



Town of Essex

Selectboard

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NOTE: Earlier Start Time
Regular Meeting Agenda

Monday, December 4, 2023 – 5:30 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** 5:30 PM
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **BUSINESS ITEM**
 - a. *Discussion about labor relations agreements with employees
5. **EXECUTIVE SESSION**
 - a. *An executive session is anticipated to discuss contracts and labor relations agreements with employees.
6. **PUBLIC TO BE HEARD**
 - a. Comments from the public on items not on Agenda
7. **BUSINESS ITEMS**
 - a. Discussion with Cemetery Commission
 - b. Discussion with Essex Free Library Board of Trustees
 - c. Discussion with Planning Commission
 - d. 2024 Town Plan Review Session
 - e. Discussion and presentation of Essex Parks and Recreation fiscal 2025 program fund budget
 - f. Discussion about fiscal year 2023 fund balance assignments
 - g. Discussion about proposed fiscal year 2025 capital budget
 - h. Work session continued on fiscal year 2025 budget
 - i. **Discussion about contracts
8. **CONSENT ITEMS**
 - a. Approve minutes: November 6, 2023; November 14, 2023 - Special; November 20, 2023
 - b. Approve check warrants: #18177- 11/17/23
 - c. Authorize the Town of Essex to apply for VOREC grant funding for the purpose of undertaking planning and design work related to establishing a multi-use trail network in the forest east of Route 289
9. **READING FILE**
 - a. Board member comments
 - b. Upcoming meeting schedule
 - c. Letter from Vermont Agency of Transportation re: Speed Limit reduction along VT Route 15
 - d. Town of Essex Five-Year Paving Plan
 - e. Update on reconvening the Charter Review Committee
 - f. Town of Essex Human Services Funding applications now open
 - g. Essex News - December 2023
10. **EXECUTIVE SESSION**
 - a. **Discussion about contracts

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

**TOWN OF ESSEX SELECTBOARD
REGULAR MEETING
MINUTES OF MEETING
December 4, 2023**

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

ADMINISTRATION: Greg Duggan, Town Manager; Marguerite Ladd, Deputy Manager; Dan Roy, Finance Director; Katherine Sonnick, Community Development Director; Ally Vile, Parks & Recreation Director; TJ Yandow, Public Works Facilities Manager.

OTHERS PRESENT: Iris Banks, Sue Brown, Dustin Bruso, Paula Duke, Sally Fleury, Gina Halpin Barrett, Jon Lang, Justin Lang, Nevin Mack, Tim Mack, Adam Morse, Ken Signorello, Margaret Smith, Joe Teegarden, Janet Watts, Irene Wrenner, Lorraine Zaloom, Sharon Zukowski.

1. CALL TO ORDER

Chair Watts called the meeting of the Town of Essex Selectboard to order at 5:30 P.M.

2. AGENDA ADDITIONS/CHANGES

Mr. Chamberlin requested moving the VOREC grant application out of the consent agenda and onto the business agenda.

3. AGENDA APPROVAL

ANDY WATTS made a motion, seconded by KENDALL CHAMBERLIN, to amend the agenda to move Consent Agenda item #6c to be Business Item #7i. The motion passed 4-0.

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, to further amend the agenda to move Consent Item #8c to be Business Item #7e. The motion passed 4-0.

4. BUSINESS ITEM

a. *Discussion about labor relations agreements with employees

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, that the Selectboard make the specific finding that premature general public knowledge of the Town's position concerning contract negotiations and labor relations agreements with employees would place the Town at a substantial disadvantage. The motion passed 4-0.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, that the Selectboard enter into executive session to discuss contracts and labor relations agreements with employees pursuant to 1 V.S.A. § 313(a)(1)(A) and 1 V.S.A. § 313(a)(1)(B), to include the Town Manager, HR Director, Deputy Manager, and two representatives from Hickock & Boardman. The motion passed 4-0 at 5:35 P.M.

5. EXECUTIVE SESSION

a. *An executive session is anticipated to discuss contracts and labor relations agreements with employees.

47
48 **DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to exit executive**
49 **session. The motion passed 4-0 at 6:21 P.M.**
50

51 **6. PUBLIC TO BE HEARD**

52 a. Comments from Public on Items Not on Agenda

53 John Lang asked the Selectboard about the purchase of land for the new Town Center, commenting that
54 the Board and staff have not done due diligence in reviewing other properties thoroughly prior to making
55 their selection and expressing concern about the cost of the land and that the location is too rural. Mr.
56 Watts noted that the land was \$3 million to purchase and the details about how it will be developed need
57 to be worked out. Town Manager Duggan spoke to the due diligence, noting that consultants examined
58 traffic, soil, and sewer considerations for the property. He also noted that this was included in the 1992
59 Town Master Plan (and updated with the ETC Next plan two years ago) as a potential location for a Town
60 Center. Mr. Lang said that he is not comfortable with the lack of public input into this decision.
61

62 Lorraine Zaloom recommended that people sign up for the Essex Newsletter, which helps keep the public
63 informed. She additionally asked about opioid settlement funding and whether it is going toward Naloxone
64 and testing strips, noting that the funding is meant to augment already-allocated funding for activities,
65 rather than replace it. She continued to request a dashboard of overdose statistics for the community. She
66 advised that there be a forum around public safety to help the community understand the crisis in the
67 community. Town Manager Duggan replied that the safety committee is staff represented throughout the
68 Town departments and buildings, and that they are looking into how Naloxone can be deployed within
69 Town facilities.
70

71 Sally Fleury expressed concern that the Selectboard is authorized to make land purchases on behalf of the
72 Town. She asked why the Selectboard purchased \$3 million in land (two parcels), and Mr. Watts replied
73 that the seller would not sell them separately. Ms. Fleury asked why the current Town offices (81 Main
74 Street) were renovated, if the Town is looking to build a new Town Center in the long term. Mr. Watts
75 replied that the building was renovated when the Town was pursuing a merger with the Junction. Ms.
76 Fleury again expressed concern about the cost of a potential Town Center project and the lack of
77 community input, saying that funding should rather be put into community safety and support.
78

79 **7. BUSINESS ITEMS**

80 a. Discussion with Cemetery Commission

81 Joe Teegarden and Susan Brown, co-chairs of the Cemetery Commission, spoke with the Selectboard
82 about their activities. Mr. Teegarden noted that the Commission oversees two cemeteries (Mountain View
83 Cemetery and the public burial ground across from the Essex Free Library). He said that the Commission's
84 priorities are to resolve issues that arise that aren't addressed through regulation, propose changes to
85 regulations if deemed necessary, the beautification of the cemetery grounds (marking veteran graves
86 appropriately, repairing gravestones, maintaining healthy trees), and the retention of a sexton (and
87 flagging for the Selectboard that adequate sexton pay is a concern, given their specialized duties and
88 skills). Ms. Brown echoed this last point, suggesting that the sexton be made a part-time employee to help
89 with retention. She said that the co-chairs would like a better understanding of what their duties are in
90 order to make a more informed decision about whether their current budget funding is adequate.
91

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Ms. Hill-Fleury asked about the proposed \$2,000 to repair a storage shed. Ms. Brown replied that the shed has deteriorated and its condition needs to be addressed, but there is confusion about who is responsible for the maintenance of it and where the funding should come from. Ms. Hill-Fleury also noted that the VFW has a free program that will place and replace flags on veteran graves. Mr. Lawrence asked specific questions about capacity at the cemeteries and charges for a plot, which Ms. Brown and Mr. Teegarden answered. Mr. Chamberlin asked about the stipends and whether they are keeping the Commission fully staffed, and Ms. Brown replied that she is unsure whether they are having an effect. Mr. Chamberlin suggested setting up a “Friends of the Cemetery” fund, similar to a Friends of the Library fund, to further engage the community. He asked about green burials, and Mr. Teegarden replied that the soil composition makes that type of burial unfeasible.

b. Discussion with Essex Free Library Board of Trustees

Janet Watts and Iris Banks, Chair and member of the Library Board of Trustees respectively, spoke with the Selectboard about their activities. Ms. Watts noted that the Board works with the Library Director to update its budget, they work on bylaws and policies, recruit and evaluate the Library Director annually, and recently, they have worked on the Library’s Covid response. She noted that the Library has requested an additional 15 staff hours to address workforce gaps, which was part of their FY25 budget proposal. Ms. Banks spoke about library use, saying that there has been increased utilization of its online resources, as well as high use of the library’s programming.

Mr. Chamberlin asked about stipends and whether they are keeping the Board fully staffed, and Ms. Banks replied that they have had more applicants than openings for trustee seats, as well as a more diverse Board, which indicates that the response to stipends has been positive.

c. Discussion with Planning Commission

Dustin Bruso, Chair of the Planning Commission, spoke with the Selectboard and offered the opportunity for the Selectboard to ask questions of the Commission.

Mr. Chamberlin asked about stipends and whether they are keeping the Commission fully staffed, and Mr. Bruso replied that he is unsure whether they are a useful tool for recruiting. Ms. Hill-Fleury asked about accomplishments over the past year, other than the Town Plan updates. Mr. Bruso replied that the Town Plan updates have been the driving focus of the Commission over the past year. He noted that they also made process changes to solicit public input at the beginning of the Town Plan update process, which resulted in updates that are more community-informed. He said that he would like to have further engagement from the Zoning Board on regulation updates. Ms. Hill-Fleury noted increased interest in the RPD-I District and its future, and Mr. Bruso replied that the Planning Commission needs to have a deeper discussion specifically on that district and potential new or revised uses. Mr. Lawrence asked whether improvements can be made to either the Commission or the communication process between the Commission, staff, and Selectboard. Mr. Bruso replied that the Commission is functioning well and its relationship with staff is good. Mr. Bruso and the Selectboard further discussed planning for moving toward having a Development Review Board and a Planning Commission in 2025, pending charter changes under consideration by the State legislature.

d. 2024 Town Plan Review Session

Director Sonnick began by presenting an overview of the 2024 Essex Town Plan. She spoke about why municipalities are required to have plans, their required elements, and how they are implemented. She

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spoke about each chapter of the Town Plan (Introduction, Action Plan, Essex as a Community, How We Relate to the Land, and Serving the Community). She noted that the Selectboard will hold two public hearings on the Plan, on December 18 and January 8, and that the Plan will then be on the Town ballot for a vote on Town Meeting Day.

Mr. Chamberlin noted that the Town Plan does not speak to how capital investments and infrastructure will be maintained (such as water and sewer lines and sidewalks). He requested more detail from Public Works on infrastructure investment.

Mr. Lawrence asked for more detail about agricultural properties that have been subdivided. He also asked how the Town is assessing its agricultural and conservation needs.

The following public comments were received:

- Ken Signorello noted that the Conservation and Trails Committee did not include an action item to identify the Town's prime agricultural land, which it would like to include.

e. Authorize the Town of Essex to apply for VOREC grant funding for the purpose of undertaking planning and design work related to establishing a multi-use trail network in the forest east of Route 289. **was consent item #8c**

Mr. Chamberlin asked how expensive this will be in the future, once grant funding runs out. He also said he would like public input prior to committing to grant funding.

Mr. Johnson replied that the grant would cover planning work, not actual design or construction work. He said that once the planning exercise is done, the Town can weigh what the best option at the lowest cost would be, to make informed future decisions. He said that application for the grant does not commit the Town to accepting the grant. He said that they are also exploring the possibility of shorter-term improvement projections in addition to larger, more costly projects.

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, that the Selectboard authorize the Town of Essex to apply for grant funding for the purpose of undertaking planning and design work related to establishing a multi-use trail network in the forest east of Route 289 to connect the Saxon Hill area with the Essex Town Center area, and other destinations. This authorization does not commit the Town to accepting the grant, if awarded. The motion passed 3-1 (Mr. Chamberlin dissenting).

f. Discussion and presentation of Essex Parks and Recreation Fiscal Year 2025 program fund budget
Director Vile began by noting that the Parks & Recreation program budget is an enterprise budget that does not impact the General Fund. She noted that in FY25, they added a percentage of full-time department staff salaries to the program budget, which reduces the burden of these costs on the operating fund. She also noted the proposed addition of part-time program coordinator staff, to respond to the demands and interests of the community more nimbly.

g. Discussion about Fiscal Year 2023 fund balance assignments

Finance Director Roy provided a brief overview of the FY23 fund balance, noting that it totals \$6,383,742, a decrease of \$271,237 from FY22's fund balance. The Selectboard is permitted per its policy to maintain an unassigned fund balance in the General Fund of up to 15% of the budget and assign amounts above

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that threshold or return them to taxpayers. 15% of the FY24 budget is \$2,310,173. Director Roy noted restricted fund amounts that are not at the Selectboard's discretion to assign. He noted that staff are proposing to assign approximately \$630,000 for future tax reduction in FY25-27. He noted additional staff recommended assignments for Selectboard consideration, including various transfers to Capital (\$400,000), MainTrac tablets, IT expenses, a first responder study, an economic development report, assigned FY24 costs, fuel tracking inventory, and the intersection upgrade project (which together total of approximately \$172,018). He said that the final proposed breakdown would be \$271,873 in Nonspendable funds, \$1,059,868 in Restricted funds, \$2,741,828 in Assigned funds, and \$2,310,173 in Unassigned funds.

Mr. Chamberlin expressed dissatisfaction with the \$325,000 that will be used for tax reduction, saying that the Town should face the inevitable tax increase now and put this funding instead toward capital investments. Ms. Hill-Fleury noted that the State education tax is projected to increase by 18.5% for FY25. Mr. Lawrence asked whether the fund balance policy had a minimum, and Mr. Watts replied that the fiscal auditors recommend maintaining an unassigned fund balance of 15%, which can cover unanticipated costs and avoid having to take out loans.

The Selectboard will have a further in-depth working session about capital investments and future fund balance assignments, with the removal of the allocation for tax reduction.

The following public comments were received:

- Ken Signorello expressed concern that the voters are being bypassed by the Selectboard's assignment of surplus funds. He recommended that surplus funds be fully budgeted and allocated for tax relief. Town Manager Duggan replied that fund balance is sometimes due to unanticipated revenue or windfalls, which weren't necessarily budgeted for.

h. Discussion about proposed Fiscal Year 2025 capital budget

Finance Director Roy said that for FY25, they are proposing a similar approach to prior years, including a 3% overall capital tax rate, \$470,000 in operating transfers, an additional \$400,000 in transfers from fund balance to areas including the Town municipal complex, new salt shed, road reconstruction, and fire department vehicles. He noted that overall expenses for FY25 total \$2,882,814, driven by the stormwater project (the LDS Storm Pond conversion), which accounts for approximately \$1.7 million of expenses.

Mr. Chamberlin expressed concern that the capital tax isn't transparent or adequate to fund capital needs, given some of the operating transfers used to augment the capital budget. He suggested that the Town develop a capital budget that adequately meets its needs and adjusts the capital tax accordingly.

Mr. Watts noted that the Selectboard will be discussing this budget at several future meetings.

i. Work session continued on Fiscal Year 2025 budget

The Selectboard continued its work on the development of a FY25 budget. Members reviewed staff responses and clarifications to outstanding questions, reviewed overall budget goals, and continued their discussion focusing on Public Works and Parks & Recreation.

Mr. Chamberlin said that he would like to see more funding put toward sidewalks and sidewalk maintenance/plowing within the budget. Ms. Hill-Fleury noted that the Town doesn't have enough staff

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trained on the plowing equipment, nor enough equipment to plow all sidewalks. Mr. Chamberlin suggested that this be contracted out.

j. **Discussion about contracts
No executive session held.

8. CONSENT ITEMS

- a. Approve minutes – November 6, 2023; November 14, 2023 – Special; November 20, 2023
- b. Approve check warrants: #18177 – 11/17/2023
- c. Authorize the Town of Essex to apply for VOREC grant funding for the purpose of undertaking planning and design work related to establishing a multi-use trail network in the forest east of Route 289. **now business item #7e**

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to approve the consent agenda as presented. The motion passed 4-0.

9. READING FILE

- a. Board member comments: Mr. Watts noted that Essex is on the schedule early in the legislative session for its charter change review, noting that he, Vice-Chair Delphia, and Town Manager Duggan will be testifying.
- b. Upcoming meeting schedule
- c. Letter from Vermont Agency of Transportation re: Speed Limit reduction along VT Route 15
- d. Town of Essex Five-Year Paving Plan
- e. Update on reconvening the Charter Review Committee
- f. Town of Essex Human Services Funding applications now open
- g. Essex News – December 2023

10. EXECUTIVE SESSION

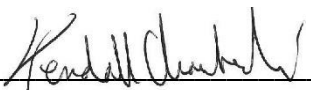
- a. * Discussion about contracts
No executive session held.

11. ADJOURN

ETHAN LAWRENCE, made a motion, seconded by DAWN HILL-FLEURY, to adjourn the meeting. The motion passed 4-0 at 10:44 P.M.

Respectfully Submitted,
Amy Coonradt,
Recording Secretary

Approved this 18th day of December, 2023
(see minutes of this day for corrections, if any)


Kendall Chamberlin, Selectboard Clerk