



TRUSTEES MEETING NOTICE & AGENDA
TUESDAY, JULY 22, 2014 at 6:00 PM
LINCOLN HALL MEETING ROOM, 2 LINCOLN STREET

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG** [6:00 PM]
2. **EXECUTIVE SESSION**
 - a. Contracts
3. **AGENDA ADDITIONS/CHANGES** [6:30 PM]
4. **GUESTS, PRESENTATIONS AND PUBLIC HEARINGS** [6:35 PM]
 - a. Comments from Public on Items Not on Agenda
5. **OLD BUSINESS** [6:35 PM]
 - a. Discussion and Action on Proposed Ordinance from Joint Stormwater Coordinating Committee
 - b. Co-Generation Engineering Services Agreement
 - c. Co-Generation Environmental Credits: Efficiency Vermont Incentive Agreement and Native Energy Agreement
 - d. Approve and Sign Fire Truck Note Renewal
 - e. Discussion and Amendments to 2014 Draft Comprehensive Plan
6. **NEW BUSINESS** [7:30 PM]
 - a. Purchasing Policy Waiver for Sale of Used WWTF Aeration Blowers
 - b. Appointment of Trustee to Recreation Advisory Council
 - c. Donation Request for Children's Summer Lunch Program
 - d. Appointment of Authorized Representatives for Requisitions of Bond Proceeds
 - e. Approve Municipal Bond Post-Issuance Compliance Procedures
 - f. Appointment to CSWD Board of Commissioners
 - g. Bid Award for FYE 15 Paving
 - h. Set FYE 15 Tax Rate
 - i. Acceptance and Review of Village/Town Shared Services Report and Discussion of Next Steps
7. **VILLAGE MANAGER'S REPORT** [8:30 PM]
 - a. Information/Update on Town Municipal Building
 - b. Trustees meeting schedule
8. **TRUSTEES' COMMENTS & CONCERNS/READING FILE** [8:40 PM]
 - a. Board Member Comments
 - b. Planning Commission Minutes 6/26/14
 - c. Press Release from Champlain Water District
 - d. Certificate of Appreciation from the NFMCA
9. **CONSENT AGENDA** [8:45 PM]
 - a. Approve Minutes of Previous Meeting 7/8/14
 - b. Approve Warrants including check #10049615 through #10049675 totaling \$336,079.05.

TRUSTEES AGENDA 7/22/14

- c. Approve Warrants including check #10049676 through #10049747 totaling \$262,322.73.

10. ADJOURN

[8:50 PM]

Meetings of the Trustees are accessible to people with disabilities. For information on access or this agenda, call the Village Manager's office at 878-6944. Times on the agenda are approximate.

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
July 22, 2014**

BOARD OF TRUSTEES: George Tyler (Village President); Dan Kerin, Elaine Sopchak, Lori Houghton. (Andrew Brown was absent.)
ADMINISTRATION: Pat Scheidel, Municipal Manager; Lauren Morrisseau, Assistant Manager & Finance Director; Jim Jutras, Water Quality Director; Robin Pierce, Development Director.
OTHERS PRESENT: Harris Abbott, Chelsea Mandigo, Bridget Meyer, Irene Wrenner.

1. CALL TO ORDER and PLEDGE OF ALLEGIANCE

Village President, George Tyler, called the meeting to order at 6 PM.

2. EXECUTIVE SESSION

MOTION by George Tyler, SECOND by Elaine Sopchak, that the Trustees make a specific finding that the premature public knowledge of the Village's negotiations concerning a proposed agreement for sewer capacity with the Town of Williston, including the Village's negotiating strategy in connection therewith, would clearly place the Village of Essex Junction at a substantial disadvantage. VOTING: unanimous (4-0); motion carried.

MOTION by George Tyler, SECOND by Elaine Sopchak, that the Trustees enter into Executive Session to discuss an agreement with the Town of Williston pursuant to 1VSA§313(a)(1)(A) to include the Trustees, Manager, Water Quality Superintendent and Finance Director. VOTING: unanimous (4-0); motion carried.

Executive Session convened at 6:01 PM.

MOTION by George Tyler, SECOND by Dan Kerin, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous (4-0); motion carried.

Executive Session was adjourned and the regular meeting reconvened at 6:28 PM. President Tyler led the assemblage in the Pledge of Allegiance.

3. AGENDA ADDITIONS/CHANGES

- Add to New Business:
 - Application for PACIF equipment grant

4. GUESTS, PRESENTATIONS, PUBLIC HEARINGS

1. Comments from Public on Items Not on Agenda

Daniel Stein, village resident, commented on the roads in the village being in serious need of repair. Mr. Stein told the Board about his recent bicycle accident hitting a pothole on Pearl Street by Big Lots. The accident caused his bike to crash and cracked his bike

helmet. Mr. Stein also told the Trustees about the lack of a barrier at the sidewalk work on Pearl Street by Susie Wilson Road which is a hazard for bicyclists. George Tyler said Public Works is in the process of filling potholes and will address the pothole by Big Lots. Also, the contractor will be told about flagging the sidewalk work on Pearl Street.

5. OLD BUSINESS

1. Discussion/Action on Proposed Ordinance from Joint Storm Water Coordination Committee

Jim Jutras reported the proposal by the committee is to add a chapter (as Chapter 19) to the village Municipal Code that incorporates the town's ordinance. The town ordinance is presently under public hearing. Storm water permits are a complicated matter and both the village and town are trying to make the solution simple to gain compliance. The ordinance will help gain compliance as well as reduce storm water flows. The first public hearing on the town ordinance is 8/18/14.

MOTION by George Tyler, SECOND by Elaine Sopchak, that the Village Trustees adopt the following amendment to the Municipal Code:

VILLAGE OF ESSEX JUNCTION
MUNICIPAL CODE
CHAPTER 19.
ORDINANCE ESTABLISHING STORMWATER PERMIT TRANSFER
AUTHORITY FOR EXPIRED AND UNPERMITTED DISCHARGES TO
IMPAIRED WATERWAYS

PURPOSE: To establish and transfer responsibility for State of Vermont issued Department of Environmental Conservation Authorization to Discharge Permits under General Storm Water Permits and for Unpermitted Discharges to Impaired waterways within the Town of Essex, Inclusive of the Village of Essex Junction (the "Town") to NPDES MS4 General Permit 3-9014

SECTION 1901. The Village of Essex Junction shall incorporate all provisions of the Essex Town Title 10.20 Stormwater Ordinance, as amended. When conflict occurs between Village Land Development Code and the Ordinance 10.20, the Town Ordinance shall govern.

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

2. Co-Generation Engineering Services Agreement

Jim Jutras explained the focus of the engineering services agreement will be the continued work on the co-gen installation. The cost of the services is \$70,400 to be paid out of the Bradford bond. The Trustees are encouraged to tour the facility once work is complete and possibly hold a Board of Trustees meeting at the site.

MOTION by Dan Kerin, SECOND by Lori Houghton, to authorize the Municipal Manager to sign the Methane Co-Gen System Upgrade Engineering Services

Agreement with Aldrich + Elliott in the amount of \$70,400. VOTING: unanimous (4-0); motion carried.

3. Co-Generation Environmental Credits

Jim Jutras briefly explained the incentive agreement with Efficiency Vermont involving adding feed sources to the co-gen system to produce renewable energy credits (carbon credits). The incentive agreement requires settlement of the existing Native Energy agreement.

MOTION by Lori Houghton, SECOND by Elaine Sopchak, to authorize the Municipal Manager to sign the Efficiency Vermont incentive agreement and the Native Energy contract release agreement. VOTING: unanimous (4-0); motion carried.

4. Approve/Sign Fire Truck Note Renewal

Lauren Morrisseau explained the ladder truck note is a one year renewal for five years. Current interest rate is 1.55%. Payment is \$50,000 principal plus interest.

MOTION by Lori Houghton, SECOND by Elaine Sopchak, to adopt and sign the resolution for current expense borrowing and sign the current expense note associated with the fire ladder truck. VOTING: unanimous (4-0); motion carried.

5. Discussion/Amendments to the Draft 2014 Comprehensive Plan

The Trustees reviewed the updated plan and made the following edits:

- Chapter III, first paragraph – change “identifies review current” to “identifies recent”.
- Page 20, bullet referring to the farmers market – change to read “35 vendors participating in the farmers market in 2013”.
- Page 27, Section 3.6 IBM - after the sentence reading “As one of the state’s top employers....” insert “Present uncertainties regarding the growth of IBM’s local site require intensification of such efforts.”
- Goal 1 – add an objective about having a plan in place for diversifying the IBM property.
- Page 32, paragraph beginning “The only pieces...” – add “In addition the Summit Street Natural Playground Group is working to change the traditional playground into a “natural playground” as a community resource.”
- Page 50, Section 6.7, Facilities – text about the Brownell Library in this section is about the library’s five year plan and services offered to patrons rather than information about the building. Elaine Sopchak will draft a short paragraph on the library building and assessment of the historic structure.
- Goal 5, Objective 5.5 – add “an historic assessment of the Brownell Library structure will be done in the next five years”.
- Objective 1.8 relative to sewer capacity should remain in the plan.
- Objectives 1.9 and 1.10 relative to representation on Champlain Water District can be deleted and the list of objectives renumbered accordingly.

- Section 9.4.11, Village Center – There was lengthy discussion of adding text to the plan to cap the number of stories or the height of buildings in the village center to four floors. It was noted that based on the cost of land in the village it may not be economically feasible for a developer to renovate a building to only four floors. Also, language about building height in the Village Center District would be in the Land Development Code. There was mention of the comments by a vocal minority in the village against the proposed six story building at 4 Pearl Street and that there are others in the village also making the same comment. Observation was made that the more the hands of a developer are tied, the greater the limit on opportunity for development. Conversely the comment was made that the less the hands of developers are tied the more the likelihood development in the character the village does not want will be built. There was mention that no significant building changes in the village center have been made in a long time, but with the crescent connector there is potential for larger, six storied buildings. It was noted the comprehensive plan is updated every five years so there is opportunity to address building height again.
- Section 9.4.11, Village Center – add a sentence to the ‘intent’ paragraph reading: “It is not anticipated any building greater than four stories in height would be appropriate in the village center.”
- Page 87, text on the land acquisition fund should remain in the plan.

6. NEW BUSINESS

1. Purchasing Policy Waiver for Sale of Used WWTF Aeration Blowers

Jim Jutras reported there is an interested buyer for the used aeration equipment and staff is requesting the Municipal Manager be authorized to act on any offers over \$10,000.

MOTION by Dan Kerin, SECOND by Elaine Sopchak, to authorize the Municipal Manager to approve the sale of the used WWTF aeration blowers if the negotiated price exceeds \$10,000. VOTING: unanimous (4-0); motion carried.

2. Appointment of Trustee to Recreation Advisory Council

MOTION by Elaine Sopchak, SECOND by Dan Kerin, to appoint Lori Houghton to the Recreation Advisory Council for a one year term through 6/30/15. VOTING: unanimous; motion carried.

3. Donation Request for Children’s Summer Lunch Program

MOTION by Elaine Sopchak, SECOND by Dan Kerin, to approve the donation of \$500 to the Essex Junction Children’s Summer Lunch Program. VOTING: unanimous (4-0); motion carried.

4. Appointment of Authorized Representatives for Requisitions of Bond Proceeds

Lauren Morrissette reported the bonds will be sold July 31st and an appointee is needed to requisition the funds. Staff is recommending the Municipal Manager and the Finance Director be appointed.

MOTION by George Tyler, SECOND by Lori Houghton, to authorize Patrick Scheidel, Municipal Manager, and Lauren Morrissette, Finance Director, to act on behalf of the Village in matters relating to the loan from the Vermont Municipal Bond Bank 2014 Series 3 bonds. VOTING: unanimous (4-0); motion carried.

5. Approve Municipal Bond Post-Issuance Compliance Procedures

Lauren Morrissette explained the requirement that procedures be in place relative to the bonds.

MOTION by Lori Houghton, SECOND by Dan Kerin, to adopt the “Village of Essex Junction Municipal Bond Post-Issuance Compliance Procedures” as presented. VOTING: unanimous (4-0); motion carried.

6. Appointment to CSWD Board of Commissioners

Pat Scheidel reported Alan Nye, current representative on the CSWD board for the Town of Essex, expressed willingness to represent the village as well. George Tyler spoke with confidence about Mr. Nye’s ability to do a good job representing both communities. George Tyler will be the alternate representative for the village. It was suggested to confirm the CSWD bylaws allow dual representation.

MOTION by George Tyler, SECOND by Dan Kerin, to approve the appointment of Alan Nye to represent Essex Junction on the Chittenden Solid Waste District Board of Commissioners to complete the term of George Tyler through May 2016 and to appoint George Tyler as the alternate representative provided the transition conforms to CSWD bylaws. VOTING: unanimous (4-0); motion carried.

7. Bid Award for FY15 Paving

MOTION by Elaine Sopchak, SECOND by Dan Kerin, to award the FY15 paving bid to the lowest bidder, S.D. Ireland Brothers, Inc., at a cost of \$72.90 per ton. VOTING: unanimous (4-0); motion carried.

8. Set FY15 Tax Rate

Lauren Morrissette reported the Grand List is \$10,652,464. The amount to be raised by taxes per approval by the voters is \$2,942,914 plus the amount raised by taxes for debt service on the bond (\$68,612) equates to a tax rate of \$.02830 per \$100 of assessed value.

MOTION by Dan Kerin, SECOND by Elaine Sopchak, to set the FY15 tax rate at \$.02830 per \$100 of assessed value. VOTING: unanimous (4-0); motion carried.

9. PACIF Equipment Grant Application

Pat Scheidel explained the set aside each year by PACIF for grants to help with implementation and training to reduce accidents and liability for municipalities. The village will use the grant money if received to purchase and install security cameras at the library. The grant has a 50/50 match.

MOTION by George Tyler, SECOND by Lori Houghton, to authorize village staff to apply for a VLCT 2014 PACIF equipment grant. VOTING: unanimous (4-0); motion carried.

10. Accept/Review Village-Town Shared Services Report and Discuss Next Steps
George Tyler reported the draft report is done and will be posted on the village website. A joint meeting will be scheduled with the Essex Selectboard and Village Trustees to discuss the findings.

7. VILLAGE MANAGER'S REPORT

1. Meeting Schedule

- 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
- November 11, 2014 @ 6:30 – Regular Trustees Meeting
- November 25, 2014 @ 6:30 – Regular Trustees Meeting
- December 9, 2014 @ 6:30 – Regular Trustees Meeting
- December 23, 2014 @ 6:30 – Regular Trustees Meeting

2. Town Municipal Building, 81 Main Street

Once the police department relocates to the new police building on Maple Street (expected to be occupied by September 1), the building at 81 Main Street must be brought up to code and renovated to accommodate the municipal employees at the site. Funding is an issue. A committee is being formed to determine necessary changes to the building and cost. A progress report on the building will be added to the agenda of the joint meeting of the Essex Selectboard and Village Trustees.

Irene Wrenner requested effort be made to “gender balance” the committee and not just consider longevity in the community or expert qualifications.

8. TRUSTEES COMMENTS/CONCERNS & READING FILE

1. Board Member Comments

- Dan Kerin reported the annual block party was a great success. Thanks were extended to Patty Benoit and the Block Party Committee for another job well done.
- Dan Kerin said he received comments about a property on South Hill Drive not being maintained. Staff will investigate.
- Elaine Sopchak asked if legal counsel has reviewed the proposed language for the Land Development Code to address massage parlors. Staff will follow up with the attorney.
- Elaine Sopchak mentioned an email about stray cats in the village. Staff will research how other towns handle stray animals and contact the humane society about a trap and spay program.

2. Reading file:

- Planning Commission minutes 6/26/14
- Press Release from Champlain Water District
- Certificate of Appreciation from the NFMCA

9. CONSENT AGENDA & READING FILE

MOTION by Lori Houghton, SECOND by Elaine Sopchak, to approve the consent agenda as follows:

- 1. Approve Minutes of Previous Meeting(s) 7/8/14**
- 2. Approve Warrants including check #10049615 through #10049675 totaling \$336,079.05.**
- 3. Approve Warrants including check #10049676 through #10049747 totaling \$262,322.73.**

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

10. ADJOURNMENT

MOTION by Dan Kerin, SECOND by Lori Houghton, to adjourn the meeting.

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

The meeting was adjourned at 9:20 PM.

RScty: M.E.Riordan

