



TOWN OF ESSEX SELECTBOARD REGULAR MEETING AGENDA

Online
Essex Junction, VT 05452
Monday, May 17, 2021
6:30 PM

E-mail: manager@essex.org

www.essexvt.org

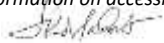
Phone: (802) 878-1341

Due to the Covid-19 pandemic, **this meeting will be held remotely**. 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: 590 913 754#
- **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. Presentation from Energy Committee about new net metering proposal from Norwich Technologies, and Energy Plan updates – Will Dodge
 - b. Consider first approval of traffic ordinance updates and authorize staff to warn public hearing for final adoption
 - c. *Discussion and potential action on Chittenden County Regional Planning Commission Board and Committee Appointments
 - d. Presentation of and discussion about Chittenden Solid Waste District's proposed fiscal year 2022 budget [8:00 pm]
6. **CONSENT ITEMS**
 - a. Consider approval of renewal of Certificate of Approval for 264 Colchester Road Salvage Yard
 - b. Consider approval of outdoor consumption permit: 1st Republic
 - c. Reconsider FY2021 Human Service Funding Awards
 - d. *Consider reappointment of Justin St. James to the Town Zoning Board of Adjustment
 - e. *Consider reappointment of Joan Janzen to the Town Cemetery Commission
 - f. *Consider reappointment of Irene Wrenner to Town Energy Committee
 - g. *Consider reappointment of Marie Froeschl to the Essex Free Library Board of Trustees
 - h. Approve minutes: May 3, 2021
 - i. Check Warrants: #17853 – 4/30/21; #17855 – 5/7/21; #17860 – 5/14/21
7. **READING FILE**
 - a. Board member comments
 - b. Email from Kelley Avery re: VLCT Group Dental Coverage Decrease in Rates
 - c. Email from Katie Spaeder re: Question about possible traffic lights or signs
 - d. Covid-19 Water Usage through April 2021
 - e. Residential Property Sales – Out of State Buyers 2017-2020
 - f. Email from John Mangan re: stepping down from Town Planning Commission after term expires
 - g. Upcoming meeting schedule
8. **EXECUTIVE SESSION**
 - a. *An executive session may be requested to discuss the appointment of public officials

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:  5/14/2021

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TOWN OF ESSEX SELECTBOARD REGULAR MEETING May 17, 2021

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

ADMINISTRATION: Greg Duggan, Deputy Manager; Ron Hoague, Chief of Police; Robert Kissinger, Police Lieutenant.

OTHERS PRESENT: Dottie Bergendahl, Natalee Braun, Alise Certa, Andy Champagne, Kevin Collins, Annie Cooper, Will Dodge, Betsy Dunn, Michael Fink, Erin Dickinson, Maureen Gillard, Elaine Haney, Dan Kerin, Phil March, Adam Newhard, Sarah Reeves, Brian Shelden, David Skopin, Margaret Smith, Dennis Thibeault, Irene Wrenner, Jeanne ____.

1. CALL TO ORDER

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

2. AGENDA ADDITIONS/CHANGES

Consent item 6c (Reconsider Human Services Funding Awards) should be moved to Business Items as new item 5e. Consent items 6d through 6g should also be moved to Business Items as 5f through 5i. Additionally, Business Item 5d should be flexible to accommodate the speaker's availability.

3. AGENDA APPROVAL

ANDY WATTS made a motion, and TRACEY DELPHIA seconded, that the Selectboard approve the agenda with the following amendments: move Consent Item 6c to the Business Items as 5e, move Consent Item 6d-g to Business Items 5f-i, and add the provision that Business Item 5d be moved to a point in the agenda at which Sara Reeves is able to attend (nominally 8:00). The motion passed 5-0.

4. PUBLIC TO BE HEARD

a. Comments from Public on Items Not on Agenda

Mr. Newhard asked about conflicts of interest for members of the Selectboard. Mr. Watts replied that there is a Conflict of Interest Policy and that an individual is able to make their own determination as to whether they have a conflict of interest.

Mr. Champagne asked whether he could get the salary information for Town employees online, similarly to Rutland and Burlington and the State of Vermont. Deputy Manager Duggan replied that that information is public and can be requested through Town staff. Mr. Champagne asked if the salary information could be posted on the internet and be available. Deputy Manager Duggan said that he would look into that suggestion.

5. BUSINESS ITEMS

a. Presentation from Energy Committee about new net metering proposal from Norwich Technologies, and Energy Plan updates – Will Dodge

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Mr. Dodge, the Chair of the Energy Committee, provided an overview of the scope, challenges, and recommendations regarding energy in Essex for 2021. He provided an update on some of the Energy Committee's activities. He said that the Energy Committee was formed in 2008 with the goals of tracking municipal energy use and recommending targets and actions for decreasing energy use, researching the use of renewable energy resources, increasing energy efficiency, researching funding options, developing energy efficiency educational programs, and assisting other town committees in areas of related concern, including the energy section of the Town Plan. He spoke about the Essex Energy Plan, which had four goals around land use, transportation, thermal use, and renewable energy. He spoke about weatherization efforts in Essex, noting that the thermal sector produces the second highest greenhouse gas emissions and is the highest energy user in Vermont. He also spoke about net metering efforts for solar generation, noting that the state allows for up to 500 kW AC of generation credit for municipalities. He noted that though there are existing projects in the Town of Essex and Village of Essex Junction through Green Lantern and Encore, there are still credits available for an additional project to accept the full 650 kW of output.

Mr. Dodge spoke about committee requests for Selectboard considerations. One of them is to look into solar at the Sand Hill Park building, which would be an achievable way to fulfill the goal of municipal-owned sites for renewable energy generation. Another is for the Town to think seriously about electric vehicles (EV) and electric maintenance tools, like replacing the Town's fleet with electric or biodiesel fuel vehicles as gas-powered vehicles reach the end of their useful life. Additionally, he suggested investigating the net metering possibility with Norwich Technologies, and requested the Selectboard's blessing to explore developing a concrete proposal for what savings could be achieved by using that extra capacity. Another request was around collaborating with the Community Development Office on weatherization promotion. Another was to fund an Energy Coordinator position to develop energy implementation plans, coordinate efforts for the Town and Village, and encourage residential and commercial energy conservation.

Mr. Murray agreed with the suggestion that the Town upgrade its vehicle fleet. He noted that federal American Rescue Plan Act (ARPA) funds include some components of weatherization and asked if the Committee has suggestions or recommendations for how to spend it. Mr. Dodge replied that one of the biggest priorities for weatherization is multi-tenant housing, since landlords often don't have incentives for becoming more energy efficient, since they pass energy costs on to their tenants. Mr. March said that one challenge is that they don't know which houses are the leakiest in terms of energy efficiency in the community and suggested conducting a survey of homes. Mr. Murray asked if Essex has conducted an energy audit of all of its municipal buildings. Mr. Duggan replied that Public Works Director Dennis Lutz may have the most knowledge but that a comprehensive audit hasn't been conducted.

Mr. Franco asked how it would be possible to involve the community in rooftop solar projects. Mr. Dodge replied that the Town has some good examples of rooftop solar that works well, such as in the outlet mall at the Essex Experience. He added that the legislature should get more involved, since it should be easier to do community solar. Mr. Duggan noted PACE loans that can be taken out and that as recipients make improvements, they can use those loans as tax deductions until they are paid off.

Ms. Delphia said that rooftop solar and redesigning parking lots and impervious surfaces are important. She asked if any work has been done to map out larger plots of land that can host solar infrastructure. Mr. Dodge replied that Community Development staff have spent time examining this.

Mr. Watts opened the discussion up to the public.

Ms. Braun spoke about the importance of community members engaging with each other on the individual level in order to build momentum around achieving climate-related goals.

Ms. Dunn asked if it would be possible to have the Energy Commission talk to the Essex Westford School Board about putting solar panels on top of school buildings. She also suggested a renters' commission for tenants to lodge complaints or grievances about landlords. She also asked if the Town has a definition of affordable housing. Mr. Duggan replied that the federal definition is affordable to people make below 80% of median income for a certain area. Mr. Dodge also noted that the Commission has reached out to the School Board in the past and will reach out again. Mr. Murray added that the School District has a contract with a solar energy company and will get more information to Mr. Dodge.

Mr. March said the Energy Committee has posted a weatherization guide on the Town's website to help residents locate weatherization programs and resources.

Selectboard members agreed that the Energy Committee should engage in preliminary work associated with their additional net metering proposal, recognizing that there are significant limitations to staff availability in the immediate future, but that a better idea of future staff bandwidth should be known soon.

b. Consider first approval of traffic ordinance updates and authorize staff to warn public hearing for final adoption

Mr. Duggan noted that these ordinances hadn't been updated in some time prior to their being reviewed in the autumn of 2020 by the Selectboard. He said they had been reviewed and revised in tandem with Village of Essex Junction ordinances but it is unclear how the Town and Village ordinances may ultimately overlap and that a Memorandum of Understanding may need to be developed. He noted that in the meantime, the Town revisions for areas outside the Village are ready for approval. He said the revisions provide clarity to residents and that updated, clear ordinances are helpful for police to pursue traffic violations in court settings. He noted slight changes in sections 7.20.010 and 7.20.020 to accurately capture the current parking rules on Ethan Allen Avenue (around which there had previously been some confusion).

Ms. Delphia asked whether sections 7.08.040 B and C need to specify individual streets with no right on red rules or whether the verbiage could be more broadly worded to prohibit right turns at red lights unless there is a specific or illuminated sign. Lieutenant Kissinger said that 7.08.040B applies specifically to Susie Wilson Road, since it doesn't allow right hand turns at all, but that they could look into broadening the language for 7.08.040C and will likely refer the question to the traffic bureau.

Ms. Delphia asked if there is a fee for overweight vehicles associated with the overweight permits. Lieutenant Kissinger replied that is regulated by federal standards. Chief Hoague noted that there is a process for charging for overweight permits and that Public Works and the State both track those. Mr. Duggan added that the state has a fee for overweight vehicles and that the Town sees a share of that. He noted that the Town sees more revenue from overweight vehicles during the development review

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process. Mr. Watts noted that the Vermont League of Cities and Towns also frequently discusses overweight vehicle permits. Ms. Hill-Fleury asked whether the Police Department is notified about who has overweight permits. Lieutenant Kissinger replied that yes, they receive monthly updates.

Mr. Watts opened the discussion up to the public.

There was no public comment.

PATRICK MURRAY made a motion, and VINCE FRANCO seconded, that the Selectboard pass the revised provisions to Title 7, Motor Vehicles, Traffic and Parking of the Town of Essex Municipal Ordinance and authorize staff to warn a public hearing on the revisions for June 7, 2021. The motion passed 5-0.

c. *Discussion and potential action on Chittenden County Regional Planning Commission Board and Committee Appointments

The Selectboard will discuss this further in executive session.

d. Presentation of and discussion about Chittenden Solid Waste District's proposed Fiscal Year 2022 budget

Ms. Reeves began her presentation by noting that CSWD is a municipal district created in 1987 to oversee and manage the solid waste generated in Chittenden County, that it is governed by volunteer commissioners of 18 municipalities, and that the mission is to reduce and manage the waste generated within Chittenden County in an environmentally sound and efficient manner. She outlined how CSWD is funded, which includes user fees (customers pay directly to CSWD), revenue from solid waste management fee (per ton, charged to haulers brought to Coventry landfill), and from material and compost sales. She emphasized that CSWD is not funded directly by cities and towns or through assessed per capita fees or through property tax dollars, though she did note that CSWD receives grants from the state.

She outlined the Fiscal Year 2022 budget, noting that CSWD is anticipating revenue of \$12,954,793, which they believe is a conservative amount, and expenditures of \$12,323,072. She noted that the gap between revenue and expenditures will be divided among reserve funds and that they are proposing only minor fee increases. She said they are anticipating robust sales for compost and recycling, due to high demand for cardboard and residents' increased interest in home gardening. She said Essex has \$7,500 available in funding to spend on community clean-up activities and events.

DAWN HILL-FLEURY made a motion, and VINCE FRANCO seconded, to approve the Chittenden Solid Waste District's Fiscal Year 2022 budget as presented. The motion passed 5-0.

e. Reconsider FY2021 Human Service Funding Awards (was consent item 6c)

Mr. Duggan noted that the Human Services Committee realized it had missed several scores from its members, and when those scores were included some of the applications were adjusted in the rankings. He said the Human Services Committee is comfortable with reconsideration as recommended and amending them to include this recommendation.

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TRACEY DELPHIA made a motion, and DAWN HILL-FLEURY seconded, that the Selectboard reconsider the 2021 Human Service Funding Awards. The motion passed 5-0.

TRACEY DELPHIA made a motion, and DAWN HILL-FLEURY seconded, that the Selectboard approve the 2021 Human Service Funding Awards as presented with the caveat that the recommendations for Voices for Inclusion in Essex and Westford is contingent upon their being granted 501(c)(3) status. The motion passed 5-0.

f. ***Consider reappointment of Justin St. James to the Town Zoning Board of Adjustment**
Unrelated to this item specifically, Mr. Watts noted that Town staff is working on a stipend for committee members for Fiscal Year 2022. He said he would also like to have a discussion about reviewing and potentially revising how members are selected to be on committees. Mr. Murray suggested that it would be best to include this as a discussion item at a future Selectboard meeting.

This item was discussed during executive session.

g. ***Consider reappointment of Joan Janzen to the Town Cemetery Commission**
This item was discussed during executive session.

h. ***Consider reappointment of Irene Wrenner to the Town Energy Committee**
This item was discussed during executive session.

i. **Consider reappointment of Marie Froeschl to the Essex Free Library Board of Trustees**
This item was discussed during executive session.

6. CONSENT ITEMS:

- a. **Consider approval of renewal of Certificate of Approval for 264 Colchester Road Salvage Yard**
- b. **Consider approval of outdoor consumption permit: 1st Republic**
- c. **Reconsider FY2021 Human Service Funding Awards**
- d. ***Consider reappointment of Justin St. James to the Town Zoning Board of Adjustment (now Business Item 5f)**
- e. ***Consider reappointment of Joan Janzen to the Town Cemetery Commission (now Business Item 5g)**
- f. ***Consider reappointment of Irene Wrenner to the Town Energy Committee (now Business Item 5h)**
- g. ***Consider reappointment of Marie Froeschl to the Essex Free Library Board of Trustees (now Business Item 5i)**
- h. **Approve minutes: May 3, 2021**
- i. **Check Warrants: #17853 – 4/30/21; #17855 – 5/7/21; #17860 – 5/14/21**

DAWN HILL-FLEURY made a motion, and TRACEY DELPHIA seconded, to approve the consent agenda. The motion passed 5-0.

7. READING FILE:

- a. **Board member comments:** Mr. Watts noted that the upcoming meeting schedule didn't include the June 5th meeting, but that it has been confirmed. Mr. Murray thanked Mr. Mangan for serving

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on the Town Planning Commission and expressed appreciation for the analysis on residential property sales for out of state buyers.

- b. Email from Kelley Avery re: VLCT Group Dental Coverage Decrease in Rates
- c. Email from Katie Spaeder re: Question about possible traffic lights or signs
- d. Covid-19 Water usage through April 2021
- e. Residential Property Sales – Out of State Buyers 2017-2020
- f. Email from John Mangan re: stepping down from Town Planning Commission after term expires
- g. Upcoming meeting schedule

8. EXECUTIVE SESSION:

- a. *An executive session may be requested to discuss the appointment of public officials

TRACEY DELPHIA made a motion, and DAWN HILL-FLEURY seconded, to enter into executive session to discuss the proposed public official appointment(s) in accordance with 1 V.S.A. Section 313(a)(3) and to include the Deputy Manager. The motion passed 5-0 and the Selectboard entered into executive session at 8:09 PM.

DAWN HILL-FLEURY made a motion, and PATRICK MURRAY seconded, to exit executive session. The motion passed 5-0 at 8:41 PM.

ANDY WATTS made a motion, and DAWN HILL-FLEURY seconded, to reappoint Jeffrey Carr as Chittenden County Regional Planning Commission Board of Director Representative, Tracey Delphia as the CCRPC Board of Director alternate, Dennis Lutz as the CCRPC Transportation Advisory Committee Representative and Clean Water Advisory Committee Alternate, and Annie Costandi as the CWAC Representative. The motion passed 5-0.

ANDY WATTS made a motion, and DAWN HILL-FLEURY seconded, to reappoint the following members to their respective committees to a three-year term to expire June 30, 2024: Justin St. James to the Town Zoning Board of Adjustment; Irene Wrenner to the Town Energy Committee; Marie Froeschl to the Essex Free Library Board of Trustees; and to approve the Town Manager to appoint Joan Janzen to the Town Cemetery Commission. The motion passed 5-0.

9. ADJOURN:

DAWN HILL-FLEURY made a motion, and VINCE FRANCO seconded, to adjourn the meeting. The motion passed 5-0 at 9:09 PM.

Respectfully Submitted,
Amy Coonradt
Recording Secretary

Approved this 7th day of June, 2021
(See minutes of this day for corrections, if any)

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Tracey Delphia, Clerk, Selectboard
(see minutes of this day for corrections, if any)