



TRUSTEES MEETING NOTICE & AGENDA
TUESDAY, SEPTEMBER 22, 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 Work Session #3 on Main Street Sidewalk Extension Scoping Study – Broadreach Planning & Design
 - c. Flow Restoration Plans for Indian and Sunderland Brooks – [7:15 PM]
Watershed Consulting Associates, Dennis Lutz and James Jutras
4. **OLD BUSINESS**
 - a. Accept Main Street Sidewalk Extension Scoping Study and Alternative – Darby Mayville
 - b. Update on 2015 CVE Noise Monitoring – Pat Scheidel and Robin Pierce
 - c. Approve Town and Village Finance Director Job Descriptions – Lauren Morrisseau
5. **NEW BUSINESS**
 - a. Amendments to Senior Center After Hours Policy – Pat Scheidel and Lou Ann Pioli
 - b. Bid award for 2015 Dump Truck – Rick Jones
6. **MUNICIPAL MANAGER'S REPORT**
 - a. FYE 17 Budgets and Capital Program Adoption Schedule
 - b. Trustees meeting schedule
7. **TRUSTEES' COMMENTS & CONCERNS/READING FILE**
 - a. Board Member Comments
 - b. Minutes from Other Boards/Committees:
 - Planning Commission 9/3/15
 - c. Email about Proposed Business for 12 Park Street
 - d. Revised Estimate from Liszt Historical Restoration for Lincoln Hall
 - e. Letters from James Jutras to Christy Witters at VT Dept. of Environmental Conservation
8. **CONSENT AGENDA**
 - a. Approve Minutes of Previous Meeting 9/8/15
 - b. Expense Warrant #16008 dated 9/11/15 in the amount of \$25,307.93
 - c. Expense Warrant #16009 dated 9/17/15 in the amount of \$39,125.81
 - d. Approve Closing Hawthorn Circle on 9/26/15 for Neighborhood Block Party
9. **EXECUTIVE SESSION**
 - a. Legal Issues
10. **ADJOURN**

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
September 22, 2015**

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

ADMINISTRATION: Patrick Scheidel, Municipal Manager; Lauren Morrisseau, Assistant Manager & Finance Director; Rick Jones, Public Works Superintendent; Robin Pierce, Development Director, Jim Jutras, Water Quality Superintendent; Dave Barra, Village Attorney.

OTHERS PRESENT: Jim Donovan, Harris Abbott, Annie Costandi, Peggy Pearson, Lou Ann Pioli, Joan Carr, Brenda Williamson, Chris Chiquoine, Roseanne Prestipino, Tim Shea, Andres Terizzo.

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

Add:

- General Fund Capital Reserve Plan (to be discussed at the next meeting).
- Lincoln Hall Rehab Single Phase Proposal under Manager's Report.

MOTION by Dan Kerin, SECOND by Lori Houghton, 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 Work Session #3: Main Street Sidewalk Extension Scoping Study

George Tyler stated the sidewalk study is being done so the project is "shovel ready" in anticipation of funding being available in the future.

Jim Donovan, Broadreach Planning & Design, reviewed the alignment of the sidewalk on the north side of Main Street from Educational Drive to the village line, noting the following:

- Adjustments may be necessary to the alignment now that the curbing and storm water project is complete on Main Street.
- If the project is phased, the first phase would include new sidewalk on Main Street then using the existing sidewalk on Crestview and Drury Drive until the second phase which would be completion of sidewalk down the remainder of Main Street to Educational Drive.

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- The sidewalk will be in the public right-of-way. Utility poles will remain in place.
 - Invasive trees were removed with the storm water project. The sidewalk project will avoid spreading any remaining invasive species.
 - A small retaining wall will be needed north of Taft Street.
 - Drainage will have to be addressed with the alignment.
 - A prefab bridge for the sidewalk will be added next to the existing vehicle bridge on Main Street. The prefab structure can be removed when the vehicle bridge is replaced and used elsewhere in the village or sold.

COMMENTS

A woman on Taft Street asked if there is room for the sidewalk without disturbing the cedar hedge on the corner of Taft Street. Mr. Donovan said the plan is to locate the sidewalk between the road and the utility pole so the hedge should not be disturbed.

There was a question about the cost of the project. George Tyler explained the village will apply to Regional Planning for a grant for the project. The village may have to pay a matching amount to the grant.

Brenda Williamson, 116 Main Street, expressed concern about creating a steep bank by her property and mowing by the retaining wall. Ms. Williamson noted the boundary marker that was removed from her property with the storm water project has not been replaced. Ms. Williamson asked about the width of the sidewalk and planting trees, recalling sidewalk was removed on Drury Drive because tree roots lifted the sidewalk. Rick Jones explained the village uses 5' wide sidewalk because that is the width of the sidewalk plow so less damage is done to lawns. Jim Donovan added the federal requirement is 4' wide minimum, but 5' wide is preferred.

3. Flow Restoration Plan for Indian Brook and Sunderland Brook

Jim Juras explained the Trustees are asked to accept the Flow Restoration Plans for Indian Brook and Sunderland Brook which meet the MS4 permit requirements so the concept can move forward. As a permit condition the village and town must restore flows to background conditions. The plan is for 20 years. The brooks are monitored after implementation and if the stream biology returns then the brook is "de-listed" as an impaired waterway. Information that still must be submitted to the state for the Flow Restoration Plans includes the design and construction schedule and financial plan (due by October 2016). Funding structure for the storm water related work is still under discussion. Suggestions include forming a storm water utility or establishing a fee system.

Andres Torizzo with Watershed Consulting Associates explained the percentage of decrease of high flow rate per brook for each municipality with the brook within its borders. For the village Sunderland Brook is already meeting the off stream flow target in the MS4 permit and Indian Brook with the retrofits will meet the target. There are four project that cumulatively meet 150% of the high flow target. Total cost of the projects is \$1.56 million. The flow restoration plans also considered how much phosphorus will be removed with the plans. Best practice is an infiltration based system that allows water to

perk into the ground. It was noted that expired storm water permit holders have an incentive to work with the village on storm water management because the cost will be less than working with the state. New development is provided storm water management information. It is more cost effective to implement management structures with new development rather than retrofitting.

MOTION by George Tyler, SECOND by Dan Kerin, that the Trustees accept the Indian Brook Flow Restoration Plan and the Sunderland Brook Flow Restoration Plan, both dated July 24, 2015, by Watershed Consulting Associates, LLC, and provide the appropriate village staff with the authority to submit grant requests for funding of select projects identified in the plans if funding is available and the local share of any grants can be met through currently available local funds, and further, the plan is consistent with consolidation of the storm water funding under the town accounts and grant application will be handled through and in accordance with Town of Essex policies unless grant eligibility requires action by either the Village separately or by joint application. VOTING: unanimous (4-0); motion carried.

4. OLD BUSINESS

1. Accept Main Street Sidewalk Extension Scoping Study and Alternative

The consultant will continue to work with staff on the Main Street sidewalk scoping study and bring any changes and recommendations to the Board of Trustees.

2. Update on 2015 CVE Noise Monitoring

Pat Scheidel stated according to the noise agreement with the village and CVE the Municipal Manager or designee works on approval of waivers. Robin Pierce, Village Development Director, handled the waivers. Robin Pierce reported the following:

- Categories A & B waivers are issued administratively. Category C waivers must be approved by the Board of Trustees.
- This year (2015) only Category B waivers were issued.
- Information on the waivers did not get posted on the village website in a timely manner.
- All events were monitored. Some events had waivers and other events did not need a waiver.
- The sound engineer sends a report to the village of any sound violations. This year there were no violations of Category B waivers.

Chris Chiquoine, Prospect Street, recalled he was told there were no waivers issued for events this year, but that does not appear to be the case. Pat Scheidel said he had no knowledge of waivers issued at the time of the request by Mr. Chiquoine. Mr. Chiquoine stressed for the past six years he has requested a list of waivers prior to the fair so he can make personal plans, and to date a list has not been sent. The record for village staff is dismal and gives the appearance of not caring for residents. Tim Shea with CVE is providing information, but the village is not, said Mr. Chiquoine. George Tyler assured every effort will be made to ensure the information is posted to the village website going forward. Mr. Chiquoine asked that start and end times of each event also be posted on the website.

3. Approve Town and Village Finance Director Job Descriptions

The Trustees reviewed the revised job description that accommodates the consolidation of services for the Finance Director position. Lauren Morrissette said there is need to spend time at both the village and town offices working with staff on issues such as making payroll more efficient (i.e. file one payroll tax) and health care items. Dan Kerin pointed out the job description does not mention duties as Assistant Manager in the village. Pat Scheidel explained the ‘assistant manager’ arrangement will continue in both the village and town and the appropriate salary adjustments will be made, but eventually the duties fall away.

MOTION by Lori Houghton, SECOND by Andrew Brown, to approve the Village Finance Director job description with the changes as noted (i.e. Village Finance Director assuming some finance job duties in the town office). VOTING: unanimous (4-0); motion carried.

5. NEW BUSINESS

1. Amendments to Senior Center After Hours Policy

Lou Ann Pioli, Senior Center Director, reviewed changes to the policy for use of the center after hours. The changes include the following:

- Change the age to 50 and above.
- A fee of \$25 for each four hours of use or portion thereof will be charged to outside organizations using the center (\$25 for 0-4 hours, \$50 for 5-8 hours and so on).
- No fee will be charged to the following groups:
 - Board of Trustees, Planning and Zoning meetings.
 - Meetings of other municipal boards, commissions and committees.
 - Memorial Day Parade Committee meetings.
 - Meetings sponsored by those renting space at Lincoln Hall.
 - Village of Essex Junction non-profit or service groups.
- Condominium associations from within the Village of Essex Junction are deleted from Section A of the policy dated 6/24/10.
- Contact information for reservations after hours is: Lou Ann Pioli, 876-5087, at the Senior Center, 2 Lincoln Street, Monday through Friday, 10 AM – 3:30 PM.
- Any organization/person using the center will receive a copy of the policy to read, sign and date before using the center.

MOTION by Dan Kerin, SECOND by Lori Houghton, to approve the amendments to the Essex Junction Senior Center Policy for Use After Hours as noted below:

- **Change the age to 50 and above.**
- **A fee of \$25 for each four hours of use or portion thereof will be charged to outside organizations using the center (\$25 for 0-4 hours, \$50 for 5-8 hours and so on).**
- **No fee will be charged to the following groups:**
 - **Board of Trustees, Planning and Zoning meetings.**
 - **Meetings of other municipal boards, commissions and committees.**

- **Memorial Day Parade Committee meetings.**
- **Meetings sponsored by those renting space at Lincoln Hall.**
- **Village of Essex Junction non-profit or service groups.**
- **Condominium associations from within the Village of Essex Junction are deleted from Section A of the policy dated 6/24/10.**
- **Contact information for reservations after hours is: Lou Ann Pioli, 876-5087, at the Senior Center, 2 Lincoln Street, Monday through Friday, 10 AM – 3:30 PM.**
- **Any organization/person using the center will receive a copy of the policy to read, sign and date before using the center.**

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

2. Bid Award for 2015 Dump Truck

Rick Jones, Public Works Superintendent, reported six bids for the dump truck were received from three companies. The bid amounts ranged from \$121,000 to \$141,000. Only one bid, R.R. Charlebois in Milton, met all the bid specs. The difference in the bid price was due to trade-in value, motor and axle position.

MOTION by Lori Houghton, SECOND by Andrew Brown, to award the bid for the dump truck to R.R. Charlebois, Inc. of Milton for the amount not to exceed \$138,370.

DISCUSSION: Rick Jones mentioned the motor and axle position are very important issues for the village and some of the bids did not meet this need. There is a checklist of specs to be met. Bidders must specify why a particular spec is not met. All bidders were at the bid opening. Lori Houghton requested in the future staff note who met the bid specs and who did not. There were no further comments.

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

6. MUNICIPAL MANAGER'S REPORT

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

- October 13, 2015
 - October 27, 2015
 - November 10, 2015
 - November 24, 2015
 - December 8, 2015
- Special Meetings/Events:
 - October 8, 2015 – VLCT Town Fair in Killington (8 AM-4 PM)

2. Capital Budget Discussion

Discussion of the capital budget will be held at the next Trustees meeting along with the Lincoln Hall rehab in single phase or multi-phase.

7. TRUSTEES COMMENTS/CONCERNS & READING FILE

1. Board Member Comments

- George Tyler announced he will co-host an Essex Village/Town Update with Max Levy on Channel 17.
- Dan Kerin suggested the village consider holding a flea market on a weekly basis during the summer months.
- Andrew Brown said he attended an open house at the Senior Center and was impressed with the number of activities taking place.

2. Reading File

- Minutes
 - Planning Commission 9/315
- Email: Proposed Business for 12 Park Street
- Revised Estimate from Liszt Historical Restoration for Lincoln Hall
- Letters from James Jutras to Vermont Department of Environmental Conservation

8. CONSENT AGENDA

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

1. **Approve Minutes of Previous Meeting 9/8/15.**
2. **Expense Warrant #16008 dated 9/11/15 in the amount of \$25,307.93.**
3. **Expense Warrant #16009 dated 9/17/15 in the amount of \$39,125.81.**
4. **Approve Closing of Hawthorn Circle on 9/26/15 for Neighborhood Block Party.**

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

9. EXECUTIVE SESSION

MOTION by George Tyler, SECOND by Dan Kerin, pursuant to the Open Meeting Law and 1VSA313(a)(1)(E) to go into Executive Session to discuss legal strategies relating to the Judgement Order from Vermont Superior Court where premature public knowledge would place the Village of Essex Junction at a substantial disadvantage, and to invite the Municipal Manager, Assistant Manager, Development Director, and Village Attorney to attend. VOTING: unanimous (4-0); motion carried.

Executive Session was convened at 8:25 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 8:58 PM.

10. ADJOURNMENT

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

The meeting was adjourned at 8:59 PM.