



Town of Essex

Selectboard

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Regular Meeting Agenda

Monday, February 6, 2023 – 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:

• **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. Presentation of fiscal year 2022 financial audit
 - b. Discussion and potential action regarding whether to approve the mailing of ballots to all active voters for Essex Westford School District
 - c. Consider support and approval of an Official Map project for the Chittenden County Regional Planning Commission Unified Planning Work Program
 - d. Discussion and potential action about Town Meeting outreach for Selectboard members
 - e. *Consider approval of evaluation standards for Town Manager
 - f. *Discussion about the appointment or employment or evaluation of a public officer or employee
 - g. **Discussion about the negotiating or securing of real estate purchase or lease options
 - h. ***Discussion about pending or probable civil litigation or a prosecution, to which the public body is or may be a party
6. **CONSENT ITEMS**
 - a. Approve check warrants: #18090_ - date; 01/27/23
 - b. Consider acceptance of 2022 Town Highways
 - c. Consider the approval of the Tree City USA application
7. **READING FILE**
 - a. Board member comments
 - b. Upcoming meeting schedule
 - c. Chittenden County Regional Planning Commission January Newsletter
 - d. Chittenden Solid Waste District Fiscal Year 2022 Annual Report
 - e. Letter from Essex Westford School District to Vermont Agency of Transportation re: crossing at VT Route 128
8. **EXECUTIVE SESSION**
 - a. *An executive session is anticipated to discuss the appointment or employment or evaluation of a public officer or employee
 - b. **An executive session is anticipated to discuss the negotiating or securing of real estate purchase or lease options
 - c. ***An executive session is anticipated to discuss pending or probable civil litigation or a prosecution, to which the public body is or may be a party

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: _____  _____

SELECTBOARD

TOWN OF ESSEX SELECTBOARD REGULAR MEETING MINUTES MONDAY FEBRUARY 6, 2023

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

ADMINISTRATION and STAFF: Greg Duggan, Town Manager; Daniel Roy, Finance Director; Katherine Sonnick, Community Development Director

OTHERS PRESENT: Brian Donahue, EWSD; Elizabeth Dunn; Gina Halpin Barrett; Bill Keyser, Kittell, Branagan & Sargent; Brendan Kinney, EWSD; Ken Signorello; Gillian Smith; Margaret Smith; Irene Wrenner; Lorraine Zaloom

1. CALL TO ORDER

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

2. AGENDA ADDITIONS/CHANGES

None.

3. APPROVE AGENDA

No changes, thus no approval required.

4. PUBLIC TO BE HEARD

a. Comments from Public on Items Not on Agenda

None.

5. BUSINESS ITEMS

a. Presentation of fiscal year 2022 financial audit

Mr. Keyser, of the firm Kittell, Branagan & Sargent, presented with Mr. Roy, Finance Director. The FY 2022 audit was an unmodified or clean audit. The Town was not required to have a single audit during FY 2022, however this is expected to occur in coming fiscal years due to the use of COVID grant funding. Mr. Keyser detailed the setup of the financial audit and said that the fund balance was being utilized in lieu of raising taxes. Mr. Chamberlin asked if internal controls for fraud were reviewed, Mr. Keyser said that the audit is not designed to detect or prevent fraud but that he feels that there is a strong segregation of duties to prevent fraud. Mr. Chamberlin asked how the sweep accounts were performing, Mr. Keyser said that they are performing as they should be. Mr. Lawrence asked if there is a minimum the Town must maintain for the fund balance, Mr. Kaiser said that the Town began maintaining the 15% fund balance in 2017 or 2018. Mr. Watts opened public comment, of which there was none.

b. Discussion and potential action regarding whether to approve the mailing of ballots to all active voters for Essex Westford School District

Mr. Watts said that this is separate from the Selectboard's decision on mailing Town ballots. The Essex Westford School District (EWSD) has voted in favor of mailing ballots; however, they need formal permission from member towns to actually do so. Ms. Hill-Fleury asked about staff capacity to mail the ballots. Mr. Duggan said that the Clerk's Office is amenable to completing the work, and that EWSD will be reimbursing the Town for their time. Ms. Hill-Fleury asked Mr. Kinney why the school board wanted to mail the ballots, he said that this is because it increases voter participation dramatically. The EWSD has budgeted for this and will be paying for the costs. Mr. Watts requested public comment, of which there was none.

DAWN HILL-FLEURY made a motion, seconded by KENDALL CHAMBERLIN that the Selectboard approve the Town Clerk and staff to mail ballots to all active, registered voters in the Town of Essex on behalf of the Essex Westford School District. Motion passed 4-0.

c. Consider support and approval of an Official Map project for the Chittenden County Regional Planning Commission Unified Planning Work Program

Ms. Sonnick said that the Regional Planning Commission solicits grant applications from member communities for transportation-related projects. An official map is allowed by state statute to lay out desired infrastructure (i.e. road, sidewalks, paths, parks, etc.). The areas that will be mapped are both listed as potential high-growth areas in the Essex Town Center Next Plan. An Official Map is a requirement to obtain New Town Center designation from the state. Ms. Sonnick said that it is possible that the Town will consider applying for a Village Center Designation for the area near the Essex Free Library and/or a Neighborhood Development Designation in the future. Mr. Watts requested public comment. Ms. Dunn asked that the Mathieu Forest be omitted from the mapped area. Ms. Sonnick clarified that the circled area is just a general idea of where will be mapped, and that there is no plan to turn the Mathieu Forest into housing.

ETHAN LAWRENCE made a motion, seconded by KENDALL CHAMBERLIN that the Selectboard show their support by approval of the Official Map application of UPWP as presented. Motion passed 4-0.

d. Discussion and potential action about Town Meeting outreach for Selectboard members

Mr. Watts said that, before COVID, the Selectboard used to go to events throughout the Town to hand out information packets about the budget and Town meeting. Mr. Duggan said that a Q & A sheet will be prepared by staff and provided a list of upcoming community events for the Selectboard's review. Mr. Watts asked the Board if they are interested in doing this again. The Board indicated their interest in continuing. Ms. Hill-Fleury suggested outreach opportunities besides high school sports and encouraged Town staff to reach out to local senior housing. A coffee chat or televised discussion on Town Meeting TV was also suggested. Mr. Watts requested public input. Ms. Dunn applauded Ms. Hill-Fleury for considering outreach besides high school sports and encouraged the Board to perform as much outreach as possible.

e. Consider approval of evaluation standards for Town Manager

Mr. Watts said that the Board contractually owes Mr. Duggan an assessment of his performance. He discussed the process, which will involve Board member and Department Head input. He anticipates that the first discussion will be held in Executive Session on March 20, and the formal evaluation completed in early April. Should a bonus or merit increase be awarded to Mr. Duggan it would be effective July 1, 2023. Mr. Duggan will also be completing a self-evaluation. Mr. Lawrence suggested that the full Board complete the evaluation as a group. Mr. Watts said that all members would have input, however he suggested that the actual evaluation itself be drafted by himself and the Vice-Chair. This document would then be back to the full Board. Mr. Watts requested public comment, none was provided.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE that the Selectboard approve the Evaluation Standards for the Town Manager as presented in the packet. Motion passed 4-0.

f. Discussion about the appointment or employment or evaluation of a public officer or employee

This was discussed during Executive Session.

g. Discussion about the negotiating or securing of real estate purchase or lease options

This was discussed during Executive Session.

h. Discussion about pending or probable civil litigation or a prosecution, to which the public body is or may be a party

This was discussed during Executive Session.

6. CONSENT AGENDA

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to approve the Consent Agenda as presented. Motion passed 4-0.

a. Approve check warrants: #18090_ - date; 01/27/23

b. Consider acceptance of 2022 Town Highways

c. Consider the approval of the Tree City USA application

7. READING FILE

a. Board member comments: Mr. Lawrence thanked Cpl. Wehman and K-9 Nova for their work tracking a suspect. Mr. Chamberlin asked if VTrans has answered the Board's request regarding a crosswalk, Mr. Duggan said that no response has been given thus far.

b. Upcoming meeting schedule

c. Chittenden County Regional Planning Commission January Newsletter

d. Chittenden Solid Waste District Fiscal Year 2022 Annual Report

8. EXECUTIVE SESSION

a. An executive session was held to discuss the appointment or evaluation of a public officer or employee

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to move that the Selectboard enter into executive session to discuss the appointment or employment or evaluation of a public officer or employee in accordance with 1 V.S.A. Section 313(a)(3), to include the Town Manager and Deputy Manager. Motion passed 4-0.

b. An executive session was held to discuss the negotiating or securing of real estate purchase or lease options

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE to move that the Selectboard enter executive session to discuss the negotiating or securing of real estate purchase or lease options in accordance with 1 V.S.A. Section 313(a)(2) and to include the Town Manager and Deputy Manager. Motion passed 4-0.

c. An executive session was held to discuss pending or probable civil litigation or a prosecution, to which the public body is or may be a party

ETHAN LAWRENCE made a motion, seconded by KENDALL CHAMBERLIN that the Selectboard make the specific finding that general public knowledge of pending or probable civil litigation, to which the public body is or may be a party would place the Town at a substantial disadvantage. Motion passed 4-0.

ETHAN LAWRENCE made a motion, seconded by DAWN HILL-FLEURY that the Selectboard enter into Executive Session to discuss pending or probable civil litigation, to which the public body

is or may be a party pursuant to 1 V.S.A. Section 313(a)(1)(e) and to include the Town Manager and Deputy Manager. Motion passed 4-0.

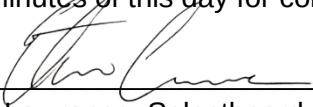
DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to exit executive session. Motion passed 4-0 at 8:18 p.m.

9. ADJOURN

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, for the Selectboard to adjourn. The motion passed 4-0 at 8:18 PM.

Respectfully Submitted,
Darby Mayville
Recording Secretary

Approved this 21st day of February, 2023
(see minutes of this day for corrections, if any)



Ethan Lawrence, Selectboard Clerk