagan & Sargent also had the lowest bid for the FYE17 and FYE18 audits.

Cost

The bids submitted for the FYE16 audit are as follows:

	<u>Village</u>	<u>Town</u>	<u>Total</u>
Kittell, Brannagan & Sargent	15,500	17,000	32,500
Sullivan Powers & Co.	17,500	15,500	33,000
Fothergill Segale & Valley	18,000	20,000	38,000

Recommendation

It is recommended that the Trustees make a motion to appoint Kittell, Brannagan & Sargent to perform the next three Village audits.



2 Lincoln Street
Essex Junction, VT 05452
www.essexjunction.org

MEMORANDUM

TO: Village Trustees and Patrick Scheidel, Municipal Manager
FROM: Lauren Morrisseau, Finance Director/Assistant Manager *LM*
DATE: June 28, 2016
SUBJECT: Transfer of Funds Between General Fund Departments

Issue

The issue is whether or not the Trustees will approve a use of surpluses in Community Development and Brownell Library budgets to cover deficits in other general fund budgets.

Discussion

The Village charter states in Section 6.11. **Appropriations**, "At the request of the manager and within the last three (3) months of the budget year, the Trustees may by resolution transfer any unencumbered appropriation balance, or portion thereof within the Trustees' budget from one department, agency, or office, to another."

At the present time it appears that there will be a deficit in the FY16 Street budget, the Sr. Support budget and possibly a small deficit in the Lincoln Hall budget. We are anticipating surpluses in the Community Development and Library Budgets.

Cost

There is no cost associated with this recommendation.

Recommendation

It is recommended that the Trustees make a motion to approve the use of surpluses in the FY16 Community Development and Brownell Library budgets to cover deficits in other general fund budgets.



MEMORANDUM

TO: Village Trustees
FROM: Pat Scheidel, Municipal Manager
DATE: June 28, 2016
SUBJECT: Trustees Meeting Schedule

TRUSTEES MEETING SCHEDULE/EVENTS

July 12 at 6:30 – Regular Trustees Meeting

- Public Hearing on Land Development Code Updates

July 16, 5-10 PM – Block Party & Street Dance

July 21, 3-5 PM – Employee Appreciation Party

July 25 at 6:30 – Joint Meeting with PC and ZBA re: TGIA

July 26 at 6:30 – Regular Trustees Meeting

- Public Hearing and Adoption of Land Development Code

August 9 at 6:30 – Regular Trustees Meeting

August 23 at 6:30 – Regular Trustees Meeting

**Village of Essex Junction
Tree Advisory Committee
Minutes of Meeting
June 7, 2016**

Members Present: Woody Martel, Warren Spinner, Nick Meyer, Rich Boyers

1. Call To Order

The meeting was called to order at 5:30 PM by Nick.

2. Meeting Minutes

None.

3. Identifying Priorities

Nick suggested that we begin to outline the committee's priorities for the upcoming year and consider how money should be allocated.

Nick indicated that some homeowners have requested the planting of trees on private property that would contribute to the streetscape. Warren expressed that, whenever possible, we should entertain these requests, as the people who reach out are more motivated to take care of trees.

Nick said that one priority should be to take care of trees that have already been planted on private property, and the committee should consider allocating money for both pruning and mulching. The process would be to:

1. Contact homeowner
2. Determine budget
3. Contact arborist

Warren said another priority should be to review the inventory and develop a pruning schedule. He suggested that we might consider dividing the Village into quadrants and coming up with a rotation schedule. Warren felt that we need to get a better handle on the inventory. Nick indicated that Darby is taking a mapping course that would be helpful in this regard. Nick also suggested that we plan a July or August drive through the Village to review the inventory.

Nick said that as we think about future tree plantings, we should continue to focus on a particular area for maximum impact as we have done on Main Street. South Street is one area to consider for plantings. Nick also raised the concern that there are no funds allocated for plantings in the Crescent Connector project.

4. Community Events

Nick asked for feedback on our Arbor Day event at Maple Street Park. He suggested that in the future we might consider combining it with a little league day where there might be more activity in the park.

Nick asked whether we would want to do another information session at the farmers market. He suggested August as a possibility.

5. Thank you to Woody

As Woody has moved out of the Village, he needed to step off the committee. Nick, Warren, and Rich thanked Woody for all of his hard work on the committee. Woody signed his letter of resignation.

6. Adjournment

Warren made a motion to adjourn at 6:34, Second by Rich. All in favor.

Respectfully submitted, Rich Boyers

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

**VILLAGE OF ESSEX JUNCTION
BIKE/WALK ADVISORY COMMITTEE
MINUTES OF MEETING
June 13, 2016**

MEMBERS PRESENT: Rick Hamlin, Jud Lawrie, Phoebe Spencer, Jeff Frolik, Eric Bowker, Raj Chawla, Gabe Epstein

ADMINISTRATION: Darby Mayville, Community Relations/Economic Development Assistant

1. CALL TO ORDER

Rick called the meeting to order at 5:44 PM.

2. AGENDA ADDITONS

None.

3. MINUTES REVIEW

Rick asked for the following to be changed from the May minutes: "Rick noted that it would be helpful to have a sign-in table next year." It will be edited to read: "Rick noted that it would be helpful to have a **sign for** the sign-in table next year."

MOTION BY JUD, SECOND BY RAJ TO ACCEPT MAY MEETING MINUTES, WITH CHANGES. MOTION PASSED.

Raj suggested that it would be helpful to purchase an ad in the Essex Reporter for Cycle de Mayo exposure next year. He said that a survey by the Recreation Governance Study Committee showed that the Reporter was the most popular source of news for residents.

Gabe suggested that there be raffles throughout the day at next year's Cycle de Mayo.

4. BIKE RACK REVIEW

Rick informed the committee that Local Motion was a dealer for Dero Bike Rack products, and that 25% of the purchase price would be donated back to them. He suggested brainstorming locations where the committee felt that there were either no bike racks or inadequate bike racks. He also suggested that public locations be the first places that the committee consider.

Some suggested locations (private and public) for bike racks include:

- Mac's Market
- Town of Essex Offices
- Martone's

- Firebird Café
- Pearl Street Shopping Centers

Raj suggested adding bike racks to the new building at 4 Pearl Street, and Rick said that it would be good to check the site plan first, as they may already be included.

Raj noted that there are many locations along the CCTA bus route that could use bike racks. Not all of the busses have the ability to carry bikes, and none of them are able to carry more than two.

The committee began to discuss the Bike Friendly Business program. Rick said that he was surprised to see that there is a fee for businesses to apply, which can be as much as \$500 per year. He feels that this may be the reason that there are so few businesses with this recognition.

Raj suggested that the committee make its own recognition system for local businesses. They could offer free advertising and map placement in exchange for a business taking steps to accommodate bicyclists. They could also share this information with local bike organizations in hopes that their members would patronize these businesses.

The committee brainstormed the types of things that a business would need in order to be consider bike friendly. They decided that it would need to have some type of bike parking, and provide a monetary commitment to bicycling in the Village. This could be done in a variety of ways: offering a discount for riders, providing bicycling accommodations for employees, sponsoring a BWAC event, etc.

The committee then discussed how to obtain additional bike racks for the areas that needed them. Raj suggested talking to the Center for Technology Essex to see if there would be a way for us to work with students there to produce the bike racks. All agreed that this is a good idea. Darby said that she would reach out to Bob Travers, principal of Center for Technology Essex, to see if he would be amenable to the idea.

Raj told the committee that he had seen a freestanding bike maintenance station at the Sunny Hollow loading docks in Colchester. Phoebe mentioned that there was one near the Davis Center at UVM as well.

Rick said that it seemed like a good idea, but would need to be in a public place to reduce the chances of vandalism. He also added that the Crescent Connector would have bike lockers as well.

Once the committee has taken a bike rack inventory, they will proceed with the mapping project.

5. MAPPING PROJECT

Not discussed.

6. PUBLIC INPUT

None.

7. NEXT MEETING & AGENDA

The next meeting will be held on July 18th. Agenda TBD.

8. ADJOURNMENT

**MOTION BY GABE, SECOND BY PHOEBE TO ADJOURN THE MEETING.
MEETING ADJOURNED AT 6:47 PM.**

Respectfully submitted, Darby Mayville.



MEMORANDUM

TO: Pat Scheidel, Municipal Manager
FROM: Susan McNamara-Hill, HR Director/Clerk/Treasurer *SMH*
DATE: June 22, 2016
SUBJECT: Employment Law Updates

Listed below are some of the recent updates to federal and state employment law.

Overtime rules

- Effective date December 1, 2016
- Minimum salary for exempt status changes from \$23,660 to \$47,476
 - Automatic increase every three years
- Threshold for Highly Compensated Employees changes from \$100,000 to \$134,004
- No change to duties test
 - Executive exemption:
 - Primary duty is to manage the enterprise, or a customarily recognized department of the enterprise
 - Must customarily and regularly direct the work of at least 2 or more other full-time employees
 - Hire/fire authority OR suggestions regarding same must be given particular weight
 - Administrative exemption:
 - Primary duty is performance of office or non-manual work directly related to the management or general business operations
 - Primary duty includes exercise of discretion and independent judgement with respect to matters of significance
 - Professional exemption:
 - *Learned*: primary duty must be performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring discretion and judgement
 - Advanced knowledge must be in a field of science or learning
 - Advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction
 - *Creative*: primary duty must be performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor
 - Computer employees exemption:
 - Must be employed as a computer systems analyst, computer programmer, software engineer or other similarly skilled worker in the computer field
 - Primary duty must consist of particular techniques, procedures, design, development, analysis, documentation, creation, testing or modification, as described in regulations

employment law update

- Outside sales exemption
 - Primary duty must be making sales or obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer
 - Employee must be customarily and regularly engaged away from the employer's place of business.
- Employers should reevaluate job classifications for compliance with new and existing law

Paid sick leave H. 187

- Effective date January 1, 2017
- Applies to employees that work an average of 18 hours per week
 - Does not apply to seasonal, per diem, under age 18
- Employees earn 1 hour for every 52 hours earned
- Employers can limit earned time to 24 hours first year, 40 hours thereafter.
 - Employers policies may be more generous
- May be used for:
 - Employee's own illness or injury
 - Obtain medical treatment, including routine exams
 - Care for a sick or injured family member
 - Arrange for or assist a family member in arranging medical or legal services relating to domestic violence, sexual assault, or stalking
 - Care for dependent because the school or business where that individual is normally located is closed for public health or safety reasons
- Family defined as parent, grandparent, spouse, child, brother, sister, parent-in-law, grandchild, or foster child
- Accrued leave may carry over
- Employees are not entitled to pay out at end of employment
- Employees cannot be retaliated against for using earned leave
- Existing policies should be reviewed for compliance
 - Train department heads on reasons for leave under new law
 - Notify HR of qualifying time
 - Can be used in conjunction with FMLA/PFLA, not in addition to
 - Posting requirement

Ban the Box H.261

- Effective date July 1, 2017
- Prohibits asking about criminal history on the application
- **Does not prohibit** asking about criminal history in an interview or before offering a job
- Employers should consider the following factors:
 - Nature and gravity of the offense or conduct
 - The time that has passed since the offense or conduct and/or completion of sentence
 - The nature of the job held or sought

Independent Contractors

- Summer study session
- VT Legislature to take up this matter next session

112 State Street
4th Floor
Montpelier, VT 05620-2701
TEL: 802-828-2358



TTY/TDD (VT): 800-253-0191
FAX: 802-828-3351
E-mail: psb.clerk@vermont.gov
Internet: <http://psb.vermont.gov>

**State of Vermont
Public Service Board**

MEMORANDUM

To: All Vermont Municipal Legislative Bodies and Planning Commissions; Vermont Department of Public Service; Vermont League of Cities & Towns; AT&T Mobility; Verizon Wireless; VTel Wireless

From: Judith C. Whitney, Clerk of the Board *jcw*

Re: Order Revision pursuant to Act No. 130 (H.577)

Date: June 23, 2016

The procedures governing Public Service Board ("Board") approval of telecommunications facilities are set forth in 30 V.S.A. § 248a. During the 2016 legislative session, the General Assembly enacted into law Act No. 130, which makes several revisions to § 248a. In order to ensure compliance with these new requirements, the Board has determined to revise its Third Amended Standards and Procedures Order ("Procedures Order")¹ as set forth in the draft Procedures Order attached to this memorandum. The proposed revisions also clarify the time period for the filing of comments, motions, and hearing requests concerning applications filed pursuant to § 248a.

If you would like to submit comments and recommendations regarding this revision for consideration by the Board, the comments and recommendations must be filed with the Board no later than August 1, 2016.

Enclosure (1)

1. *Third Amended Order implementing standards and procedures for issuance of a certificate of public good for communications facilities pursuant to 30 V.S.A. § 248a, Order issued August 19, 2015.*

STATE OF VERMONT
PUBLIC SERVICE BOARD

DRAFT

Fourth Amended Order implementing standards)
and procedures for issuance of a certificate of)
public good for telecommunications facilities)
pursuant to 30 V.S.A. § 248a)

Order entered:

I. INTRODUCTION

The procedures governing Public Service Board ("Board") approval of telecommunications facilities are set forth in 30 V.S.A. § 248a. During the 2016 legislative session, the General Assembly enacted into law Act No. 130, which makes several revisions to § 248a. In order to ensure compliance with these new requirements, the Board has determined to revise its Third Amended Standards and Procedures Order ("Procedures Order")¹ as set forth below. The proposed revisions also clarify the time period for the filing of comments, motions, and hearing requests concerning applications filed pursuant to § 248a.

1. *Third Amended Order implementing standards and procedures for issuance of a certificate of public good for communications facilities pursuant to 30 V.S.A. § 248a*, Order issued August 19, 2015.

AMENDED STANDARDS AND PROCEDURES

I. Purpose and Applicability: The purpose of these standards and procedures is to implement 30 V.S.A. § 248a ("Section 248a"). These standards and procedures are applicable to the proposed construction or installation of telecommunications facilities that are to be interconnected with other proposed or existing telecommunications facilities. The Board may, upon request of the applicant and for good cause, waive or modify the standards and procedures with respect to a specific project.

II. Definitions: "Ancillary improvements" means telecommunications equipment and site improvements primarily intended to serve a telecommunications facility, including wires or cables and associated poles to connect the facility to an electric or telecommunications grid, fencing, equipment shelters, generators, and access roads.

"*De minimis* modification" means the addition, modification, or replacement of telecommunications equipment, antennas, or ancillary improvements on a telecommunications facility or existing support structure, or the reconstruction of such facility or support structure, provided:

(a) the height and width of the facility or support structure, excluding equipment, antennas, or ancillary improvements, are not increased;

(b) the total amount of impervious surface, including access roads, surrounding the facility or support structure is not increased by more than 300 square feet;

(c) the addition, modification, or replacement of equipment, antennas, or ancillary improvements does not increase the height or width of the facility or support structure by more than 10 feet;

(d) the addition, modification, or replacement of equipment, antennas, or ancillary improvements on the support structure, excluding cabling, does not increase the aggregate surface area of the faces of the equipment, antennas, or ancillary improvements on the support structure by more than 75 square feet.

For purposes of this definition, where the proposed ancillary improvements will be installed on, within, or at the base of a building, the ancillary improvements may be excluded from the aggregate surface area calculation in subsection (d) provided that: (1) the ancillary improvements comply with the limitations in subsection (c) measured from the outer walls of the building (for width) and the highest existing element of the building (for height); (2) the aggregate surface area of the antennas and equipment other than ancillary improvements does not exceed 75 square feet; and (3) any other additions, modifications, or replacements associated with the facility otherwise comply with subsections (a) and (b).

"Good cause" means a showing ~~that deferring to the land conservation measures in the plans of the affected municipalities and the recommendations of the municipal legislative bodies and the municipal and regional planning commissions regarding the municipal and regional plans, respectively, would be detrimental to the public good or the State's interests articulated in 30 V.S.A. § 202c~~ of evidence that the substantial deference as defined in this section would create a substantial shortcoming detrimental to the public good or the State's interests under 30 V.S.A. 202c.

"Landowner of record of property adjoining the project site" means a person who owns land in fee simple if that land will be crossed by a new private right-of-way or new utility easement to access and service the facility, shares a property boundary with the property upon which the facility will be located, or would share a boundary with the property upon which the facility will be located but for the presence of an intervening river, stream, public highway, or railroad line that shares a boundary or intersects the property.

"Limited size and scope" means a new telecommunications facility, including ancillary improvements, that does not exceed 140 feet in height; or an addition, modification, replacement, or removal of equipment at an existing telecommunications facility or support structure, and ancillary improvements, that would result in a total facility height of less than 200 feet and does not increase the width of the existing support structure by more than 20 feet. In order to qualify as a project of limited size and scope, construction of the project shall not result in earth disturbance of more than 10,000 square feet of earth, excluding temporary earth disturbance associated with construction activities.

"Substantial deference" means ~~to give significant and meaningful weight to the land conservation measures in that~~ the plans of the affected municipalities and the recommendations of the municipal legislative bodies and the municipal and regional planning commissions regarding the municipal and regional plans, respectively, are presumed correct, valid, and reasonable.

"Telecommunications facility" means a communications facility that transmits and receives signals from a network used primarily for two-way communications for commercial, industrial, municipal, county, or state purposes, any associated support structure, and any ancillary improvements that are proposed for construction or installation of the facility and are primarily intended to serve the communications facilities or support structure.

III. Advance Notice Requirements for Projects Other Than *De Minimis* Modifications:

The applicant must provide written notice, at least ~~45~~ 60 days in advance of filing a § 248a application, to the following entities:

- (a) legislative bodies and municipal and regional planning commissions in the communities where the project will be located;
- (b) the Secretary of the Agency of Natural Resources;
- (c) the Division for Historic Preservation;

- (d) the Commissioner of the Department of Public Service and its Director for Public Advocacy;
- (e) the landowners of record of property adjoining the project sites;
- (f) the Public Service Board (the notice to the Board should be provided in electronic format only);
- (g) the Natural Resources Board (if the application concerns a telecommunications facility previously permitted under 10 V.S.A. chapter 151); and
- (h) the Secretary of Transportation.

The notice shall state that the applicant intends to make a § 248a application, identify the location of the telecommunications facility site(s), and provide a description of the proposed project(s), including a description of the amount of any clearing proposed for the project(s). In addition, the notice must contain sufficient detail about the proposed project(s) to allow the parties receiving the notice to understand the impact of the project(s) on the interests of those parties. The notice shall also state that recipients may contact the applicant with questions or comments regarding the proposed project. The notice shall state that any comments, motions to intervene, or requests for hearing regarding the project must be filed with the Board within the 21-day comment period commencing once the application is filed with the Board. The notice shall state that the application is being filed pursuant to this Order and that the Order is available at the Board's offices and website. The notice shall include a written assessment of the collocation requirements set forth under Section IV(K). If the applicant has not filed an application for the project, pursuant to the filing requirements below, within 180 days of the date of the advance notice, the notice will be considered withdrawn. Written notice may be filed electronically at the request of or with the permission of the recipient.

If the applicant makes a substantial change to the proposed project, the applicant is required to provide notice of this change to all parties and entities already notified, including any newly affected adjoining property owners. For the purpose of this subsection, a substantial change is one that has the potential for significant impact with respect to any of the criteria applicable to the project.

IV. Application Filing Requirements for Projects Other Than *De Minimis* Modifications:

Upon filing an original and two copies of the application with the Board, the applicant must also submit a copy of the application to the legislative bodies, municipal planning commissions and regional planning commissions in the communities where the project is located, the Secretary of the Agency of Natural Resources, the Division for Historic Preservation, and the Natural Resources Board (if the application concerns a telecommunications facility previously permitted under 10 V.S.A. chapter 151). Two copies must be submitted to the Department of Public Service. The applicant shall also provide notice to the landowners of record of property adjoining the project site(s) that the application has been filed with the Board and provide information on where the landowner may obtain a copy of the application. The application and notice provided shall inform recipients that they have 21 days to file comments, motions to intervene, or requests for hearing on the project with the Board. The notice must also state that if

a recipient would like to request a hearing, the recipient must make a showing that the project raises a significant issue with respect to the applicable criteria under 30 V.S.A. § 248a(c)(1) and pursuant to this Order.

The applicant shall ensure that the application filed includes testimony or exhibits addressing each of the areas listed below. Any witness sponsoring an exhibit must have personal knowledge of and be able to testify as to the validity of the information contained in the exhibit. The applicant shall file proposed findings of fact and a proposed certificate of public good with its petition.

A. Applicant's Name. The application shall include the name, contact information, and a description of the company or person making the application.

B. Host Landowners. The application shall include the names and addresses of the landowners on whose property the proposed facilities would be built.

C. Adjoining Landowners. The application shall include the names and addresses of all adjoining property owners. This information shall be obtained from the most recent version of the town's grand list.

D. Certification that Notice Requirements Have Been Met. The applicant must certify it has complied with all notice requirements.

E. Existing Permits. The applicant must provide copies of any relevant local or state permits (including Act 250 and municipal zoning permits) that relate to the facility and identify conditions in the permits that could affect the proposed development. If the proposed project would be inconsistent with any existing permit conditions, the applicant shall identify those conditions and explain why it is not feasible to harmonize the proposed project with those conditions. The applicant shall certify that it has not obtained or been denied a permit or permit amendment under the provisions of Title 24 or chapter 151 of Title 10 for the same or substantially the same project. An applicant may seek approval under Section 248a for a modification to a previously permitted project.

F. Project Description

1. Site Plans

The applicant must provide a site plan for each telecommunications facility project. A site plan shall include:

(a) Proposed telecommunications facility locations and any ancillary improvements.

(b) Property boundaries and setback distances to the base(s) of the proposed support structure or existing structure and to the nearest corners of each of the related structures to those boundaries, and dimensions of all proposed improvements.

- (c) Proposed utilities, including distance from source of power, sizes of service available and required, and locations of any proposed utility or communication lines.
- (d) A description of any areas where vegetation is to be cleared or altered and a description of any proposed direct or indirect alterations of wetlands.
- (e) Detailed plans for any drainage of surface and/or sub-surface water and plans to control erosion and sedimentation both during construction and as a permanent measure.
- (f) Locations and specific descriptions of proposed screening, landscaping, groundcover, fencing, exterior lighting, and signs.
- (g) Plans of any proposed access driveway, roadway or parking area at the facility site, including grading, drainage, and traveled width, including a cross-section of the access drive indicating the width, depth of gravel, and paving or surface materials.
- (h) Certification that the project construction complies, at a minimum, with the requirements of the Low Risk Handbook for Erosion Prevention and Sediment Control issued by the Vermont Department of Environmental Conservation, regardless of any provisions in the handbook that limit its applicability.
- (i) The latitude and longitude coordinates for each proposed telecommunications facility.

2. Elevation Drawings

- (a) For each proposed support structure, the applicant must provide elevation drawings.
- (b) The elevation drawings must be at appropriate scales but no smaller than 1"/20'.
- (c) The applicant must include two elevation drawings of the proposed support structures drawn at right angles to each other, showing the ground profile to at least 100 feet beyond the edge of any proposed clearing, and showing any guy wires or supports. The elevation drawing shall show all proposed antennas, including their location on the tower or other support structure and the height of the tower or other support structure above grade at the base, and describe the proposed finish of the tower or antenna.
- (d) For proposed towers, the elevation drawing shall indicate the relative height of the tower to the tops of surrounding trees as they presently exist.
- (e) For proposed towers, the elevation drawing shall include a description of available space on the structure.

(f) For proposed towers, the elevation drawing shall include a description of the tower and foundation design.

(g) Each plan sheet shall be clearly labeled with the project title, date, revision date(s), scale, and name of the professional or firm that prepared the plan.

3. Coverage maps

The applicant shall provide a signal propagation study that clearly identifies the proposed coverage area of each communications service that will use the proposed telecommunications facilities at the completion of construction or installation of the facilities.

(a) For proposed telecommunications facilities that will extend the coverage area of an existing communications network, the coverage maps shall show the areas of existing coverage as well as the additional areas of coverage that the proposed facilities will enable.

(b) Radial plots shall be in bright colors, showing clear demarcations between signal strengths. For each antenna or antenna array, identify the power output of the antenna(s) and any non-standard assumptions used to calculate the projected coverage area.

4. Project Scope and Narrative

The applicant shall provide a written narrative describing how the proposed facilities will be interconnected with other telecommunications facilities proposed or existing. If the facility relates to the provision of wireless service, the applicant shall demonstrate that the facility reasonably cannot be collocated on or at an existing telecommunications facility, or that such collocation would cause an undue adverse effect on aesthetics.

G. Public Good

The applicant must explain how the proposed project would promote the general good of the State consistent with 30 V.S.A. § 202c(b).

H. Environmental Criteria

1. The applicant must address each of the criteria set forth in 10 V.S.A. §§ 6086(a)(1) through (8) and (9)(k) and 1424a(d). To the extent that the proposal will create an adverse impact affecting any of these criteria, the applicant shall describe what measures, if any, will be taken to minimize such impact.

2. Conditional waiver of criteria for projects of limited size and scope: Pursuant to 30 V.S.A. § 248a(k), for telecommunications facilities of limited size and scope, the Board conditionally waives all criteria under 30 V.S.A. § 248a(c)(1), with the exception of 10 V.S.A. §§ 6086(a)(1)(D) (floodways) and 6086(a) 8 (aesthetics, historic sites, rare and irreplaceable natural areas, endangered species, necessary wildlife).

I. Local and Regional Plans

The applicant shall provide copies of the relevant sections of any town plan and regional plan in effect in the community in which the proposed facility will be located and describe how the project meets or complies with the land conservation measures in those plans. If the project does not so comply with a plan, the applicant shall explain why not and demonstrate how the applicant has nevertheless given substantial deference to those measures or explain why there is good cause not to give substantial deference to those measures. A rebuttable presumption respecting compliance with the applicable plan shall be created by a letter from an affected municipal legislative body or municipal planning commission concerning compliance with the municipal plan and by a letter from a regional planning commission concerning compliance with the regional plan.

J. Fees

The applicant shall provide a completed copy of the Agency of Natural Resources' current Certificate of Public Good Application Fee Form. The applicant must also provide certification that the fees required under the form have been submitted to the State treasury pursuant to 30 V.S.A § 248b(e).

K. Collocation

If a proposed new support structure for a new wireless telecommunications facility will exceed 50' in height in a cleared area or will exceed 20' in height above the average treeline measured within a 100' radius from the structure in a wooded area, the application shall identify all existing telecommunications facilities within the area to be served by the proposed structure and, for each such existing facility, shall include a projection of the coverage and an estimate of additional capacity that would be provided if the applicant's proposed telecommunications equipment were located on or at the existing facility. That applicant shall also compare each such projection and estimate to the coverage and capacity that would be provided at the site of the proposed structure. The applicant must also address the collocation criteria under §248a(c)(3)(B).

V. Application Filing Requirements for *De Minimis* Modifications:

For *de minimis* modifications, upon filing an original and two copies of the application with the Board, the applicant must also submit a copy of the application to the legislative bodies in the communities where the project is located, and the landowner of record of property on which the facility is located. Two copies of the application must also be submitted to the Department of Public Service.

Applicants shall ensure that the application includes testimony or exhibits addressing each of the areas listed below. Any witness sponsoring an exhibit must have personal knowledge of and be able to testify as to the validity of the information contained in the exhibit. Applicants shall file proposed findings of fact and a proposed certificate of public good with the petition.

A. Applicant's Name. The application shall include the name, contact information, and a description of the company or person making the application.

B. Host landowners. The application shall include the names and addresses of the landowners on whose property the proposed facilities would be built.

C. Certification that Filing Requirements Have Been Met. The applicant must certify that it has complied with the filing requirements in this Section as listed above.

D. Existing Permits. The applicant must provide copies of any relevant local or state permits (including Act 250 and municipal zoning permits) that relate to the facility and identify conditions in the permits that could affect the proposed development. If the proposed project would be inconsistent with any existing permit conditions, the applicant shall identify those conditions and explain why it is not feasible to harmonize the proposed project with those conditions. The applicant shall certify that it has not obtained or been denied a permit or permit amendment under the provisions of Title 24 or chapter 151 of Title 10 for the same or substantially the same project. An applicant may seek approval under Section 248a for a modification to a previously permitted project.

E. Project Description

1. Site Plans

The applicant must provide a site plan for each telecommunications facility project. A site plan shall include:

(a) Proposed telecommunications facility locations and a description of any antennas or any ancillary improvements, including the dimensions and aggregate surface areas of antenna faces.

(b) Property boundaries and setback distances to the base(s) of the proposed support structure or existing structure and to the nearest corners of each of the related structures to those boundaries, and dimensions of all proposed improvements.

(c) Proposed utilities, including distance from source of power, sizes of service available and required, and locations of any proposed utility or communication lines.

(d) A description of any areas where vegetation is to be cleared or altered and a description of any proposed direct or indirect alterations of wetlands.

(e) Detailed plans for any drainage of surface and/or sub-surface water and plans to control erosion and sedimentation both during construction and as a permanent measure.

(f) Locations and specific descriptions of proposed screening, landscaping, groundcover, fencing, exterior lighting, and signage.

(g) Plans of any proposed access driveway, roadway, or parking area at the facility site, including grading, drainage, and traveled width, including a cross-section of the access drive indicating the width, depth of gravel, and paving or surface materials.

2. Project Scope and Narrative

The applicant shall provide a written certification that the proposed facilities constitute a *de minimis* modification to an existing facility.

F. Public Good

The applicant must explain how the proposed project would promote the general good of the State consistent with 30 V.S.A. § 202c(b).

VI. Waiver of Notice Requirements:

An applicant seeking a waiver or modification of the notice requirements for an application shall file a request for such waiver or modification with the Board and the Department of Public Service not later than 30 days prior to the date the notice is required, together with a description of the project, the reason for seeking the waiver or modification, and a demonstration that good cause exists for granting a waiver or modification. Any granting of such a waiver or modification shall be based on a determination that the entities subject to the waiver or modification could not reasonably be affected by one or more of the proposed facilities, and that notice to such entities would constitute a significant administrative burden without corresponding public benefit. The Board shall rule on a waiver or modification request within 21 days of the filing of the request.

VII. Completed Applications:

Upon receiving an application under Section 248a, Board staff will review the application for completeness. If the application does not substantially comply with the application requirements set forth herein, the Clerk of the Board will inform the applicant of the deficiencies. Upon submission of all information necessary to address the deficiencies, the Clerk of the Board will notify the applicant that the filing is complete.

VIII. Submission of Comments and Requests for Hearing:

If any person wishes to submit comments or motions to intervene to the Board concerning an application filed pursuant to Section 248a or request a hearing for projects other than *de minimis* modifications, such correspondence is due at the Board within 21 calendar days of the date that the application was submitted to the Board and all required recipients. The 21-day comment period commences once the application is filed and ends 21 calendar days later. Comments, motions to intervene, and requests for hearing filed outside the 21-day comment period will be considered untimely and will not be considered by the Board. In order to request a hearing, commenters must make a showing that the application raises a significant issue regarding one or more of the substantive criteria applicable to the proposed project.

For *de minimis* project applications, if a person receiving a copy of the application wishes to object to a project's classification as a *de minimis* modification, such correspondence is due at the Board within 21 calendar days of the date that the application was submitted to the Board and all required parties. If no objections to the classification of the project are timely filed with the Board, a CPG shall be issued without further proceedings.

IX. Issuance of Decision:

A. For *de minimis* modifications: If no objections to the classification of the project are timely filed with the Board, the Board shall issue a CPG without further proceedings.

B. For projects of limited size and scope: Unless the Board determines that an application raises a substantial issue, it shall issue a final determination on an application within 45 days of its filing or, if the original filing was not complete, within 45 days of the date on which the Clerk of the Board notifies the applicant that the filing is complete. If the Board determines that an application raises a substantial issue, it shall issue a final determination on an application filed pursuant to this section within 90 days of its filing or, if the original filing was not complete, within 90 days of the date on which the Clerk of the Board notifies the applicant that the filing is complete.

C. For all other projects: Unless the Board determines that an application raises a significant issue, it shall issue a final determination on an application within 60 days of its filing or, if the original filing was not complete, within 60 days of the date on which the Clerk of the Board notifies the applicant that the filing is complete. If the Board rules that an application raises a significant issue, it shall issue a final determination on the application within 180 days of its filing or, if the original filing was not complete, within 180 days of the date on which the Clerk of the Board notifies the applicant that the filing is complete.

So ORDERED.

Dated at Montpelier, Vermont, this _____ day of _____, 2016.

_____)
 _____)
 _____)
 _____)
 _____)

PUBLIC SERVICE
BOARD
OF VERMONT

OFFICE OF THE CLERK

FILED:

ATTEST: _____
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@vermont.gov)

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
June 14, 2016**

BOARD OF TRUSTEES: George Tyler (Village President); Dan Kerin, Andrew Brown, Lori Houghton, Elaine Sopchak.
ADMINISTRATION: Pat Scheidel, Municipal Manager; Lauren Morrisseau, Finance Director/Assistant Manager.
OTHERS PRESENT: Rick Hamlin, Curt Carter.

[Note: Minutes reflect the order of the published agenda.]

1. CALL TO ORDER and PLEDGE OF ALLEGIANCE

Village President, George Tyler, called the meeting to order at 6:30 PM and led the assemblage in the Pledge of Allegiance.

2. AGENDA CHANGES/APPROVAL

The following changes to the agenda were noted:

- Add to New Business – FYE17 Appointments
- Add to Old Business – Memo re: Pledge of Support for Transition of Rec Department to Union Municipal District
- Add to Manager's Report – Complaint for Ejectment

MOTION by Dan Kerin, SECOND by Elaine Sopchak, to accept the agenda as amended. VOTING: unanimous (5-0); motion carried.

3. GUESTS, PRESENTATIONS, PUBLIC HEARINGS

1. Comments from Public on Items Not on Agenda

Rick Hamlin announced the work on Briar Lane from lower Rosewood Lane to Rivendell will include replacing the water line, completely rebuilding the road (curb to curb), and redoing the sidewalk at a cost less than the original projection thanks to the diligence of the engineering staff in finding foam material at a lower cost.

Andrew Brown asked if the sidewalk will align with the streetlights. Rick Hamlin said the sidewalk is on the same side as the streetlights. The streetlights in the neighborhood are spaced at 300' apart. More light comes from porch lights on houses than the streetlights.

2. Public Hearing: FYE17 Water Rates

The public hearing was opened at 6:35 PM. Lauren Morrisseau reported the FYE17 water rate shows a 1% increase due to an increase in the operating budget of 4%, increase in the wholesale water rate, and increase in the Large Water User rate (GlobalFoundries). The cost will be \$.0157 per cubic foot or \$22.66 per quarter. The average water user will pay \$182.33 per year. The proposed Large Water User rate shows an increase of 6% due to the estimated cost of unaccounted water. The rate is \$.085/1,000 gallons. The Large

Water User rate for GlobalFoundries is 13% of the village water operating budget and a proportionate share of unaccounted water. The account is reconciled at the end of the year. Large water user(s) pay the wholesale rate and pass through charges of the state water supply fee. The water rates will be set at the next meeting.

There were no further comments. The public hearing was closed at 6:40 PM.

3. Greater Burlington Industrial Corporation

Curt Carter gave a brief history of the GBIC organization serving Chittenden County to keep existing businesses strong and make available all possible resources. GBIC focuses on businesses bringing dollars into the state. Activities in Essex include incentive awards to GlobalFoundries, Blodgett, Flex-A-Seal, Revision Military, Twincraft, and Autumn Harp. GBIC meets with key Essex Employers to discuss expansion and retention. Essex has industrial land available for expansion.

George Tyler asked if incentive credits or cash are awarded. Mr. Carter said GlobalFoundries received cash over two years, but typically the cash award is paid over five years after expansion has occurred. George Tyler mentioned the number of new dwelling units being built in the village and asked if there is economic growth to match this. Curt Carter said workforce housing and affordable housing is needed so workers can live close to work. The unemployment rate is very low in Chittenden County (2.6%) so there are jobs out there. Skills training is needed so incoming employees can bring basic skills to the job, especially those who graduate from high school and choose not to attend college. Andrew Brown agreed people cannot afford to live in the village and employers are choosing to have their employees live elsewhere and telecommute which means lost dollars spent in the village by the employees.

Pat Scheidel asked if GBIC is the conduit for grant money coming into the area. Curt Carter said projects must be on the Comprehensive Economic Development Strategy (CEDs) list to qualify for funding.

4. OLD BUSINESS

1. FYE17 Appointments

MOTION by Lori Houghton, SECOND by Elaine Sopchak, to amend the agenda to act on the FYE17 Appointments. VOTING: unanimous (5-0); motion carried.

MOTION by George Tyler, SECOND by Lori Houghton, to approve the Municipal Manager's annual appointments for July 1, 2016 through June 30, 2017 to include:

- **Susan McNamara-Hill as Village Treasurer/Tax Collector/Village Clerk**
- **David Barra as Village Attorney**
- **Chris Gaboriault as Village Fire Chief**
- **Hamlin Consulting Engineers as Village Engineering Consultant**

VOTING: unanimous (5-0); motion carried.

2. Update on Recreation Governance Study Committee

Lori Houghton reported the Recreation Governance Study Committee following much hard work, reaching out to the public and meeting with the school district voted unanimously to form a union municipal district that combines the two recreation departments (village and town) into its own municipality with its own budget and ability to bond. The presentation at the joint meeting on June 22, 2016 will be more detailed. The existing committee will create the bylaws for the union municipal district. The State Attorney General must approve the bylaws after which the committee can disband. Another committee will then be formed to do public outreach and education for the vote in November. There is a backup plan should the voters reject the union municipal district and that is recreation falls back under the Prudential Committee which determines what happens to the parks and recreation programs. Options include having recreation go under the new unified union school district which does not want the program or have recreation go under the village. The Prudential Committee could do a contract for Park Street School and the preschool program to say the preschool program must stay in the school or an agreement for the property must be found. Ms. Houghton said further conversation is needed to determine who will handle payroll, staffing, finance, and such for the new union municipal district. Actual services do not need to change. A committee will be formed including staff, the recreation directors from the village and town, and experts in various areas (HR, finance, and such).

George Tyler said the Trustees, Selectboard, and Prudential Committee have to put the union municipal district item on the ballot for November. If the community approves the district then there is less than a year to transition. Lori Houghton said there was discussion of the short time period for transition and the impact on staff so planning is beginning before November.

2. Update on Temporary Parking Facility at Five Corners/Handy Property

Thanks were extended to Lori Houghton who was instrumental in securing a grant for \$3,000 from the National Association of Realtors for the parking facility. Signs and a “little free library” will be included in the park layout.

5. NEW BUSINESS

1. Discuss Initiating Process for Loitering/Vagrancy Ordinance or Other Processes
Pat Scheidel reported the loitering ordinance is in process.

6. MUNICIPAL MANAGER’S REPORT

1. Meeting Schedule – Regular Trustees Meetings @ 6:30 PM

- June 28, 2016
- July 12, 2016
- July 26, 2016
- August 9, 2016
- August 23, 2016

*Special Events/Meetings

- July 16, 2016 @ 5 PM – Block Party & Street Dance
- July 21, 2016 @ 3 PM – Employee Appreciation Party

2. Complaint of Ejectment

Pat Scheidel reported a formal complaint has been filed on a vagrant occupying property illegally. The individual has refused assistance to services and housing and has not vacated the property so the village is proceeding with legal ejectment. The sheriff will deliver the papers and follow up with appropriate action.

3. Employee Evaluations

Town employee evaluations are being done in June.

4. Association of Chiefs of Police Event

PACIF and the Association of Chiefs of Police held an event called “21st Century Policing” that covered changing communities and the need for law enforcement to change practices and procedures to be successful in the 21st Century.

5. Intern to do Parking Analysis

Interns at Hamlin Engineering will do the parking analysis in the village and count parking spaces this summer.

7. TRUSTEES COMMENTS/CONCERNS & READING FILE

1. Board Member Comments

- George Tyler mentioned the Planning Commission approved another 40 dwelling units in a building off Park Street. There are lots of people moving into the village.
- Elaine Sopchak urged talking to developers about their intentions with open parcels of land or areas to be redeveloped to see if there is any opportunity for VHT or VHFA affordable units. Residents are being priced out of the village. Single family houses in the \$220,000 to \$250,000 price range are needed.
- Elaine Sopchak expressed concern the comments made by George Tyler on a recent WCAX broadcast regarding future development plans in the village were not vetted at the Trustees level first. George Tyler explained he discussed the development for 15 minutes and was asked about the plan approved by the Trustees which is a public document, but the newscast only used a small clip of the discussion.
- Lori Houghton said the Trustees need to be notified of newscasts about the village.

2. Reading File

- Minutes
 - Planning Commission 5/19/16
 - Block Party Committee 5/23/16
 - Capital Program Review Committee 6/7/16
- Letter from Timothy Shea of CVE re: Neighbor Meeting 6/14/16
- Park Street Signal Study 2010
- Letter to Editor of *Essex Reporter* 6/2/16
- Memo from Randy Viens, Assessor re: GlobalFoundries Valuation

8. CONSENT AGENDA

MOTION by Andrew Brown, SECOND by Dan Kerin, to approve the consent agenda as follows:

- 1. Approve Minutes of Previous Meetings 5/24/16**
- 2. Expense Warrant #16045 dated 5/26/16 in the amount of \$134,774.91.**
- 3. Expense Warrant #16046 dated 6/6/16 in the amount of \$130,737.01.**
- 4. Expense Warrant #16047 dated 6/10/16 in the amount of \$171,993.89.**
- 5. FYE16 Budget Status Report as of 5/31/16.**

VOTING: unanimous (5-0); motion carried.

9. ADJOURNMENT

MOTION by Dan Kerin, SECOND by Andrew Brown, to adjourn the meeting.

VOTING: unanimous (5-0); motion carried.

The meeting was adjourned at 7:38 PM.

RScty: M.E.Riordan



Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
08545	06/09/16	AN ANGELIC TOUCH AD wellness program 100	210-41320.291 HEALTH IMPROV PROGRAMS	325.00	5868	06/16/16
00530	05/25/16	BRODART CO BL BOOKS B4539403	210-45551.640 ADULT COLLECTION-PRINT &	820.80	5870	06/16/16
00530	05/25/16	BRODART CO BL BOOKS B4539403	210-45551.610 SUPPLIES	38.70	5870	06/16/16
00530	05/26/16	BRODART CO BL BOOKS B4543117	210-45551.641 JUVEN COLLECTION-PRNT & E	19.23	5870	06/16/16
00530	05/26/16	BRODART CO BL BOOKS B4543117	210-45551.610 SUPPLIES	1.80	5870	06/16/16
00530	06/01/16	BRODART CO BF BOOKS B4554620	210-49345.000 LIBRARY DONATION EXPENDIT	65.75	5870	06/16/16
00530	06/01/16	BRODART CO BF BOOKS B4554663	210-49345.000 LIBRARY DONATION EXPENDIT	24.07	5870	06/16/16
00530	06/02/16	BRODART CO BL BOOKS B4559273	210-45551.640 ADULT COLLECTION-PRINT &	23.19	5870	06/16/16
00530	06/02/16	BRODART CO BL BOOKS B4559273	210-45551.610 SUPPLIES	0.30	5870	06/16/16
00530	06/06/16	BRODART CO BL BOOKS B4564039	210-45551.640 ADULT COLLECTION-PRINT &	195.41	5870	06/16/16
00530	06/06/16	BRODART CO BF BOOKS B4564519	210-49345.000 LIBRARY DONATION EXPENDIT	16.85	5870	06/16/16
V0461	06/01/16	CENTRAL BEVERAGE BL BOOKS 6116CB	210-45551.640 ADULT COLLECTION-PRINT &	211.50	5871	06/16/16
23170	05/31/16	CHAMPLAIN OIL CO., INC. VA vehicle gas CL179798	210-42220.626 GAS,GREASE AND OIL	248.57	5872	06/16/16
23170	05/31/16	CHAMPLAIN OIL CO., INC. VA vehicle gas CL179798	210-43110.626 GAS,GREASE AND OIL	1328.44	5872	06/16/16
21435	06/06/16	CRIS ROWLEY INTERIOR DESI BL DESIGN SERVICES 1053	210-45551.500 TRAINING, CONFERENCES, DU	425.00	5873	06/16/16
38280	05/31/16	CRYSTAL ROCK BOTTLED WATE LH MAY BOTTLED WATER 053116D	210-41940.610 SUPPLIES	30.25	5874	06/16/16
V10657	05/18/16	DENNISON/MARY K.// BL TRAINING 051816MKD	210-45551.500 TRAINING, CONFERENCES, DU	21.33	5875	06/16/16
V10657	06/03/16	DENNISON/MARY K.// BL CHILDRENS PROGRAMS 6316MKD	210-45551.837 CHILDRENS PROGRAMS	15.72	5875	06/16/16
V0943	06/04/16	GRAF/MARY L.// BL CHILDRENS PROGRAM SUPP 6416MG	210-45551.837 CHILDRENS PROGRAMS	14.00	5881	06/16/16
21110	05/18/16	HANNAH TRACY BL TRAINING MILEAGE 51816HT	210-45551.500 TRAINING, CONFERENCES, DU	36.72	5882	06/16/16
05010	05/26/16	LYNN PUBLICATIONS DV PC LEGAL AD 6/16 113876	210-41970.550 PRINTING AND ADVERTISING	140.25	5886	06/16/16
40840	06/01/16	SOVERNET COMMUNICATIONS BL TECH ACCESS PHONE 3640831	210-45551.530 TECHNOLOGY ACCESS	39.95	5890	06/16/16
40840	06/01/16	SOVERNET COMMUNICATIONS BL TECH ACCESS PHONE 3640831	210-45551.535 TELEPHONE SERVICES	91.44	5890	06/16/16
V25261	06/04/16	SWING PEEPERS BL YOUTH PROGRAM 61316MW	210-45551.837 CHILDRENS PROGRAMS	320.00	5892	06/16/16
V25261	06/04/16	SWING PEEPERS BF PROGRAMS 6416MW	210-49345.000 LIBRARY DONATION EXPENDIT	200.00	5892	06/16/16

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
V2241	TRAVELING STORYTELLER/THE	06/10/16	BLchild prog dol grant 62016	210-49340.006 LIBRARY GRANT EXPENDITURE	100.00	5894	06/16/16
V2241	TRAVELING STORYTELLER/THE	06/10/16	BLchild prog dol grant 62016	210-45551.837 CHILDRENS PROGRAMS	40.00	5894	06/16/16
V10636	HEALTHEQUITY	06/01/16	AD June admin fee 061616463	210-41320.210 HEALTH INS & OTHER BENEFI	3.45	16061604	06/16/16
31275	DON WESTON EXCAVATING INC	06/10/16	VR BRIAR LN RDWY/WTR LN PAYAP#5	253-46801.005 BRIAR LANE RD/SDWK/WTR LI	36681.77	5876	06/16/16
23170	CHAMPLAIN OIL CO., INC.	05/31/16	VA vehicle gas CL179798	254-43200.626 GAS,GREASE AND OIL	114.90	5872	06/16/16
31275	DON WESTON EXCAVATING INC	06/10/16	VR BRIAR LN RDWY/WTR LN PAYAP#5	254-43332.005 BRIAR LANE RD/SDWK/WTR LN	5847.82	5876	06/16/16
36520	STATE OF VERMONT	06/07/16	VW water license RJ 061716D	254-43200.500 TRAINING, CONFERENCES, DU	80.00	5891	06/16/16
23170	CHAMPLAIN OIL CO., INC.	05/31/16	VA vehicle gas CL179798	255-43200.626 GAS,GREASE AND OIL	225.13	5872	06/16/16
V0653	DOUGLASS/PAUL//	06/10/16	WW BOOTS 061016D	255-43200.432 VEHICLE MAINTENANCE	279.90	5877	06/16/16
V10663	THERRIEN'S BOILER & MECHA	06/10/16	WW METHANE GAS VALVES 11783	255-43200.570 MAINTENANCE OTHER	804.75	5893	06/16/16
23170	CHAMPLAIN OIL CO., INC.	05/31/16	VA vehicle gas CL179798	256-43200.626 GAS,GREASE AND OIL	160.18	5872	06/16/16
36130	VERIZON WIRELESS	06/18/16	VA vpn Apr 24-May 23 9765999351	256-43200.434 PUMP STATION MAINTENANCE	123.05	5895	06/16/16
36130	VERIZON WIRELESS	06/18/16	VA vpn Apr 24-May 23 9765999351	256-43220.001 SUSIE WILSON PS COSTS	31.70	5895	06/16/16
36130	VERIZON WIRELESS	06/18/16	VA vpn Apr 24-May 23 9765999351	256-43220.002 WEST ST PS COSTS	31.70	5895	06/16/16
Report Total					49178.62		