



TRUSTEES MEETING NOTICE & AGENDA
TUESDAY, OCTOBER 28, 2014 at 6:30 PM
LINCOLN HALL MEETING ROOM, 2 LINCOLN STREET

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG** [6:30 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **GUESTS, PRESENTATIONS AND PUBLIC HEARINGS**
 - a. Comments from Public on Items Not on Agenda
 - b. Julie Campoli about Village Center Charrette
 - c. Dana Hanley, Essex Community Development Director, with an update on approach for new Town Plan
5. **OLD BUSINESS**
 - a. Memo about Encore Solar Contract Modification – James Jutras
 - b. Memo about Whitcomb Heights II Nature Trail – Robin Pierce
 - c. Noise Indemnification Agreement with Champlain Valley Exposition – Robin Pierce
 - d. Grant Agreement for Main Street Sidewalk Extension Scoping Study – Darby Mayville
6. **NEW BUSINESS**
 - a. Discussion about Establishing a Liaison Group with Global Foundries
7. **MANAGER'S REPORT**
 - a. Memo about Joint Meeting with Essex Selectboard
 - b. Trustees meeting schedule
8. **TRUSTEES' COMMENTS & CONCERNS/READING FILE**
 - a. Board Member Comments
 - b. Minutes from Other Boards, Commissions and Committees:
 - Planning Commission 10/16/14
 - Bike/Walk Advisory Committee 10/20/14
 - c. Memo from VT Agency of Transportation about 2014 Town Highway Map
 - d. 2015 VLCT Municipal Policy
9. **CONSENT AGENDA**
 - a. Approve Minutes of Previous Meeting 10/14/14
 - b. Approve Warrants Check #10050209 to Check #10050296 totaling \$550,226.86
 - c. Approve Request to Close Central Street for Holiday Express Train 11/29/14
10. **ADJOURN**

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.

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
October 28, 2014**

BOARD OF TRUSTEES: George Tyler (Village President); Dan Kerin, Andrew Brown, Elaine Sopchak, Lori Houghton.

ADMINISTRATION: Pat Scheidel, Municipal Manager; Lauren Morrisseau, Assistant Manager & Finance Director; Robin Pierce, Community Development Director; Rick Jones; Public Works Superintendent; Darby Mayville, Community Relations Assistant.

OTHERS PRESENT: Tom Weaver, Dana Hanley, Diane Clemens, Chris Chiquoine, Greg Duggan, Hugh Gibson, Tim Shea, Julie Cimonetti, Steve Eustis, Fred Parks, John Trombley, Tim Allard, Linda McKenna, Tom Oddy, Jon Harris, Cilla Kimberly, Joan MacKenzie, Julie Campoli.

1. CALL TO ORDER and PLEDGE OF ALLEGIANCE

Village President, George Tyler, called the meeting to order at 6:30 PM.

2. AGENDA ADDITIONS/CHANGES

Add under New Business:

- Memo from Pat Scheidel, dated 10/28/14, re: Village Center Charrette Sole Source Consultant

Add under Old Business:

- Email from Robin Pierce, dated 10/27/14, re: Open Space Definition in LCD
- Email from Steve Eustis, dated 10/16/14, re: West St./West St. Extension Intersection Update, Whitcomb Heights Trail, and Whitcomb Heights Open Space to be Owned by Village
- Memo, dated 10/28/14, VTrans Grant Agreement Main Street Scoping Study

Add to Consent Agenda:

- Bill List, dated 10/28/14, Check #10050297 to Don Weston for School Street Reconstruction

3. APPROVE AGENDA

MOTION by Dan Kerin, SECOND by Lori Houghton, to approve the agenda as amended.

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

4. GUESTS, PRESENTATIONS, PUBLIC HEARINGS

1. Comments from Public on Items Not on Agenda

None.

2. Julie Campoli re: Village Center Charrette

George Tyler explained the selection of Julie Campoli for the charrette based on her extensive background and experience in urban design. Julie Campoli briefly reviewed the charrette project which will involve set up of the team and fine tuning of the process then reviewing existing

conditions and getting a clear understanding of where the community is in terms of planning, regulations, and past public process (Phase 1), engagement of the public to get clear direction on design and ideas for improvement (Phase 2), and translating the streetscape design of the village center into 3-D drawings (Phase 3). A public space, like an empty store front window, could be set up with displays of the project so people will see what is going on and get involved. The work done by Heart & Soul and bike/walk committees in the village and town will be taken into consideration. The design will be for the streets and streetscape rather than for physical buildings and for the long term.

The Trustees will consider increasing the budget for Ms. Campoli's services to include being part of the presentation of the results of the charrette.

MOTION by Elaine Sopchak, SECOND by Lori Houghton, to approve hiring Julie Campoli to proceed with the revised scope of work for the village center charrette presented 10/28/14. VOTING: unanimous (5-0); motion carried.

3. Dana Hanley, Essex Community Development Director, re: Essex Town Plan

Dana Hanley explained the plan to winnow down the Essex Town Plan when doing the update in 2016 to produce a more user friendly and action plan oriented document. The new format and layout will include photos and short columns of text. There will be no significant changes in the vision or zoning. A flood resiliency component and Heart & Soul work will be integrated so both the village and town plans will reflect the goals of Heart & Soul. Three public events to garner public input on the Town's plan have been held to date. Ms. Hanley distributed the 2016 schedule for the plan update (one year process). All are invited to join the process.

Elaine Sopchak asked if the ECOS plan will be incorporated and if the town plan will dovetail with Heart & Soul. Dana Hanley confirmed this. Ms. Sopchak also asked if the village will be shown in the center of the map of the town. Ms. Hanley assured this can be done.

5. OLD BUSINESS

1. Memo re: Encore Solar Contract Modification

George Tyler explained the upgraded waste water facility combined with the solar panel project on the site was more efficient than anticipated and the contract must be modified.

MOTION by George Tyler, SECOND by Andrew Brown, to authorize the Municipal Manager to sign a contract modification with Encore Solar to add net metering accounts and to reconcile the contract twice annually. VOTING: unanimous (5-0); motion carried.

2. Memo re: Whitcomb Heights II Nature Trail

Robin Pierce reported "No Trespassing" signs were posted around the Whitcomb Heights open space to prohibit hunting, but the signs should be modified to read "No Hunting" because the space must be available for use by the residents. Staff is recommending the village not assume ownership of the trails because there is no benefit gain over what is there at present. The homeowners association should maintain the nature trails with native soil. Dan Kerin noted he is aware of at least one individual who has permission to hunt on the Whitcomb Farm property so

the nature trail boundary needs to be clearly marked. Robin Pierce said the property is posted per Vermont law. More signs may be needed.

Tom Weaver, South Street Associates, said the nature trail was a condition of the approval for the 142 units on 107 acres in the Whitcomb Heights development. The land may need to stay with the homeowners association because it is needed for the density and value of the development and should not be given to the village. An easement could be given to the village however. There are federal laws that regulate what must be shown for condominiums or a mortgage will not be issued. Giving the land away means all the criteria may not be met and that could impact people getting mortgages. Regarding posting the area, the signs were put up to prevent hunting there. The signs are legally posted every 400'. The trail has been cleared and posted with eight signs saying "Nature Trail" (some have been stolen) and ribbons on the trees along the trail.

PUBLIC COMMENTS

Steve Eustis, 18 Wilkinson, recalled he led the petition in 1999 through the Planning Commission process to have a natural, forest area in the village with a trail between South Street and Cascade Street. A title search will show that the Village Trustees have the ability to accept the land. There is no prohibition that precludes posting the land and it is a good idea to mark the border of the property. Mr. Eustis said having the village own the land is a huge opportunity and will clarify and prevent future issues. Also, Heart & Soul Thoughtful Growth goals speak to a balance of housing, businesses, and preservation of a variety of open spaces including forest and trails. The existing trail needs some work to be what was intended by the Planning Commission (i.e. walking trail) and the Trustees are urged to accept ownership of the land at the appropriate time.

Jon Harris, 102 South Street, recalled in 1999 the first phase discussion was about the "old Whitcomb trail" from West Street to South Street, basically the farm road. With the development a decision was made for the trail, but people abutting the trail started absorbing the trail into their property. There are signs on the trailheads and there has been discussion of signs for the trail on West Street. The trail is not a defined trail at this point. The development was originally to be 144 single family homes that were changed to condominiums and the open space was to become part of the village open space. A petition about the open space was signed by 350 people. Mr. Harris urged the Trustees to consider the petition when the time is appropriate.

Fred Parks, 98 South Street, stated the open space was about keeping the space open and the land not developed. If the village were to take over ownership there would be no development application forthcoming. Without the village taking ownership there is nothing to stop the condominium association from developing the land. Robin Pierce pointed out per the Land Development Code once land is designated open space the land cannot be developed. Mr. Parks asked if the village could assume ownership and give the land to Vermont Land Trust.

Cilla Kimberly, 32 Woods End, spoke in favor of the village owning the open space as envisioned by the Planning Commission. With village ownership decisions are made by the village not just the homeowners association. Also, the open space is in the comprehensive plan

as a natural area in the village. The cost of adding 57 acres of woodlands without requiring trees to be pruned and such would not add to the cost of insurance.

Julie Cimonetti, 6 Poplar Street, said the signs were posted due to bow hunters in the area. Ms. Cimonetti said she was part of the process in 1995 to have the village acquire the land and still supports that action today.

Diane Clemens, Williams Street, said the trail could be better marked so people can more easily find it. Ms. Clemens spoke in support of the land remaining open regardless of the owner (homeowners association or the village) so all residents have access.

John Trombley, 14 Wenonah Ave., spoke in support of the village owning the property. Mr. Trombley recalled the original plan for the development had no open space, but the plan was redesigned with open space, and now 15 years later the debate is who should own the open space.

George Tyler observed it appears all want the same end result which is open space accessible to all. Robin Pierce said an easement given to the village over the property without cost will allow access and provide control over what happens in the open space. Tom Weaver said an easement was drafted for the parcel and the trails because it was thought the village would move forward on both, but these are still part of the homeowners association. Steve Eustis said in Whitcomb I there is an easement, but the landowners still own the property. It would be clearer if the village owned the land.

Dan Kerin stated the village entered into an agreement with the Whitcomb family regarding open land for public use. Signs would not be posted nor would parking be provided. There is concern about any exposure issues in the future if the village owns the property.

Staff will compile a list of questions and considerations for the Trustees to discuss at a future meeting.

Lauren Morrisseau gave a brief report on the West Street Extension Intersection (cost estimate is done) which will be discussed by the Capital Project Committee on 11/4/14.

3. Noise Indemnification Agreement with Champlain Valley Exposition

Robin Pierce reported the noise agreement system is working well. Minor edits were made to the agreement to better focus on the issue. There are 20 monitored events in the agreement. An event day includes any time in a 24 hour period. A noise waiver requires noting the time of the event. There was brief discussion of the changes to the agreement being posted on the village webpage and Front Porch Forum which inadvertently did not happen. George Tyler suggested tabling action on the agreement until posting the agreement with the changes noted. Chris Chiquoine will submit his questions to staff to be addressed as appropriate.

MOTION by George Tyler, SECOND by Dan Kerin, to table action on the Noise Indemnification Agreement with CVE to a future meeting. VOTING: unanimous (5-0); motion carried.

4. Grant Agreement for Main Street Sidewalk Extension Scoping Study

Darby Mayville reported a grant from VTrans was received for \$35,000 to do a scoping study for sidewalk on both sides of Main Street from Education Drive to Athens Drive.

MOTION by Andrew Brown, SECOND by Lori Houghton, to authorize the Municipal Manager to sign the grant agreement and commence the Main Street sidewalk extension scoping study project. VOTING: unanimous (5-0); motion carried.

Rick Jones gave a brief update on the water line work on School Street.

6. NEW BUSINESS

1. Discuss Establishing a Liaison Group with Global Foundries

Pat Scheidel advised once the title transfer is complete between IBM and Global Foundries a group should be formed with representatives from political, social, and economic aspects of the community as a liaison to develop a working relationship with Global Foundries much like what was in place with IBM. Essex Selectboard will be discussing the same matter at the next meeting. Elaine Sopchak suggested in addition to welcoming Global Foundries the liaison body should meet with the company once or twice a year. The same group could be active with other businesses in the community as well. Following further discussion the Trustees agreed George Tyler should work with Max Levy to draft a list of names for the liaison group. The list will be discussed at the joint meeting on November 10th and selections made.

7. VILLAGE MANAGER'S REPORT

1. Meeting Schedule

- November 10, 2014 @ 6:30 – Joint Meeting with Essex Selectboard
- December 9, 2014 – Budget Day (full day meeting)
- January 13, 2015 @6:30 – Regular Trustees Meeting
- January 27, 2015 @ 6:30 – Regular Trustees Meeting
- February 10, 2015 @ 6:30 – Regular Trustees Meeting
- February 24, 2015 @ 6:30 – Regular Trustees Meeting

Special Meetings/Events

- December 12 @ 6 PM – Tree Lighting and Train Hop

2. Joint Meeting on November 10th

Dennis Lutz will be presenting the consolidated delivery service for public works, storm water, and highway at the 11/10/14 joint meeting of the Trustees and Selectboard. The budget will be discussed. No changes to either the village or town departments are proposed except both departments will report to Dennis Lutz.

There was mention of continuing with the shared manager approach and the village and town boards coming together. Lori Houghton said a parallel discussion to the budget and identifying efficiencies and successes with shared and consolidated service deliveries is the issue of governance both as individual boards and as combined boards. If there is to be one community there needs to be equal representation. Questions and issues need to be discussed if the

governance structure is to be changed before trying the arrangement for two years and then deciding to make the change. Pat Scheidel pointed out the underlying strategy is that sharing services will make that conversation happen, and what is being done now fits under the statute as consolidation of services, not merger, but when talking about a change in governance structure that is opening the Pandora's box of merger. Mr. Scheidel will compile information from a governance standpoint so the Trustees can frame more specific questions for discussion.

3. Meeting in December

A meeting in December in addition to the budget day will be scheduled if necessary. Meeting date to be determined.

8. TRUSTEES COMMENTS/CONCERNS & READING FILE

1. Board Member Comments

- Dan Kerin said better lighting is needed on the sign at the new police station. Pat Scheidel said the lights are on backorder.
- Andrew Brown said the open house at the new police station attracted over 1500 people.
- Elaine Sopchak asked if there is anything impacting the village in the municipal report from VLCT. Pat Scheidel said he was not aware of anything.

2. Reading file:

- Planning Commission minutes 10/16/14
- Bike/Walk Advisory Committee minutes 10/20/14
- Memo from VTrans re: 2014 Town Highway Map
- 2015 VLCT Municipal Policy

9. CONSENT AGENDA & READING FILE

MOTION by George Tyler, SECOND by Elaine Sopchak, to add to the consent agenda the bill list, dated 10/28/14, with check #10050297 in the amount of \$196,460.40 to Don Weston for the School Street reconstruction project. VOTING: unanimous (5-0); motion carried.

MOTION by Andrew Brown, SECOND by Dan Kerin, to approve the consent agenda as amended and with the following:

1. **Approve Minutes of Previous Meeting 10/14/14**
2. **Approve Warrants Check #10050209 to Check #10050296 totaling \$550,226.86 plus check #10050297 in the amount of \$196,460.40.**
3. **Approve Request to Close Central Street for Holiday Express Train 11/29/14**

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

10. ADJOURNMENT

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

The meeting was adjourned at 9:15 PM.

RScty: M.E.Riordan

