



**TRUSTEES MEETING NOTICE & AGENDA**  
**TUESDAY, JUNE 23, 2015 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. **GUESTS, PRESENTATIONS AND PUBLIC HEARINGS**
  - a. Comments from Public on Items Not on Agenda
  - b. Public Hearing on FYE 16 Water/Sewer/Sanitation Rates
4. **OLD BUSINESS**
  - a. Set FYE 16 Water/Sewer/Sanitation Rates
5. **NEW BUSINESS**
  - a. Reappointments to Boards, Commission and Committees
6. **CONSENT AGENDA**
  - a. Approve Minutes of Previous Meeting 6/9/15
  - b. Approve Warrants including check #10051651 through #10051757 totaling \$491,508.42
7. **JOINT MEETING WITH ESSEX SELECTBOARD** [7:00 PM]
  - a. Essex Governance Group (EGG) Follow-up Discussion
  - b. Handbook for the Evaluation of the Municipal Manager
8. **ADJOURN**

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

**VILLAGE OF ESSEX JUNCTION  
BOARD OF TRUSTEES  
MINUTES OF MEETING  
June 23, 2015**

**BOARD OF TRUSTEES:** George Tyler (Village President); Dan Kerin, Elaine Sopchak, Andrew Brown. (Lori Houghton was absent.)  
**ADMINISTRATION:** Patrick Scheidel, Municipal Manager; Lauren Morrisseau, Assistant Manager & Finance Director.  
**OTHERS PRESENT** Max Levy, Irene Wrenner, Andy Watts, Brad Luck, Mike Plageman, Brendan Keleher, Greg Duggan, Vanessa Zerillo.

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**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.

**2. AGENDA ADDITIONS/CHANGES**

Additions:

- Revised memo on reappointments under “New Business”.

**MOTION by Elaine Sopchak, SECOND by Andrew Brown, to accept the agenda as amended. VOTING: unanimous (4-0); motion carried.**

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

1. Comments from Public on Items Not on Agenda

None.

2. Public Hearing: FY2016 Water/Sewer/Sanitation Rates

The public hearing was opened at 6:31 PM. Lauren Morrisseau reported the following:

- Water rate is proposed at \$.0155 per cubic foot which is 2% increase over FY2015. Fixed cost is \$22.35 per quarter or \$89.40 per year. Cost to average user is \$179.92 per year of \$14.99 per month. Increase is due to 1% increase in operating budget, 3.4% increase in the wholesale rate by Champlain Water District, and 2% decrease in estimated usage.
- Waste Water Treatment rate is proposed at \$.0099/c.f. which is a 2% increase over FY2015. Fixed charge is \$26.44/quarter or \$105.76 per year. Cost to average user is \$163.58 per year or \$13.63 per month. Increase is due to 2% increase in operating budget.
- Sanitation rate is proposed at \$.0051/c.f. which is a 2% decrease from FY2015. Fixed cost is \$22.04/quarter or \$88.16/year. Cost to average user is \$117.94/year or \$9.83 per month. Reason for the decrease is 1.5% decrease in the operating budget, \$10,000 added for the WWTF bond payment and \$10,000 increase in anticipated hook-on fees.

- Combined utility rate is \$.0305 per cubic foot, fixed charge of \$70.83/quarter or \$283.32 per year which is an increase of 1% from FY2015. Cost to average user is \$461.24/year or \$38.44/month.
- Large water user rate is \$.080 per 1,000 gallons which is a 1% decrease from FY2015 because more water is being used (1.5% increase in use).
- Waste Water Treatment wholesale rate is \$2.6877 per 1,000 gallons of sewage which is a 2% increase from FY2015 due to 2% increase in the operating budget.

*COMMENTS*

Andrew Brown asked about the payment of 13% of the operating budget by IBM. Staff explained the village calculates a number for the percent of budget plus an unaccounted water amount. If IBM uses less water than projected and there is more water unaccounted for then the charge will be greater. If more water is used the village will credit IBM. IBM pays 1.6 cents per cubic foot. Village residents pay 1.5 cents per cubic foot plus the fixed charge, but village residents receive more service than IBM. The village does not read IBM’s meters. The policy for large water users (i.e. IBM) was established years ago and was driven by providing an economic incentive for the company to stay and expand in the village when IBM was dealing with world competition so severe they needed help to cut costs in every area. There is no comparison on the volume of water consumed by IBM versus residents or small businesses in the village, and when IBM water use declines everyone suffers. The village does not have the ability to offer other incentives to keep the business here.

There were no further comments. The public hearing was closed at 6:46 PM.

**4. OLD BUSINESS**

1. Set FY2016 Water/Sewer/Sanitation Rates

**MOTION by Elaine Sopchak, SECOND by Dan Kerin, to approve the FY2016 utility rates as follows:**

- |   |                     |
|---|---------------------|
| • Village user water usage rate                             | \$0.0155/c.f.       |
| • Village user quarterly fixed charge                       | \$22.35/quarter     |
| • Village user waste water treatment usage rate             | \$0.0099/c.f.       |
| • Village user waste water treatment quarterly fixed charge | \$26.44/quarter     |
| • Village user sanitation usage rate                        | \$0.0051/c.f.       |
| • Village user sanitation quarterly fixed charge            | \$22.04/quarter     |
| • IBM large water user rate                                 | \$0.08/1000 gals.   |
| • Waste water treatment wholesale rate                      | \$2.6877/1000 gals. |

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

**5. NEW BUSINESS**

1. Reappointments to Boards, Commissions, and Committees

Pat Scheidel explained the policy that requires an interview prior to appointment needs to be waived in order for the slate of candidates to be re/appointed. George Tyler commented the issue with the interviews was simply timing (there was no time for interviews due to the regular Trustees meeting followed by the joint meeting with the

Essex Selectboard). Dan Kerin pointed out the language in the policy says a candidate can opt out of an interview and the Trustees can move forward with appointment.

**MOTION by George Tyler, SECOND by Elaine Sopchak, to waive Section 6.c of the Trustees Policy re: Appointments to Boards, Commissions and Committees for the slate of appointments to be made. VOTING: unanimous (4-0); motion carried.**

**MOTION by Dan Kerin, SECOND by Andrew Brown, to reappoint the following individuals as noted for a term expiring June 30, 2018:**

- David Nistico – Planning Commission
- Amber Thibeault – Planning Commission
- Thomas Weaver – Zoning Board of Adjustment
- Jud Lawrie – Bike/Walk Advisory Committee
- Warren Spinner – Tree Advisory Committee

**DISCUSSION: George Tyler noted the policy was suspended for these appointments, but the interviews should be done at some point in time.**

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

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

1. Meeting Schedule – Regular Trustees Meetings @ 6:30 PM

- July 14, 2015
- July 28, 2015
- August 11, 2015
- August 25, 2015
- September 8, 2015

Special Meetings/Events:

- July 18, 2015 @ 5 PM – Block Party & Street Dance

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

1. Board Member Comments

- Dan Kerin mentioned line striping of stop bars and travel lanes has been done.

2. Reading File

None.

#### **8. CONSENT AGENDA**

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

1. Approve Minutes of Previous Meeting 6/9/15.
2. Approve Warrants Check #10051651 to Check #10051757 totaling \$491,508.42.

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

#### **9. JOINT MEETING WITH ESSEX SELECTBOARD**

The Trustees met jointly with the Essex Selectboard to discuss the EGG recommendations and the Handbook for Evaluation of the Municipal Manager.

Essex Selectboard in attendance: Max Levy (Chair), Irene Wrenner, Andy Watts, Mike Plageman, Brad Luck.

Essex Administration in attendance: Pat Scheidel, Municipal Manager; Brenden Keleher, Assistant Town Manager; Greg Duggan, Town Planner.

With a quorum of Selectboard members present, Max Levy called the Essex Selectboard meeting to order at 7 PM.

#### 1. Essex Governance Group (EGG) Follow Up Discussion

The memo from Max Levy and George Tyler, dated 6/16/15, regarding reaching consensus on the Essex Governance Group recommendations was reviewed. The following was highlighted from the memo:

- The two governing boards have not reached consensus on how to proceed with the recommendations.
- Some of the recommendations need further study, such as consolidation of services for Municipal Manager, Public Works, Stormwater, Finance, Tax Collections, Planning. If there is agreement on a permanent service arrangement then this needs to be codified with policy changes and charter changes.
- The EGG recommendation of same day voting on ballot questions would require charter changes in both the town and village charters as well as the three school district charters.
- An ad hoc committee to further investigate the advantages and disadvantages of the voting process with the shared services model would be beneficial to see how everything will fit together and to possibly avoid multiple charter changes over time.

The following comments were made:

- Elaine Sopchak felt the suggestion for an ad hoc committee to further analyze the multiple pieces to come into alignment, especially the EGG recommendations C & D, is a good solution for the time currently. Ms. Sopchak volunteered for the committee.
- Irene Wrenner stressed communication with the public is vital.
- Andy Watts felt the time span for the committee work is lengthy and questioned the need to form a new committee when EGG is already in existence. Mr. Watts also observed that the EGG was so passionate about the subject matter yet it has been seven weeks and the answers to the questions raised have not been received. Mr. Watts questioned why the Selectboard and Trustees need to act at all.
- Max Levy stated the timeline can be discussed, but the boards do not want the ad hoc committee to gather information and then expect implementation immediately.
- George Tyler said both boards should offer questions on the recommendations and have input on what the committee does. Once a committee is established the work could probably be complete in the next six months or so because there is a limited number of models to analyze and research questions and comments. More

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data in support of the recommendations is needed, but this may not take three years to compile.

- Elaine Sopchak suggested the committee's work be triggered by an event such as the report from the School Board on consolidation of district (RED) so the committee's work could be sporadic and ongoing, but not every month.
- Brad Luck stated the Selectboard asked for the body of work which EGG did following the Heart & Soul process and producing the report. The Selectboard has a duty to act by either pursuing the matter further or not, especially recommendations C&D. EGG has the option to continue to work with the two elected bodies or pursue another avenue independent of the boards, such as a charter change via petition or special election.
- Andy Watts said the ad hoc committee does not need endorsement by the boards to research information on voting options or to ask EGG for information.
- Mike Plageman recalled an incident in the past where the Essex Planning Commission was charged by the Selectboard with a project, but clear direction on what to research was not provided so the results were off target. The success of EGG is predicated on having both boards giving a clear scope of work which could be done through a series of steps with clear direction at each step. The results on each step could be presented at a joint meeting for feedback and direction to proceed to the next step. The model is similar to the process that was followed with the new police facility.
- Elaine Sopchak suggested current EGG members be polled for interest in serving on the new ad hoc committee.
- George Tyler said he is reluctant to create yet another committee, but agrees an ad hoc committee may be necessary because what is recommended in the EGG report is fundamental (i.e. changing the voting process) and requires more information and to address questions. It is better to have all groups (EGG, ad hoc, Trustees, Selectboard) working together for the same cause.
- Pat Scheidel stated generally with a specific scope of work it is easier to find people to serve on a committee.
- Andy Watts stressed it needs to be clear that the new group being formed may include members of EGG.
- Dan Kerin pointed out the ad hoc committee is not permanent. Mr. Kerin spoke in support of having the committee getting feedback on each component before proceeding.
- Mike Plageman suggested drafting a scope of work and attaching a timeline, but letting the committee set the meeting schedule. Enough time needs to be allowed for the committee to do the research and report to the boards for feedback and authorization to proceed to subsequent steps. The boards need to give clear direction so the committee starts on the right foot.
- Max Levy stated the timeline needs to fit into the consolidated services trial period (three years) so if charter changes are needed the changes can be done all at once.
- George Tyler suggested a community-wide survey could be done if the boards are willing to include funding in next year's budget.

- Andrew Brown stated it makes sense to gather as much information as possible so money should be included in the budget for a survey.
- Irene Wrenner stated the school districts need to be kept informed.
- George Tyler said the school district is going forward with the Regional Education District (RED) study. [Vanessa Zerillo with the school district said the RED committee is looking at consolidation scenarios relative to the state aid formula and administrative functions. There was a consolidated district prior to 1982. Ms. Zerillo agreed collaboration and communication with the RED committee and the ad hoc committee is a necessity.]
- It was suggested the ad hoc committee have seven members with one member from the Selectboard and one member from the Board of Trustees and the balance from the public at large. The goal is to have a diverse representation of perspectives. Applicants should contact the Municipal Manager and because the Selectboard initiated the process the Selectboard makes the appointments with input from the Trustees. The committee can be enlarged if there is not enough diversity. The appointed committee will draft the charge of the committee (scope of work) for approval by the two governing boards.

*ACTION BY BOARD OF TRUSTEES*

**MOTION by George Tyler, SECOND by Elaine Sopchak, to support the formation of an ad hoc committee by the Selectboard to analyze present voting processes, including legal and legislative constraints, and provide a comparative review of how those voting processes could be restructured within existing and potential new models of local municipal and school governance to maximize community engagement, and further, the committee's scope of work and timeline will be determined collaboratively between the committee's leadership, Essex Selectboard, and Essex Junction Trustees. VOTING: unanimous (4-0); motion carried.**

*ACTION BY ESSEX SELECTBOARD*

**MOTION by Mike Plageman, SECOND by Irene Wrenner, that the Essex Selectboard engage and advertise for an ad hoc committee to analyze present voting processes including legal and legislative constraints and provide a comparative review of how those voting processes could be restructured within existing and potential new models of local government and school governance to maximize community engagement.**

**DISCUSSION: It was noted the intent is to work on the scope and timeline. VOTING: unanimous (5-0); motion carried.**

Both boards will start the process to recruit committee members.

2. Handbook for Evaluation of the Municipal Manager

Pat Scheidel commended Brendan Keleher on the thorough research of the evaluation handbook which will be an essential part of hiring a new municipal manager. The handbook can be used to recruit, select, and evaluate an individual. Mr. Scheidel volunteered to be the beta manager for evaluation through the process that is adopted. Mr. Scheidel said he is talking to both the village and town attorneys about both boards

adopting the evaluation process and being involved in the evaluation. The boards can accept the evaluation process in concept now and fine tune over time. In parallel to the decision on the handbook is the need for a consensus to continue with the municipal manager model or not continue.

There was discussion of the need to evaluate the municipal manager model itself (how it is working, what is being measured) and to get input from department heads. Then a decision is needed on whether to continue with the model. Simultaneously, evaluation of the current Municipal Manager (Pat Scheidel) needs to be done. George Tyler suggested reviewing the handbook and crafting a document to be used for the actual evaluation. The document/evaluation would be completed by both boards. If both boards adopt the handbook and the evaluation form then that system will be used going forward. It was noted there is a continuous learning component in that when the evaluation process is done then review will occur to determine where improvements can be made. A test run of the evaluation methodology could be done with Pat Scheidel and the results sent to both boards for comment.

Brad Luck stated the following documents that are needed:

- How to evaluate a municipal manager (questions to ask, information requested, when the evaluation is done, who does the evaluation);
- How to recruit, hire, fire a municipal manager (handbook);
- How to develop contracts with municipal managers (i.e. items in the contract, terms and conditions, who negotiates and reviews the contract).

Pat Scheidel will provide information on the subject matter.

*ACTION BY BOARD OF TRUSTEES*

**MOTION by George Tyler, SECOND by Dan Kerin, to accept the process presented in the Handbook for the Evaluation of a Municipal Manager as edited. VOTING: unanimous (4-0); motion carried.**

*ACTION BY ESSEX SELECTBOARD*

**MOTION by Andy Watts, SECOND by Irene Wrenner, to accept the Handbook for the Evaluation of a Municipal Manager as a resource for the annual evaluation of the Municipal Manager. VOTING: unanimous (5-0); motion carried.**

**MOTION by Brad Luck, SECOND by Irene Wrenner, with no further business before the Essex Selectboard the meeting is adjourned. VOTING: unanimous (5-0); motion carried.**

The meeting was adjourned at 8:34 PM.

**10. ADJOURNMENT**

**MOTION by Dan Kerin, SECOND by Andrew Brown, to adjourn the meeting. VOTING: unanimous (4-0); motion carried.**

The meeting was adjourned at 8:34 PM.

RScty: M.E.Riordan

