



TRUSTEES MEETING NOTICE & AGENDA
TUESDAY, OCTOBER 13, 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
4. **OLD BUSINESS**
 - a. Estimate for Lincoln Hall Single Phase Rehabilitation – Pat Scheidel and Lauren Morrisseau
 - b. Amend FYE 16 General Fund Capital Reserve Fund – Pat Scheidel and Lauren Morrisseau
5. **NEW BUSINESS**
 - a. Request for Well at 19 Taft Street – Robin Pierce and Rick Jones
 - b. VT Urban & Community Forestry Program Tree Canopy Grant Award – Robin Pierce
 - c. Request from Capital Program Review Committee – Andrew Brown
 - d. Grant Application and Letter of Support for Brickyard Road Stormwater Improvement Project - James Jutras
 - e. 2016 Blue Cross-Blue Shield Plans and Rates – Susan McNamara-Hill
 - f. Set FYE 17 Budget Goals – Pat Scheidel and Lauren Morrisseau
 - g. *Settlement Agreement with Green Meadows Apartments, LLC – David Barra
 - h. Design Five Corners: Next Steps – George Tyler
6. **MUNICIPAL MANAGER'S REPORT**
 - a. Trustees meeting schedule
7. **TRUSTEES' COMMENTS & CONCERNS/READING FILE**
 - a. Board Member Comments
 - b. Minutes from Other Boards/Committees:
 - Planning Commission 9/17/15 & 10/1/15
 - Bike/Walk Advisory Committee 9/21/15
 - c. Email Update from Robin Pierce on Development Projects
 - d. Article in BioCycle Magazine about Essex Jct. Wastewater Treatment Facility
 - e. Email from Web Host about Website Statistics
 - f. Letter from Pat Scheidel to Resident of West Street about Water Problems
8. **CONSENT AGENDA**
 - a. Approve Minutes of Previous Meeting 9/22/15
 - b. Expense Warrant #16010 dated 9/29/15 in the amount of \$446,370.46
 - c. Expense Warrant #16011 dated 10/08/15 in the amount of \$594,601.65
 - d. Approve Request from Essex High School to Waive Ordinances for Homecoming Fireworks and Bon Fire 10/16/15

9. **EXECUTIVE SESSION**

- a. *Legal Issues

10. **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
October 13, 2015**

BOARD OF TRUSTEES: George Tyler (Village President); Dan Kerin, Lori Houghton, Andrew Brown, Elaine Sopchak.
ADMINISTRATION: Patrick Scheidel, Municipal Manager; Lauren Morrisseau, Assistant Manager & Finance Director; Susan McNamara-Hill, Village Clerk/Treasurer; Rick Jones, Public Works Superintendent; Robin Pierce, Development Director, Jim Jutras, Water Quality Superintendent; Dave Barra, Village Attorney.
OTHERS PRESENT: Bill Siple, Linda Costello, Prabhakar Metlapalli, Nick Manosh.

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:

- Memo from Lauren Morrisseau re: Amendment of FY16 General Fund Capital Plan under Old Business
- Memo from Pat Scheidel re: Comments and Concerns relative to Village Capital Committee Request for Staff to do Inventory of Specific Infrastructure Items under New Business
- Letter from Elaine Sopchak, dated 10/13/15, to Public Service Board Chairman Volz re: Comcast under New Business
- Public Meeting on Essex Junction Train Station Access and Circulation Study under Manager's Report
- Check Warrant Report #16012, dated 10/2/15, under Consent Agenda

MOTION by Elaine Sopchak, SECOND by Dan Kerin, to accept the agenda as amended. VOTING: unanimous (5-0); motion carried.

3. GUESTS, PRESENTATIONS, PUBLIC HEARINGS

1. Comments from Public on Items Not on Agenda

Linda Costello spoke of the recent incident with her grandson nearly being hit by a car while trying to cross Pearl Street by Willey's Court and requested once again that the Trustees take action to improve the safety of pedestrians in the area. Ms. Costello said there is no traffic light or cross-hatching on the street to indicate a crossing. The bus stop is on the far side of Pearl Street opposite the neighborhood of 100 houses.

4. OLD BUSINESS

1. Estimate for Lincoln Hall Single Phase Rehabilitation

Pat Scheidel explained a decision is needed on whether to do the single phase rehab of Lincoln Hall or continue with the plan for the multi-phase approach. Currently, work is being done on the

building to avoid further damage from winter weather. The cost to begin work again in the springtime (\$245,000) is higher than the cost to continue the phase one work that is taking place now (\$230,000). The budget for the project is \$346,200. Staff will seek grants to help cover the cost of the work.

Elaine Sopchak stated discussion is needed at some point on the use of the building in general. It may be prudent to have a line item in the budget for annual maintenance of the building.

Andrew Brown asked about contacting the other bidders for a quote. Pat Scheidel explained the lowest bidder did not fully represent the entire expected cost for the work (was a bid for just phase one work). The next bidder included work from the firm currently working on the building. The decision is whether or not to go out to bid again which will take staff time and may not yield the same cost figure (\$230,000) for the work that is being done now which covers all phases of the project. Andrew Brown questioned how the current cost figure will cover all three phases of the project when the most expensive bid was for one phase out of the three phase project. Pat Scheidel said the contractor will be held to the number though it cannot be predicted what will be found with the building work.

MOTION by Lori Houghton, SECOND by Andrew Brown, to waive the bid process for the Lincoln Hall exterior rehab project and sole source the work to Liszt Historical Restoration, Inc., and further to approve a continuous one-phase project to be completed by FYE16.

DISCUSSION: George Tyler said he is comfortable waiving the bid process in this instance due to the complicated nature of the project. Elaine Sopchak stated next time the building needs work the Trustees will go into it better prepared. There were no further comments.

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

2. Amend FYE16 General Fund Capital Reserve Fund

Lauren Morrisseau explained the amendment to the General Fund Capital Plan due to paving cost overage, removal of the multi-use path from West Street, and shifting of other projects as a result of changes in timing. The total change in the fund is \$596,098 for an updated budget of \$6,988,517 (this total incorporates state and federal funding for projects such as the crescent connector and the “missing link”). Pat Scheidel noted the town and village did a joint bid on paving as part of the consolidation process. The overage was due to an error in the bid documents and a calculation error on the material needed.

MOTION by Dan Kerin, SECOND by Andrew Brown, to approve the updated FYE16 Capital Plan in the budgeted amount of \$6,988,517. VOTING: unanimous (5-0); motion carried.

5. **NEW BUSINESS**

1. Request for Drilled Well at 19 Taft Street

Dr. Prabhakar Metlapalli requested permission to drill a well on his property for a private water supply to address health issues his wife is having with the municipal water. Dr. Metlapalli assured measures will be taken to ensure there is no infiltration of well water into the public

water supply and if required the house will remain connected to the public service (i.e. there will be two water supplies to the house).

George Tyler stated allowing a well will violate the local ordinance which mandates public water service for all residences in the village. There are exceptions, but Dr. Metlapalli's situation does not meet the criteria (all criteria must be met in order to qualify for an exception and the exceptions are focused on accessibility, not health risk). There are also liability/legal issues to consider with cross contamination. The village buys its water wholesale from Champlain Water District and there have been no health problems noted. In fact, CWD has received numerous awards for safe, clean water. Dr. Metlapalli pointed out the village ordinance does not specify that a private well is not allowed on private property, but simply states the requirement to connect to municipal service.

There was continued discussion of the need to follow the rules, but also to give consideration to the health issue involved. It was noted that at one point in the history of the village the residents voted to have public water as a public utility to serve the public. That utility is supported by all the residents. Dr. Metlapalli reiterated he would remain connected to the public water supply if required and have water from his private well separately piped into his house. A water meter can be put on the well water if necessary. There can be inspections on a regular basis.

Following further discussion the Trustees agreed the Planning Commission should review the Land Development Code to see if there is a way to address the request from Dr. Metlapalli and to have a public process if the LDC is to be changed. Also, the Village Engineer should determine if a well could be drilled without any possibility of cross contamination.

Nick Manosh, licensed water well driller, spoke of the many wells in the village from the 1950s, 1960s, 1970s, noting their database contains tens of thousands of well that have been drilled with no record of harm to a person by death. Mr. Manosh acknowledged e-coli and coliform bacteria exist, but they have not had to put chlorine in their wells.

MOTION by Andrew Brown, SECOND by Elaine Sopchak, to not grant an exception to the Land Development Code standards and deny the request by Dr. Metlapalli for a private water well at 19 Taft Street.

DISCUSSION: Dan Kerin said the resident can approach the village after there has been further investigation of the matter by the Planning Commission, Village Engineer, Village Attorney, and staff.

VOTING: 4 ayes, one nay (Lori Houghton); motion carried.

MOTION by Andrew Brown, SECOND by Elaine Sopchak, to have the Planning Commission review Section 1416 of the Land Development Code (water supply) and meet with the Village Attorney, Village Engineer, and staff to assess if the Land Development Code can be amended to allow private wells in the village.

DISCUSSION: Dr. Metlapalli again pointed out there is no language in the Code now that says a well cannot be drilled if the house remains connected to the municipal system. George Tyler stressed to Dr. Metlapalli that drilling a well could be in violation of local and state codes. Dan Kerin warned there could be fines for

violations. Dr. Metlapalli was urged to consult with an attorney before drilling a well. George Tyler commented the investigation by the Planning Commission and staff will likely be a lengthy process. There were no further comments.

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

2. VT Urban & Community Forestry Program Tree Canopy Grant Award

Robin Pierce urged publicizing the partnership with CTE on the urban tree program by publicly presenting Bob Travers with the grant and matching funds for the program.

MOTION by Lori Houghton, SECOND by Elaine Sopchak, to have a small event at a future Trustees meeting to acknowledge the innovative street tree initiative with CTE and to present CTE with funds to jumpstart the program. VOTING: unanimous (5-0); motion carried.

3. Request from Capital Program Review Committee

Pat Scheidel reported the town has been reviewing software systems for infrastructure management. The system will have one common GIS database so information on village infrastructure is needed. Andrew Brown explained the Capital Program Review Committee wants to assess infrastructure needs for the future to be proactive and plan for costs rather than simply react to complaints. The inventory could start with roads and sidewalks and perhaps be ready by FY18. Committee members would be willing to input paper records into a more user friendly form. Jim Jutras mentioned there is data already compiled that can be transferred. Lauren Morrisseau stated there is fixed asset information for the village for the last 20 years. Pat Scheidel will discuss the infrastructure inventory with the IT Committee to avoid duplication of effort by the village and town.

4. Grant Application and Letter of Support for Brickyard Road Storm Water Improvement Project

Jim Jutras noted the Flow Restoration Plan contained four storm water projects one of which is Brickyard Road. The Trustees are asked to support the grant application for the Brickyard Road project. Matching funds for the grant will be from the storm water account.

MOTION by George Tyler, SECOND by Lori Houghton, to approve the Brickyard Road storm water project grant application with the match provided by the Capital Storm Water Account and to authorize the Village President to sign the letter of support for grant funding under the VTrans Transportation Alternatives Grant Program. VOTING: unanimous (5-0); motion carried.

5. Blue Cross/Blue Shield 2016 Plans and Rates

Susan McNamara-Hill reported the new rates for BC/BS Platinum Standard and BC/BS Gold Standard show an increase of 5% and 6% respectively. A new plan, Gold CDHP, has a lower premium and higher deductible, but once the deductible is met there is no co-pay. The plan also offers wellness rewards. The village could save up to \$34,000 in premium costs if all employees were on the Gold CDHP plan. There may be higher use of the health reimbursement arrangement (HRA) depending on how much the insurance is used by employees. Town employees are offered the Gold CDHP plan.

MOTION by Andrew Brown, SECOND by Elaine Sopchak, to add the BC/BS Vermont Gold CDHP plan to the health plans being offered to village employees for 2016. VOTING: unanimous (5-0); motion carried.

6. Set FYE17 Budget Goals

The following was mentioned for budget consideration:

- There must be funds to ensure all public property and buildings are being taken care of properly.
- Request has been received to increase the Senior Coordinator position to full time.
- Further consolidation of services will include adding public works administration to Highway for more benefits with existing staff.
- Budget increase should be within what has been done in the past.
- More IT and finance services are coming to the village. The effort budgetarily should be institutionalized. Consolidation is providing efficiencies, reducing duplication, and providing good, accurate, solid information available to all.
- The economic development budget needs bolstering. The Economic Development Committee is working very hard.

7. Letter of Support for Channel 17

Elaine Sopchak explained Comcast and Burlington Telecom provide 100% of the public education and government access channels in Chittenden County and are seeking renewal of their Certificate of Public Good for the next 11 years. Channel 17 would like improved capabilities on cable television. The letter to Public Service Board Chairman Volz speaks in support of Comcast and Burlington Telecom providing improved capabilities to government access television.

8. Settlement Agreement with Green Meadows Apartments, LLC

The settlement will be discussed in Executive Session.

9. Design Five Corners: Next Steps

The following was discussed:

- A field trip will be made to St. Albans to discuss the redevelopment with the City Manager.
- The Facebook page on redesign of Five Corners by Julie Campoli can remain as is for now.
- Andrew Howard (Team Better Block) could be invited to discuss repurposing public spaces provided his fee is nominal. The Lorman Webinar on special districts would be informative. VLCT may have information tailored to Vermont. Noelle MacKay with Housing and Community Development may be willing to discuss the village center district.
- Village Center Designation for the village center was renewed. The benefits of the designation should be promoted. Economic Development Committee could help people navigate through the process to take advantage of the services. Application has been made to expand the Vermont Neighborhood Designation which has benefits for new

development. Information on the benefits and opportunities with both designations could be compiled into one packet to help recruit development and businesses to the area.

6. MUNICIPAL MANAGER'S REPORT

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

- October 27, 2015
- November 10, 2015
- November 24, 2015
- December 8, 2015
- December 22, 2015
- January 12, 2016
- January 26, 2016
- February 9, 2016
- February 23, 2016

2. Awards

Pat Scheidel was presented with a service award at the recent ICMA Conference and the Municipal Service Award at the VLCT Town Fair.

3. Public Meeting on Train Station

At the October 27, 2015 Trustees meeting there will be a public meeting on the Railroad Ave./Ivy Lane area around the Train Station.

7. TRUSTEES COMMENTS/CONCERNS & READING FILE

1. Board Member Comments

- George Tyler will set “Budget Day” using Survey Monkey.
- Elaine Sopchak suggested a press release be written to announce the treatment plant being at net zero.
- Lori Houghton mentioned the end-of-construction party at Maple Street Park to celebrate completion of the road construction (very successful with 800 hot dogs served). Also, the solar powered crosswalks are installed.
- Elaine Sopchak stated the public safety issue of the lack of a crosswalk on Pearl Street by Willey’s Court needs to be addressed. If a crosswalk or traffic light is not possible then the bus stop should be moved to the other side of Pearl Street. Staff should discuss the matter with CCTA.

2. Reading File

- Minutes
 - Planning Commission 9/17/15 & 10/1/15
 - Bike/Walk Advisory Committee 9/21/15
- Email Update on Development Projects from Robin Pierce
- Article in *BioCycle* re: the Essex Junction Waste Water Treatment Facility
- Email from Web Host about Website Statistics
- Letter from Pat Scheidel to West Street Resident re: Water Problems

8. CONSENT AGENDA

MOTION by Andrew Brown, SECOND by Dan Kerin, to approve the consent agenda with the addition of Check Warrant Report #16012, dated 10/2/15 and as follows:

- 1. Approve Minutes of Previous Meeting 9/22/15.**
- 2. Expense Warrant #16010 dated 9/29/15 in the amount of \$446,370.46.**
- 3. Expense Warrant #16011 dated 10/8/15 in the amount of \$594,601.65.**
- 4. Approve Request by Essex High School to Waive Ordinances for Homecoming Fireworks and Bon Fire 10/16/15.**

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

9. EXECUTIVE SESSION

MOTION by Elaine Sopchak, SECOND by George Tyler, pursuant to the Open Meeting Law and 1V.S.A.313(a)(1)(E) to go into Executive Session to discuss the settlement agreement with Green Meadows Apartments, LLC 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 (5-0); motion carried.

Executive Session was convened at 9:07 PM.

MOTION by Elaine Sopchak, SECOND by Dan Kerin, to adjourn Executive Session. VOTING: unanimous (5-0); motion carried.

Executive Session was adjourned at 9:17 PM.

MOTION by George Tyler, SECOND by Dan Kerin, to reconvene the regular meeting. VOTING: unanimous (5-0); motion carried.

ACTION FOLLOWING EXECUTIVE SESSION

MOTION by Lori Houghton, SECOND by Dan Kerin, to authorize the Municipal Manager to execute the Settlement Agreement by and between the Village of Essex Junction and Green Meadows Apartments, LLC. VOTING: unanimous (5-0); motion carried.

10. ADJOURNMENT

With no further business before the Board and without objection the meeting was adjourned at 9:20 PM.

RScty: M.E.Riordan

