



**TRUSTEES MEETING NOTICE & AGENDA**  
**TUESDAY, MAY 8, 2018 at 7:30 PM**  
**LINCOLN HALL MEETING ROOM, 2 LINCOLN STREET**

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG** [7:30 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **GUESTS, PRESENTATIONS AND PUBLIC HEARINGS**
  - a. Comments from Public on Items Not on Agenda
  - b. Sarah Reeves, General Manager, re: FYE 19 Chittenden Solid Waste District Budget
5. **OLD BUSINESS**
  - a. None
6. **NEW BUSINESS**
  - a. Bid award for Main Street Pedestrian Bridge – Dennis Lutz
  - b. Traffic Signal Maintenance Agreement – Dennis Lutz
  - c. Amendments to Open Burning and Enforcement Ordinances - Evan Teich
  - d. Update on Brownell Library Sewer Issues – Evan Teich
7. **MANAGER’S REPORT**
  - a. Trustees meeting schedule
8. **TRUSTEES’ COMMENTS & CONCERNS/READING FILE**
  - a. Board Member Comments
  - b. Minutes from Other Boards/Committees:
    - Essex Selectboard 4/16/18
    - Tree Advisory Committee 4/17/18
  - c. Notice of Public Informational Meeting re: Susie Wilson Road Corridor Project 5/8/18
  - d. CCPRC Notice of Public Hearing to Review FYE 19 Unified Planning Work Program 5/16/18
  - e. VLCT Forum “Building a Sense of Place” 6/14/18
  - f. Letter from James Jutras and Dennis Lutz to Secretary of VT Agency of Natural Resources
  - g. Front Porch Forum post re: Thankful
  - h. Email from Joe Weith re: Resignation from Planning Commission 6/1/18
9. **CONSENT AGENDA**
  - a. Approve Minutes of Previous Meetings 4/24/18 and 4/25/18
  - b. Expense Warrant #17093 dated 4/27/18 in the amount of \$339,468.70
  - c. Memo from James Jutras re: Grant for Vacuum Truck Replacement
  - d. Approve and Sign Proclamation for Arbor Day
  - e. Approve FYE 19 Lincoln Hall lease for Essex CHIPS
  - f. Approve Street Vending Permit for Mr. Ding-A-Ling Ice Cream Truck

10. **ADJOURN**

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



April 30, 2018

Patty Benoit  
Village of Essex Junction  
2 Lincoln Street  
Essex Jct., VT 05452

RECEIVED

MAY 01 2018

Village of Essex Junction

Dear Patty:

Enclosed please find copies of the Chittenden Solid Waste District Proposed FY 2019 Budget. **CSWD is scheduled to meet with the Village of Essex Junction on Tuesday, May 8, 2018 at 7:30 p.m.** Attached is an electronic summary of the budget to forward to your Trustees for their review. Also, please note that the front cover of our FY 2019 Budget refers to our website [www.cswd.net](http://www.cswd.net), where a complete detailed copy of our budget is available for review.

The Board of Commissioners approved sending the Proposed FY 2019 Budget to member towns for their approval on Wednesday, April 25, 2018. Below is Section 4. (b) of the Chittenden Solid Waste District Charter.

*Within 45 days of the approval of the budget by the Board of Commissioners, the legislative body of each member municipality shall act to approve or disapprove the budget.*

*The budget shall be approved if approved by the legislative bodies of a majority of the member municipalities. (For such purposes, each member municipality shall be entitled to one vote.) A legislative body that disapproves the budget must file with the Board of Commissioners a written statement of objections to the budget identifying those specific items to be changed, and failure to file such statement of objections within the forty-five (45) day period shall constitute approval by such municipality. A legislative body that fails to act to approve or disapprove the budget within the forty-five (45) day period shall likewise be deemed to have approved the budget.*

As stated above, each member municipality may choose to approve or disapprove the budget prior to June 9, 2018.

Please feel free to contact me should you have any questions or if you need any additional copies of the budget. Thank you.

Sincerely,

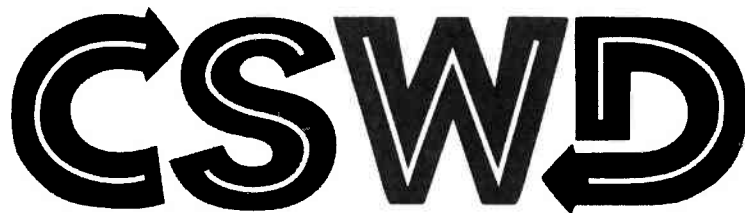
Amy Jewell

Administrative Manager

Cc: Alan Nye, Essex Jct. Rep.  
George Tyler, Essex Jct. Alt.

# **FY 2019 BUDGET PROPOSAL**

**TO VIEW BUDGET DETAIL GO TO  
[www.cswd.net](http://www.cswd.net)**



**CHITTENDEN SOLID WASTE DISTRICT  
1021 REDMOND ROAD  
WILLISTON, VT 05495  
802-872-8100**



*Printed on recycled paper*



ADMINISTRATIVE OFFICE  
1021 Redmond Road  
Williston, VT 05495

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[www.cswd.net](http://www.cswd.net)

April 28, 2018

FISCAL YEAR 2019 BUDGET

Dear Board of Commissioners and Citizens of Chittenden County,

I am pleased to present to you Chittenden Solid Waste District's Fiscal Year 2019 Budget proposal. It provides necessary funding for facilities, operations, public programs, and capital programs to meet the Board's strategic goals over the coming year. It also lays the foundation to continue to advance those goals towards the future. I am happy to tell you that the financial outlook for CSWD remains solid. **I am recommending that the Solid Waste Management Fee remain at \$27.00 per ton of trash disposed, and I do not see a need for an additional municipal assessment or per capita fee.**

The District's infrastructure needs are approaching a crossroads. In addition, we are examining our internal systems and controls and will be modernizing and tightening those systems.

Fiscal Year 2018 saw a sea change in the paper recycling markets. As I write this today, **global impacts of decisions made by the Chinese government has dramatically turned mixed paper from a sound revenue stream to a significant expense. We believe this trend will worsen in the near future.** The markets for other "blue bin" materials, like plastic bottles, aluminum cans, and cardboard, remain steady. Because mixed paper represents nearly 40% of the material processed at the Material Recovery Facility (MRF) in Williston, our FY2019 revenue projections for the sale of our recycled materials is approximately half of what we expected in FY2018. This comes at a time when we are required by contract to make significant capital investments. Because we do not use solid waste management fees to subsidize the MRF, Tipping Fees (charged when recyclables are delivered by haulers to the MRF) will need to increase. For years, the tipping fees at the Williston MRF have been low—often far below the Northeast regional market rates. The time has come to normalize our fees to the market rate. This will help maintain our ability to fulfill our contractual requirements for capital replacement, and allow the District to avoid using Solid Waste Management Fees to subsidize the MRF in the future. **Tipping fees will increase on May 1, 2018. At this time, I can't promise that the fee won't increase again, although we will strive to keep the fee at or slightly below regional market rates.** If the paper market rebounds we will lower the tipping fees accordingly. CSWD only needs to cover costs. We need to plan for the future as we can reasonably foresee it. This reveals the conundrum regarding the FY2019 MRF budget. No one, public or private, can say with any certainty how long the paper pricing downturn will last. We will continue to search for new outlets for paper, encourage and educate about how to reduce paper waste, and work with the State and private entities to minimize impacts to Chittenden County residents and businesses. We expect the paper markets will have a bumpy ride for at least the next twelve-eighteen months.

The news for the Solid Waste Management Fee is quite different. **There is no increase this year in the Solid Waste Management Fee, which will remain at \$27.00 per ton of trash disposed.** We are budgeting a modest increase in tons disposed in FY2019, similar to the modest increase in FY2018. We have several theories as to why trash is rising, but no data that correlate neatly to the increases. Unemployment in Chittenden County remains low, and salaries and wages have risen. This could mean people have high consumer confidence, and

are feeling comfortable replacing broken or worn out possessions rather than repairing or “making do”. A greater influx of new residents and businesses, more students, and increased tourism all may be playing a role. Aging populations leading to increased “clean-outs” of family homes may be a factor. Even excessive rain and snow can add weight to trash, artificially increasing the tons disposed. We will be digging deeper into the possible reasons for the increased trash generated in Chittenden County so that we can identify opportunities to educate about waste reduction.

Some sections in this budget may look a little different than in budgets past. **To better show the full costs of doing business, we have adjusted our budget allocation method.** This budget approach creates two distinct categories, labeled Support Programs and Operations Programs. Essentially, Support Programs are those departments that don’t generate revenue per se, (other than occasional fines or finance charges)—Administration, Finance, Compliance, Engineering, and Outreach & Communications. Operations Programs are all other budget programs—Material Recovery Facility, Drop-Off Centers, Green Mountain Compost, Environmental Depot, Biosolids, Maintenance, and Property Management. This reorganization is helping CSWD view our finances through a Source of Funds/Use of Funds lens. This lens allows us to focus and refine our efforts to nail down Chittenden County’s true costs per ton (of waste, recycling, compost, etc). This allows CSWD to properly price our services so that we rely less and less on the revenue generated by the solid waste management fee. Showing fully allocated costs mean that the Operations Programs will appear to “suddenly” cost more. Actually, our total FY2019 budget is less than 1% higher than FY2018 budget. We are essentially level-funded.

As we move ahead in modernizing our systems and normalizing our pricing structure, **aligning the Sources/Uses of Funds, minimizing our reliance on the solid waste management fee will be our priority.** We will review the pricing structures for all operations in a comprehensive, holistic. I anticipate our Drop-Off Centers will see the greatest shift in FY2020 after a thorough review of services offered and the accompanying fees. Again, the main goal of this review is to ensure that we are fairly assessing disposal fees to waste generators according to how much and what is generated, and not unfairly diluting the costs across all citizens of Chittenden County. If you waste more, you should pay more. If you waste less, you should pay less.

In this time of wild pendulum swings can lead to panic. *Paper recycling markets are terrible! Food scrap diversion is up! We’re throwing away too much trash! More and more people are composting!* I am working with our team and partners positioning CSWD to make sure we remain a stable and predictable service to the citizens of Chittenden County. Our team of solid waste professionals work each day to ensure waste is managed in an environmentally sound, efficient, effective and economical manner.

Sincerely,



Sarah Reeves, General Manager

**CHITTENDEN SOLID WASTE DISTRICT**  
**Fiscal Year 2019 Proposed Budget**  
**Projected Fund Equity**

<b>Cash Balances by Fund</b>					
	6/30/16	6/30/17	6/30/18	6/30/19	FY 18 - 19
	<u>ACTUAL</u> <u>(AUDITED)</u>	<u>ACTUAL</u> <u>(AUDITED)</u>	<u>PROJECTED</u> <u>BALANCES</u>	<u>PROJECTED</u> <u>BALANCES</u>	<u>CHANGE IN</u> <u>FUND EQUITY</u>
Facility Improvement Reserves	\$ 2,813,722	\$ 3,663,707	\$ 3,957,141	\$ 3,122,478	\$ (834,663)
LFPC Reserves (In Excess of 30-yr Obligation)	\$ 148,554	\$ (37,096)	\$ -	\$ -	\$ -
LFPC Reserve Obligation (<30 years)	\$ 764,323	\$ 944,732	\$ 882,596	\$ 858,420	\$ (24,176)
Facilities Closure Reserves	\$ 488,304	\$ 491,224	\$ 496,172	\$ 501,134	\$ 4,962
Community Cleanup Fund	\$ 67,836	\$ 72,884	\$ 68,857	\$ 69,857	\$ 1,000
Managers' Deferred Compensation Reserve	\$ -	\$ -	\$ -	\$ -	\$ -
DOC Rate Stabilization Reserve	\$ 140,613	\$ 263,535	\$ 263,535	\$ -	\$ (263,535)
SWMF Rate Stabilization Reserve	\$ 1,002,791	\$ 1,253,959	\$ 883,791	\$ 817,653	\$ (66,138)
Unrestricted Fund Balance less LFPC Reserve	\$ 778,455	\$ 658,633	\$ 633,633	\$ 633,633	\$ -
GAAP Adjustment		\$ 11,611			
<b>Total District Fund Balances</b>	<u>\$ 6,204,598</u>	<u>\$ 7,323,189</u>	<u>\$ 7,185,725</u>	<u>\$ 6,003,175</u>	<u>\$ (1,182,550)</u>

The funds are as follows

The **FIR Reserves** are built up annually through budgeted contribution from the program budget. The amount is determined by the District Engineer and represents his projection on needs in the future. These funds are used in the annual capital budget. This year, the District is positioned to:

- Replace equipment on a planned schedule without financing (FIR)
- Meet our obligations toward the closed landfill (Post Closure - LFPC)
- Meet state requirements regarding closing Drop Off Centers should an emergency require closure (Facilities Closure)
- Support eligible community grants at the full amount they have available to spend (Community Clean Up Fund)

There are two lines for the **Landfill Post Closure Reserve**. This indicates how much the District has saved toward the closure of the landfill and is designed to meet the obligations projected to incur over the remainder of the original thirty-year maintenance requirement. This amount is not designated, and is reported as part of the Unrestricted Fund Balance. The two lines breakdown accordingly:

- LFPC Reserves (*In Excess of 30-yr Obligation*) shows how much the District has over or (under) the amount needed over the remainder of the 30-year period. We will project the costs in early summer and adjust as needed. The projections were prepared for the FY 18 Budget.
- LFPC Reserve Obligation (*<30 years*) shows the actual cash on hand that is used annually to cover the budgeted operating and allocated costs.

The **DOC Stabilization Rate Reserve** built up a balance in the past two years and is budgeted to break even in FY 18. This budget projects all of the reserve will be used to avoid a rate increase as planned. Rates at the Drop Off Centers will be an issue in the FY 20 budget.

The **SWMF Rate Stabilization Reserve** is scheduled to make a modest decrease in FY 19. The FY 18 budget projected a use of \$370,168 from this reserve to balance the budget. As of the presentation of this budget, it

appears that revenues (including the collection of SWM fees) may not require any use of reserves this year. The balance of this fund is likely to be higher than shown.

The **Unrestricted Fund Balance**, as shown in the audit, includes the funds for the Landfill Post Closure (LFPC) fund. For purposes of clarity, the LFPC funding is shown separately. The remainder is a fund balance that is used as an operating reserve. The projected balance of \$633,633 is 6% of operating costs or about 23 days cash on hand.

<b>Fund</b>	<b>Source</b>	<b>Use</b>
Facility Improvement Reserves	Operating Budget Contribution	Capital Projects
Post Closure Reserves (In Excess of 30-yr Obligation)	SWMF (past) increased (decreased) as needed	Adjusted with annual LT Projection
LFPC Reserve Obligation (<30 years)	SWMF (past)	Operating budget for LFPC
Facilities Closure Reserves	Funded from SWMF over time	If needed to close a DOC
Community Cleanup Fund	Funded from SWMF over time	Municipality Projects
DOC Rate Stabilization Reserve	Revenue over expenses - DOCs	Operating budget as needed
SWMF Rate Stabilization Reserve	Revenue over expenses from SWMF supported programs	Operating Budget as needed



**CHITTENDEN SOLID WASTE DISTRICT**  
**Fiscal Year 2019 Proposed Budget**  
**GENERAL FUND**  
**ASSUMPTIONS AND HIGHLIGHTS**

	FY 16 Actual	FY 17 Actual	CY 2017 Actual	FY 18 Budget	FY 19 Budget	% BUDGET CHANGE
<b>Operating Revenues:</b>						
Solid Waste Management Fees	\$ 3,125,956	\$ 3,181,391	\$ 3,281,700	\$ 2,916,000	\$ 3,024,000	4%
Tipping Fees	\$ 4,210,187	\$ 4,587,646	\$ 4,652,796	\$ 4,819,647	\$ 5,845,011	21%
Material Sales and Other	\$ 3,059,197	\$ 3,726,857	\$ 3,862,557	\$ 3,547,285	\$ 2,262,550	-36%
<b>Total Gen Fd Revenues</b>	<b>\$ 10,395,341</b>	<b>\$ 11,495,895</b>	<b>\$ 11,797,053</b>	<b>\$ 11,282,932</b>	<b>\$ 11,131,561</b>	<b>-1%</b>
<b>Operating Expenditures:</b>						
Wages, Benefits, Staff Training	\$ 3,493,800	\$ 3,636,121	\$ 3,709,475	\$ 4,131,754	\$ 4,281,865	4%
Contract Svcs, Insurance	\$ 4,860,012	\$ 5,000,862	\$ 4,909,974	\$ 5,179,063	\$ 5,193,282	0%
Printing, Advertising	\$ 245,335	\$ 216,577	\$ 178,663	\$ 301,338	\$ 256,589	-15%
Utilities, Supplies & Materials	\$ 599,360	\$ 585,028	\$ 614,122	\$ 652,653	\$ 657,794	1%
Other	\$ 142,779	\$ 135,587	\$ 133,963	\$ 260,344	\$ 208,083	-20%
<b>Total Gen Fd Expenditures</b>	<b>\$ 9,341,286</b>	<b>\$ 9,574,174</b>	<b>\$ 9,546,197</b>	<b>\$ 10,525,152</b>	<b>\$ 10,597,613</b>	<b>1%</b>
<b>Income after Operations</b>	<b>\$ 1,054,055</b>	<b>\$ 1,921,721</b>	<b>\$ 2,250,856</b>	<b>\$ 757,780</b>	<b>\$ 533,948</b>	<b>-30%</b>
Capital Reserves (FIR)	\$ (677,229)	\$ (1,538,352)	\$ (1,841,518)	\$ (1,168,992)	\$ (883,622)	-24%
SWMF Rate Stabilization	\$ (377,004)	\$ (251,169)	\$ 0	\$ 370,168	\$ 66,138	-82%
DOC Rate Stabilization	\$ 7,618	\$ (122,924)	\$ 0	\$ 0	\$ 263,535	NEW
Other	\$ (7,439)	\$ (9,276)	\$ 0	\$ 16,044	\$ 20,002	25%
<b>Net Annual</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 409,338</b>	<b>\$ (25,000)</b>	<b>\$ 1</b>	<b>-100%</b>

*NOTE: CY indicates Calendar Year 2017 actual expenses. It does not include transfers to/from funds other than the Facilities Improvement Reserve.*

**Overall Results:**

The FY 19 proposed budget expects

- Projected Revenue (\$11,131,561) to drop \$151,371 from FY 18 Budget and \$665,492 from Calendar Year 17 Actuals.
- Projected Operating Expenses (\$10,597,613) to be marginally (1%) over FY 18 budget and 10% over Calendar Year FY 17 Actuals (\$976,415)
- DOC Stabilization Reserves to be used (\$236,535)
- SWMF Rate Stabilization Reserves to be used (\$66,138)
- Property Management Reserves to be used (\$21,306)
- Landfill Post-Closure Reserves to be used (\$83,002)

See Capital and Other Assigned Funds for details on the reserves.



## ***Revenues:***

- **Solid Waste Management Fee (SWMF)** rate will remain \$27 per ton. The expected tonnage subject to the fee will rise by 4,000 tons for the FY19 budget, at \$27 per ton on 112,000 tons, as was budgeted for FY19. This will generate **\$3,024,000** of revenue. The actual SWMF revenue recognized in FY17 (most recent full fiscal year) was \$3,181,9391, and conservative revenue projections for FY18 are for about \$3,100,000 to be recognized.
- **Tipping Fee revenues** for FY19 are budgeted at \$5,845,011- \$1,025,364 (21%) more than FY18 budgeted amounts. This is driven by a \$1,088,360 (110%) increase in the MRF budget (increased fees needed to address a severe decrease in sales of paper) and offset slightly by a decrease of \$108,061 (-2%) due to the Hinesburg DOC temporary closure.
  - Biosolids Management is projecting a \$114,128 (10%) increase in Tipping Fees due to the change in the Allocation. The contract with the communities and the service provider must be renewed by December 31, 2018.
- **Material Sales and Other** budgeted revenues for FY19 totaling **\$2,262,550** represents a significant decrease from both the FY 17 actual and the FY 18 budget driven by two major factors.
  - [-] \$1,285,389 (-64%) – MRF material sales are budgeted to decrease due to the change in paper markets.
  - [-] \$ 151,283 –Green Mountain Compost sales are being normalized to actuals based on an analysis of both trend data and a report from a study commissioned by the District in FY 18.
  - [+] \$ 56,717 – increase in expected DOC scrap metal sales revenues over FY18 budget.
  - [+] \$75,000 – revenue from a Special Project for a Collection Study with Burlington and South Burlington. The District will receive revenue from the municipalities offsetting an expense for the same amount in Consulting Services. *(This was added after the Finance Committee process.)*

## ***Expenditures:***

- **Wages, Benefits, and Staff Training** expenditures are increasing by 3.6%, or \$150,169, over FY18 budget amounts.
  - [+] \$158,000 – **Salaries and wages** - Increase of \$119,418 (4.3%) for scheduled increases and 3,254 additional hours to assist with coverage as follows:
    - Admin – 100 hours for IT support
    - Compliance – 2008 hours to increase PT hours from 28 to 32 per week
    - Finance - 640 hours for Accounting support as approved from PUD in FY 18
    - Outreach and Communications- 341 hours moving Outreach Coordinator from 32 to 40 hours per week
    - Drop Off Centers - 1,640 hours to bring second staff into Williston and 416 for sick/vacation coverage
    - Environmental Depot – 325 hours for sick and vacation coverage
  - [-] \$16,670 – **Health insurance costs**  
The number of employees covered under the District’s plan was planned to be 39 in FY 18 and will be 35 in FY 19. The employee contribution to health care premiums also will rise from 3% to 3.25%. This includes the plan for a 10% increase in premium for the second half of the fiscal year.
  - [+] \$ 20,799 – **Mandatory benefit costs**

Increase in employer payroll taxes, unemployment insurance, and workers compensation insurance of about 5.99%.

- **Offsetting increases in wages were decreases in the following areas:**
  - **Green Mountain Compost** reduced their Human Resource, Cost of Goods Sold and Promotion and Education budgets to reflect changes in planned operations, leaving the expense budget \$58,000 lower than FY 18 Approved Budget.
  - **Material Recycling Facility** reduced total expense by \$64,000 with lower facility costs driven by contract savings when material sales drop and reducing the number of bins purchased. (Bins will be sold rather than given away, leaving offsetting revenue not previously charged.)
  - **Outreach and Communications** is centrally coordinating promotion and printing costs for all programs focused on reducing waste. Costs associated with selling product remain in the program budgets. The Chuck-It Guide is also in the FY 18 budget which reduces the proposal by \$35,000. Overall Printing and Advertising expenses are projected to decrease by \$45,000.
- **Individual Program Budgets may show changes in Salaries and Wages due to restructuring and do not reflect an increase in staffing.**

**Transfers:**

- **Facilities Improvement Reserve (FIR)** – The FY19 budget provides a contribution of about \$904,928 to the fund by operations and/or SWMF to be set aside in the for future capital needs. This is based on an analysis of the next ten years under the assumption that nothing changes and items currently in place are repaired or replaced. See Capital Budget Highlights for details.
- **Solid Waste Management Fee Rate Stabilization Reserve** – This reserve will be drawn down by \$66,138 to balance the budget for FY19. Given the current performance of the SWMF revenue, the balance should remain at \$1.2 million at the beginning of the new fiscal year.
- **DOC Rate Stabilization Reserve** – We project using all of the balance in this reserve fund, expected to be \$263,535. This budget should break even as anticipated.

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**CHITTENDEN SOLID WASTE DISTRICT  
OPERATING BUDGET ROLL UP - SUMMARY  
Comparison with Previous Years**

	FY 2016 ACTUAL JUL - JUN	FY 2017 ACTUAL JUL - JUL	CY 2017 ACTUAL JAN - DEC	FY 2018 APPROVED BUDGET	FY 2019 PROPOSED BUDGET	FY 18 - 19 BUDGET PERCENT CHANGE	FY 18 - 19 BUDGET DOLLAR CHANGE	CY 17 - FY 19 BUDGET PERCENT CHANGE	CY 17 - FY 19 BUDGET DOLLAR CHANGE
<b>Revenues</b>									
43 - License Fees, Fines, and Penalties	\$ 13,877	\$ 17,638	\$ 14,402	\$ 14,570	\$ 13,660	-6%	\$ (910)	-5%	\$ (742)
4416 - Solid Waste Management Fees	\$ 3,125,956	\$ 3,181,391	\$ 3,281,700	\$ 2,916,000	\$ 3,024,000	4%	\$ 108,000	-8%	\$ (257,700)
44 - Tipping Fees	\$ 4,210,187	\$ 4,587,646	\$ 4,652,796	\$ 4,819,647	\$ 5,845,011	21%	\$ 1,025,364	26%	\$ 1,192,215
45 - Sale of Materials	\$ 2,817,792	\$ 3,523,721	\$ 3,694,864	\$ 3,358,110	\$ 1,964,538	-41%	\$ (1,393,572)	-47%	\$ (1,730,326)
45 - Miscellaneous	\$ 46,920	\$ 7,095	\$ 8,232	\$ 12,043	\$ 81,000	573%	\$ 68,957	884%	\$ 72,768
40 - Other	\$ 180,609	\$ 178,403	\$ 145,059	\$ 162,562	\$ 203,352	25%	\$ 40,790	40%	\$ 58,293
<b>Total Operating Revenue</b>	<b>\$ 10,395,341</b>	<b>\$ 11,495,895</b>	<b>\$ 11,797,053</b>	<b>\$ 11,282,932</b>	<b>\$ 11,131,561</b>	<b>-1%</b>	<b>\$ (151,371)</b>	<b>-6%</b>	<b>\$ (665,492)</b>
<b>Operating Expenses</b>									
51 - Salaries and Wages	\$ 2,532,044	\$ 2,596,038	\$ 2,647,160	\$ 2,778,568	\$ 2,897,924	4.30%	\$ 119,356	9%	\$ 250,764
52 - Personnel Benefits	\$ 884,458	\$ 956,939	\$ 977,982	\$ 1,219,752	\$ 1,232,698	1.06%	\$ 12,946	26%	\$ 254,716
53 - Education and Training	\$ 77,298	\$ 83,143	\$ 84,334	\$ 133,434	\$ 151,243	13%	\$ 17,809	79%	\$ 66,909
54 - Contracted Services - Professional	\$ 326,398	\$ 286,636	\$ 286,814	\$ 401,575	\$ 340,250	-15%	\$ (61,325)	19%	\$ 53,436
55 - Contracted Services - Other	\$ 4,428,822	\$ 4,595,023	\$ 4,489,192	\$ 4,645,233	\$ 4,740,593	2%	\$ 95,360	6%	\$ 251,401
56 - General Insurance	\$ 104,792	\$ 119,203	\$ 133,968	\$ 132,255	\$ 112,439	-15%	\$ (19,816)	-16%	\$ (21,529)
57 - Printing and Advertising	\$ 245,335	\$ 216,577	\$ 178,663	\$ 301,338	\$ 256,589	-15%	\$ (44,749)	44%	\$ 77,926
58 - Utilities	\$ 89,450	\$ 110,188	\$ 97,820	\$ 127,429	\$ 127,256	0%	\$ (173)	30%	\$ 29,436
59 - Computer Systems Maintenance	\$ 62,280	\$ 56,359	\$ 61,432	\$ 74,735	\$ 118,333	58%	\$ 43,598	93%	\$ 56,901
60 - Office Supplies	\$ 39,908	\$ 24,996	\$ 23,619	\$ 51,743	\$ 35,208	-32%	\$ (16,535)	49%	\$ 11,588
61 - General Supplies	\$ 407,721	\$ 393,485	\$ 431,250	\$ 398,746	\$ 376,998	-5%	\$ (21,748)	-13%	\$ (54,253)
62 - Interdepartmental Charges	\$ 0	\$ 0	\$ (0)	\$ 0	\$ (1)	NEW	\$ (1)		\$ (1)
63 - Other	\$ 142,779	\$ 135,587	\$ 133,963	\$ 260,344	\$ 208,083	-20%	\$ (52,261)	55%	\$ 74,120
<b>TOTAL OPERATING EXPENSES</b>	<b>\$ 9,341,286</b>	<b>\$ 9,574,174</b>	<b>\$ 9,546,197</b>	<b>\$ 10,525,152</b>	<b>\$ 10,597,612</b>	<b>1%</b>	<b>\$ 72,460</b>	<b>11%</b>	<b>\$ 1,051,415</b>
<b>INCOME FROM OPERATIONS</b>	<b>\$ 1,054,055</b>	<b>\$ 1,921,721</b>	<b>\$ 2,250,856</b>	<b>\$ 757,780</b>	<b>\$ 533,949</b>	<b>-30%</b>	<b>\$ (223,831)</b>	<b>-76%</b>	<b>\$ (1,716,907)</b>
<b>CAPITAL CONTRIBUTION</b>									
6620 - Scheduled Transfers to CAP Reserves	\$ 719,384	\$ 1,538,352	\$ 1,841,518	\$ 1,270,164	\$ 904,928	-29%	\$ (365,236)	-51%	\$ (936,590)
<b>INCOME FROM OPERATIONS less CAPITAL CONTRIBUTION</b>	<b>\$ 334,671</b>	<b>\$ 383,369</b>	<b>\$ 409,338</b>	<b>\$ (512,384)</b>	<b>\$ (370,979)</b>	<b>-28%</b>	<b>\$ 141,405</b>	<b>-191%</b>	<b>\$ (780,317)</b>
<b>ALLOCATIONS</b>									
63 - Other	\$ 0	\$ 0	\$ 0	\$ 0	\$ (0)	NEW	\$ (0)	NEW	\$ (0)
<b>INCOME AFTER ALLOCATIONS</b>	<b>\$ 334,671</b>	<b>\$ 383,369</b>	<b>\$ 409,338</b>	<b>\$ (512,384)</b>	<b>\$ (370,978)</b>	<b>-28%</b>	<b>\$ 141,406</b>	<b>-191%</b>	<b>\$ (780,316)</b>

**TRANSFERS**

4915	TFR FR LFPC TO GF	\$ 61,561	\$ 59,724		\$ 85,044	\$ 83,002	-2%	\$ (2,042)	NEW	\$ 83,002
4920	TFR FR FIR TO GF	\$ 42,154			\$ 101,172	\$ 21,306	-79%	\$ (79,866)	NEW	\$ 21,306
4925	USE OF SOLID WASTE MGMT FEES	\$ 0	\$ 0		\$ 0	\$ 0	n/a	\$ 0	n/a	\$ 0
4931	TFR FR DOC RATE STABLIZ	\$ 7,618				\$ 263,535	NEW	\$ 263,535	NEW	\$ 263,535
4932	TFR FROM SWMF RATE STABLZTN				\$ 370,168	\$ 66,138	-82%	\$ (304,030)	NEW	\$ 66,138
4935	DECREASE IN UNDES FD BALANCE	\$ 188,924	\$ 355,623		\$ 25,000	\$ 0	-100%	\$ (25,000)	n/a	\$ 0
4991	Proceeds from Lease Agreement					\$ 0	n/a	\$ 0	n/a	\$ 0
<b>49 - Transfer TO GF FROM Reserves</b>		<b>\$ 300,257</b>	<b>\$ 415,347</b>	<b>\$ 0</b>	<b>\$ 581,384</b>	<b>\$ 433,978</b>	<b>-25%</b>	<b>\$ (147,406)</b>	<b>NEW</b>	<b>\$ 433,978</b>
6612	TFR TO COMM CLEANUP FD FR GF	\$ 19,000	\$ 19,000		\$ 19,000	\$ 13,000	-32%	\$ (6,000)	NEW	\$ 13,000
6615	TFR TO LFPC RESV	\$ 50,000	\$ 50,000		\$ 50,000	\$ 50,000	0%	\$ 0	NEW	\$ 50,000
6626	TFR TO RATE STABLZTN RSV FR GF	\$ 231,616				\$ 0	n/a	\$ 0	n/a	\$ 0
6629	TFR TO DOC RATE STABLZTN RSV FR GF		\$ 122,924			\$ 0	n/a	\$ 0	n/a	\$ 0
6631	TFR TO SWMF RATE STABLZTN	\$ 14,914	\$ 25,972			\$ 0	n/a	\$ 0	n/a	\$ 0
6632	TFR TO UNDESIGNATED FB	\$ 319,398	\$ 580,820			\$ 0	n/a	\$ 0	n/a	\$ 0
<b>49 - Transfer FROM GF TO Reserves</b>		<b>\$ 634,928</b>	<b>\$ 798,716</b>	<b>\$ 0</b>	<b>\$ 69,000</b>	<b>\$ 63,000</b>	<b>-9%</b>	<b>\$ (6,000)</b>	<b>NEW</b>	<b>\$ 63,000</b>
<b>NET PROGRAM</b>		<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 409,338</b>	<b>\$ 0</b>	<b>\$ (0)</b>				

(1) Does not include GAAP adjustments for inventory nor FY 17 restatement

**CHITTENDEN SOLID WASTE DISTRICT  
Fiscal Year 2019 Proposed Budget**

**CAPITAL PROGRAM BUDGET - HIGHLIGHTS**

	<b>FY17 ACTUAL AMOUNTS</b>	<b>FY18 ADOPTED BUDGET</b>	<b>FY 19 PROPOSED BUDGET</b>	<b>% Change FY19 vs FY18</b>
<b>Capital Expenditures:</b>				
Materials Recovery Facility	\$ 155,630	\$ 112,500	\$ 883,500	685.3%
Special Waste Facility	7,744	25,000	11,000	-56.0%
Drop-Off Centers	381,957	290,700	641,500	120.7%
Maintenance			25,000	
Environmental Depot	51,659	23,000	42,500	84.8%
Biosolids	67,637		70,000	na
Compost Facility	435,215	494,000	31,500	-93.6%
Property Mgmt & Admin	6,775	25,000	50,000	100.0%
<b>Total Capital Expenditures</b>	<b>\$ 1,106,617</b>	<b>\$ 970,200</b>	<b>\$ 1,755,000</b>	<b>80.9%</b>
Portion financed with leases	\$ 346,000			
Remainder - paid from funds on hand	\$ 760,617	\$ 970,200	\$ 1,755,000	

CSWD's \$1,755,000 total Capital Budget for FY19 reflects an investment in our infrastructure as planned. Significant items included in the FY19 capital budget are as follows:

- \$ 720,000 – new baler for the Materials Recycling Facility
- \$ 350,000 – redesign and build a new Drop Off Center at the new location in Hinesburg
- \$ 120,000 – new tip floor at the MRF
- \$ 100,000 – design and permit cost to reconfigure or relocate DOCs in Essex and South Burlington
- \$ 100,000 – new roll off containers for the DOCs
- \$ 70,000 – additional trailer for Biosolids program
- \$ 50,000 – Act 250 Permit

Activity on the Capital Fund in FY 19 is expected to be:

Contributions from Operating Budget	\$ 904,857
Interest Earned	19,786
Trade In or Sale	17,000
Project Costs	(1,755,000)
Transfer to General Fund for Operating	<u>(21,306)</u>
<b>Change to Fund Balance</b>	<b>(\$ 834,663)</b>

Fund Balances are

	<b>6/30/2017</b>	<b>6/30/2018</b>	<b>6/30/2019</b>
	<b>Balance</b>	<b>Balance</b>	<b>Balance</b>
	<b>Audited</b>	<b>Projected</b>	<b>Projected</b>
MRF	\$1,694,785	\$1,980,532	\$1,376,613
Special Waste	\$289,496	\$172,540	\$162,403
Maintenance	\$0	\$0	\$78,000
Drop Off Centers	\$1,046,001	\$1,335,571	\$1,068,510
Environmental Depot and Paint	\$203,641	\$177,452	\$152,939
Biosolids	\$116,158	\$141,897	\$119,606
Green Mountain Compost	\$116,431	(\$0)	\$85,818
Property Management	\$197,195	\$149,149	\$78,589
<b>Total</b>	<b>\$3,663,707</b>	<b>\$3,957,141</b>	<b>\$3,122,478</b>



# CHITTENDEN SOLID WASTE DISTRICT

## Fiscal Year 2019 Proposed Budget

### ASSIGNED FUNDS BUDGET - ASSUMPTIONS AND HIGHLIGHTS

Other Assigned Funds are investments the Board of Commissioners has decided to make to achieve particular objectives. Some are required, others by exclusive choice of the Board. These funds are:

**Facility Closure Reserve** – allows the District to close our current Drop Off Centers safely - funded by District Revenues with no annual contributions required at this time

**Community Clean Up Fund** – supports member communities in local projects – funded by an annual contribution from the General Fund

**DOC Rate Stabilization Reserve** – allows for an increase in prices to remain unchanged for multiple years by contributing excess funding in the first years and drawing upon those funds in the last years

**SWMF Rate Stabilization Reserve** – allows for increase the fee to remain unchanged for multiple years by contributing excess funding in the first years and drawing upon those funds in the last years

**Unrestricted Fund Balance (UFB)** – has two components

**Landfill Post Closure Reserve** – allowing the district to assure that funding exists to meet the requirements of the thirty year process of closing the landfill – funded by District Funds and interest on the investment (We report this fund in two parts – one is the cash portion of the UFB available and the second (>30 years) is funding above / (below) that needed to meet the remainder of the obligation

*This fund liability will be recalculated in June after an analysis of the expected expenses for the remainder of the 30 years is complete. Funds will be drawn from the Operating Reserve or contributed in a planned use of the SWMF over the remaining years of the obligation.*

**Unrestricted Fund Balance** – acts like an operating reserve funds within the general fund – funded from revenues over expenses in the operating budget

A significant draw down of Reserve funds is planned during FY 19 based on the use of the Rate Stabilization Funds (DOC and SWMF). These have been planned for three years and are not unexpected.

*(see next page)*

The impact of this plan on Assigned Reserves is as follows:

	6/30/16	6/30/17	6/30/18	6/30/19	FY 18 - 19
	ACTUAL	ACTUAL	PROJECTED	PROJECTED	CHANGE IN
<u>Other Designated Funds:</u>	<u>(AUDITED)</u>	<u>(AUDITED)</u>	<u>BALANCES</u>	<u>BALANCES</u>	<u>FUND EQUITY</u>
Post Closure Reserves (In Excess of 30-yr Obligation)	\$ 148,554	\$ (37,096)	\$ -	\$ -	
LFPC Reserve Obligation (<30 years)	\$ 764,323	\$ 944,732	\$ 882,596	\$ 858,420	\$ (24,176)
Facilities Closure Reserves	488,304	491,224	496,172	501,134	4,962
Community Cleanup Fund	67,836	72,884	68,857	69,857	1,000
Managers' Deferred Compensation Reserve	-	-	-	-	0
DOC Rate Stabilization Reserve	140,613	263,535	263,535	-	(263,535)
SWMF Rate Stabilization Reserve	1,002,791	1,253,959	883,791	817,653	(66,138)
Undesignated Fund Equity (Operating Reserve)	778,455	658,633	633,633	633,633	0
GAAP Adjustments		11,611			0
<b>Total Funds Designated For Other Purposes</b>	<b>3,390,876</b>	<b>3,659,482</b>	<b>3,228,584</b>	<b>2,880,697</b>	<b>(347,887)</b>

**CHITTENDEN SOLID WASTE DISTRICT**  
**FY 19 SCHEDULE OF PROGRAM TIPPING FEES**

	<u>FY 19</u>	<u>FY 18</u>	<u>FY 17</u>	<u>Change</u>
<b>4) MATERIALS RECOVERY FACILITY</b>				
Tipping fees and/or materials purchased price fluctuate with market price. Budgeted rates are:				
In District materials, per Ton	\$25.00	\$21.00	\$23.50	\$4.00
Out-of-District materials, per Ton	\$50.00	\$21.00	\$23.50	\$29.00
<b>6) SPECIAL WASTE PROGRAM</b>				
<b>Special Waste Facility (at the Williston Drop-Off Center)</b>				
Electronics ~ per pound (by appt. only)		\$0.18	\$0.18	(\$0.18)
Gypsum wallboard (clean, new scrap):				
Small loads (up to 2 cy), per cubic yard	\$22.50	\$22.50	\$18.00	\$0.00
Large loads, per ton	\$90.00	\$90.00	\$70.00	\$0.00
Tires ~ up to 16"	\$2.25	\$2.25	\$2.25	\$0.00
Tires ~ 16.5" to 19"	\$3.75	\$3.75	\$3.75	\$0.00
Tires ~ per ton	\$200.00	\$200.00	\$200.00	\$0.00
Tree limbs, trunks, clean stumps, & brush:				
Up to 6 cubic yards	No charge	No charge	No charge	
Each cubic yard in excess of 6 cy	\$5.00	\$5.00	\$5.00	\$0.00
Pallets & clean lumber:				
Per ton	\$50.00	\$50.00	\$50.00	\$0.00
Propane cylinders over 20 lbs	\$5.00	\$5.00	\$5.00	\$0.00
<b>7) DROP-OFF CENTERS</b>				
Items accepted vary by facility.				
<b>Household Trash</b>				
up to 18-gallon bag/barrel	\$2.50	\$2.50	\$2.50	\$0.00
up to 33-gallon bag/barrel	\$4.75	\$4.75	\$4.75	\$0.00
up to 45-gallon bag/barrel	\$7.25	\$7.25	\$7.25	\$0.00
per cubic yard	\$37.50	\$37.50	\$37.50	\$0.00
at Burlington Drop-Off Center, per pound	\$0.19	\$0.19	\$0.19	\$0.00
<b>Construction &amp; Demolition Debris</b>				
up to 18-gallon bag/barrel	\$5.00	\$5.00	\$5.00	\$0.00
up to 33-gallon bag/barrel	\$9.50	\$9.50	\$9.50	\$0.00
up to 45-gallon bag/barrel	\$14.50	\$14.50	\$14.50	\$0.00
per cubic yard	\$75.00	\$75.00	\$75.00	\$0.00
at Burlington Drop-Off Center, per pound	\$0.19	\$0.19	\$0.19	\$0.00
<b>Other Items</b>				
(* indicates that limits apply)				
All-In-One Recyclables	No charge	No charge	No charge	
Appliances without Refrigerants	\$5	\$5	\$5	\$0.00
Appliances with Refrigerants	\$10-\$15	\$10-\$15	\$10-\$15	
Batteries (household and lead acid)*	No charge	No charge	No charge	
Electronics	\$1-\$15	\$1-\$15	\$1-\$15	\$0.00
Electronics - items covered by new State program	No charge	No charge	No charge	
Fluorescent lamps*	No charge	No charge	No charge	
Compostables, with paid trash items	No charge	No charge	No charge	
Compostables, no paid trash items	\$1.50	\$1.50	No charge	\$1.50
Furniture items	\$4-\$20	\$4-\$20	\$4-\$20	\$0.00
Hard cover books*	No charge	No charge	No charge	
Mercury-containing products*	No charge	No charge	No charge	
Propane cylinders 20 lbs & under*	No charge	No charge	No charge	

**CHITTENDEN SOLID WASTE DISTRICT**  
**FY 19 SCHEDULE OF PROGRAM TIPPING FEES, Continued**

7) DROP-OFF CENTERS, Continued		<u>FY 19</u>	<u>FY 18</u>	<u>FY 17</u>	<u>Change</u>
<b>Other Items (Continued)</b>					
Scrap metal		No charge	No charge	No charge	
Textiles*		No charge	No charge	No charge	
Tires ~ up to 16"		\$2.75	\$2.75	\$2.75	\$0.00
Tires ~ 16.5" to 19"		\$5.25	\$5.25	\$5.25	\$0.00
Tires ~ 20" to 24.5"		\$14.00	\$14.00	\$14.00	\$0.00
Tires ~ off road		\$56.00	\$56.00	\$56.00	\$0.00
Tree limbs, trunks, clean stumps, & brush:					
Up to 3 cubic yards		No charge	No charge	No charge	
Each cubic yard in excess of 3 cy		\$10.00	\$10.00	\$10.00	\$0.00
Pallets & clean lumber:					
Up to 1 cubic yard		No charge	No charge	No charge	
Each cubic yard in excess of 1 cy		\$5.00	\$5.00	\$5.00	\$0.00
Used oil*		No charge	No charge	No charge	
Used oil filters*		No charge	No charge	No charge	
Wood ashes ....					
	... Household Trash Fees Apply			No charge	
Yard debris			No charge	No charge	
<b>8) HAZARDOUS WASTE - ENVIRONMENTAL DEPOT &amp; ROVER</b>					
<b>Environmental Depot</b>					
	Household hazardous waste			No charge	
	Business hazardous waste ~ Conditionally Exempt Generators				
				Charged by material	
<b>Rover</b>					
	Household hazardous waste			No charge	
<b>10) BIOSOLIDS</b>					
	Sludge per wet ton for disposal (average projected blended rate, opt out)	\$102.85	\$94.55	\$96.40	\$8.30
	Sludge per wet ton for disposal (average projected blended rate)	\$98.78	\$90.62	\$92.00	\$8.16
	Sludge per wet ton for land application (average projected blended rate)	\$70.50	\$64.74	\$66.12	\$5.76
	Sludge per wet ton for alkaline treatment	\$92.20	\$83.60	\$85.72	\$8.60
	South Burlington Class A (average projected blended rate)	\$41.31	\$35.99	\$38.12	\$5.32
<b>11) COMPOST</b>					
	Per-ton tip fee for post-consumer food waste	\$52.00	\$52.00	\$45.00	\$7.00
<b>15) FINANCE</b>					
	Solid Waste Management Fee per ton	\$27.00	\$27.00	\$27.00	\$0.00

NOTE: Sales prices are established by market conditions and are subject to change.

CSWD BOARD OF COMMISSIONERS

TOWN	NAME	Start Date	ADDRESS	HOME #	WORK#	E-MAIL
Bolton - Rep.	Duncan Galbraith	5/5/2014	66 Curtis Lane, Waterbury VT 05676	434-5531		dagvtr@qmvvt.net
Bolton - Alt.	Vacant					
Burlington - Rep.	Rob Green	7/1/2016	BPW, PO Box 849 Burlington VT 05402	316-0791	865-7200	Rgreen@burlingtonvt.gov
Burlington - Alt.	Jennifer Green	11/28/2016	77 Mansfield Ave. Burlington, VT 05401	922-5600	865-7349	jgreen@burlingtonelectric.com
Charlotte - Rep.	Abby Foulk	4/30/2013	957 Orchard Rd, Charlotte VT 05445	425-3078	999-8501	afoulk@qmvvt.net
Charlotte - Alt.	Rachel Stein	2/9/2015	1547 Mt. Philo Rd., Charlotte VT 05445	917-601-5110		rachelstein1@comcast.net
Colchester - Rep.	Timothy Moran	4/10/2018	22 Barbara Terrace, Colchester VT 05446	448-3219		tgmvt@comcast.net
Colchester - Alt.	Jeffrey Bartley	5/13/2014	887 Jasper Mine Rd, Colchester VT 05446	503-5801		jeffreybartley@gmail.com
Essex - Rep.	Alan Nye	6/18/2001	17 Stannard Drive, Essex Jct. VT 05452	879-7442	343-4836	anyeessex@aol.com
Essex - Alt.	Max Levy	5/5/2008	8 Bashaw Drive, Essex Jct. VT 05452	878-5267	769-9575	maxglevyvinessex@aol.com
Essex Jct. - Rep.	Alan Nye	6/18/2001	17 Stannard Drive, Essex Jct. VT 05452	879-7442	343-4836	anyeessex@aol.com
Essex Jct. - Alt.	George Tyler	7/11/2011	5 Acorn Circle, Essex Jct. VT 05452	878-7785	310-8215	gtyler@essexjunction.org
Hinesburg - Rep.	Lynn Gardner	7/8/1992	PO Box 150, Hinesburg VT 05461	238-5298	482-2325	cliffordlumber@qmvvt.net
Hinesburg - Alt.	Doug Taff	10/4/2010	210 Heron Pond Road, Hinesburg, VT 05461	482-3066		rozisdad@qmvvt.net
Huntington - Rep.	Roman Livak	5/6/2013	8420 Main Rd, Huntington VT 05462	434-2663		romanlivak@qmvvt.net
Huntington - Alt.	Vacant					
Jericho - Rep.	Leslie Nulty	11/19/2009	PO Box 1121, Jericho Ctr. VT 05465	899-4582	324-1496	lenulty84@gmail.com
Jericho - Alt.	Albert Lindholm	3/9/1995	PO Box 1054, Jericho VT 05465	899-3879		bertlindhm@aol.com
Milton - Rep.	Vacant					
Milton - Alt.	Vacant					
Richmond - Rep.	Adam Sherman	12/15/2008	158 Church Street, Richmond VT 05477		223-7770x128	adamshermanvt@yahoo.com
Richmond - Alt.	Vacant					
St. George - Rep.	Vacant					
St. George - Alt.	Maggie Kerrin	6/16/2016	21 Barber St., St. George VT 05495		482-5272	stgeorgevta@gmail.com
Shelburne - Rep.	Timothy Loucks		4040 Greenbush Road, Charlotte VT 05445	825-8872		tploucks@gmail.com
Shelburne - Alt.	Joe Colangelo		PO Box 88, Shelburne, VT 05482			jcolangelo@shelburnevt.org
So. Burlington - Rep.	Paul Stabler	9/23/1996	75 Butler Dr., So. Burlington VT 05403	862-9283		stabler@us.ibm.com
So. Burlington - Alt.	Vacant					
Underhill - Rep.	Dan Steinbauer	7/7/2003	P.O. Box 51, Underhill Ctr. VT 05490	899-3525		dsteinbauer@comcast.net
Underhill - Alt.	Paul Ruess	7/8/2014	44 Meadow Lane, Underhill VT 05489	760-7730		psruess@comcast.net
Westford - Rep.	Michelle DaVia	7/13/2007	71 North Road, Westford VT 05494	893-3879	922-2537	mdavia1@hotmail.com
Westford - Alt.	Vacant					
Williston - Rep.	Craig Abrahams	6/27/2011	855 Ledgewood Drive, Williston VT 05495	578-3677	861-8502	cabrahams@comcast.net
Williston - Alt.	Caylin McCamp	10/17/2017	175 John's Road, Williston, VT 05495	412-335-2211		caylin.mccamp@gmail.com
Winooski - Rep.	Ted Regula	6/1/2015	138 Russell St., Winooski VT 05404	655-5964		theodoreregula@hotmail.com
Winooski - Alt.	Bryn Oakleaf	6/5/2017	129 Franklin St., Winooski VT 05404		802-490-8013	bryn.oakleaf@gmail.com

# Memorandum

**TO:** Village Trustees' and Evan Teich, Unified Manager  
**FROM:** Dennis Lutz, P.E., Public Works Director  
Ricky Jones, Village Public Works Superintendent  
Aaron Martin, P.E. Town Engineer and Utilities Director



**DATE:** May 09, 2018  
**SUBJECT:** Main Street Pedestrian Bridge Rehabilitation Project

**ISSUE:** The issue is whether or not to award the Main Street Pedestrian Bridge Rehabilitation Project Bid to the second low- bidder, ECI, due to the low bidder's submitted documents and the qualification procedures that were not followed by the second low bidder.

**DISCUSSION:** Main Street Pedestrian Bridge Rehabilitation Project bids for the Village were opened on Friday, April 20, 2018 with the following results:

<u>Firm</u>	<u>Total Price</u>	
Northeast Infrastructure	\$115,400.00	Rejected Bid
Engineers Construction, Inc.	\$137,008.00	Bid Award
S.D. Ireland	\$247,500.00	
Neil H. Daniels, Inc.	\$299,570.00	

When errors in bid documents occur, standard practice is and has been to declare the bid in error and not award a bid on the basis of a flawed submittal. Bids are evaluated on the basis of what is submitted in writing between the four corners of each page of the submitted document. The evaluation of project bid submittals also takes into consideration the experience and ability of the contractor to complete the work described in the bid. In the opinion of staff, the later can also be the determining factor of a bid award. All bids could be evaluated on the basis of "value" and cost savings to the owner but this can establish a precedent that can and will impact future bids. Once the process becomes one of "value" considerations, it is difficult to enforce the integrity of future contract processes.

After the bids for the pedestrian bridge project were opened, some concerns were raised by the very low bid submitted by Northeast Infrastructure, LLC. Upon further review of the bids submittal from Northeast Infrastructure, the work references provided were from 3 to 4 years ago and the work description was too vague to make a comparison of experience and the scope of this project. A copy of the applicant's bid submittal has been attached and can be found as page 9 through 14 of this memo as numbered in the lower right hand corner of the page. Due to the lack of detail and remaining questions as to the bidder's ability to take on this project, staff decided to make a request for additional references.

A copy of the Invitations to Bidders, page 4 to 6 of the project bid documents has been attached. The Village of Essex Junction Purchasing Policy has also been attached with Section 7, Vendor Selection highlighted for your reference, page 7 to 8. All prospective bidders were provided the same set of bid documents and both Addendum. The selected portions of the Bid Documents mentioned above were used as a basis for review and determination of the lowest, best qualified and responsible vendor.

On Monday, April 23, 2018, staff requested additional work references from the low bidder and second low bidder, page 17. Additional references were submitted by Northeast Infrastructure, pages 21 to 28, and Engineers Construction, pages 18 to 20. Both reference submittals were reviewed by staff, and the design engineer for the pedestrian bridge project and all agreed that the bidder that provided the lowest total base bid is not the best qualified to complete the project as described in the bid documents.

A draft letter to the apparent low bidder was furnished to the Village Attorney for review and comment and can be found on page 31 to 32. The letter describes in detail the four main reasons why the Village of Essex Junction will not be awarding the Main Street Pedestrian Bridge Rehabilitation project to the apparent low bidder north East Infrastructure, but to the second low bidder, Engineers Construction, Inc.

**RECOMMENDATION:** It is recommended that the Trustees' concur with staff and award the Main Street Pedestrian Bridge Rehabilitation Project Bid to the second low bidder, Engineer's Construction, Inc.





### INVITATION TO BIDDERS

The Village of Essex Junction invites you to prepare a Lump Sum Bid for the Main Street Pedestrian Bridge Rehabilitation Project on Bridge #1A, located on VT RT 15, (Main Street), near the Town of Essex Municipal office at 81 Main Street.

The pedestrian walkway attached to the bridge is heavily traveled. It is the only crossing for pedestrians at the location. There is no pedestrian crossing on the north side and the walkway is heavily used by students and residents. The Village had a temporary pedestrian walk designed and installed in order to accommodate the public. The Village retained the services of a structural engineer to review the VTrans report and the existing bridge. The engineer concurred with the findings of VTrans, and was tasked to design a temporary replacement pedestrian bridge that is currently in place.

The proposed project scope includes the removal of existing and temporary pedestrian bridges along the east side of Bridge #1A. Existing abutments to be modified, including the addition of a backwall, to accept a new precast concrete bridge deck with a steel pedestrian guardrail. New concrete facing and soil nails to be installed on existing masonry headwall. Repair of deteriorated concrete required on face of north abutment and underside of Bridge #1A. **The work herein shall take place between June 18, 2018 to August 16, 2018.** Copies of the Contract Documents can be purchased for a non-refundable fee of \$25.00 at the Office of the Public Works Director, located at 5 Jericho Road in the Town of Essex.

Sealed bids will be received for the pedestrian bridge rehabilitation project, and associated work items for the Village of Essex Junction at the Office of Town Public Works Director, 5 Jericho Road, Essex Center (mailing address is Town of Essex, Public Works Department, 81 Main Street, Essex Jct., VT 05452) until **10:00 A.M. on Friday, April 20, 2018.**

All bids shall be submitted in a sealed envelope marked on the outside with the words **"VILLAGE PEDESTRIAN BRIDGE REHABILITATION PROJECT"**. All bids shall be delivered to the Public Works Office prior to the announced time for opening of bids.

The quantities noted for the bid items are approximate only, being given as the basis for the comparison of bids. A Measurement and Payment for this project has been provided with these Bid Documents. The Village of Essex Junction Trustee's reserve the right to increase or decrease the work and amounts stated in the bids, as may be necessary; to reject any or all bids received; to waive any informalities in the bids or to accept any bids should the Village Trustees' deem it in the best interests of the Village.

The Bidder shall submit with his or her bid a signed copy of a Hold Harmless Agreement, and the Bidders Qualification form. Copies of each are provided within this bid package.

The Village of Essex Junction was awarded a VTrans Structures Grant through State of Vermont AOT District 5. The grant award is for 90% of the total project costs with the Village of Essex Junction responsible for the remaining project balance. The Village will require a Performance Bond and Payment Bond shall for this project.

Each bid shall be accompanied by a certified check, payable to the Village of Essex Junction for five percent (5.0%) of the total bid. A Bid Bond may be used in lieu of a certified check. Standard AIA Bid Bonds are acceptable. A copy of the Bid Bond form has been provided within this bid package.

**A Pre Bid site visit is scheduled for Wednesday, April 11, 2018, at 10:00 AM.** All Bidders shall make every effort to visit the project location and become familiar with the site before the Bid Opening.

The bid will be awarded on the basis of the lowest total base bid and in accordance with the Village of Essex Junction Trustee's Purchasing Policy found in ATTACHMENT A of this Bid Package.

The successful firm will provide satisfactory evidence of insurance prior to award, including but not limited to:

- Contractor's Liability Insurance and Workmen's Compensation in compliance with Vermont statutory limits.
- Contractor's General Public Liability and Property Damage Insurance, including vehicle coverage issued to the Contractor and protecting him from all claims for personal injury, including death, and all claims for destruction of or damage to property, arising out of or in connection with any operations under the Contract Documents, whether such operations be by himself or by any Subcontractor under him, or anyone directly or indirectly employed by the Contractor or by a Sub-Contractor under him. Insurance shall be written with a limit of liability of not less than \$2,000,000 for all damages arising out of bodily injury, including death, at any time resulting there from, sustained by any one person in any one accident, and a limit of liability of not less than \$2,000,000 aggregate for any such damages sustained by two or more persons in any one accident.
- Insurance shall be written with a limit of liability of not less than \$500,000 for all property damages sustained by any one person in any one accident; and a limit of liability of not less than \$500,000 aggregate for any such damage sustained by two or more persons in any one accident.

The selected Contractor shall coordinate with Chittenden County Traffic Alert for all work in conjunction with the Pedestrian Bridge Rehabilitation project. All work associated with this project shall be conducted between the hours of Monday through

March 30, 2018

Friday, 7 AM to 6 PM. All work outside this time frame must be approved by the Village of Essex Junction.

All bid administrative questions related to this Invitation to Bid shall be directed to the Town of Essex Public Works Director, Dennis E. Lutz, P.E., 81 Main Street, Essex Junction, VT 05452. Phone (802) 878-1344, or email at [dlutz@essex.org](mailto:dlutz@essex.org). All questions related to the design plans shall be directed to the project engineer, Tim Dall, P.E. LEEDAP, Senior Structural Engineer at Engineering Ventures, 200 Flynn Avenue, Suite 2A, Burlington, Vermont 05401. Phone (802) 863-6225, or email at [timd@engineeringventures.com](mailto:timd@engineeringventures.com). Questions will be received up to Friday, April 13, 2018. Other than routine questions, all questions not affecting the Bid Price will be answered in writing and distributed to all prospective contractors prior to the bid opening.

If the award of the contract aggrieves any company, they may appeal in writing to the Village of Essex Junction Trustee's, 2 Lincoln Street, Street, Essex Junction, VT 05452. The appeal must be post-marked within fourteen (14) calendar days following the date of written notice to award the contract. Any decision of the Village of Essex Junction Trustee's shall be final.

Sincerely,



Evan Teich  
Municipal Manager

## 5. INSURANCE

- a. The insurance requirement for contractual services over \$10,000 shall be a combined single limit of one million dollars (\$1,000,000) aggregate for general liability and property damage including vehicle coverage, unless otherwise modified by the Village Manager. Prior to the commencement of work, the bidder shall give the Village Treasurer a certificate from the insuring company indicating that such policies have been issued and are in force and that said insurance companies agree to notify the Village Treasurer at least ten (10) days prior to the date of termination of or change in said policies.
- b. If the bidder is a sole proprietor or partner owner(s) of an unincorporated business exempt from carrying Workers' Compensation insurance under the provisions of 21 VSA § 601(14), he/she must agree to sign an agreement (*Attachment A*) with the Village to affirm that:
  - He/she is not an employee of the Village of Essex Junction
  - He/she is working independently
  - He/she has no employees
  - He/she has not contracted with other independent contractors

## 6. BONDS

Any building construction project estimated to cost over \$250,000 shall require a bid payment and performance bond. The Village Manager may require bid payment and performance bonds for other projects at his/her discretion. Bid bonds shall be for a minimum of 5% of the bid. Performance and payment bonds shall be for the amount of the contract.

## 7. VENDOR SELECTION

Vendors will be selected on a competitive basis. Purchases shall be awarded to the lowest, best qualified and responsible vendor. Any or all bids, quotations or proposals may be rejected if such action is deemed to be in the best interest of the Village.

In determining the "lowest, best qualified and responsible vendor," in addition to price, the following shall be considered.

- a. The substantial performance of the bidder in meeting the specifications and other terms and conditions of the solicitation.
- b. The ability, capacity and skill of the vendor to perform the contract or provide the material or service required, and to do so promptly or within the time

specified.

- c. The experience, financial resources and performance under previous contracts of the vendor.
- d. The quality, availability, and adaptability of the service or product being purchased and the ability of the vendor to provide future maintenance, if necessary.
- e. If all other things are equal and price is the only consideration, the contract may be awarded to an Essex Junction manufacturer or vendor whose bid is within 5% of the lowest bid. This subsection shall not apply to contracts involving Federal or State grants or loans. Contracts involving Federal or State grants or loans shall be awarded to the lowest qualified vendor.

## 8. LEASES

- a. All leases that will exceed \$10,000 over the life of the lease or requires the Village of Essex Junction to indemnify or hold another party harmless shall be approved by the Village Trustees.
- a. Any lease in the name of the Village of Essex Junction that is less than \$10,000 over the life of the lease or requires the Village of Essex Junction to indemnify or hold another party harmless shall be approved by the Village Manager.

## 9. PROFESSIONAL SERVICES

- a. Attorneys - In accordance with Section 2.09 (b) of the Essex Junction Village Charter, "Trustees' approval shall be required for the Manager's appointment of the Village Attorney." Staff's or the general public's use of paid legal counsel shall be authorized by the Village Manager. The Board of Trustees shall coordinate their use of legal counsel through the Village Manager, except when the Trustees are conducting an investigation in accordance with Section 2.06 of the Village Charter or considering removal of the Village Manager in accordance with Section 4.03 of the Village Charter. The Village Manager shall have the right to retain outside legal counsel if the Village Attorney has a conflict of interest or he/she determines it is in the best interest of the Village.
- b. Engineers - In accordance with Section 2.09 (b) of the Essex Junction Village Charter, "Trustees' approval shall be required for the Manager's appointment of the Village Engineer." The Village Manager shall have the right to obtain outside engineering assistance if the Village Engineer has a conflict of interest or he/she determines it is in the best interest of the Village.

BID FORM

<u>Item No.</u>	<u>Description</u>	<u>Unit</u>	<u>Estimated Quantity</u>	<u>Unit Price</u>	<u>Total Amount</u>
1	<u>Pedestrian Bridge Replacement</u> Unit Price in Words: <u>NINETY NINE THOUSAND FOUR HUNDRED</u>	LS	1	\$ <u>99,400</u>	\$ <u>99,400</u>
2	<u>Bridge #1A Repair</u> Unit Price in Words: <u>TWENTY FOUR THOUSAND</u>	CY	0.5	\$ <u>24,000</u>	\$ <u>12,000</u>
3	<u>Bridge #1A Stirrup Repair</u> Unit Price in Words: <u>TWO THOUSAND</u>	EA	2	\$ <u>2,000</u>	\$ <u>4,000</u>

TOTAL BASE BID

\$ 115,400.00

Base Bid in

Words: ONE HUNDRED FIFTEEN THOUSAND FOUR HUNDRED

The Bidder acknowledges receipt of the following Addendum:

Addendum #1

Addendum #2

All unit prices above shall include all labor, materials, removal, overhead, profit, insurance, etc. to cover the finished work called for on the contract drawings and specifications. We hereby certify that we did not enter into any agreement, participate in any collusion, or otherwise take any action in restraint of free competitive bidding. The Total Base Bid will determine the low bid.

The above proposal is hereby respectfully submitted by:

NORTHEAST INFRASTRUCTURE, LLC



Village of Essex Junction, Vermont  
Main Street Pedestrian Bridge  
Rehabilitation Project

March 30, 2018

NORTHEAST INFRASTRUCTURE, LLC  
Contractor

BRENNAN DRISCOLL  
By

MEMBER  
Title

417 FLETCHER ROAD  
Business Address

CAMBRIDGE                      VT                      05444  
City                                      State                      Zip Code

4/20/18  
Date

(Seal – if bid is by corporation)

Bl [Signature]  
Attest

March 30, 2018

HOLD HARMLESS AGREEMENT

The Contractor shall and does hereby agree to indemnify, save harmless and defend the Village from the payment of any sum or sums of money to any person whomsoever on account of claims or suits growing out of injuries to persons, including death, or damages to property caused by the Contractor, his employees, agents or subcontractors or in any way attributable to the performance and prosecution of the work herein contracted for, including (but without limiting the generality of the foregoing), all claims for service, labor performed, materials furnished, provisions and supplies, injuries to persons or damage to property, liens, garnishments, attachments, claims, suits, costs, attorneys' fees, costs of investigation and of defense. It is the intention of this paragraph to hold the Contractor responsible for the payment of any and all claims, suits, or liens, of any nature and character in any way attributable to or asserted against the Village, or the Village and the Contractor, or which the Village may be required to pay. In the event the liability of the Contractor shall arise by reason of the sole negligence of the Town and/or the sole negligence of the Village's agents, servants or employees, then and only then, the Contractor shall not be liable under the provisions of this paragraph.

Bl & Di 4/20/18  
Authorized Representative of Firm

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CERTIFICATION OF BIDDERS QUALIFICATIONS  
 AND USE OF SUBCONTRACTED SERVICES

The data must be included in and made part of the submittal bid documents. Failure to comply may be regarded as justification for rejecting the Bidders proposal. The Bidder may add additional pages as necessary.

The names and residences of all person and parties interested in their proposal as principals are as follows: (Note: Give the first and last names in full. If a corporation, give names of all officers and directors. If a partnership, give name of all partners).

BRENDAN DRISCOLL

The undersigned agrees that all work to be performed by sub-contractors and the approximate amount to be paid the sub-contractors, is as listed bellow. All sub-contractors must be listed and all sub-contractors must be approved by the Village of Essex Junction.

Description of Sub-contract	Name and Address of Sub-Contract	Approximate Amount of Sub-Contract
SOIL ANCHORS	ECL PO Box 2187, S. BURLINGTON, VT	\$ 15,000
ELECTRICAL RELOCATION	CUTURES CONNECTIONS FAIRFAX, VT	\$ 2,000
SEE FLAG-GUARD	GREEN MOUNTAIN FLAGGING WILLISTON, VT	\$ 5,000

The Undersigned submits the following information to enable the Village of Essex Junction to judge his or her experience and ability to perform the proposed work.

1. Name(s) of resident supervisor(s) who will be assigned to this Project. State any of their special qualifications.

BRENDAN DRISCOLL

- CIVIL ENGINEERING DEGREE

- 10 YEARS AS ENGINEER, PROJECT MANAGER, PROJECT SUPERINTENDENT

WITH NATIONAL BRIDGE CONTRACTORS PRIOR TO STARTING  
 NORTHEAST INFRASTRUCTURE, LLC.

- VTRANS PRE-QUALIFICATION FOR BRIDGE CONSTRUCTION

2. How many years has your organization been in business under the name in which you propose to execute this Contract? 9 YEARS
3. What projects has your present organization completed of character similar to the proposed? (Give the information indicated by the following tabulation).

Name/Address of Owner for Whom Work Was Done	Work Done as Contractor or Sub-Contractor	Description of Work	Approx. Amount of Contract	Approx. Date Work Completed
--	---	---------------------	----------------------------	-----------------------------

USDA/VTANR	CONTRACTOR	BRIDGE REPLACEMENT	50K	2014
USDA/NRCS	CONTRACTOR	AG. INFRASTRUCTURE	50K	2015
TOWN OF WESTFORD VT	CONTRACTOR	BOX CULVERT	100K	2014
NYDOT/VTRANS	PROJECT SUPER.	CHAMPLAIN BRIDGE	100M	2012

4. Has your present organization ever failed to complete any work awarded to it? If so, state when, where and why.  
No.

**CERTIFICATION IS SUBMITTED BY:**

NORTHEAST INFRASTRUCTURE, LLC  
 Name of Contractor

4/20/18  
 Date

[Signature]  
 Authorized Signature

MEMBER  
 Title

**Business Address:**

417 FLETCHER ROAD  
CAMBRIDGE, VT 05444

Aaron Martin

---

**From:** William Ellis <Wellis@mcneilvt.com>  
**Sent:** Monday, April 23, 2018 2:16 PM  
**To:** Aaron Martin  
**Cc:** Gregory Duggan; Evan Teich; Dennis Lutz; Rick V. Jones; Tim Dall  
**Subject:** RE: Main Street Ped Bridge

Aaron,

In the Invitation to Bidders, the Village reserves the right "to reject any or all bids received; to waive any informalities in the bids or to accept any bids should the Village Trustees' deem in in the best interests of the Village." The Invitation proceeds to note, however, that "[t]he bid will be awarded on the basis of the total base bid and in accordance with the Village of Essex Junction Trustee's Purchasing Policy found in ATTACHMENT A of this Bid Package." The Purchasing Policy provides that "Purchases shall be awarded to the lowest, best qualified and responsible vendor," and that "[a]ny or all bids, quotations or proposals may be rejected if such action is deemed to be in the best interest of the Village." In determining who is the "lowest, best qualified and responsible vendor," several factors, in addition to price, may be considered, including the vendor's "ability, capacity and skill," and their "experience and financial resources." The policy goes on to provide that "Contracts involving Federal or State grants or loans shall be awarded to the lowest qualified vendor." It is our understanding from reviewing the bid package that a State grant or loan will cover 90% of the project's costs.

Based upon the forgoing, especially the Village's reservation of the right to reject any and all bids and the factors to be considered when determining the "lowest, best qualified and responsible vendor" under the Purchasing Policy, it is our opinion that the Village may request additional references from the two lowest bidders to determine whether they have the skill and resources necessary to handle a project of this scope and magnitude. Depending upon the results of checking these additional references, the Village may determine that the lowest bidder is not the best qualified and responsible bidder. This cannot be determined, however, until after the additional background check you envision is completed.

Please let me know if you have any additional questions or concerns.

Bill

---

**From:** Aaron Martin <amartin@ESSEX.ORG>  
**Sent:** Monday, April 23, 2018 8:23 AM  
**To:** William Ellis <wellis@mcneilvt.com>  
**Cc:** Gregory Duggan <gduggan@ESSEX.ORG>; Evan Teich <ETeich@ESSEX.ORG>; Dennis Lutz <dlutz@ESSEX.ORG>; Rick V. Jones <rick@essexjunction.org>; Tim Dall <timd@engineeringventures.com>  
**Subject:** Main Street Ped Bridge

Bill

This past Friday, we opened bids for the Main Street Pedestrian Bridge rehabilitation project. The apparent low bidder provided a bid of \$115K, this is approximately half of the Engineers estimate. The design engineer and staff have concerns with how low this bid is. The project involves the removal of an existing pedestrian bridge and replacement with a new precast bridge, and the assessment and repair of a concrete beam on the existing vehicle bridge. This project

will take a considerable amount of coordination and requires a detailed traffic control package, both pedestrian and vehicular. Also, due to the short time frame for construction, this project will require an experienced contractor that has completed work on similar projects.

Furthermore, all bidders are required to provide a list of previous projects of similar nature and magnitude for reference. These projects are used to gauge the ability and experience a contractor has with completing projects like the Main Street Ped Bridge. All the projects provided by the low bidder were completed in 2014 and 2015. Both the design Engineer and I agreed that we should call the references we could find contact information for and he would also look into contacts he has in the bridge construction industry. I contacted the Town of Westford regarding a precast concrete box culvert installed in 2014. I was only able to talk with the Town Clerk, being the Road Foreman at the time of construction no longer works for the Town. I was unable to get any opinion on the low bidder's construction abilities, only that the project was completed and there were no major financial issues.

Both the design Engineer and I discussed what we learned and came up with the following process to further ensure that the low bidder has provided a valid bid, and capable of completing the work as explained in the Invitation to Bid. I will email the low bidder and the second lowest bidder, (Engineers Construction), and request a list of the last five projects completed in the 2017 construction season. Contact information will be required for project so staff can check the additional references provided.

We are looking for your opinion on our request for additional references from the low bidder, and whether we can throw out the low bid and go with the second low bidder due to lack of experience and/or abilities to complete the project. Please give me a shout if you have any questions or comments.

Aaron Martin, P.E.  
Utilities Director / Town Engineer  
Town of Essex  
802.878.1344  
802.878.1355  
C: 802.363.5607  
[www.essex.org](http://www.essex.org)



**Aaron Martin**

---

**From:** Aaron Martin  
**Sent:** Monday, April 23, 2018 3:35 PM  
**To:** 'brendriscoll@gmail.com'; 'jginorio@ecivt.com'; 'kpidgeon@ecivt.com'  
**Cc:** Evan Teich; Dennis Lutz; Rick V. Jones; Gregory Duggan; 'William Ellis'; 'Hosking, Dick'; 'Tim Dall'  
**Subject:** Main Street Pedestrian Bridge Rehabilitation Project

Please note

The Village of Essex Junction is requesting additional work references be submitted by the TWO LOW BIDDERS to assist in the determination of each contractor's qualifications to complete this project. The Village requests a list of the last five construction projects over the past two years that are similar in scope, cost and complexity as this project. Staff will review the additional references provided, reach out to the contacts provided, and make a determination on the bid award based on the Village of Essex Junction Purchasing Policy.

Please respond to this email no later than 4:00 pm, Wednesday, April 25, 2018.

Thank you for your time

Aaron Martin, P.E.  
Utilities Director / Town Engineer  
Town of Essex  
P: 802.878.1344  
F: 802.878.1355  
C: 802.363.5607  
[www.essex.org](http://www.essex.org)

## Aaron Martin

---

**From:** Tim Dall <timd@engineeringventures.com>  
**Sent:** Wednesday, April 25, 2018 2:07 PM  
**To:** Aaron Martin  
**Cc:** Evan Teich; Dennis Lutz; Rick V. Jones; Hosking, Dick; Gregory Duggan; Bill Ellis  
**Subject:** RE: Main Street Pedestrian Bridge Rehabilitation Project

Hi Aaron, no exception taken to reference projects provided by ECI.

Thank you.

Tim.

**From:** Aaron Martin <amartin@ESSEX.ORG>  
**Sent:** Wednesday, April 25, 2018 1:39 PM  
**To:** Tim Dall <timd@engineeringventures.com>  
**Cc:** Evan Teich <ETeich@ESSEX.ORG>; Dennis Lutz <dlutz@ESSEX.ORG>; Rick V. Jones <rick@essexjunction.org>; Hosking, Dick <Dick.Hosking@vermont.gov>; Gregory Duggan <gduggan@ESSEX.ORG>; Bill Ellis <wellis@mcneilvt.com>  
**Subject:** FW: Main Street Pedestrian Bridge Rehabilitation Project

Tim

I have reviewed the projects ECI has listed, and have talked with Jeremy Salvatori with VTrans. I have two more calls into the other references. The feedback on Reference # 4 and 5 was positive. I am waiting on call backs on #1 and #2. If you could, please read through listed project descriptions, and let me know if you take exception to anything.

Aaron Martin, P.E.  
Utilities Director / Town Engineer  
Town of Essex  
P: 802.878.1344  
F: 802.878.1355  
C: 802.363.5607  
[www.essex.org](http://www.essex.org)

**From:** Julia Ginorio [<mailto:jginorio@ecivt.com>]  
**Sent:** Tuesday, April 24, 2018 10:27 AM  
**To:** Aaron Martin <amartin@ESSEX.ORG>  
**Cc:** Joey Appleton <[jappleton@ecivt.com](mailto:jappleton@ecivt.com)>; Ken Pidgeon <[kpidgeon@ecivt.com](mailto:kpidgeon@ecivt.com)>  
**Subject:** RE: Main Street Pedestrian Bridge Rehabilitation Project

Aaron,  
Please see the attached details for five jobs we have performed in the past two years that are similar in scope/complexity/cost to this bid.  
Thank you for your consideration,

**Julia Ginorio**  
Project Engineer  
Cell 802-233-7814  
Email [jginorio@ecivt.com](mailto:jginorio@ecivt.com)

**Engineers Construction, Inc.**

Heavy Civil | Utilities | Trenchless Pipelines | Paving | Railroad | Concrete | Design-Build

Mailing address | PO Box 2187 | South Burlington, VT 05407

Physical address | 98 Engineers Drive | Williston, VT 05495

Phone 802-863-6389 | Fax 802-862-9703 | Website [www.ecivt.com](http://www.ecivt.com)

*Celebrating 50 Years in Business!*



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*Our corporate mission is to serve our clients with quality work at a fair price.  
Safety, quality, and integrity are a priority on our projects.*

**From:** Aaron Martin <[amartin@ESSEX.ORG](mailto:amartin@ESSEX.ORG)>

**Sent:** Monday, April 23, 2018 3:35 PM

**To:** [brendriscoll@gmail.com](mailto:brendriscoll@gmail.com); Julia Ginorio <[jginorio@ecivt.com](mailto:jginorio@ecivt.com)>; Ken Pidgeon <[kpidgeon@ecivt.com](mailto:kpidgeon@ecivt.com)>

**Cc:** Evan Teich <[ETeich@ESSEX.ORG](mailto:ETeich@ESSEX.ORG)>; Dennis Lutz <[dlutz@ESSEX.ORG](mailto:dlutz@ESSEX.ORG)>; Rick V. Jones <[rick@essexjunction.org](mailto:rick@essexjunction.org)>; Gregory Duggan <[gduggan@ESSEX.ORG](mailto:gduggan@ESSEX.ORG)>; Bill Ellis <[wellis@mcneilyt.com](mailto:wellis@mcneilyt.com)>; Hosking, Dick <[Dick.Hosking@vermont.gov](mailto:Dick.Hosking@vermont.gov)>; Tim Dall <[timd@engineeringventures.com](mailto:timd@engineeringventures.com)>

**Subject:** Main Street Pedestrian Bridge Rehabilitation Project

Please note

The Village of Essex Junction is requesting additional work references be submitted by the TWO LOW BIDDERS to assist in the determination of each contractor's qualifications to complete this project. The Village requests a list of the last five construction projects over the past two years that are similar in scope, cost and complexity as this project. Staff will review the additional references provided, reach out to the contacts provided, and make a determination on the bid award based on the Village of Essex Junction Purchasing Policy.

Please respond to this email no later than 4:00 pm, Wednesday, April 25, 2018.

Thank you for your time

Aaron Martin, P.E.

Utilities Director / Town Engineer

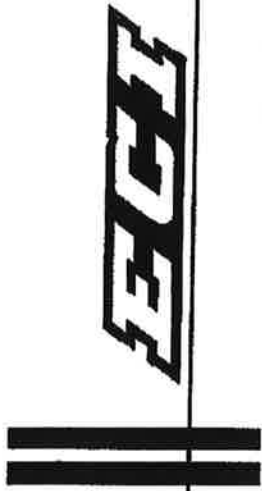
Town of Essex

P: 802.878.1344

F: 802.878.1355

C: 802.363.5607

[www.essex.org](http://www.essex.org)



# ENGINEERS CONSTRUCTION, INC.

## Village of Essex Junction, Vermont: Main Street Pedestrian Bridge Rehabilitation Project 2016 & 2017 Project References

Reference #	Project Name	Owner	Contact's Name & Number	Contractor Type	Contract Amount	Date Complete
01	BURKE STRB 16(4)	VTTrans / JP Sicard	Jason Sicard - (802) 525-9506	Subcontractor	\$ 140,000	Nov-17
02	Bridge of Flowers & Light	Village of Enosburg Falls	Gary Denton - (802) 933-4443	Prime	\$ 120,000	Sep-17
03	Kimball Ave Temporary Bridge	City of S Burlington	Justin Rabidou - (802) 658-7961	Prime	\$ 210,000	Jun-17
04	VT Rte 2A Culvert Repair	VTTrans	Jeremy Salvatore - (802) 522-9249	Prime	\$ 75,000	Jun-17
05	VT Rte 113 Bridge #9 (Vershire)	VTTrans	Jeremy Salvatore - (802) 522-9249	Prime	\$ 165,000	Sep-16

### Reference # Project Description

- 01 Installation of 25 soils nails and repairs to wingwalls with shotcrete adjacent to a stream
- 02 Concrete repairs to pedestrian bridge abutments and underside of arch while controlling pedestrian traffic
- 03 Installation of a temporary bridge over a failing culvert and associated traffic control
- 04 Traffic control during self-performed emergency repairs to a failing culvert wingwall including soil nails and in-stream work
- 05 Removal and replacement of culvert headwalls VT Rte 113 and associated highway traffic control

P.O. BOX 2187 • SOUTH BURLINGTON, VT 05407  
PHONE: (802) 863-6389 • FAX: (802) 862-9703 • [www.engineersconstruction.com](http://www.engineersconstruction.com)

## Aaron Martin

---

**From:** Tim Dall <timd@engineeringventures.com>  
**Sent:** Wednesday, April 25, 2018 2:16 PM  
**To:** Aaron Martin  
**Cc:** Evan Teich; Dennis Lutz; Rick V. Jones; Hosking, Dick; Gregory Duggan; Bill Ellis  
**Subject:** RE: Main Street Pedestrian Bridge Rehabilitation Project - Work References

Hi Aaron, quickly following up on our phone conversation. Project references provided do not appear to match the scope or complexity of the Main Street Pedestrian Bridge project.

Thank you.

Tim.

**From:** Aaron Martin <amartin@ESSEX.ORG>  
**Sent:** Wednesday, April 25, 2018 2:03 PM  
**To:** Tim Dall <timd@engineeringventures.com>  
**Cc:** Evan Teich <ETeich@ESSEX.ORG>; Dennis Lutz <dlutz@ESSEX.ORG>; Rick V. Jones <rick@essexjunction.org>; Hosking, Dick <Dick.Hosking@vermont.gov>; Gregory Duggan <gduggan@ESSEX.ORG>; Bill Ellis <wellis@mcneilvt.com>  
**Subject:** FW: Main Street Pedestrian Bridge Rehabilitation Project - Work References

Tim

Please review the attached references and provide your thoughts. Couple things that stand out to me are, no bridge projects provided within the last two years as requested. What is listed for work in 2016 and 2017 is mostly residential site work. After your review of both reference submittals, please give me a call to discuss in further detail.

Aaron Martin, P.E.  
Utilities Director / Town Engineer  
Town of Essex  
P: 802.878.1344  
F: 802.878.1355  
C: 802.363.5607  
[www.essex.org](http://www.essex.org)

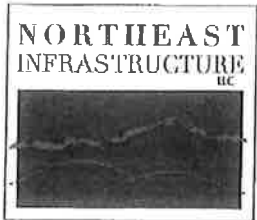
**From:** Brendan Driscoll [<mailto:brendriscoll@gmail.com>]  
**Sent:** Wednesday, April 25, 2018 12:52 PM  
**To:** Aaron Martin <amartin@ESSEX.ORG>  
**Subject:** Main Street Pedestrian Bridge Rehabilitation Project - Work References

Aaron,

I have attached work references for Northeast Infrastructure, LLC. Let me know if you need anything else.

Thanks

Brendan Driscoll  
802.825.5105



**Brendan Driscoll**  
Northeast Infrastructure, LLC  
417 Fletcher Road  
Cambridge, Vermont 05444  
bdriscoll@northeastinfrastructure.com  
802-825-5105

---

Aaron Martin, P.E.

I am writing in response to the request for references and work history as it applies to the Main Street Pedestrian Bridge Rehabilitation Project.

The recent work history for Northeast Infrastructure, LLC is attached.

Because Northeast Infrastructure, LLC is a relatively new heavy civil contractor I have also attached my resume. The resume highlights my career in the bridge industry throughout the country and will reinforce my experience and capabilities with substructure foundations, shoring, falsework, formwork, steel erection and precast.

A list of professional references is also attached. I encourage you to reach out to them.

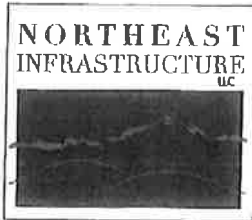
Northeast Infrastructure, LLC is currently a pre-approved contractor by the Vermont Agency of Transportation in the following categories:

- Bridge Construction
- Bridge Rehabilitation
- Building Demolition
- Curb & Sidewalk
- Drainage

Please contact me if you have any further questions.

Thank You,  
Brendan Driscoll

7.2/27



**Brendan Driscoll**  
Northeast Infrastructure, LLC  
417 Fletcher Road  
Cambridge, Vermont 05444  
bdriscoll@northeastinfrastructure.com  
802-825-5105

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Northeast Infrastructure, LLC  
Project Experience | 2013-2017

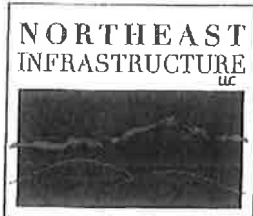
**Tardiff Farm Bridge – VT Agency of Agriculture -Rockledge Maple Trust | \$50k | 2013**  
- Design-Build: Design, Demo and Replace Agricultural Bridge, Concrete Abutments, Steel Superstructure, Timber Deck  
- 5% Subcontract  
-Saint Albans, VT  
- Raymond Tardiff, 2227 Highgate Road, Saint Albans, VT 05478, 802-868-5489

**Residential Foundation Replacement - Todd Thomas | \$20k | 2014**  
- Site work, shoring, foundation removal, place new concrete footings, walls and slab.  
- 0% Subcontract  
-Morrisville, VT  
- Todd Thomas, 100 Maple Street, Morrisville, VT 05661, 802-324-9825

**Residential House Site – Barbara Blauvelt | \$90k | 2014**  
- Bid-Build: Site Work, Utilities, Mound, Septic, Concrete (ICF)  
-0% Subcontract  
- Waterbury Center, VT  
- Barbara Blauvelt, 980 Loomis Hill Road, Waterbury Center, VT 05677, 802-324-5787

**Farm Waste Storage Facility – USDA, NRCS - Machia and Sons Dairy | \$100k | 2014**  
-Bid-Build: Site Work for 200' Diameter x 10' Deep Concrete Pit, Install Pipe and Structures for Stormwater Facilities, Demo Existing concrete slabs and structures, prep for concrete aprons  
-0% Subcontract,  
-Saint Albans, VT  
-Ron Machia, 1077 Machia Road, Sheldon, VT 05483, 802-752-5347

**Huntley Road Box Culvert – Town of Westford | \$100k | 2014**  
- Design-Build: Design, Site work, Utility Relocation and Precast Install  
- 40% Subcontract  
-Westford, VT  
- Nanette Rogers, 1713 Route 128, Westford, VT 05494, 802-878-4587



**Brendan Driscoll**  
Northeast Infrastructure, LLC  
417 Fletcher Road  
Cambridge, Vermont 05444  
bdriscoll@northeastinfrastructure.com  
802-825-5105

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**Residential Shop – Aaron Simonds | \$22k | 2015**

- Bid-Build: Site Work, Utilities, Concrete Flatwork
- 36% Subcontract
- Fletcher, VT
- Aaron Simonds, 166 Butternut Lane, East Fairfield, VT 05448, 802-734-7452

**Residential House Site – James Writer | \$35k | 2015**

- Bid-Build: Site Work, Utilities, Mound and Associated Septic Facilities
- 0% Subcontract
- Fletcher, VT
- James Writer, 5 Blackberry Hill Road, Fletcher, VT 05448, 802-355-5958

**Hutchins Farm Waste Water Facilities - USDA, NRCS, VT Agency of Agriculture - Frank Hutchins | \$50k | 2015**

- Design-Build: Site Work, Stormwater Catch Basin/Pipe, Concrete Leachate Collection Area, Concrete Barnyard Slab/Leachate Swale, Concrete Curbing and Animal Fence
- 0% Subcontract
- Cambridge, VT
- Frank Hutchins, 3838 Upper Pleasant Valley Road, Cambridge, VT 05444 802-644-2968

**Bittersweet Farm Waste Facilities – USDA, NRCS, VT Agency of Agriculture – Bittersweet Farm | \$45k | 2015**

- Bid-Build: Site Work, Drainage
- 0% Subcontract
- Saint Albans, VT
- Jen Reynolds, 887 Kellogg Road, Saint Albans, VT, 802-309-0760

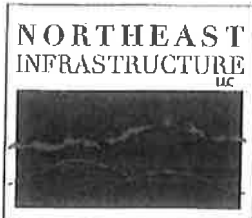
**Residential Clear and Grub – Yolanda Brosseau | \$10k | 2016**

- Clear and Grub Wooded Area, Install Drainage, Grade, Seed and Mulch
- Fletcher, VT
- Yolanda Brosseau, 28 Butternut Lane, Fletcher, VT 05448, yrbrosseau@yahoo.com

**Residential House Site and Shared Septic – Aaron Freed-Thall | \$60k | 2016**

- Bid-Build: Site Work, Utilities, Mound and Associated Septic Facilities
- 0% Subcontract
- Fletcher, VT
- Aaron Freed-Thall, 2 Blackberry Hill Road, Fletcher, VT 05448, 802-355-2835





Brendan Driscoll  
Northeast Infrastructure, LLC  
417 Fletcher Road  
Cambridge, Vermont 05444  
bdriscoll@northeastinfrastructure.com  
802-825-5105

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Residential Barn – Ann Lemieux | \$15k | 2016

- Site Work, Driveway, Retaining Wall, Final Grade
- 0% Subcontract
- Fairfax, VT
- Ann Lemieux, P.O. Box 93, Fairfax, VT 05454, 802-782-5167

Residential Addition and Garage – Dan Pomeroy | \$300k | 2017

- Demo Existing Garage, Site Work, Concrete Foundation/Slabs, New Garage, New Timber Frame Addition
- 65% Subcontract
- North Hero, VT
- Dan Pomeroy, 35 Strong House Lane, North Hero, VT, 201-513-1701

Pipe Arch Culvert – Town of Fletcher | \$27k | 2017

- Design-Build Installation of Pipe Arch Culvert, Precast cutoff walls/head walls, and two other associated culverts.
- 0% Subcontract
- Fletcher, VT
- Karrie Sweet-Werneke, 33 Shaw Road, Jeffersonville, VT, 05464, 802-849-6616

Retaining Wall – Michael Curtin | \$14k | 2017

- Excavate, Install and Backfill Precast Retaining Wall
- 0% Subcontract
- Cambridge, VT
- Michael Curtin, Cambridge, VT

Residential Shop Foundation – Silas Reaves | \$21k | 2017

- Site Work, Utilities, Drainage and Foundation for new Shop
- 35% Subcontract
- Colchester, VT
- Silas Reaves, 534 Shore Acres Drive, Colchester, VT 05446, 802-598-8051

Concrete Slabs – Lappierre, USA | \$9k | 2017

- Prep and Place Apron and Loading Dock Slabs
- 0% Subcontract
- Swanton, VT
- Eric Miller, 102 Airport Access Road, Swanton, VT 05488, 802-782-5753

Various Projects of Driveway Reconstruction/Grading, Small Drainage, Lawn Grading, Concrete Slabs, Concrete Repair, Frost Walls, Sign Erection

Multiple | <\$10K | 2012-2017

# BRENDAN C. DRISCOLL

417 Fletcher Road, Cambridge, VT 05444  
Cell: (802) 825-5105, brendriscoll@gmail.com

## PROFESSIONAL EXPERIENCE

**Northeast Infrastructure, LLC** Fairfax, Vermont  
President

February 2012 – Present  
October 2008 – May 2010

- Concrete, Earthwork, Marine Contractor

**Flatiron Construction** Firestone, Colorado  
General Superintendent, Lake Champlain Bridge (\$70 Million)

May 2010 – Feb. 2012

- Supervised Caisson Subcontractor. Provided barging and marine support for drilling operations.
- Supervised foundation and substructure marine operations. All cranes, reinforcing steel, concrete and pump trucks were marine based.
- Supervised structural steel delivery and erection over the water.
- Supervised Structural Steel Arch yard construction of H-pile, sheet pile, concrete footings, construction of two barge slips, and dredging.
- Coordinated Structural Steel Arch Float. Floated 900 Ton structural steel arch two miles to the bridge site for erection by strand jacks.
- Supervised final punch list with owner for acceptance and opening of entire bridge structure.

**Edward Kraemer and Sons** Oxon Hill, Maryland  
Superintendent, Woodrow Wilson Bridge (\$220 Million)

April 2005-October 2008

- Assisted precast yard with segment quality issues before delivery to water for erection. Assisted with erection of segments and post tension installation. Precast substructure arches, balanced cantilever.
- Supervised construction of \$10M pre-cast/cast in place fender ring. Work was 100% marine and consisted of 16k cubic yards of cast-in-place concrete and 104 precast segments (40 ton each) founded on 15k feet of 54" pipe pile.
- Utilized commercial divers as well as several different methods of sealing formwork due to a large portion of work occurring below water line.
- Supervised construction of last bridge pier, which involved a single ring sheet pile cofferdam with 48" pipe pile driven and spliced. The heavily reinforced foundation included complex post tensioning, granite face and a mass concrete cooling system.
- Supervised cast-in-place concrete for bridge substructure, installation of precast tie beams, and concrete finishing and repairs on new precast piers.
- Managed quantities, schedule; and budget for all related work.
- Coordinated subcontractors, materials, all concrete, barge and equipment moves.
- Worked closely with construction engineers, designers, and owner representatives to resolve issues with post tensioning, reinforcing and all other conflict resolution throughout construction.

**Corman Construction** Alexandria, Virginia  
Project Engineer, Woodrow Wilson Bridge Route 1 Tie-in (\$60 Million)

April 2004-April 2005

- Supported supervisors, subcontractors and crews with budget, schedule, planning, correspondence and material acquisition.
- Work involved support of excavation shoring, bridge cast-in-place concrete structures, precast girders and fascia panels, mainline excavation and grading, sheet pile, soldier pile and the new Virginia abutment for the Wilson Bridge.
- Prepared several value engineered proposals to the owner for significant cost and schedule benefits.

**Kiewit Pacific Structures** Stockton, California  
Job Engineer, San Francisco-Oakland Bay Bridge (\$1.04 Billion)

June 2002-April 2004

- Worked with precast yard team for the largest precast segments in the world from initial ground breaking and setup to full production casting.
- Assisted in layout of precast yard, segment storage and reinforcing steel jigs.
- Prepared work packages for assembly of casting bed formwork from DEAL of Italy. Assisted crews with assembly steps and methods.
- Supported Superintendent and crews with work packages, budgets, schedules and quality reports.
- Scheduled work, equipment and crews.
- Purchased materials and supplies, prepared change order claims.
- Supervised a carpenter crew forming diaphragms in precast segments.

**Kiewit Pacific Structures** Boston, Massachusetts

Summer 2001

Summer Engineer, Charles River Crossing Cable Stayed Bridge (\$100 Million)

- Provided engineering support for superintendent.
- Purchased materials, rectified quantities, scheduled concrete and assisted in developing a work plan for a large cast-in-place cantilever beam.

### EDUCATION

**The University of Maine** Orono, Maine

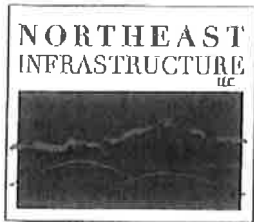
B.S., *cum laude*, Civil Engineering, May 2002

GPA: 3.36

Honors: Dean's List, Chi Epsilon Engineering Honor Society, EIT Certification

Exchange Program: Montana State University College of Engineering, Bozeman, Montana

Fall 2000- Spring 2001



**Brendan Driscoll**  
Northeast Infrastructure, LLC  
417 Fletcher Road  
Cambridge, Vermont 05444  
bdriscoll@northeastinfrastructure.com  
802-825-5105

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## PROFESSIONAL REFERENCES

Stephen "Ken" Hirschmugl, PE  
Construction Engineer  
Hirschmugl, Heine and Associates, Inc.  
khirschmugl@hhaconsulting.com  
676 Plantation Blvd  
West River, Maryland 20778  
Phone: 410-878-6312  
Fax: 410-878-2756  
Cell: 410-919-8175

Phillip LeFave  
Vice President of Operations  
I-4 Ultimate  
SGL Constructors  
Skanska-Granite-Lane, a Joint Venture  
Area 2C - Downtown  
550 Sylvia Lane  
Orlando, FL 32801  
Phone: 1-407-623-6344  
Mobile: 1-813-373-2398

Kevin Buch  
Project Manager  
Walsh Construction  
929 West Adams Street  
Chicago, Illinois 60607  
Cell: 502-376-7390  
kbuch@walshgroup.com

Robert "Bob" Thompson  
USDA  
NRCS VT  
State Conservation Engineer  
Bob.Thompson@vt.usda.gov  
Phone: (802) 951-6796 x232

Nanette Rogers  
Westford Town Clerk  
1713 VT Rte 128, Westford, VT 05494  
802-878-4587

Ben Gabos CREP Coordinator  
Vermont Agency of Agriculture  
Phone: 802-461-3814  
ben.gabos@vermont.gov

28/32

Aaron Martin

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**From:** Patricia Benoit  
**Sent:** Sunday, April 29, 2018 11:14 AM  
**To:** Aaron Martin  
**Subject:** Fw: Letter for your review  
**Attachments:** Ped Bridge Bid Letter\_DPR edits and Comments.docx

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**From:** Daniel Richardson <[drichardson@tgrvt.com](mailto:drichardson@tgrvt.com)>  
**Sent:** Friday, April 27, 2018 9:32:19 PM  
**To:** Patricia Benoit  
**Subject:** RE: Letter for your review

Dear Patty,

Here are my initial comments and suggested changes. It may make sense to have Aaron give me a call to go over these comments.

Best,

Dan

Daniel P. Richardson  
Harrington Gillies & Richardson  
44 East State Street  
P.O. Box 1440  
Montpelier, Vt. 05601-1440  
(802) 223-1112 ext. 105  
[drichardson@tgrvt.com](mailto:drichardson@tgrvt.com)  
[www.tgrvt.com](http://www.tgrvt.com)

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**From:** Patricia Benoit <[patty@essexjunction.org](mailto:patty@essexjunction.org)>  
**Sent:** Friday, April 27, 2018 11:23 AM  
**To:** Daniel Richardson <[drichardson@tgrvt.com](mailto:drichardson@tgrvt.com)>  
**Subject:** Letter for your review

I was asked to forward the attached letter to you for your review.

29/32

Thank you,  
Patty

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**From:** Aaron Martin  
**Sent:** Friday, April 27, 2018 10:44 AM  
**To:** Patricia Benoit  
**Cc:** Evan Teich; George Tyler; Rick V. Jones  
**Subject:** Main Street Pedestrian Bridge Rehabilitation Bid

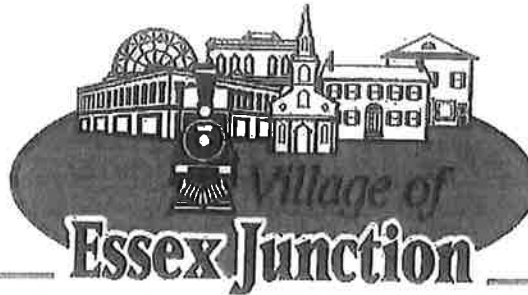
Patty

Attached is a non-award letter to the low bidder for the Main Street Pedestrian bridge. I was asked to have the Village attorney review the letter and provide any comments or corrections necessary. Although we will be on the May 8<sup>th</sup> agenda for award of this contract, I owe the low bidder and the second low bidder an answer as soon as we can.

Thanks

Aaron Martin, P.E.  
Utilities Director / Town Engineer  
Town of Essex  
P: 802.878.1344  
F: 802.878.1355  
C: 802.363.5607  
[www.essex.org](http://www.essex.org)

2 Lincoln Street  
Essex Junction, VT 05452-3154  
www.essexjunction.org



P: 802-878-6944  
F: 802-878-6946  
E: admin@essexjunction.org

April 30, 2018

Northeast Infrastructure, LLC  
Attn: Brendan Driscoll  
417 Fletcher Road  
Cambridge, Vermont 05444

Dear Mr. Driscoll:

Thank you for submitting your bid on the proposed Main Street Pedestrian Bridge Rehabilitation project. The Village Staff has reviewed the additional projects that you provided, contacted all in-State references, and has made a determination based on the Village of Essex Junction Purchasing Policy.

At this time, unfortunately, the Village of Essex Junction will not be awarding the Main Street Pedestrian Bridge Rehabilitation project to Northeast Infrastructure. Although your firm provided the lowest base bid for the project, there are abnormalities with your firm's bid that have raised some question on whether this project could be completed in the manner required by the Contract Documents.

As stated in the Invitation to Bidders, "the Village reserves the right to reject any or all bids received; to waive any informalities in the bids or to accept any bids should the Village Trustees' deem in in the best interests of the Village." Also, per the Village of Essex Junction Trustee's Purchasing Policy found in ATTACHMENT A of the Bid Package, the policy clearly states that "Purchases shall be awarded to the lowest, best qualified and responsible vendor," and that "any or all bids, quotations or proposals may be rejected if such action is deemed to be in the best interest of the Village." In determining who is the "lowest, best qualified and responsible vendor," several factors, in addition to price were taken into consideration, including the vendor's "ability, capacity and skill," to complete a project like the Main Street Pedestrian Bridge.

Below are the reasons the Village has decided not to accept your firms bid. This list is intended to be illustrative and not conclusive of the Village's concerns.

1. The total base bid listed in your materials is substantially lower than the engineer's estimate of probable costs. This discrepancy is not explained or accounted for in your bid materials.

2. Your in-state references involved smaller projects that are not comparable to the Main Street project in either size or scope.
3. In an email to your firm on Monday, April 23, 2018, the Village requested a list of the last five construction projects you had completed over the past two years that are similar in scope, cost and complexity as this project for review. Your response did not comply with this request and included references that went beyond the request, without explanation. These pre-2016 references were not reviewed. Of the references submitted within the last two years, none of the work described is comparable to the Main Street project in either size or scope.
4. Although not mandatory, your firm did not send a representative to the onsite Pre-Bid meeting on Wednesday, April 11, 2018. Furthermore, you contacted the Town of Essex Public Works office the day of the bid opening, questioning whether you received Addendum #2, (meeting Minutes for the Pre-Bid meeting).

While we will not be awarding this project to your firm, we wish you luck in any future projects and appreciate the time and effort made on this bid.

Sincerely,



Evan K. Teich  
Unified Manager

cc: Dennis Lutz, Public Works Director  
Aaron Martin, Town Engineer  
Rick Jones, Public Works Superintendent



# Memorandum

TO: Evan Teich, Unified Manager and the Trustees  
FROM: Dennis Lutz, P.E., Public Works Director  
Ricky Jones, Village PW Superintendent  
DATE: 1 May 2018  
SUBJECT: Traffic Signal Maintenance

ISSUE: The issue is whether or not to sign a three-year contract with East Coast Signals for maintenance of traffic signals in the Village. A similar agreement is proposed in the Town.

DISCUSSION: Most Chittenden County and Vermont towns used a signal maintenance company, RYG Inc., for maintenance of traffic signals for many years dating back to the early 1990's. When Fred Chamberlain retired, the business closed. For the past 2 to 3 three years, Essex and Essex Junction as well as neighboring towns relied on an informal arrangement with VTRANS to provide this service. Last December, their lead signal employee, Steve Goyete, retired and went into private practice (East Coast Signal). The Village has since received communication from VTRANS that signal maintenance will no longer be provided to municipalities.

The Village currently has traffic signal installations for which it is responsible at the following intersections:

- 1) Five Corners
- 2) Pearl and West Street
- 3) Pearl and South Summit
- 4) Pearl and the Shopping Center
- 5) Park and Iroquois
- 6) Park and South Street
- 7) Maple and Global Foundries
- 8) Main Street and Brickyard

To maintain these systems require specialized equipment such as a lift truck and qualified personnel familiar with signal hardware and software. Neither Town nor Village staff have the equipment or the expertise to maintain these systems, many of which are located at high accident intersections and corridors. As Public Works changes and grows, there may be potential to perform this work internally; at this time, we cannot.

A similar agreement is proposed for the Town. However, for billing purposes, there should be two separate agreements.

East Coast Signal is a reputable traffic signal company, with headquarters in New Hampshire. They hired Steve Goyete and have established an office in Waterbury, Vermont. Steve has spent considerable time working on the Essex Junction traffic signals and is the most experienced technician in the area available to provide needed support. Based on this, a contract has been negotiated between the Village and East Coast Signal to both perform needed maintenance and to do an initial evaluation of our signals. The contract has been reviewed by the Town Attorney and attorneys for East Coast Signal.

The contract is to a degree open-ended at this point, subject to price negotiation on the initial survey. However, in our opinion, it is important to get an agreement in place so that the Village has a resource for needed signal maintenance. There are funds to support the agreement.

**RECOMMENDATION:** It is recommended that the Trustees approve the signing of a traffic signal maintenance agreement between the Village of Essex Junction and East Coast Signal.

## Traffic Signals Maintenance Agreement

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THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_ 2018 (Effective Date), by and between the Village of Essex Junction, Vermont, hereinafter collectively called "OWNER," and East Coast Signals, Inc., a New Hampshire corporation hereinafter called "CONTRACTOR."

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The CONTRACTOR shall provide preventative, routine, and emergency traffic signal maintenance services to the OWNER.
2. The CONTRACTOR will furnish all the material, supplies, tools, equipment, qualified labor and other services necessary for the signal maintenance services described herein.
3. All work shall conform to the latest versions of The Vermont Agency of Transportation Standard Specifications for Construction, Section 678, Traffic Signals, and any and all warranties and requirements of equipment manufacturers. Insurance amounts applicable to VTRANS requirements are superseded by the insurance requirements outlined in this Agreement.
4. The CONTRACTOR shall coordinate with the OWNER for providing adequate traffic control and adequate safety/warning signs as required for all maintenance activities. The CONTRACTOR shall provide the OWNER with at least a 72-Hour notice before all preventative maintenance (PM) and routine work for proper scheduling of traffic control.
5. The CONTRACTOR shall conduct an initial, one-time detailed evaluation for the traffic signals listed in Attachment "A" and provide the Town with a written report of the findings and recommendations within 60 days of signing of this Agreement. The report shall document the results from each signal location and provide a preliminary estimate of the costs associated with the recommendations. The CONTRACTOR shall provide this service for a negotiated lump sum price to be determined between the OWNER and the CONTRACTOR.
6. The OWNER may determine that it is in its best interests to negotiate a separate contract with the CONTRACTOR based upon the results of the evaluation under item 5 to implement elements of recommendations contained in the signals evaluation report.

## Traffic Signals Maintenance Agreement

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7. The CONTRACTOR shall provide and maintain emergency service response on a 24-Hour, 365-Day basis, including all Vermont State Holidays. The CONTRACTOR shall maintain a single local telephone number where an on-call technician can be reached 24-Hours a day. This line will be used to maintain communication with Municipal emergency services and with Public Works to provide status reports on repairs. The OWNER shall provide the CONTRACTOR with a contact list of Town employees for use in notification and assistance for emergency service call-outs. CONTRACTOR shall be paid for this service at rates as set forth in Attachment "B" to this contract or as modified subsequent to this Agreement by mutual written amendment.
8. The CONTRACTOR shall not be required to perform traffic signal work on traffic signals that are under contract with another party without contractual relief by the OWNER from the party under contract.
9. CONTRACTOR shall maintain Contractor's Liability Insurance and Workmen's Compensation in compliance with Vermont statutory limits. CONTRACTOR Contractor's General Public Liability and Property Damage Insurance, including vehicle coverage issued to the CONTRACTOR and protecting him from all claims for personal injury, including death, and all claims for destruction of or damage to property, arising out of or in connection with any operations under the CONTRACT DOCUMENTS, whether such operations be by himself or by any SUBCONTRACTOR under him, or anyone directly or indirectly employed by the CONTRACTOR or by a SUBCONTRACTOR under him. Insurance shall be written with a limit of liability of not less than \$2,000,000 for all damages arising out of bodily injury, including death, at any time resulting there from, sustained by any one person in any one accident, and a limit of liability of not less than \$2,000,000 aggregate for any such damages sustained by two or more persons in any one accident.
10. The term "CONTRACT DOCUMENTS" means and includes the following:
  - a. Attachment A, CONTRACTOR cost sheet;
  - b. Hold Harmless; and
  - c. Current version of Vermont Agency of Transportation Standard Specifications for Construction.
11. The CONTRACTOR agrees to perform all the WORK described in the CONTRACT DOCUMENTS and comply with the terms therein.

**Traffic Signals  
Maintenance Agreement**

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12. The OWNER agrees to pay CONTRACTOR within 30 days of receipt of an invoice for work performed (Net 30 days). CONTRACTOR agrees to clearly identify work performed and location of signal in its invoices.
13. The term of this AGREEMENT shall be three (3) years from the Effective Date, renewable upon agreement of the OWNER and CONTRACTOR and for a length of time agreeable to both the OWNER and the CONTRACTOR.
14. The OWNER may terminate this contract, with 30 days written notice, upon non-performance by the CONTRACTOR under this AGREEMENT.
15. The CONTRACT is non-assignable without approval of the OWNER.
16. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in two copies each of which shall be deemed an original on the date first above written.

**OWNER:**

By: \_\_\_\_\_  
Name: Evan Teich  
Title: Unified Manager

**ATTEST:**

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

**CONTRACTOR:**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title \_\_\_\_\_

**ATTEST:**

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

Title: \_\_\_\_\_

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## **MEMORANDUM**

**TO:** Village Trustees  
**FROM:** Evan Teich, Unified Manager *ET*  
**DATE:** May 1, 2018  
**SUBJECT:** Amendments to Open Burning and Enforcement Ordinances

### **Issue**

The issue is whether or not the Trustees amend the Municipal Code regarding open burning and penalties for violation.

### **Discussion**

There have been numerous complaints from citizens regarding close neighbors who burn excessively and/or do not follow the ordinance regarding burning yard debris. We have attempted several times to get the word out to residents that yard waste can be brought to CSWD for free.

At a meeting with the Essex Junction Fire Chief about this issue, it was agreed that the current ordinance needs to be strengthened and fines increased. The Interim Village Attorney confirmed that this involves amending two ordinances – Chapter 13, Regulation of Public Nuisance, and Chapter 9, Enforcement, and he submitted new language for Chapter 9. Attached are draft amendments for your consideration.

### **Cost**

There is no cost associated with this issue.

### **Recommendation**

It is recommended that the Trustees amend Chapter 13, Regulation of Public Nuisance and Chapter 9, Enforcement, as recommended by the Unified Manager, Interim Village Attorney and Fire Chief.

**VILLAGE OF ESSEX JUNCTION, VT  
MUNICIPAL CODE  
CHAPTER 9.  
ENFORCEMENT**

**SECTION 901:**

The following Chapters of this Municipal Code shall constitute civil ordinances within the meaning of 24 V.S.A. Chapter 59:

- Chapter 2 - General Regulation of Public Streets
- Chapter 3 - General Regulation of Public Parks
- Chapter 4 - Regulation of the Use of Firearms and Bows and Arrows
- Chapter 5 - Regulation of Dogs
- Chapter 6 - Regulation of Soliciting
- Chapter 10- Regulations of Public Indecency
- Chapter 11 - Regulations of Waste Disposal
- Chapter 12 - Regulations of Placement of Newsracks in the Public Right-of-Way
- Chapter 13 - Regulation of Public Nuisance

**SECTION 902:**

Any person who violates a provision of any Chapter of this Municipal Code that is designated a civil ordinance pursuant to Section 901 above shall be subject to a civil penalty of up to ~~\$800~~ \$500 per day for each day that such violation continues. Police Officers of the Town of Essex shall be authorized to act as Issuing Municipal Officials to issue and pursue before the ~~Traffic and Municipal Ordinance~~ Judicial Bureau a municipal complaint.

**SECTION 903:**

An Issuing Municipal Official is authorized to recover a waiver fee, in lieu of a civil penalty, in the following amount, for any person who declines to contest a municipal complaint and pays the waiver fee:

- |                        |  |
|------------------------|--|
| First offense - \$ 25  | Third offense - \$ 100                 |
| Second offense - \$ 50 | Fourth - and subsequent offenses \$200 |

Offenses shall be counted on a calendar year basis.

**SECTION 904:**

Unless an ordinance has more specific violation offense levels, an An Issuing Municipal Official is authorized to recover civil penalties in the following amounts for each violation:

- |                        |  |
|------------------------|--|
| First offense - \$50   | Third offense - \$200                          |
| Second offense - \$100 | Fourth offense - and subsequent offenses \$400 |

Offenses shall be counted on a calendar year basis.

**SECTION 905:**

In addition to the enforcement procedures available before the ~~Traffic and Municipal Ordinance~~ Judicial Bureau, the ~~Village~~ Municipal Manager is authorized to commence a civil action to obtain injunctive and other appropriate relief, or to pursue any other remedy authorized by law.

**Fee changes effective 10/10/97, amended 5/8/18**

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

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

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

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

**SECTION 1302. OPEN BURNING:**

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



**SECTION 1303. PENALTIES:**

a. An Issuing Municipal Official is authorized to recover civil penalties in the following amounts for each violation of Section 1302 or waive if appropriate:

First offense - \$0 (warning) Third offense - \$500

Second offense - \$250 Fourth - and subsequent offenses - \$750

Offenses shall be counted on a calendar year basis.

*Chapter 13 adopted by Trustees October 13, 1998, amended 9/14/04, 02/12/08 and 5/8/18.*



## MEMORANDUM

TO: Village Trustees  
 FROM: Evan Teich, Unified Manager  
 DATE: May 8, 2018  
 SUBJECT: Trustees Meeting Schedule

### TRUSTEES MEETING SCHEDULE/EVENTS

May 14 7:00 PM	Joint Meeting with Selectboard at Lincoln Hall
May 17 6:30 PM	Joint Meeting with Planning Commission
May 22 6:30 PM	Regular Meeting
May 26 10 AM	<i>Memorial Day Parade</i>
June 7 3-5 PM	<i>Village Employee Appreciation Party</i>
June 12 6:30 PM	Regular Meeting
June 14 7:00 PM	Joint Meeting with Selectboard at Lincoln Hall
June 26 6:30 PM	Regular Meeting
July 10 6:30 PM	Regular Meeting
July 24 6:30 PM	Regular Meeting

TOWN OF ESSEX  
SELECTBOARD MINUTES  
April 16, 2018

SELECTBOARD: Max Levy, Chair, Michael Plageman, Irene Wrenner, Andrew Watts, Elaine Sopchak.

OTHERS PRESENT: Evan Teich, Unified Manager; Greg Duggan, Deputy Town Manager; Susan McNamara-Hill, Town Clerk; Dennis Lutz, Public Works Director; Aaron Martin, Utilities Director; George Tyler, Trustees President; Judy Peterson; Jeffrey Kershner; Martha Heath; Paula DeMichele; Ben Broe; Steven Vespa; David Skopin; Margaret Smith; Hilary Jones; Liz Subin; Eric Tourville; Ross Miller; Peter Edelman; Ken Arms; Gary Greenwood; Scott Buckley; Jennifer Knauer; Will Veve; Victor Veve; Colin Flanders, Essex Reporter.

Mr. Levy called the meeting to order at 7:00 p.m.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mr. Levy invited those present to join him in reciting the "Pledge of Allegiance."

AGENDA ADDITIONS/CHANGES

Mr. Duggan provided the following additions or changes to the Agenda: two sets of minutes with corrections from Irene Wrenner, the Visiting Nurse Association discussion (6.d.) to move after the Interviews Agenda Item, and a separate First Class Liquor License for T-Rex Productions, LLC because it is a new application, not a renewal.

APPROVAL AGENDA

IRENE WRENNER MOVED AND ELAINE SOPCHAK SECONDED A MOTION TO APPROVE THE AMENDED AGENDA. THE MOTION PASSED 5-0.

PUBLIC TO BE HEARD

Ms. Martha Heath, Chair of the Essex Westford School District Board (EWSD), reported that, last Tuesday, voters in the Village of Essex Junction received a ballot containing Liz Subin as a choice for a school board seat, which was an error. She would like her statements about the reasons the EWSD Board thinks this error will not happen again to be "on the record." Ms. Heath explained that last year, the EWSD Board worked with its area legislatures to change State Statute so that school boards in unified school districts could warn the election of its members. The law passed. However, after the session was over, an error was discovered in the drafting of the legislation. Legal counsel advised the EWSD Board that the municipalities would have to warn the election of its school directors this year. Ms. Heath further explained that, currently, the EWSD Board is working with its local delegation, specifically Dylan Giambatista who is a member of the House Education Committee, on this issue. The legislation has been properly drafted in section 8 of the H. 257 Bill, has passed the Senate and is in the House for consideration. The EWSD Board has every reason to believe that this legislation will be signed into law. Ms. Heath added that the articles of agreement that established EWSD are very clear that there needs to be proportional representation between the Town, the Village and Westford with regard to the positions of school directors. She noted that if, for some reason, this legislation doesn't

50 pass, the EWSD would work carefully with the Town office in future elections of the EWSD school  
51 directors. She stated that the members of the EWSD are sorry they didn't ask to see the ballots this  
52 time, and given that there were no contests for the school director positions, the EWSD members don't  
53 feel there was harm this year. Ms. Heath also noted that she believed that Ms. Subin understands that  
54 she (Ms. Subin) is representing the Town, outside the Village, in her position.  
55

56 Mr. Levy shared that, on April 4<sup>th</sup>, he was contacted by Channel 22 for an interview regarding Vermont  
57 Systems Inc., which was awarded a multi-million dollar contract by the U.S. Army to upgrade the  
58 current software system that manages the entity's recreational activities on military bases around the  
59 world.  
60

61 Ms. Wrenner shared that she has been attending community events that include a dedication for the  
62 Habitat for Humanity houses on Park street, a Listening Session hosted by the Vermont League of  
63 Cities and Towns and a seminar on Providing Sanctuary.  
64

65 **PUBLIC HEARING**

66  
67 **Proposed Changes in FYE 2019 Water & Sewer Rates**

68  
69 Mr. Levy opened the public hearing for the proposed changes in the FYE 2019 water & sewer rates.  
70

71 The issue is informing the Selectboard (SB) about the public hearing for proposed water and sewer  
72 budgets for FYE 2019. The proposed budget was distributed in the March 10<sup>th</sup> consent agenda and  
73 discussed at the April 2<sup>nd</sup> SB meeting. Mr. Lutz referred the members to their memorandum dated April  
74 9<sup>th</sup> regarding Minimum Water Usage Billing Information, which was a question that arose at the April  
75 2<sup>nd</sup> meeting.  
76

77 Per a check with the Finance Department, Mr. Lutz was able to calculate that the minimum usage  
78 charge would apply if a water user is using below 86 gallons per day. The average usage of those  
79 qualifying for the minimum was 53.3 gallons per day. The \$165 minimum water bill has been in effect  
80 since the FYE 2014 budget. Over the five-year period, the rate has increased 16.9% while the minimum  
81 rate has remained flat. Mr. Lutz presented some percent increases if the minimum rate was increased by  
82 \$5, \$10, \$15 and \$20. He noted that all water users derive a benefit from the water system in terms of  
83 fire protection, whether or not they use low or high amounts of water.  
84

85 Ms. Sopchak suggested increasing the minimum wage by \$5 or \$10 as outlined in the memo.  
86

87 He confirmed for Mr. Watts that the minimum fee was an annual cost. Mr. Levy suggested attaching the  
88 water rate increase to the minimum usage rate as a percent increase so that it would increase the same  
89 way as other users, but at the lowest rate. Ms. Sopchak agreed that having a gradual increase and some  
90 predictability in the increase would be appreciated by the ratepayers. Mr. Lutz explained to Mr.  
91 Plageman that 4 years ago, there was an increase in the minimum fee to create a balance between the  
92 minimum rate and the overall user rate. He believed this should be looked at every year, and he  
93 suggested that an analysis be done in the future about how to address the rates and whether to have a  
94 fixed portion of the water fee for all users. Mr. Watts noted that the average water usage is 200 gpd,  
95 which is an increase of \$11. He believed that the minimum fee should not increase at the same dollar  
96 magnitude value, but about half of the value. Therefore, he suggested increasing the minimum charge  
97 to \$5 for the year. Ms. Wrenner stated that she prefers a set dollar increase as well. Mr. Lutz confirmed  
98 for Ms. Sopchak that this increase could be publicized and be part of the motion for approval, which

99 would go into effect this fiscal year.

100  
101 There were no comments from the public.

102  
103 **ELAINE SOPCHAK MOVED AND IRENE WRENNER SECONDED A MOTION TO CLOSE**  
104 **THE PUBLIC HEARING. THE MOTION PASSED 5-0.**

105  
106 **BUSINESS ITEMS**

107  
108 **First Class Liquor License Renewals**

109  
110 Members reviewed the applications.

111  
112 **ANDREW WATTS MOVED AND IRENE WRENNER SECONDED A MOTION TO APPROVE**  
113 **FIRST CLASS LIQUOR LICENSE RENEWALS (WITH OUTSIDE CONSUMPTION**  
114 **PERMITS) TO BERDA'S AND VESPAS PIZZA, PASTA & DELI. THE MOTION PASSED 5-0.**

115  
116 **First Class Liquor License**

117  
118 Members reviewed the application for T-Rex Productions, LLC.

119  
120 **ANDREW WATTS MOVED AND MICHAEL PLAGEMAN SECONDED A MOTION TO**  
121 **APPROVE A FIRST CLASS LIQUOR LICENSE TO T-REX PRODUCTIONS, LLC. THE**  
122 **MOTION PASSED 5-0.**

123  
124 Mr. Levy explained that the usual admonition was that the SB took the issuance of liquor licenses very  
125 seriously as should the area establishments who served liquor. He requested that establishments did not  
126 serve minors or anyone who was obviously inebriated. He thanked them for doing business in Essex  
127 and wished them a good year.

128  
129 Mr. Peter Edelman from T-Rex Productions, LLC explained his new business. His goal is to revitalize  
130 the Essex Outlet Mall by using the T-Rex building as a music venue with live concerts. There will also  
131 be a restaurant and bar serving tacos from The Mad Taco. The first concert will be on May 16<sup>th</sup>. Mr.  
132 Edelman also talked about the use of the smaller space for events like comedy night.

133  
134 Mr. Teich shared with the members that he has learned that there is no law stating that owners have to  
135 be present at a meeting for first class liquor license renewals. He asked if the members would be  
136 interested in discussing whether they want to continue this practice. Members agreed to have a future  
137 discussion on this issue.

138  
139 **Interviews – Conservation and Trails Committee**

140  
141 The issue is appointing a volunteer to the Conservation and Trails Committee. There is one vacancy on  
142 this committee, and there are two candidates.

143  
144 Ms. Paula DeMichele explained that she has done a lot of work in non-profit organizations and with  
145 fundraising. She grew up in Ohio and amongst a family of farmers. In Ohio, she watched Lake Erie die,  
146 and as a result, she became involved as a citizen volunteer to address river pollution. She moved to  
147 Essex in 2006, worked briefly on Heart and Soul of Essex, through which she then became a volunteer

148 member on the Village Tree Advisory Committee in 2014. In 2016, she was invited to apply to be one  
149 of the twenty-four citizens who worked on the Thoughtful Growth in Action (TGIA) group. She also  
150 has taken part in two Clean Up days at Indian Brook and will be at the April 22<sup>nd</sup> Clean Up day this  
151 year. Her interest in conservation in Essex has increased over time. She confirmed for Ms. Sopchak that  
152 she uses the trails at Indian Brook. Ms. DeMichele confirmed for Mr. Levy that the time commitment  
153 works for her schedule.

154  
155 Ms. Hilary Jones grew up in South Hero and moved to Essex in 2013. She was a member of the TGIA  
156 group and is looking to get more involved in the community. She regularly uses the Essex trails with  
157 her family and would love to get involved in maintaining them. She thinks that the trails are a great  
158 resource for Essex residents to get around, especially when connecting to other parts of Essex without  
159 having to strap kids in the car. The conservation of green spaces is very important to her and her family.  
160 The combination of urban development and rural areas is one of the things she loves most about Essex  
161 and feels it is important to maintain a good balance between the two. By profession, she is a technical  
162 engineer, and she has experience with soil tests, conservation of green spaces and maintaining a  
163 balance of green space and development.

164  
165 Mr. Levy explained to Ms. DeMichele and Ms. Jones that the SB would enter into Executive Session at  
166 the end of the meeting to discuss this issue and then make a decision once exiting Executive Session.  
167 He thanked them for their interest in volunteering for the community.

168  
169 **Discussion with Visiting Nurse Association of Chittenden and Grand Isle Counties – Judy**  
170 **Peterson VNA President/CEO**

171  
172 Ms. Judy Peterson, President/CEO of the Visiting Nurse Association (VNA), circulated two pieces of  
173 information to the members. One was a FYE 2017 Care Report for the Town of Essex, which shows the  
174 breakdown of VNA Services provided to Essex residents, and the second was a general UVM Health  
175 Network tree diagram that shows how the VNA is now recognized as a valuable partner in the overall  
176 health care system.

177  
178 Mr. Watts noted how the Town pays the VNA up front in quarterly payments. He wondered if it would  
179 be a hardship if the Town paid the VNA at the same time as other organizations that receive Human  
180 Resource Funding contributions. Ms. Peterson stated that she spoke with her billing department about  
181 this issue and was told that the department would prefer the contribution annually instead of quarterly  
182 payments.

183  
184 Mr. Watts asked whether being a part of the UVM Health Network has had any affect on the VNA's  
185 financials. Ms. Peterson explained that being affiliated with the University of Vermont Health Network  
186 sends the message that community based services are recognized as a valuable service. The VNA is  
187 now "at the table" with a voice and is able to show that, with its services, it is helping to avoid  
188 hospitalization, which the Network sees as valuable. She gave an example of how the Network is  
189 investing in upgrades to VNA medical devices that are used at home with clients. She confirmed for  
190 Mr. Levy that the VNA is responsible for its own operational costs.

191  
192 Mr. Plageman asked about the high number of visits in Essex due to Social Work or Social Service. Ms.  
193 Peterson explained that these visits include any kind of work with clients to access resources in the  
194 community such as food stamps, counseling, etc.

195  
196 Mr. Watts asked how he should justify to those taxpayers who might be paying privately for these kinds

197 of services and then contributing through their taxes to the VNA. Ms. Peterson explained that 40% of  
198 the VNA's reimbursement comes from Medicaid and the larger portion of care is not reimbursed.  
199 Additionally, the VNA is a non-profit organization.

200

201 Mr. Levy asked how the VNA plans to accommodate for the rising need of care. Ms. Peterson replied  
202 that the VNA is making sure that it has data to show the value of its services in order to get funding for  
203 its programming.

204

205 **Facilitation Plan for Firearms Ordinance Discussion – Greg Duggan**

206

207 The issue is for the SB to choose an engagement plan for a community discussion about the Town's  
208 firearms ordinance. Staff has worked with facilitator Jennifer Knauer to develop two options for  
209 facilitated discussions around the ordinance, with separate timelines. Option A and Option B are  
210 explained in the memorandum from Greg Duggan dated April 13<sup>th</sup> to the SB and Unified Manager.

211

212 Mr. Duggan read over the two options and pointed out that Option A is the faster approach. Both  
213 options include a summary of findings and public input.

214

215 Mr. Watts stated that he was not in support of forming another committee for this issue and was in  
216 favor of a faster process. Therefore, he was in support of Option A. Mr. Plageman also supported  
217 Option A because he believed that this SB has had two incidences of bullets in houses, and he did not  
218 want a third incident. The sooner the SB addressed this issue, the better, and Mr. Plageman preferred  
219 that it be addressed before hunting season. Ms. Sopchak asked how the two options differed with  
220 regard to public input. Mr. Duggan replied that the public engagement is similar with kick off events,  
221 surveys and forums if necessary. In Option A, the SB would summarize the findings with the help of  
222 Ms. Knauer, and in Option B, the Community Advisory Team (CAT) ( a group of staff and residents)  
223 would summarize the findings. In both options, the SB makes the final decision.

224

225 With regard to public engagement, in Option A, the staff and Ms. Knauer would engage the public, and  
226 the SB would use that feedback to make any changes, based on the recommendations made by the  
227 former Police Chief Brad LaRose in his memorandum dated February, 2017. In Option B, staff, Ms.  
228 Knauer and the CAT would engage the public. Then, the CAT would summarize the findings and make  
229 a recommendation to the SB. The Option B process may allow for a more nuanced recommendation to  
230 emerge from the former Police Chief's report.

231

232 It was confirmed for Ms. Wrenner that the firearms discharge ordinance is Town-wide, with the Village  
233 having no discharge allowed. Ms. Sopchak was in favor of Option A as she would like to move to  
234 consider taking action sooner than later to avoid further issues. Ms. Wrenner was also in favor of  
235 Option A.

236

237 Mr. Ben Broe pointed out that, at the SB meeting held on March 20, 2017, the public left with the  
238 understanding that when the "public workshops" were held, the public would have discussion and input  
239 on how it wanted to approach the topic, and that it would not be locked into the former Chief's ideas  
240 and recommendations. This included the option of not changing anything at all. He explained that the  
241 group that attended that meeting is still under the assumption that the purpose of the public forums and  
242 input is for all options, including no changes to the current ordinance. He believed that Option A did  
243 not allow for these other options to be considered.

244

245 Mr. Ken Arms thought that the SB needed to take time to look at all possible options and to include

246 input from people with large areas of land. He suggested that the members take the time to visit the  
247 areas of land in Essex that could be impacted by a change in the ordinance.  
248

249 Mr. Levy agreed that public engagement is a vital part of both options, and he stated that no decision on  
250 this issue has been made in advance. He thanked Mr. Arms for the suggestion to have the members  
251 walk the land being discussed and thought it was a good idea.  
252

253 Mr. Jeff Kershner owned 43 acres on purpose so that he could pass along his tradition of hunting and  
254 shooting to his own family. He asked for the members to consider the size of the parcels and what  
255 surrounds the parcels. He stated that safe shooting can happen.  
256

257 Mr. David Skopin noted that he hopes everyone would shoot at a range and that the Town should  
258 concentrate on a shooting range.  
259

260 Members discussed whether Option A had the flexibility for other options to be considered if presented  
261 by the public. The SB has flexibility in its decision after going through the process. Members reviewed  
262 the maps attached to Chief LaRose's memorandum and discussed his recommendations and the options  
263 provided in the memorandum. Mr. Plageman was concerned that if more options were going to be  
264 discussed that the process would get delayed.  
265

266 **IRENE WRENNER MOVED AND ELAINE SOPCHAK SECONDED A MOTION TO**  
267 **CHOOSE OPTION A FOR THE COMMUNITY DISCUSSION ABOUT THE FIREARMS**  
268 **ORDINANCE. THE MOTION PASSED 5-0.**  
269

270 Mr. Watts was satisfied that there would be enough "wobble room" with the recommendations if  
271 needed. Mr. Plageman would not be tolerant if this issue didn't get addressed sooner than later or far  
272 enough.  
273

274 **Proposal from Green Lantern Solar for Net Metering Project – David Skopin**  
275

276 The issue is whether the SB will direct staff to finalize the details of a contract for a group net metering  
277 agreement with the Green Lantern Group, to bring back to the SB before final approval. Mr. Skopin,  
278 from the Energy Committee and Mr. Will Veve and Mr. Victor Veve from Green Lantern Group were  
279 available for questions and comments.  
280

281 Mr. Veve confirmed for Mr. Levy that there were really no risks to the Town other than the time  
282 members and staff have spent at the meetings. Additionally, if it doesn't work out, the Town just pays  
283 its normal bill to Green Mountain Power.  
284

285 Mr. Veve clarified for Mr. Watts that this project would provide a cumulative savings of \$160,000 in  
286 year 20.  
287

288 Ms. Sopchak noted that Essex will be the leader in renewable energy with this project as there is also  
289 the solar project at Whitcomb Farms.  
290

291 **IRENE WRENNER MOVED AND MICHAEL PLAGEMAN SECONDED A MOTION THAT**  
292 **THE SELECTBOARD DIRECT STAFF TO FINALIZE THE DETAILS OF A CONTRACT**  
293 **FOR A GROUP NET METERING AGREEMENT WITH THE GREEN LANTERN GROUP,**  
294 **TO BRING BACK TO THE SELECTBOARD BEFORE FINAL APPROVAL. THE MOTION**



295 PASSED 5-0.

296  
297 Adoption of 2018 Local Emergency Operations – Greg Duggan

298  
299 The issue is whether the SB will adopt the 2018 Local Emergency Operations Plan.

300  
301 **IRENE WRENNER MOVED AND MICHAEL PLAGEMAN SECONDED A MOTION THAT**  
302 **THE SELECTBOARD ADOPT THE 2018 LOCAL EMERGENCY OPERATIONS PLAN AND**  
303 **AUTHORIZE THE CHAIR TO SIGN THE PLAN. THE MOTION PASSED 5-0.**

304  
305 Adoption of Rules and Regulations for Orderly Conduct of Business – Greg Duggan

306  
307 The issue is whether the SB will adopt revised Rules and Regulations for Orderly Conduct of Business.

308  
309 **IRENE WRENNER MOVED AND ANDREW WATTS SECONDED A MOTION TO ADOPT**  
310 **THE RULES AND REGULATIONS FOR ORDERLY CONDUCT OF BUSINESS. THE**  
311 **MOTION PASSED 5-0.**

312  
313 Kids to Park Day Proclamation

314  
315 The issue is whether or not the SB will sign the proclamation regarding National Kids to Parks Day  
316 through the National Park Trust.

317  
318 Ms. Sopchak read the following into the record:

319  
320 **A Proclamation**  
321 **Kids to Parks Day: Saturday, May 19, 2018**

322  
323 WHEREAS, May 19th, 2018 is the sixth Kids to Parks Day organized and launched by the National  
324 Park Trust; and

325  
326 WHEREAS, Kids to Parks Day empowers kids and encourages families to get outdoors and visit  
327 America’s parks; and

328  
329 WHEREAS, it is important to introduce a new generation to our nation’s parks because of the decline  
330 in Park attendance over the last decades; and

331  
332 WHEREAS, we should encourage children to lead a more active lifestyle to combat the issues of  
333 childhood obesity, diabetes mellitus, hypertension and hypercholesterolemia; and

334  
335 WHEREAS, Kids to Parks Day is open to all children and adults across the country to encourage a  
336 large and diverse group of participants; and

337  
338 WHEREAS, Kids to Parks Day will broaden children’s appreciation for nature and the outdoors; now  
339 therefore be it

340  
341 Resolved that the Selectboard of the Town of Essex hereby proclaim to participate in Kids to Parks  
342 Day. We urge residents of the Town of Essex to make time May 19th, 2018 to take the children in their

343 lives to a neighborhood, state or national park.

344

345 **ELAINE SOPCHAK MOVED AND ANDREW WATTS SECONDED A MOTION TO**  
346 **APPROVE AND SIGN THE PROCLAMATION TO PARTICIPATE IN NATIONAL KIDS TO**  
347 **PARKS DAY. THE MOTION PASSED 5-0.**

348

349 Minutes: March 24, 2018 & April 2, 2018

350

351 **ELAINE SOPCHAK MOVED AND IRENE WRENNER SECONDED A MOTION TO**  
352 **APPROVE THE MINUTES OF MARCH 24, 2018 WITH CORRECTIONS.**

353

354 Ms. Sopchak was concerned with the accuracy of the minutes and asked that staff review them again.  
355 Ms. Wrenner, who provided corrections, asked that staff use her edits as she spent a long time  
356 reviewing the tape and editing the minutes. Ms. Sopchak made an amendment to her motion, and Ms.  
357 Wrenner accepted this amendment.

358

359 **ELAINE SOPCHAK MOVED AND IRENE WRENNER SECONDED A MOTION TO AMEND**  
360 **THEIR ORIGINAL MOTION TO ASK THE SELECTBOARD'S APPROVAL TO HAVE THE**  
361 **MINUTES REVIEWED AND EDITED BEFORE APPROVING THEM AT ANOTHER**  
362 **MEETING. THE MOTION PASSED 5-0.**

363

364 **IRENE WRENNER MOVED AND MICHAEL PLAGEMAN SECONDED A MOTION TO**  
365 **APPROVE THE MINUTES OF APRIL 2, 2018 WITH THE FOLLOWING CORRECTIONS:**

366

367 Line 35: Replace "argued that she was given an" with "stated the". Line 36: Replace "by one" with  
368 "was in the door", replace "neighbors" with "neighbor", strike ", that was left on that neighbor's door".

369

370 Line 37: Replace "argued" with "noted". Line 46: add "Ms. Wrenner questioned the legitimacy of Ms.  
371 Sopchak's election to the Selectboard. Ms. Sopchak responded that she won the election by a margin of  
372 18 votes, which was confirmed by official recount." Line 86: Replace "Standard" with "Stannard".

373

374 Line 92: Add "Mr. McKone mentioned that Blodgett Ovens, which is in the process of moving to  
375 Essex, was founded by a Gardner Spring Blodgett back in 1858. He designed and sold folding ovens to  
376 the Union Army.". Line 138: Replace "was" with "is". Line 203: Replace "Lutz" with "Watts". Lines

377

378 261 and 262: Replace "supra" with "super". Line 270: After "Manager." add "Ms. Wrenner offered an  
379 example from December, when members had been provided background information, but staff were  
380 not to be part of the conversation, nor was the chair supportive of an Executive Session. Ms. Sopchak

381

382 suggested the full board be approached with such a request in public." Line 276: Add "Ms. Wrenner  
383 suggested 11:00. Line 285: Replace "says" with "shows". Line 290: After "Wrenner" add "asked about  
384 the letter from the church on the Consent Agenda.", before "that" add "Mr. Teich replied".

385

386 **THE MOTION PASSED 4-1 (IRENE WRENNER OPPOSED).**

387

388 **CONSENT AGENDA**

389

390 **IRENE WRENNER MOVED AND ANDREW WATTS SECONDED A MOTION TO APPROVE**  
391 **THE CONSENT AGENDA WITH SELECTBOARD MEMBER COMMENTS.**

392

393 **CONSENT ITEMS**

394

395 a. Check Warrants: April 6, 2018 & April 13, 2018

- 392 b. Memo from Jennifer Knauer re: Summary Report of Joint Meeting of Essex Selectboard and Essex
- 393 Jct. Board of Trustees: March 24, 2018
- 394 c. Email from Mona Shepard re: Essex Rescue
- 395 d. Human Services funding applications
- 396 **Mr. Watts and staff updated Ms. Sopchak about the process the Town takes to notify human**
- 397 **service organizations about the availability of funding from the Town. There have been**
- 398 **discussions in the past about the criteria, policies and procedures that are followed to decide on**
- 399 **which agencies get funding and how much funding they receive. Further discussion on this issue**
- 400 **will occur, particularly with regard to potential ways to prioritize those organizations. Mr.**
- 401 **Duggan will confirm for Mr. Watts whether Prevent Child Abuse received a letter from the Town**
- 402 **about the opportunity to request this money.**
- 403 e. Letter from Ben Broe re: Firearms Ordinances
- 404 f. Memo from Green Mountain Power re: GMP-Essex Solar/Storage LLC's Proposed Project in Essex,
- 405 VT 45-Day Notice of Section 248 Petition to be filed with Vermont Public Utility Commission
- 406 g. Memo from Dana Hanley & Darren Schibler re: Summary of the CCRPC "Economics of Housing"
- 407 Workshop 1/29/2018
- 408 h. Memo to Selectboard from Travis Sabataso re: Meeting Schedules and Events
- 409 i. Selectboard Goals, Objectives, and Radar List of work items

410  
411 **THE MOTION PASSED 5-0.**

412  
413 **ELAINE SOPCHAK MOVED AND IRENE WRENNER SECONDED A MOTION TO ENTER**  
414 **INTO EXECUTIVE SESSION TO DISCUSS THE PROPOSED PUBLIC OFFICIAL**  
415 **APPOINTMENTS PURSUANT TO 1 V.S.A. § 313(A)(3), TO INCLUDE THE UNIFIED**  
416 **MANAGER AND THE DEPUTY TOWN MANAGER. THE MOTION PASSED 5-0.**

417  
418 **ELAINE SOPCHAK MOVED AND IRENE WRENNER SECONDED A MOTION TO EXIT**  
419 **EXECUTIVE SESSION AT 9:30 P.M. THE MOTION PASSED 5-0.**

420  
421 **MICHAEL PLAGEMAN MOVED AND ELAINE SOPCHAK SECONDED A MOTION TO**  
422 **APPOINT HILARY JONES TO THE CONSERVATION AND TRAILS COMMITTEE. THE**  
423 **MOTION PASSED 5-0.**

424  
425 **IRENE WRENNER MOVED AND MICHAEL PLAGEMAN SECONDED A MOTION TO**  
426 **ADJOURN AT 9:36 P.M. THE MOTION PASSED 5-0.**

427  
428  
429 **Respectfully submitted,**

430  
431 Saramichelle Stultz  
432 Recording Secretary

433  
434 Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018

435  
436 (See minutes of this date for corrections, if any).

437  
438 \_\_\_\_\_

439  
440 Elaine H. Sopchak, Clerk, Selectboard

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

**VILLAGE OF ESSEX JUNCTION  
TREE ADVISORY COMMITTEE  
MINUTES OF MEETING  
APRIL 17, 2018**

**MEMBERS PRESENT:** Nick Meyer, Mary Jo Engel, Warren Spinner, Tim Kemerer and Rich Boyers

**ADMIN PRESENT:** Darby Mayville, Community Relations/Economic Development Assistant

---

**1. CALL TO ORDER**

The meeting was called to order at 5:34 PM by Nick.

**2. AGENDA ADDITIONS**

The following topics were added to the agenda:

- Essex Reporter article submission;
- Landscaping fund allocation;
- Tree brochure updates;
- Possible collaboration with the Darkroom Gallery;
- Tree concerns at Stevens Park.

**3. MINUTES REVIEW**

**MOTION BY MARY JO, SECOND BY WARREN TO APPROVE THE MARCH MEETING MINUTES. ALL IN FAVOR. MOTION PASSED.**

**4. ARBOR DAY EVENT**

This event will be held on Friday, May 4 at ADL School. Nick will be checking in with Horsford's Nursery to see if they still plan on giving away trees in celebration of Arbor Day. Darby will ensure that the Village Trustees sign a proclamation for this event.

**5. ARTICLE SUBMISSION**

Tim said that it would be helpful to include something in the article noting that the committee normally plants 20 trees per year and is actively looking for new planting locations. The committee made a few other small changes and decided to go forth with the submission process.

**6. ARBOR DAY CONFERENCE**

Mary Jo, Nick, and Warren all plan to attend this conference. Nick will be checking in to see if anyone from Public Works would like to attend. He noted that Harlan Smith (EJRP) attended last year.

## **7. TREE PLANTING 2018**

Nick said that around 30 potential sites have been identified. Tree prices are higher than normal this year, and it is possible that the Village could purchase smaller caliper trees in order to save money. Warren noted that changes to national immigration policies are resulting in a lower number of laborers to grow trees, which is affecting both their price and quantity.

Warren said that the Federal building on Lincoln Street plans to plant some new trees this year.

Warren noted that some pruning needs to be completed this summer. If needed, some of it can be pushed into the next fiscal year.

## **8. BUDGET REVIEW**

Nick suggested using \$5,000 for planting and the remainder for pruning. All agreed.

## **9. EMERALD ASH BORER PLANNING**

Nick said that the Village needed to develop a plan for emerald ash borer and suggested that the committee look at what surrounding towns are doing. Warren said that the number of elm trees in the Village may be higher than what was originally thought due to some discrepancies in the inventory documents. Nick said that the committee may learn more about planning for EAB during the Arbor Day Conference. This issue will be further discussed at the May meeting.

## **10. LANDSCAPING FUND**

Tim asked if a response had been given to Mary Jo's request regarding whether or not the Village had been collecting funds from developers who were given an exemption for the landscaping spending requirement. Mary Jo said that she had received a response but would be asking for additional information.

## **11. TREE BROCHURE UPDATES**

Nick said that this document needs to be updated to reflect trees in Maple Street Park that were damaged or removed as a result of the fall wind storm, as well as recently planted trees.

## **12. DARKROOM GALLERY COLLABORATION**

Nick asked the manager at the Darkroom Gallery if they would be interested in doing an exhibit on trees. An exhibit had been done in the past and they may be interested in doing one next winter. Mary Jo noted that it would be nice to do a local tree art exhibit at the Brownell Library.

**13. STEVENS PARK TREE CONCERNS**

Darby received an e-mail from a resident earlier in the week concerned about the safety of some of the trees at Stevens Park. Warren noted that he had examined these trees last summer and reported concerns to EJRP. He believes that the removal process might be costly due to the fact that a crane would be required.

Tim asked if there was a policy for Stevens Park, as it seemed to intentionally be a wild tree area. No one was aware of one but noted that this may change now that EJRP is a Village department.

**14. PUBLIC INPUT**

None.

**15. ADJOURNMENT**

**MOTION by RICH, SECOND by MARY JO to adjourn. All in favor. Meeting adjourned at 6:45 PM.**

The next meeting will be held on Tuesday, May 29 at 5:30 PM.

Respectfully Submitted: Darby Mayville

# **PUBLIC INFORMATIONAL MEETING**

## **Susie Wilson Road Corridor Project**

**ESSEX STP 5400(11)**

**May 8, 2018**

**6:30 PM**

**AT THE ESSEX POLICE DEPARTMENT CONFERENCE ROOM  
145 MAPLE STREET  
ESSEX JUNCTION, VERMONT 05452**

**Presented by the Vermont Agency of Transportation (VTrans)**

### **SUMMARY AGENDA:**

The Susie Wilson Road Corridor Project proposes construction of an additional lane at the Vermont Route 15/Susie Wilson Road intersection, additional lanes at the Kellogg Road/Susie Wilson Road intersection and safety improvements for bicycles and pedestrians throughout the corridor.

The intent of the meeting is to review the project details and to provide an opportunity for property owners, local officials and other interested parties to comment and provide input. The presentation will be followed by a question and answer period with an opportunity for those attending to present any concerns they might have.



RECEIVED

APR 25 2018

Village of Essex Junction

April 23, 2018

Mr. Evan Teich  
Essex Junction Unified Manager  
2 Lincoln Street  
Essex Jct., VT 05452

TO: Chittenden County Regional Planning Commission Member Municipalities and CCRPC Representatives

FROM: Bernadette Ferenc, Transportation Business Manager

RE: Notice of Public Hearing to Review FY2019 Unified Planning Work Program

---

At its meeting on April 18th the CCRPC voted to warn a public hearing for Wednesday, May 16, 2018 at 6:00 p.m. at its offices at 110 West Canal Street, Suite 202, Winooski. In addition, the public comment period will remain open until May 21, 2018. Copies of this hearing notice and enclosures are being sent to municipal clerks for posting on public bulletin boards.

The hearing is to review and hear public comments on its proposed FY2019 Unified Planning Work Program (UPWP) and budget. The UPWP includes the tasks the CCRPC proposes to have completed by staff and/or consultants during our fiscal year, which will run from July 1, 2018 through June 30, 2019. We are enclosing a copy of the full document for your review.

Please review the proposed UPWP and budget at <http://www.ccrpcvt.org/about-us/commission/annual-work-plan-budget-finances/> and contact your CCRPC representative or Charlie Baker, CCRPC Executive Director ([cbaker@ccrpcvt.org](mailto:cbaker@ccrpcvt.org)) with any questions or comments.

Public comments will be accepted in writing (mailed to CCRPC, 110 West Canal St, Ste 202, Winooski, VT 05404) or via email, until Monday, May 21<sup>st</sup>. Citizens may also provide oral comments at the public hearing.

Enclosures (to municipalities only)

- Proposed FY2019 Unified Planning Work Program (UPWP) and budget





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APR 24 2018

Village of Essex Junction



Board of Trustees  
Essex Junction Village  
2 Lincoln St  
Essex Junction VT 05452-3154

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THE  
DATE**

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send an email with questions to [info@vlct.org](mailto:info@vlct.org).

**JUNE 14, 2018**

**Killington Grand Resort  
Killington, Vermont**





2 Lincoln Street  
Essex Junction, VT 05452  
P: 802-878-6944  
F: 802-878-6946  
[www.essexjunction.org](http://www.essexjunction.org)

81 Main Street  
Essex Junction, VT 05452  
P: 802-878-1341  
F: 802-878-1353  
[www.essex.org](http://www.essex.org)

April 18, 2018

Secretary Julie Moore  
Vermont Agency of Natural Resources  
1 National Life Drive, Davis 2  
Montpelier, VT 05602-1294

Re: Three acre rule

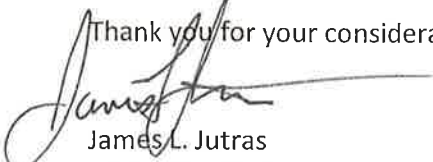
Dear Secretary Moore

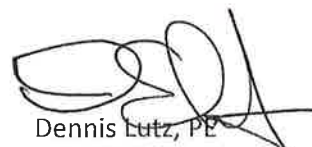
We are pleased that the Agency has decided to further study the implications of the 3 acre rule before adopting added regulations that have the potential to negatively impact the compliance actions of MS4 communities. While the Agency continues to work on this regulatory matter, we respectfully request that you consider the following as part of ongoing discussions and revisions:

1. MS4 Decision: Please allow MS4's the regulatory flexibility to accept the 3 Acre parcels under the MS4 regulatory umbrella OR defer to the state. This request is to allow regulatory compliance flexibility for MS4's in a similar manner to the Residual Designated Authority (RDA). MS4's can then incorporate cost saving partnerships with large parcel owners or defer to the state for regulatory compliance.
2. When calculating the value of reasonable assurances under MS4 compliance, please do not compete with the MS4's for this compliance capacity within our MS4 regulatory boundaries. We have our own compliance challenges with phosphorus and flow restoration planning.
3. If the state absorbs 3 Ac flow and P credits within our boundaries and IF there should be further regulatory tightening by EPA on NPDES permit holders, this is an expensive and untenable position for MS4's to be put in. Every fractional pound of P is important to the regulated.

We would be happy to participate in further discussion as the revised 3 Ac rule is considered. As we have offered before, early participation by MS4 regulate communities will make for enhanced rule making and overall compliance with the Lake Champlain TMDL.

Thank you for your consideration.

  
James L. Jutras  
Water Quality Supt.

  
Dennis Lutz, PE  
Public Works Director

cc: Evan Teich, Unified Municipal Manager  
Emily Boedecker, Commissioner, Vermont Dept. of Environmental Conservation  
Village of Essex Jct Board of Trustees  
Town of Essex Selectboard  
Essex/Essex Jct Joint Stormwater Coordinating Committee

## Patricia Benoit

---

**From:** George Tyler  
**Sent:** Thursday, May 3, 2018 8:18 AM  
**To:** Patricia Benoit; Evan Teich  
**Subject:** Addition to trustee reading file

Patty -

Could you please put copies of the FPF post below into the reading file of our next trustee meeting? Thanks.

GT

---

## From: Five Corners North Front Porch Forum No. 2486

### Thankful

DEB CARLIN, [DEBNEIL@COMCAST.NET](mailto:DEBNEIL@COMCAST.NET), PEARL ST

#### **DISCUSSION**

I just wanted to say how thankful I am to Live and raise our family here in Essex Junction!!

I stopped at EJRP today, to sign up for some of their fabulous camps and am always greeted with a warm smile from all who work there and receive the help that I need with a smiling face. The park is always busy and filled with lots of energy and enthusiasm. It is kept up so well, it is a real treasure for our community.

I pick up a child from Summit and watch as the beautiful playground is full of smiling, happy children, playing outdoors and enjoying themselves!

I pick up another child from EJRP preschool who is being cared for by wonderful, kind teachers with a beautiful classroom and many engaging activities!

I receive emails from the high school and ADL to keep me informed and pass on valuable information to help my children grow outside the classroom as well as inside the classroom and information to help me be a better parent in this ever changing, crazy, world!

I know there are gripes and concerns and Essex Junction is not perfect, but no place is! And I just want to thank the people of our community, professionals, friends and neighbors for making it such a wonderful place to live! Deb

**EMAIL AUTHOR** **REPLY TO FORUM**

**Patricia Benoit**

---

**Subject:** FW: Essex Junction Planning Commission

**From:** Joe Weith [<mailto:jweith@whiteandburke.com>]

**Sent:** Friday, May 04, 2018 9:57 AM

**To:** Evan Teich <[ETeich@ESSEX.ORG](mailto:ETeich@ESSEX.ORG)>

**Cc:** Robin Pierce <[robin@essexjunction.org](mailto:robin@essexjunction.org)>

**Subject:** Essex Junction Planning Commission

Hello Evan,

I am currently a member of the Essex Junction Planning Commission. We are selling our home and will be moving out of EJ. Therefore, I will be resigning from the Commission effective June 1, 2018. It has been a pleasure serving on the Commission. I wish the best for you and the Village as you plan for the future of the community.

Best,

Joe Weith

**VILLAGE OF ESSEX JUNCTION  
BOARD OF TRUSTEES  
MINUTES OF MEETING  
April 24, 2018**

**TRUSTEES PRESENT:** George Tyler (Village President); Elaine Sopchak, Dan Kerin, Andrew Brown, Lori Houghton.  
**ADMINISTRATION:** Evan Teich, Unified Manager; Lauren Morrisseau, Assistant Manager/Finance Director.  
**OTHERS PRESENT:** Aaron Martin, Irene Wrenner.

---

**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**

There were no changes to the agenda.

**3. GUESTS, PRESENTATIONS and PUBLIC HEARINGS**

a) Comments from Public on Items not on Agenda  
None.

**4. OLD BUSINESS**

a) Board Reorganization  
Evan Teich facilitated the meeting and called for nominations for Village President.

*Village President*

**MOTION by Elaine Sopchak, SECOND by Lori Houghton, to nominate George Tyler as Village President.** There were no other nominations. **VOTING: 4 ayes, 1 abstention (George Tyler); motion carried.**

George Tyler is Village President and assumed facilitation of the meeting.

*Village Vice President*

**MOTION by Dan Kerin, SECOND by Elaine Sopchak, to nominate Andrew Brown as Village Vice President.** There were no other nominations. **VOTING: 4 ayes, 1 abstention (Andrew Brown); motion carried.**

Andrew Brown is Village Vice President.

**5. NEW BUSINESS**

a) Award Bid for 2018 Paving Projects  
Aaron Martin, Essex Utility Director/Engineer, reported the town secured a paving bid at \$60/ton for asphalt. The village budget for paving is \$225,000, but the total cost of the paving projects based on the 'per ton' rate is \$151,500.

**MOTION by Dan Kerin, SECOND by Elaine Sopchak, to award the paving bid to Pike Industries for paving projects in the Village of Essex Junction for FYE2019. VOTING: unanimous (5-0); motion carried.**

b) Adopt 2018 Local Emergency Operations Plan (LEOP)

Evan Teich noted in order to receive FEMA funds the LEOP must be in place. Mr. Teich said he will be attending a training session on the LEOP.

**MOTION by Andrew Brown, SECOND by Lori Houghton, to adopt the 2018 Local Emergency Operations Plan and authorize Dan Kerin to sign the plan as required. VOTING: unanimous (5-0); motion carried.**

c) Reappoint Chittenden Solid Waste District (CSWD) Representatives

**MOTION by Lori Houghton, SECOND by Dan Kerin, to reappoint Alan Nye as the representative and George Tyler as the alternate to the CSWD Board of Commissioners for a two year term beginning June 1, 2018 and ending May 31, 2020. VOTING: 4 ayes, 1 abstention (George Tyler); motion carried.**

## **6. MANAGER'S REPORT**

a) Meeting Schedule – Regular Trustees Meetings @ 6:30 PM

- May 8, 2018
- May 22, 2018
- June 12, 2018
- June 26, 2018

\* April 25, 2018 @ 7 PM – Joint Meeting with Selectboard, 81 Main Street

\* May 26, 2018 @ 10 AM – Memorial Day Parade

\* June 14, 2018 @ 7 PM – Joint Meeting with Selectboard, Lincoln Hall

## **7. TRUSTEES COMMENTS AND CONCERNS/READING FILE**

a) Board Member Comments

- George Tyler noted employees of EJRP voted not to join the Village Employees Association. Lauren Morrissette said membership is a department by department decision. Evan Teich noted staff is looking at alignment of village and town employee contracts and personnel policies.
- George Tyler mentioned the letter of appreciation from Habitat for Humanity.
- Elaine Sopchak gave a brief update on the information covered at the last Selectboard meeting. Items discussed included water rates, options for the community discussion on the firearms discharge ordinance, presentation from Green Lantern solar company, presentation from the VNA on the funding request of \$53,572 for FY19 resulting in a discount of \$114,538. The funding is to serve 5,897 people, provide 10,722 visits to households and 10,383 hours of service. Evan Teich added the requested funding is the amount not covered by Medicare/Medicaid for service. The VNA is trying to align practices and procedures with the UVM Medical Center system for better outcomes.

## b) Reading File

- Minutes
  - Bike/Walk Advisory Committee 4/16/18
  - Capital Program Review Committee 4/17/18
- Brownell Library Staff and Director Report, March 2018
- Thank You from Green Mountain Habitat for Humanity
- Memo from Lauren Morriseau re: Rec Dept. Declined Joining Association
- Letter from Arbor Day Foundation re: 2017 Tree City USA

**8. CONSENT AGENDA**

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

- a) **Approve and Attest Annual Meeting Minutes 4/4/18**
- b) **Approve Minutes of Previous Meeting(s) 4/10/18**
- c) **Expense Warrant #17091, dated 4/13/18, in the amount of \$70,677.54.**
- d) **Expense Warrant #17092, dated 4/20/18, in the amount of \$187,449.87.**

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

**9. ADJOURNMENT**

**MOTION by Dan Kerin, SECOND by Andrew Brown, to adjourn the Board of Trustees meeting. VOTING: unanimous (5-0); motion carried.**

The meeting was adjourned at 6:49 PM.

*RScty: M.E.Riordan*

**VILLAGE OF ESSEX JUNCTION TRUSTEES  
TOWN OF ESSEX SELECTBOARD  
SPECIAL JOINT MEETING MINUTES  
April 25, 2018**

**BOARD OF TRUSTEES:** George Tyler, Village President, Dan Kerin, Elaine Sopchak, Andrew Brown, Lori Houghton.

**SELECTBOARD:** Max Levy, Chair, Michael Plageman, Irene Wrenner, Andrew Watts, Elaine Sopchak.

**OTHERS PRESENT:** Evan Teich, Unified Manager; Greg Duggan, Deputy Town Manager; Lauren Morrisseau, Finance Director; Christopher Stoneman; Vincent Dober; Jerry Fox; Dawn Hill-Fleury; Marie Froeschl; Margaret Smith; Terry Stein; Marybeth Redmond; Diane Clemens; Jim Bernegger; Mary Lou Hurley; Betsy Dunn; Bruce and Mary Post; Barbara Higgins; Harold Lewis; Yvonne Jarvis; Colin Flanders, Essex Reporter.

Mr. Levy called the Selectboard (SB) meeting to order at 7:00 p.m. Mr. Tyler called the Board of Trustees (BT) meeting to order at 7:00 p.m.

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Mr. Levy invited those present to join him in reciting the "Pledge of Allegiance."

**AGENDA ADDITIONS/CHANGES**

A memorandum from Max Levy and George Tyler dated April 2, 2018 to the Selectboard and Trustees regarding Documents for Our Next Joint Meeting.

**APPROVAL AGENDA**

**MICHAEL PLAGEMAN MOVED AND IRENE WRENNER SECONDED A MOTION TO APPROVE THE AMENDED AGENDA. THE MOTION PASSED 5-0.**

**PUBLIC TO BE HEARD**

Ms. Marybeth Redmond from the Vermont Commission on Women (VCW) explained that the VCW is distributing a statewide survey on behalf of girls and women in Vermont. The goal of the survey is to determine the economic issues for women and girls, who experience a lot of economic insecurity. She asked that the SB help to spread the word about this survey as they are looking for as much information as possible. The VCW would like to reach the more underserved population of women and girls and reported that, in the responses so far, the VCW has learned that there are immense challenges for elderly women. She gave the SB a copy of the survey.

Ms. Marie Froeschl urged the SB to have equal representation for charter changes, and she finds it unethical to not have equal representation in this forum.



49 Mr. Jerry Fox stated that he had no problem with Ms. Sopchak serving on both boards. He cautioned  
50 her to tread carefully when there are opposing views between the Boards. He was concerned that there  
51 was not equal representation on the Essex/Westford School District Board (EWSB).

52  
53 Ms. Diane Clemens, member of the EWSB, clarified that there is appropriate representation from the  
54 former entities. There are two representatives from Westford, four representatives from the Chittenden  
55 County Supervisory Union and four representatives from the Essex Town School District. She stated  
56 that the intent still remains to have this fair representation, and she invites the public to attend their  
57 meetings twice a month on Tuesdays.

58  
59 Ms. Wrenner urged the SB to look at the unequal representation between the Town outside the Village  
60 (TOV) and the Town inside the Village (TIV) with regard to municipal governance. She stated that this  
61 disparity has not been addressed as they move forward with joint discussions. She presented a petition  
62 with 280 signatures and asked that this petition be put on a future agenda for discussion.

63  
64 Ms. Terry Stein asked if there was equal representation on the EWSB, and the reply was, yes. She  
65 asked where the breakdown was with regard to the perception of a lack of representation on the EWSB.  
66 Why did one half of the Town think it doesn't have representation on the EWSB? Mr. Levy wasn't sure,  
67 and Mr. Tyler thought that it might be due to a concern regarding the future elections for the EWSB,  
68 which could cause a change in the structure of the board. The second reason for the confusion could be  
69 a separate issue regarding consolidation discussions between the BT and the SB and a difference on  
70 how to approach that issue. He added that the municipal governments have nothing to do with the  
71 schools. Ms. Stein requested that, if this petition is being discussed at a later agenda, to make sure that  
72 the elections will still be based on fair representation. Mr. Levy understood that there is nothing in  
73 place today in the legislation that wants to change that representation. Mr. Watts asked what the petition  
74 was asking. Mr. Teich read the following:

75  
76 “State of Vermont Chittenden County, we, the undersigned legal voters of the Town of Essex hereby  
77 call on the Selectboard to  
78 1) Study current representation imbalances that are inherit in some school and municipal frames  
79 2) Acknowledge instances of inequitable representation  
80 3) Work to reform archaic incomplete and/or inadequate government structures in order to provide, for  
81 example Town outside the Village voters an independent voice in school and municipal manners on par  
82 with their Town inside the Village counterparts  
83 4) Make this a priority”

84  
85 Mr. Levy stated that they will place this on a future agenda for a complete discussion.

86  
87 Ms. Wrenner clarified that the SB warned the school vote this year, which she understood has never  
88 been done before. As a result, the TIV residents got to vote on the seat that had formerly been set aside  
89 for TOV residents. Additionally, if anyone had been interested in running for that seat, they could have.  
90 This is the “hiccup” they face this year and will face in the future unless something changes locally or  
91 at the state level, which has not been addressed yet.

92  
93 Ms. Clemens confirmed for Ms. Betsy Dunn that the TOV has four guaranteed seats on the EWSB,  
Westford has two guaranteed seats and the TIV has 4 guaranteed seats. Ms. Sopchak further elaborated  
on the legislation being referred to by Ms. Wrenner. She explained that at the last SB meeting, Ms.

96 Martha Heath explained that because there was an error discovered in the legislation, the Town had to  
97 warn the election this year. She stated that it was a one-time situation and that the Legislature is  
98 working to fix that problem. The SB cannot fix that problem, and if all goes as expected at the  
99 Legislature, it will not happen again. The intent is for the EWSB to warn its own elections in the future.

100  
101 Ms. Barbara Higgins asked how the voting will work with Ms. Sopchak on both boards. Ms. Sopchak  
102 replied that, technically, there is never a time both boards vote together so her vote will not count twice,  
103 and philosophically, she pledged to have as much integrity as possible to serve the entire community.  
104 Ms. Higgins asked if she would be recusing herself if there are opposing views between the boards. Ms.  
105 Sopchak replied that she will recuse herself per the Town policy, which states that a recusal is  
106 appropriate if a member will personally benefit from any decision.

107  
108 Ms. Betsy Dunn asked why there were minutes that did not disclose member names with their  
109 comments. Mr. Levy explained that those were not minutes, but a survey sent to the members on their  
110 thoughts on how to continue the governance conversation.

111  
112 Ms. Wrenner added that the language from S.257 is being worked on to be effective next year, so she  
113 didn't think they would see a vote on this language before the end of the session. Ms. Houghton  
114 explained that a vote can occur as early as January of next year and it can be made effective  
115 immediately.

116  
117 Ms. Marylou Hurley appreciates the discussion, but personally, she is not going to be able to feel  
118 comfortable as long as this situation exists.

119 **JOINT MEETING WITH ESSEX SELECTBOARD**

120  
121  
122 **Manager's Personnel Updates – Evan Teich**

123  
124 The issue is informing the SB and BT about personnel matters. Members decided that there was no  
125 need to enter Executive Session for this issue.

126  
127 Mr. Teich reviewed his memorandum dated April 20, 2018 regarding Personnel Updates with the  
128 members. Some of the highlights in Mr. Teich's memorandum include Mr. Travis Sabataso moving  
129 from his position as Town's Administrative Assistant/Human Resource Coordinator to Human Resource  
130 Director for the Town and the Village. A new position of Assistant to the Manager will be advertised  
131 and will include communication responsibilities and back-up minute taking as well as review of the  
132 minutes. This position will have a salary range of \$51,300 to \$54,150 and will be shared with the Town  
133 and the Village. Additionally, Ms. Patty Benoit, Administrative Assistant for the Village will retire in  
134 October, 2018 and Mr. Randy Viens, Town Assessor, will retire in December of 2018.

135  
136 Mr. Teich clarified for Mr. Levy that the new Assistant to the Manager position would be cost neutral to  
137 start. There is still an extra half position in reserve that will not be filled right now. Ms. Sopchak was  
138 delighted to hear of a communications position. Mr. Teich added that the position won't start until  
139 September.

140  
141 Ms. Wrenner asked about the search for a new Assessor, and Mr. Teich replied that he has not begun  
142 that process yet.

143 Mr. Watts asked that the new job descriptions include language that states both the Town and Village,  
144 and Mr. Teich agreed.  
145

146 **Presentation of Staff Work Plan for Consolidation and Alignment – Evan Teich**  
147

148 Mr. Tyler introduced the issue of informing the SB and BT about the staff work plan for consolidation  
149 and alignment. Mr. Bruce Post stated “Point of Order.” He wondered if the SB meeting was over and  
150 questioned the blending of the meeting on this issue as it had always been separate in the past. Mr.  
151 Levy confirmed for Mr. Post that this was a joint meeting, and they initially called to order the SB and  
152 BT meetings and the SB and BT are both going to be adjourned separately at the end.  
153

154 Mr. Teich reviewed his memorandum dated April 20, 2018 to the BT and SB. The memorandum  
155 summarized the work done to date and outlined a plan for moving forward with future consolidation.  
156 He discussed the creation of an Alignment Group that included staff from both the Town and the  
157 Village, a proposed staff work plan and questions to answer and issues to consider. He provided an  
158 example of efficiency that just occurred in the Public Works Department that saved the Village \$70,000  
159 since they could go out to bid as one department. More street work can be accomplished, which is the  
160 intent of the memorandum of understanding and benefits the entire Town and businesses. Mr. Teich  
161 also discussed the message he is receiving from staff, which is that they would like to see more team  
162 building and succession planning as well as being part of committee meetings. Mr. Levy thought this  
163 aligned well with feedback from Town Committee members who would like more communication and  
164 coordination with staff.  
165

166 With regard to aligning the budget, Ms. Morrisseau stated that she is starting to align the budgets so  
that the processes are the same and the line items are reflected in the same way. She agreed with Mr.  
168 Levy that the intent is to work towards what is best practice. On that same note, Mr. Teich reported that  
169 another message he hears from the staff is that they would like to approach the future as seeking and  
170 defining the “best way” rather than a “Village way” or a “Town way.” Mr. Teich stated that everything  
171 is done through policy, and Mr. Tyler emphasized that the process for policy changes includes changes  
172 being vetted by the staff, by the Boards through a public process and then voted on separately by each  
173 Board. Mr. Levy agreed that there were checks and balances in the process.  
174

175 Mr. Kerin added that when they are adopting similar policies, it is necessary to remember that there are  
176 union agreements and contractual agreements that would not be changed at this time. Mr. Teich stated  
177 that the Town will be talking with associations about aligning the terms of the contracts with employee  
178 manuals so it is not operating on five separate documents.  
179

180 Ms. Wrenner encouraged Mr. Teich to get feedback from employees on all different levels and not just  
181 the management. With regard to the Fire Departments, for example, the volunteers need to have input  
182 and be heard because without them, there is no fire department. She thought that a lot of opportunities  
183 for improvements may be teased out by talking to different people. Mr. Teich thought that was a good  
184 point. He reported that staff has been asking about using best practice and paying attention to more of  
185 the culture of the organization. He has received feedback that the staff would like to meet other people  
186 in the organization that they would not normally work with on a day to day basis so that they can be  
187 more of a team and a family and not just a collection of people who don’t know each other.  
188

189 With regard to the Fire Departments, Mr. Tyler noted that he has had the same conversation with Mr.

190 Teich because there can't be policy changes that drive away the volunteers. He suggested that, for  
191 alignment decisions that may impact service delivery, staff involve the SB and the BT at the ground  
192 level so it gives the public that extra level of assurance and brings some public perspective and  
193 oversight to the process.

194  
195 Ms. Wrenner wanted to make sure there was someone on staff making sure the Town is not missing out  
196 on what is going on outside of this alignment focus. Mr. Teich agreed, and Mr. Duggan pointed out that  
197 staff is very active regionally and state-wide through the Regional Planning Commission, State-wide  
198 stormwater efforts, community development practices and meetings with other managers.

199  
200 Mr. Brown stated that it was great to hear that staff values team building, finding the "best way" as  
201 opposed to the "Village way" or "Town way" and having flexibility and a willingness to work together.  
202 With regard to the timeline for alignment and charter changes, he suggested looking at the election of  
203 2020, during which there would be greater voter turnout, and Mr. Teich agreed.

204  
205 With regard to the Alignment Group, Ms. Wrenner suggested including members with institutional  
206 knowledge who may know what hasn't worked in the past. Mr. Teich agreed and noted that people will  
207 be added as needed.

208  
209 **Board of Trustees and Selectboard Work Plan for Consolidation and Alignment – Evan Teich**

210  
211 The issue is for the SB and Trustees to discuss consolidation and governance and agree to a work plan.  
212 With regard to Board Member Thoughts on How to Continue Governance Conversation, Mr. Tyler  
213 stated that he was "Member D," Ms. Houghton stated that she was "Member A" and Mr. Levy stated  
214 that he was "Member B."

215  
216 Mr. Tyler suggested hearing from each member on their thoughts with this issue, and members agreed.

217  
218 Ms. Houghton expressed that the most immediate step for her is to address the issue of tax equity  
219 because if it didn't get tackled, then things might remain in the status quo. She would like to see  
220 everyone in Essex paying the same taxes. She also would like to learn sooner than later if a full  
221 consolidation is not going to happen so that the Trustees can move to other important matters. If that is  
222 the case, the Town and Village could continue to work on joint communications and improving what is  
223 already consolidated.

224  
225 Ms. Sopchak agreed with Ms. Houghton, but was interested in moving slow and deliberative with  
226 consolidating departments. She felt working with smaller chunks would be better and would address  
227 the tax equity issue along the way. She suggested starting with the Public Works Department. She also  
228 felt they should revisit the way Heart and Soul provided outreach to the community as a way to engage  
229 the community since that was so successful. Ms. Houghton thought that the departments left to  
230 consolidate are really difficult. She reported that Heart and Soul is technically dormant, but that they  
231 still meet and have a plan to resurrect their efforts soon.

232  
233 Mr. Watts asked to add "assets" and "libraries" to the list of Areas that May Require outside  
234 Consultation. He disclosed that his wife is a Library Trustee for the Essex Free Library. He understood  
235 that the libraries may have different regulations to follow through the State Department of Libraries  
236 and that the Boards may need some assistance to understand how those affect any consolidation effort.

237 With regard to tax equity, he noted that it is not a 50/50 share, and he wants to know what the Village  
 238 taxpayers get from the taxes they pay to the Town. He also noted that, should that Village \$3.4 million  
 239 in taxes be added to the Town budget, it would mean a 13 cent increase to the tax rate for the Town  
 240 outside the Village residents, which is “big to swallow.” He suggested looking at an incremental  
 241 increase so it is not such a hardship. With regard to Thoughtful Growth in Action, he wondered about  
 242 moving things forward and suggested that may be a good place to start. With regard to the Recreation  
 243 Departments, he stated that it was a large chunk of the difference in tax rates between the Town and the  
 244 Village and thought the consolidation plan from the department heads should be looked at soon.

245  
 246 Mr. Tyler believes that the Village is sharing responsibility with the Town government for providing  
 247 services to the entire community, but it is not being compensated for its share. All the services the  
 248 Village provides are services that the Town would need to provide if the Village didn’t exist. Village  
 249 residents are the only ones being taxed to provide its portion of those services, but people in the Village  
 250 are sharing the responsibility of what the Town provides. As a result, he thought it was important to  
 251 start with a grounded understanding of the funding structure and asked Ms. Wrenner if she saw any  
 252 problem with his statements.

253  
 254 Ms. Wrenner replied that she would counter that the same thing is happening to TOV residents with no  
 255 representation. She gave an example of how the Town Highway Department is paving inside and  
 256 outside the Village, but has no Board appropriately managing Village policies. She thought this needed  
 257 to be revisited because it is a “chicken and egg thing.” She stated that if we go forward, we need to get  
 258 buy in from the 11,000 residents (TOV) by affording them equal representation equivalent to the TIV.  
 259 Then there could be conversations around a table with equivalent strength on each side. She suggested  
 260 considering the idea, last year, of a cultural district for the Village Recreation Department and Brownell  
 261 Library, which have much more in common than the two different philosophies, backgrounds and  
 262 locations of the two libraries. Ms. Wrenner would like the members to be broad in thinking about the  
 263 meaning of consolidation. Mr. Tyler, in that scenario, asked Ms. Wrenner if she would look to do a  
 264 similar thing in the Town with the Recreation Department and Essex Free Library, so there is an  
 265 adjusted tax rate in the Village and the Town or for the Village to have a cultural district, but continue  
 266 to support the mirror entities in the Town. Ms. Wrenner did not think it was her decision, but wanted  
 267 representatives from TIV and TOV to hammer that out. She stated that, right now, having a SB that has  
 268 the big picture view only doesn't help anyone hammer out those compromises and is inappropriate.

269  
 270 Ms. Sopchak was confused about the “chicken and egg” comment. She was hearing that there are  
 271 solutions to the problems, but not until the SB solves the TOV problem and asked if that was accurate.  
 272 Ms. Wrenner thought that was one way to look at it, but it might be a legislative issue for the Town  
 273 Attorney and staff to address. Ms. Sopchak thought that was what the Boards and staff are already  
 274 doing. She referred to the meeting on March 24th when the public told them to change how they were  
 275 doing things and to move forward, which is what they are trying to do right now. She stated that this is  
 276 not some capricious set up that the SB decided to do. It is State Statute, and they are working with a  
 277 charter that is V.S.A. annotated and not something they can just fix. Ms. Sopchak did not think that the  
 278 fixes Ms. Wrenner is proposing are any different than the proposed fixes from everybody else at the  
 279 table. Ms. Wrenner understood that with consolidation of services, the Village tax rate has decreased,  
 280 but she has never heard that this is helping the representation issue get fixed. She recalled that some of  
 281 the “hiccups” and frustration from past merger efforts is that the Town has not had adequate  
 282 representation and that will continue if we don’t work out ways that are fair to everybody. Ms. Sopchak  
 283 stated that the Boards have been talking about representation at every meeting the last several months

284 and asked, “Why don’t we just focus on the future and get it done?”

285  
286 Mr. Watts reiterated that he represents the TOV residents and resents being told that he doesn’t. Mr.  
287 Levy agreed that all selectman represent the entire community regardless of where the members live in  
288 the Town.

289  
290 Mr. Plageman agreed with Ms. Sopchak. He did not understand the argument and agreed with Mr.  
291 Watts. He lives in the Village and serves on the SB, which he considers a privilege. He hasn’t heard  
292 anybody in six years say that his opinions are slanted one way or the other. It’s always been what is best  
293 for Essex. He is tired of listening to this and thought they should move on and get the work done. He  
294 thought tax equity and governance representation were the top two issues, but did not know which one  
295 should come first and if they should be addressed together or separately. He agreed with Ms. Houghton  
296 and Mr. Watts that there are tax inequities to deal with and need to be addressed and agreed with Ms.  
297 Houghton that they have “picked the low hanging fruit.” The rest won’t be quite as simple. Ms.  
298 Houghton commented that, based on the past, the two issues need to be tackled at the same time and be  
299 a parallel discussion.

300  
301 Mr. Kerin advocates getting this message out to the public so that the public is not lacking for  
302 knowledge and understanding of any of these issues.

303  
304 Mr. Tyler stated that any consolidation efforts should not hit the TOV with a large tax increase all at  
305 once, which would be a huge impact to those taxpayers. He would rather see this consolidation effort as  
306 something with overwhelming support from both municipalities. He believed that the process of what  
307 and how needs to be discussed and modified. He suggested that the members provide a list of ways to  
proceed so they can determine which ones overlap.

308  
309  
310 Mr. Brown agreed with the sentiment that it is not the “Village way” or the “Town way,” but the “best  
311 way.” He felt that the discussion on taxation and representation has to be a parallel process and  
312 suggested that the members look at the end goals to this process, be transparent about what they are  
313 doing and where they would like to see this effort go.

314  
315 Mr. Tyler also thought they should ask “what is the end goal?” Mr. Levy agreed that they needed to  
316 define the end game and how they know when they’ve arrived. He believed in a sustainable community  
317 by working together and didn’t think it was insurmountable. He suggested looking at this issue into the  
318 future by 20 to 30 years to see if they are going to be in a better place. He suggested getting rid of the  
319 memorandum of understandings, changing the charter and getting the public involved. He believed in  
320 not a positive vote, but an expected positive vote because it was an effort by the public and something  
321 the residents want.

322  
323 Ms. Higgins asked that each member be clear with their thoughts so that when they say “tax equity” or  
324 “consolidation,” it is clearly defined.

325 Each member took a turn explaining how each saw the end goal.

326  
327 Ms. Sopchak's end goal was one single community/municipality, one board, one budget, one set of staff  
328 and one day of voting, which included the school vote and a school and Town meeting before the vote.

329  
330 Mr. Brown's end goal was the same as Ms. Sopchak's with one municipality, one board with equal

331 representation and a vote aligned with the school vote. He was not sure yet how the one board would be  
332 structured.

334 Mr. Plageman's end goal was the same as Ms. Sopchak and Mr. Brown's, but he wanted to add that he  
335 favored the Hybrid Model for Town Meeting and the vote. He was in favor of keeping Town Meeting.  
336 He was also not sure yet of how the one board would be structured.

337  
338 Mr. Tyler's end goal was a consolidated community. He saw two charters for the first few years, which  
339 could provide a mechanism to solve tax equity and adjust it slowly. He favored voting districts so that  
340 no one part of the community dominates the other. He was basically in agreement with the comments  
341 so far.

342  
343 Mr. Levy's end goal was a single sustainable community with one tax rate for all, one governing board  
344 with districts, if that makes sense. He has heard from the community that it was time to put the budget  
345 on Australian ballot.

346  
347 Ms. Houghton's end goal was one community, one budget, one board with a representative structure,  
348 one vote using the Hybrid Model for Town Meeting, one economic development commission, one tax  
349 rate for all and a brand new charter, starting fresh. She would like to see Essex respected in the State  
350 for all that it has to offer.

351  
352 Ms. Wrenner's end goal was in agreement with other members and to have one board. She thought that  
353 the at-large representation on the board is problematic so that working groups may be needed in its  
354 formative period. She also wanted a different date for the school vote because right after school  
355 vacation is not optimal.

356  
357 Mr. Kerin's end goal was in agreement with everything said, but with one board doing things together  
358 and that the process be at a faster pace than more slowly. He also saw preserving the Village Five  
359 Corners as an Historic Center.

360  
361 Mr. Watts' end goal is a single community, single board that is responsive to all the community and a  
362 co-mingling of ballots (sooner than later) so people can't see how each municipality voted.

363  
364 Mr. Jerry Fox talked about how he saw the community being the most divisive ever when the high  
365 school was being merged. He suggested that the SB and BT have committees for each of the  
366 departments, such as libraries, recreation and public works, that would report to the Boards. He felt that  
367 more manpower was needed if they want to move faster and be successful.

368  
369 Mr. Bruce Post felt that the revote in 2006 taught us to learn to do things together, and he recalled  
370 hearing that, if the Town and Village can learn to do things together over the assuming years, then it  
371 would be easier to merge later on. He has not kept up with the consolidation efforts to date, the cost  
372 implications and the savings, but noted that usually a merger results in some efficiencies. He suggested  
373 using the word "municipality" instead of "community." He didn't think this effort needed to take all  
374 that long and encouraged the SB and BT to make up their minds. He also suggested using the work  
375 from the Essex Governance Group (EGG), which had recommendations with a lot of good ideas and  
376 results from citizen surveys. With regard to a new charter, he was opposed to carving out a special  
377 district in the Village. If they are talking one municipality, then it should be one municipality. He would,

378 however, favor districts.

380 Ms. Mary Post urged the Boards to involve the public, which needs to know what is being talked about.  
381 She hopes that things will change because sometimes the discussions can be so vague and many of  
382 them that used to go to meetings had felt that they were treated as if their voice didn't matter. If they all  
383 get involved again, she hoped it would be in a really positive, honest way. Even if she didn't get what  
384 she wanted, Ms. Post hoped to feel heard and respected.

385  
386 Ms. Dunn didn't think the Boards needed to start with a new charter from scratch as town charters are  
387 looked at regularly at the Legislature, and Essex could use those as models for its new charter. She  
388 favored one charter and thought the Boards should "jump in" and just do it. She didn't think what they  
389 named areas of the Town was important, and she was in favor of a hybrid model for Town Meeting and  
390 has heard from residents that they favor Australian ballot for the budget. She was also in favor of one  
391 vote and thought they could get this done quickly. She suggested using ad-hoc committees as there was  
392 so much expertise to utilize in our community and didn't think that would slow down the process.

393  
394 Mr. Jim Bernegger has been involved with the Economic Development Commission for the past 18  
395 months and is a newcomer to the Town. He has taken a single entity and external approach with his  
396 work as a volunteer and is encouraged by tonight's discussion. He hears a single point of view, which is  
397 what he feels the members are charged to do. He stated that Essex is competing for a lot of resources,  
398 so a more united approach is essential.

399  
400 Mr. Tyler suggested that members put in writing their end goals as the next step. Members further  
401 deliberated, and Mr. Tyler felt that it would be important to have a theoretical model and process to put  
402 before the public for a focus and a discussion.

403  
404 Mr. Brown recalled governance models being presented at a past meeting and suggested bringing those  
405 back and doing a dry-erase board exercise at the next joint meeting.

406  
407 Mr. Plageman was not quite ready to discuss having committees as he felt it was too early in the  
408 process.

409  
410 Ms. Houghton suggested that each member submit their top three issues to be tackled and a list of  
411 potential committees with department heads to tackle them and then just start working.

412  
413 Ms. Wrenner suggested setting up a doodle for more joint meetings. She thought they could be monthly  
414 as long as they were productive. She also wanted representation as a priority on committees.

415  
416 Mr. Kerin agreed, but was concerned about getting the message out to the public as he was surprised  
417 that there was no coverage in the Essex Reporter on the joint meeting on March 24th. It was noted that  
418 press releases need to happen to ensure something goes into the Essex Reporter. He also added that just  
419 because you don't get what you want, doesn't mean you weren't listened to, it just means you didn't get  
420 what you want.

421  
422 Mr. Watts expressed that democracy was designed to run slowly so adding meetings might not be  
423 helpful. He suggested that members add comments in writing on the proposed work plan and comments  
424 on what issues they need extra help with. Mr. Watts may not be available to attend additional meetings



425 as his work is involving more travel.

426  
427 Mr. Teich thought that more meetings would work in this case to keep the momentum going as well as  
428 the camaraderie presented tonight, which is so important. He suggested each member comment on the  
429 definitions as well so they are understanding the meanings in the same way.

430  
431 Mr. Tyler synthesized the discussion thus far with the following highlights, and Mr. Levy agreed:

- 432 1. hold another joint meeting soon that is dedicated to this issue
- 433 2. members provide comments on the work plan
- 434 3. comments about committees
- 435 4. comments on where outside expertise is needed
- 436 5. comments on solutions for governance and representation
- 437 6. first three priorities of tasks to accomplish
- 438 7. comments on the definitions

439  
440 Mr. Tyler and Mr. Levy agreed to provide a summary and reminder memorandum to the members with  
441 a due date for comments. Mr. Teich agreed that staff would summarize the common end goals as well  
442 and then summarize the comments from each member for discussion at the next meeting. Staff will put  
443 out a doodle to determine the next joint meeting date and then proceed with future meetings as needed  
444 in order to keep the momentum moving forward in this collaborative way.

445  
446 **Goals and Process for Annual, Joint Evaluation of Unified Manager – Evan Teich**

447  
448 Ms. Wrenner suggested tabling this issue due to the late hour, and members agreed. Mr. Teich asked  
449 that this topic be discussed as a priority at the next joint meeting, and members agreed.

450  
451 **IRENE WRENNER MOVED AND MICHAEL PLAGEMAN SECONDED A MOTION TO**  
452 **TABLE THIS DISCUSSION. THE MOTION PASSED 5-0.**

453  
454 **GEORGE TYLER MOVED AND ANDREW BROWN SECONDED A MOTION TO TABLE**  
455 **THIS DISCUSSION. THE MOTION PASSED 5-0.**

456  
457 **GEORGE TYLER MOVED AND LORI HOUGHTON SECONDED A MOTION TO APPROVE**  
458 **THE CONSENT AGENDA WITH TRUSTEE MEMBER COMMENTS.**

459  
460 **CONSENT ITEMS**

- 461 a. Radar List of Joint Selectboard and Trustee Work Items

462  
463 **There were no comments on the Consent Agenda.**

464  
465 **THE MOTION PASSED 5-0.**

466 **ANDREW BROWN MOVED AND DANIEL KERIN SECONDED A MOTION TO ADJOURN**  
467 **AT 10:00 P.M. THE MOTION PASSED 5-0.**

468  
469 **Respectfully submitted,**

470  
471 Saramichelle Stultz, Recording Secretary

04/27/18  
07:52 am

Town of Essex / Village of EJ Accounts Payable  
Check Warrant Report # 17093 Current Prior Next FY Invoices For Fund (GENERAL FUND)  
For Check Acct 01(GENERAL FUND) All check #s 04/26/18 To 04/27/18 & Fund 2

Vendor	Invoice Date	Invoice Description	Invoice Number	Account	Amount Paid	Check Number	Check Date
14400	04/15/18	ABOVE AND BEYOND	LHBL 4/1-5/5 cleaning 3445	210-41940.423 CONTRACT SERVICES	750.00	16310	04/26/18
14400	04/15/18	ABOVE AND BEYOND	LHBL 4/1-5/5 cleaning 3445	210-45551.423 CONTRACT SERVICES	2212.75	16310	04/26/18
14400	04/15/18	ABOVE AND BEYOND	LHBL 4/1-5/5 cleaning 3445	210-45551.610 SUPPLIES	72.00	16310	04/26/18
00530	04/04/18	BRODART CO	BF book B5284309	210-49345.000 LIBRARY DONATION EXPENDIT	16.85	16314	04/26/18
00530	04/09/18	BRODART CO	BL books B5288161	210-45551.640 ADULT COLLECTION-PRINT &	32.55	16314	04/26/18
00530	04/09/18	BRODART CO	BL book B5288283	210-45551.641 JUVEN COLLECTION-PRNT & E	7.00	16314	04/26/18
00530	04/10/18	BRODART CO	BL book B5289604	210-45551.640 ADULT COLLECTION-PRINT &	13.16	16314	04/26/18
00530	04/10/18	BRODART CO	BL book B5289604	210-45551.610 SUPPLIES	0.90	16314	04/26/18
00530	04/12/18	BRODART CO	BF book B5293221	210-49345.000 LIBRARY DONATION EXPENDIT	16.85	16314	04/26/18
00530	04/16/18	BRODART CO	BF book B5295326	210-49345.000 LIBRARY DONATION EXPENDIT	15.72	16314	04/26/18
00530	04/18/18	BRODART CO	BF book B5298105	210-49345.000 LIBRARY DONATION EXPENDIT	16.85	16314	04/26/18
00530	04/19/18	BRODART CO	BL book B5299635	210-45551.640 ADULT COLLECTION-PRINT &	14.30	16314	04/26/18
00530	04/19/18	BRODART CO	BL book B5299635	210-45551.610 SUPPLIES	0.90	16314	04/26/18
11375	04/01/18	CASELLA WASTE MANAGEMENT	ST-RUBBISH REMOVAL 2905	210-43110.565 RUBBISH REMOVAL	221.01	16317	04/26/18
23525	04/03/18	CLARK'S TRUCK CENTER INC	ST-DEF 25 402422	210-43110.626 GAS,GREASE AND OIL	15.98	16319	04/26/18
31275	04/04/18	DON WESTON EXCAVATING INC	ST-DUMP TRUCK & LOADER 32301	210-43125.570 CONTRACT SERVICES	3032.50	16324	04/26/18
25715	04/06/18	DONALD L. HAMLIN CONSULT	ST-DENSMORE WTR LINE BRK 04061818802	210-43110.576 ENGINEERING SERVICES	1720.04	16325	04/26/18
25715	04/06/18	DONALD L. HAMLIN CONSULT	ST-VARIOUS PROJECTS 04061818810	210-43110.576 ENGINEERING SERVICES	821.50	16325	04/26/18
25715	04/10/18	DONALD L. HAMLIN CONSULT	ST-AMTRAK STATION ADA 04101817815	210-43110.576 ENGINEERING SERVICES	676.14	16325	04/26/18
V9473	04/11/18	FARRELL-LEA FARM	ST-LANDSCAPING-VARIOUS 041118D	210-43161.001 VILLAGE GARDEN SPOTS	1225.00	16328	04/26/18
V9473	04/11/18	FARRELL-LEA FARM	ST-LANDSCAPING-VARIOUS 041118D	210-43161.002 MEMORIAL PARK	800.00	16328	04/26/18
V9473	04/11/18	FARRELL-LEA FARM	ST-LANDSCAPING-VARIOUS 041118D	210-43161.000 STREETSCAPE MAINT./IMP	2050.00	16328	04/26/18
34895	03/31/18	GAUTHIER TRUCKING, INC.	ST-RUBBISH REMOVAL 1298782	210-43110.565 RUBBISH REMOVAL	115.52	16332	04/26/18
34895	04/01/18	GAUTHIER TRUCKING, INC.	ST-RUBBISH REMOVAL 1298784	210-43110.565 RUBBISH REMOVAL	415.77	16332	04/26/18
34895	04/01/18	GAUTHIER TRUCKING, INC.	ST-RUBBISH REMOVAL 1298908	210-43110.565 RUBBISH REMOVAL	55.27	16332	04/26/18

04/27/18  
07:52 am

Town of Essex / Village of EJ Accounts Payable  
Check Warrant Report # 17093 Current Prior Next FY Invoices For Fund (GENERAL FUND)  
For Check Acct 01(GENERAL FUND) All check #s 04/26/18 To 04/27/18 & Fund 2

Page 2 of 5  
HPackard

Vendor	Invoice Date	Invoice Description	Invoice Number	Account	Amount Paid	Check Number	Check Date
14645	04/16/18	GREEN MOUNTAIN SAFETY CON	NB-VLCT TRAINING GRANT 8871	210-49340.000 MISC GRANT EXPENDITURES	450.00	16333	04/26/18
33495	04/17/18	INGRAM LIBRARY SERVICES I	BL books 34172436	210-45551.640 ADULT COLLECTION-PRINT &	10.77	16334	04/26/18
33495	04/17/18	INGRAM LIBRARY SERVICES I	BL book 34172437	210-45551.640 ADULT COLLECTION-PRINT &	12.99	16334	04/26/18
26220	01/31/18	J&B INTERNATIONAL TRUCKS	ST-2012 INTL 4300M7 C117650	210-43110.432 VEHICLE MAINTENANCE	542.22	16335	04/26/18
26220	02/13/18	J&B INTERNATIONAL TRUCKS	ST-2012 INTL 4300M7 C117845	210-43110.432 VEHICLE MAINTENANCE	554.25	16335	04/26/18
V10729	04/18/18	OVERDRIVE INC	BL books 01459C018069	210-45551.640 ADULT COLLECTION-PRINT &	95.05	16342	04/26/18
24100	03/30/18	PERMA-LINE CORP.OF NEW EN	ST-SIGNS & POSTS 167167	210-43110.617 SIGNS AND POSTS	770.40	16343	04/26/18
24100	04/05/18	PERMA-LINE CORP.OF NEW EN	ST-SIGNS & POSTS 167237	210-43110.617 SIGNS AND POSTS	150.35	16343	04/26/18
25330	03/26/18	QUEEN CITY STEEL CO.	ST-STEEL 239559	210-43110.610 SUPPLIES	456.88	16344	04/26/18
37965	02/28/18	S D IRELAND CONCRETE	ST-PORTLAND 345812	210-43151.430 STORM SEWER MAINTENANCE	510.00	16349	04/26/18
04675	04/17/18	SERVPRO OF WINOOSKI / STO	BL building maint 96308	210-45551.434 MAINT. BUILDINGS/GROUNDS	1427.07	16352	04/26/18
04675	04/17/18	SERVPRO OF WINOOSKI / STO	BL building maint 96309	210-45551.434 MAINT. BUILDINGS/GROUNDS	350.00	16352	04/26/18
28785	04/06/18	SHEARER CHEVROLET CO. INC	ST-2011 CHEV SILVERADO SV 472308	210-43110.432 VEHICLE MAINTENANCE	1218.91	16353	04/26/18
29835	04/13/18	SHERWIN-WILLIAMS	ST-OAKUM2019 80746	210-43151.430 STORM SEWER MAINTENANCE	621.25	16354	04/26/18
V10040	04/13/18	SMALL DOG (SO.BURL)ELECTR	BL computer replacement 1175515	210-45551.677 COMPUTER REPLACEMENT	3329.00	16355	04/26/18
23855	03/14/18	SOUTHWORTH-MILTON, INC.	VF-8E5 REPAIR 30316	210-42220.432 VEHICLE MAINTENANCE	1619.10	16356	04/26/18
23855	04/10/18	SOUTHWORTH-MILTON, INC.	VF-8E5 ENGINE DIAG/REPAIR 308410	210-42220.432 VEHICLE MAINTENANCE	3825.54	16356	04/26/18
38760	09/11/07	TI-SALES INC	ST adjustment system 0082826	210-43120.610 PAVEMENT MAINTENANCE	169.85	16358	04/26/18
38760	09/07/17	TI-SALES INC	ST credit memo RTN0005320	210-43120.610 PAVEMENT MAINTENANCE	-13321.41	16358	04/26/18
19350	04/11/18	VERIZON CONNECT FLEET USA	ST-EQUIPMENT RENTAL IN2422956	210-43110.442 EQUIPMENT RENTALS	280.00	16361	04/26/18
36130	03/19/18	VERIZON WIRELESS	ST-VARIOUS 98037492294	210-43110.535 TELEPHONE SERVICES	194.97	16362	04/26/18
11935	03/28/18	VIKING-CIVES USA	ST-VEHICLE MAINTENANCE 4481259	210-43110.432 VEHICLE MAINTENANCE	680.40	16363	04/26/18
11935	04/17/18	VIKING-CIVES USA	ST salter control 4481883	210-43110.432 VEHICLE MAINTENANCE	1360.80	16363	04/26/18
29825	04/19/18	VT GAS SYSTEMS	Park St School 3/19-4/17 226201204192	210-41940.625 PARK ST. SCHOOL NAT GAS	335.25	16364	04/26/18
22825	04/11/18	VT DOOR CO	BL building maint 23599	210-45551.434 MAINT. BUILDINGS/GROUNDS	140.00	16365	04/26/18

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Town of Essex / Village of EJ Accounts Payable  
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Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
19040	06/20/18	CAIRNS ARENA REACH Skating 062018D	226-45122.580 TRAVEL	292.50	16316	04/26/18
14695	04/10/18	RANDALL MIKE (THE BIG BLU Big Blue Trunk 1245	226-45120.580 TRAVEL	200.00	16345	04/26/18
36240	03/27/18	DUBOIS & KING INC CD Crescent Conn Essex Jc 318378	230-46801.008 CRESCENT CONNECTOR	9967.50	16326	04/26/18
23435	03/31/18	CHAMPLAIN WATER DISTRICT VW Mar water usage 033118D	254-43200.412 STATE WATER TAX	901.47	16318	04/26/18
23435	03/31/18	CHAMPLAIN WATER DISTRICT VW Mar water usage 033118D	254-43210.412 STATE WATER TAX - GF	5724.50	16318	04/26/18
23435	03/31/18	CHAMPLAIN WATER DISTRICT VW Mar water usage 033118D	254-43200.411 CWD WATER PURCHASE	37861.84	16318	04/26/18
23435	03/31/18	CHAMPLAIN WATER DISTRICT VW Mar water usage 033118D	254-43210.411 CWD WATER PURC - GF	240429.00	16318	04/26/18
19690	03/29/18	CORE & MAIN LP VW-MUD PLUB I632164	254-43200.610 SUPPLIES	326.51	16323	04/26/18
01010	03/31/18	ESSEX AGWAY VW-PROPANE 03312018D	254-43200.610 SUPPLIES	15.99	16327	04/26/18
18000	02/02/18	FERGUSON WATERWORKS #590 VW-VALVE WRENCH 0803073	254-43200.610 SUPPLIES	73.72	16329	04/26/18
18000	02/05/18	FERGUSON WATERWORKS #590 VW-WATER BRK MAIN/DENSMR 0803197	254-43200.430 WATER LINES MAINT-BREAKS	309.30	16329	04/26/18
18000	04/04/18	FERGUSON WATERWORKS #590 VW-DISTRIBUTION MATERIALS 0810918	254-43200.614 DISTRIBUTION MATERIALS	99.24	16329	04/26/18
03070	04/24/18	MINUTEMAN PRESS VW-VB POSTAGE 042418D	254-43200.536 POSTAGE	424.64	16339	04/26/18
38760	09/20/17	TI-SALES INC VW meter swivel nut 0083230	254-43200.610 SUPPLIES	270.78	16358	04/26/18
38760	10/04/17	TI-SALES INC SAVV 12 ecoder meters 0083865	254-43330.002 METER REPLACEMENT PROGRAM	895.20	16358	04/26/18
38760	11/02/17	TI-SALES INC VW water meters 0084890	254-43330.002 METER REPLACEMENT PROGRAM	1342.80	16358	04/26/18
38760	11/15/17	TI-SALES INC VW 1 1/2 inch meter 0085382	254-43330.002 METER REPLACEMENT PROGRAM	129.82	16358	04/26/18
38760	12/20/17	TI-SALES INC VW supplies 0086561	254-43200.610 SUPPLIES	404.96	16358	04/26/18
38760	03/14/18	TI-SALES INC VWSA Nsight support Mar-F INB0088924	254-14301.000 PREPAID EXPENSES	170.00	16358	04/26/18
38760	03/14/18	TI-SALES INC VWSA Nsight support Mar-F INB0088924	254-43200.340 COMPUTER EXPENSES	85.00	16358	04/26/18
38760	12/27/17	TI-SALES INC VW water meters INV0086673	254-43330.002 METER REPLACEMENT PROGRAM	37.82	16358	04/26/18
38760	02/27/18	TI-SALES INC VW spacer INV0088506	254-43200.610 SUPPLIES	120.28	16358	04/26/18
38760	03/06/18	TI-SALES INC VW/SA water meters INV0088726	254-43330.002 METER REPLACEMENT PROGRAM	428.32	16358	04/26/18
38760	03/09/18	TI-SALES INC VW/SA water meters INV0088826	254-43330.002 METER REPLACEMENT PROGRAM	685.50	16358	04/26/18
38760	04/02/18	TI-SALES INC VW-WATER METER INV0089554	254-43330.002 METER REPLACEMENT PROGRAM	1790.40	16358	04/26/18

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Town of Essex / Village of EJ Accounts Payable  
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Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
38760	TI-SALES INC	04/03/18 VW batteries for readers INV0089595	254-43200.340 COMPUTER EXPENSES	88.06	16358	04/26/18
38760	TI-SALES INC	04/04/18 VW-WATER METER INV0089632	254-43330.002 METER REPLACEMENT PROGRAM	1790.40	16358	04/26/18
38760	TI-SALES INC	04/04/18 VW-WATER METER INV0089641	254-43330.002 METER REPLACEMENT PROGRAM	371.44	16358	04/26/18
38760	TI-SALES INC	04/11/18 VW-WATER METER INV0089881	254-43330.002 METER REPLACEMENT PROGRAM	1790.40	16358	04/26/18
36130	VERIZON WIRELESS	03/19/18 ST-VARIOUS 98037492294	254-43200.535 TELEPHONE SERVICES	139.85	16362	04/26/18
18000	FERGUSON WATERWORKS #590	04/12/18 SA-PLEASANT ST LINE BREAK 0812615	256-43200.430 SANITATION LINES MAINTENA	196.50	16329	04/26/18
03070	MINUTEMAN PRESS	04/24/18 VW-VB POSTAGE 042418D	256-43200.536 POSTAGE	849.27	16339	04/26/18
38760	TI-SALES INC	10/04/17 SAVV 12 ecoder meters 0083865	256-43330.002 METER REPLACEMENT PROGRAM	1790.40	16358	04/26/18
38760	TI-SALES INC	11/02/17 VW water meters 0084890	256-43330.002 METER REPLACEMENT PROGRAM	2685.60	16358	04/26/18
38760	TI-SALES INC	11/15/17 VW 1 1/2 inch meter 0085382	256-43330.002 METER REPLACEMENT PROGRAM	259.62	16358	04/26/18
38760	TI-SALES INC	03/14/18 VWSA Nsight support Mar-F INB0088924	256-14301.000 PREPAID EXPENSES	340.00	16358	04/26/18
38760	TI-SALES INC	03/14/18 VWSA Nsight support Mar-F INB0088924	256-43200.340 COMPUTER EXPENSES	170.00	16358	04/26/18
38760	TI-SALES INC	12/27/17 VW water meters INV0086673	256-43330.002 METER REPLACEMENT PROGRAM	75.66	16358	04/26/18
38760	TI-SALES INC	03/06/18 VW/SA water meters INV0088726	256-43330.002 METER REPLACEMENT PROGRAM	856.64	16358	04/26/18
38760	TI-SALES INC	03/09/18 VW/SA water meters INV0088826	256-43330.002 METER REPLACEMENT PROGRAM	1370.98	16358	04/26/18
38760	TI-SALES INC	04/02/18 VW-WATER METER INV0089554	256-43330.002 METER REPLACEMENT PROGRAM	895.20	16358	04/26/18
38760	TI-SALES INC	04/03/18 VW batteries for readers INV0089595	256-43200.340 COMPUTER EXPENSES	176.11	16358	04/26/18
38760	TI-SALES INC	04/04/18 VW-WATER METER INV0089632	256-43330.002 METER REPLACEMENT PROGRAM	895.20	16358	04/26/18
38760	TI-SALES INC	04/04/18 VW-WATER METER INV0089641	256-43330.002 METER REPLACEMENT PROGRAM	742.88	16358	04/26/18
38760	TI-SALES INC	04/11/18 VW-WATER METER INV0089881	256-43330.002 METER REPLACEMENT PROGRAM	895.20	16358	04/26/18

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Check Warrant Report # 17093 Current Prior Next FY Invoices For Fund (GENERAL FUND)

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For Check Acct 01 (GENERAL FUND) All check #s 04/26/18 To 04/27/18 & Fund 2

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
Report Total				339468.70		

...



## MEMORANDUM

TO: Essex Junction Trustees and Evan Teich Unified Municipal Manager  
FROM: James Jutras, Water Quality Superintendent  
cc: Lauren Morrisseau, Finance Director  
DATE: April 30, 2018  
SUBJECT: 2018 VTrans SFY 2018 TAP Grant for the Vacuum Truck replacement.

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

**Issue:** Whether to proceed with accepting the 2018 VTrans SFY 2018 Grant for a replacement Vacuum/pipeline jetter Truck.

**Discussion:** I have made additional contact with the VTrans Grant Manager Joel Perrigo regarding the Vacuum Truck grant awarded to us earlier this year. Joel confirmed all discussion with Sarah Macy regarding the trade of the existing truck purchased under SAFETEA LU Grant as being eligible for use as the match funds and retained within the new grant for the replacement truck. Joel offered to send a letter confirming this if needed.

Currently the larger issue is the 'Buy America' provision of the grant. Buy America is linked to use of American produced steel in purchases made under the grant program. Though the provision is intended for bridge and other infrastructure projects, vehicle grants are subject to this provision unless it is formally waived. VTrans just this month received a waiver for their 2016 3<sup>rd</sup> and 4<sup>th</sup> quarter requests! NO additional waivers are anticipated due to current Presidential Executive orders issued related to American Steel products. At this time, no vehicles appear to be in compliance with Buy America provisions but we will continue to monitor the situation.

Current work plan:

1. Complete the grant Municipal Project Manager designation for James Jutras
2. Work on the specification details to be ready for any changes or exemptions to the Buy America status. Have VTrans program managers review the specification for any Buy American provisions and compliance.
3. Verify manufacturer conformance with Buy America requirements.
4. Stay in touch with the program manager for any changes in Buy American. Release the bid package when bid specification requirements can be met.

**Costs:** No direct costs are anticipated at this time. An update of costs will be provided if and when bids are received and processed for the Trustees to award the purchase. At this time, the only additional financial exposure for the purchase would be: 1) if the bids come in over the estimate and/or the appraised trade is less than anticipated or 2) there are condition changes requiring reimbursement of a percentage of the original grant apportioned to the trade value of the old truck. Contingency provisions were included in the grant request.

**Recommendation:** It is recommended that James Jutras be authorized to finalize grant award forms and proceed with bid specification development for replacement of the vacuum/pipeline jetter truck.



TO: Village Trustees and Evan Teich, Unified Manager  
FROM: Nick Meyer, Chair of the Tree Advisory Committee  
DATE: May 8, 2018  
RE: Arbor Day Proclamation

**Issue**

The issue is whether or not the Trustees should issue a proclamation declaring May 4, 2018 Arbor Day in the Village of Essex Junction.

**Discussion**

In order to maintain the Village's status as a Tree City USA, an official Arbor Day proclamation must be signed each year. This year, the Village Tree Advisory Committee celebrated Arbor Day by planting a tree at ADL School.

**Cost**

None.

**Recommendation**

It is recommended that the Trustees sign the proclamation declaring May 4, 2018 Arbor Day in the Village of Essex Junction.





## PROCLAMATION

**WHEREAS**, the Board of Trustees is the governing body of the Village of Essex Junction;

and

**Whereas**, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees;

and

**Whereas**, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska;

and

**Whereas**, Arbor Day is now observed throughout the nation and the world,

and

**Whereas**, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife;

and

**Whereas**, trees in our Village increase property values, enhance the economic vitality of business areas, and beautify our community,

and

**Whereas**, trees, wherever they are planted, are a source of joy and spiritual renewal.

**NOW, THEREFORE**, we hereby proclaim May 4, 2018 as

**Arbor Day in the Village of Essex Junction.**

**VILLAGE OF ESSEX JUNCTION BOARD OF TRUSTEES**

\_\_\_\_\_  
George A. Tyler, Village President

\_\_\_\_\_  
Andrew P. Brown, Vice President

\_\_\_\_\_  
Lori A. Houghton, Trustee

\_\_\_\_\_  
Elaine H. Sopchak, Trustee

\_\_\_\_\_  
Daniel S. Kerin, Trustee

## LEASE

LEASE made this \_\_\_\_\_ day of \_\_\_\_\_, 2018 by and between the VILLAGE OF ESSEX JUNCTION, (hereinafter referred to as "Lessor") and ESSEX CHIPS (Community Health Initiatives and Programs for Students), (hereinafter referred to as "Lessee").

### WITNESSETH :

In consideration of the mutual covenants and agreements herein contained, Lessor does lease to Lessee the second floor of Lincoln Hall, Essex Junction, Vermont.

This lease is for the period of July 1, 2018 through June 30, 2019, unless sooner terminated as herein provided. It is understood that the Village of Essex Junction reserves the right to use the area above the Senior Center in Lincoln Hall for municipal government purposes. Such use shall not interfere with the Lessee's regularly scheduled use of the space.

Lessor and Lessee hereby agree to the following terms:

1. Lessee shall pay Lessor rent of \$1.00 per year, payable in advance to the Village Treasurer.
2. Lessor shall pay for the Lessee's water/sewer, heat and electric charges, and Lessee shall pay for all other utility costs incurred during the Lease term.
3. Lessee is permitted to connect to Cable TV provided they pay all associated costs.
4. Lessee shall be permitted to use Lessor's copier at \$.05 per copy.
5. Lessee shall keep the premises clean and in such repair as they are at the commencement of this Lease, reasonable use and wear excepted. Any damages caused by the lessee or guests shall be the responsibility of the lessee to fix in a timely manner.

Lessee may make non-structural changes to the premises without the prior written consent of the Lessor.

The Lessee has examined the premises, and acknowledges that they are, at the time of this Lease, in good order and repair and in a safe, clean and tenantable condition.

6. Lessee shall not sublet the premises nor assign this Lease, and occupancy shall be limited to the Lessee. Lessee shall be responsible for providing a key to the Lessor and allow access at all times. Lessee will provide a permission list for Lessor outlining individuals who can access keys. Lessor will not provide keys to any individuals not on the list without the express permission of the Executive Director or Village Manager.

7. The Lessee will not use nor allow the demised premises or any part thereof to be used for any unlawful purposes, nor in any noisy, boisterous, or other manner offensive to the other occupants in the building.
8. Lessee agrees to indemnify and hold harmless the Lessor from and against any loss, cost, damage and expense resulting from injury to any person or damage to or destruction of any property, caused by any act, omission or neglect of the Lessee, its agents, servants, employees or other persons in, upon or about the premises at the Lessee's invitation or consent. Lessee shall carry a minimum of \$1,000,000 general liability insurance to include property damage and name the Lessor as an additional insured. The Lessee shall provide the Lessor with a Certificate of Insurance within thirty (30) days of execution of this Lease.
9. Lessor makes no representations or warranties that the premises to be leased hereunder, and access thereto, are such that the Lessee may utilize the premises for its intended purposes and remain in compliance with state and federal prohibitions against discrimination against individuals with disabilities. Any architectural, structural, or other physical changes or accommodations, or auxiliary aids or services, necessary for compliance with such state and federal requirements shall be the responsibility of the Lessee. Lessee agrees to indemnify and hold harmless the Lessor from and against any claims, suits, damages, or loss of any kind, including costs of defense, resulting from or caused by Lessee's use of the leased premises in violation of such state and federal requirements.
10. The Lessor may, at its option, choose to terminate this Lease prior to its expiration by providing the Lessee with written notice at least sixty (60) days prior to the termination date specified in the notice.
11. The Lessee shall pay the Lessor any costs, including, if awarded by a court, reasonable attorney's fees, which the Lessor incurs in enforcing any provision of this Lease or in seeking eviction of the Lessee for violation of any provision of this Lease.
12. All notices required by this Lease shall be deemed given when delivered or mailed to:  
  
Lessor: Village of Essex Junction  
c/o Evan Teich, Unified Manager  
2 Lincoln Street  
Essex Junction, VT 05452  
  
Lessee: Essex CHIPS  
c/o David Voegele, Executive Director  
2 Lincoln Street  
Essex Junction, VT 05452
13. Lessee shall be responsible for closing windows, turning off lights and locking doors after using the facility.
14. Fire Safety: No boxes or materials will be located within one foot of any radiators or block any entrances or exits. No electrical work shall be performed by anyone other than a licensed electrician.

15. Load Bearing Capacity: The second floor of Lincoln Hall has a maximum load limit of 50 lbs. per square foot.

Accessibility for Individuals with Disabilities: The Lessee, by executing this Agreement, acknowledges familiarity with requirements of the Americans with Disabilities Act, which prohibits discrimination against individuals with disabilities by excluding such individuals from participation in, or denying them the benefits of, the services, programs or activities available to non-handicapped individuals. The Lessee agrees that it will not discriminate against individuals with disabilities. The Lessee agrees to take such steps as are necessary to make available to qualified individuals with disabilities the Lessee's services, benefits, and programs. The Lessee also agrees to take readily achievable measures to remove barriers and to provide auxiliary aids and services as necessary to provide access to its programs, benefits and services to individuals with disabilities.

IN WITNESS WHEREOF, the parties hereunto set their hands the date above recited.

IN THE PRESENCE OF:

**VILLAGE OF ESSEX JUNCTION**

\_\_\_\_\_  
\_\_\_\_\_

Lessor:

By: \_\_\_\_\_  
Evan K. Teich, Unified Manager

**STATE OF VERMONT  
COUNTY OF CHITTENDEN**

At Essex Junction, Vermont, this \_\_\_\_\_ day of \_\_\_\_\_, 2018, Evan K. Teich, Unified Manager of the Village of Essex Junction, personally appeared and acknowledged this instrument by him sealed and subscribed, to be his free act and deed, and the free act and deed of the Village of Essex Junction.

Before me, \_\_\_\_\_  
Notary Public

IN PRESENCE OF:

**ESSEX CHIPS**

\_\_\_\_\_  
\_\_\_\_\_

Lessee:

By: \_\_\_\_\_  
David Voegele, Executive Director

**STATE OF VERMONT  
COUNTY OF CHITTENDEN**

At Essex Junction, Vermont, this \_\_\_\_\_ day of \_\_\_\_\_, 2018, David Voegele of Essex CHIPS (Community Health Initiatives and Programs for Students) personally appeared and acknowledged this instrument by her sealed and subscribed, to be her free act and deed.

Before me, \_\_\_\_\_  
Notary Public

VILLAGE OF ESSEX JUNCTION  
STREET VENDING PERMIT

RECEIVED

APR 30 2018

Village of Essex Junction

APPLICATION

Name of Business MR. DING-A-LING ICE CREAM

Name of Owner(s) GARY HATHAWAY

Address 153 CHURCH RD.

City/State/Zip COLCHESTER, VT. 05446

Telephone 802-373-4632

Nature and Type of Activity NEIGHBORHOOD ICE CREAM  
SALES

License Plate Number of Vehicle(s) 47146ML NEW YORK

Date 4/30/18 Signature [Handwritten Signature]

Date \_\_\_\_\_ Signature \_\_\_\_\_

\*\*\*\*\*

APPROVAL

Required Certificate of Insurance received.

Conditions:

- 1) Keep required \$1 million of general liability insurance in place.
- 2) Vending is restricted to class 3 residential roads.
- 3) No parking except to serve customers.
- 4) No street vending is allowed between the hours of 9 PM and 7 AM.
- 5) The Village of Essex Junction, through its Municipal Manager, reserves the right to revoke the street vending permit at any time.
- 6) Permit is good for one year from date of issue.

\_\_\_\_\_  
Municipal Manager

\_\_\_\_\_  
Date