



**VILLAGE OF ESSEX JUNCTION
TRUSTEES
REGULAR MEETING AGENDA**

2 Lincoln Street
Essex Junction, VT 05452
Tuesday, May 14, 2019
6:30 PM

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1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG** [6:30 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **PUBLIC TO BE HEARD**
 - a. Comments from Public on Items Not on Agenda
5. **BUSINESS ITEMS**
 - a. Discuss whether to consider initiating proceedings and a petition pursuant to 19 V.S.A Chapter 7 to lay out a road to be named Railroad Street and to be located beginning at a point on Park Street approximately 875 feet south of the 5 Corners intersection, then extending north along Park Street to the New England Central Railroad (NECR) Burlington branch; along the east side of NECR's Burlington branch and crossing NECR's main line; continuing north across Maple Street; and then along the existing alignment of Railroad Street to the intersection of Main Street
 - b. Discuss Planning Commission vacancies
6. **CONSENT ITEMS**
 - a. Approve Street Vending Permit for Mr. Ding-A-Ling Ice Cream Truck
 - b. Approve transfer of easement to Handy's Hotels & Rentals LLC for Senior building beside Park Street School
 - c. Approve FYE20 Lincoln Hall lease for Essex CHIPS
 - d. Approve Vermont Air Testing Services for monitored events at Champlain Valley Exposition
 - e. Approve Manager's Annual Appointments
 - f. Appoint representatives and alternates to Chittenden County Regional Planning Commission's Board of Directors, Clean Water Advisory Committee, and Transportation Advisory Committee
 - g. Approval of minutes: April 23, 2019
 - h. Check Warrants #17144—04/29/19; #17145—05/03/19; #17146—05/10/19;
7. **READING FILE**
 - a. Board Member Comments
 - b. Champlain Valley Exposition List of 2019 Waived/Monitored Events
 - c. Green Up Day summary and public relations
 - d. Memo re: Village roads to be paved in 2019
 - e. VLCT Spring Planning and Zoning Forum
 - f. Upcoming meeting schedule
8. **EXECUTIVE SESSION**
 - a. An executive session is not anticipated
9. **ADJOURN**

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Certification: _____ 05/10/2019 

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
May 14, 2019**

TRUSTEES PRESENT: Andrew Brown, George Tyler, Dan Kerin, Raj Chawla, Amber Thibeault
ADMINISTRATION: Evan Teich, Unified Manager; Sarah Macy, Finance Director/ Assistant
Manager; Greg Duggan, Deputy Manager; Robin Pierce, Community
Development Director
OTHERS PRESENT: Jeffrey Kershner, Village Engineer; Claudine Safar, Village Attorney; Irene
Wrenner

1. **CALL TO ORDER and PLEDGE OF ALLEGIANCE**

Andrew Brown called the meeting to order at 6:32 PM and led the assemblage in the Pledge of Allegiance.

2. **AGENDA ADDITIONS/ CHANGES**

Mr. Tyler added item 8a to the agenda, for the Trustees to enter executive session to discuss a real estate matter, and item 5c, to act on the real estate matter if needed.

3. **APPROVE AGENDA**

GEORGE TYLER made a motion, and DAN KERIN seconded, that the Trustees approve the agenda as described. VOTING: unanimous (5-0); motion carried.

4. **PUBLIC TO BE HEARD**

a. Comments from public on items not on the agenda.

There were no comments from the public.

5. **BUSINESS ITEMS**

a. Discuss whether to consider initiating proceedings and a petition pursuant to 19 V.S.A Chapter 7 to lay out a road to be named Railroad Street and to be located beginning at a point on Park Street approximately 875 feet south of the 5 Corners intersection, then extending north along Park Street to the New England Central Railroad (NECR) Burlington branch; along the east side of NECR's Burlington branch and crossing NECR's main line; continuing north across Maple Street; and then along the existing alignment of Railroad Street to the intersection of Main Street.

Mr. Teich introduced the issue of initiating proceedings and a petition pursuant to 19 V.S.A Chapter 7 as a step in the process of constructing part of the Crescent Connector in the Village of Essex Junction. To complete the Crescent Connector project, the Village needs to obtain land within the scope of the project. It has become clear that condemnation proceedings will be necessary to acquire some of the land for the project. He explained that the first step on initiating these proceedings, and a petition pursuant to 19 V.S.A Chapter 7, is for the Essex Junction Board of Trustees to discuss the issue and vote on whether to proceed.

Mr. Brown and Mr. Tyler stressed the importance of moving forward with the Crescent Connector, which is a longstanding strategy initiated as part of the Circ. Alternative study many years ago. The project was identified as a state priority, designed to alleviate traffic congestion and increase safety for pedestrians and bicyclists. They discussed the deep financial challenges that would lie ahead if they do not move forward with the project, pointing out that all phases are being reimbursed by the state of Vermont with the assumption that it will be completed.

Mr. Chawla and Ms. Thibeault asked about the condemnation proceedings and petition timeframe as well as the process that led up to this. Mr. Pierce explained that the first part of this project was to secure easements from abutting property owners and this included an appraisal process. During this phase, 15 property owners signed off on easements but two industrial properties rejected them. He said that the rejected easements would affect a very small portion of the landowners' properties, using land that is already being used for vehicle parking. The easements would make an access driveway into a road. The rejection of these easements initiated the process of acting against these properties as identified in 19 V.S.A Chapter 7. Once the property for the Crescent Connector project is secured, the first phase of construction, installing railroad crossings, is scheduled for this construction season, and the rest of the Railroad Street project is scheduled for next year.

GEORGE TYLER made a motion, and AMBER THIBEAULT seconded, that the Trustees initiate proceedings and a petition pursuant to 19 V.S.A Chapter 7 to lay out a road to be named Railroad Street and to be located beginning at a point on Park Street approximately 875 feet south of the 5 Corners intersection, then extending north along Park Street to the New England Central Railroad (NECR) Burlington branch; along the east side of NECR's Burlington branch and crossing NECR's main line; continuing north across Maple Street; and then along the existing alignment of Railroad Street to the intersection of Main Street. VOTING: unanimous (5-0); motion carried.

Mr. Teich assured the Trustees, with the passing of this motion, that staff will follow all state statutes in this process.

a. Discuss Planning Commission vacancies

Mr. Teich explained that the Planning Commission's design code states there should be 7 members on the Commission, but currently there are 5. He asked if the Trustees would like the Planning Commission to continue to be comprised of 7 or approve a change so the full commission would be 5. Mr. Teich pointed out that the two vacancies have been posted on Front Porch Forum and the Village website with no interest shown.

Mr. Kerin said that when he was on the Planning Commission it was designed to be 5 members, which worked well for efficiency and finding a quorum. Ms. Thibeault said that the number of people on the commission had been 6, while she served, with one vacancy for some time. She found this configuration to work but suggested keeping the number at 7 for a few more months to see if any people show interest.

Mr. Chawla and Mr. Kerin discussed how experience, diversity and people's backgrounds play on the Planning Commission. Mr. Kerin and Mr. Tyler talked about the challenges faced by the Commission when community members get confused by the code and attend meetings to try to make changes on a project, when decisions have already been made and cannot be reversed. Mr. Teich and Mr. Tyler considered the role of advisory committees to engage people from the Town Outside the Village, but clarified that the Planning Commission is written into the Village Charter.

Mr. Teich will run the postings for the Planning Commission for another 60 days then revisit the issue with the Trustees. Each of the Village Trustees agreed to reach out directly to at least one individual who may be a good fit for the role.

b. Take action on the real estate matter, if needed as per executive session item 8a.

After the executive session, the Trustees reconvened to take action on a real estate matter.

GEORGE TYLER moved, and DAN KERIN seconded, that the Trustees instruct Village Staff and the Village attorney to develop an Agreement for 33 public parking spaces, to be constructed in a parking garage in the Village Center, for Trustee approval and signature by the Village Manager for the purchase of 10 public vehicle parking spaces for which the Village will pay \$100,000 plus a letter on Village letterhead to the property owner stating that the donated 23 public parking spaces that have a value of \$460,000 for the exclusive use by the Village of Essex Junction for public parking.

The Trustees discussed the source of funds for this arrangement, with the intention of using the economic development fund and having it be warned at a future meeting.

6. CONSENT ITEMS

DAN KERIN made a motion, seconded by RAJ CHAWLA to approve the consent agenda, with Trustee comments:

- a. Approve Street Vending Permit for Mr. Ding-A-Ling Ice Cream Truck

Approval of Mr. Ding-A-Ling Ice Cream to make neighborhood ice cream sales.

- b. Approve transfer of easement to Handy's Hotels & Rentals LLC for Senior building beside Park Street School

Approval of the Electrical Easement to Green Mountain Power to the proposed Senior Building in exchange for the proposed Senior Building owner doing work on Village property to increase public parking, realign an existing path and relocate an existing light fixture.

- c. Approve FYE20 Lincoln Hall lease for Essex CHIPS

Approval of the FYE20 Lincoln Hall lease for Essex Chips.

- d. Approve Vermont Air Testing Services for monitored events at Champlain Valley Exposition

Approval of continuing with Vermont Air Testing Services for monitored events at CVE.

- e. Approve Manager's Annual Appointments

Approval of the Manager's annual appointments for the period July 1, 2019 to June 30, 2020:

- **Susan McNamara-Hill—Village Treasurer/Tax Collector and Village Clerk**
- **Claudine Safar—Village Attorney**
- **Chris Gaboriault—Village Fire Chief**
- **Hamlin Consulting Engineers—Village Engineering Consultant**

Mr. Teich commended the individuals that are on the list for jobs well done. He pointed out that each are being re-appointed.

- f. Appoint representatives and alternates to Chittenden County Regional Planning Commission's Board of Directors, Clean Water Advisory Committee, and Transportation Advisory Committee

Approval of the following reappointments for two-year terms commencing on July 1, 2019 and ending on June 30, 2021:

- **CCRPC Board of Directors Representative Dan Kerin**
- **CCRCP Board of Directors Alternate Rep Andrew Brown**
- **CCRPC CWAC Representative Chelsea Mandigo**
- **CCRPC CWAC Alternate Rep James Jutras**
- **CCRPC TAC Representative Robin Pierce**

- g. Approval of minutes: April 23, 2019

- h. Check Warrants #17144—04/29/19; #17145—05/03/19; #17146—05/10/19; **VOTING: unanimous (5-0); motion carried.**

Jeffrey Kershner, the president of Hamilton Consulting thanked the Trustees for reappointing Hamlin Consulting Engineers as the Village's Engineering Consultant for another year and talked about his dedication to working for Essex, his hometown.

7. **READING FILE**

a. Board Member Comments

- Mr. Tyler updated the Trustees on the Governance Committee's plan to contract a person/firm to conduct a series of focus groups with community members on consolidation. This strategy is based on feedback that the original bid's project was too complicated.
- Mr. Brown shared some results of a survey conducted by the Burlington Chamber of Commerce's Young Professionals group, showing that Essex did not make the top ten places to live for 25-30 year olds. However, he explained, actual population growth records of people in this age bracket are higher in Essex than other towns in the area. Mr. Teich and Mr. Chawla discussed the importance of the district telling a better story about Essex and highlight what it offers.
- Mr. Teich shared some Unified Manager notes:
 - Blodgett Oven Company will bring another division to Essex, which will add 20-90 new jobs. Their facility will be built on Saxon Hill. Essex was chosen based on a competitive selection process, from a pool of regions in other parts of the country.
 - The #4 Green Mountain Transit (GMT) bus route will continue, despite concerns that it would change, and that the #2 bus has GMT's highest ridership.
 - The generous donation of 165 acres of land from the Unsworth family to Essex, which abuts Indian Brook and is significant to the conservation of animals, waterways and plants, was recognized on the house floor in Montpelier on May 14th, 2019 with a resolution read by Representative Marybeth Redmond.

- b. Champlain Valley Exposition List of 2019 Waived/Monitored Events
- c. Green Up Day summary and public relations
- d. Memo re: Village roads to be paved in 2019
- e. VLCT Spring Planning and Zoning Forum
- f. Upcoming meeting schedule

8. **EXECUTIVE SESSION**

- a. Enter into executive session to discuss a real estate matter

ANDREW BROWN moved, and GEORGE TYLER seconded, to enter into executive session to discuss a real estate matter in accordance with 1 V.S.A. Section 313 (a) (2) and to include the Unified Manager, Assistant Manager and Community Development Director. VOTING: unanimous (5-0); motion carried at 7:11 P.M.

The Trustees reconvened to take action on the real estate matter, as noted under 5c.

ADJOURN

DAN KERIN moved, and RAJ CHAWLA seconded, to adjourn the meeting. Voting: unanimous (5-0); motion carried at 7:35 P.M.

Respectfully Submitted,
Cathy Ainsworth