



Town of Essex Selectboard

Phone: (802) 878-1341

Email: manager@essex.org

Regular Meeting Agenda

Monday, August 1, 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. BUSINESS ITEMS**
 - a. *Interviews and possible appointments of volunteers to Charter Review Committee: Alexis Dubief, Lauren Layman, Bruce Post, Margaret Smith, Charles Tabone
 - b. * Interview to serve on the Economic Development Commission: Rebecca Robinson
 - c. *Interviews and possible appointments of volunteers to serve on the Chittenden County Regional Planning Commission Board of Directors: Andrew Watts
 - d. Discussion and potential action about creation of a Cannabis Control Commission
 - e. Discussion and potential action to approve language and place the creation of Chittenden County Communications Union District on the November general election ballot
 - f. Consider approval of fiscal year 2023 tax rates
 - g. Consider approval of Resolution in Appreciation of Dennis Lutz
 - h. Consider approval of Resolution in Appreciation of Christine Stoddard
 - i. *Discussion about evaluation of a public officer
 - j. *Discussion about evaluation of an employee
- 6. CONSENT ITEMS**
 - a. Approve minutes: July 11, 2022
 - b. Approve check warrants: #18005 - 7/8/22 : #18008 - 7/15/22 : #18010 7/22/22
 - c. Consider approval of letter of appreciation of volunteer service on Essex Energy Committee for Philip March
 - d. Consider approval of Town Manager's appointment of Fire Warden
 - e. Consider approval of change order for Sawmill Road Ditching Project to include upgrades to intersection of Old Pump Road and Gray Way.
- 7. READING FILE**
 - a. Board member comments
 - b. Upcoming meeting schedule

- c. Memo from Greg Duggan re: Establishing fiscal year 2024 budget goals
- d. Updates from Essex Free Library
- e. 2021 Report, Implementation of Town of Essex All-Hazard Mitigation Plan actions
- f. Dennis E. Lutz Public Works Facility Dedication
- g. Boards & Committees flyer - opportunities
- h. Glavel Saxon Hill Operations Update from CEO Rob Conboy
- i. Essex Police Department National Night Out - August 2

8. EXECUTIVE SESSION

- a. *An executive session is anticipated to discuss the appointments and evaluations of public officers and an employee

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: _____  _____ 07/29/2022

SELECTBOARD

August 1, 2022

TOWN OF ESSEX SELECTBOARD REGULAR MEETING MINUTES OF MEETING August 1, 2022

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

ADMINISTRATION: Greg Duggan, Town Manager; Marguerite Ladd, Deputy Manager.

OTHERS PRESENT: Alexis Dubief, Lauren Layman, Bruce Post, Rebecca Robinson, Darren Schibler, Ken Signorello, Margaret Smith, Charles Tabone.

1. CALL TO ORDER

Andy Watts called the meeting of the Town of Essex Selectboard to order at 6:30 P.M.

2. AGENDA ADDITIONS/CHANGES

None at this time.

3. AGENDA APPROVAL

The agenda was not amended, so no approval was necessary.

4. PUBLIC TO BE HEARD

a. Comments from Public on Items Not on Agenda

None at this time.

5. BUSINESS ITEMS

a. *Interviews and possible appointment of volunteers to the Charter Review Committee: Alexis Dubief, Lauren Layman, Bruce Post, Margaret Smith, Charles Tabone

Mr. Duggan briefly outlined the purpose and intent of the Charter Review Committee, which will be to review and make updates to the Town's charter.

Mr. Post spoke about his interest in participating on the Charter Review Committee and noted his previous civic experiences, including serving on a previous charter review committee. Board members asked him questions about areas in the current charter that are lacking, areas in the charter of interest to him, and how he would handle being in the minority on an opinion.

Ms. Dubief spoke about her involvement with the Essex community and community service, which consists of volunteering at various school-related activities and organizations. She said that one of her goals for the charter would be the inclusion of equity components, to ensure access to resources for all in the community. Board members asked her questions about her approach to collaborating on a public board and whether she feels there are areas of weakness in the charter.

Ms. Layman spoke about her professional background as a lawyer and how she would apply that background to this committee. She also spoke about her experiences volunteering in the community. Board members asked her questions about how she would engage the public to

SELECTBOARD

August 1, 2022

increase civic participation, how she would approach and handle being in the minority on an opinion, and what she believes are areas in the charter that should be changed.

Ms. Smith spoke about her engagement over the years with the Selectboard and her activity in the Essex community. Board members asked her what items in the charter stand out to her as needing to be changed and how she would approach collaborating with other members of the committee.

Mr. Tabone spoke about how professional experience and how he would leverage that skillset in participating on the committee. Board members asked how he would approach making the charter more accessible than it currently is and asked about his thought process on collaborating with other members of a committee.

Ms. Hill-Fleury suggested that the committee be made up of 5 members instead of 3, if there are 5 qualified candidates. Other Board members agreed.

TRACEY DELPHIA made a motion, seconded by DAWN HILL-FLEURY, to appoint Alexis Dubief, Lauren Layman, Bruce Post, Margaret Smith, and Charles Tabone to the Charter Review Committee. The motion passed 5-0.

b. *Interview to serve on the Economic Development Commission: Rebecca Robinson

Ms. Robinson spoke about her interest in the EDC because she has a passion for business and the local economy. She spoke about her activities conducting pro-bono consulting for small, local businesses and said that she could add value on this committee. Board members asked her about how she would approach being in the minority on a committee, how she would handle potential conflicts of interest, and what actions she would prioritize if appointed to the EDC.

c. *Interviews and possible appointments of volunteers to serve on the Chittenden County Regional Planning Commission Board of Directors: Andrew Watts

Mr. Watts passed the gavel to Ms. Delphia for this business item.

Board members asked what Mr. Watts is hoping to accomplish on the CCRPC and how he would balance the urban and rural mix of needs for the Town.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to appoint Andrew Watts to the Chittenden County Regional Planning Commission Board of Directors. The motion passed 5-0.

Ms. Delphia passed the gavel back to Mr. Watts for the remainder of the meeting.

d. Discussion and potential action about creation of a Cannabis Control Commission

Mr. Schibler began by noting that in 2020, the legislature passed a law to legalize recreational cannabis and through that, set up an industry in Vermont, which is regulated closely by the State. He said that one element that was set up was to allow municipalities to vote to opt in for retail sales and form local Cannabis Control Boards. He noted that these CCBs have limited purpose and authority, which is to issue local cannabis licenses. He noted that staff do not recommend

SELECTBOARD

August 1, 2022

forming a CCB, as the State has fairly extensive regulations around cannabis establishments, and that the municipality would have limited authority.

Ms. Delphia asked whether the Planning Commission can still implement zoning that would encompass cannabis if the Town does not have a CCB. Mr. Schibler replied that the Town can still enforce its municipal regulations and must treat cannabis the same as other retail establishments.

Ms. Hill-Fleury expressed concern about whether there is zoning to create buffers around schools and libraries for cannabis establishments. Mr. Schibler said that the Town is somewhat limited in how it can regulate cannabis retail, other than to say that it is permitted in certain zoning districts. He said that there have not been new ordinances around cannabis since it's covered under existing zoning and development review. He noted a State law that prohibits selling regulated drugs within 500 feet of school property.

Ms. Hill-Fleury asked if the Town could implement a limit to the number of permits or licenses issued. Mr. Schibler replied that the Town could set a maximum number of retail establishments of a certain type within a zoning district, but said that they may not be able to call out cannabis specifically. He said that this would also be difficult to accomplish and administer, though it is a possibility.

Mr. Lawrence asked how the Town will be kept informed about licenses issued for cannabis retail by the State. Mr. Schibler replied that the Town is notified of every cannabis establishment that is issued a license. He said that if there were an issue that came up, the Town would hear about it through zoning enforcement. Mr. Lawrence asked if there is any benefit to having a CCB. Mr. Schibler replied that staff does not think so, given the potential cost of administering a CCB and that they don't see any additional benefit to enforcement.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to accept the recommendation of staff and not establish a Cannabis Control Commission in the Town of Essex. The motion passed 5-0.

e. Discussion and potential action to approve language and place the creation of a Chittenden County Communications Union District on the November general election ballot.

Ms. Ladd noted that Jericho, South Burlington, Williston, and Shelburne are finalizing language and placing this as an item on their ballots of November. She said that the proposed wording came from Rob Fish and Regina Mahony, who presented at the prior meeting on Communications Union Districts, and noted that each municipality is using the same language.

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, that the Selectboard approve the placement of the following language for the creation of the Chittenden County Communications Union District on November general election ballot: "Shall the Town of Essex enter into a communications union district to be known as the Chittenden County

SELECTBOARD

August 1, 2022

Communications Union District, under the provisions of 30 V.S.A. chapter 82 for the purposes of improving access to broadband services?" The motion passed 5-0.

f. Consider approval of fiscal year 2023 tax rates

Mr. Duggan said that the total tax rate for Fiscal Year 2023 includes the General Tax Rate, the Local Agreement Rate, and Capital Tax, and is 0.57340, which is a 4.12% increase over FY22. He said that this increase is higher than was projected back in March, largely due to grand list growth not being as robust as had been projected (they usually project around 1% growth).

Mr. Lawrence noted that the budget presentation in March had a surplus of \$400,000 in the fund balance. Mr. Duggan replied that the surplus in fund balance was used to keep the tax increase from being higher than 4%.

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, that the Selectboard set the tax rates for Fiscal Year ending June 30, 2023 as follows: Town General Fund Tax Rate: 0.5513; Local Agreement Rate: 0.0021; Town Capital Tax: 0.0200; for a total municipal rate paid by all Town Taxpayers of 0.5734. VOTING (by roll call): Dawn Hill-Fleury – aye, Ethan Lawrence – nay, Tracey Delphia – aye, Andy Watts – aye, Kendall Chamberlin – aye (4 ayes, 1 nay); motion passes.

g. Consider approval of Resolution in Appreciation of Dennis Lutz

Mr. Lawrence read into the record a resolution in appreciation of Dennis Lutz.

Mr. Duggan noted that there is a dedication ceremony in Mr. Lutz's honor on August 3 at 3:00 at the Public Works Building.

TRACEY DELPHIA made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard approve a Resolution in Appreciation of Dennis Lutz. The motion passed 5-0.

h. Consider approval of Resolution in Appreciation of Christine Stoddard

Mr. Lawrence read into the record a resolution in appreciation of Christine Stoddard.

ETHAN LAWRENCE made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard approve a Resolution in Appreciation of Christine Stoddard. The motion passed 5-0.

i. *Discussion about evaluation of a public officer

j. *Discussion about evaluation of an employee

6. CONSENT ITEMS

a. Approve minutes – July 11, 2022

b. Approve check warrants: #18005 – 7/8/22: #18008 – 7/15/22: #18010 7/22/22

c. Consider approval of letter of appreciation of volunteer service on Essex Energy Committee for Philip March

d. Consider approval of Town Manager's appointment of Fire Warden

SELECTBOARD

August 1, 2022

- e. Consider approval of change order for Sawmill Road Ditching Project to include upgrades to intersection of Old Pump Road and Gray Way.

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, that the Selectboard accept the consent agenda as presented. The motion passed 5-0.

7. READING FILE

- a. Board member comments: Mr. Watts noted that the Vermont League of Cities and Towns Town Fair registration has opened and that there is an early bird rate if signing up before August 31st. Mr. Chamberlin offered congratulations to the Town's Little League state champion team.
- b. Upcoming meeting schedule
- c. Memo from Greg Duggan re: Establishing fiscal year 2024 budget goals
- d. Updates from Essex Free Library
- e. 2021 Report, Implementation of Town of Essex All-Hazard Mitigation Plan actions
- f. Dennis E. Lutz Public Works Facility Dedication
- g. Boards & Committees flyer – opportunities
- h. Glavel Saxon Hill Operations Update from CEO Rob Conboy
- i. Essex Police Department National Night Out – August 2

8. EXECUTIVE SESSION

- a. *** An executive session is anticipated to discuss the appointments and evaluations of public officers and an employee**

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

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, that the Selectboard enter into executive session to discuss the evaluation of a public officer in accordance with 1 V.S.A. Section 313(a)(3), to include the Town Manager and Deputy Manager. The motion passed 5-0.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, that the Selectboard enter into executive session to discuss the evaluation of an employee in accordance with 1 V.S.A. Section 313(a)(3), to include the Town Manager and Deputy Manager. The motion passed 5-0.

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, to exit executive session. The motion passed 5-0 at 9:21 P.M.

9. ADJOURN

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, to adjourn the meeting. The motion passed 5-0 at 9:22 P.M.

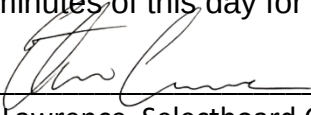
SELECTBOARD

August 1, 2022

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Respectfully Submitted,
Amy Coonradt,
Recording Secretary

Approved this 15th day of August, 2022
(see minutes of this day for corrections, if any)



Ethan Lawrence, Selectboard Clerk



TOWN OF ESSEX VERMONT

81 MAIN STREET, ESSEX JUNCTION, VERMONT 05452
Fax: 878-1353 • E-mail: manager@essex.org • Website: www.essex.org

RESOLUTION IN APPRECIATION OF DENNIS E. LUTZ

WHEREAS, Dennis Lutz, P.E., was hired as Public Works Director for the Town of Essex in September 1984; and,

WHEREAS, Dennis retired on July 15, 2022, concluding 38 years of dedicated service and leadership to the entire Essex community; and,

WHEREAS, prior to joining Essex, Dennis worked for the State of Vermont as an Environmental Engineering Supervisor and for Donald L. Hamlin Consulting Engineers as a Project Manager; and,

WHEREAS, Dennis also served in the military for 37 years, beginning on active duty as an Engineer Company Commander in Vietnam and later as a construction site engineer in Oregon for the Corps of Engineers and, following active duty, became a member of the Vermont National Guard, ultimately spending the last five years of his military career as the Assistant Adjutant General for the Vermont National Guard; and,

WHEREAS, Dennis's major military awards include the Legion of Merit, three Army Meritorious Service Medals, the Army Commendation Medal, the Vietnam Service Campaign Medals, and the Silver Order of the de Fleury Medal by the Army Engineer Association; and,

WHEREAS, when Dennis began work as the Town of Essex Public Works Director he had six employees and five trucks, and has since doubled the department's resources and expanded the services that the department provides to make the Town of Essex a sustainable and desirable place to live, work and visit; and,

WHEREAS, Dennis created and updated the Town's Public Works Specifications, Comprehensive Road Management Plan, and Winter Operations Plan; and,

WHEREAS, Dennis took great steps to improve water quality in Essex and the surrounding area by adhering to the Town's National Pollutant Discharge Elimination System (NPDES) Phase 2 Small Municipal Separate Storm Sewer System (MS4) General Permit, creating a chloride monitoring program, reducing salt application, recommending the creation of and then serving on the Joint Stormwater Coordinating Committee between the Town of Essex and the Village of Essex Junction, and hiring the Town's Stormwater Coordinators; and,

WHEREAS, when working at Donald L. Hamlin Consulting engineers Dennis designed and constructed the Town of Essex's wastewater system, then as the Public Works Director managed the system and served on the Tri-Town Sewer Committee, thereby reducing sprawl and ensuring safe treatment of waste; and,

WHEREAS, Dennis developed the current capital planning and budgeting process for the Town and has been the key individual coordinating large projects from all Town Departments, the Selectboard, and the community, identifying needs and developing projects based on cost estimates and priorities; and,

WHEREAS, Dennis sought and obtained numerous grants to minimize the cost to the Town to pave streets, upgrade water and sewer lines, make improvements to stormwater systems, expand the sidewalk network, and more; and,

WHEREAS, Dennis has always treated residents, business owners, customers, and co-workers with respect and honesty; and,

WHEREAS, Dennis has supported community events such as Green Up Day and Touch-a-Truck; and,

WHEREAS, Dennis has mentored many employees, interns, and students; and,

WHEREAS, Dennis is a lifetime member of the American Society of Civil Engineers and has remained active in numerous professional associations, including the American Public Works Association, American Water Works Association, and New England Water Works Association; and,

WHEREAS, Dennis is an elected Champlain Water District Commissioner from the City of South Burlington; and,

WHEREAS, Dennis was appointed by the Governor as a Commissioner on

the New England Interstate Water Pollution Control Commission; and,

WHEREAS, Dennis has been named the Public Works Director of the Year by the Vermont Highway Association; and,

WHEREAS, Dennis has received the American Public Works Association Distinguished Service Award; now therefore be it

RESOLVED, that the Selectboard, on behalf of the staff and citizens of the Town of Essex, hereby extend our most sincere appreciation to Dennis for his 38 years of dedicated service to Essex, the State of Vermont, and the United States.

Adopted this 1st day of August 2022 by the Essex Selectboard.

Andrew J. Watts, Chair

Tracey Delphia, Vice Chair

Ethan Lawrence, Clerk

Dawn Hill-Fleury

Kendall Chamberlin



TOWN OF ESSEX VERMONT

81 MAIN STREET, ESSEX JUNCTION, VERMONT 05452
Fax: 878-1353 • E-mail: manager@essex.org • Website: www.essex.org

RESOLUTION IN APPRECIATION OF CHRISTINE STODDARD

WHEREAS, Christine “Chris” Stoddard was hired as Administrative Assistant for the Town of Essex Public Works Department in April 1998; and,

WHEREAS, Chris will be retiring on August 5, 2022; and,

WHEREAS, Chris has been an integral part of the Public Works Department supporting both the community and staff; and,

WHEREAS, Chris has been an indispensable team member for all administrative support of Public Works personnel throughout her tenure; and,

WHEREAS, Chris has been a dedicated, loyal and dependable employee of the Town of Essex; now therefore be it

RESOLVED, that on the occasion of Chris’s retirement that the Essex Selectboard, on behalf of the staff and citizens of the Town of Essex, hereby extend our most sincere appreciation to Chris Stoddard for 24 years of service in making Essex a better community in which to live and work.

Adopted this 1st day of August 2022 by the Essex Selectboard.

Andrew J. Watts, Chair

Tracey Delphia, Vice Chair

Ethan Lawrence, Clerk

Dawn Hill - Fleury

Kendall Chamberlin