Town of Essex
Selectboard
Phone: (802) 878-1341
Email: manager@essex.org

Regular Meeting Agenda

Tuesday, June 21, 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=WENqeFhITGVDS0Q5blROdkhuS3RkZz09
- **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. **BUSINESS ITEMS**
   a. * Interviews and possible appointments of volunteers to serve on the Economic Development Commission - Brian Shelden and Ken Signorello
   b. *Interviews and possible appointments of volunteers to serve on the Planning Commission- Joshua Knox, Patty Davis, Johnathan Schumacher
   c. *Interviews and possible appointments of a volunteers to serve on the Essex Free Library Board of Trustees - Janet Watts and Bonnie Doble
   d. Presentation from Planning Commission about Town Plan update and work plan
   e. Consider approval of amendments to Housing Commission charter
   f. Consider Approval of Essex Parks & Recreation Program Fund Budget
   g. Discussion and potential action regarding the creation of a charter committee
   h. *Consider appointments to Conservation and Trails Committee, Zoning Board of Adjustment, and Energy Committee
   i. **Discussion of contracts and labor relations agreements with employees
6. **CONSENT ITEMS**
   a. Approve minutes: May 14, 2022; June 6, 2022
   b. Approve check warrants: # 17986 5/27/22; #17991 6/3/22
   c. Approve Amended Resolution for Bylaw Modernization Grant
   d. Municipal Roads Grants-in-Aid Program Particpitation
7. **READING FILE**
   a. Board member comments
   b. Upcoming meeting schedule
   c. Memo from Darren Schibler re: T-Mobile De Minimus Telecom Application
   d. Update on the status of fiber in Essex and in Chittenden County

e. Chittenden County Regional Planning Commission Unified Planning WorkProgram Grants to Essex

f. Letter from Vermont Agency of Transportation re: Engineering Speed and Safety Study - VT Route 128

8. EXECUTIVE SESSION

a. *An executive session is anticipated to discuss the appointment of public officers

b. **An executive session is anticipated to discuss contracts and labor relations agreements with employees

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: ____________________ 06/17/2022

TOWN OF ESSEX SELECTBOARD
REGULAR MEETING MINUTES
TUESDAY, JUNE 21, 2022

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

ADMINISTRATION and STAFF: Greg Duggan, Town Manager; Marguerite Ladd, Deputy Manager; Dennis Lutz, Public Works Director; Ally Vile, Parks & Recreation Director

OTHERS PRESENT: Dustin Bruso, Patty Davis, Bonnie Doble, Deb Holland, Joshua Knox, Johnathan Schumacher, Brian Shelden, Ken Signorello, Gabrielle Smith, Margaret Smith, Dennis Thibeault, Kate Vanni, Janet Watts, Irene Wrenner.

1. CALL TO ORDER
Mr. Watts called the Town of Essex Selectboard to order at 6:30 PM.

2. AGENDA ADDITIONS/CHANGES
Mr. Watts requested that Item 7c, Memo from Darren Schibler re: T-Mobile De Minimus Telecom Application, be moved to the Consent Agenda.

3. APPROVE AGENDA
Motion by ANDY WATTS, seconded by ETHAN LAWRENCE, to amend the agenda to move Item 7c to the Consent Agenda, include it as Item 6E, and that the Selectboard approve such amendment. The motion passed 5-0.

4. PUBLIC TO BE HEARD
a. Comments from Public on Items Not on Agenda
Mr. Lutz thanked the Selectboard, as well as previous Boards, for the support they have given his department over the years. He said he is proud to have been the Public Works Director for the past 38 years and said the Public Works staff is talented and hard-working. Mr. Lutz received a standing ovation and the Selectboard thanked him for his service to Essex. Mr. Duggan said that there will be a ceremony to honor Mr. Lutz later this summer.

5. BUSINESS ITEMS
a. Interviews and possible appointments of volunteers to serve on the Economic Development Commission - Brian Shelden and Ken Signorello
Mr. Shelden said he is the current Chair of the Economic Development Commission (EDC). He detailed the following accomplishments of the EDC during his tenure: business mailings to explain COVID regulations/grants, developing a comprehensive business list, promoting women-owned businesses, and developer recruitment. Ms. Delphia asked Mr. Shelden to describe a time he changed his mind on an issue. Mr. Shelden said that Mr. Signorello had recently showed him that agricultural businesses need more promotion by the EDC. Mr. Lawrence asked Mr. Shelden what he feels is the most pressing issue in the next year. Mr. Shelden said the EDC needs to work toward promoting smaller Essex businesses. Ms. Hill-Fleury asked if Mr. Shelden plans to step down from this appointment should he win his Senate election; Mr. Shelden said he does not plan to. Mr. Chamberlin suggested that the EDC work toward having Essex have more of their municipal needs served by local businesses.

Mr. Signorello said he has been a small business owner for the past 40 years. He would like to achieve the following if he is appointed: technical improvements to the website, minutes, and agenda, detailing more about business changes in the business inventory, bringing in more business owners to present to the EDC, and developing an Essex brand. Ms. Delphia asked Mr. Signorello how he would handle conflicts of interest with his own businesses; Mr. Signorello said he would recuse himself. Mr. Chamberlin said he likes Mr. Signorello's ideas on improving agricultural businesses and said that it would be nice for Essex to have a strong farmer's market like surrounding communities.

All appointments to boards, commissions and committees will be discussed during executive session, and appointments may not be conducted at this meeting, since another candidate for the EDC needs to be interviewed.

b. Interviews and possible appointments of volunteers to serve on the Planning Commission - Joshua Knox, Patty Davis, Johnathan Schumacher

Mr. Knox said he currently serves as the Vice-Chair of the Planning Commission (PC) and has served on the PC for the past nine years. He said he brings clarity of thought and language to the PC and would like to see the community change for the better as a result of the ETC Next Plan. Mr. Lawrence said the vision needs to be backed up by specific policies; Mr. Knox agreed and said such policies are in process. Ms. Delphia asked Mr. Knox what his personal approach is to applications in which community members and developers want different things. Mr. Knox said he always starts by looking at the regulations and looks to see what Essex will gain from the project. Ms. Hill-Fleury asked Mr. Knox what areas in Essex he believes need planning attention. Mr. Knox said he would like to see more attention to improving and growing agricultural areas and Fort Ethan Allen.

Ms. Davis said she attends Planning Commission meetings regularly and that she is interested in helping Essex become more economically resilient, walkable and environmentally sustainable. She expressed support for the mixed-use areas in the ETC plan. She detailed some of the research she had done in transportation, energy use, projects in other communities, and complete streets. Ms. Hill-Fleury asked Ms. Davis how she would handle situations when her opinion is in the minority; Ms. Davis said if she can state her opinion, she is willing to "roll with it" and abide by the decision of the board. Ms. Delphia asked Ms. Davis how she would balance a conflict between developer requests and community needs. Ms. Davis said that community involvement and clear regulations are crucial to resolving such conflicts.

Mr. Schumacher said he has been on the Commission since 2011, and joined because he wanted to give back to the community and see it improve. Ms. Delphia asked how Mr. Schumacher balances requests from developers with community desires. He said it is important to understand the point of view of both, and that give and take must occur on all sides. Mr. Lawrence asked what Mr. Schumacher wishes to change about current policies. Mr. Schumacher said that preserving green space is important to him and that regulations need to clearly state policy. Ms. Hill-Fleury asked Mr. Schumacher if he felt there are any areas of the Town that need planning attention. Mr. Schumacher said the impact of development in the Agricultural-Residential districts needs to be monitored. Mr. Chamberlin asked if there was anything that Mr. Schumacher would like the Commission to address; Mr. Schumacher said that he would like to see the planned unit development (PUD) regulations looked at.

c. Interviews and possible appointments of a volunteers to serve on the Essex Free Library Board of Trustees - Janet Watts and Bonnie Doble

Mr. Watts said he would recuse himself during Ms. Watts's interview.

Ms. Watts said she has been on the Library Board of Trustees for the past 12 years and described the library as being the Town's living room. She described the new "library of things" and the technical investments that the library has made. Ms. Hill-Fleury asked about Ms. Watts's ideas for expanding the library space, and Ms. Watts discussed adding an additional floor. Mr. Chamberlin asked what Ms. Watts's favorite program at the library is, she answered with the "library of things." Ms. Delphia asked what Ms. Watts's ideas for advertising this program would be. Ms. Watts detailed the library's outreach via social media and e-mail.

Ms. Doble said she is a long-serving member of the Board of Trustees, and described recent challenges that the library has faced due to COVID. Mr. Lawrence asked what the biggest challenge for the library is, and Ms. Doble said staffing. Ms. Hill-Fleury asked for details about Library Trustee responsibilities, Ms. Doble said that according to state statutes the Board of Trustees is responsible for setting all policies and running the library. Mr. Chamberlin asked Ms. Doble what her favorite program at the library is, and she discussed the craft fair and plant sale, as well as ideas for developing more in-person events and getting more diverse volunteers.

d. Presentation from Planning Commission about Town Plan update and work plan
Mr. Bruso said the work plan details an up-front collaborative process where the Town boards and committees have an opportunity, and in fact are encouraged, to submit recommendations to the PC in the areas that they have experience with, such as zoning, energy, housing, and other key areas. Committee members and Planning Commissioners will be able to participate on work groups appropriate to their interests. This will allow the PC to be more proactive and less reactive and will increase the opportunities for public input. Mr. Bruso said that obtaining input from other commissions and committees has been difficult in the past, and that the new approach is a paradigm shift to make their participation less passive. Mr. Lawrence asked how Mr. Bruso plans to ensure this will be a regular practice moving forward; Mr. Bruso said he anticipates this this type of engagement will become expected over time. Mr. Watts disclosed that Mr. Bruso is a long-time friend of his and also asked if this new plan would result in more meetings. Mr. Bruso said this is not necessarily true, and that sub-groups could be utilized. The Selectboard had a discussion regarding the legal need to warn sub-group meetings. Mr. Bruso said he hopes that this new work plan will increase the confidence in the decisions and recommendations of the Planning Commission.

In public comment, Ms. Gabrielle Smith said she works in community engagement and thinks this is a fantastic change.

e. Consider approval of amendments to Housing Commission charter
Ms. Gabrielle Smith said she is the Vice Chair of the Essex Housing Commission, which is a joint commission with the Village of Essex Junction. As a result of the separation between the two communities, all joint committees are expected to separate. The Housing Commission is looking for a transition period until April of 2023 and would like to have its size temporarily expanded to 10 members, with the Selectboard and Essex Junction Board of Trustees each appointing five. The quorum would be set to five, and three out of the five members in each municipality would need to be residents. Once separation fully occurs, it is expected that the Town Housing Commission would be changed back to a seven-member board. Mr. Chamberlin asked Ms. Smith if she felt that the seven-member board would be necessary after separation; she answered affirmatively. Ms. Delphia asked if both Community Development departments would continue to attend each meeting; Ms. Smith answered affirmatively. Ms. Smith said the Housing Commission will be making the same request to the Trustees. Mr. Duggan said this request will allow for the Trustees to appoint their own representatives to the Commission. Mr.

Chamberlin asked if non-residents would continue to be allowed to serve; Ms. Smith responded affirmatively. Mr. Lawrence asked about the Town/City distribution of members. Ms. Smith said there are currently two Town outside the Village members, one non-resident, and three Village/City residents. She said she hopes to have equal membership between the communities.

Mr. Watts requested public comment, none was given.

TRACEY DELPHIA made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard approve the revised joint Housing Commission charter, anticipating that final resolutions to separate the Housing Commission, and proposed new charters, will be provided by June 1, 2023, contingent on approval by the Essex Junction Board of Trustees. The motion passed 5-0.

f. Consider Approval of Essex Parks & Recreation Program Fund Budget

Ms. Vile said she had presented the program fund budget two weeks ago and asked if the Board had any questions. Ms. Delphia asked if the Town and City will be working together on community events after separation; Ms. Vile said they would likely not be doing so. Ms. Vile also discussed sponsorships and other efforts to raise money for events.

Mr. Watts requested public input; none was given.

ETHAN LAWRENCE made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard approve the FY23 Recreation Programs Fund Budget in the amount of $184,565. The motion passed 5-0.

g. Discussion and potential action regarding the creation of a charter committee

Mr. Duggan said this idea has been brought forth by residents and that he wanted to start the discussion with the Selectboard. All members of the Selectboard expressed support. Ms. Hill-Fleury said the Charter is outdated and in need of changes. Mr. Chamberlin said he believes there should be more references to water and sewer rates in the charter. Mr. Watts said he would like to see a mission statement prior to advertising for the committee, and Ms. Hill-Fleury said that she is willing to work with staff to develop this for the next Selectboard meeting. It is anticipated that the new Charter will be prepared for a Town Meeting Day vote. The Selectboard discussed the possibility of having a (voting or non-voting) Board representative on the Committee.

Mr. Watts requested public input, Mr. Signorello asked for clarification on how and when a vote on charter amendments would happen.

ETHAN LAWRENCE made a motion to table the issue until the July 11th meeting. No second or vote occurred, motion failed.

h. Consider appointments to Conservation and Trails Committee, Zoning Board of Adjustment, and Energy Committee

This was discussed during executive session.

i. Discussion of contracts and labor relations agreements with employees

This was discussed during executive session.

6. <u>CONSENT AGENDA</u>

TRACEY DELPHIA made a motion, seconded by DAWN HILL-FLEURY, to approve the Consent Agenda. The motion passed 5-0.

a. Approve minutes: May 14, 2022; June 6, 2022

b. Approve check warrants: # 17986 5/27/22; #17991 6/3/22

c. Approve Amended Resolution for Bylaw Modernization Grant

d. Municipal Roads Grants-in-Aid Program Participation

e. Update on the status of fiber in Essex and in Chittenden County

Mr. Chamberlin said there is a lot of money available from the state Clean Water Fund and suggested that the Town look into this. Mr. Chamberlin asked for some clarification about individual items on the check warrants, and Mr. Duggan said that he would investigate it and get back to him.

7. <u>READING FILE</u>

a. Board member comments: Ms. Hill-Fleury thanked staff and volunteers for their work on the Juneteenth celebration. Mr. Watts said that former engaged resident Paula DeMichele has passed away.

b. Upcoming meeting schedule

c. Update on the status of fiber in Essex and in Chittenden County

d. Chittenden County Regional Planning Commission Unified Planning Work Program Grants to Essex

e. Letter from Vermont Agency of Transportation re: Engineering Speed and Safety Study - VT Route 128

8. <u>EXECUTIVE SESSION</u>

ETHAN LAWRENCE made a motion, seconded by TRACEY DELPHIA, that the Selectboard enter into executive session to discuss the proposed public official appointment in accordance with 1 V.S.A. Section 313(a)(3) and to include the Town Manager and Deputy Manager. Motion passed 5-0.

TRACEY DELPHIA made a motion, seconded by ETHAN LAWRENCE, that the Selectboard make the specific finding that premature general public knowledge of the Town's position concerning ongoing contract negotiations and labor relations agreements with employees would place the Town at a substantial disadvantage. Motion passed 5-0.

TRACEY DELPHIA made a motion, seconded by ETHAN LAWRENCE, that the Selectboard enter into executive session to discuss contracts and labor relations agreements with employees pursuant to 1 V.S.A. § 313(a)(1)(A) and 1 V.S.A. § 313(a)(1)(B), to include the Town Manager and Deputy Manager. Motion passed 5-0.

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIAa, to exit executive session. Motion passed 5-0 at 10:26 p.m.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to appoint Will Dodge to the Energy Committee; to appoint Ken Signorello, Betsy Dunn, and Rusty Brink to the Conservation and Trails Committee; to appoint Michael Plageman to the Zoning Board of Adjustment for a one-year term to expire June 30, 2023; to appoint Iris Banks and Bonnie Doble to the Essex Free Library Board of Trustees; to appoint Joshua Knox, Jonathan Schumacher, and Patty Davis to the Planning Commission. The motion passed 5-0.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to appoint Janet Watts to the Essex Free Library Board of Trustees. Motion passed 4-0-1, with Andy Watts abstaining.

9. ADJOURN

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, for the Selectboard to adjourn. The motion passed 5-0 at 10:33 PM.

Respectfully Submitted,
Darby Mayville
Recording Secretary

Approved this 11th day of July, 2022
(See minutes of this day for corrections, if any)

____
Ethan Lawrence, Selectboard Clerk