

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
April 9, 2013**

BOARD OF TRUSTEES: George Tyler (Village President); Andrew Brown, Dan Kerin, Elaine Sopchak, Lori Houghton.
ADMINISTRATION: Lauren Morrisseau Co-Manager & Finance Director; Susan McNamara-Hill, Co-Manager & Village Clerk/Treasurer.
OTHERS PRESENT: Matt Whalen, Toni Morgan, Demaris and Eric Drummond.

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 ADDITIONS/CHANGES

There were no changes to agenda.

3. GUESTS, PRESENTATIONS, & PUBLIC HEARINGS

a. Comments from Public on Items Not on Agenda
There were no comments from the public at this time.

4. NEW BUSINESS

a. Discussion/Follow Up on April 8, 2013 Meeting with Essex Selectboard
George Tyler stated the next step following the discussion of a single manager approach with the Essex Selectboard is a formal letter from the Trustees indicating the desire to move forward with the approach for one year and discuss the matter with Pat Scheidel who will be sharing his time between the town and village as the unified manager. The consensus of the Board is to send the letter. George Tyler will draft the letter.

The following was noted:

- The new approach (single manager for both communities) is new territory and will be dynamic and an evolving situation through the year. Explanation to constituents and staff will need to be done and everyone will need to be heard. The message to village and town staff will be that constructive criticism will be tolerated and encouraged before, during and after the experiment in local government to make sure the right decision is made for both the village and town.
- A list of items to think about prior to meeting with Pat Scheidel should be drafted.
- The nuances of Pat Scheidel sharing his time between the town and village must be worked out.
- The current village manager job description should be reviewed and compared to the town manager job description. The role of the shared position and who is going to fill it must be outlined. Having Pat Scheidel in the role for the first year is logical, but the arrangement could look different at the end (in 2014). In the 1960s the village manager helped the town so there is precedent.
- Waterbury which has a shared manager and is a similar municipality to the village and town was the model used for the unified manager approach.
- The village manager appoints key staff members at the start of each fiscal year (village clerk/treasurer/tax collector, fire chief, attorney, engineer). There was consensus the co-

managers (Lauren Morrisseau and Susan McNamara-Hill) will make the recommendations for appointment this year.

- A committee of two members from the Selectboard and Trustees plus Jeff Carr, Mary Morris, and staff for key issues should be formed to envision the manager organization after the first year. Public input should be solicited. The committee meetings could be televised. The goal and focus of the committee is to outline how to hire/fire the unified position, charter changes, contract comparisons from other towns with the same model, and any issues to be addressed. The committee should begin discussions during the first year of the arrangement, perhaps beginning in May or June.
- Susan McNamara-Hill was mentioned for the Assistant Village Manager position. The structure of the position needs to be defined. The co-managers have worked as a team with department heads and this could continue as co-assistant managers. It may be necessary to hire additional support staff or reassign existing staff to help with the work load.
- Periodic updates in the newspaper and using social media should be done to keep the public aware of progress on the unified manager matter.
- Pat Scheidel will be invited to the next Trustees meeting to discuss the future meeting schedule.
- The Trustees will forward comments and questions, concerns and issues to George Tyler for the next meeting packet.
- The Trustees will review the village manager charter and policies.
- Lauren Morrisseau will request a copy of the town manager job description.

b. Discussion of Possible Tobacco or “Head Shop” Ordinance

The following was noted:

- A group of citizens approached the Essex Selectboard (the body that grants tobacco licenses in the town/village) and successfully presented their case against granting a tobacco license for the “Up in Smoke” smoking products and paraphernalia shop in the village, but then it was discovered that when only issuing a tobacco license the state liquor control board makes the decision.
- The state has not received a request for a tobacco license yet from the shop owner, but when this is received the owner will be notified of a public hearing within 30 days and the license if granted will be issued thereafter.
- The Trustees need to consider whether an ordinance for head shops in the village should be drafted or a change made in the Land Development Code.
- Issues include safety and health and exposure to community members, especially children, in the walking community of the village.
- There are 13 outlets selling tobacco within one mile of the high school.
- The ordinance or code change should cover tobacco related products and massage parlors as well. The village center designation could be changed for allowable businesses.
- There are establishments serving alcohol within the area of residences and children.
- Shops that currently sell tobacco products could continue to do so. The ordinance or code change would stop new shops from locating in the village downtown area so the area can continue to revitalize for pedestrians and children walking safely to school without being bombarded by the material.
- The issue is more than aesthetics and safety, but is hitting on economic development and overall economic vitality. Other businesses may not want to locate next to a head shop and may leave the downtown area.

- The Essex community including the village will be watching these shops and will report any illegal activity. The police will also be diligent.

PUBLIC COMMENTS

Matt Whalen, Essex CHIPS, suggested having a condition on licenses relative to the proximity of outlets to schools. The number of outlets close to schools could be limited and there could be punitive measures to those who sell to minors. According to 2010 data 800 million packs of cigarettes were consumed by youth and that can create lifetime smokers. The problem needs to be addressed. The Department of Health is trying to affect change in the number of tobacco licenses issued and punitive measures with the licenses.

Demaris Drummond said she is not certain they would have purchased their home if there were two bars and a head shop on Railroad Avenue. The area is where the village should “put its best foot forward” because of the high visibility of store fronts. The building where Up in Smoke wants to locate is beautifully renovated. Ms. Drummond suggested a location that is not so visible be identified for ‘head shop’ type establishments.

ACTION

The consensus of the Trustees is to draft a tobacco and paraphernalia ordinance taking into consideration the number of outlets in proximity to schools and residences. The draft ordinance will be reviewed by the Village Attorney to ensure the ordinance is enforceable and will stand up to legal challenge. Lori Houghton will contact the Ludlow and Fair Haven selectboards to gather information on their ordinances. The issue of massage parlors will be addressed in the future. Elaine Sopchak volunteered to go before the Planning Commission as a village resident to propose removing massage parlors from the list of allowable businesses in the village center.

5. TRUSTEES COMMENTS/ANNOUNCEMENTS

- An appointment is needed from the village on the Rec Advisory Committee.
- There was mention of holding a retreat. Mid to late May was suggested.
- June 5th is the Heart & Soul project partner meeting to get an update on the status of the project and discuss the plan for the September 25th action summit.

6. CONSENT AGENDA & READING FILE

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

1. **Approve Warrants including Checks #10046865 through #10046932 totaling \$75,263.69.**
2. **Letter of Support for Vermont Route 2A Proposed Shared Use Path**

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

7. ADJOURNMENT

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

The meeting was adjourned at 7:58 PM.