



Town of Essex Selectboard

Phone: (802) 878-1341

Email: manager@essex.org

Regular Meeting Agenda

Monday, May 2, 2022 – 6:30 PM
81 Main St., Essex Junction, VT 05452

This meeting will be in person and online. Available options to watch or join the meeting:

- **VISIT** www.essex.org/zoomselectboard for direct meeting links and options to participate.
- **JOIN ONLINE:** Zoom Meeting ID: 987 8569 1140; Passcode: 032060
or <https://zoom.us/j/98785691140?pwd=WENqeFhITGVDS0Q5bIROdkhuS3RkZz09>
- **JOIN CALLING:** (*toll free audio only*): (888) 788-0099 | Meeting ID: 987 8569 1140; Passcode: 032060

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. Public Hearing on Water-Sewer Fiscal Year 2023 Budget, Rates and Capital Plan
6. **BUSINESS ITEMS**
 - a. Consider Adoption of fiscal year 2023 Water-Sewer Budget and Rates and Approval of Water-sewer Capital Plan
 - b. Discussion about use of American Rescue Plan Act funds and expected municipal property tax impacts of Village separation from Town of Essex
7. **CONSENT ITEMS**
 - a. Approve minutes: April 18, 2022
 - b. Approve check warrants: # 17971 4/15/22 - #17973 4/22/22
 - c. Consider Designating Fiscal Year 2021 Water & Sewer Unrestricted Balance for Future Capital
 - d. Consider Adoption of Essex Tree Care Policy
 - e. Consider approval of liquor license renewal
8. **READING FILE**
 - a. Board member comments
 - b. Upcoming meeting schedule
 - c. Tax Sale Policy - Threshold for Tax Sale not met
 - d. Vermont League of Cities & Towns trainings offered for Town Officers
 - e. May 14th Selectboard Strategic Planning Meeting Agenda
 - f. Step In and Come Together - May 15th Event
 - g. Memo from Greg Duggan re: Information about Australian ballot budget voting
9. **EXECUTIVE SESSION**
 - a. An executive session is not anticipated

This agenda is available in alternative formats upon request. Meetings of the Selectboard, like all programs and activities of the Town of Essex, are accessible to people with disabilities. For information on accessibility or this agenda, call the Town Manager's office at 878-1341.

Certification:  04/29/2022

SELECTBOARD

May 2, 2022

TOWN OF ESSEX SELECTBOARD REGULAR MEETING May 2, 2022

SELECTBOARD: Andy Watts, Chair; Tracey Delphia, Vice Chair; Kendall Chamberlin; Dawn Hill-Fleury; Ethan Lawrence.

ADMINISTRATION: Greg Duggan, Town Manager; Courtney Bushey, Finance Director; Marguerite Ladd, Deputy Manager; Dennis Lutz, Public Works Director.

OTHERS PRESENT: Gina Halpin Barrett, Kevin Collins, Erin Dickinson, Margaret Smith, Gillian Smith, Michael Peterson, Bruce Post, Mary Post, Ken Signorello, David Skopin, Dennis Thibeault, Nancy Williams, Irene Wrenner, TJ Yandow, Lorraine Zaloom.

1. CALL TO ORDER

Andy Watts called the meeting of the Town of Essex Selectboard to order at 6:31 PM.

2. AGENDA ADDITIONS/CHANGES

ANDY WATTS made a motion, and DAWN HILL-FLEURY SECONDED, to move Consent Agenda Item 8C to the Business Item Agenda as item #6C. The motion passed 5-0.

3. AGENDA APPROVAL

DAWN HILL-FLEURY made a motion, and ETHAN LAWRENCE seconded, to approve the agenda as amended. The motion passed 5-0.

4. PUBLIC TO BE HEARD

a. Comments from Public on Items Not on Agenda

Margaret Smith said she has had a difficult time figuring out how to get into meetings. She said it took her 15 minutes to find the link to the previous meeting and be let in. She suggested that someone create a very noticeable link on the Town website to help people navigate to meetings.

Mary Post suggested that someone from the Town make a tutorial on how to navigate the Town website and how to log into meetings to participate.

Michael Peterson asked why he is charged to use Indian Brook Reservoir when other parks are free. He also expressed concern about long police wait times to respond to a firearm discharge near his property.

5. PUBLIC HEARING – 6:35 PM

a. Public Hearing on Water-Sewer Fiscal Year 2023 Budget, Rates, and Capital Plan
Mr. Watts opened the public hearing.

Mr. Lutz provided a brief overview of the budgets. He said the actual water budget went up 5.6%, including increases in water costs from Champlain Water District and costs related to systems

SELECTBOARD

May 2, 2022

losses. He said the associated water rate increase was 2.1%. He said the sewer budget went up by 7.6%, due to higher wastewater treatment costs. He said the rate increase for sewer was 3.4%.

There was no public comment.

6. BUSINESS ITEMS

a. Consider Adoption of Fiscal Year 2023 Water-Sewer Budget and Rates and Approval of Water-Sewer Capital Plan

ETHAN LAWRENCE made a motion, and TRACEY DELPHIA seconded, that the Selectboard approve the water rate changes as follows: 1. Increase the water rate from \$5.78 per thousand gallons to \$5.90 per thousand gallons; 2. Increase the water initiation fee from a \$1,000 base fee per connection plus \$5.78 gallons per day capacity to \$1,000 base fee per connection plus \$5.90 gallons per day per capacity, 3. Set the water minimum charge per year at \$190 and 4. Interim or final billing request at \$35; and approve the sewer rate changes as follows: 1. Increase sewer operating fee from \$9.93 per thousand gallons to \$10.27 per thousand gallons; 2. Increase sewer initiation fee to \$1,000 base fee per connection plus \$10.60 gallons per day per capacity; 3. Interim or final billing request at \$35. Rate change in interim or final billing requests would go into effect on all water/sewer usage with billing period starting after Spring 2022 billings. The motion passed 5-0.

ETHAN LAWRENCE made a motion, and KENDALL CHAMBERLIN seconded, that the Selectboard approve the Water and Sewer Capital Plan for Fiscal Year 2023 to Fiscal Year 2027. The motion passed 5-0.

b. Discussion about use of America Rescue Plan Act (ARPA) funds and expected municipal property tax impacts of Village separation from Town of Essex

Mr. Duggan noted that this discussion will kick off conversation about how best to use \$3.3 million from ARPA funding. He said the funding is coming at a critical time in Essex's history, due to the separation that will occur between the Village and the Town on July 1, 2022. He said the funding could help ameliorate the loss of 42% of the Town's tax base. He said that to keep service levels intact, they are looking at a 22% municipal tax increase, and ARPA funds can help defray that. He said the Selectboard has a strategic planning meeting on May 14th to discuss this further. He spoke about some areas of that may receive attention in the operating budget that had less of a focus during merger and separation efforts, including communication and outreach with residents, climate change, energy efficiency, and equity, economic development, the recreation economy, and other assets. He also spoke about capital needs, such as the Senior Center, the Fire Station, the Public Works Garage, Memorial Hall, and the Town Offices. He said that one of Management's goals is to have a predictable and stable budget and tax rate each year. He said that ARPA funding could be crucial to getting to that point. He noted at ARPA money must be spent within 4 years. He noted that other municipalities have chosen to spend all of their allocated ARPA funding in Year 1 and banking the created surplus for government services for future years.

SELECTBOARD

May 2, 2022

Mr. Lawrence said he does not support spending the funding in the first year but would prefer to use the funding as a capital offset for three years. He said it is important to define where the money is going.

Mr. Chamberlin said that many Town staff are also still working for the Village. Mr. Watts clarified that the portion of the budget that pays for Village services will be removed once separation occurs. Mr. Duggan added that the Town budget would decrease from \$16 million to around \$10.9 million based on the reduction of the tax base and the continuation of existing service levels.

Mr. Watts opened the discussion up to the public.

Bruce Post expressed concern about the Town Manager holding individual meetings with individual Selectboard members instead of holding a public meeting, especially in light of Open Meeting Law. He suggested that if there are any significant shortcomings in capital projects, they should leave some funding available for that. Mr. Duggan said that, with regards to the potential Open Meeting Law violation, he is not aware of any and said he will reach out to Vermont League of Cities and Towns to obtain a second opinion. Mr. Post suggested additionally reaching out to the Secretary of State for a third opinion.

Lorraine Zaloom asked how the Town will engage with the public to obtain feedback. Mr. Duggan said Selectboard meetings are always a place to accept feedback, and that staff would like to hold several listening sessions with the public and are also contemplating surveys and opportunities for online feedback.

Irene Wrenner said that even if tax increases are shored up by an ARPA filler, there will still be a tax increase over what residents had been paying prior. She stressed that this is not a temporary increase but a permanent one. She said that the funding should not be spent on tax relief, but on a memorial for people who have fallen to the Covid-19 pandemic. She asked that one-time funding not be used for everyday, operational expenses.

Mary Post expressed concern that public input isn't being taken into consideration and agreed with Ms. Wrenner.

Lorraine Zaloom said that ARPA funding should go toward mitigating future pandemics or influenza outbreaks, such as upgraded ventilation systems and CO2 monitors. She agreed that memorializing the lives lost and front-line workers of Covid-19 is a worthwhile idea.

David Skopin said that a significant portion of ARPA funding should be used to mitigate climate change.

Ms. Hill-Fleury suggested that the public send their suggestions to Town staff and to the Selectboard.

SELECTBOARD

May 2, 2022

Ms. Delphia asked if there is a deadline by which public feedback should have been gathered in order to inform a decision. Mr. Duggan replied that no, there has not been a deadline set, though this conversation will be used to help inform the Fiscal Year 2024 budget.

Mr. Lawrence said that the ARPA money, if used to ameliorate tax increases, does not make those increases go away, but lessens the burden on taxpayers temporarily.

Mr. Watts said there is a Selectboard strategic planning meeting on May 14th at 8:30 AM, and that the public are also welcome to attend it.

c. **Tax Sales Policy**

Mr. Chamberlin noted that the Town's policy currently says that unless the tax that is due exceeds 5% of the budget, there is no tax sale. He asked whether they want to consider the tax sales policy different this year, due to the budget. He said that if taxpayers haven't come in and set up an agreement, it seems that that's quite a lot of outstanding money that has to be paid by the rest of the taxpayers. He said that sometimes it takes a tax sale to get residents to do what they need to do, and that there is more tax assistance available now than in the past. He said that if there are customers who don't have agreements that are up to date, it might be time to have a tax sale.

Mr. Duggan spoke about the delinquent tax totals, saying that there is around \$550,000 that is delinquent, which is roughly split between the Town and the Village. He noted that the Finance Department has been reaching out to the delinquent taxpayers and letting them know that there is assistance from the state level and that they try to be as flexible as possible.

7. CONSENT ITEMS

- a. Approve minutes: April 18, 2022
- b. Approve check warrants: #17971—4/15/22--#17973—4/22/22
- c. Consider Designating Fiscal Year 2021 Water & Sewer Unrestricted Balance for Future Capital
- d. Consider Adoption of Essex Tree Policy
- e. Consider approval of liquor license renewal

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to approve the consent agenda. The motion passed 5-0.

8. READING FILE

- a. Board member comments: Mr. Lawrence said that he would like to discuss staffing levels and open positions at the next Selectboard meeting. Mr. Duggan said he would put together information to present for discussion. Ms. Hill-Fleury thanked Public Works for filling in holes on Billy Butler Drive as well as grading the Town's dirt roads. Mr. Watts said that he has heard a number of questions about zip code and concern about the Village enacting the local option tax. He said that he reached out to the Town's legislative delegation, who said that the State provides online retailers with 9-digit zip codes that are eligible for the local option tax, so it shouldn't be an issue for locales outside the City. He said that there is a process for requesting a refund from the State if tax is assessed incorrectly.

SELECTBOARD

May 2, 2022

- b. Upcoming meeting schedule
- c. Tax Sales Policy
- d. Vermont League of Cities & Towns trainings offered for Town Officers
- e. May 14th Selectboard Strategic Planning Meeting Agenda
- f. Step In and Come Together – May 15th Event
- g. Memo from Greg Duggan re: Information about Australian ballot budget voting

9. EXECUTIVE SESSION

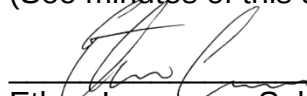
- a. ***An executive session is not anticipated.**

10. ADJOURN

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to adjourn the meeting. The motion passed 5-0 at 7:54 PM.

Respectfully Submitted,
Amy Coonradt, Recording Secretary

Approved this 16th day of May, 2022
(See minutes of this day for corrections, if any)



Ethan Lawrence, Selectboard Clerk