



TRUSTEES MEETING NOTICE & AGENDA
TUESDAY, OCTOBER 24, 2017 at 6:30 PM
2 LINCOLN STREET, ESSEX JUNCTION, VT 05452

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
5. **OLD BUSINESS**
 - a. Preliminary Engineering Study for Main Street Bridge – Dennis Lutz
 - b. Water/Sewer bill for 39 Park Street – Lauren Morriseau
6. **NEW BUSINESS**
 - a. Bid Award for Sidewalk Plow – Rick Jones
 - b. Bid Award for Wheel Loader – Jim Jutras
7. **TRUSTEES COMMENTS AND CONCERNS/READING FILE**
 - a. Board Member Comments
 - b. Letter from New England Water Environment Association, Inc. re: 2017 Energy Management Achievement Award for Wastewater Treatment Facility
 - c. Town of Essex and Village of Essex Junction Municipal Manager/Invitation to Qualified Candidates
 - d. Press Release from the Walk Friendly Communities Program re: Walk Friendly Designation
 - e. Memo to Selectboard re: Amend Previously Adopted Motions/1993 PACIF Appointment
 - f. Article in August 2017 Public Management Magazine, "Why Special Districts Promote Good Governance"
 - g. Trustees Meeting Schedule
8. **CONSENT AGENDA**
 - a. Minutes of Previous Meeting 10/10/17
 - b. Warrant #17066 dated 10/13/17 in the amount of \$64,745.25
 - c. Proclamation for 150th Anniversary of First Congregational Church
9. **JOINT MEETING WITH ESSEX SELECTBOARD** [7:05 PM]
 - a. Approval of Employee Resolution – Pat Scheidel

- b. Public Works Consolidation Committee Final Report and Recommendations – Elaine Sopchak and Sue Cook
- c. Approach to Governance Discussion – Max Levy and George Tyler
- d. Manager Recruitment Process Update – Max Levy and George Tyler

10. **EXECUTIVE SESSION**

- a. Executive Sessions are anticipated for the employment and evaluation of a public officer or employer.

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
October 24, 2017**

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

ADMINISTRATION: Pat Scheidel, Municipal Manager; Lauren Morrissette, Finance Director & Assistant Manager; Jim Jutras, Water Quality Superintendent; Rick Jones, Public Works Superintendent; Dennis Lutz, Public Works Director.

SELECTBOARD PRESENT: Max Levy (Chair); Mike Plageman, Sue Cook, Irene Wrenner. (Andy Watts was absent.)

OTHERS PRESENT: Denis Cooney, Jack McAnespie, Duncan Harvey, Greg Duggan, Tim Dahl, Mary Jo Engel, Caitlin D'Amor, Megan Robinson, Annie Cooper, Colin Flanders (Essex Reporter).

1. CALL TO ORDER and PLEDGE OF ALLEGIANCE

Village President, George Tyler, called the meeting to order and led the assemblage in the Pledge of Allegiance

2. AGENDA CHANGES/APPROVAL

Add:

- Memo re: change in language for motion for Executive Session
- Memo to Selectboard re: the motion on PACIF appointment in 1993
- Memo from George Tyler re: Park Street School

MOTION by Elaine Sopchak, SECOND by Lori Houghton, to approve the agenda as amended. VOTING: unanimous (4-0); motion carried.

3. GUESTS, PRESENTATIONS and PUBLIC HEARINGS

a) Comments from Public on Items not on Agenda

There were no comments from the public.

4. OLD BUSINESS

a) Preliminary Engineering Study for Main Street Bridge

Dennis Lutz, Essex Public Works Director, and Tim Dahl, Engineering Ventures, reported on the engineering report for repair of the pedestrian bridge on Main Street. VTrans said fixes to the spalls and headwall can be included in the work. There may be some permitting work necessary to include these items. The project will be done in the spring of 2018 and take approximately three months.

MOTION by Lori Houghton, SECOND by Elaine Sopchak, to accept the Route 15 (Main Street) Pedestrian Bridge Preliminary Engineering Report and approve

proceeding with Design Alternative #1 to include a precast concrete deck with vertical railings. VOTING: unanimous (4-0); motion carried.

b) Water/Sewer Bill for 39 Park Street

Lauren Morrisseau reported the reading last fall from the water meter at 39 Park Street was very high (86,000 cubic feet). The reading this summer was 16,000 cubic feet. There have been no other complaints from other businesses on the street about their water usage being high.

Duncan Harvey, owner of 39 Park Street, said the meter was changed between the period of the two meter readings.

Elaine Sopchak asked if the water and sewer charges are separated. Lauren Morrisseau said the cost of 14,400 c.f. has been paid by the property owner. The remainder is \$1,124 for water and \$1,045 for sewer/sanitation.

Dan Kerin asked if a broken water line would produce the volume shown for the address. Rick Jones said a toilet running constantly will produce a high number. Duncan Harvey assured they would have known if there was a hose or toilet running for an extended period of time.

Lori Houghton suggested because there is no data from the old meter the balance should be split between the village and the property owner. George Tyler suggested the village absorb the water/sanitation cost and split the water component of the bill.

MOTION by George Tyler, SECOND by Elaine Sopchak, to abate the sewer/sanitation component of the bill plus penalty for 39 Park Street and split the balance due on the water bill with the property owner paying \$562. VOTING: unanimous (4-0); motion carried.

5. NEW BUSINESS

a) Bid Award for Sidewalk Plow

Rick Jones said the recommendation is to award the bid to Chadwick-BaRoss because the bid specs were met and there is a three year warranty with the equipment. The plow can be used for sidewalk throughout the entire community.

MOTION by Dan Kerin, SECOND by Lori Houghton, to award the bid for a sidewalk plow and extended warranty to the lowest qualified bidder, Chadwick-BaRoss, for the not-to-exceed amount of \$142,602. VOTING: unanimous (4-0); motion carried.

b) Bid Award for Wheel Loader

Jim Jutras explained the wheel loader will have the dual purpose of moving heavy equipment and snow removal when needed. Street and Waste Water Treatment Facility costs will be separated.

MOTION by George Tyler SECOND by Dan Kerin, to approve the purchase of a 4x4 wheel loader with attachments from Milton Rental and Sales for the bid amount of \$65,405.70. VOTING: unanimous (4-0); motion carried.

c) Park Street School

George Tyler said the memo on Park Street School is to inform the Planning Commission on the plan with the school. The Trustees are urged to attend the next Planning Commission meeting and advise the Planning Commission especially with the current applications for the properties adjacent to the school property.

6. TRUSTEES COMMENTS AND CONCERNS/READING FILE

a) Board Member Comments

- Lori Houghton said the email from Kelly Adams regarding cars going through red lights, speeding, and creating safety hazards should be on a future agenda for discussion. Lori Houghton will research what other communities are doing to handle these problems. Pat Scheidel will invite the police or the crossing guard at Five Corners to the meet with the Trustees to discuss traffic safety.
- Dan Kerin said traffic congestion during heavy traffic hours is another problem to be discussed.

b) Reading File

- Letter from New England Water Environment Association, Inc. re: 2017 Energy Management Achievement Award for Waste Water Treatment Facility
- Town of Essex and Village of Essex Junction Municipal Manager/Invitation to Qualified Candidates
- Press Release from the Walk Friendly Communities Program re: Walk Friendly Designation
- Memo to Selectboard re: Amend Previously Adopted Motions/1993 PACIF Appointment
- Article in Public Management Magazine, August 2017, “Why Special Districts Promote Good Governance”
- Trustees Meeting Schedule

7. CONSENT AGENDA

MOTION by Dan Kerin, SECOND by George Tyler, to approve the consent agenda as follows:

1. Approve Minutes of Previous Meeting(s) 10/10/17
2. Expense Warrant #17066, dated 10/13/17, in the amount of \$64,745.25
3. Proclamation of 150th Anniversary of First Congregational Church

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

8. JOINT MEETING WITH ESSEX SELECTBOARD

The Trustees held a joint meeting with the Essex Selectboard to discuss issues related to the Municipal Manager position and consolidation of village and town departments. The consultant, Don Jutton with Municipal Resources, Inc. was not able to attend due to illness.

With a quorum of Selectboard members present, Chairman Max Levy called the Essex Selectboard meeting to order at 7:07 PM. The addition to the agenda of the memo on the PACIF appointment was reviewed and the agenda was unanimous approved as amended with a motion by Sue Cook, seconded by Irene Wrenner. There were no comments from the public to the Essex Selectboard.

a) Approval of Employee Resolution

Sue Cook read the resolution recognizing the retirement of Police Captain George Murtie on November 3, 2017 after 33 years of dedicated service to the community as a police officer, supervisor, and commander.

MOTION by Mike Plageman, SECOND by Sue Cook, to approve and adopt the resolution in appreciation of George Murtie.

DISCUSSION:

- Irene Wrenner said it is different to have a second board signing off on a town employee and that is inconsistent with the way things have been done in the past. The boards are not yet merged.
- There was discussion of the appropriateness of having recognition from both the town and village for a police officer who served the entire community.
- Max Levy said the Selectboard can discuss policy with resolutions going forward at a future meeting.

There were no further comments.

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

MOTION by Elaine Sopchak, SECOND by Dan Kerin, to adopt the resolution in appreciation of George Murtie as read.

DISCUSSION: Dan Kerin recalled working with George Murtie as a police officer.

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

b) Public Works Consolidation Committee Final Report and Recommendations

Elaine Sopchak reviewed the work of the committee per the MOU to combine the public works departments in the village and town. The committee met six times over the summer and reviewed documents, minutes, and other information. The conclusion of the committee is that consolidation of the public works departments thus far has been successful in the seven areas noted in the final report (budget, integration study, cost reduction, management/engineering assistance, mutual support, infrastructure management, operations and service). The recommendations are:

- Maintain the MOU until June 2018 and do the studies outlined in the report.
- Extend the MOU from July 1, 2018 until the studies are complete or well underway. The goal is full consolidation eventually.
- Benchmarks will be established as a result of the studies.
- Cross-train staff in the village and town and identify common best practices.
- Consolidate rolling stock and equipment budgets as well as capital project planning.

- Practice resource management with assets, administration, processes, services.

Elaine Sopchak said it could be a 10 year timeline to do some or all of the recommendations. The report and how to implement the recommendations needs to be discussed.

George Tyler asked the overall difference if two separate charters/boards are maintained versus a consolidated government, and can there be a consolidated public works without consolidation of governance. Elaine Sopchak said with a single board rolling stock and capital budgets would go more smoothly. There would be better business practices and more predictable tax equity. The community needs to plan for the future and determine the roles of individuals. Staff would handle the most pressing items and report to the boards, but there would be a single rolling stock fund, capital budget, and purchasing policy. Dennis Lutz added the new municipal manager will determine what goes where and who handles what, and then make recommendations to the boards on the next steps.

Lori Houghton asked how long the extension on the MOU is recommended to be. Elaine Sopchak said the extension is open ended because it is not known how long the studies will take. Another option is to extend the MOU for another three years and then extend again if needed. Lori Houghton asked if the MOU as written is acceptable to move forward. Sue Cook said the committee did not discuss the language of the MOU itself, but did talk about identifying key measurable benchmarks and targets, and that guides the MOU.

Max Levy suggested the Trustees explain to the Selectboard the highway payment to the town public works budget during budget development.

Mike Plageman recalled the MOU being extended for 3 years from July 1, 2018. Pat Scheidel pointed out the manager arrangement was extended for three years so for consistency the public works MOU could also be extended three years. Sue Cook said the committee was tasked with looking at where the departments are today and determining which direction to go (four choices in the MOU). Dennis Lutz explained most of what is in the MOU has been fulfilled. The report forms the basis for continuation. The MOU should be redrafted as “Amendment #1” saying the original agreement was met and will be extended for a period of time with added items to be covered. Dennis Lutz will redraft the MOU for discussion at a future meeting. A three year extension will be discussed.

MOTION by Mike Plageman, SECOND by Irene Wrenner, that the Essex Selectboard accept the final report of the Public Works Assessment Committee as written.

DISCUSSION:

- **Irene Wrenner asked if the committee had any disagreement on any items in the report. Sue Cook, Elaine Sopchak, and Mike Plageman concurred the committee was not in agreement with all items, but could support the final report. The committee had Trustees and**

Selectboard members so there was vigorous debate and agreement the recommendations should be unanimous.

- Irene Wrenner asked if staff in the field were consulted. Dennis Lutz said the town and village public works departments function differently, but there are ways to work together. Until there is one department there will not be total integration of skills. With the consolidation thus far there has been no difference in how both departments operate. Service has not changed.
- Sue Cook said the committee contemplated doing a survey of both the village and town workers, but decided this would be a waste of staff's valuable time.

There were no further comments.

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

MOTION by George Tyler, SECOND by Lori Houghton, to accept the Public Works Assessment Committee Final Report and recommendations as presented.

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

The committee members were thanked for their time and effort.

c) Approach to Governance Discussion

To be discussed:

- History of the village/town relationship
- What the village and town will look like in 10 years
- What the boards want the community to become
- How legislative bodies are created (i.e. wards, number of members on boards, and such)
- The best structure for a community of this size
- Options and different models

There was agreement the new manager should be involved so there is buy-in to the running list of mergers that have been done and the remaining "to do" list. The departments should be merged first then the boards. Other towns that have been through a merger should be consulted. VLCT and other legislative bodies should be consulted. The process should continue and the plan moved forward. There was discussion of having a retreat with the Trustees and Selectboard on a weekend day so the public can attend. There will be a standing agenda item on the information compilation. Each board member will research their suggestions and forward information to staff for inclusion in a document.

Annie Cooper, resident, stated the boards working together feels like a community collaboratively moving forward.

d) Manager Recruitment Process Update

Max Levy reported the consultant has spoken with 43 individuals on the challenges and issues facing the new municipal manager. There are 10 more people to be contacted.

There are now 37 applicants for the position. Twenty have an MPA, two have a JD, seven have a Bachelor's Degree, and 8 have an Associates or no degree. Thirteen have municipal manager experience, three have assistant manager experience, two have county manager experience, four have municipal department head experience, and 15 have no related experience. Thirteen of the applicants are from Vermont, four from New Hampshire, and the rest from Connecticut, Massachusetts, New York, Ohio, or Illinois. The 10 suggested essay questions need to be prioritized to the top five and sent to the top candidates who will have three weeks to respond. The questions will be sent to the candidates by the end of the month.

George Tyler explained the questions will be discussed in Executive Session as a personnel matter and to avoid a candidate getting an advantage. The questions will be made public once they are mailed to the candidates. Max Levy added once the candidates receive the questions the consultant will continue with the process of doing public information searches on each candidate, telephone interviews and scheduling on-site interviews with the top six people at the end of November. The semi-finalists will have a tour of the community.

There was discussion of the citizen panel, employee panel, and professional panel that will hold the preliminary interviews, and possibly forming a panel with a mix of citizen, employee, and professional representation. It was noted based on the light turnout at the recent input session citizens may need to be recruited for the panels.

e) PACIF Appointment

The Trustees received the memo correcting the motion on the PACIF appointment in 1993. The Selectboard took the following action:

MOTION by Sue Cook, SECOND by Mike Plageman, to amend the motion made at the 9/13/93 Essex Selectboard meeting, line 216, and at the 10/4/93 Essex Selectboard meeting, line 59, by replacing the words "Unemployment Insurance" with "Property and Casualty Intermunicipal Fund".

DISCUSSION:

- Pat Scheidel gave a brief history of his involvement with PACIF.

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

f) Evaluation of Municipal Manager

Pat Scheidel will draft a document as the template to evaluate the new municipal manager using himself as a test case. This is a personnel matter that should be discussed in Executive Session.

9. EXECUTIVE SESSIONU

a) Personnel Matters: Essay Questions for Municipal Manager Candidates; Employment and Evaluation of a Public Officer or Employee

MOTION by George Tyler, SECOND by Lori Houghton, to go into Executive Session to discuss the employment process of a Municipal Manager pursuant to 1VSA313(a)(3). VOTING: unanimous (4-0); motion carried.

MOTION by Sue Cook, SECOND by Irene Wrenner, to go into Executive Session to discuss the employment process of a Municipal Manager pursuant to 1VSA313(a)(3). VOTING: unanimous (4-0); motion carried.

MOTION by George Tyler, SECOND by Lori Houghton, to go into Executive Session to evaluate public personnel in accordance with 1VSA313(a)(3), and invite the Municipal Manager. VOTING: unanimous (4-0); motion carried.

MOTION by Irene Wrenner, SECOND by Mike Plageman, to go into Executive Session to evaluate public personnel in accordance with 1VSA313(a)(3), and to invite the Municipal Manager. VOTING: unanimous (4-0); motion carried.

Executive Session was convened at 9 PM.

MOTION by George Tyler, SECOND by Elaine Sopchak, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous (4-0); motion carried.

MOTION by Max Levy, SECOND by Irene Wrenner, 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 9:38 PM.

ACTION FOLLOWING EXECUTIVE SESSION

MOTION by Dan Kerin, SECOND by Elaine Sopchak, to accept the following five questions out of 10 for the Municipal Manager candidates: Q2, Q4, Q6, Q9, Q10. VOTING: unanimous (4-0); motion carried.

MOTION by Mike Plageman, SECOND by Irene Wrenner, to accept the following five questions out of 10 for the Municipal Manager candidates: Q2, Q4, Q6, Q9, Q10. VOTING: unanimous (4-0); motion carried.

10. ADJOURNMENT

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

MOTION by Sue Cook, SECOND by Irene Wrenner, to adjourn the meeting. VOTING: unanimous (4-0); motion carried.

The joint meeting and the regular Board of Trustees meeting adjourned at 9:40 PM.