TOWN OF ESSEX SELECTBOARD
REGULAR MEETING AGENDA

Online
Essex Junction, VT 05452
Monday, March 15, 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: 182 810 504#
- **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. *Interview and potential appointment: Mike Spaeder, Conservation and Trails Committee
   b. *Interview and potential appointment: Ta Tanisha Redditta, Economic Development Commission
   c. *Interview and potential appointment: James McCormick, Conservation and Trails Committee and Economic Development Commission
   d. *Interview and potential appointment: Kimberly Tetreault, Conservation and Trails Committee
   e. Presentation of Fiscal Year 2020 Audit
   f. **Consider approval of first-class liquor license renewals
   g. **Consider approval of second-class liquor license renewals
   h. Discuss results of merger vote and vote for reconsideration
   *****Selectboard will be acting as Board of Liquor Control Commissioners during this agenda item***
6. **CONSENT ITEMS**
   a. Consider approval of Essex Town Center (ETC)|Next Plan
   b. Consider renewal of yearly Certificate of Approval for Location of a Salvage Yard at 264 Colchester Road
   c. **Consider approval of outdoor consumption permit for Silver Hospitality LLC dba Salt & Bubbles Wine Bar and Market
   d. Approve minutes: February 25, 2021; March 1, 2021
   e. Check Warrant: #17826 – 2/12/21; #17830 - 2/19/21; #17832 – 2/26/21; #17834 – 3/5/21; #17837 – 3/12/21
   *****Selectboard will be acting as Board of Liquor Control Commissioners during this agenda item***
7. **READING FILE**
   a. Board member comments
   b. Memo from Dennis Lutz re: Status of Winter Operations through 7 February 2021
   c. Letter of resignation from Hilary Jones from Conservation and Trails Committee
   d. Upcoming meeting schedule
8. **EXECUTIVE SESSION**
   a. *An executive session may be requested to discuss the appointment(s) of a public official
9. **ADJOURN**

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: ________________ 3/12/2021

TOWN OF ESSEX
SELECTBOARD MEETING MINUTES
Monday March 15, 2021

SELECTBOARD: Elaine Haney, Chair; Vince Franco; Dawn Hill-Fleury; Patrick Murray; Andy Watts

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Courtney Bushey, Assistant Finance Director; Greg Duggan, Deputy Manager; Tammy Getchell, Assistant to the Manager; Sarah Macy; Finance Director; Linda Mahns, Administrative Assistant; Owiso Makuku, Community Development Director

OTHERS PRESENT: Meredith Albers; Bob Burrows; Heidi Clark; Annie Cooper; Tracey Delphia; Erin Dickinson; Betsy Dunn; Maureen Gillard; Bill Keyser, Kittell Branagan & Sargent; Rachael Lizotte; James McCormick; Scott Moore; Ryan Morgan; Adam Newhard; Sarah Nosek; Bruce Post; Mary Post; Roseanne Prestipino; Ta-Tanisha Redditta; Angel Segarra; Ken Signorello; Gabrielle Smith; Harlan Smith; Margaret Smith; Mike Spaeder; Saramichelle Stultz; Liz Subin; Kimberly Tetreault; Irene Wrenner; Tom Yandow; Brendon; Christina; Mitch; RM; Susanna

1. <u>CALL TO ORDER</u>
Ms. Haney called the Essex Selectboard to order at 6:30 PM.

2. <u>AGENDA ADDITIONS/ CHANGES</u>
Mr. Duggan requested the Selectboard remove from the agenda item 6b, Consider renewal of yearly Certificate of Approval for Location of a Salvage Yard at 264 Colchester Road.

3. <u>AGENDA APPROVAL</u>

DAWN HILL-FLEURY made a motion, seconded by PATRICK MURRAY, to approve the agenda, as amended. The motion passed 5-0.

4. <u>PUBLIC TO BE HEARD</u>

a. **Comments from Public on Items Not on Agenda**
Mr. Watts said people from the public were contacting him about struggles connecting with the meeting. Staff refreshed a link to the meeting on the posted agenda. Ms. Dickinson said, and Mr. Murray concurred, that Microsoft Teams was having a widespread, problem across the country. Community members said they had limited functions on Microsoft Teams. Ms. Haney reminded the public that they could watch the meeting on YouTube and call in with comments or questions.

Mr. Reynolds said there was no posting about legal load limits from VT Route 117 to Allen Martin Drive, even though there was a posting of a 24,000 load limit from VT Route 15 on Allen Martin Drive. He said the road is not intended to be a connecting road and, as a result, 60,000-80,000 pound trucks are passing through. He requested the municipality post the road to prevent this from this continuing. Mr. Teich said Public Works will look at the situation and contact Mr. Reynolds.

5. <u>BUSINESS ITEMS</u>

a. ***Interview and potential appointment: Mike Spaeder, Conservation and Trails Committee**
The Selectboard interviewed Mr. Spaeder for the Conservation and Trails Committee (CTC) and discussed public official appointments during executive session as agenda item 8a. Mr. Spaeder said he is a volunteer caretaker of trailheads by his house and he often walks the Essex trails. Mr. Spaeder talked with Mr. Murray about his favorite trails: Birchwood and the Alderbrook loop. He suggested putting up directional signs on trails and making maps available. Mr. Watts asked Mr.

Spaeder what his unique focus would be and if he had attended any CTC meetings. He said he attended some meetings, served on an ad-hoc, spring clean-up committee, and brought a unique experience to ensure effective trail networking. Mr. Franco asked what the top three CTC priorities should be for upcoming years. Mr. Spaeder said priorities should be to map the trails; connect trails with easements and Act 250 permits so they can cross wetlands with less damage; and engage the community to take care of the trails.

b. ***Interview and potential appointment: Ta-Tanisha Redditta, Economic Development Commission**

The Selectboard interviewed Ms. Redditta for the Economic Development Commission (EDC), then discussed public official appointments during executive session as agenda item 8a. Ms. Redditta said she is new to Essex but has previous experience with the NAACP, Lupus Foundation, and PTA. Mr. Murray thanked Ms. Redditta for serving on Essex's Racial Justice Committee. She told Mr. Murray she found out about the EDC seat during her committee work and said she wants to volunteer to know more about how things are done. Mr. Watts asked about Ms. Redditta's prior experience or unique contribution that she would bring to the EDC and Ms. Haney wondered what, in particular, she may want to pursue. Ms. Redditta said she learns fast and has good ideas and suggestions. She said connecting with community businesses and letting them know the municipality is there for them is a priority. Ms. Cooper spoke on Ms. Redditta's behalf, as the EDC Chair. She said she'd met with the candidate and was impressed with her experience with business outreach. She expressed confidence in Ms. Redditta's abilities and thanked her for applying. Ms. Makuku also spoke on behalf of the candidate. She said Ms. Redditta had interesting thoughts and input during her time on the Racial Justice Committee.

c. ***Interview and potential appointment: James McCormick, Conservation and Trails Committee and Economic Development Commission**

The Selectboard interviewed Mr. McCormick for the EDC and the CTC, then discussed public official appointments during executive session as agenda item 8a. Ms. Haney asked why Mr. McCormick applied for both seats. He said he grew up in Essex Jct., recently bought a house in Winooski, and continues to follow the activities of Essex. He said he wants to be more involved in decision making about the outdoors, nature, and economic development. Mr. Murray asked if he had a preference between the EDC or the CTC and Mr. McCormick sided more toward the EDC. Mr. Watts asked what unique things he could bring to the positions. Mr. McCormick said he has a background in home repair and construction, so could be helpful with anything related to this. He told Ms. Haney that he had not yet attended any meetings, and is generally interested in the issues along with special interest in the Local Options Tax.

d. ***Interview and potential appointment: Kimberly Tetreault, Conservation and Trails Committee**

The Selectboard interviewed Ms. Tetreault for the CTC, then discussed public official appointments during executive session as agenda item 8a. Ms. Tetreault talked about her experiences walking and running her dog on Indian Brook trails and Saxon Hill. She said being outside is important for youth but it is hard to navigate Essex's trails system. She said she wants to help people find the trails and learn how to protect them, without littering. She talked about studying natural resource conservation at Community College of Vermont (CCV). Mr. Watts asked what unique things she could bring to the position, and if she had attended any meetings. She said she is a CCV student and is an enthusiast who loves talking with people. She said she could engage people in participating in efforts and help gain public support. Mr. Franco asked what the top three CTC priorities should be for upcoming years. Ms. Tetreault said they should: mark and map territory; retain area for community use through easements; and encourage appropriate use of the trails.

e. **Presentation of Fiscal Year 2020 Audit**

Ms. Macy introduced Mr. Keyser of Kittell, Branagan & Sargent to provide an overview of the Town of Essex Fiscal Year (FY2020) audit. Mr. Keyser said the audit, completed the last week of October 2020, was clean, with an unmodified opinion and no single audit requirement. He talked about balance adjustments in water, recreation, state capital, the firetruck lease, as well as to offset general fund expense. He explained prior period adjustments to the Recreation Fund, due activity fluctuations. Mr. Keyser went over the financial statements, including: comparative statements; major fluctuations; future planning; and government-wide statements. Mr. Keyser discussed: net investments in capital expenses; fixed assets; capital assets; and restricted funds for re-appraisals. He explained tax collection processes and said the amount of receivable taxes not collected in FY2020 was higher than usual and tax sales were on pause due to COVID. He talked about the Town's Fund Balance Policy and said the unassigned fund balance for FY2020 was in compliance. When discussing business funds, water, sewer, and recreation, Mr. Keyser noted that the recreation fund had a deficit in FY2020, which is expected to turn around in FY2021. He said there were no new accounting requirements this year and pointed out a disclosure about COVID in the audit footnotes.

The Selectboard discussed the audit with Mr. Keyser, Mr. Teich, and Ms. Macy. Mr. Murray asked how funds that may come to the municipality from the federal government would be accounted for. Mr. Keyser said federal funds above $750,000 would be subject to single audit testing, to look at specific controls and ensure the funds were not misspent. Mr. Murray asked how the uncollected property tax for FY2020 compares to previous years. Ms. Macy said it is about $50,000 more than usual. Mr. Teich asked Mr. Keyser to talk about the financial health of the Village of Essex Junction and the Town and the strength of their cash position. Mr. Keyser said the fund balance sheet and having 15% fund balance available is strong. He said when they audit a large volume of Essex Town invoices, there are very few mistakes due to accounting and financial controls, staff duties and experience, and established checks and balances. He said the expenses of the Village are clearly coded separately from Town expenses. Mr. Watts wondered if there was a concern this year about funds available for possible pay-out of vacation or earned sick leave. Ms. Macy said there is enough assigned fund balance to cover 100% of this cost. A resident was curious about property tax increases and Ms. Macy said increases will be posted in August, after information comes from the state about the Grand List.

f. ****Consider approval of first-class liquor license renewals**

Mr. Duggan reminded the Selectboard about the streamlined liquor license renewal process, with the Police Department and Clerk's Office vetting applications. Through this process, any businesses of concern would have been required to meet with the Selectboard. Mr. Duggan said the Clerk's Office and Police Department found no concerns with the license renewal applications and new outdoor consumption permit that have been provided to the Selectboard for approval. Ms. Hill-Fleury asked how the departments vet the applications. Mr. Duggan said the Clerk's Office ensures applications are complete and the Police Department researches whether any establishments' activities were of concern due to violations or calls. Mr. Teich said Essex takes licenses seriously and when the Selectboard chair reads the admonishment for new liquor licenses, this clarifies that action will be taken if there are violations. He said it is a tight process and the Department of Liquor Control could also do a review of its own.

ANDY WATTS made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard approve the First/Third Class Liquor License renewals, including the outdoor liquor license

requests, listed in the February 10, 2021 and March 10, 2021 memorandums re: "Liquor License Applications". The motion passed 5-0.

g. ****Consider approval of second-class liquor license renewals**

ANDY WATTS made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard approve the attached list of Second-Class Liquor License renewals. The motion passed 5-0.

*****Selectboard acted as Board of Liquor Control Commissioners during these agenda items***

h. **Discuss results of merger vote and vote for reconsideration**

Mr. Duggan invited the Selectboard members to discuss the merger vote and the petition-led vote for reconsideration of the question. Ms. Haney asked whether the Selectboard wanted to have any informational meetings prior to the revote. Mr. Franco was in favor of holding an informational meeting for people who still had questions about merger. The other Selectboard members said they wanted to only discuss information about the revote such as it being the result of a voter-backed petition, when it will take place, where the question will be on the ballot, the location of the polls, etc. Mr. Murray talked about his struggle with the mechanism of re-votes and said that while he does not approve of this one personally, the Selectboard is required to move forward with the petition for a re-vote. He said he would not be able to attend a special informational meeting if it is scheduled on March 24 or 25, due to work commitments. Ms. Hill-Fleury suggested that if community members still have questions about merger they could call Selectboard members to talk one on one. Mr. Watts said he thinks the Selectboard should maintain a neutral stance and send postcards about the revote technicalities. He also said he thinks the Selectboard should not discuss separation because it would be a Village decision to pursue. Mr. Murray disagreed saying the Selectboard has a responsibility to talk about the possibility of separation because of the petition to the Village Board of Trustees regarding separation. Ms. Haney asked staff about the feasibility of a postcard going out quickly. Mr. Teich said a draft postcard could be ready for the Selectboard to approve at the meeting Monday, March 22. The Selectboard members confirmed for him that the postcard should say that the vote is from a voter-backed petition and include information about where and when the vote will be as well as where the question may be found on the ballot if this is known. Ms. Mahns answered a question about the quantity of postcards being printed and said a draft plus printing/mailing quotes can be ready for the March 22nd meeting.

Ms. Dunn said she believes the Selectboard needs to tell the Town residents about separation because conflicting information is being spread and it is important for the Selectboard to communicate about what is true.

Ms. Dickinson suggested that the postcard include a link to the booklet the municipality sent to voters regarding merger. She said she thought many residents already discarded theirs. She asked where to go for answers to commonly asked questions. Ms. Haney said information can be found on www.greateressex2020.org.

Ms. Lizotte said she lives in the Town outside the Village (TOV) and is in favor of the merger. She said many other TOV residents are also in favor but the issue seems too divisive to speak. She said it would be a great opportunity for all areas of the Town to merge. She sees it as a good compromise and will enthusiastically vote for it.

Mr. Post expressed concern that there may not be enough time for overseas voters to receive the ballot and return it in time. He said all Essex voters abroad should be able to vote because every vote counts.

Ms. Post said people serving in the National Guard were just deployed and may have new addresses. Mr. Teich said staff will make every effort to get ballots to people.

Ms. Haney asked staff whether they could schedule a special meeting for Wednesday, March 24, or Thursday, March 25. Mr. Teich said if a meeting is scheduled, staff would prefer Thursday because there are already meetings scheduled for Monday and Tuesday of that week. He requested they maintain focus on the one item on the agenda. Ms. Haney said the purpose of this meeting would be to discuss the reconsideration vote and to take questions.

6. CONSENT ITEMS

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, to approve the Consent Agenda as amended:

a. **Consider approval of Essex Town Center (ETC)|Next Plan**
   - **Approval of the Essex Town Center master plan, ETC|Next.**

b. ~~**Consider renewal of yearly Certificate of Approval for Location of a Salvage Yard at 264 Colchester Road**~~
   The agenda was amended to remove this item.

c. ****Consider approval of outdoor consumption permit for Silver Hospitality LLC dba Salt & Bubbles Wine Bar and Market**
   - **Approval of outdoor consumption permit for Silver Hospitality LLC dba Salt & Bubbles Wine Bar and Market**

d. **Approve minutes: February 25, 2021; March 1, 2021**

e. **Check Warrant: #17826 – 2/12/21; #17830 - 2/19/21; #17832 – 2/26/21; #17834 – 3/5/21; #17837 – 3/12/21**
   *****Selectboard acted as Board of Liquor Control Commissioners during this agenda item***

Consent Agenda discussion: Mr. Watts wondered why some check warrants were dated many weeks prior to this consent agenda. Staff said they would follow up with him with an answer. He also said he would vote on the consent agenda minutes of February 25, even though he was not in attendance.

The motion passed 5-0.

7. READING FILE

a. Board member comments

Mr. Murray acknowledged that this would be Ms. Haney's final meeting on the Selectboard. He thanked her for her efforts guiding the community and for mentoring him during his service. He said he treasured her genuine, true approach toward service and that she made Essex and the board a better place.

Mr. Teich echoed Mr. Murray's sentiments and thanked Ms. Haney for her three years on the Selectboard, which included many hours, nights, weekends, and extra efforts in service.

Mr. Teich thanked the Essex Fire Department, as well as Jericho and Underhill, for helping with GlobalFoundries' recent loss of water, which impacts the company's ability to make microchips. He said the Fire Departments laid over 3,000 feet of hose, keeping GlobalFoundries working for days while the problem was rectified. He said the effort helped prevent national security issues and kept thousands of employees working that week. He said GlobalFoundries presented them with a plaque and a $2,500 check for their efforts.

Mr. Franco expressed deep thanks to Ms. Haney for the pleasure of serving with her. He said it was a wonderful growth and learning experience and that he is grateful for her time and effort.

Ms. Hill-Fleury thanked Ms. Haney for all she did with her time on the Selectboard and for her years serving as a Village Trustee.

Mr. Watts thanked Ms. Haney and acknowledged that by the two of them not seeing eye-to-eye, solutions were made better and he saw different points of view.

Mr. Watts reminded the Selectboard members that the next meeting would include calendar planning so they should all know their availability.

b. Memo from Dennis Lutz re: Status of Winter Operations through 7 February 2021
c. Letter of resignation from Hilary Jones from Conservation and Trails Committee
d. Upcoming meeting schedule

8. EXECUTIVE SESSION

a. ***An executive session may be requested to discuss the appointment(s) of a public official**

ANDY WATTS made a motion, seconded by PATRICK MURRAY, that the Selectboard 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 Unified Manager and the Deputy Manager. The motion passed 5-0 at 8:31 PM.

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, to exit executive session. The motion passed 5-0 at 8:37 PM.

DAWN HILL-FLEURY made a motion, seconded by VINCE FRANCO, to appoint Mike Spaeder to the Conservation and Trails Committee to a term ending June 30, 2023, and Kimberly Tetreault to the Conservation and Trails Committee for a term ending June 30, 2022. The motion passed 5-0.

ANDY WATTS made a motion, seconded by DAWN HILL-FLEURY, to appoint Ta-Tanisha Redditta to the Economic Development Commission to a term ending June 30, 2023. The motion passed 5-0.

9. ADJOURN

DAWN HILL-FLEURY made a motion, seconded by VINCE FRANCO, to adjourn. The motion passed 5-0 at 8:42 PM.

Respectfully Submitted,
Cathy Ainsworth
Recording Secretary

Approved this 5th day of April, 2021 (See minutes of this day for corrections, if any)

Vince Franco
Vince Franco, Clerk, Selectboard