

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

BOARD OF TRUSTEES: George Tyler (Village President); Dan Kerin, Elaine Sopchak, Andrew Brown, Lori Houghton.
ADMINISTRATION: Pat Scheidel, Village Manager; Lauren Morrisseau Co-Assistant Manager & Finance Director; Susan McNamara-Hill, Co-Assistant Manager & Village Clerk/Treasurer; Rick Jones, Public Works Superintendent; Rick Hamlin, Village Engineer; Darby Mayville, Economic Development/Community Relations Assistant.
OTHERS PRESENT: Sherry Haggerty, Robert Haggerty, Raquel Sanchez, Nick Meyer, Bridget Meyer, Paul Hansen, Kris Surette, Tom Peterson.

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. Best wishes were extended to Dan Kerin on his recent retirement after 26 years of service with the Vermont State Police.

2. AGENDA ADDITIONS/CHANGES

Add to Manager's Report:

- Amended Trustees schedule relative to Budget Day

Add to Consent Agenda:

- Memo from Susan McNamara-Hill, dated 10/22/13, re: flexible spending accounts

3. GUESTS, PRESENTATIONS, & PUBLIC HEARINGS

a. Comments from Public on Items Not on Agenda

There were no comments from the public.

b. Paul Hansen and Kris Surette of Ecopixel re: New Website Design

Paul Hansen and Kris Surette with Ecopixel reviewed the mockup of the updated village home page and two subpages. Suggestions from the Trustees for the webpage included:

- Separate link to the Board of Trustees as the elected officials for the village and the interface between the local government and the community
- Easy access to information for senior citizens
- Ability for the public to submit comments or questions (i.e. "contact us")
- Link to the Five Corners Farmers Market
- Link to a list of approved projects or projects underway in the village
- Link to the town's website

c. Peterson Consulting, Inc. re: Bus Shelter Proposal

Tom Peterson with Peterson Consulting representing CCTA explained the proposal to locate a bus shelter encompassing the Currier memorial bench in front of the Brownell Library. The bus route serves Route 2A and Route 15. The see-through shelter will be handicap accessible per FTA rules (wide enough to accommodate the bench and a wheelchair). The shelter will be made

of powdered aluminum framing, tempered glass, acrylic roof with an integrated solar lighting system. Standard shelters are white oak wood, cedar siding, standing seam copper roof and solar lighting and an inside bench on each end of the shelter. The shelter sits on a concrete pad. The existing concrete pad under the memorial bench will have to be replaced with a new pad. CCTA maintains the shelter. There are over 70 shelters in the CCTA bus system presently.

Following discussion the Trustees agreed the memorial bench should be inside the shelter and the structure should be wood with a copper roof to better blend with the character of the area. Mr. Peterson said the structure will have to be modified to accommodate the memorial bench and all modifications must meet ADA specifications.

On a different subject, Lori Houghton asked Mr. Peterson to ask CCTA to consider repainting the bus stop side of the train station.

4. OLD BUSINESS

a. Maple Street Culvert at Shawn's Way

Rick Hamlin, Village Engineer, reviewed some short term measures to prevent future flooding of the Maple Street culvert (clean inlet and outlet pipes and the grate) and the long term solution of increasing the culvert pipe size from 24" to 36". The pipe is buried 15' under the road so there will be major disruption of Maple Street to do the work. Estimated cost for construction only is \$120,000. The recommendation is to add the project to the FY15 capital plan.

George Tyler asked what has changed to increase the drainage in the area. Rick Hamlin explained development of the surrounding land with houses removed open land that previously could be flooded. Also, repeated record rain events on already saturated ground led to flooding. The groundwater table is returning to normal now, but flooding could reoccur with a sequence of storm events. George Tyler noted there will be more development of previously open and forested land with the housing units being built at the end of Woods End. Rick Hamlin stated per state legislation post development runoff cannot exceed pre-development amounts with new developments, and each development is required to hold, treat, and slow release water.

Andrew Brown asked if the size of all culvert pipes should be changed to 36" in the long term. Rick Hamlin explained culverts should be sized based on the watershed that is served. Opening up capacity increases the rate of water flow and can cause problems downstream. Some delay of flow is good.

Mr. Hamlin noted other areas of the village where flooding occurred were looked at, but the Mansfield Ave. and Shawn's Way culverts were the only infrastructure issues (the other areas flooded due to the amount of rainfall, not because there was a blockage or inadequate infrastructure). There was mention of drainage problems in Countryside and on Main Street. Rick Hamlin noted the Capital Project Review Committee has discussed enclosing the drainage ditch and adding sidewalk on Main Street from Athens Drive to the bridge. Andrew Brown noted there are private culverts draining into the village drainage system.

There was discussion of the availability of FEMA grants. Pat Scheidel will further investigate the matter. The grants are competitive.

PUBLIC COMMENTS

Sherry Haggerty, 1 Shawn's Way, suggested the drain pipe should be larger than 36" to ensure the water flowing from outside the village into the village can be handled. Ms. Haggerty asked if the village has been out of compliance with drainage requirements in the village code because there has not been a problem until now. Rick Hamlin explained the state storm water rules went into effect in the late 1990s and most of the developments in the village were built prior to that time. The development on Shawn's Way was only two lots which may not have triggered a drainage review. Ms. Haggerty asked about clearing the debris from the culvert on a regular basis. Rick Hamlin stated Public Works does inspections per the schedule to ensure the inlets are open. Dan Kerin interjected residents can report problems at any time via the SeeClickFix link on the village website. There was brief explanation of the ranking done by the Capital Project Review Committee. The public can attend the committee meetings and submit projects for consideration.

The property owner of 33 Mansfield Ave. said there are similar issues on Mansfield Ave. as found on Shawn's Way. The culvert is not adequate to handle the runoff, especially in the springtime, and flooding is anticipated to reoccur. Rick Hamlin stated a screen device (grate bar rack) will be installed to prevent debris from blocking the drainage and this should help prevent future flooding.

Raquel Sanchez, 3 Shawn's Way, questioned why the drainage was not working and whether the village should have made sure the pipe was clear. Ms. Sanchez mentioned the loss they suffered due to the flooding and that they do not have flood insurance to cover the loss. Ms. Sanchez asked if there is any help to recover their loss since the flooding was not a natural disaster. George Tyler explained the drain pipe was working, but the weather event was unusual and intense so the flooding was a natural disaster in a sense. It is not feasible for the village to build infrastructure in anticipation of every weather possibility.

There were no further comments.

MOTION by George Tyler, SECOND by Andrew Brown, to accept the report from Hamlin Engineering as presented, completion date September 30, 2013, and to ask the Capital Project Review Committee to consider replacement of the culvert on Maple Street by Shawn's Way for inclusion in the FY15 Capital Plan if funds allow. VOTING: unanimous (5-0); motion carried.

b. David Crawford Consulting Agreement Time Extension

Pat Scheidel explained the potential for additional assistance from Dave Crawford to help settle the asbestos removal claim by the contractor working at the waste water treatment facility.

MOTION by George Tyler, SECOND by Lori Houghton, to extend the agreement with David Crawford for hours beyond five hours of work not to exceed eight hours for the month of October in order to negotiate a settlement of the asbestos change order claim for the WWTF construction project. VOTING: unanimous (5-0); motion carried.

c) Tax Stabilization Agreement for 8 Railroad Avenue

Lauren Morrisseau explained the property owner at 8 Railroad Ave. met the requirements outlined in the letter of commitment for tax stabilization of the property. Evidence was submitted to show \$70,000 in improvements done to the property which is greater than the criterion that improvements be greater than 10% of the current assessed value of \$328,400. Lori Houghton expressed concern that the property owner violated the certificate of occupancy by having tenants in the building before the permit was issued. Ms. Morrisseau said the property owner rectified the situation by vacating the tenants and then was issued a certificate of occupancy. George Tyler noted by signing the letter of commitment the Trustees agreed to honor the terms. Andrew Brown observed if the project was completed after the letter of commitment was signed then the Trustees should not have signed the letter in the first place.

Lori Houghton read the purpose statement for tax stabilization and noted the number of police calls to the property and the activity taking place on the site since the building was reconstructed. Ms. Houghton contended the property owner is not meeting what is intended with tax stabilization. Elaine Sopchak questioned whether the village can hold the landlord responsible for activities happening inside the building. The structure was rebuilt and is no longer an eyesore in the village center which is part of the tax stabilization concept. The certificate of occupancy was withheld until the property owner met the commitment.

Nick Meyer, Planning Commission member, asked if the tax stabilization applies to just the commercial portion of the building or the entire building (i.e. residential portion). Lori Houghton said the entire building is included. Pat Scheidel explained normally tax stabilization is not for predominantly residential uses, but is for diversification of the tax base and to stabilize the area and create jobs. Elaine Sopchak asked if the tax stabilization can be applied to just the retail/commercial portion of the building. The tax assessor must determine the value of each portion (commercial, residential).

There was mention of an enforcement issue at the site that needs to be addressed.

Following further discussion the Trustees concurred action on the agreement should be tabled pending additional information.

d) Tentative Planning Commission Meeting Schedule for Comprehensive Plan Update

The Planning Commission schedule was reviewed and the following suggestions made:

- Invite a representative from Parks & Rec to the discussion of open space and recreation.
- There should be discussion of the village center.
- Channel 17 should cover all Planning Commission meetings.
- Provide a way for people to provide input to the plan update.
- Use Heart & Soul to spread the word about the meetings.

5. NEW BUSINESS

a. Action on Request for CCTA Bus Shelter at Brownell Library

MOTION by Andrew Brown, SECOND by Lori Houghton, to approve a CCTA bus shelter at the Brownell Library made of wood with a copper roof and encompassing the Currier

memorial bench upon confirmation from the Currier family that the shelter meets their intent. **VOTING: unanimous (5-0); motion carried.**

Pat Scheidel will contact the Currier family for confirmation.

6. VILLAGE MANAGER'S REPORT

a. Meeting Schedule

- November 12 @ 6:30 – Regular Trustees Meeting
- December 10 @ 6:30 – Regular Trustees Meeting
- January 14, 2014 @ 6:30 – Regular Trustees Meeting
- January 28, 2014 @ 6:30 – Regular Trustees Meeting
- February 11, 2014 @ 6:30 – Regular Trustees Meeting

Special Meetings/Events:

- December 4th Tree Lighting and Train Hop, 5:30-8:00 P.M.
- December 9th – Budget Day

7. TRUSTEES COMMENTS/ANNOUNCEMENTS

a. Board Member Comments

- Dan Kerin announced the circ alternative meeting on October 30, 2013 at 6 PM in Williston.
- Groundbreaking for the new police station is optimistically this fall. The Trustees will be kept posted.
- Lori Houghton suggested CCTA be asked to repaint the bus stop side of the train station in the near future.

b. Reading File

- Brownell Library Staff and Director's Report September 2013

8. CONSENT AGENDA & READING FILE

MOTION by Elaine Sopchak, SECOND by Andrew Brown, to approve the consent agenda as follows and with the addition of the memo from Susan McNamara-Hill, dated 10/22/13, regarding flexible spending accounts:

- 1. Approve Warrants including checks #10047992 through #10048017 totaling \$14,975.31.**
- 2. Approve Warrants including checks #10048018 through #10048030 totaling \$23,323.95.**
- 3. Approve Warrants including checks #10048031 through #10048122 totaling \$459,626.87.**
- 4. Request from EJRP for Waiver of Ordinance for Annual Bonfire 10/26/13.**

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

9. EXECUTIVE SESSION

MOTION by George Tyler, SECOND by Dan Brown, to go into Executive Session to discuss personnel matters and evaluation of public officials, and invite staff to attend.

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

Executive Session was convened at 8:40 PM.

MOTION by George Tyler, SECOND by Dan Brown, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous (5-0); motion carried.

Executive Session was adjourned and the regular meeting reconvened at 8:53 PM.

ACTION FOLLOWING EXECUTIVE SESSION

MOTION by George Tyler, SECOND by Dan Kerin, to create the position of “Accountant” at a Grade 6 level and appoint Cindy Delibac to the position with a 5% raise. VOTING: unanimous (5-0); motion carried.

10. ADJOURNMENT

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

The meeting was adjourned at 8:55 PM.

RScty: M.E.Riordan