



VILLAGE OF ESSEX JUNCTION
TRUSTEES
REGULAR MEETING AGENDA

2 Lincoln Street
Essex Junction, VT 05452
Tuesday, June 11, 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. Presentation of proposed amendments to the Village of Essex Junction’s Comprehensive Plan
 - b. Warn Public Hearing to hear comments on proposed amendments to and re-adoption of the Village of Essex Junction’s Comprehensive Plan and the proposed Essex Community Enhanced Energy Plan
 - c. Warn Public Hearing for FYE 2020 Water/Sewer budget and rates
6. **CONSENT ITEMS**
 - a. Reappointment/Appointment to Boards, Committees and Commissions
 - b. Authorize Chittenden County Regional Planning Commission to serve as the submitting entity for Essex Junction to participate in the New Construction Program
 - c. Approve minutes: May 28, 2019
 - d. Check Warrants #17148—05/28/19; #17149—05/31/19; #17150—06/07/19
7. **READING FILE**
 - a. Board Member Comments
 - b. Email from Raj Chawla re: BWAC
 - c. Upcoming meeting schedule
8. **EXECUTIVE SESSION**
 - a. An executive session is not anticipated
9. **ADJOURN**

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Certification: 06/07/2019
Date Posted

J Mitchell
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**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
June 11, 2019**

TRUSTEES PRESENT: George Tyler; Dan Kerin; Amber Thibeault; Raj Chawla (Andrew Brown not in attendance)
ADMINISTRATION: Evan Teich, Unified Manager; Sarah Macy, Finance Director/ Assistant Manager; Robin Pierce, Community Development Director
OTHERS PRESENT: Irene Wrenner

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

George Tyler, who chaired the meeting in place Andrew Brown, called the meeting to order at 6:34 p.m. and led the assemblage in the Pledge of Allegiance.

2. **AGENDA ADDITIONS/ CHANGES**

Mr. Teich added, as item 5d, a Fireworks Display Permit from the Department of Recreation and Parks for the Village's Fourth of July Fireworks Display. To the reading file, he added a map and image of Firebird Café's planned landscaping next to the community path.

3. **APPROVE AGENDA**

DAN KERIN made a motion, and AMBER THIBEAULT seconded, to approve the meeting agenda, as amended. VOTING: 4-0; 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. **Presentation of proposed amendments to the Village of Essex Junction's Comprehensive Plan**

Mr. Pierce introduced proposed amendments to the Village of Essex Junction's Comprehensive Plan. He said most of the changes were mandated by the State of Vermont or Chittenden County Regional Planning Commission and acknowledged that more substantive changes may occur during the unification process with the Town of Essex. Mr. Pierce pointed out that the 2019 Village of Essex Junction Comprehensive Plan includes the Essex Community Enhanced Energy Plan and most of the amendments to the plan are found in Section 4, Comprehensive Plan Elements. These include:

- 4.1, The Essex Community Enhanced Energy Plan cited
- 4.4, Modification to Open Spaces and Public Health
- 4.5, Natural Environmental Resources aligned with Vermont State Forestry requirements
- 4.6, Flood Resilience compliance with State of Vermont requirements
- 4.7, Essex Westford School District newly included
- 4.8, Stormwater management, wastewater collection system and zoning regulations aligned with the Winooski River and Lake Champlain Tactical Basin Plan
- 4.9, Alignment with the Housing Needs Assessment and Action Plan

Mr. Pierce also noted that the Comprehensive Plan includes elements of the DuBois and King's Design 5 Corners Project, the Essex Bicycle and Pedestrian Plan, the Draft 2019 Parking Study and the Green Mountain Transit's Next Generation Plan.

Mr. Pierce requested that the Trustees accept the plan and send any questions by July 12, in preparation for the Planning Commission's August 1 meeting and the first of two public hearings. The Village of Essex Junction's Comprehensive Plan will be warned to be adopted by the Trustees on August 13. Mr. Tyler pointed out that the two public hearings for the Comprehensive Plan are the best opportunity for input for those who want to help shape the development of Essex Junction .

Mr. Tyler invited Mr. Pierce to display aerial views and architectural renderings from Black Rock Construction and talk about some of the projects approved by the Planning Commission. Mr. Pierce, Mr. Chawla and Mr. Kerin discussed phases of some of these projects, building designs, streets involved, the new connector road, public spaces, parking garage plans and the balance of commercial, retail and residential growth.

b. Warn Public Hearing to hear comments on proposed amendments to and re-adoption of the Village of Essex Junction's Comprehensive Plan and the proposed Essex Community Enhanced Energy Plan

GEORGE TYLER made a motion, and DAN KERIN seconded, that the Village Trustees warn a public hearing for Tuesday, July 23, 2019 at 6:30 PM at 2 Lincoln Street, Essex Junction to hear comments on the proposed amendments to, and re-adoption of, the Village of Essex Junction's Comprehensive Plan and the proposed Essex Community Enhanced Energy Plan.

VOTING: 4-0; motion carried.

Ms. Thibeault wondered if she should provide comment to the Comprehensive Plan because she participated in developing it in her prior role on the Planning Commission. Mr. Kerin commented that, because there would be no financial gain, this may not be a conflict of interest. Mr. Tyler suggested she seek council from Claudine Safar, Esq., the Village of Essex Junction's Attorney.

c. Warn Public Hearing for FYE 2020 Water/Sewer budget and rates

Ms. Macy provided an overview of how the Water/Sewer budget and rates were calculated. She discussed usage, fixed charges, increases over the previous year and costs to the average user in the areas of combined utility rates; Village water user rates; Village wastewater treatment user rates; and Village sanitation user rates. She also discussed large water user rates usage and as well as the wastewater treatment wholesale rates usage and increase. For each area she discussed reasons for increased or decreased rates. She pointed out that one shared factor for rate increases was increased salaries and health benefits.

Regarding the 7.4% Village Water rate increase, Ms. Macy said the \$50,000 transfer to capital played a role as did the 3.0% increase in the Champlain Water District (CWD) wholesale rate. She noted that the amount of water used by large user GLOBAL FOUNDRIES was less than expected. Mr. Tyler pointed out that the GLOBAL FOUNDRIES uses more water than all of Chittenden County and explained that the Village of Essex Junction serves as a pass-through organization for their water. He talked about the relationship between the formation of the Champlain Water District and IBM's high use, which now applies to GLOBAL FOUNDRIES. Ms. Macy and Mr. Teich explained that GLOBAL FOUNDRIES's high-water use allows for more economical rates, but when their water use goes down, this revenue source goes down so then fixed rates increase to make up the difference in revenue. Ms. Thibeault clarified with Ms. Macy that GLOBAL FOUNDRIES is the only entity considered as a "large user" in the municipality, as defined as using over 2.5 million gallons per day. Mr. Tyler added that they also are the only industrial entity that owns and maintains their own Wastewater Treatment Facility in the state of Vermont.

Regarding the 7.2% Village sanitation user rate increase, Ms. Macy said most of the increase was due to personnel costs and a slight increase in the payment amount toward upgrade debt.

Regarding the 10.2% Village wastewater treatment user rate increase, Ms. Macy pointed out an increase in maintenance fees and the increased costs of chemicals. She explained that the estimated wastewater flow is used to calculate the amount of sewage treatment the municipality buys and is a determinant for residential rates. She discussed how fixed versus variable rates, determined by a water study, play a role in this calculation. Mr. Teich talked about the definition of fixed versus variable rates and pointed out some of the fixed rates are determined by regulated practices, such as sludge for land application.

Ms. Macy discussed the overall rate increase to utility rates at 8.8%, or a cost of \$41.41 per year, per Village resident using 120 gallons per day. Mr. Chawla requested comparable rate increase information for the past ten years. Mr. Teich talked about how Village rates compare to those in the Town of Essex, where fixed rates are greater in part because they operate lift stations to move water to some neighborhoods. Mr. Chawla, Mr. Teich and Ms. Macy discussed how average user consumption helps determine accurate rates. Mr. Chawla asked Mr. Teich about the possibility of selling wastewater treatment capacity to other towns as an option for managing rate increases. Mr. Teich pointed out that this strategy may not effectively plan for future growth in Essex Junction. Ms. Macy agreed to provide a comparison of rates and usage from area municipalities.

Regarding the large water user rate, Ms. Macy explained that the 3.85% decrease was from a decreased proportionate share from GLOBAL FOUNDRIES and a lower amount of unaccounted for water. She also said that once estimated budgeted costs were reconciled, for FYE19, with actual flows and costs, a 5.7% increase was applied to the wastewater treatment wholesale rate.

GEORGE TYLER made a motion, and DAN KERIN seconded, that the Trustees warn a public hearing on the FY20 Village Utility rates for Tuesday June 25, 2019.

VOTING: 4-0; motion carried.

***d. Permit approval for the Village of Essex Junction's Fourth of July Fireworks Display.**

This agenda item was addressed after the Consent Items on the agenda.

6. CONSENT ITEMS

- a.** Reappointment/Appointment to Boards, Committees and Commissions

DAN KERIN made a motion, and RAJ CHAWLA seconded, that the Village Trustees reappoint Rich Boyers and Tim Kemerer to three-year terms, to begin July 1, 2019, as recommended by the Village Tree Advisory Committee. VOTING: 4-0; motion carried.

- b.** Authorize Chittenden County Regional Planning Commission to serve as the submitting entity for Essex Junction to participate in the New Construction Program
- Mr. Teich explained that in order for the US Census Bureau to achieve an accurate count, they request a complete account of occupiable apartments by the 2020 census date. He said that having an accurate count of residents in the census benefits Essex Junction by creating the potential to generate \$14 million dollars in additional federal funding to the area.

RAJ CHAWLA made a motion, and AMBER THIBEAULT seconded, that the Village of Essex Junction participate in the 2020 Census New Construction Program and designate the Chittenden County Regional Planning Commission as Essex Junction's 2020 Census New Construction Program Liaison. VOTING: 4-0; motion carried.

- c. Approve minutes: May 28, 2019
- Mr. Kerin suggested an amendment to the minutes to remove his name, as he was not in attendance, at the meeting. Mr. Tyler commented, but did not request an amendment to the minutes, that during the May 28, 2019 meeting he had asked the question of why the Community Development Office is in charge of Firework monitoring.

GEORGE TYLER made a motion, and RAJ CHAWLA seconded, to amend the minutes to reflect that Dan Kerin was not present at the meeting. VOTING: 4-0; motion carried.

GEORGE TYLER made a motion, and DAN KERIN seconded, to approve the minutes as amended. VOTING: 4-0; motion carried.

- d. Check Warrants #17148—05/28/19; #17149—05/31/19; #17150—06/07/19

GEORGE TYLER made a motion, and AMBER THIBEAULT seconded, to approve the Check Warrants as presented. VOTING: 4-0; motion carried.

***5d. Permit approval for the Village of Essex Junction's Fourth of July Fireworks Display.**

Mr. Teich requested approval from the Trustees of the permit for fourth of July Fireworks, to take place after dark at about 9:30 at Maple Street Park. He said approval was secured from required department heads and staff are planning for the safety of the site and crowds.

DAN KERIN made a motion, and RAJ CHAWLA seconded, that the Trustees approve the Fireworks Display Permit. VOTING: 4-0; motion carried.

7. READING FILE

- a. Board Member Comments
- Mr. Tyler commented that the Governance Subcommittee has been struggling to get the full committee together at the same time. He explained that with the upcoming timeline for public engagement and the pace required to move the governance change efforts forward, he will propose that three alternate Trustee members join the committee. He said he will bring this up at the next Joint meeting with the Selectboard.
 - Mr. Chawla requested information, which Mr. Teich agreed to look into, on when crosswalk striping will begin.
 - Mr. Teich reminded the Trustees that the first public hearing on the Crescent Connector is coming up. He also shared that one of the two property owners who Village of Essex Junction has not obtained easements from for this project, sent a letter of objection with questions and comments. Their attorney is working through this process with the Village's attorney.
- b. Email from Raj Chawla re: BWAC
- Mr. Chawla talked about changes to the Bike/Walk Advisory Committee. Micah Hagan is the new Chair, with Cathy Shearer as Vice-Chair, and Mr. Chawla stepped down from the committee to make time for the Trustee and Governance Subcommittee commitments. He said the committee is working toward establishing some mid-road crosswalk markers for seasonal use and is preparing a rapid reflector beacon plan. They are also looking at working more closely with the Essex Conservation and Trails Committee.
- c. Upcoming meeting schedule
- Mr. Teich pointed out that the new schedule is organized by color for ease of identifying what meeting is listed and where it will take place.

- d. Firebird Café community path landscaping documents
 - Mr. Tyler noted that, because the Firebird Café is planning to landscape next to the community path, the Village of Essex Junction may not need to landscape the area, as was suggested in a previous meeting of the Trustees.

8. **EXECUTIVE SESSION**

- a. An executive session is not anticipated
No executive session took place.

ADJOURN

**DAN KERIN made a motion, seconded by AMBER THIBEAULT, to adjourn the meeting.
VOTING: 4-0; motion carried at 7:38 p.m.**

Respectfully Submitted,
Cathy Ainsworth