Town of Essex

Selectboard

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Regular Meeting Agenda

Monday, May 15, 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. **PUBLIC HEARING**
   a. Public hearing on proposed fiscal year 2024 water and sewer rates and capital plan
6. **BUSINESS ITEMS**
   a. * Interview volunteers to serve on the Economic Development Commission - Tim Mack, Ken Signorello, Irene Wrenner, and Rey Garofano
   b. *Interview volunteers to serve on the Zoning Board of Adjustment - Robert Plageman, Hubert Norton
   c. Consider approval of fiscal year 2024 water and sewer rates
   d. Consider approval of fiscal year 2024 water and sewer capital plan
   e. Presentation and discussion of Town of Essex logo proofs
   f. Presentation and discussion of Fiscal Year 2023 budget vs. actual update
   g. Discussion about charter changes proposed by Charter Review Committee
   h. *Discussion about the appointment or employment or evaluation of a public officer or employee
7. **CONSENT ITEMS**
   a. Approve minutes: May 1, 2023, May 8, 2023 (Special)
   b. Approve check warrants: # 18129 - 04/28/23: #18131-05/05/23
   c. Consider approval of Selectboard fiscal year 2024 work plan
   d. Consider approval of the Essex Parks and Recreation Program Fund Budget for Fiscal Year 2024
   e. Consider approval of Facility Use Policy update for Emergency Operation Center Priority of Use
   f. Consider approval of Fort Ethan Allen Water Tower Bid Award
   g. Consider approval of designation of Fiscal Year 2022 Water / Sewer Unrestricted Net Position for future capital
8. **READING FILE**
   a. Board member comments
   b. Upcoming meeting schedule
   c. Indian Brook Dam - FEMA Grant Update
   d. Letter from Arbor Day Foundation re: Tree City USA
   e. Email re: Conservation and Trails Committee - Alan Botula
   f. Email re: Conservation and Trails Committee - Lauren Gaffney Cohen
   g. Email re: Essex Free Library - Mike Yandow
   h. Email re: Energy Committee - Michael Fink
   i. Essex News - May 5, 2023
   j. Status of Winter Operations for the End of Season
9. **EXECUTIVE SESSION**

a. *An executive session is anticipated to discuss the appointment or employment or evaluation of a public officer or employee

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Certification: ______ ______ 05/12/2023

TOWN OF ESSEX SELECTBOARD
REGULAR MEETING MINUTES
MONDAY MAY 15, 2023

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

ADMINISTRATION and STAFF: Greg Duggan, Town Manager; Tammy Getchell, Public Information Officer/Assistant to the Manager; Marguerite Ladd, Deputy Manager; Aaron Martin, Public Works Director; Daniel Roy, Finance Director; Tom Yandow, Facilities Manager

OTHERS PRESENT: Betsy Dunn, Gina Halpin Barrett, Stephen Jaborek, Hubie Norton, Mike Plageman, Ken Signorello, Lorraine Zaloom

1. CALL TO ORDER
Mr. Watts called the Town of Essex Selectboard meeting to order at 6:33 PM.

2. AGENDA ADDITIONS/CHANGES
Regarding Business Item 6a, Mr. Duggan said that interviews of Tim Mack and possibly Rey Garofano will need to be rescheduled.

3. APPROVE AGENDA
ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, to amend that agenda to remove Tim Mack from the interview list and possibly interview Rey Garofano when she is available. Motion passed 4-0.

4. PUBLIC TO BE HEARD
a. Comments from Public on Items Not on Agenda
Ms. Dunn asked why the contact information for Planning Commissioners is not listed on the website. She also suggested that YouTube links be included in approved minutes and posted on Front Porch Forum so that interested citizens can easily view the full meeting. Ms. Dunn suggested that a speed enforcement camera be used at Birchwood Manor instead of speed bumps. Mr. Watts said that including contact information on the website is a personal choice, and Mr. Duggan said that members of the public should e-mail the appropriate staff member or department. Mr. Duggan said that he could investigate including YouTube links. Mr. Watts said that photographic evidence is not accepted in the state of Vermont for vehicular enforcement. Mr. Lawrence encouraged Ms. Dunn to contact the traffic enforcement officer at the Essex Police Department. Mr. Watts said that the road cannot be narrowed to mitigate speeding, and thus a speed bump is the only option available to reduce speeding. Ms. Dunn also discussed access concerns about the single roadway access to Birchwood Manor.

Mr. Jaborek expressed concerns about the dam on Indian Brook, stating that it is a ranked as a high hazard, in poor condition and that neighbors should have been informed. Mr. Duggan said that this does not mean that the dam is of a high hazard of failing, but that it would cause a high hazard if it did fail. He said that the Town of Essex is working with FEMA and that state to do an analysis of the dam to learn more about potential repairs and maintenance. Ms. Ladd said that the state does an assessment each year, and the Town would be aware if something needed to be fixed immediately. Mr. Duggan said that he would work to identify homes in the hazard area and let them know that the study is being done.

5. PUBLIC HEARING

a. Public hearing on proposed fiscal year 2024 water and sewer rates and capital plan

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 increase of 14.2% and a resulting rate increase of 6.28%. There are no changes in the water minimum user rate, nor water and sewer connection fees. He noted significant increases in treatment costs for both water and sewer in the Champlain Valley Water District and the City of Essex Junction, respectfully. The average increase would be $67.16 yearly for the typical user connected to both services. Ms. Hill-Fleury asked why the connection fee was not increased, Mr. Martin said that Public Works staff felt that the costs are currently acceptable. Mr. Watts requested public input. Ms. Dunn asked if these figures included stormwater, Mr. Martin clarified that it did not.

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. These funds are completely supported by user fees. Additional grants or the state Revolving Loan Fund (SRF) may be available for some of these projects. He detailed the expenditures for both water and sewer, noting that funds will be used for scoping and to leverage future grant funds for project development. Ms. Hill-Fleury asked if SRF funds were matching, Mr. Martin said that the Town would likely be eligible for loans only. Mr. Watts requested public input. Ms. Dunn asked about infrastructure replacement funds and Mr. Watts clarified that all funds are paid through customer rates. Mr. Watts closed the public hearing.

6. BUSINESS ITEMS

a. Interview volunteers to serve on the Economic Development Commission - ~~Tim Mack~~, Ken Signorello, Irene Wrenner, and ~~Rey Garofano~~

Mr. Signorello said that this is his third time applying for the Economic Development Commission (EDC) and has been attending meetings for this time. He is a local business owner, photographer, and journalist. He would like to see "technical tightening" to improve the EDC communications and operations, and update of the Economic Development Plan and business inventory and the cultivation of secondary agricultural businesses. He said that his tenure on the Conservation and Trails Commission proves that he can work hard to get things done and make a committee effective. Ms. Hill-Fleury asked Mr. Signorello what he would do if he was in the minority on a decision. He said that he would make his best pitch and use evidence to support it. Mr. Chamberlin asked if Mr. Signorello saw any conflicts between the proposed role on the EDC and any other roles he holds. Mr. Signorello said that it depends on the leadership of the committee, but that if he found that there was a potential conflict he would not resign until a replacement could be found. Mr. Signorello said that the EDC has three City residents serving, and that it needs people who would like to move the Town forward.

Ms. Wrenner said that her energy, passion, and community connections would make her a good candidate for the EDC. She has been involved in local government for the past eighteen years. Her three goals are as follows: outreach to individual neighborhoods and businesses, specialization of each EDC member, and rebranding Essex and celebrating what makes it unique. Ms. Hill-Fleury asked Ms. Wrenner how she would handle being in the minority on a decision. Ms. Wrenner said that she would act within the confines of the regulations. Mr. Lawrence asked what Ms. Wrenner was proud of that she had done recently. Ms. Wrenner spoke of her recent election to the Vermont Senate. Mr. Chamberlin asked Ms. Wrenner if she foresaw any conflicts with her current responsibilities. Ms. Wrenner said no, and that she could attend meetings remotely if needed. Ms. Wrenner encouraged the Board to reconsider having non-resident members of the EDC and other Boards.

b. Interview volunteers to serve on the Zoning Board of Adjustment - Robert Plageman, Hubert Norton

Mr. Plageman said that it has been his privilege to serve Essex for the past twenty-five years in various capacities. He noted that he is a City resident but that he has served on the Zoning Board of Adjustment (ZBA) for a long time. He said that he enjoys serving Essex and that he considers it to be his home regardless of the boundaries. Mr. Watts said that the Selectboard has not had a discussion regarding City residents serving on Town Boards yet. Mr. Lawrence asked Mr. Plageman his thoughts on serving on the Development Review Board in the future, he answered affirmatively.

Mr. Norton said that he has lived in Essex for 53 years and has served on the ZBA for many years. His work history is in telephone network planning and highway construction inspection. He also serves on the board of the Vermont 251 Club, which encourages people to visit all the towns in Vermont. Ms. Hill-Fleury asked Mr. Norton what he does when he wants to follow the Town regulations and other people do not. He said that the ZBA has no power to change the rules, and that they need to resist the temptation to work on design. Mr. Lawrence asked Mr. Norton if he would be interested in serving on the DRB, he answered affirmatively.

Mr. Watts said that the Selectboard plans to make all Board appointments in the second meeting in June.

c. Consider approval of fiscal year 2024 water and sewer rates

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, that the Selectboard approve the Approve FY24 Water/Sewer budget plan and Capital layout for FY24-28 to reflect the FY24 increase of water of 4.74% and sewer of 6.28%. Not voted upon, motion failed.

ETHAN LAWRENCE made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard accept:

1. Water Rates/Fees
a. Increase the water rate from $5.90/1,000 gallons to $6.18 per 1,000 gallons.
b. The water initiation fee at $1000 base fee per connection plus $5.90/gpd of capacity to remain the same.
c. Set the water minimum charge per year at $190.
d. Interim or Final Billing request at $35

2. Sewer Rates/Fees:
a. Increase the sewer operating fee from $10.27/1,000 gallons to $10.91/1,000 gallons.
b. The sewer initiation fee of $1,000 base fee per connection plus $10.60/gpd of capacity remains the same.
c. Interim or Final Billing request at $35

3. The rate change and interim/final billing request would go into effect on all water/sewer usage with the billing period starting after the spring 2023 billings.

Motion passed 3-1, with KENDALL CHAMBERLIN dissenting.

d. Consider approval of fiscal year 2024 water and sewer capital plan
ETHAN LAWRENCE made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard approve the Approve FY24 Water/Sewer budget plan and Capital layout for FY24-28. Motion passed 3-1, with KENDALL CHAMBERLIN dissenting.

e. Presentation and discussion of Town of Essex logo proofs
Ms. Getchell said that the Town logo redesign is important for a variety of other communications initiatives. She described the process that went into the logo redesign and said that it was worked on by a multi-departmental staff committee. The biggest considerations in developing the logo are resonating with the character of the community and usability with a variety of web/print materials. She also noted that the Essex Police and Essex Free Library have separate logos. She displayed six logos and encouraged the Board to put their favorite (or elements of such) into a public survey. Ms. Hill-Fleury said that she liked the library logo better than any of the examples and encouraged staff to take these elements into account. Ms. Getchell said that the Essex Free Library logo was paid for by the Friends of the Library, and that she believed that they wanted to keep it exclusive to the library. Mr. Chamberlin suggested sending all the logo designs out to the public, and asking people what they feel is representative of Essex, Mr. Lawrence and Ms. Hill-Fleury concurred. Ms. Hill-Fleury asked about the importance of the Water Tower, Mr. Duggan said that it is seen by many as being Essex specific.

Mr. Watts requested public comment. Ms. Dunn said that she believes that Indian Brook and Chapin Farms are identifying features of Essex. Mr. Signorello asked what the brand is that this logo represents and suggested that this be determined prior to developing a logo. The Selectboard noted mountain views and other scenery that they would like to see in the logo, and Ms. Getchell said that this would be difficult to develop without including too much detail. Ms. Hill-Fleury suggested asking respondents in the survey if they feel that Essex is reflected in any of these images, and if not what they would like to see included. Answering a question from Mr. Lawrence, Mr. Duggan said that the Fire Department is represented on the logo committee, and the goal of this is to have something that any department can use. Mr. Duggan suggested sending all logos to the public and asking them if they felt that the logo represented Essex and if not what they feel best represents Essex. All members agreed that this is the best course of action.

f. Presentation and discussion of Fiscal Year 2023 budget vs. actual update
Mr. Roy said that he would like to update the Board on where the budget is ten months into the year. This is intended to inform the Selectboard and help departments plan how they intend to use the remainder of their budgets. Mr. Duggan said that this is something that could be included in the packet coming forward. This would be done quarterly, with more frequent updates near the end of the fiscal year. Mr. Roy said that Public Works had a lighter winter than usual which has allowed them to do more projects this spring. He said that supply chain delays and unfilled positions may cause some funds to be assigned to specific things in the next fiscal year. Ms. Hill-Fleury asked Mr. Roy if he had any concerns about the budget. He said that he did not, and that he does not believe that the Town will be over budget.

g. Discussion about charter changes proposed by Charter Review Committee
Mr. Watts said that the Selectboard chose the five major changes suggested by the Committee to ask of the voters, however many more were suggested. He asked the Selectboard how they wish to proceed with

reviewing the rest of these. Mr. Lawrence asked for a better comparison to demonstrate what is different between the two charters and suggested asking the Charter Review Committee for their input on their highest priorities. Ms. Hill-Fleury suggested that staff give the Selectboard the materials at the meeting before so that they have additional time to review. Mr. Duggan suggested starting with two chapters and seeing how long review takes, all agreed.

h. Discussion about the appointment or employment or evaluation of a public officer or employee
Not discussed.

7. <u>CONSENT AGENDA</u>

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

a. Approve minutes: May 1, 2023, May 8, 2023 (Special)
Mr. Chamberlin said that he had voted "no" on the budget at the May 1st meeting, however this was not reflected in the minutes. The minutes will be updated to reflect this.

b. Approve check warrants: # 18129 - 04/28/23: #18131-05/05/23
Mr. Chamberlin asked if soil testing was ever done to determine the amount of fertilizer needed. Mr. Duggan said that he would investigate.

c. Consider approval of Selectboard fiscal year 2024 work plan

d. Consider approval of the Essex Parks and Recreation Program Fund Budget for Fiscal Year 2024

e. Consider approval of Facility Use Policy update for Emergency Operation Center Priority of Use

f. Consider approval of Fort Ethan Allen Water Tower Bid Award

g. Consider approval of designation of Fiscal Year 2022 Water / Sewer Unrestricted Net Position for future capital
Mr. Chamberlin asked if the funds for this can be clarified, as it seems high. Mr. Duggan said that he can get the Board more information tomorrow.

8. <u>READING FILE</u>

a. Board member comments: Ms. Hill-Fleury thanked the Essex Fire Department for their fifty years of service, wished Chief Charlie Cole healing from his recent surgery, and thanked Alan Botula, Lauren Gaffney Cohen, Mike Yandow, and Michael Fink for their volunteer service. Mr. Lawrence suggested that Essex include Planning Commission meeting information on Facebook for more engagement. Mr. Chamberlin asked if hydropower was investigated at Indian Brook. Mr. Yandow said that it was investigated, but is not economically feasible.

b. Upcoming meeting schedule

c. Indian Brook Dam - FEMA Grant Update

d. Letter from Arbor Day Foundation re: Tree City USA

e. Email re: Conservation and Trails Committee - Alan Botula

f. Email re: Conservation and Trails Committee - Lauren Gaffney Cohen

g. Email re: Essex Free Library - Mike Yandow

h. Email re: Energy Committee - Michael Fink

i. Essex News - May 5, 2023

j. Status of Winter Operations for the End of Season

9. <u>EXECUTIVE SESSION</u>

a. An executive session is anticipated to discuss the appointment or employment or evaluation of a public officer or employee

An executive session was not held.

9. <u>ADJOURN</u>

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, for the Selectboard to adjourn. The motion passed 5-0 at 8:55 PM.

Respectfully Submitted,
Darby Mayville
Recording Secretary

Approved this 5th day of June, 2023
(see minutes of this day for corrections, if any)

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Kendall Chamberlin, Selectboard Clerk