



Town of Essex

Selectboard

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Regular Meeting Agenda

Monday, November 6, 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
- **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. Winooski Valley Park District Annual Report FY25 Budget presentation
 - b. Discussion with Zoning Board of Adjustment
 - c. Consider approval of Public Works Winter Operations Plan
 - d. Discussion about Selectboard interactions and communications with volunteer boards, commissions, and committees
 - e. Discussion and potential action to select date for Informational Town Meeting
 - f. Discussion about Clerk and Treasurer responsibilities
 - g. *Discussion and potential action about the negotiating or securing of real estate purchase or lease options
6. **CONSENT ITEMS**
 - a. Approve minutes: October 30, 2023 - Special
 - b. Approve check warrants: # 18172- 10/13/23; #18173 - 10/20/23; #18174 - 10/27/23
 - c. Consider approval of letter of support for Town Meeting TV
7. **READING FILE**
 - a. Board member comments
 - b. Upcoming meeting schedule
 - c. Essex News Community Newsletter - October 27, 2023
8. **EXECUTIVE SESSION**
 - a. *An executive session is anticipated to discuss real estate

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Certification: _____  _____ 11/03/2023

**TOWN OF ESSEX SELECTBOARD
REGULAR MEETING
MINUTES OF MEETING
November 6, 2023**

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

ADMINISTRATION: Greg Duggan, Town Manager; Tammy Getchell, Assistant to the Manager; Marguerite Ladd; Deputy Town Manager; Aaron Martin, Public Works Director.

OTHERS PRESENT: Kyle Blake, Pam Blake, Peter Gray, Gina Halpin Barrett, Mukesh Kumar, Nick Martin, Ken Signorello, Margaret Smith, Jeff Theis, Nick Warner, Irene Wrenner, Lorraine Zaloom.

1. CALL TO ORDER

Chair Watts called the meeting of the Town of Essex Selectboard to order at 6:30 P.M.

2. AGENDA ADDITIONS/CHANGES

Town Manager Duggan requested the addition of a second executive session to discuss contracts.

3. AGENDA APPROVAL

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, to approve the agenda as amended in Item #2 above. The motion passed 5-0.

4. PUBLIC TO BE HEARD

a. Comments from Public on Items Not on Agenda

Lorraine Zaloom asked if the Town's Recreation Department is anticipating having space to host programming for seniors, such as for bingo and card events, given that the senior programming space in Essex Junction will no longer be in operation. She also asked for an accounting of how many people have died in the Town and City from overdose deaths in 2023. She also said that the opioid settlement money needs to be used in a thoughtful way, and mentioned a training that staff can take on how to use that settlement money. Town Manager Duggan said that the shared services agreement related to senior programming expires at the end of this year and that the Recreation department is looking into alternatives in the Town. He said that overdose deaths are not tracked at the local level, but that the State may track deaths at the State level.

Margaret Smith asked for more information on the fire that occurred on Route 15 several nights ago. Town Manager Duggan replied that there is currently no additional information available, though the residents were able to evacuate safely. She also expressed regret about the ending of the shared service agreement for senior programming with the City of Essex Junction.

5. BUSINESS ITEMS

a. Winooski Valley Park District Annual Report FY25 Budget presentation

Nick Warner, Executive Director, Lauren Chicote, Operations Manager, and Jeff Theis, Trustee, all of the Winooski Valley Park District, presented the WVPD Annual Report and FY25 Budget. Mr. Warner began by noting that WVPD owns 18 parks across 8 communities and 1,750 acres of property, which are all managed through conservation and remain in permanent conservation. He noted that the parks within

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Essex are Woodside and Overlook. He noted that having a regional management approach ensures efficiencies in being able to maintain such a large portfolio across a number of municipalities. He noted that the last few years of Covid-19 have been challenging but have also presented some unique opportunities, in that Covid introduced parks to people who hadn't previously recreated in them. He spoke about challenges in the parks this summer with the catastrophic flooding experienced in July, given that 51% of WVPD's assets are in floodplains. He spoke briefly about the budget, noting approaches to diversify revenue and efforts to keep expenditures lean and efficient. Mr. Chamberlin asked if WVPD is able to accept donations from individuals, and Mr. Warner replied that yes, they are able to receive donations from individuals. Mr. Warner spoke about the WVPD budget and said that the ask of Essex for FY25 is \$38,471, which is a slight increase from the FY24 ask.

Ms. Hill-Fleury asked about flood relief funding for WVPD. Mr. Warner replied that they had received several grants from the State, but that they did not qualify for much of the State's flood relief funding or FEMA funding, since WVPD did not suffer economic losses. Mr. Watts asked about activity around invasive species and volunteer coordination, and Mr. Warner replied with some of the invasive species issues WVPD is dealing with and offered to help coordinate volunteers to help with removal. Mr. Watts asked about easier access to the canoe launch at Woodside, and Mr. Warner spoke about how that boat access point is not ideal and spoke about potential alternatives that may come online in future years.

b. Discussion with Zoning Board of Adjustment

Town Manager Duggan prefaced this discussion by noting that this is a test case for exploring different avenues of interaction between the Selectboard and various volunteer boards, commissions, and committees.

Zoning Board of Adjustment Chair Nick Martin was present to discuss Zoning Board activities, whether there are potential areas of support for the Selectboard, and provide a status update on board stipends. He began by first explaining to the public what the Zoning Board is and does, noting that it is a quasi-judicial board that receives applications from community members who want to develop land, property, and businesses, that may fall outside of the zoning regulations. He said that one request could be more staffing support in helping board members receive applications and staff reports in a timely manner for hearings. He noted that the ZBA does not have a work plan, but rather agendas are set based on applications received. He noted that they coordinate regularly with the Planning Commission, which sets the regulations that must be enforced. He said that the board is full and has an adequate number of seats and has not had a quorum issue in the last several years. He spoke about opportunities to collaborate with the Planning Commission on revising zoning regulations in the near future. He spoke about the recently-offered stipends and said that from his perspective, it is a nice perk but not necessary to entice service from the ZBA.

The following public comments were made:

- Kyle Blake spoke about the ZBA's good work and asked that the Town support the ZBA and its Zoning Administrator and staff.

c. Consider approval of Public Works Winter Operations Plan

Public Works Director Martin began by noting that the Winter Operations Plan has been approved by the Essex Selectboard for the last 35 years, and that it serves to detail the policy and processes around the provision of winter services (such as plowing, sanding, salting roads, clearing sidewalks, and maintaining

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access to municipal buildings and parking lots). He noted minor changes in the plan and also noted that a formal request for additional services for sidewalk plow maintenance was made in Section H of Pinewood. He said that they may be able to absorb that in this year's budget (at an approximate \$4,800 for the year), but that the decision ultimately resides with the Selectboard. Town Manager Duggan noted that a contractor handles the sidewalk plowing for Woodlands, and that they could easily access and plow the area of sidewalk in question for Pinewood. Public Works Director Martin also noted that one of the concerns for Pinewood residents was that if the sidewalks aren't plowed, children will often walk in the road to get to or from school bus stops. Mr. Chamberlin expressed dismay that the Town plows fewer than one third of its sidewalks, saying that it should plow and maintain the sidewalks it builds.

The following public comments were made:

- Kyle Blake spoke about inclusion of plowing in the Stonewood Circle development. He noted that several sections of sidewalk don't sit in front of someone's house, so it would be difficult to have that plowed by private residents.
- Lorraine Zaloom spoke about safety concerns for children with unplowed sidewalks, saying that more kids would walk to school if more sidewalks were plowed.
- Mukesh Kumar added several points to the request to plow Pinewood, which included increased numbers of schoolchildren being able to walk to the bus stop and echoing safety concerns about pedestrians walking in the streets due to unplowed sidewalks.
- Peter Gray also spoke about plowing in the Stonewood Circle development, saying that certain sections of sidewalk don't have greenbelt and would be difficult for residents to shovel or plow themselves due to snow buildup from the road snowplows.

Mr. Watts asked if the contractor would be able to plow the Pinewood sidewalks prior to school commutes, and Director Martin replied that they can't guarantee it, though it could be done in a more reasonable timeframe by the contractor than by the municipality. Mr. Lawrence suggested that the Town could add a position to plow the sidewalks in the FY25 budget. Mr. Chamberlin noted that one of the plowing contractors may be required so the list should be checked. He asked whether the 24 hour timeframe for cleaning is sufficient or whether DPW would like to go to 48 hours. He also asked whether it would make any difference if the Town plowed one side of the street's sidewalks rather than both sides, in terms of total mileage of sidewalk plowed. Director Martin said that he could review this with the highway superintendent and prepare a total mileage estimate for Budget Day.

TRACEY DELPHIA made a motion, seconded by ETHAN LAWRENCE, that the Selectboard approve the Winter Operations Plan for 2023-2024 with the inclusion of the snow plowing of the neighborhood discussed tonight. The motion passed 3-2 (Ms. Hill-Fleury and Mr. Chamberlin dissenting).

Former Clerk Lawrence read the resolution regarding statements of policy regarding winter snow and ice clearing operations into the record.

ANDY WATTS made a motion, seconded by TRACEY DELPHIA, that the Selectboard approve and sign the resolution. The motion passed 5-0.

- d. Discussion about Selectboard interactions and communications with volunteer boards, commissions, and committees

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Town Manager Duggan said that this is a discussion about improving communications with boards, which could include hearing presentations from board chairs at Selectboard meetings, breakfasts between the Selectboard chair and vice chair and the chairs of the boards and committees, and an opportunity at Town Meeting Day to showcase the boards and committees. He said that they could approach this on a quarterly cycle, with board members organizing and developing work plans in the summer, opportunities to check in with the Selectboard in the fall, winter being the lead-up to the annual showcase, and spring being the opportunity to advertise vacancies and hold interviews, as well as hold breakfasts with chairs and vice chairs. Ms. Hill-Fleury suggested more opportunities to check in with boards about their staff support. Mr. Lawrence asked whether exit interviews are offered to departing board members, and Town Manager Duggan replied that they have been conducted in the past, but not consistently. Mr. Chamberlin and Ms. Delphia expressed support for the plan and suggestions. Ms. Delphia suggested fielding an anonymous survey to board and commission members asking for their feedback on the stipend program and whether it is working as intended.

The following public comments were made:

- Lorraine Zaloom suggested looking into any opportunity to automate processes for exit interviews.
- Ken Signorello suggested evaluations by board members for their staff support.

e. Discussion and potential action to select date for Informational Town Meeting

Assistant Getchell said that this is to decide on a date for the Informational Town Meeting in 2024, noting that a poll went out to residents asking them whether they would like one or two informational meetings prior to voting and when they would like those meetings to be held, and that the majority of respondents would like to have two informational meetings (an informal one in mid-February and one the night before Town Meeting Day).

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, that the Selectboard accept the recommendation to set the informal informational hearing for February 12, 2024 (to be held during the regular Selectboard meeting) and March 4, 2024 as the date for the Informational Hearing. The motion passed 5-0.

f. Discussion about Clerk and Treasurer responsibilities

Town Manager Duggan said that this relates to the question of whether the Clerk and Treasurer should be separate positions, since some municipalities have a combined role and some have them as separate positions. He said that he asked VLCT for input and obtained several legal opinions, and the general sentiment was that as long as the duties and responsibilities between clerk and treasurer have enough checks and balances then there should be no cause for concern, and he said that he believes the clerk and treasurer positions as defined for Essex provide for that separation and checks and balances. Mr. Chamberlin thanked staff for looking into this and doing due diligence.

g. *Discussion and potential action about the negotiating or securing of real estate purchase or lease options

See item #8a below.

h. **Discussion of contracts

See item #8b below.

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6. CONSENT ITEMS

- a. Approve minutes – October 30, 2023 – Special
- b. Approve check warrants: #18172 – 10/13/23; #18173 – 10/20/23; #18174 – 10/27/23
- c. Consider approval of letter of support for Town Meeting TV

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to approve the consent agenda as presented. The motion passed 5-0.

7. READING FILE

- a. Board member comments: Ms. Hill-Fleury thanked the Essex Fire Department for their work on Saturday. Town Manager Duggan reminded the Selectboard that they have a Budget Day working session on November 14th.
- b. Upcoming meeting schedule
- c. Essex News Community Newsletter – October 27, 2023

8. EXECUTIVE SESSION

- a. * An executive session is anticipated to discuss real estate

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, that the Selectboard enter into 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, Director of Public Works, Community Development Director, and Gail Henderson-King of White and Burke. The motion passed 5-0 at 8:25 P.M.

- b. **An executive session is anticipated to discuss contracts

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, that the Selectboard make the specific finding that premature general public knowledge of contracts would place the Town at a substantial disadvantage. The motion passed 5-0.

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, that the Selectboard enter into executive session to discuss contracts pursuant to 1 V.S.A Section 313(A)(1)(a) to include the Town Manager and Deputy Manager. The motion passed 5-0 at 8:26 P.M.

Ethan Lawrence exited the meeting at approximately 9:30 P.M.

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, to exit executive session. The motion passed 4-0 at 9:34 P.M.

9. ADJOURN

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, to adjourn the meeting. The motion passed 4-0 at 9:35 P.M.

Respectfully Submitted,
Amy Coonradt,

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231 Recording Secretary

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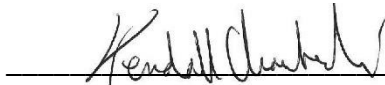
233 Approved this 4th day of December, 2023

234 **(see minutes of this day for corrections, if any)**

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Kendall Chamberlin, Selectboard Clerk

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