

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
January 22, 2013**

BOARD OF TRUSTEES: George Tyler (Village President); Andrew Brown, Lori Houghton, Dan Kerin, Elaine Sopchak.
ADMINISTRATION: Lauren Morrisseau Co-Manager & Finance Director; Susan McNamara-Hill, Co-Manager & Village Clerk/Treasurer; Robin Pierce, Village Development Director.
OTHERS PRESENT: Mary Jo Engel, Wayne Elliott, Polly Whitcomb McEwing, Bob McEwing, Alex Wylie, Allen Karnatz, Sen. Ginny Lyons, Rep. Tim Jerman, Rep. Linda Waite-Simpson.

I. CALL TO ORDER and PLEDGE OF ALLEGIANCE

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

II. AGENDA ADDITIONS/CHANGES

Add: Executive Session - legal and personnel matters.

III. GUESTS AND PRESENTATION

1. Comments from Public on Items Not on Agenda

Robin Pierce, Village Development Director, briefed the Trustees on the following:

- A proposal for redevelopment of the former Peoples United Bank property at Five Corners on the corner of Pearl Street and Park Street with a four story building and underground parking is expected to be received. The building will have stores and offices on the first level and apartments on the upper levels. Access will be from Park Terrace off Park Street. The curb cut onto Pearl Street will be closed. Mr. Pierce mentioned considering closing the upper section of Park Terrace by School Street to eliminate traffic cutting through to avoid Five Corners and to create a pleasant residential street.
- Regional Planning is willing to provide 80% of \$10,000 funding for the bike/ped path study in the entire community (Town and Village) provided there is a 20% match (\$1,000 each from the Town and Village).

2. Discussion of 2013 Legislative Priorities with State Legislators: Senator Ginny Lyons, Representatives Tim Jerman and Linda Waite-Simpson

There was discussion of the legislative priorities for the Village as well as ongoing/proposed state initiatives. The legislators noted the following bills that will be or may be introduced:

- Allow charter amendments by towns unless legislators want discussion.
- Mirror federal statutes on gun control (require background checks and such).
- Keep Bldg. 617 in Essex for use by state and local police for training and to store confiscated weapons.
- Allow municipalities to introduce ordinances.

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- Provide incentives for downtown development (most likely housing).
 - Make it easier for developers to mitigate impacts, perhaps off site, when developing in areas designated for growth.
 - Have a parcel flat fee, perhaps a different fee for commercial versus residential, to raise revenue to help communities with water quality and storm water mandates.
 - Loan repayment program to help college graduates pay loans if they work in science technology, math, or engineering fields for a period of time.
 - “Fee-bate” where the user pays more for a less fuel efficient vehicle based on fuel efficiency, mileage traveled, and weight of vehicle.
 - Expand the number of Tax Incentive Finance (TIF) districts.

There was mention of the following:

- There is a significant shortfall in the state transportation fund.
- Testimony is being taken on gas prices around the state.
- There is a total of \$25 million in tax credits in Vermont.
- IBM has exceeded their energy efficiency goals and is now exporting their energy efficiency program around the state.
- Closing the Moretown landfill will leave only one operating landfill in the state and that landfill is privately owned. The issue of leachate from the Moretown landfill must be resolved before the landfill is closed.
- Public input is always helpful on proposed bills.

3. Presentation on Utility Rate Study by Wayne Elliott of Aldrich + Elliott Engineers

Wayne Elliott briefed the Trustees on the utility rate study highlighting the following:

- Work sessions were held to discuss various rate structures to develop suitable and equitable rates for water, sewer, and sanitation.
- Historical rate structures and fees were reviewed. Water and sewer bills which are paid twice a year are relatively inexpensive compared to other utilities that are paid on a monthly basis.
- Village water rate is \$18/month (statewide the rate is \$37.50). Sewer rate is \$27.50/month (statewide the rate is \$37.50). Residential is 84% of accounts and uses 63% of the water. Multi-family is 6% of accounts and uses 5.7% of the water. Commercial is 13.7% of accounts and uses 27% of the water.
- Half the cost of the water budget is incurred by the Village before even buying water wholesale.
- The study looked at various alternatives for rate structure. The preferred approach is a base rate (fixed charge) with residential equal to 1.0 EU (equivalent unit) and nonresidential converted to EUs based on 120 gpd per EU and a usage fee.
- The proposed rate structure is:
 - Base charge of 50% of Water budget, 75% of Sanitation budget, and 65% of Village portion of Wastewater Treatment budget.
 - Usage charge based on 50% of water budget, 25% of Sanitation budget and 35% of Village portion of Wastewater Treatment budget
 - Bills to be sent out quarterly.
- Impact on a lower user with the change in rate structure (comparing actual FY13 to FY13 under new rate structure) would be an increase from \$203.44 per year to

\$301.80 per year. Average users would remain at about \$406 per year (state average is about \$900). Nonresidential low users will see more of an increase.

- The improvements to the treatment plant will impact sanitation rates, but the rate increase is phased over five years.
- The Village should charge fees for private fire hydrants, sprinklers, allocation and connection/disconnection, and inspections.
- Next steps include continued education of the public on the rate structure, questions and answers on the website, finalizing changes to the water and sewer fee, setting the rate once the budgets are finalized.

There was discussion of low users in the Village (25% of accounts are below the minimum). The increase in the amount due is an upward adjustment in the base rate to cover fixed costs. It is recognized that the increase is a negative incentive to conserve. Andrew Brown suggested using a block rate. Wayne Elliott explained the rate change is for equitable distribution of fixed costs (infrastructure) which must be covered much like a town must maintain their fire department regardless of the number of responses. The Trustees acknowledged the increases will be difficult for people, but infrastructure costs must be covered.

Wayne Elliott will post Q&A and the presentation on the rate structure study on the website. George Tyler and Elaine Sopchak will draft a press release. Information will be included in the Village newsletter and appended to the next treatment plant update.

IV. OLD BUSINESS

1. Adopt 2013 Legislative Priorities

MOTION by George Tyler, SECOND by Andrew Brown, to adopt the Essex Junction Trustees Legislative Priorities for 2013 with the change in wording to “Support the Business Community” under ongoing initiatives. VOTING: unanimous (5-0); motion carried.

2. Discussion/Action on Water/Sewer Rate Structure

MOTION by Dan Kerin, SECOND by Lori Houghton, to approve the amended water/sewer/sanitation rate structure as presented by Wayne Elliott of Aldrich Elliott Engineers on 1/22/13. VOTING: 4 ayes, one nay (Andrew Brown); motion carried.

3. Discuss Village Charter Amendments

Amendments to Article II, Section 2.04 (relative to the Board of Trustees evaluating the manager’s performance) and Article IV, Sections 4.01, .02, and 4.03 (relative to the Village Manager) were reviewed.

MOTION by Dan Kerin, SECOND by Andrew Brown, to approve the warning for the charter amendments as described with the first hearing on February 26, 2013 and the second hearing on March 26, 2013 for the vote on April 9, 2013. VOTING: unanimous (5-0); motion carried.

4. Discuss Village Manager Job Description Amendments

The word “primary” was removed under “Characteristic Duties and Responsibilities”. The Trustees will take action on the core values at the next meeting. The core values for the new manager as guiding principles are acceptable. George Tyler will contact Linda Myers to schedule a joint meeting with the Trustees and Essex Selectboard.

V. NEW BUSINESS

1. Whitcomb Farm Conservation Project/Vermont Land Trust

Polly Whitcomb McEwing, Alex Wylie and Allen Karnatz (with Vermont Land Trust) explained the request for a letter of support endorsing the conservation of the Whitcomb Farm in the Village. Vermont Housing Conservation Board issues grants for conservation projects and requires support from the municipality for the project. The Whitcomb project has two phases. Forty acres will be excluded and used for farm housing. Twenty acres is leased for a solar array. Eight acres of special treatment area are also excluded from the project. There is a \$500,000 cap on funding. The shortfall is \$100,000. The Village is asked to contribute any amount possible.

MOTION by George Tyler, SECOND by Elaine Sopchak, to write a letter of support for the Vermont Land Trust for the Whitcomb Farm conservation project. VOTING: unanimous (5-0); motion carried.

There was mention of using funds in the Land Acquisition Fund (\$100,000) to contribute toward the Whitcomb Farm project. Many villagers already use the land for hikes. Fundraising can also be done. The Trustees will discuss the specifics of financing and fundraising at the next meeting. Vermont Land Trust will provide additional budget information. The Village planning commission needs to be informed about the project as well.

VI. VILLAGE MANAGER’S REPORT

- Interim Co-Manager Susan McNamara-Hill mentioned that the regular Trustees meeting scheduled for April 9th falls on the same date as the Annual Election. George Tyler stated that normally the Trustees postpone or reschedule that meeting.

1. Meeting Schedule

- February 12, 2013 @ 6:30 – Regular Trustees Meeting
- February 26, 2013 @ 6:30 – Regular Trustees Meeting
- March 12 @ 6:30 – Regular Trustees Meeting
- March 26 @ 6:30 – Regular Trustees Meeting
- *April 9 @ 6:30 – Regular Trustees Meeting – to be postponed or rescheduled.*
- April 23 @ 6:30 – Regular Trustees Meeting

Special Meetings/Events:

- February 26 @ 6:00 – Board of Abatement
- April 3 @ 7 PM – Annual Village Meeting
- April 9 @ 7 AM – 7 PM – Australian Ballot Voting

VII. TRUSTEES COMMENTS/CONCERNS & READING FILE

1. Board Member Comments

- The resolution before the Trustees on gun control does not need to be signed because the bill in the legislature has been pulled.
- Per the memo from Robin Pierce on the crescent connector, dated 1/22/13, the agreed amount for the project is \$4.5 million (\$3,648,600 federal/\$851,400 state). The project is moving forward.
- The Trustees requested information on benefits received by having downtown designation.

2. Reading File

- ❖ Minutes
 - Planning Commission 1/3/13
- ❖ Information from Channel 17 on Call-In Program to Legislators
- ❖ Overview of State Designation Program Reform Part 1

VIII. CONSENT AGENDA & READING FILE

MOTION by Elaine Sopchak, SECOND by Dan Kerin, to approve the consent agenda as follows:

1. Approve Minutes of Previous Meetings (1/8/13, 1/10/13, 1/15/13)
2. Approve Warrants including Checks #10046415 through #10046497 totaling \$1,408,670.02.
3. Approve WWTF Refurbishment Engineering Contract Amendment #2.

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

IX. EXECUTIVE SESSION

MOTION by George Tyler, SECOND by Lori Houghton, to adjourn the regular meeting and convene Executive Session to discuss legal and personnel issues, and invite the co-managers to attend. VOTING: unanimous (5-0); motion carried.

MOTION was made and seconded to adjourn Executive Session and reconvene the regular meeting. VOTING: 5 ayes; motion carried.

Executive Session was adjourned and the regular meeting reconvened at 9:37 p.m.

MOTION by Dan Kerin, SECOND by Elaine Sopchak, to approve spending up to \$2,000 to have the Village Attorney file a Notice of Appearance in the appeals of the Phase 2 Stormwater Permit. VOTING: 5 ayes, motion carried.

ADJOURNMENT

MOTION was made and seconded to adjourn the meeting. VOTING: 5 ayes; motion carried.

The meeting was adjourned at 9:38 p.m.

RScty: M.E.Riordan

