



**TRUSTEES MEETING NOTICE & AGENDA**  
**TUESDAY, JUNE 24, 2014 at 6:00 PM**  
**LINCOLN HALL MEETING ROOM, 2 LINCOLN STREET**

1. **EXECUTIVE SESSION/PERSONNEL** [6:00 PM]
  - a. Interviews for Planning Commission and Bike/Walk Advisory Committee:
    1. John Alden
    2. Andrew Boutin
    3. Jeff Frolik
    4. Phoebe Spencer
2. **CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG** [6:30 PM]
3. **AGENDA ADDITIONS/CHANGES** [6:30 PM]
4. **GUESTS, PRESENTATIONS AND PUBLIC HEARINGS** [6:30 PM]
  - a. Comments from Public on Items Not on Agenda
  - b. Public Hearing on FYE 15 Water/Sewer/Sanitation Rates [6:30 PM]
  - c. Presentation by Deb McAdoo and Budgets to Ballots Group [6:40 PM]
  - d. Update by Heart & Soul about What's Next [7:00 PM]
5. **OLD BUSINESS** [7:20 PM]
  - a. Appointments to Planning Commission and Bike/Walk Advisory Committee
  - b. Set FYE 15 Water/Sewer/Sanitation Rates
  - c. Review Language for Planning Commission Web Page
6. **NEW BUSINESS** [7:40 PM]
  - a. Approve Manager's Annual Appointments
  - b. Approve FYE 14 Audit Contract
  - c. Changes in Open Meeting Law/Designation of Posting Places for Agendas
7. **VILLAGE MANAGER'S REPORT** [8:00 PM]
  - a. Trustees Meeting Schedule
8. **TRUSTEES' COMMENTS & CONCERNS/READING FILE** [8:05 PM]
  - a. Board Member Comments
  - b. Correspondence to District 4 Environmental Commission about 4 Pearl Street:
    - Memo from Hugh Gibson of School Street
    - Memo from George Tyler
    - Letter from Robin Pierce, Community Development Director
    - Letters from Charlie Baker of CCRPC
    - Letter from Laura Trieschmann of VT Division for Historic Preservation
  - c. Correspondence to District 4 Environmental Commission about Green Meadows Apartments LLC:
    - Letter from Robin Pierce, Community Development Director
    - Letter from Emily Mack of Rabideau Architects

**VILLAGE OF ESSEX JUNCTION  
BOARD OF TRUSTEES  
MINUTES OF MEETING  
June 24, 2014**

**BOARD OF TRUSTEES:** George Tyler (Village President); Dan Kerin, Elaine Sopchak, Andrew Brown. (Lori Houghton was absent.)  
**ADMINISTRATION:** Pat Scheidel, Village Manager; Lauren Morrisseau, Assistant Manager & Finance Director; Jim Jutras, Water Quality Director; Rick Hamlin, Village Engineer.  
**OTHERS PRESENT:** John Alden, Deb McAdoo, Venessa Philan Zerillo, Roberta Penchino, Robert Bates, Nina Curtiss, Irene Wrenner, Tim Jerman, Jessica Martin.

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**EXECUTIVE SESSION**

**MOTION by Elaine Sopchak, SECOND by Dan Kerin, to go into Executive Session to discuss personnel matters. VOTING: unanimous (4-0); motion carried.**

Executive Session was convened at 6 PM and the following candidates were interviewed for appointments: John Alden, Andrew Boutin, Jeff Frolik, Phoebe Spencer.

**MOTION by Elaine Sopchak, SECOND by George Tyler, to adjourn Executive Session. VOTING: unanimous (4-0); motion carried.**

Executive Session was adjourned at 6:35 PM.

**1. CALL TO ORDER and PLEDGE OF ALLEGIANCE**

Village President, George Tyler, called the meeting to order at 6:40 PM and led the assemblage in the Pledge of Allegiance.

**2. AGENDA ADDITIONS/CHANGES**

- Add to New Business – Appoint Tax Collector; Resolution for Penny Pillsbury
- Add to Old Business – Co-Gen Utility Interconnection
- Add to Reading File – Letter re: 4 Pearl Street

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

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

2. Public Hearing: FY15 Water/Sewer/Sanitation Rates

The public hearing was opened at 6:45 PM. Lauren Morrisseau gave a brief presentation on the proposed FY15 water, waste water, sanitation, large water user, and waste water wholesale rates and reasons for the increase (increase in operating budget, increase in wholesale rate, decrease in usage). Total fixed rate (water, sewer, sanitation) is \$70.55 per quarter plus \$.0299 per cubic foot (7.48 gallons). Cost to the average user is \$38.07 per month. Large user rate is \$.081 per 1,000 gallons. Waste water wholesale rate paid

by Williston and Essex to Essex Junction is \$2.6294 per 1,000 gallons. There were no further comments and the public hearing was closed.

### 3. Presentation: Budgets to Ballots Group

Deb McAdoo and Jessica Martin updated the Trustees on activities to date by the Budget to Ballots Group. Three principles of common ground have been developed:

- Open voting on town and village budgets in voting booth, 7 AM-7 PM and allowing absentee ballots.
- Hold town meeting but allow voting on budget by people who are not present.
- Hold voting on the same day to avoid multiple meetings and voting dates.

Heart & Soul can help with educating the public on what needs to be done to participate so Budgets to Ballots Group is willing to work with Heart & Soul on a community-wide conversation about how to increase voting opportunities and facilitating the process before proposing changes. The timeline would include community discussions in the summer and fall and presenting the results to the Trustees and Selectboard then holding a public hearing in mid-December to pursue a charter change.

Elaine Sopchak mentioned there may be legal issues with voting at annual meeting on the budget and voting again by Australian ballot. Items can be put on the ballot that will get people out to vote. One example is the local options tax. The Trustees have been discussing combining village meeting with the Prudential Committee and U46 School Board voting on the same day and perhaps doing all on a Saturday to increase attendance. Educating the public about the voting process may increase voter turnout. Roberta Penchina stated the discussion was of the public having more input at the meetings and then voting on the items. George Tyler explained the models are: discuss, amend, and vote the budget from the floor at annual meeting or discuss the budget at annual meeting and then vote by Australian ballot. The hybrid of amending the budget at a public meeting and voting the amended budget by Australian ballot is not allowed per Vermont law.

Bob Bates stated the objective of the Budget to Ballots Group is not an attempt to eliminate town meeting. Deb McAdoo clarified the request is for the Trustees to agree to work with Heart & Soul and the Town of Essex to increase or expand opportunity for the collective communities to vote. The Trustees concurred with the request.

### 4. Update: Heart & Soul on What's Next

Liz Subin and John Alden reported Heart & Soul wants to stay relative and engaged with the community by convene, connect, and championing, leverage funding from Orton via matching grants, and supporting the core community advisory team which is still eager and ready to continue. Work continues on implementation grants. Community conversations and neighborhood conversations were successful and people are urged to stay involved. Nina Curtiss was hired to keep the momentum going. Work is moving from visioning to specifics. Orton wants to see Heart & Soul in the community succeed and is willing to match budgets for items well aligned with Heart & Soul so there would be a larger budget to do projects. Heart & Soul would like to partner with groups like Budget to Ballots to increase opportunity for village and town members to vote. Between

now and December there will be meetings and conversations to discuss solid ideas on how to increase voting and educate the public. Heart & Soul will continue to develop proposal for consideration by the Trustees.

#### **4. OLD BUSINESS**

##### 1. Co-Gen Utility Interconnection

Jim Jutras explained the requirement to study trip hazards and electrical safety of connection and interconnection to the utility relative to the co-gen equipment. The equipment cannot cause degradation to the grid. The engineering study is at the village's expense and will determine the interconnect costs and the village's liability.

**MOTION by Dan Kerin, SECOND by Andrew Brown, to authorize the Village Manager to sign the EJWWTF Facilities Study Agreement and provide the initial \$8,000 deposit as recommended by staff. VOTING: unanimous (4-0); motion carried.**

##### 2. Appointments to Planning Commission and Bike/Walk Advisory Committee

###### *Planning Commission*

**MOTION by George Tyler, SECOND by Elaine Sopchak, to reappoint John Alden and Andrew Boutin to the Planning Commission through June 30, 2017. VOTING: unanimous (4-0); motion carried.**

###### *Bike/Walk Advisory Committee*

**MOTION by George Tyler, SECOND by Dan Kerin, to reappoint Jeff Frolik and Phoebe Spencer to the Bike/Walk Advisory Committee through June 30, 2017. VOTING: unanimous (4-0); motion carried.**

##### 3. Set FY15 Water/Sewer/Sanitation Rates

**MOTION by Elaine Sopchak, SECOND by Andrew Brown, to approve the water, sewer, and sanitation rates as stated in the memo from Lauren Morrissette, dated June 24, 2014 showing the following:**

- Village user water usage rate of \$.0150 per cubic foot and quarterly fixed charge of \$22.34;
- Village user waste water treatment usage rate of \$.0097 per cubic foot and quarterly fixed charge of \$25.82;
- Village user sanitation usage rate of \$.0052 per cubic foot and quarterly fixed charge of \$22.39;
- IBM large water user rate of \$.081/1000 gallons;
- Waste water treatment wholesale rate of \$2.6294/1000 gallons of sewage.

**VOTING: unanimous (4-0); motion carried.**

##### 4. Review Language for Planning Commission Webpage

There was discussion of the legal advice that a direct email to the chairperson of the planning commission is not advised. Any potential for ex parte communications must be avoided. Elaine Sopchak expressed frustration that state statute appears to stifle open communication. There was mention of forming a distribution group that includes the

planning commission to receive correspondence, but does not allow replies. It was noted people always have the option to attend meetings and comment.

**MOTION by George Tyler, SECOND by Dan Kerin, that the consensus of the Board of Trustees is in support of the suggested language for the Planning Commission webpage and to instruct staff to develop a way by which community members can send communications to the Planning Commission without violating state statute. VOTING: unanimous (4-0); motion carried.**

**5. NEW BUSINESS**

1. Resolution for Penny Pillsbury

**MOTION by George Tyler, SECOND by Dan Kerin, to approve and sign the resolution of appreciation for Penny Pillsbury. VOTING: unanimous (4-0); motion carried.**

2. Approve Manager's Annual Appointments

**MOTION by George Tyler, SECOND by Dan Kerin, to approve the Manager's appointment of Susan McNamara-Hill as Village Tax Collector for FY2015.**

**VOTING: unanimous (4-0); motion carried.**

**MOTION by George Tyler, SECOND by Elaine Sopchak, to approve the Manager's appointments for the period July 1, 2014-June 30, 2015 as follows:**

- Susan McNamara-Hill as Village Treasurer and Village Clerk
- David Barra as Village Attorney
- Chris Gaboriault as Village Fire Chief
- Hamlin Consulting Engineers as Village Engineering Consultant

**VOTING: unanimous (4-0); motion carried.**

3. Approve FY14 Audit Contract

Finance Director, Lauren Morrisseau, spoke in support of continuing the contract with Sullivan Powers & Co. due to the excellent job that has been done over the years and the knowledge gained by staff and the auditor of the village financials. The company does rotate auditors to conduct the annual audits. Pat Scheidel added the recommendation is with the full knowledge that it has been a long period of time since the village changed auditors. There may be potential consolidation of services with the town in the future.

**MOTION by Dan Kerin, SECOND by George Tyler, to appoint Sullivan Powers & Co. to audit the village FY14 financial statements and authorize the Manager to sign the contract.**

**DISCUSSION: Andrew Brown pointed out a new auditor may uncover something unseen by the prior auditor. It shows goodwill to the public by changing the auditor and this should be done next year. Elaine Sopchak agreed that unless there is something significant on the horizon a change should be made next year. Lauren Morrisseau advised then the search should be started earlier in the year. Pat Scheidel suggested beginning the**

search in January. Elaine Sopchak added comment from Trustee Houghton is also needed on the matter. There were no further comments.

**VOTING: unanimous (4-0); motion carried.**

4. Changes in Open Meeting Law/Designation of Posting Places for Agendas  
Motions and attendance will be submitted as draft minutes of meetings.

**MOTION by Elaine Sopchak, SECOND by Dan Kerin, to designate the following places for posting of meeting agendas:**

- Village Office
- Brownell Library
- Essex Town Office

**VOTING: unanimous (4-0); motion carried.**

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

### 1. Meeting Schedule

- July 8, 2014 @ 6:30 – Regular Trustees Meeting
- July 22, 2014 @ 6:30 – Regular Trustees Meeting
- August 12, 2014 @ 6:30 – Regular Trustees Meeting
- August 26, 2014 @ 6:30 – Regular Trustees Meeting
- September 9, 2014 @ 6:30 – Regular Trustees Meeting
- September 23, 2014 @ 6:30 – Regular Trustees Meeting
- October 14, 2014 @ 6:30 – Regular Trustees Meeting
- October 28, 2014 @ 6:30 – Regular Trustees Meeting

### Special Meetings/Events:

- July 4, 2014 @ 9:30 PM – Fireworks at Maple Street Park
- July 19, 2014 @ 5 PM-10 PM – Block Party & Street Dance

### 2. Special Meeting with Essex Selectboard

The meeting agenda was on following rules of behavior, procedures and protocols. The village was used as a template.

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

### 1. Board Member Comments

- Dan Kerin mentioned the Rec Advisory Council meeting on June 26, 2014.

### 2. Reading file:

- Correspondence to District 4 Environmental Commission re: 4 Pearl Street including a memo from Hugh Gibson of School Street, memo from George Tyler, Letter from Robin Pierce, Community Development Director, Letters from Charlie Baker of CCRPC, Letter from Laura Trieschmann of Vermont Division for Historic Preservation
- Correspondence to District 4 Environmental Commission re: Green Meadows Apartments, LLC including a letter from Robin Pierce, Community Development Director, letter from Emily Mack of Rabideau Architects

**8. CONSENT AGENDA & READING FILE**

**MOTION** by Elaine Sopchak, **SECOND** by Andrew Brown, to approve the consent agenda as follows:

- 1. Approve Minutes of Previous Meeting(s) 6/10/14**
- 2. Approve Warrants including check #10049465 through #10049558 totaling \$895,527.48.**

**VOTING: unanimous (4-0); motion carried.**

**9. EXECUTIVE SESSION and/or ADJOURNMENT**

**MOTION** by Elaine Sopchak, **SECOND** by Dan Kerin, to adjourn the regular meeting and convene Executive Session to discuss contracts (tax stabilization agreement) where premature public knowledge would place the village at a disadvantage and to invite the Manager and Assistant Manager to attend.

**VOTING: unanimous (4-0); motion carried.**

The regular meeting was adjourned and Executive Session was convened at 8:35 PM.

*RScty: M.E.Riordan*