

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
April 14, 2020**

TRUSTEES PRESENT: Andrew Brown, President; George Tyler; Raj Chawla; Amber Thibeault; Dan Kerin.

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Sarah Macy, Assistant Manager/Finance Director; Rick Garey, Chief of Police; Jim Jutras, Water Quality Superintendent; Robin Pierce, Community Development Director.

1. **CALL TO ORDER**

Mr. Brown called the meeting to order at 6:30 p.m. and explained how the meeting would proceed, with changes instituted to adhere to the COVID-19 state of emergency declared by Governor Scott, pursuant to addendum 6 of Executive Order 0120 and Act 92, which authorized public bodies to meet electronically. He said that Trustees would participate remotely via Microsoft Teams and invited the public to participate remotely using conference call-in information.

2. **AGENDA ADDITIONS/ CHANGES**

Mr. Duggan added item 5b to the agenda, for the Trustees to approve a resolution regarding Essex Junction's COVID-19 response, and he submitted a memo regarding this item. He also added item 7d to the agenda's reading file, an Email from Elaine Haney regarding a Letter and request to Legislature for Assistance. He submitted an additional handout for item 7b, a VT Digger article: Sewage sludge spreading leads to farm groundwater PFAS contamination. Ms. Thibeault requested that item 6b be pulled from the consent items to be addressed as Business Item 5c.

3. **APPROVE AGENDA**

GEORGE TYLER made a motion, and DAN KERIN seconded, that the Trustees accept the amendments to the agenda. VOTING: 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 at this time.

5. **BUSINESS ITEMS**

a. **Approval of two parking agreements and update on Village Center development**

Mr. Pierce provided an update on recent demolition and construction plans, approved by the Planning Commission, for a four-story building with a parking garage on Park Street. He requested that the Trustees authorize the execution of two related parking agreements.

He said the first agreement would be for temporary parking at 12 Park Street during construction at 11 Park Street.

Regarding the second agreement, he pointed out that it was originally for 33 parking spaces in the garage to be provided to the municipality as permanent parking. Once a certificate of occupancy (CO) is issued for the site, he said, in this agreement the Village would make a cash payment of \$100,000 to the property owner for a letter stating the owner donated \$420,000 worth of perpetual public parking to the Village. Mr. Pierce explained that the agreement was recently reduced to 31 spaces to achieve needed turning radii, and due to the developer giving the Village additional

sidewalk space at the front of the property, with the \$100,000 cash payment remaining the same. The Trustees discussed the decrease in parking spaces with Mr. Pierce and supported the arrangement, even with less spaces. They also talked about the possibility of increasing the number of accessible spaces, which would also decrease the total number of spaces. Mr. Peirce stated that the original MOU provided to the Village attorney was not yet been signed, although it was approved. He clarified for Mr. Chawla that the \$100,000 donation is subject to federal tax. Ms. Thibeault requested to view the agreements to be signed but they were not available.

GEORGE TYLER made a motion, and DAN KERIN seconded, that the Trustees authorize the Village manager to execute two parking agreements, one for temporary parking at 12 Park Street and one for up to 31 permanent parking spaces at 11 Park Street, once the agreements have been approved by Village Staff, the Village attorney, and the property owners, and the property has received a certificate of occupancy.

- Ms. Thibeault said she is not opposed to the project but would not approve someone to sign an agreement she has not seen.

VOTING: 4-1; motion carried, with dissenting vote from AMBER THIBEAULT.

b. Approve Resolution regarding Essex Junction COVID-19 Response

Ms. Thibeault recused herself from this item, for a potential conflict of interest. Mr. Duggan described the proposed resolution regarding Essex’s COVID-19 response, noting that it is modeled after a resolution passed in Winooski. This resolution acknowledges the state and federal mandates in response to the COVID-19 pandemic and their impact on the community of Essex. He pointed out that the Resolution encourages the State of Vermont to consider relief related to tax penalties, evictions, healthcare, utility shutoffs, education funds, etc. He said it also encourages the state to leverage federal funds and extend actions for at least 60 days after the federal orders are lifted. The Trustees discussed the importance of this Resolution to assert that taxpayers should not bear the burden of State and Federal decisions regarding COVID-19. They discussed their hope to attract people to re-engage with local businesses during a “reopening Essex” strategy. Mr. Kerin suggested connecting this idea to the annual Block Party.

RAJ CHAWLA made a motion, and DAN KERIN seconded, that the Trustees approve the resolution regarding the Essex COVID-19 Response. ROLL CALL VOTING: 4-0, Amber Thibeault recused; motion carried.

c. Approve street vending permit for Mr. Ding-A-Ling Ice Cream

Ms. Thibeault proposed that the Trustees consider tabling the approval of a street vending permit for Mr. Ding-A-Ling Ice cream, while COVID-19 social distancing practices are still in place. The Trustees discussed needing more information on how food trucks are required to address social distancing. Mr. Chawla said he preferred to wait to approve the permit until after the Governor approves reopening businesses. Mr. Tyler volunteered to work with staff to communicate with the State of Vermont for more information on restaurant reopening strategies and timeline.

GEORGE TYLER made a motion, and RAJ CHAWLA seconded, to table this item until the next meeting of the Essex Junction Board of Trustees. VOTING: 5-0; motion carried.

6. CONSENT ITEMS

DAN KERIN made a motion, seconded by GEORGE TYLER, that the Trustees approve the Consent Agenda:

a. Approve banner application for KidSafe Community Yard Sale August 8-9

- Ms. Thibeault requested that Mr. Teich confirm this application included a certificate of insurance and fee.

~~**b. Approve street vending permit for Mr. Ding-A-Ling Ice Cream**~~

- This item was addressed as Business item 5c.
- c. **Approve minutes: March 24, 2020; April 2, 2020**
- d. **Check Warrant #17191—03/21/2020; #17192—03/27/2020; #17193—04/03/2020; #17194—04/10/2020**

VOTING: 5-0; motion carried.

7. READING FILE

a. Board Member Comments

- Mr. Brown said the Trustees and Essex Westford School District are considering rescheduling the Village Annual Meeting to June 11, and a more substantive discussion of this will take place at the next meeting of the Trustees.
 - Mr. Brown noted that there have been sound ordinance concerns regarding noisy motorcycles and said the Essex police are not staffed to enforce noise ordinance violations of vehicles at this time.
 - Mr. Brown expressed thanks to Essex Junction Recreation and Parks as well as Essex Parks and Recreation for hosting the Easter Egg Hunt.
 - Mr. Teich said the closure of municipal buildings due to COVID-19 is extended to May 15.
 - Ms. Thibeault pointed out that the Clerk's office is closed to the public as of April 10. Mr. Teich said the office is still taking phone calls about title searches, issuing marriage licenses, and issuing death certificates.
 - Mr. Thibeault said that it was her understanding that the Champlain Valley Exposition may house patients who are COVID-19 positive, even though the notification to the Trustees was that they were only housing patients who were not. Mr. Teich agreed to look into this.
- b. Memo from James Jutras re: UPDATE More details on PFAS testing of farm soil and groundwater
- c. Upcoming meeting schedule
- d. Email from Elaine Haney regarding a Letter and request to Legislature for Assistance

8. EXECUTIVE SESSION

a. An executive is not anticipated

An executive session did not take place.

9. ADJOURN

RAJ CHAWLA made a motion, and AMBER THIBEALT seconded, that the Trustees adjourn the meeting. VOTING: 5-0; motion carried at 7:15 PM.

Respectfully Submitted,
Cathy Ainsworth