



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

2 Lincoln Street
Essex Junction, VT 05452
Tuesday, August 13, 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. **PUBLIC HEARING**
 - a. Final Public Hearing on proposed amendments to and re-adoption of the Village of Essex Junction's Comprehensive Plan and the proposed Essex Community Enhanced Energy Plan
6. **BUSINESS ITEMS**
 - a. Adopt the Village of Essex Junction's Comprehensive Plan and Essex Community Enhanced Energy Plan
 - b. Adopt Village Road and Bridge Standards—Greg Duggan
 - c. Approve use of infographic about potential merger
 - d. Update from Governance Subcommittee
 - e. *Consider request for continuance of the warned public hearing to consider damages relative to Railroad Street scheduled for August 29, 2019 at 6:00 PM
7. **CONSENT ITEMS**
 - a. Approve minutes: July 23, 2019—Regular; July 23, 2019—Joint
 - b. Approve Warrant #17157—07/26/19; #17158—08/02/19
8. **READING FILE**
 - a. Board Member Comments
 - b. Memo from James Jutras re: PFAS (perfluoroalkyl substances) Emerging Contaminants
 - c. Vermont League of Cities and Towns Municipal Budget Workshop
 - d. Email from Jill Evans re: Direct Referrals from Police Departments to the Essex Community Justice Center—FY19
 - e. Essex Community Justice Center Newsletter—Summer 2019
 - f. Vermont Department of Taxes Notice of Education Tax Rates for FY20
 - g. Vermont League of Cities and Towns (VLCT) Award Nominations
 - h. Upcoming meeting schedule
9. **DELIBERATIVE SESSION**
 - a. *A deliberative session may be necessary
10. **ADJOURN**

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Certification: 08/09/2019
Date Posted


Initials

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
August 13, 2019**

TRUSTEES PRESENT: Andrew Brown; George Tyler; Dan Kerin; Amber Thibeault; Raj Chawla
ADMINISTRATION: Evan Teich, Unified Manager; Sarah Macy, Finance Director/ Assistant
Manager; Harlan Smith, Director of Parks and Facilities; Robin Pierce,
Community Development Director

OTHERS PRESENT: Melanie Needle, CCRPC Senior Planner; Ken Signarello; Margaret Smith

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

Mr. Brown called the meeting to order at 6:30 p.m. and led the assemblage in the Pledge of Allegiance.

2. **AGENDA ADDITIONS/ CHANGES**

No additions or changes to the agenda were suggested.

3. **APPROVE AGENDA**

With no additions or changes to the agenda, no motion for approval was needed.

4. **PUBLIC TO BE HEARD**

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

There were no comments from the public.

5. **PUBLIC HEARING**

a. **Final Public Hearing on proposed amendments to and re-adoption of the Village of Essex Junction's Comprehensive Plan and the proposed Essex Community Enhanced Energy Plan**

Ms. Needle and Mr. Pierce provided an overview of the Village of Essex Junction's Comprehensive Plan and the proposed Essex Community Enhanced Energy Plan. Ms. Needle described the overall efforts to bring this plan to its current iteration. Recent public hearings and a comment period resulted in two additional updates to the wastewater section of the plan. She said the version being requested for adoption was reviewed already by the Chittenden County Regional Planning Commission (CCRPC) Planning Advisory Committee. Their comments were addressed and a recommendation was made that the CCRPC adopt the plan at their September Board Meeting. She explained that the plan has been successfully evaluated against state statutes and regional energy planning requirements in accordance to the Department of Public Service. State statute compliancy adjustments were made to flood resiliency and forest integrity planning. Additionally, she explained, transportation, local land use and Crescent Connector studies are cited and data included in the plan is accurate and up to date.

Ms. Thibeault suggested that her name be taken off the Planning Commission list because she no longer serves in this capacity and did not want the appearance of a conflict of interest. Mr. Pierce stated the importance of passing the plan during this meeting because the existing plan is about to expire, so the change was not made.

There were no comments from the public and Mr. Brown closed the hearing.

6. **BUSINESS ITEMS**

a. **Adopt the Village of Essex Junction's Comprehensive Plan and Essex Community Enhanced Energy Plan**

With all hearings of the plan complete, staff recommended that the Trustees adopt the Essex Junction Comprehensive Plan and Essex Enhanced Energy Plan.

GEORGE TYLER made a motion, and RAJ CHAWLA seconded, that the Trustees adopt the Municipal Plan and the Essex Community Enhanced Energy Plan as presented. VOTING: 5-0; motion carried.

b. Adopt Village Road and Bridge Standards—Greg Duggan

Mr. Teich explained that adopting Village Road and Bridge Standards takes place annually. He said that, this year, there are changes to standards for unpaved, class 4 roads. With these changes, Class 4 road claims have the possibility of being approved for FEMA reimbursement, if situations arise where FEMA claims need to be submitted. Mr. Brown pointed out that unpaved road standards are not relevant to the Village, because there are currently no dirt roads within the district. The Trustees had no questions on the standards.

GEORGE TYLER made a motion, and DAN KERIN seconded, that the Trustees adopt and sign the new Road and Bridge Standards. VOTING: 5-0; motion carried.

c. Approve use of infographic about potential merger

Mr. Teich explained that the potential merger infographic was created by staff to be used for public outreach, in focus groups and, if desired, on the website. The goal was to create an easy-to-understand document that contains a significant amount of information, for people who are not yet familiar with the potential merger. The two-page infographic was reviewed and discussed by the Governance Subcommittee as well as the Town Selectboard. Mr. Teich said that suggested revisions from these discussions aimed to provide a more balanced presentation of the issues and information. Mr. Tyler explained that the infographic, along with municipal governance models and additional graphics, would be shared with the focus groups and the public as stimulus for conversation about the potential merger.

Mr. Chawla asked for more information about the revisions made by the Selectboard. Mr. Teich said that, based on Selectboard member requests, staff made “Key Challenges” more prominent. In order to do this, and fit everything, graphics needed to be moved on the page.

Mr. Chawla, Mr. Brown and Mr. Tyler talked about the fact that board discussions about a potential merger vote started prior to the infographic’s timeline. They were concerned that this may mislead people and suggested including a timeline bubble about purposeful work that took place on the topic prior to the June 2019 bubble. Mr. Chawla suggested it state something about joint meetings, the formation of the Governance Subcommittee, the process of researching and vetting options, communicating with counsel, etc. Mr. Brown pointed out a meeting in 2018, where the Trustees and Selectboard agreed that they wanted to begin discussions on becoming one community.

The Trustees talked about the possibility of needing to change the timeline again in the future. Mr. Tyler suggested that there may need to be a future change in the infographic’s timeline depending on how well they succeed with the challenge of finishing focus groups, surveys and gathering community input in time to develop a merger plan by November/December 2019. Mr. Tyler also noted that the Key Challenges section of the infographic may need to be changed after the focus groups are heard and community input is shared, because new insights and information may come to light. Mr. Chawla and Mr. Brown discussed whether the document could be a “living document,” able to be revised as the process unfolds. Ms. Thibeault requested that the document have a “revised on” indicator. Mr. Teich said that, after approval, the infographic document should only be changed if there is an error, pointing out that trying to conduct revisions with all ten board members is challenging. He agreed to add a revision date on the document to keep track of any changes

moving forward. Mr. Teich and Mr. Tyler suggested, instead of changing the infographic frequently, utilizing a strategy of teasing out “frequently asked questions” from discussions to generate new handouts.

DAN KERIN made a motion, and GEORGE TYLER seconded, that the Trustees authorize the use of the infographic, “Greater Essex 2020: Answering your questions about the November 2020 merger vote,” during the focus groups about governance change.

EVAN TEICH made a friendly amendment to the motion, accepted by GEORGE TYLER and DAN KERIN, to authorize the infographic, with revisions: adding a bubble on the timeline about the beginnings of the merger and including a revision date.

VOTING on the amended motion: 5-0; motion carried.

d. Update from Governance Subcommittee

Mr. Tyler showed additional graphics developed by the Governance Subcommittee to be used in the focus groups, including a chart of the population of people who live in the Village vs. Outside the Village, Current Tax Structures and Governance Options. He shared that KSV filled all of the slots for the focus groups. Of the almost 80 inquiries 60 will participate on 2 focus groups of people who live in the Village, 2 of people who live in the Town outside the Village and 2 groups of residents from both areas. Mr. Tyler pointed out that neither staff nor the subcommittee were involved with selecting the participants, except to state their preference that only residents who were not currently and have not formerly served as public officials be included in the groups. He said KSV will facilitate the groups and provide a report that does not include the names of those who participated. Mr. Brown asked about the Subcommittee’s group dynamics and Mr. Tyler said that everyone has been great and that they are all pushing ahead well with the work.

Mr. Brown accepted a comment from the public

- **Ken Signarello** stated his concern that the first focus group was scheduled at the same time as this Trustee meeting, beginning at 6 p.m. He thought it was likely that staff provided the infographic to this group, prior to it being voted on in this meeting by the Trustees.

e. *Consider request for continuance of the warned public hearing to consider damages relative to Railroad Street scheduled for August 29, 2019 at 6:00 PM

This item was conducted as 9a.

7. CONSENT ITEMS

GEORGE TYLER made a motion, and DAN KERIN seconded, that the Trustees approve the Consent Items, as amended:

a. Approve minutes: July 23, 2019—Regular; July 23, 2019—Joint

- **Ms. Thibeault suggested two amendments:**

1. In the minutes of July 23, 2019- Regular meeting, on page 2, replace “Melody” with “Melanie” in the friendly amendment, under the motion made by Andrew Brown.
2. In the minutes of the July 23, 2019- Joint meeting, on page 4, line 143, replace “in the local parks” with “at Indian Brook Reservoir”.

b. Approve Warrant #17157—07/26/19; #17158—08/02/19

VOTING: 5-0; motion carried.

8. READING FILE

- a. Board Member Comments

- There were no comments from the Trustees.
- b. Memo from James Jutras re: PFAS (perfloroalkyl substances) Emerging Contaminants
- c. Vermont League of Cities and Towns Municipal Budget Workshop
- d. Email from Jill Evans re: Direct Referrals from Police Departments to the Essex Community Justice Center- FY19
- e. Essex Community Justice Center Newsletter—Summer 2019
- f. Vermont Department of Taxes Notice of Education Tax Rates for FY20
- g. Vermont League of Cities and Towns (VLCT) Award Nominations
- h. Upcoming meeting schedule

9. **DELIBERATIVE SESSION**

a. ***A deliberative session may be necessary**

At 7:15 p.m., Mr. Brown called a recess of the meeting, requesting that the Trustees speak to their attorney privately on the matter of a request for continuance of the warned public hearing to consider damages relative to Railroad Street scheduled for August 29, 2019 at 6:00 p.m.

At 7:32 p.m., Mr. Brown called the meeting back to order.

Mr. Brown asked for Mr. Kalanges or his attorney to speak about his continuance request to delay a compensation hearing, but neither individual was present at the meeting. Regarding the continuance request, on behalf of the Trustees, Mr. Brown stated that Mr. Kalanges was aware of the required appraisal months in advance and adequate time had been provided by the Village of Essex Junction for this to be arranged. He noted that the only basis for the request for continuance was a matter of cost due to the contester's lack of timely action, not unavailability of experts or people to conduct the appraisal. With no rebuttal or discussion from Mr. Kalanges or his attorney, Mr. Brown suggested that the Trustees not approve the request for a continuance because the delay would be due to Mr. Kalanges lack of timely action.

GEORGE TYLER made a motion, and DAN KERIN seconded, that the Trustees not approve the request for a continuance to consider damages relative to the Crescent Connector Project.

- Mr. Tyler stated that he agreed with this decision, reiterating that Mr. Kalanges knew there would need to be an appraisal and there was sufficient time provided for this. He said that the financial burden resulting from his inaction is not a compelling reason for a continuance.

VOTING: 5-0; motion carried.

ADJOURN

DAN KERIN made a motion, and RAJ CHAWLA seconded, that the Trustees recess the meeting and enter the Joint meeting. VOTING: 5-0; motion carried at 7:37 p.m.

Respectfully Submitted,
Cathy Ainsworth