



TRUSTEES MEETING NOTICE & AGENDA
TUESDAY, AUGUST 9, 2016 at 6:00 PM
LINCOLN HALL, 2 LINCOLN STREET, ESSEX JUNCTION, VT 05452

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG** [6:00 PM]
2. **EXECUTIVE SESSION/PERSONNEL/INTERVIEW**
 - a. Steven Shaw – Planning Commission
3. **AGENDA ADDITIONS/CHANGES**
4. **APPROVE AGENDA**
5. **GUESTS, PRESENTATIONS AND PUBLIC HEARINGS**
 - a. Comments from Public on Items Not on Agenda
 - b. Draft Recreation District Agreement – Recreation Governance Study Committee
6. **OLD BUSINESS**
 - a. Streetscape Improvements at 4 Pearl Street – Robin Pierce
 - b. Appointment to Planning Commission – Pat Scheidel
 - c. Resolution for Essex Area Senior Center – Pat Scheidel
7. **NEW BUSINESS**
 - a. None
8. **MANAGER'S REPORT**
 - a. Trustees meeting schedule
9. **TRUSTEES' COMMENTS & CONCERNS/READING FILE**
 - a. Board Member Comments
 - b. Minutes from Other Boards/Committees:
 - Zoning Board of Adjustment 7/19/16
 - Capital Program Review Committee 8/2/16
 - c. Essex Town Tax Rates
10. **CONSENT AGENDA**
 - a. Minutes of Previous Meeting 7/25/16
 - b. Expense Warrant #17004 dated 7/29/16 in the amount of \$191,020.89
11. **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
August 9, 2016**

BOARD OF TRUSTEES: George Tyler (Village President); Dan Kerin, Andrew Brown, Lori Houghton [arrived 6:30 PM], Elaine Sopchak.
ADMINISTRATION: Pat Scheidel, Municipal Manager; Lauren Morrisseau, Finance Director/Assistant Manager.
OTHERS PRESENT: Steve Shaw, Dylan Giambatista, Chris Chiquoine, Max Levy, Ally Vile, Brad Luck, Lou Ann Pioli, Raj Chawla, Erika Baldasaro, Kim Maiberger, Brett Grabowski.

[Note: Minutes reflect the order of the published agenda.]

1. CALL TO ORDER and PLEDGE OF ALLEGIANCE

Village President, George Tyler, called the meeting to order at 6:15 PM and led the assemblage in the Pledge of Allegiance.

2. EXECUTIVE SESSION: Personnel/Interview

Due to a lack of a quorum present Executive Session was not held. With the approval of the candidate the interview was conducted in open session. The Board interviewed Steven Shaw for a position on the Planning Commission.

3. AGENDA CHANGES/APPROVAL

The following change(s) to the agenda were noted:

- Add to Other Business – Information on the Rec District and Minutes from 2/16/16
- Add to Consent Agenda – Warrant #17005, dated 8/5/16

MOTION by Elaine Sopchak, SECOND by Dan Kerin, to accept the agenda as amended. VOTING: unanimous (4-0) [Lori Houghton not present for vote]; motion carried.

4. GUESTS, PRESENTATIONS, PUBLIC HEARINGS

1. Comments from Public on Items Not on Agenda

Chris Chiquoine, Prospect Street, voiced complaint about the loud, drunken party that was at the fairgrounds on Saturday, August 6th. The police were called. Mr. Chiquoine asked if the fairgrounds will be fined for being in violation of the noise agreement. Tim Shea was contacted and said he was sorry and next year they will apply for a waiver. Mr. Chiquoine said this is not acceptable.

Pat Scheidel confirmed CVE Director, Tim Shea, is aware of the matter. There were similar complaints from other village residents. When Robin Pierce returns from vacation he will follow up on the complaints. The charge would likely be disturbance of the peace

because the event was not monitored for noise. Staff will let the Trustees and Mr. Chiquoine know of the outcome.

MOTION by Lori Houghton, SECOND by Elaine Sopchak, to amend the agenda to advance appointment to the Planning Commission prior to the Rec District agreement. VOTING: unanimous (5-0); motion carried.

2. Draft Recreation District Agreement

Erika Baldasaro and Raj Chawla, Rec Governance Study Committee, were in attendance to give a presentation on the work of the committee to date and review the draft agreement.

George Tyler commented it has come to the attention of the Board of Trustees that someone was handing out an information pamphlet about the Rec Governance Committee at the polls. One of 15 elected officials who appointed the group (Rec Governance Committee) took it upon themselves to hand out information when the Board of Trustees has not even heard the presentation from the committee. The Trustees would have appreciated the courtesy of withholding public criticism until the board heard the presentation and had the same opportunity as the Selectboard and Prudential Committee to debate the matter. One criticism noted in the information distributed is creating an independent rec district. Per the minutes of the 2/16/16 special meeting with the Selectboard, Prudential Committee, and Board of Trustees, the discussion initially started regarding the creation of the Rec Governance Committee. There was also discussion in the minutes that the rec department would not be like other shared services in the village and town because rec is not a municipal department, but is governed by the school, operates on village property, and receives guidance and support from the supervisory union. There were four potential outcomes discussed at the special meeting: village rec folded into the town, town rec folded into the village, village rec remaining in the unified school district and town rec remain as is, or create an independent rec district. Other comments in the minutes included:

- Marla Durham mentions the success of the rec department is because of having an independent budget
- Max Levy spoke of maintaining and improving level of service and looking at both departments to see where improvements can be made
- George Tyler spoke of both rec departments being independent of both municipal budgets.

The final choice of the Rec Governance Committee formed at the special meeting was to create an independent rec district. It is clear that the possible outcome from the Rec Governance Committee of an independent Rec District was envisioned as early as the special meeting of 2/16/16.

Lori Houghton gave kudos to the committee for doing such a volume of work in a short timeframe. The timeframe was not the choice of the municipalities. Opportunity to present the facts has not been afforded because of the process. The agreement must be submitted to the Attorney General first and in the next four months the information will be presented.

Erika Baldasaro stated the committee realizes the work is just started and there are four months to the vote. The committee will work to provide all the information to the public using social media and the newspaper. A high level budget will be developed by October so the cost of the district and tax potential will be known. It is not anticipated to have a significant increase in taxes in the next year. The committee looked at seven governance models before choosing the rec district. The rec district will have a five member elected board accountable to the voters. Public board meetings will be held following Open Meeting laws. The budget will be voted by Australian ballot. Finances will be audited each year by an independent auditor. Any bonds will need voter approval.

The number of people served by the rec programs currently and the number of employees for the departments was reviewed. It was noted both rec departments (village and town) are different and fantastic in their own right. Combined, the program will be even stronger.

The Rec Governance Committee timeline, goals, and work completed from April 2016 to the present were reviewed. Outreach to communicate the activity of the committee to the public and public involvement were also reviewed. It was noted the Rec Governance Committee followed a similar process and timeline as the RED Committee with unification of the school districts. The Rec Governance Committee selected the union municipal (rec) district as the best option for the following reasons:

1. because the rec center will be under one umbrella,
2. there will be one budget to vote,
3. transparency will be increased on exactly what is being spent on rec,
4. there will be greater oversight,
5. it will be easier for people to use the services,
6. there is potential for cost savings and long term stability,
7. initiatives can be added,
8. the consolidation effort is continued.

The agreement drafted by the committee per state statute is the first step. The new name of the district is “Essex Community Parks & Recreation”.

Raj Chawla stated the rec district will continue high quality and affordable rec opportunities for all, and maintain the rec facilities and parks. Board members will have staggered terms. As with other elected positions a petition must be submitted to be elected to the board. Initially the board membership will include a Selectboard member and a Trustee (or designees) appointed by the respective boards, and a resident of the village, a resident of the town, and an at-large resident elected by the public. The budget will be drafted by the rec district board then submitted to the voters for approval by Australian ballot. An annual audit of the district finances will be done. The district can borrow money, have a sinking fund to retire debt, have a capital reserve for public improvements. A community can withdraw from the district after three years with a majority of voters and a vote by the board in support of the action. However, if a bond is taken out the community cannot withdraw until the bond is satisfied. A community can be added with an affirmative vote by all.

Pat Scheidel suggested the number of years required to remain in the district be increased to allow the district to get settled.

Raj Chawla noted the agreement for the rec district can be amended with voter approval. After the agreement is approved a charter can be developed. There is support for forming the rec district by the unified school board, CCSU Superintendent, Municipal Manager, Prudential Committee, Selectboard, and Board of Trustees. If the agreement is not approved then the village rec department will fall under the unified school district which is not interested in the program. Regardless, there will be a transition as of July 1, 2017. Holding the special public vote on the agreement in December is the best available timeframe.

The dates for petitions to serve on the board and to vote on the agreement were reviewed. The rec district board would begin in January 2017 to draft the budget for approval. The rec district would begin operation on July 1, 2017. The next meeting is August 10, 2016 to draft the final agreement to be sent to the Attorney General for review and to discuss work on transitioning operational details and how to best communicate with the public.

COMMENTS

Elaine Sopchak asked if the rec district budget can be amended from the floor at the annual meeting. Erika Baldasaro said that has not been discussed as yet. Raj Chawla said the intent is to vote the budget by Australian ballot to allow a greater number of people to decide the budget, not just those attending the annual meeting. The existing rec department budgets have not increased significantly for the past few years.

Lori Houghton pointed out a percentage of the budgets are paid by fees so a lot can be done without tax dollars. The rec district will provide transparency on what is in the rec budget.

Max Levy said there is opportunity for the public to give feedback on the draft budget before the budget goes to the board for a vote and ultimately to the public for approval.

Brad Luck, EJRP, said the budget process and outcome will be similar to what is done with the village budgets. Currently, if there is a fund balance in the rec budget, the money is reinvested into the department. This practice will continue. The tax rate for village rec has been level because there has been a fund balance that was reinvested.

Elaine Sopchak spoke positively of having a member of the Trustees and Selectboard on the new board which will provide good oversight. Ms. Sopchak suggested having a Trustee and Selectboard member as ex officio members as well. Ex officio members are non-voting members.

Dan Kerin said the properties and location of the rec headquarters need to be determined. There are multiple parks between the village and town and some are underutilized. Details on employees and existing unions and such are also needed. Erika Baldasaro said

these items have not yet been discussed and will be handled by the transition team. The village and town have control on the lands. Raj Chawla said the consensus of the committee was no layoffs initially because the departments operate fairly lean now. Lori Houghton noted there will be an informational committee and a transition committee. The intent is not to charge anyone separately for use of parks and such. The rec district is new, but all Essex residents (in the town and village) own the assets. Max Levy said leasing the assets to the rec district is an option.

Pat Scheidel said the employees will have a say on having a national bargaining unit or a local association. Any talk of layoffs should be squelched immediately.

Brad Luck stated an FY18 rec budget for the village, town, and consolidated district will be drafted and will show what costs will be different. Changes in the salaries/benefits column are not anticipated. Lori Houghton pointed out EJRP finance, HR, and tech support is done by CCSU and paid by EJRP so costs are known.

George Tyler stated the people of Essex own the rec departments and will own the new rec district. Residents of the village are also town residents. U46 owns the high school, rink, etc., but the people own the school district. The rec departments are being restructured to be made better. Townspeople outside Essex Junction will be participating in ownership of the village rec facilities and village residents have ownership in facilities in the town.

Elaine Sopchak stated this is a consolidation and based on past experience it is safe to say there will be cost savings, but costs do go up regardless on items not under the control of the municipality. The rec district makes the organization stronger and makes the curve of tax increase lower. Tax equity is a concern and it is hoped the impact financially benefits everyone equally. Pat Scheidel said it is unfair to single out one department's costs versus the entire budget and deduce based solely on the expense side. The entire budget that generates the tax rate needs to be considered.

Andrew Brown spoke in support of the long view with forming a rec district and looking at further cost savings and considerations. Having a separate rec budget increases transparency so if there is a shortfall something has to give. It will be good to have all the facts to get out to the community and not misinformation that is reactionary. Circulating reactionary misinformation impacts getting people to volunteer for boards.

Pat Scheidel will have information on the special vote at the next meeting.

5. OLD BUSINESS

1. Streetscape Improvements at 4 Pearl Street

Pat Scheidel explained the proposed infringement on the public right-of-way with the sidewalk. ADA requirements will be met and the area of sidewalk will be maintained in perpetuity by the developer. Brett Grabowski noted at the request of the Planning Commission the building was moved back to create a larger streetscape and that created grading challenges to meet ADA requirements. Public Works wanted certain tolerances

in case the village had to do some work in the area. The proposed sidewalk area will be appealing to businesses and inviting to the public with benches and seating on the retaining wall.

MOTION by Lori Houghton, SECOND by Andrew Brown, to approve the streetscape improvements necessary to meet ADA standards and staff requests to be permitted in the village right-of-way, and further, that these improvements will be maintained in perpetuity by the owners of 4 Pearl Street. VOTING: unanimous (5-0); motion carried.

2. Appointment to Planning Commission

MOTION by George Tyler, SECOND by Elaine Sopchak, to appoint Steven Shaw to the Planning Commission for a term ending June 30, 2019. VOTING: 4 ayes, 1 abstention (Lori Houghton); motion carried.

3. Resolution for Essex Area Senior Center

Pat Scheidel reported the resolution is to assure the Senior Center membership that the services offered at the Senior Center will continue. Under Director Lou Ann Pioli the center has grown in leaps and bounds. There are now 288 members (up from 75 when the center opened), many volunteers, and many programs. George Tyler noted the Trustees initiated the Senior Center many years ago and the resolution honors that tradition.

MOTION by Elaine Sopchak, SECOND by Lori Houghton, to approve the resolution outlining services provided at the Essex Area Senior Center which serves as a commitment to maintain existing senior activities. VOTING: unanimous (5-0); motion carried.

The Trustees signed the resolution.

6. NEW BUSINESS

None.

7. MANAGER'S REPORT

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

- August 23, 2016
- September 13, 2016
- September 27, 2016
- October 11, 2016
- October 25, 2016
- November 8, 2016
- November 22, 2016

2. Requests for Information

Pat Scheidel reported staff has been responding to numerous rec questions and request for information.

8. TRUSTEES COMMENTS/CONCERNS & READING FILE**1. Board Member Comments**

- Andrew Brown said it would be informative to have Robin Pierce and Planning Commission members present at the upcoming public hearing on the Land Development Code to explain the changes to the code.
- Elaine Sopchak thanked staff for the tax rate information in the reading file.

2. Reading File

- Minutes from other boards/committees:
 - Zoning Board of Adjustment 7/19/16
 - Capital Program Review Committee 8/2/16
- Essex Town Tax Rates

9. CONSENT AGENDA

MOTION by Elaine Sopchak, SECOND by Lori Houghton, to approve the addition of Warrant #17005, dated 8/5/16, to the consent agenda. VOTING: unanimous (5-0); motion carried.

MOTION by Andrew Brown, SECOND by Elaine Sopchak, to approve the consent agenda as follows:

- 1. Approve Minutes of Previous Meetings 7/25/16**
- 2. Expense Warrant #17004 dated 7/29/16 in the amount of \$191,020.89.**
- 3. Expense Warrant #17005 dated 8/5/16.**

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

10. ADJOURNMENT

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

The meeting was adjourned at 8 PM.

RScty: M.E.Riordan

