

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
December 10, 2013**

- BOARD OF TRUSTEES:** George Tyler (Village President); Dan Kerin, Elaine Sopchak, Andrew Brown, Lori Houghton.
- ADMINISTRATION:** Patrick Scheidel, Village Manager; Lauren Morrisseau Co-Manager & Finance Director; Robin Pierce, Development Director, Darby Mayville, Economic Development/Community Relations Assistant.
- OTHERS PRESENT:** Joe Kudrle, Jeff Frolik, Paul Hansen, Kris Surette, Allen Karnatz, Meg Armstrong, Bill Nedde, Jeff Goodrich, Polly McEwing Whitcomb, John Dahl, Chad Farrell, Randy Viens.
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EXECUTIVE SESSION

The Board met in Executive Session prior to the regular meeting to interview candidates for the vacancy on the Bike/Walk Advisory Committee.

I. 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.

II. AGENDA ADDITIONS/CHANGES

Add:

- Under 'New Business' – Encore Redevelopment/Whitcomb Farm Tax Stabilization Agreement
- Under 'Reading File' – notice of award to Jim Jutras for "2013 Regional EPA Waste Water Treatment Plant Operator Excellence Award"
- Under 'Reading File' - Circ Alternatives Implementation Projects FY13 with estimated schedule and project cost

III. GUESTS AND PRESENTATION

1. Comments from Public on Items Not on Agenda
None.

2. Public Hearing: Multi-Use Safety Path

The public hearing on the multi-use path was opened at 6:32 PM and a presentation on the process leading to the design of the multi-use path in the railroad corridor between Central Street and Grove Street was explained. Design features include rain gardens if possible, a 10' wide paved path on the east side of the tracks with a one foot wide shoulder next to a ditch or rain garden, and a fence 15' from the closest rail. There are existing storm drain pipes which will be used. An environmental staff review will be done for rare/endangered plants on the site. A storm water discharge permit from the state will be secured. The path is compatible with connectivity objectives of the village. Cost is \$360,000 for 1200' of path (\$150,000), rain garden (\$35,000), fence (\$36,000), lighting (\$90,000 - no cost difference for electric or solar), railroad coordination

and flaggers, and construction engineering. The schedule includes a public hearing to hear local concerns, drafting conceptual and preliminary design plans (will forward to village, VTrans, and the railroad), public information meeting on the plans, contract plans and bid, and construction summer/fall 2014. Comments can be submitted electronically to the village.

COMMENTS

Joe Kudrle, Grove Street, expressed concern about the impact of the path on adjacent residences, noting people on the path now are close to the houses and there have been problems with vandalism and graffiti. The police do not do enforcement. Also, clearing the brush and opening up the space will eliminate screening and shade from the trees. A vegetative barrier should remain. Light pollution is another concern as is a louder or longer train whistle in the area of the path. Painting the McLure building would improve the look of the area. The consultant explained there will be areas where vegetation is removed, but large trees will be identified and retained if possible. The abutting property owners can be contacted to see if there is a consensus on some type of screening or fencing. Also, the more the path is formalized helps reduce problems of vandalism and such because troublemakers do not hang out. George Tyler noted with regard to police presence, there is the Essex Bike Patrol that can patrol the area, and having the area cleared of vegetation will make it easier for the police to see what is going on in the corridor. Regarding the train whistle, there are federal mandates that the railroad must follow at crossings. Village staff will verify train whistle requirements.

John Dahl, northern end of the path, spoke in support of the path for walking convenience, but urged discouraging the congregation of young people because now there are unpopular activities taking place in the corridor. Mr. Dahl asked if there will be security cameras. George Tyler said there are cameras on the Amtrak Station and the village can look into cameras on the path. Mr. Dahl suggested the path be crowned so not to collect water and ice.

Greg Morgan, Grove Street, thanked the Trustees and the Planning Dept. for the project and the fast action, noting neighbors have been greening up the space but have only been marginally welcomed. Mr. Morgan urged thinking of the path as an initiative to build upon to improve the area further.

A woman in the audience noted there is not a stop sign on Lincoln Street by the railroad crossing as shown on the plan.

Dan Kerin commented Grove Street is very narrow and difficult for pedestrians and bikes so the path is a safe way to traverse the area.

Pat Scheidel noted the bike patrol riders are not police officers, but have radios to contact the police if necessary.

George Tyler read an email from Jeff Goodrich, village resident, which noted the following:

- Lack of public notification of abutters to the project before proceeding with the project;
- No guarantee that cleanup of the area will reduce crime;
- The project is a 'pet project' to connect paths in the village;

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- The path removes the no trespass message and puts the residences on Grove Street on an island between the path and the road;
 - The budget for the project is excessive;
 - There is lack of enforcement on the path now;
 - The path implies it is safe being in close proximity to the train;
 - Rule breakers will continue not to follow the rules;
 - The path has day use now and delinquent behavior;
 - The new path will make the area more accessible.

George Tyler suggested the Police Chief be invited to a meeting in January/February to address safety/enforcement issues. Abutting property owners will be notified of the meeting.

Lori Houghton noted an early estimate for the project was \$518,000. The current cost figure is substantially less. Robin Pierce noted with the leases from the railroad the more pipes on the ground the higher the lease. This path is the first time the railroad has allowed a path in any rail corridor in the entire United States. Darby Mayville noted the total cost of the path is \$500,000 including construction and engineering. Funding sources include Regional Planning, VTrans, and approximately 20% from the village (a total of \$389,000 was received in grants). Lori Houghton suggested the timing might be right for businesses in the village center and Amtrak to come together to help improve the area.

Upon his arrival to the meeting village resident, Jeff Goodrich, commented in addition to his points in the email that was read. Mr. Goodrich said the hearing appears to be the first invitation for public input from abutters yet the project is approved. George Tyler explained the project is not yet approved. The Trustees have to give the final approval, but the village has committed funds and spent funds on work on the project. The money had to be expended before the railroad would begin discussions. Background research had to be done. Mr. Goodrich said the need for the path appears to be subjective. George Tyler stated the alternatives are to build or not build the path. The need for the path is safety of people walking in the rail corridor. Walkability and accessibility around the village via sidewalks and bike paths to get people and bikes off the roads is a goal. The area along the railroad tracks is blighted and the path is an opportunity for improvement. UVM engineering students presented design ideas for the path about eight months ago so the Trustees have been thinking of a multiuse path in the area for a while. Mr. Goodrich mentioned the goals of modifying behavior and increasing accessibility and connectivity. Elaine Sopchak said access is the first objective then modifying behavior. Mr. Goodrich contended illicit activities will continue in the area even with more people and lighting. For the residents on Grove Street there will be public in the front and back yards of their lots. High definition cameras may help enforcement efforts and changing the behavior in the area, but existing rules should be enforced rather than changing the rules. Regarding connectivity, there are sidewalks along the streets that could and should be used. People tend to behave more appropriately on sidewalks rather than on paths that are out of clear sight. Mr. Goodrich said he is not systematically opposed to the path if it is done well and thoroughly to get the results being sought.

There were no further comments. The public hearing was closed. There will be another public hearing in February 2014. The Trustees support continuing on the course per the plans (i.e. the Trustees are not in favor of the no build option).

3. Update on Vermont Land Trust/Whitcomb Farm Conservation Project

Allen Karnatz, Vermont Land Trust, reported a January closing on the property is anticipated. Funding through the Vermont Housing Conservation Board will be in two phases, \$524,000 in Phase 1 and the second grant cycle in 2014. There is a \$60,000 gap to be addressed by fund raising and VLT is confident the money will be raised.

George Tyler mentioned the enthusiasm expressed by residents at the annual meeting for the conservation project. The hard work that has been done is recognized.

4. Update on New Website

Paul Hansen and Kris Surette with Ecopixel updated the Board on progress to date on the website redesign. A temporary website address was distributed. December 17, 2013 remains the target date for the site to go live. Three staff members (Darby Mayville, Lauren Morrisseau, Patty Benoit) have been trained to edit the site for updates and additions. Feedback on the site should be sent to Darby Mayville. The site is responsive and will adapt to any screen. Many best practices are incorporated in the design.

Elaine Sopchak urged the Trustees to do a test run on the site once it is live to seek documents, minutes, connectivity, and links.

IV. OLD BUSINESS

1. Approve Donation for Whitcomb Farm Conservation Project

MOTION by Dan Kerin, SECOND by Elaine Sopchak, to approve a donation of \$20,000 to the Vermont Land Trust for the Whitcomb Farm Conservation Project in accordance with the approval of village voters on 4/3/13. VOTING: unanimous (5-0); motion carried.

2. Appointment to Bike/Walk Advisory Committee

MOTION by Elaine Sopchak, SECOND by Dan Kerin, to appoint Jeff Frolik to the Bike/Walk Advisory Committee. VOTING: unanimous (5-0); motion carried.

3. Discuss Amtrak Station

Robin Pierce reported the train station has three tenants and there are no violations occurring. Amtrak is not opposed to aesthetic improvements to the station, but will not fund the improvements. Federal funding for Amtrak has been reduced. Amtrak will do the work necessary to be ADA compliant per federal rules. VTrans has no available funding for the station unless historic building funds are used, but then the station must be restored to the way it was in 1910 when it straddled the tracks.

Lori Houghton suggested capitalizing on the momentum and holding a brainstorming session to improve the site on a smaller scale with landscaping, plantings, painting, stringing lights.

Staff will compile a list of ideas for consideration.

V. NEW BUSINESS**1. Approve Tax Stabilization Agreement for Whitcomb Farm Solar Project**

Chad Farrell, Encore, and Randy Viens, Town Assessor, discussed the solar project on the Whitcomb Farm. A Certificate of Public Good is anticipated. Financing for the project is being discussed. The proposal is fair and represents a good value to the community. Authorization to execute the agreement for tax stabilization for the solar project is needed. A spreadsheet showing municipal tax rates (25 year valuation) for 14 acres on the farm in the solar project was reviewed.

Dan Kerin asked about the tax stabilization agreement for the farm. Meg (Whitcomb) Armstrong noted wording in the tax stabilization agreement for the entire farm will have to be adjusted for the solar project because there will not be public access to the fenced area around the panels.

Andrew Brown asked about tax stabilization for solar projects in other towns. Chad Farrell said this is new on the local side. There are other similar types of agreements. Lenders are fine with the agreement for projects. More tax stabilization for longer term projects are anticipated.

Pat Scheidel noted the town selectboard must also approve the agreement which is a win/win for investors, the municipalities, and property owners.

MOTION by Dan Kerin, SECOND by Andrew Brown, that the Board of Trustees enter into an agreement with Encore Redevelopment for the Whitcomb Farm solar project.

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

2. Approve Path at Tree Farm for Autumn Pond Project

Robin Pierce briefed the Trustees on the path connection from Thasha Lane that will connect the Autumn Pond development and the high school to the tree farm. The connection will also complete the path around the perimeter of the soccer fields. The developer of Autumn Pond will build and maintain the path connection. Removable posts will allow access by vehicles when necessary. The tree farm board approved the path connection.

Andrew Brown asked about a bus stop. Robin Pierce said CCTA decides where bus stops are located.

Elaine Sopchak expressed concern about the lack of lighting on the path. Robin Pierce pointed out the tree farm board does not want lights on the path.

MOTION by Lori Houghton, SECOND by Andrew Brown, to approve the creation of a path across the tree farm to Old Colchester Road as shown on the plans and require the owner of Autumn Pond to maintain the path forever. VOTING: unanimous (5-0); motion carried.

3. Approve Business Credit Cards for Departments

Pat Scheidel explained there is only one business credit card now that is signed out for use. Department heads have requested their own cards for their department. Rules of the card include no alcohol purchases, no unbudgeted purchases, and documentation of each purchase. Lauren

Morrisseau noted with only one card there is the risk that a prior purchase will reach the maximum allowed on the card making subsequent purchases by other departments not possible.

MOTION by Lori Houghton, SECOND by Elaine Sopchak, to approve the issuance of business credit cards for the following departments with a credit limit of \$5,000 each:

- Administration
- Fire
- Wastewater
- Public Works
- Brownell Library

And further, each department is responsible for the location and collection of receipts for each card. VOTING: unanimous (5-0); motion carried.

4. Approve Cafeteria Plan Contract with Health Equity

Pat Scheidel reported Health Equity through Blue Cross/Blue Shield can provide the village insurance at a cost savings of \$180/month.

MOTION by Dan Kerin, SECOND by Andrew Brown, to approve the termination of the Cafeteria Plan with Choice Strategies and authorizing the Village Manager to sign the contract with Health Equity for the Cafeteria Plan. VOTING: unanimous (5-0); motion carried.

5. Circ Alternative/Crescent Connector Update

George Tyler reported phases 1 through 4 of the circ alternative projects are approved. The projects in phases 3 and 4 are more tentative than the projects in the first two phases. The crescent connector is in Phase 1. Preliminary engineering and design is scheduled in 2013. Construction is scheduled in 2016.

VI. VILLAGE MANAGER'S REPORT

1. Meeting Schedule

- January 14, 2014 @ 6:30 – Regular Trustees Meeting
- January 28, 2014 @ 6:30 – Regular Trustees Meeting
- February 11, 2014 @ 6:30 – Regular Trustees Meeting
- February 25, 2014 @ 6:30 – Regular Trustees Meeting
- March 11, 2014 @ 6:30 – Regular Trustees Meeting
- March 25, 2014 @ 6:30 – Regular Trustees Meeting
- April 8, 2014 @ 6:30 – Regular Trustees Meeting
- April 22, 2014 @ 6:30 – Regular Trustees Meeting

Special Meetings/Events:

- April 2, 2014 @ 6 PM – Community Supper before Annual Meeting
- April 8, 2014 7 AM – 7 PM – Australian ballot voting

2. Channel 17

There have been discussions with Channel 17 regarding coverage of meetings in support of transparency.

VII. TRUSTEES COMMENTS/CONCERNS & READING FILE

- Lori Houghton mentioned better publicizing the Planning Commission work sessions on the comprehensive plan update.
- Reading file:
 - Minutes of Planning Commission (8/2/12, 10/18/12, 2/21/13, 11/7/13, 11/21/13)
 - Minutes of Capital Program Review Committee (11/5/13)
 - Newtown/Sandy Hook Vigil on Lincoln Hall Lawn (12/14/13)
 - Award to Jim Jutras for “2013 Regional EPA Waste Water Treatment Plant Operator Excellence Award”
 - Circ Alternatives Implementation Projects FY13 with estimated schedule and project cost

VIII. CONSENT AGENDA & READING FILE

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

- 1. Approve Minutes of Previous Meetings (11/12/13)**
- 2. Approve Warrants including check #10048236 through #10048327 totaling \$807,254.23**
- 3. Approve Warrants including check #10048328 through #10048391 totaling \$123,234.26**
- 4. Approve Updated Policy re: Designation of Newspaper for Legal Ads**
- 5. Approve Request from EJRP for Holiday Bon Fire (12/13/13)**

DISCUSSION: There was discussion of using Front Porch Forum as a designated resource for village ads. There was also discussion of doing a survey through the newspaper on how to best communicate with the public (newspaper, Front Porch Forum, newsletter, website). Staff has general practices that are followed with legal ads.

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

IX. EXECUTIVE SESSION and/or ADJOURNMENT

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

The meeting was adjourned at 8:50 PM.

RScty: M.E.Riordan 