



TOWN OF ESSEX SELECTBOARD REGULAR MEETING AGENDA

Online & 81 Main St.
Essex Junction, VT 05452
Monday, August 2, 2021
6:30 PM

E-mail: manager@essex.org

www.essexvt.org

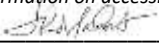
Phone: (802) 878-1341

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

- **WATCH:** the meeting will be live-streamed on [Town Meeting TV](#).
- **JOIN ONLINE:** [Join Microsoft Teams Meeting](#). Depending on your browser, you may need to call in for audio (below).
- **JOIN CALLING:** Join via conference call (*audio only*): (802) 377-3784 | Conference ID: 838 150 281#
- **PROVIDE FULL NAME:** For minutes, please provide your full name whenever prompted.
- **CHAT DURING MEETING:** Please use "Chat" to request to speak, only. **Please do not use for comments.**
- **RAISE YOUR HAND:** Click on the hand in Teams to speak or use the "Chat" feature to request to speak.
- **MUTE YOUR MIC:** When not speaking, please mute your microphone on your computer/phone.

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. Consider approval of tax rate for Fiscal Year 2022
 - b. Discussion about forums for the Essex community about how to prepare for the Village's coming separation vote and subsequent Vermont Legislature decision
 - c. *Legal discussion on Village of Essex Junction's proposed separation from Town of Essex
6. **CONSENT ITEMS**
 - a. Consider acknowledging new street name, Greystone Drive, off Old Colchester Road
 - b. Approve minutes: July 12, 2021; July 19, 2021 - Joint
 - c. Check Warrants: #17886 – 7/16/21; #17888 – 7/23/21
7. **READING FILE**
 - a. Board member comments
 - b. Thank you notes from Human Services funding recipients
 - c. Thank you letter from Howard Center
 - d. Memo from Sarah Macy re: planning for Fiscal Year 2023 budget
 - e. Email from Andy Champagne re: Racism in Essex
 - f. National Night Out 2021 flyer
 - g. Upcoming meeting schedule
8. **EXECUTIVE SESSION**
 - a. *An executive session may be necessary to discuss legal matters

Members of the public are encouraged to speak during the Public to Be Heard agenda item, during a Public Hearing, or, when recognized by the Chair, during consideration of a specific agenda item. The public will not be permitted to participate when a motion is being discussed except when specifically requested by the Chair. 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:  7/30/2021

**TOWN OF ESSEX
SELECTBOARD MEETING MINUTES
Monday, August 2, 2021**

SELECTBOARD: Andy Watts, Chair; Patrick Murray, Vice Chair, Tracey Delphia; Dawn Hill-Fleury

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Courtney Bushey, Assistant Finance Director; Greg Duggan, Deputy Manager

OTHERS PRESENT: Bob Burrows; Alise Certa; Marcus Certa; Kevin Collins; Patty Davis; Maureen Gillard; William Graham; Jen Knauer; Rachael Lizotte; Deb McAdoo; Bridget Meyer; Adam Newhard; Susanna Olson; Bruce Post; Mary Post; Roseanne Prestipino; Angel Segarra; Ken Signorello; Gabrielle Smith; Harlan Smith; Sara Stultz; Dennis Thibeault; Irene Wrenner; Lorraine Zalloom; JP

1. CALL TO ORDER

Mr. Watts called the Essex Selectboard to order at 6:32 PM.

2. AGENDA ADDITIONS/ CHANGES

Ms. Hill-Fleury requested that the Minutes from July 19 be pulled from 6a and added to Business items as 5d.

3. AGENDA APPROVAL

PATRICK MURRAY made a motion, seconded by TRACEY DELPHIA, to approve the agenda with the amendments. The motion passed 4-0.

4. PUBLIC TO BE HEARD

a. Comments from Public on Items Not on Agenda

Ms. Meyer presented a letter to the Selectboard, signed by ninety-one residents of the Town of Essex, requesting that the Selectboard respond to the Trustees' proposal that the Town share police services with the City of Essex Junction if the municipalities of the Village of Essex Junction and the Town of Essex separate. She referenced a letter written by Police Chief Hoague to explain how sharing police services, at the current level, would be in their best interest. She requested that the Selectboard respond by affirming this position to the Trustees during the August 23rd meeting of both boards.

Ms. Post praised a recent Coffee with Cops event she attended and suggested others take advantage of this opportunity. Ms. Post wondered if discrimination was a reason for Ms. Makuku's position still being "interim" although residents have requested that she become a permanent employee. Mr. Teich said discussions with Ms. Makuku about her position have been taking place.

Ms. Davis said she also enjoyed speaking with Chief Hoague. She requested that Town and Village ordinances be aligned so Saxon Hill and other public locations could include clear signage. Ms. Davis posed multiple questions about the Selectboard's priorities, motivations, and decision-making plans regarding the Trustees separation proposal. She said they should focus on district representation, not tax equity, and wait to plan separation until after the Village's separation vote.

Mr. Signorello talked about the difference between tax equity and tax inequality, then requested that Essex tax discussions utilize the latter term. He talked about fluctuations in Essex Village taxes over time and said that, in exchange for more taxation, the Village has more representation.

Mr. Certa said the police response to an incident on Pearl Street was poor and he wondered how the Selectboard would respond to ensure that the Police are doing what is expected of them. Mr.

Teich said he spoke with Chief Hoague about the incident and a new investigation will take place. Mr. Murray said the equity committee discussed the incident with Chief Hoague. He said they talked about the importance of police not making quick, erroneous, judgement calls.

Ms. Wrenner said the Selectboard is not obligated to respond to the Trustees' proposals, which she described as "Village demands." She also mentioned how highway maintenance costs are split in the Town and Village.

Ms. Certa clarified that the signatures on the letter presented by Ms. Meyer are from Village and Town residents.

Ms. Zaloom asked how police services are arranged for Fairground event policing and wondered if there should be a local, used needle drop location. She also asked how the public could add an agenda item to a Selectboard meeting and suggested that municipal committees report more frequently to the Selectboard. Mr. Teich responded that Fairground concerts require a contract with the Police Department and people should call the police to report needle finds. He expressed concern for people with substance use issues in the community and said increased community resources are needed. He explained that he determines with the Selectboard chair when or how to include agenda item requests. Mr. Watts and Mr. Teich talked about changes that will be taking place with municipal committees, including implementing stipends for volunteers.

Ms. Lizotte clarified, regarding the Memorial Hall discussion from a previous meeting, that the idea of hosting childcare at that location was to address an urgent need that is no longer pressing. She said the Selectboard should consider childcare needs for the residents of the Town outside the Village. She said the upcoming public comment forums are not considering the needs of families of children of under 11, who are not vaccinated. She said the forums should all be hybrid.

Mr. Newhard thanked Ms. Delphia for getting the word out on social media about the upcoming forums. He said social media comments provided insight into accessibility needs of families of younger children. He requested that the Selectboard post information to Facebook in the future.

Ms. Smith said the letter presented by Ms. Meyer was clear communication to the Selectboard about what residents believe is the best option for policing, that the police force does not change significantly. She asked that deliberations regarding separation be as public as possible.

Mr. Sullivan thanked members of the Selectboard for representing all Town voters while facing two distinctly opposing voices. He encouraged them to bargain fairly and respectfully and he suggested they not speak for or against separation.

Mr. Watts commented that no discussion has taken place to change the Police Department in any significant ways. He said the Selectboard appreciates the letter presented to them because it provides clear community feedback on the issue.

5. BUSINESS ITEMS

a. Consider approval of tax rate for Fiscal Year 2022

Mr. Duggan introduced the issue of setting the Town tax rates for FY2022, calculated based on 2021 Grand List after assessor appeals. He said the tax rate was a 4.3% increase from 2021. He explained how the decision to adopt a 0% increase in FY2021, in response to the pandemic, resulted in the higher than normal FY2022 increase, because it is essentially a 2-year increase.

Ms. McAdoo wondered if the veteran tax discount was only for disabled veterans. Mr. Duggan said he was not sure and would have to confirm.

Ms. Hill-Fleury wondered what the impact would be if they only adopted only a 1-year tax increase of 2.18%. Mr. Teich explained that the 1-year tax increase would not support the budget that was already approved, then explained the way Vermont's COVID option to change the tax rate in 2020 effected Essex's budget process.

Mr. Signorello said that the Town outside the Village highway tax is at 0, but the tax is not gone.

TRACEY DELPHIA made a motion, seconded by PATRICK MURRAY, that the Selectboard set the tax rates for fiscal year ending June 30, 2022, as follows:

Town General Fund Tax Rate	0.5285
Local Agreement Rate	0.0022
Town Capital Tax	0.0200
Total Municipal Rate Paid by all Town Taxpayers	0.5507

The motion passed 4-0.

b. Discussion about forums for the Essex community about how to prepare for the Village's coming separation vote and subsequent Vermont Legislature decision

Ms. Knauer provided an overview of the Essex Community Forums and described her facilitation methods, to gain final suggestions from the Selectboard prior to the first scheduled forum. She explained that one forum was scheduled to be in-person, one virtual, and one hybrid. She said the location of the in-person forum, Memorial Hall, does not have good technical/streaming support so, if the forum needs to be hybrid, a different location will need to be identified. She shared the following assumptions used to frame the forum process:

- The forums will communicate about phases, not timelines, because dates regarding separation are uncertain.
- The forums will collect information about what are people paying attention to during this "interim phase" before the separation vote.
- The forums are not designed to debate what should or should not be happening but, instead, to determine community member questions and see what is most important moving forward.

The Selectboard members talked with Ms. Knauer about what information will be collected from the forums. Ms. Hill-Fleury suggested doing a poll of whether people are for or against separation. Ms. Knauer explained why a poll may not provide the most important information for the Selectboard to stand by moving forward. Mr. Murray said it would be helpful to know what people are paying attention to and he hoped underlying trends would emerge from this process. Ms. Knauer said they may also find out what people are trying to protect. Ms. Delphia wondered if the forums may identify what people think could negatively impact them. Ms. Knauer talked about the unique characteristics of this interim phase, before the vote, when the Town is representing both groups (the Town outside the Village and the Town inside the Village). She said these forums should help the Selectboard to know how to represent everybody by learning about what the community members are focused on. She said that the Wednesday and Friday forums will result in combined data and based on this data the Selectboard may choose to adapt the third forum. The Selectboard members discussed their preferences for Selectboard presence at the forums noting that attendance should be limited, to avoid a quorum, so only one or two could be there to witness or listen. They talked about location for the forums and the limited Wi-Fi at Memorial Hall.

Ms. Zaloom requested that all of the forums have an online option, due to people's fear of the Delta variant. She also wondered if they could revive the KSV survey, from a few years ago, to consider what people were united on before.

Mr. Post said the forums seem formless, based on the Selectboard's discussion with Ms. Knauer, but the memo included has specific discussion points. He suggested someone be present to explain discussion points. Mr. Duggan said he would attend and can be available for questions.

Mr. Smith said he was confused by the forum's format and wondered if the twelve items presented to the Selectboard from the Trustees for discussion could be included. He also wondered if he should attend all three forums. He suggested that the data collected on the KSV survey may no longer apply and said that his ideas have changed based on what he has learned. Ms. Knauer suggested he attend one of the first two meetings and then also consider attending the one on August 21.

Ms. Smith said she was grateful they were hosting these forums but requested clarity on what to expect and what would be expected of her. Ms. Knauer said the forums are for people to share about what they are looking for in the community along the way during this time before the vote.

Ms. Wrenner said she is pleased to talk about phases instead of a timeline during the forums and requested that the following question be posed: "Why do you think you want separation or why do you think you don't want separation?" She said she would have preferred the forums be warned meetings with more Selectboard members available. She suggested ways the public could review KSV information online and talked about how opinions may have changed based on true or misleading information.

Ms. Post shared Ms. Wrenner's website. She said the forums are not scheduled for enough time and that she was frustrated with the change of topics. She said it seems like the forums are focused on separation and a "Trustees agenda." She suggested that negotiations not take place until a separation vote succeeds. She quoted Orwell's "Animal Farm" to illustrate Essex dynamics.

Ms. Certa suggested that if the Selectboard decide to not attend the forums there may be more sharing and less of an attempt from community members to try to convince.

Ms. Davis agreed with Ms. Certa. She also said that the forums may not help because the Village residents should only be discussing issues within themselves not with the whole Town. She expressed concern that there is not enough district representation and wondered why the forums were not taking place after the vote.

Mr. Signorello said he approved of the Memorial Hall location for an in-person, first forum and the others, zoom and then hybrid, are also good. He received clarity that the forum discussions would be focused on now until the vote.

Mr. Certa said, as a former KSV employee, he supports KSV's work, but that the survey data was from a small sample size. He said it was insightful but not actionable. He worried that these forums would also be insightful but not actionable. He hoped that the forums would engage people from whom have not already been heard.

The Selectboard members agreed that there should be limited Selectboard presence at the forums, but that they will not take any positions. Mr. Watts reminded the community that they could also email suggestions or talk with the Selectboard members to share their thoughts. Due to issues of childcare, concerns over COVID and unfamiliarity with the technology available at Memorial Hall, the Selectboard members felt a hybrid meeting was preferable for the August 4th forum and decided to relocate the session to 81 Main Street. They agreed they would quickly and thoroughly update this change online and with signs.

c. ***Legal discussion on Village of Essex Junction's proposed separation from Town of Essex**

This took place in executive session as item 8a.

d. **Approve Minutes: July 19, 2021- Joint**

Ms. Delphia requested that line 40 of the meeting minutes say, "from the Town outside the Village" after "limited community input".

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, to approve the minutes as corrected. The motion passed 4-0.

6. CONSENT ITEMS

TRACEY DELPHIA made a motion, seconded by DAWN HILL-FLEURY to approve the Consent Agenda:

a. **Consider acknowledging new street name, Greystone Drive, off Old Colchester Road**

- The Selectboard acknowledges that E911 Coordinator and State approved the name 'Greystone Drive' for the private drive off Old Colchester Road.

b. **Approve minutes: July 12, 2021; ~~July 19, 2021~~ — Joint**

- Approval of minutes from July 19, 2021, took place as item 5d.

c. **Check Warrants: #17886 – 7/16/21; #17888 – 7/23/21.**

The motion passed 4-0.

7. READING FILE

a. Board member comments

- ➔ Mr. Murray announced that the National Night Out, a community event about police and community partnership isscheduled from 5-7pm on Tuesday, August 3 at Essex High School.

b. Thank you notes from Human Services funding recipients

c. Thank you letter from Howard Center

d. Memo from Sarah Macy re: planning for Fiscal Year 2023 budget

e. Email from Andy Champagne re: Racism in Essex

f. National Night Out 2021 flyer

g. Upcoming meeting schedule

- Mr. Watts reminded the Selectboard that their next meeting is on a Tuesday, the 17th, due to observance of Bennington Battle Day on the 16th.

8. EXECUTIVE SESSION

a. ***An executive session may be necessary to discuss legal matters.**

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, that the Selectboard make the specific finding that general public knowledge of confidential attorney-client communications made for the purpose of providing professional legal services to the body would place the Town at a substantial disadvantage. The motion passed 4-0 at 8:43 PM.

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, that that the Selectboard enter into executive session to discuss confidential attorney-client communications made for the purpose of providing professional legal services to the body, pursuant to 1 V.S.A. § 313(a)(1)(F) to include the Unified Manager and Deputy Manager with legal counsel. The motion passed 4-0 at 8:44 PM.

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, to exit executive session. The motion passed 4-0 at 10:39 p.m.

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258 **9. ADJOURN**
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260 **DAWN HILL-FLEURY made a motion, seconded by PATRICK MURRAY, to adjourn. The motion**
261 **passed 4-0 at 10:40 PM.**
262

263 Respectfully Submitted,
264 Cathy Ainsworth
265 Recording Secretary
266

267 **Approved this 17TH day of August, 2021**
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269 **(See minutes of this day for corrections, if any)**

A handwritten signature in cursive script that reads "Tracey A Delphia". The signature is written in black ink on a light-colored background.

Tracey Delphia, Clerk, Selectboard