



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

Online
Essex Junction, VT 05452
Tuesday, February 23, 2021
6:30 PM

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Due to the Covid-19 pandemic, **this meeting will be held remotely**. Available options to watch or join the meeting:

- **WATCH:** the meeting will be live-streamed on [Town Meeting TV](#).
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- **JOIN CALLING:** Join via conference call (*audio only*): (802) 377-3784 | Conference ID: 735 203 269#
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- **CHAT DURING MEETING:** Please use "Chat" to request to speak, only. **Please do not use for comments.**
- **RAISE YOUR HAND:** Click on the hand in Teams to speak or use the "Chat" feature to request to speak.
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1. **CALL TO ORDER** [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** [6:35 PM]
 - a. Second Public hearing on Fiscal Year 2022 Proposed Budgets and Capital Programs
6. **BUSINESS ITEMS**
 - a. *Interview and consider appointment of volunteer Steve Rivard to Tree Advisory Committee
 - b. Consider approval of Fiscal Year 2022 Proposed Budgets and Capital Programs
 - c. Consider approval of waivers for concert series
 - d. Discussion regarding Municipal Ordinance Section 718 noise: regulating collection of refuse
 - e. **Discuss the evaluation of a public official
7. **CONSENT ITEMS**
 - a. Approve minutes: February 9, 2021
 - b. Consider approval for Certification of Highway Mileage
 - c. Consider approval of Tri-Town Committee recommendation to deny Casella Waste Systems request for landfill leachate treatment
 - d. Check Warrants: #1727 – 2/5/21; #17238 – 2/12/21
8. **READING FILE**
 - a. Board member comments
 - b. Email from Elaine Haney re: Town concerns re: H.124, Vermont Employment Growth Incentive
 - c. Email from James Jutras re: Legislative priorities
 - d. Email from Peter Gustafson re: Planting trees this spring
 - e. Memo from Susan re: 2021 Candidate/Election Information
 - f. Email from Madeline Orsini re: Senior Center
 - g. Email from Charles Cole re: Family
 - h. Upcoming meeting schedule
9. **EXECUTIVE SESSION**
 - a. *An executive session may be requested to discuss the appointment of a public official.
 - b. **An executive session is anticipated to discuss the evaluation of a public official
10. **ADJOURN**

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Certification: 2/19/2021

Date Posted

Initials

TRUSTEES

FINAL

February 23, 2021

**VILLAGE OF ESSEX JUNCTION
TRUSTEES MEETING MINUTES
February 23, 2021**

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

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Tammy Getchell, Assistant to the Manager; Sarah Macy, Finance Director; Robin Pierce, Community Development Director; Travis Sabataso, Human Resources Director

OTHERS PRESENT: Kevin Collins; Annie Cooper; Patty Davis; Roseanne Prestipino; Steve Rivard; Saramichelle Stultz; Tim Shea.

1. CALL TO ORDER

Mr. Brown called the meeting to order at 6:30 PM.

2. AGENDA ADDITIONS/ CHANGES

Ms. Getchell requested the addition of new agenda item 6e, Ratifying and Reaffirming Unified Manager Contract Extension Terms. She also requested the addition of a memo from the HR Director, of the same name, for this agenda item. The previous item 6e, **Discuss the evaluation of a public official, became item 6f.

3. APPROVE AGENDA

GEORGE TYLER made a motion, seconded by RAJ CHAWLA, to approve the agenda as amended. The motion passed 5-0.

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. PUBLIC HEARING

a. Second Public Hearing on Fiscal Year 2022 Proposed Budgets and Capital Programs

Mr. Brown opened the Public Hearing at 6:35 PM and Ms. Macy gave an overview of the FY2022 Proposed Budgets and Capital Programs. She said the General Fund is similar to the previous year's budget, except for a formatting change to move the Highway and Rolling Stock. She summarized the General Fund FY2021 budget and proposed FY2022 budget changes, along with contributing factors in Salaries and Benefits; Capital Transfer; Repairs & Maintenance Buildings; Board Stipends; Professional Services; Salary Study; Paving; Salt costs and Other (Net decreases). She presented the Estimated Tax Impact:

	FY2021 Budget	FY2022 Proposed Budget	\$ Change	% Change
Tax Levy	\$3,670,039	\$3,745,866	\$75,827	2.1%
Tax Rate	\$0.3302	\$0.3334	\$0.0032	0.97%

Ms. Macy said the estimated tax increase to a \$280,000 Village property is \$8.96. She explained how increases to other revenue sources and the estimated Grand List increase of 0.84% impacted the budget and how the Village of Essex Junction Homestead Tax Rates are used (65% on Schools, 21% on Town of Essex services and 14% on Village of Essex Junction services.) Ms. Macy provided a Summary of Capital Funds, including proposed spending and notes for the Capital Reserve; Rolling Stock; Essex Junction Recreation & Parks Capital; Water Capital; Wastewater Treatment Facility Capital; and Sanitation Capital. She summarized Enterprise funds for FY2021 and FY2022, to illustrate changes from FY2021 to FY2022 in the EJRP Program Fund;

Water Fund; WWTF Fund and Sanitation Fund. Ms. Macy said Enterprise funds are user fee funds, not tax-driven funds. She talked about WWTF flow increase costs, increased regulations, bond payments, and the meter replacement program. She summarized Estimated Utility Rate Changes in Water, WWTF, and Sanitation from FY2021 to FY2022.

Mr. Brown reiterated that the increase to the EJRP budget is not at all funded by taxes, so will not affect the tax rate. He said the cost of childcare is not increasing, but the offering is expanding. He also clarified that the Densmore Drive project is expecting at least a 75% reimbursement from Federal Emergency Management Agency (FEMA). Mr. Teich confirmed that the cost of this project will mostly be paid for by the Federal Government, not through taxes.

There were no comments from the public at this time so Mr. Brown closed the Public Hearing at 6:50 PM.

6. **BUSINESS ITEMS**

a. ***Interview and consider appointment of volunteer Steve Rivard to Tree Advisory Committee**

Mr. Brown welcomed Mr. Rivard to interview for the Tree Advisory Committee appointment. He said they would conduct the interview during this meeting and determine the appointment at a future meeting so the Trustees can discuss a Tree Advisory Committee policy that states all committee members must live in the Village. He said Mr. Rivard owns property in the Village but lives in a neighboring community.

Mr. Brown asked Mr. Rivard why he wanted to serve on the Tree Advisory Committee. He said he loves the Village and its trees, he is a native Vermonter, and he knows some of the committee members. He said he helps promote the Village as a Tree City USA-endorsed community. He said he has helped with Arbor Day presentations; is a board member of Branchout Burlington; helps with local tree care, to promote healthy trees and canopy; and enjoys community engagement. Mr. Tyler asked Mr. Rivard for his feedback on the local trees. Mr. Rivard suggested that new buildings should provide room for trees next to the road and said he is proud of the Brickyard Drive Trees he helped plant. Mr. Tyler explained that the Planning Commission determines setbacks for buildings and the Tree Advisory Committee can provide advice to this commission as well as the Trustees. Mr. Chawla thanked Mr. Rivard for already helping and supporting the committee and for volunteering for a more official appointment. The rest of the Trustees also thanked him.

b. **Consider approval of Fiscal Year 2022 Proposed Budgets and Capital Programs**

Ms. Macy recapped the process leading up to this consideration for approval of the FY2022 proposed budgets and capital programs, including board member and staff discussion during the Trustee's budget day, followed by revisions, and two public hearings. She requested the Trustees approve the FY2022 proposed budgets and Capital Programs.

GEORGE TYLER made a motion, and DAN KERIN seconded, that the Trustees adopt the various FY2022 budgets as presented. The motion passed 5-0.

c. **Consider approval of waivers for concert series**

Mr. Pierce introduced the issue of whether the Trustees would consider approval of 30 additional waivers for amplified events at the Champlain Valley Exposition (CVE) during the 2021 season, for a total of 50. He said the CVE had a significantly hard year, laying off staff and not hosting any concerts for income in 2020. He said this proposal could be a way for the municipality to support CVE this year, during and post pandemic.

The Trustees discussed the proposal. Mr. Brown explained that these waivers would mostly be for concerts. Mr. Chawla asked how CVE chose to request 30 waivers, and Mr. Pierce said they worked back from the total loss from 2020 to determine the number. Mr. Chawla asked how the

concerts would be clustered, and what the date range would be, pointing out that 50 waivers could equate to a concert every two days during the summer. He expressed concern with this number. Ms. Thibeault added that neighboring community members would need to be notified of this change. Mr. Shea, the CVE Director joined the discussion. He and Mr. Pierce described strategies for notifying neighboring residents. Mr. Tyler suggested notifications to neighbors be conducted by Essex staff to help eliminate cost to CVE. Mr. Shea said putting out a full schedule is a challenge because they schedule concerts with entertainers who are routing. Ms. Thibeault requested clarification of the difference between amplified events and non-amplified events. Mr. Pierce explained that amplified events have speakers and non-amplified do not. Mr. Shea talked about stage directions and speaker projection distances. He said the amplified events would sound similar to fair concerts and would be subject to the same decibel limits. Ms. Thibeault suggested that a decision should not be made until community members are made aware of the request.

Ms. Cooper talked about how concerts enliven life and encourage important social connectivity. However, she expressed concern that the sound would interrupt families who need to put children to bed for so many nights during the summer. She wondered if there could be more creative thinking for how sounds/entertainers could be less amplified.

Ms. Stultz asked if there would be fireworks at these amplified events; if this extra 30 waivers would only take place this year, or if it would set a precedent for future years; and what months these events would take place. She said that a lot of notification should be made to the entire community at least a week in advance and encouraged a month in advance. Mr. Shea said there would be no fireworks at the events. He said the schedule includes June, July, and August. He mentioned that three schools are requesting the CVE be the location for their graduations.

Ms. Marin said she lives at Countryside and every year calls the police about the noise coming from the CVE. She said she is unable to live peacefully because of the noise is too high to have conversations or hear her own music. She said thinking about the extra 30 waivers makes her think she may need to move. She strongly opposed them.

Mr. Brown confirmed that Mr. Shea would need an answer to his request by March 12th. He said he wanted to include a caveat about neighbor notifications within a certain time period, and that the events not take place on school nights. Mr. Shea recapped some highlights of CVE efforts during the pandemic. He said, to date, the UVM vaccine center at CVE has administered 17,000 COVID vaccines and conducted 13,000 COVID tests. He also talked about the food distribution efforts that took place there.

d. **Discussion regarding Municipal Ordinance Section 718 noise: regulating collection of refuse**

Mr. Pierce introduced the discussion about Ordinance section 718, of whether the Trustees would like staff to investigate or plan next steps for a noise standard that would apply to trash haulers. He said there have been complaints from residents related noise made by trash hauling that takes place early in the morning or late in the evening. He said other communities do have time frames written into their ordinances related to trash removal times. Ms. Thibeault suggested that the issue should be tabled until after the merger vote to determine whether it should be a consolidated ordinance. Mr. Chawla suggested times for trash hauling should be aligned with noise controls noted in the Land Development Code, in Section 4, Paragraph G. Mr. Pierce agreed with this suggestion. Mr. Tyler, Mr. Teich, and Mr. Brown talked about the lack of clarity at this point, regarding what impact changes to trash removal would have on retail or manufacturing businesses. Mr. Chawla wondered if certain areas should be exempt from a time change, but he was unsure where this would apply. Mr. Brown said staff should research what impact this change

would have on newer buildings, single family homes, and businesses. Mr. Tyler suggested they research how this would impact the waste removal companies first.

Ms. Cooper said that the Economic Development Commission is preparing business outreach channels. She said she could bring up whether the Commission would be willing to utilize their outreach channels to survey businesses about this issue. She agreed with Mr. Tyler that the trash haulers should be contacted first and pointed out that this type of change would be challenging for them due to the length of their routes. She suggested the beginning time for removal be 7:00 AM. Mr. Teich said staff would connect with trash haulers and local businesses and return to the Trustees in a few weeks with findings and suggestions.

e. Ratifying and Reaffirming Unified Manager Contract Extension Terms

Mr. Teich explained that this business item's motion should have been made by the Trustees after an Executive Session February 3, 2020, but it was overlooked; he said passing the motion now would effectively ratify and reaffirm the Unified Manager Contract Extension Terms.

GEORGE TYLER made a motion, seconded by RAJ CHAWLA, to ratify and reaffirm the decisions made in executive session to extend the contract of the Unified Manager, Evan Teich, with the Town of Essex and the Village of Essex Junction from February 26, 2021 to February 25, 2022, to authorize a \$3,000 bonus to be paid on February 26, 2020, to authorize a 3% pay increase to be effective February 26, 2020 and to amend the language in Section 3.E of the Unified Manager's contract to require 180 days (six months notice of non-renewal, made at the joint meeting of the Town of Essex Selectboard and the Village of Essex Junction Board of Trustees on February 3, 2020. The motion passed 5-0.

e- f. **Discuss the evaluation of a public official

This agenda item took place in executive session, as 6a.

7. CONSENT ITEMS

a. Approve minutes: February 9, 2021

b. Consider approval for Certification of Highway Mileage

- That the Trustees Sign the 2021 Certificate of Highway Mileage as presented.

c. Consider approval of Tri-Town Committee recommendation to deny Casella Waste Systems request for landfill leachate treatment

- That the Trustees support the recommendation from the TriTown Committee to not accept the Coventry, VT landfill leachate for treatment.

d. Check Warrants: #1727 – 2/5/21; #17238 – 2/12/21

AMBER THIBEAULT made a motion, seconded by RAJ CHAWLA, to approve the Consent Agenda. The motion passed 5-0.

8. READING FILE

a. Board member comments

Mr. Teich said the Town Meeting vote on Merger is scheduled for Tuesday, March 3. He reminded Village residents that they are ALSO residents of the Town so they should vote on March 3. He said they could drop ballots off in the ballot box outside the Town offices by 5 PM March 1; bring their ballots to the polls at the Highschool on March 2; or vote with a new ballot at the polls on March 2. He said the Informational Hearing on March 1 would be virtual and include a presentation of the budget as well as the Plan for Merger. He said Mr. Eustis would moderate the meeting and take questions. He said that over one thousand ballots had been returned so far, and he thanked the Board of Civil Authority for their work sorting ballots. He requested that all votes include the voters full name and address on the ballot to determine who voted from which district.

Ms. Stultz said she supported Mr. Rivard to be appointed to the Tree Advisory Board.

- b. **Email from Elaine Haney re: Town concerns re: H.124, Vermont Employment Growth Incentive**
- c. **Email from James Jutras re: Legislative priorities**
- d. **Email from Peter Gustafson re: Planting trees this spring**
- e. **Memo from Susan re: 2021 Candidate/Election Information**
- f. **Email from Madeline Orsini re: Senior Center**
- g. **Email from Charles Cole re: Family**
- h. **Upcoming meeting schedule**

9. EXECUTIVE SESSION

- a. ***An executive session may be requested to discuss the appointment of a public official.**
- b. ****An executive session is anticipated to discuss the evaluation of a public official**

ANDREW BROWN made a motion, and GEORGE TYLER seconded, that the Trustees enter into executive session to discuss the evaluation of a public official in accordance with 1 V.S.A. Section 313(a)(3), to include the HR Director. The motion passed 5-0 at 8:10 PM.

GEORGE TYLER made a motion, seconded by DAN KERIN, to end Executive Session. The motion passed 5-0 at 9:15 PM.

ADJOURN

AMBER THIBEAULT made a motion, and DAN KERIN seconded, that the Trustees adjourn the meeting. The motion passed 5-0 at 9:16 PM

Respectfully Submitted,
Cathy Ainsworth