Town of Essex
Selectboard
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Regular Meeting Agenda

Monday, May 1, 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 the public on items not on Agenda
5. **BUSINESS ITEMS**
   a. *Interview volunteer(s) to serve as the Green Mountain Transit representative for Essex - Paul Bohne
   b. * Interview volunteer(s) to serve on the Essex Free Library Board of Trustees - Joan Janzen, Allan Ramsay, Emily Gibbs
   c. *Interview volunteer(s) for the Zoning Board of Adjustment - Nick Martin
   d. Presentation and discussion on Essex Parks and Recreation Fiscal Year 24 Program Budget
   e. Presentation and discussion of Water Sewer operating budget proposal for fiscal year 2024
   f. Presentation and discussion of Water Sewer capital budget proposal for fiscal year 2024
   g. Consider approval to warn public hearing for fiscal year 2024 Water Sewer operating and capital budgets and rates
   h. Discussion about Tax Sale Policy and delinquent tax accounts
   i. *Discussion about the appointment or employment or evaluation of a public officer or employee
   j. **Discussion about the negotiating or securing of real estate purchase or lease options
6. **CONSENT ITEMS**
   a. Approve check warrants: # 18124 - 04/14/23 ; #18127 - 4/21/23
   b. *Consider appointment of representatives and alternates to Chittenden County Regional Planning Commission board and committees
   c. Consider approval to participate in Municipal Roads Grants-in-Aid Program
7. **READING FILE**
   a. Board member comments
   b. Upcoming meeting schedule
   c. Memo from Greg Duggan re: Annual departmental work plans for fiscal year 2024
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

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Certification: ______ ______ 04/28/2023

TOWN OF ESSEX SELECTBOARD
REGULAR MEETING MINUTES
MONDAY MAY 1, 2023

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

ADMINISTRATION and STAFF: Greg Duggan, Town Manager; Caitlin Corless, Library Director; Annie Costandi, Water Quality Director; Marguerite Ladd, Deputy Manager; Aaron Martin, Public Works Director; Dan Roy, Finance Director; Ally Vile, Parks & Recreation Director

OTHERS PRESENT: Paul Bohne, Patty Davis, Joan Janzen, Emily Gibbs, Nick Martin, Allan Ramsay, Ken Signroello, Margret Smith, Lorraine Zaloom

1. <u>CALL TO ORDER</u>
Mr. Watts called the Town of Essex Selectboard meeting to order at 6:30 PM.

2. <u>AGENDA ADDITIONS/CHANGES</u>
None.

3. <u>APPROVE AGENDA</u>
No changes, thus approval not required.

4. <u>PUBLIC TO BE HEARD</u>
a. Comments from Public on Items Not on Agenda
None.

5. <u>BUSINESS ITEMS</u>
a. Interview volunteer(s) to serve as the Green Mountain Transit representative for Essex - Paul Bohne
Mr. Bohne said that he is retired from municipal management and served as the manager of Green Mountain Transit (GMT) for an interim period. He has enjoyed his six years serving as the GMT representative, and discussed some of the financial and service challenges GMT is facing. Mr. Chamberlin noted that Mr. Bohne is a City resident, and asked if this could present a conflict of interest. Mr. Bohne said that his main fiduciary responsibility is to GMT, and that he does not see a conflict. The City of Essex Junction has its own representative. Mr. Bohne asked the Board if they had any questions about GMT and offered the opportunity to meet more frequently if desired. He also said that there is currently an opening for an alternate representative.

b. Interview volunteer(s) to serve on the Essex Free Library Board of Trustees - Joan Janzen, Allan Ramsay, Emily Gibbs
Mr. Watts disclosed that his wife is on the Essex Free Board of Trustees.

Mr. Ramsay said that he is a semi-retired doctor and has lived in Essex for forty-two years. He is passionate about the Essex Free Library and would like to give back and ensure that it continues to support seniors. He has previously served on boards for Green Mountain Care and the Age Well. Mr. Lawrence asked Mr. Ramsay what he felt that library needed to better support patrons. Mr. Ramsay said that he wanted to see improvements to better serve homebound individuals. Ms. Delphia asked if Mr. Ramsay had any suggestions to better support seniors at the library. He suggested integrating programs for seniors and children. Mr. Ramsay lauded the work of the Essex Free Library with tight budget constraints. Mr. Watts said that the Essex Free Library also has the Essex Free Library Foundation, and Mr. Watts asked for Mr. Ramsay's interest in serving in this capacity. Mr. Ramsay indicated his interest because he enjoys fundraising.

Ms. Janzen said that she currently serves on the Library Board of Trustees and spoke of her love for libraries and books. She mentioned the need for libraries in the community and some of the services offered. Answering Ms. Hill-Fleury's question, Ms. Janzen said that the Board works on expanding the offerings of the library and making it more welcoming to the community. She reminded the Board that the library is holding a book and plant sale the first week of June.

Ms. Gibbs said that she moved to Essex in 2019 and would like to get more involved in the community. She currently works as a mentoring coordinator at Robinson School in Starksboro and has also served on the board for Camp Exclamation Point. She has previous experience in non-profit programming. In response to Mr. Chamberlin's question about her intended goals for her first year of Board service, Ms. Gibbs said that she would like to spend her first year helping the library improve communications. In response to Ms. Hill-Fleury's question regarding changes to the library, Ms. Gibbs said that the appearance of the library entryway could be improved. In response to Ms. Delphia's question, Ms. Gibbs said that adding weekend programming for children would be a helpful addition. She indicated her interest in serving on the Essex Free Library Foundation.

c. Interview volunteer(s) for the Zoning Board of Adjustment - Nick Martin

Mr. Martin said that he is the current Chair of the Zoning Board of Adjustment (ZBA). He enjoys serving the community in this role. Ms. Hill-Fleury asked Mr. Martin about his accomplishments while serving on the ZBA, and if he was familiar with the changes coming to the planning structure in Essex. Mr. Martin said spoke of research regarding short-term rentals and said that he is aware of upcoming changes and is looking forward to further discussions.

d. Presentation and discussion on Essex Parks and Recreation Fiscal Year 24 Program Budget

Ms. Vile said that the department has been focused on cost recovery when pricing programs and is doing well financially. She noted that the department hopes to grow and gain additional staffing. The department is working on identifying the most popular programs to focus on and discussed a new indoor swimming lesson program. Mr. Lawrence asked if credit card processing fees are built into programming fees, Ms. Vile answered affirmatively. In response to Ms. Hill-Fleury's question, Ms. Vile said that part-time salaries have been decreased due to the loss of a part-time Program Coordinator in a previous fiscal year. It is hoped that this position will be able to be filled in FY 25. In response to Mr. Lawrence's question, Ms. Vile explained the funding for special events, noting that funds have recently moved to the recreation budget from the administration budget. The department intends to use this money to put on one or two large community events each year. In response to a question from Mr. Chamberlin, Ms. Vile said that she would look further into the budgetary figures on Indian Brook's sustainability. Mr. Duggan noted that this budget would be brought back to the Board for approval at the next meeting. Mr. Watts requested public input, none was given.

e. Presentation and discussion of Water Sewer operating budget proposal for fiscal year 2024

Mr. Martin said that the FY 24 proposed water budget has an overall cost increase of 12.5%, and a resulting rate percentage increase of 4.74%. The FY 24 proposed sewer budget has an overall cost increase of 14.2% and a resulting rate increase of 6.28%. He noted significant increases in treatment costs for both water and sewer in the Champlain Valley Water District and the City of Essex Junction

Wastewater Treatment Plant, respectively. He discussed unaccounted water losses, depreciation calculations, leak detection surveys, and proactive system repair. The department is working to institute remote pump system monitoring this year, which will help reduce the potential for breaks and clogs and overtime costs. An on-call contract for a licensed electrician is proposed and will help with the efficient operation of the system. Water and sewer initiation fees, as well as the minimum charges, will stay the same. He noted that there are several labor-intensive water projects this year, and more staff time will need to be allocated as a result. Mr. Roy said that unbudgeted revenues from previous years have been utilized to keep the rates lower. Mr. Martin explained how the rate changes were calculated for each, and the impact of such on users. He showed the rates for other nearby towns, noting that Essex is roughly in the middle.

Mr. Watts requested Board member questions. Ms. Hill-Fleury questioned the difference between the rates in Williston, Essex, and Essex Junction as the three were a part of the same Tri-Town Sewer district. Mr. Martin said that Essex puts extra costs aside for equipment replacement and noted differences in the number of pump stations. Ms. Hill-Fleury asked if anyone checks for large increases in water bills, which may identify a leak. Mr. Martin said that homeowners typically notice and will report on the issue. He said that the acoustic leak survey will also assist with leak detection. Mr. Lawrence asked if current development fees have covered the costs of the new infrastructure required, Mr. Martin answered affirmatively. Mr. Chamberlin asked when the last time these fees increased was, Mr. Martin said two years ago. Mr. Chamberlin asked what the rate difference would be if unbudgeted fees were not used. Mr. Roy said that the increase would be 10-12%. Mr. Chamberlin said that this is a difficult precedent to follow and encouraged staff to reconsider. Mr. Duggan said that this is money that has been unaccounted for which is now being accounted for in the rates. It is not money that is being drawn from the reserves. Mr. Roy said that the fund has grown a lot over the past few years and staff had decided to use some of the funds to mitigate rates. Mr. Chamberlin said that he believes that these funds should go towards capital projects.

Mr. Watts requested public input. Ms. Zaloom asked for additional information on developer fees. Mr. Martin said that whoever is responsible for building the property pays the fees. Ms. Zaloom asked if future capital costs are included in the development fees, Mr. Watts said that these are included in the rates all users pay. Ms. Zaloom asked for an explanation of the penalty fees. Mr. Roy said that it is essentially a late fee, and the Town does not budget for these. Ms. Zaloom expressed concern that the fire department water losses and hydrant flushing is paid for by the water users, even though it benefits those who are not on the system. Mr. Martin said that this would be a very difficult thing to measure. Mr. Chamberlin expressed support for this idea and said that estimation could be used. Mr. Lawrence said that he disagreed, as most rural fires are extinguished with secondary waterways. He said that it would be punishing those who are liable for maintaining their own wells and septic systems.

f. Presentation and discussion of Water Sewer capital budget proposal for fiscal year 2024

Mr. Martin said that the capital water and sewer projects were separated from the general fund last year, thus explaining why they are presented separately. Additional grants or the state Revolving Loan Fund may be available for some of these projects due to federal infrastructure grants. The state Revolving Loan Fund has the possibility of loan forgiveness for design services. Additional grant funds could be obtained if lead is found in any of the pipes for mitigation services.

Mr. Watts requested Board member questions. Mr. Lawrence asked about the Lang Farm Pump Station site. Mr. Martin said that a capacity study was recently conducted, which showed that there are 5-6 years of capacity left at this station. The Town is looking at options for possibly routing capacity to other stations, and a flow monitoring study will be conducted in the next few weeks to see the result of this. Mr. Chamberlin asked for clarification on the amount of money that is put into capital spending each year. Mr. Roy said that the unrestricted funds are rolled over from the last year, and that there is no official method for designating such. Mr. Chamberlin expressed concern with the amount of money from the unrestricted funds that will not be used for capital. Mr. Lawrence asked about depreciation, and asked how that is factored into the budget. Mr. Roy said that this is not an assigned figure, but that the overages are available for use. Mr. Chamberlin suggested setting a goal for unrestricted funds, as there is no policy for such. Mr. Roy said that there will be a high usage of capital funds over the next four years, starting at 4.7 million and being reduced to 2.2 million. Mr. Lawrence said that it would be helpful to show the money coming into the budget, as well as what goes out. Mr. Chamberlin lauded staff for saving the money to conduct these projects.

Mr. Watts requested public input. Ms. Zaloom asked about a recent force main failure near Pinecrest Drive, which Mr. Martin described and explained the changes that have occurred as a result.

g. Consider approval to warn public hearing for fiscal year 2024 Water Sewer operating and capital budgets and rates

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA that the Selectboard warn a public hearing on the proposed budgets to be held on May 15th, 2023 at 6:30 pm. Motion passed 4-1. KENDALL CHAMBERLIN dissenting.

h. Discussion about Tax Sale Policy and delinquent tax accounts

Mr. Roy said that the Town of Essex does an annual analysis of delinquencies. The Town is currently owned $479,000 in delinquent taxes across both the City and Town. This is a 3.5% delinquency rate, under the 5% figure required to trigger a tax sale. None of the delinquent properties owe more than $50,000, which is the other requirement for a tax sale. He noted efforts to reach out and make agreements with property owners. Ms. Hill-Fleury asked for clarification on which properties were in the Town and which in the City, and Mr. Roy said that he was unsure. If a property does meet the criteria for tax sale, the Town will assess whether it makes sense to go through the legal channels for such. Mr. Chamberlin asked how much it cost to have a tax sale, Mr. Roy said that he was unsure. Mr. Chamberlin said that the current policy is a terrible disservice to customers and that residents should not be allowed to accumulate so much in tax debt that they will be unable to repay. Mr. Watts said that the Town is very flexible on payment plans and continues conversations with taxpayers throughout the process. Mr. Chamberlin requested that more information be provided on the repayment process, and Ms. Hill-Fleury said that the resident’s financial situation is taken into consideration when developing this. The policy itself will be discussed at the strategic planning session next week. Ms. Delphia asked what happens if a delinquent property is sold, Mr. Roy said that he thinks that delinquent taxes it would need to be paid off prior to sale.

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

This was discussed during Executive Session.

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

This was discussed during Executive Session.

6. <u>CONSENT AGENDA</u>

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to approve the Consent Agenda as presented. Motion passed 5-0.

a. Approve check warrants: # 18124 - 04/14/23; #18127 - 4/21/23

Mr. Chamberlin asked why there were so many tax abatement refund listed in the check warrants, Ms. Hill-Fleury said that it is because state payments are coming to the Town. Mr. Chamberlin asked for clarification on the streetlight charges, Mr. Duggan said that he would research it further.

b. *Consider appointment of representatives and alternates to Chittenden County Regional Planning Commission board and committees

c. Consider approval to participate in Municipal Roads Grants-in-Aid Program

8. READING FILE

a. Board member comments: Mr. Lawrence asked if there have been any updates on the crosswalk markers on Rt. 128. Mr. Duggan said that he will check in with VTrans. Mr. Chamberlin thanked Mr. Duggan for the departmental work plan. Mr. Watts encouraged Selectboard members to send any thoughts for next week's Strategic Work Plan to Mr. Duggan. The process of the Strategic Work Session was discussed, as well as the role of public input.

b. Upcoming meeting schedule

c. Memo from Greg Duggan re: Annual departmental work plans for fiscal year 2024

9. 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 5-0.

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 TRACEY DELPHIA 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 Town Manager. Motion passed 5-0.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE to exit executive session. Motion passed 5-0 at 9:29 PM.

10. ADJOURN

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, for the Selectboard to adjourn. The motion passed 5-0 at 9:29 PM.

Respectfully Submitted,
Darby Mayville
Recording Secretary

Approved this 15th day of May, 2023
(see minutes of this day for corrections, if any)

Kendall Chamberlin

Kendall Chamberlin, Selectboard Clerk