

**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
July 23, 2013**

BOARD OF TRUSTEES: George Tyler (Village President); Dan Kerin, Lori Houghton, Elaine Sopchak. (Andrew Brown was absent.)

ADMINISTRATION: Pat Scheidel, Village Manager; Lauren Morrisseau Co-Assistant Manager & Finance Director; Susan McNamara-Hill, Co-Assistant Manager & Village Clerk/Treasurer; Rick Hamlin, Village Engineer; Rick Jones, Public Works Director; Jim Jutras, Waste Water Treatment Facility Director.

OTHERS PRESENT: Linda Waite-Simpson, Gary and Pam Jurkiewicz, Sarah and Eric Karandy, Robert and Sherry Haggerty, Diane Clemens, Alan and Priscilla Bouffard, Brad Aldrich, Cesar Barrios.

1. CALL TO ORDER and PLEDGE OF ALLEGIANCE

Village President, George Tyler, called the meeting to order at 6:30 PM and led the assemblage in the Pledge of Allegiance.

2. AGENDA ADDITIONS/CHANGES

Add to agenda:

- Under New Business - Adopt resolution for fire truck note renewal.
- Under New Business - Appoint Village Manager, Pat Scheidel, as authorized agent to sign legal and other documents relative to the operation of the village.
- Under Trustees Reading File - Information on scoping grant for bike/walk plan.

3. GUESTS, PRESENTATIONS, & PUBLIC HEARINGS

a. Comments from Public on Items Not on Agenda
None.

4. OLD BUSINESS

a. Waste Water Treatment Facility Refurbishment Update

Brad Aldrich with Aldrich & Elliott Consulting Engineers reported the refurbishment project at the Waste Water Treatment Facility is tracking on budget and the contractor is on or ahead of schedule. Jim Jutras added the improvements are showing results. Photos of the refurbishment work were shown.

b. See-Click-Fix Reconsideration

Staff reported the cost of the See-Click-Fix program with one "dashboard" (Rick Jones) for one year is \$1,200.

MOTION by Lori Houghton, SECOND by George Tyler, to approve the expenditure of \$1,200 for the See-Click-Fix program for another year and authorize the Village Manager to execute the agreement and include a report at the end of the year on usage and results of post-in requests. VOTING: unanimous (4-0); motion carried.

5. NEW BUSINESS**a. Discussion of Flooding in the Village**

Village Engineer, Rick Hamlin, and Public Works Director, Rick Jones, reviewed the watersheds and drainage infrastructure in the Mansfield Avenue and Maple Street area that were overwhelmed by record rainfall in a contracted time period resulting in destructive flooding of property. Concerns raised by residents have been heard and are being addressed. The standard in the village is piping for a 25-year storm with non-saturated soil conditions and rain over a 24 hour period. With the flooding that occurred there were clogged pipes that caused water to quickly pool and flood properties. There is debate over the new tables for predicting storm water flow. The new numbers for the village are less than the current standard. Intense storms over a short time period are the problem, not continuous rain over time.

MOTION by George Tyler, SECOND by Lori Houghton, to authorize staff to move forward with the following at a total cost of \$6,800:

- **Confirm the 24” pipe installed in 2005 in the Mansfield/Waverly Street area is clear of debris;**
- **Install an inlet structure on the arch culvert.**

VOTING: unanimous (4-0); motion carried.

MOTION by George Tyler, SECOND by Dan Kerin, to authorize the Village Manager to apply for any FEMA grants or other emergency management grant money that may become available for the purpose of implementing flood mitigation with the assumption the Board of Trustees will give approval. VOTING: unanimous (4-0); motion carried.

PUBLIC COMMENTS

Sherry Haggerty, 1 Shawns Way, commended village workers for all the help with the flooding and noted the following:

- May 23, 2013 at 9 AM the finished basement in the house (1 Shawns Way) had no water. By 9:20 AM there was a foot of water in the basement and by 11 AM there was five feet of water in the basement.
- All that was in the basement was lost. The Fire Dept. helped shut off the utilities and pump water.
- The basement also had water from the July 4th storm. The water came in fast and left fast.
- PVC piping draining to the gully actually ended up directing water to the house during the storm events.
- A backflow was added to the piping.
- A grate was installed by the drainage pipe to prevent clogging; the grate was clogged.
- Water from the gully is not draining.
- Rain from 2005 to 2012 ranging from 10” to 20” in a five to six month time period including rain from Tropical Storm Irene and Hurricane Sandy did not cause water in the house basement.
- Per a letter sent to parents the drainage at ADL School has been changed so the athletic fields can be used.
- There is question as to whether the drainage change at the school or aging pipe infrastructure is impacting drainage.

- Ms. Haggerty said their child has health problems and cannot be out in the heat and humidity so the basement space in the house is a necessity.

The resident at 3 Shawns Way stated they had water in their basement as well and share the same concerns expressed by the Haggerty family regarding the change in drainage from the school.

Rob Haggerty, 1 Shawns Way, stated the gully along Shawns Way is very deep and in prior years never filled with water, even in heavy rains, but in the rain events in 2013 the gully filled over capacity. There is contention that something beyond just rainfall has changed to cause so much water buildup (perhaps a blockage downstream). Rich Hamlin stated the record was researched with regard to the school's drainage plans and no changes are shown in the school's records or the village's records. Further research will be done. Rick Jones said a camera can be run through the culvert to look for any blockages.

Linda Waite-Simpson, former School Board Chair, confirmed Bruce Murdough, school facilities director, was working with the village on a drainage plan. The foundation at ADL School was cracking and the water had to be diverted away from the building.

Alan and Priscilla Bouffard, 3 Lillia Drive, reported the following:

- Their driveway culvert was submerged during the May 23rd storm.
- The stream height was seven feet.
- On the north side of the driveway the water was flowing so fast the banks were breached and water flowed over lawns.
- There was 15' of water on one side of the street, but only a trickle on the other side.
- The next two rain storms also caused flooding.
- Property damage is in the thousands of dollars. The Bouffards do not have flood insurance. A claim was filed against the village, but the deadline was missed. Village workers have come out and viewed the damage.
- The culvert was always able to handle storms in the past and the stream banks have never been breached until this year.
- Water is a huge issue for the children coming to the home daycare and for children walking to school.
- Something has changed to cause all the flooding.

Gary and Pam Jurkiewicz, 19 Greenwood Ave., said they have been flooded four times. The cost to repair the cellar several times was \$25,000. Water comes into the basement from the street. Village staff has been out to view the situation. There is concern about more flooding and impact on property value. The 25-year storm standard may not be a viable number. Storms seem to be more frequent and more violent. Perhaps the pipes under the street should be larger. Mr. Jurkiewicz said they filed a claim against the village and were told the problem is theirs, not that of the village.

Sarah Karandy, 8 Waverly Street, recalled the flooding that they watched inundate their house on May 22nd and May 23rd. The neighbor's lawn filled with water then the water went down and rushed over the sidewalk and street. The road was closed as cars were stalling out and carried by the water. Mansfield Ave. turned into a river. The water ripped a 12 foot long piece of

foundation from the first floor of the house and in 30 minutes filled the basement with seven feet of water. Without the extra pumps just purchased the entire first floor of the house would have been lost. The Fire Dept. evacuated the premises. A culvert on the property of 8 Waverly Street (private culvert) accepts water from the village and the culvert was clogged with a ton of debris. A catch basin was installed to fix the flooding problem, but with the storm on July 4th the catch basin was filled to the top. The flooding has impacted the family's peace of mind. There is much concern about safety. Also, it is unlikely the property will ever be able to be sold.

Diane Clemens, Williams Street, noted the Willey's Court culvert was exceeded by water, creating a pond. There is concern for safety and flooding of properties. There is a large amount of water coming through the culverts and causing erosion.

Cesar Barrios, 3 Shawns Way, said he and his wife were fixing up their house to go on the market for sale, but now the damage from flooding must be fixed before the house can be sold.

George Tyler assured the residents that village staff will be working to find answers. Rick Hamlin stated modeling will be done to find answers on the size of the pipe needed and if there are any blockages. Conditions that made the flooding that occurred will be studied. FEMA funds must funnel through the village. Grants for damages must be written. There is a 25% match. The requirements to qualify for hazard mitigation will be posted on the village website. Information will also be posted on Front Porch Forum and in the village's electronic newsletter. Residents should submit any information that may be useful to Rick Hamlin or Rick Jones.

b. Set FY14 Tax Rate

MOTION by George Tyler, SECOND by Lori Houghton, to set the FY14 village tax rate at \$.2666 per \$100 of assessed value to raise the funds approved at annual meeting.

DISCUSSION: Staff noted FY13 was the final year of the IBM subsidy.

VOTING: unanimous (4-0); motion carried.

c. Authorized Agent

MOTION by George Tyler, SECOND by Lori Houghton, to appoint Patrick Scheidel as the authorized agent for the Village of Essex Junction to sign legal and other documents relative to the operation of the village. VOTING: unanimous (4-0); motion carried.

d. Fire Truck Note Renewal

MOTION by George Tyler, SECOND by Dan Kerin, to adopt the resolution for current expense borrowing as presented and sign the current expense note and the resolution.

VOTING: unanimous (4-0); motion carried.

e. Bid Award for FY14 Paving

MOTION by Elaine Sopchak, SECOND by Dan Kerin, to award the paving bid to the lowest bidder, S.T. Paving, Inc. at a cost of \$67.88 per ton.

VOTING: unanimous (4-0); motion carried.

f. Discuss/Action on Trustees Policy re: Appointments to Boards, Commissions and Committees

Pat Scheidel reported in an effort to improve communication between parties and reinforce the mission a follow up interview should be done annually with appointees prior to reappointment. Language as follows is recommended to be added to the existing policy:

- Section 6. Annual Follow-Up Interviews for Members of Boards, Commissions and Committees
 - a. All volunteer members of boards, commissions and committees shall be given the opportunity to meet with the Trustees at a regularly scheduled meeting or special meeting.
 - b. The purpose of the follow-up interview will be to discuss how the expectations of each volunteer met the reality of the past year, and to review the mission and focus of the boards, commissions, and committees.
 - c. Per Sections 4 & 5 the annual interview will be held prior to reappointing current members of boards, commission, and committees.

There was discussion of drafting descriptions for positions on the village planning commission, zoning board, committees, and task forces. Staff will draft some language for consideration.

MOTION by Elaine Sopchak, SECOND by Dan Kerin, to amend the Village Board of Trustees policy regarding appointments to boards, commissions, and committees to include new Section 6 as recommended, with the addition of “and for those who do not wish reappointment the interview shall serve as an exit interview” to Section 6(c).

VOTING: unanimous (4-0); motion carried.

6. VILLAGE MANAGER’S REPORT

a. Meeting Schedule

- August 13 @ 6:30 – Regular Trustees Meeting
- August 27 @ 6:30 – Regular Trustees Meeting
- September 10 @ 6:30 – Regular Trustees Meeting
- September 24 @ 6:30 – Regular Trustees Meeting
- October 8 @ 6:30 – Regular Trustees Meeting
- October 22 @ 6:30 – Regular Trustees Meeting
- November 12 @ 6:30 – Regular Trustees Meeting
- November 26 2 6:30 – Regular Trustees Meeting
- December 10 @ 6:30 – Regular Trustees Meeting

Special Meetings/Events:

- October 3 – VLCT 2013 Town Fair at Killington

2. Meetings with Staff

Pat Scheidel reported he is meeting with staff collectively and individually to find out what each person does.

3. Waste Water Facility Tour

Pat Scheidel said the tour of the Waste Water Facility with Jim Jutras was very impressive.

4. Railroad Avenue Recess Group Meeting

After meeting with the group it is anticipated the neighborhood watch program will be reinvigorated.

5. Memo Format

Correspondence by memorandum will contain the following categories of information:

- Issue (what is at hand)
- Discussion (what is needed to know to make an informed decision)
- Cost (amount and funding source)
- Recommendation (suggested action/motion)

7. TRUSTEES COMMENTS/ANNOUNCEMENTS

a. Board Member Comments

- Lori Houghton announced September 25, 2013 is the last Heart & Soul community summit and volunteer fair at the high school
- The \$10,000 Building Healthy Communities grant was used to form the bike/walk committee that produced the document on the bike/ped plan.
- Comments on the alignment of the Crescent Connector relative to bike/ped use have been received. Trustee Houghton will email the comments to the Trustees and Pat Scheidel.
- Elaine Sopchak asked about the ADA access at the train station. George Tyler noted Amtrak federal funding was drastically reduced. Robin Pierce will be asked to provide an update on the train station project.
- George Tyler noted the high school pump station project is complete and was slightly under budget.

b. Reading File

- Minutes
 - Block Party Committee 6/24/13
- Memo on Project Closeout for High School Pump Station
- Memo on Crescent Connector Road Update
- Notices re: Whitcomb Farm Solar Project/Vermont Public Service Board
- Memo on Final Chittenden County ECOS Plan

8. CONSENT AGENDA & READING FILE

MOTION by Dan Kerin, SECOND by Lori Houghton, to approve the consent as follows and with the amendment to the Board of Trustees minutes from 6/25/13 as noted:

1. **Approve Minutes of Previous Meetings (6/25/13 with the statement on Page 4 in the action list from the Trustees retreat to read that the Trustees expressed interest in possibly meeting with the developer about the plan for the redevelopment of the bank property at Five Corners).**
2. **Approve Warrants including Checks #10047352 through #10047402 totaling \$69,053.40.**
3. **Approve Warrants including Checks #10047403 through #10047487 totaling \$466,689.49.**
4. **Approve Warrants including Checks #10047488 through #10047551 totaling \$1,621,435.20.**
5. **Approve FY13 Audit Contract.**

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6. Approve EJFD Request to Waive Bid Process for Software Contract.
 7. Approve Request from Village Resident to Hold Vigil at Lincoln Hall.
 8. Approve VTrans Grant Application for Flow Restoration Plan Development.

VOTING: unanimous (4-0); motion carried.

9. EXECUTIVE SESSION

MOTION by George Tyler, SECOND by Elaine Sopchak, to enter Executive Session to discuss personnel issues and invite the village management team of Pat Scheidel, Lauren Morrisseau, and Susan McNamara-Hill to attend. VOTING: unanimous (4-0); motion carried.

Executive Session was convened at 8:50 PM.

MOTION by Dan Kerin, SECOND by George Tyler, to adjourn Executive Session and reconvene the regular meeting. VOTING: unanimous (4-0); motion carried.

Executive Session was adjourned and the regular meeting reconvened at 9:02 PM.

ACTION FOLLOWING EXECUTIVE SESSION

MOTION by Dan Kerin, SECOND by George Tyler, to authorize the Village Manager to spend up to \$4,400 for bonuses and costs associated with an appreciation lunch for village employees. VOTING: unanimous (4-0); motion carried.

10. ADJOURNMENT

MOTION by Dan Kerin, SECOND by George Tyler, to adjourn the meeting. VOTING: unanimous (4-0); motion carried.

The meeting was adjourned at 9:05 PM.

RScty: M.E.Riordan

