TOWN OF ESSEX SELECTBOARD
REGULAR MEETING AGENDA

Online
Essex Junction, VT 05452
Tuesday, January 19, 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: 721 901 667#
- **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. **PUBLIC HEARING**
   a. Public Hearing on Fiscal Year 2022 Operating Budget
6. **BUSINESS ITEMS**
   a. Consider adopting Fiscal Year 2022 Operating Budget
   b. Presentation of Chittenden County Regional Planning Commission Unified Planning Work Program Projects (UPWP) requests and consider authorization of proposed projects – Dennis Lutz
   c. Workshop on Fiscal Year 2022-2026 Capital Budget and Plan – Dennis Lutz and Sarah Macy
   d. Consider approval of warning for public hearing on Fiscal Year 2022-2026 Capital Budget and Plan
   e. Consider approval of warning for public hearings on the Plan of Merger
   f. Consider approval of final draft merger vote informational materials
   g. Discuss and assign Selectboard outreach efforts for virtual Town Meeting
   h. * Discuss the evaluation of a public official
7. **CONSENT ITEMS**
   a. Approve Wastewater Allocation Request for 2.00 EU (400 GPD of wastewater flow) from Jeff Spooner
   b. Approve minutes: January 4, 2021
   c. Check Warrant: #17817 – 1/15/21
8. **READING FILE**
   a. Board member comments
   b. Temporary COVID-19 Emergency Leave Policy for consideration on 1/25/2021
   c. Unemployment update
   d. Upcoming meeting schedule
9. **EXECUTIVE SESSION**
   a. *An executive session is anticipated to discuss the evaluation of a public official
10. **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: ____________________ 1/15/2021

TOWN OF ESSEX
SELECTBOARD MEETING MINUTES
Tuesday, January 19, 2021

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

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Courtney Bushey, Assistant Finance Director; Tammy Getchell, Assistant to the Manager; Sarah Macy, Finance Director/Assistant Manager; Tom Yandow, Facilities Manager.

OTHERS PRESENT: Walter Adams, Jeanne Bull, Alise Certa, Marcus Certa, Raj Chawla, Kevin Collins, Annie Cooper, Tracey Delphia, Erin Dickinson, Betsy Dunn, Casey Gates, Roseanne Prestipino, Margaret Smith, Sara Stultz, Ken Signorello, Mike Thorne, Irene Wrenner.

1. CALL TO ORDER
Elaine Haney called the meeting of the Town of Essex Selectboard to order at 6:31 PM.

2. AGENDA ADDITIONS/ CHANGES
There were no additions or changes to the agenda.

3. APPROVE AGENDA
With no changes to the agenda, no vote for approval was needed.

4. PUBLIC TO BE HEARD
Ms. Dunn asked how merger will affect the current priority system at the EJRP childcare, namely if current students most of whom are Village residents, will continue to have priority. Mr. Murray said that current students will be allowed to remain in the program, however students graduate every year, so this problem will quickly resolve itself. Ms. Haney said that increasing capacity so that all students who require care would be able to receive it would be a goal for a merged community.

Ms. Wrenner said the current budget includes a proposal for the Town to fund the Village highway rolling stock expenses, ensuring that the amount of money that Village taxpayers pay in Town taxes will go back to them. As a result, tax equalization has been achieved and merger is a moot point. Ms. Smith suggested including a direct link to join the meeting on the website. Ms. Cooper reminded members of the audience to speak kindly to the Selectboard.

5. PUBLIC HEARING
a. Public Hearing on Fiscal Year 2022 Operating Budget
Ms. Haney opened the Public Hearing on Fiscal Year 2022 Operating Budget.

Ms. Dunn asked if there was money in the budget to add additional benches on highly used trails. Mr. Teich said that he would check with the Recreation Department. Walter Adams stated that he had several questions regarding the budget. These are detailed as follows:

- Mr. Adams asked a question regarding a perceived discrepancy between the amount of highway tax collected and the amount that is showing up in revenues. Ms. Macy noted that the Capital Budget would be discussed later this evening sayingthat this budget is made up of both the Highway Fund and other transfers from the General Fund. Mr. Adams asked how much was in the Capital Fund and Ms. Macy said that it was around 2.5 million.
- Mr. Adams referred to the fund balance as a “slush fund” and stated that additional funds should be returned to the taxpayers. Ms. Macy said that the unassigned fund balance cannot exceed

15% of the total budget and that it important to have 2-3 months of expenses always set aside for an emergency. When money is available in the fund balance, the Selectboard hears recommendations from staff on how to spend it and the remainder goes back to taxpayers. Mr. Adams said that if a better job was done at budgeting, a surplus would not be a problem.

- Mr. Adams mentioned the number of unfilled positions in the Police Department and said that they should not be funded as they were unlikely to be filled.
- Mr. Adams asked what the "tax agreements" line on his tax bill represented. Ms. Macy said that the residents of Essex had voted to give an abatement to disabled veterans.
- Mr. Adams noted that the Recreation budget was very high and questioned the need for hiring an additional Assistant Manager. He also questioned the need for an Economic Development staff person, noting that this should be the responsibility of the Community Development Director. He said that he was in favor of the Selectboard and Planning Commission being paid a larger stipend but not the other board members.
- Mr. Adams voiced a concern that the amount budgeted for a town-wide reappraisal had increased without explanation. Ms. Macy said that this was due to state funding.
- Mr. Adams voiced a concern that software licensing was an unnecessary ongoing expense and suggested that the Town should consider purchasing software to eliminate ongoing costs.

Ms. Cooper voiced her frustration with the amount of time Mr. Adams was being given to discuss his concerns. Ms. Haney reminded members of the public to keep their comments brief and refrain from unkindness to staff.

PATRICK MURRAY made a motion, seconded by VINCE FRANCO, to close the public hearing. The motion passed 5-0.

Ms. Haney opened discussion to the Selectboard. Mr. Watts said that the agenda that was posted to Front Porch Forum did not include information on today's public hearing and suggested that a second public hearing be warned. Ms. Haney agreed that a second public hearing would be helpful, saying that many people may not realize that there will be no vote at Town meeting this year. The board decided to table the adoption of the Fiscal Year 2022 Operating Budget and warn an additional public hearing on February 1st along with the public hearing on Fiscal Year 2022-2026 Capital Budget and Plan.

6. BUSINESS ITEMS

~~**a. Consider adopting Fiscal Year 2022 Operating Budget**~~

b. Presentation of Chittenden County Regional Planning Commission Unified Planning Work Program Projects (UPWP) requests and consider authorization of proposed projects – Dennis Lutz

Mr. Lutz stated that the Town is requesting funding for four areas: a scoping study on Route 15, televising storm drains to determine their condition, and the use of CCRPC interns to conduct intersection and major roadway traffic counts. The total cost for these projects is $75,000, with the Town being responsible for $25,000. Mr. Watts asked if there was any ability to eliminate the overhead wires on Route 15, as they impacted the scenic view. Mr. Lutz said that he could ask Green Mountain Power to consider doing so.

Ms. Haney opened the floor to public comment. Ms. Davis said that there is a grant available from the Vermont Transportation Innovation Council that might be helpful in conducting improvements to Route 15. Ms. Smith said that she hopes that the traffic studies consider the impact of large trucks and suggested conducting a concurrent noise survey.

ANDY WATTS made a motion, seconded by DAWN HILL-FLEURY that the Selectboard authorize the Unified Manager to sign the attached letter on behalf of the Selectboard in support of the UPWP requests. The motion passed 5-0.

c. Workshop on Fiscal Year 2022-2026 Capital Budget and Plan – Dennis Lutz and Sarah Macy

Capital Budget work session

Ms. Macy began with a budgetary overview. The proposed FY2022 Capital Plan shows Capital Tax additions of $538,580, spending of $1,479,856 and an ending balance of $3,068,352. Ms. Macy noted that many of the projects described are funded by: impact fees, grants, and general fund transfers, as well as the Capital Fund.

Mr. Murray noted that the Five-Year Plan shows good financial stewardship. He also stated that, after reviewing the list of projects, he saw that none of them were for properties in the Village. Mr. Lutz said that this was true, except for the several stormwater projects that are occurring in the Village. Mr. Murray asked about the ater ower roject, noting that the price tag on these repairs seemed very high. Mr. Lutz said that the water tower is currently unsafe to enter as the outside needs repointing, the slate roof is in poor condition, and that the mortar and woodwork needs repair. Birds are also able to enter the building and have caused damage. Mr. Teich said that planning efforts at the Fort are long overdue, and that it is possible to complete the more immediate fixes to stabilize the water tower before completing the rest. Mr. Watts noted that he had toured the water tower and that it is an asset to the community.

Mr. Watts requested a more readable version of the Capital Projects worksheet in the future. He also asked Mr. Lutz if the Town is on track for paving needs. Mr. Lutz confirmed that this is the case. Mr. Watts noted concern that the Fire Department had not included any future needs in this memo, however they had included a Capital Projects budget. Ms. Macy stated that some replacement projects are included in a different budget sheet.

Ms. Haney said in the last fiscal year, 42% of the capital tax came from Village residents. However, out of the 20 projects that are scheduled to be completed last year, only 4 of those are to be shared between the Village and Town outside of the Village. Financially, this amounts to 2.4% of the budget. In FY 2022, there are 23 projects slated to be completed, and only 2 of these are to be shared by both communities. Therefore, 91% of the projects will occur in the Town outside of the Village. Financially this amounts to 1.8% of the budget. Mr. Lutz said that this assessment needs a deeper look as many of these projects are funded by grants or impact fees. Ms. Haney said that she wanted to see an equitable effort to spend capital funds throughout the community, as the Village does not currently appear to get a return on their investment. Mr. Lutz said that this type of planning could result in a need for additional funds for capital projects.

Ms. Haney opened the discussion to the public.

Ms. Davis asked if the Town could get a grant for increasing the size of water pipes on Sand Hill Road. Mr. Lutz said that this is not considered to be an immediate need but that grant funding might be able to be used in the future. Mr. Certa, President of the Essex Community Players, thanked the Selectboard for considering improvements to Memorial Hall. He explained a variety of concerns that he had regarding the building and its safety for performers and visitors. Mr. Lutz stated his support for improving the safety of Memorial Hall and expanding the number of programs offered in the space.

Mr. Signorello said that it would be helpful to see which projects were earmarked for which year. He stated that Stormwater and Public Works are not split evenly between the Village and Town outside of the Village, as the Village is only responsible for 42% of the contribution.
Ms. Haney said that it would be helpful to have a discussion specifically on historic town-owned buildings in the future.

d. Consider approval of warning for public hearing on Fiscal Year 2022-2026 Capital Budget and Plan

VINCE FRANCO made a motion, seconded by PATRICK MURRAY that the Selectboard warns two public hearings for February 1, 2020 at 6:35 PM, the first being for the purpose of soliciting comments on the FY2022 Capital Budget and Five-Year plan and the second for the purpose of soliciting comments on the FY2022 Operational Budget. PATRICK MURRAY made a friendly amendment, accepted by VINCE FRANCO to clarify that the meeting was on February 1, 2021, not February 1, 2020. The motion passed, 5-0.

e. Consider approval of warning for public hearings on the Plan of Merger

PATRICK MURRAY made a motion, seconded by VINCE FRANCO that the Selectboard warn public hearings for February 1 and February 16 to solicit public comments on the Plan of Merger and proposed Charter for the merged communities as approved on January 11, 2021. ELAINE HANEY made a friendly amendment, accepted by PATRICK MURRAY, to add that the proposed charter is available for public viewing on the Town of Essex, Village of Essex Junction, and Greater Essex websites, in addition to being on file at the Town Clerk's office. The motion passed 5-0.

f. Consider approval of final draft merger vote informational materials

Ms. Haney stated that she received some edits from the Selectboard which have been incorporated and due to publishing deadlines, it would be very difficult to further refine it. Mr. Watts said that he is unhappy with the document and that it has a lot of bias and confusing information. Ms. Haney said that she has only received minor edits from the Selectboard and that the board has had 2 weeks to review it. The Selectboard has voted as a majority to approve merger as the best course of action. Mr. Watts stated that he is not opposed to merger and cited a figure in the document stating that the Village budget is 3.5 million when it is really 5 million as an example of an incorrect figure. Mr. Teich stated that the taxable portion of the Village budget is 3.5 million but that the total budget is 5 million. The board discussed how to address this and ultimately decided to incorporate a suggestion from Ms. Wrenner. The bullet point now states that one of the top challenges of merger is to: "Integrate \$3.5 million of the \$5 million Village budget with the \$16 million Town budget."

In public comment, Ms. Wrenner said that there is no need for merger as tax equalization has occurred. She suggested that the document be tabled until February 1st and have the information sent out along with the ballot. Ms. Cooper said that she appreciated the work that the board has done in this process. Ms. Delphia said that she appreciated the attention that Mr. Watts is paying to this issue and said that at the last meeting he brought up similar issues and was told that it would be addressed at a later date. Ms. Dickinson said that Mr. Watts has brought up good points during this process. Ms. Davis said that she would like to see both sides of the merger issue being detailed on the Town of Essex website.

Motion by VINCE FRANCO, seconded by PATRICK MURRAY for the Selectboard approve the distribution of revised informational materials about the March 2021 vote to merge the Village of Essex Junction and the Town of Essex. The motion passed 3-2, with dissenting votes from Mr. Watts and Ms. Hill-Fleury.

g. Discuss and assign Selectboard outreach efforts for virtual Town Meeting

Mr. Teich stated that all outreach must be virtual this year and that there is less time than usual as the ballots will be mailed out well in advance of the meeting date. Mr. Franco suggested that Town staff schedule a few meetings for public input and that each Selectboard member attend a few of them. Mr.

Watts stated that when the Selectboard Chair is up for election, the Vice Chair typically handles budgetary presentations. Both Ms. Haney and Mr. Murray were agreeable to this. The Board also discussed outreach to community groups such as the Lions and Rotary.

In public comment, Ms. Davis suggested that all materials should be included on the Essex website, either in addition to or instead of the Essex Junction website.

7. CONSENT ITEMS

VINCE FRANCO made a motion, SECONDED by DAWN HILL-FLEURY to approve the Consent Agenda:

a. Approve Wastewater Allocation Request for 2.00 EU (400 GPD of wastewater flow) from Jeff Spooner
b. Approve minutes: January 4, 2021
c. Check Warrant: #17817 – 1/15/21

The motion passed 5-0.

8. READING FILE

a. Board member comments
   - Ms. Haney noted her support for the COVID-19 Emergency Leave Policy. Mr. Teich noted that snow removal is currently at a reduced level due to COVID cases in the Public Works department. There have been three positive tests this week.

b. Temporary COVID-19 Emergency Leave Policy for consideration on 1/25/2021
c. Unemployment update
d. Upcoming meeting schedule

9. EXECUTIVE SESSION

a. *An executive session is anticipated to discuss the evaluation of a public official

Motion by PATRICK MURRAY, seconded by DAWN HILL-FLEURY that the Selectboard enter into executive session to discuss the evaluation of a public official in accordance with 1 V.S.A. Section 313(a)(3). The motion passed 5-0 at 10:13 PM.

DAWN HILL-FLEURY made a motion, seconded by VINCE FRANCO, to exit executive session. The motion passed 5-0 at 10:28 PM.

10. ADJOURN

DAWN HILL-FLEURY made a motion, seconded by PATRICK MURRAY, to adjourn the meeting. The motion passed 5-0 at 10:28 p.m.

Respectfully Submitted,
Darby Mayville
Recording Secretary

Approved this __28th________ day of _January___, 2021

(See minutes of this day for corrections, if any)

Vince Franco
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