



Town of Essex

Selectboard

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Regular Meeting AGENDA

Monday, December 18, 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

This agenda is available in alternative formats upon request.

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 - 6:35 PM**
 - a. First of two public hearings on the 2024 Essex Town Plan
6. **BUSINESS ITEMS**
 - a. *Interview and possible appointment of the Chittenden County Communications Union District representative for Essex - Hubert Norton
 - b. Discussion with Conservation and Trails Committee
 - c. Discussion with Economic Development Commission
 - d. Discussion with Energy Committee
 - e. Work session continued on fiscal year 2025 budget
 - f. Discussion and potential action about proposed fiscal year 2025 capital budget and five-year plan
 - g. Discussion and potential action about fiscal year 2023 fund balance assignments
 - h. Consider adopting Fiscal Year 2025 Municipal Budget and warning public hearing
 - i. Consider approval of Resolution in Appreciation of Robert Whitten
 - j. *Discussion and potential action about evaluation of Town Manager
 - k. *Discussion about the appointment or employment or evaluation of public officer or employee
 - l. * ** Discussion and potential action about Town Manager's employment contract
7. **CONSENT ITEMS**
 - a. Approve minutes: December 4, 2023
 - b. Approve check warrants: # 18178 - 12/01/23; #18179 - 11/21/23; #18180 - 12/08/23
 - c. **Consider approval of extension of deadline for Tree Farm Management Group's 501c3 status
8. **READING FILE**
 - a. Board member comments
 - b. Upcoming meeting schedule
 - c. 2023 MS4 Permit, Notice of Intent, and 3-Acre Permits
 - d. Memo re: Support for Town of Essex VOREC Grant Application
 - e. Memo re: Lower Sand Hill Road Truck Traffic Concerns
 - f. Email from Aaron Martin re: 2nd Sand Hill Road study
 - g. Tree Farm Management Group: Management Plan Deadline Update
 - h. Current Status of Public Works Projects 2023
 - i. Status of Lead Copper Survey
9. **EXECUTIVE SESSION**
 - a. *Discussion about the appointment or employment or evaluation of a public officer or employee
 - b. **An executive session is anticipated to discuss contracts

SELECTBOARD

TOWN OF ESSEX SELECTBOARD REGULAR MEETING MINUTES MONDAY, DECEMBER 18, 2023

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

ADMINISTRATION and STAFF: Greg Duggan, Town Manager; Marguerite Ladd, Deputy Manager; Jean O'Sullivan, Economic Development Coordinator; Dan Roy, Finance Director; Katherine Sonnick, Community Development Director; Tom Yandow, Facilities Manager

OTHERS PRESENT: Gina Halpin Barrett; Natalee Braun, Energy Committee; Patty Davis; Will Dodge, Chair of Energy Committee; Betsy Dunn, Conservation & Trails Committee; Rebecca Robinson, Chair of Economic Development Commission; Hubert Norton, Chittenden County Communications Union District; David Skopin, Energy Committee; Ken Signorello, Conservation & Trails Commission; Margaret Smith; Lorraine Zaloom; Sharon Zukowski

1. CALL TO ORDER

Mr. Watts called the Town of Essex Selectboard meeting to order at 6:30 PM.

2. AGENDA ADDITIONS/CHANGES

Mr. Duggan requested to move Item 6d, "Discussion with Energy Committee" to be heard as the second business item (6b). He requested that a work plan attachment be added to Item 6b "Discussion with Conservation & Trails Committee."

3. APPROVE AGENDA

Motion by ANDY WATTS, seconded by TRACEY DELPHIA, to move the Energy Committee discussion up above the Conservation & Trails Committee and accept the Conservation & Trails Committee Work Plan. Motion passed 5-0.

4. PUBLIC TO BE HEARD

a. Comments from Public on Items Not on Agenda

None.

5. PUBLIC HEARING

a. First of two public hearings on the 2024 Essex Town Plan

Ms. Sonnick, Community Development Director, presented the 2024 Town Plan and described the documents included. Mr. Watts requested public input. Mr. Signorello asked if the amendments suggested by the Conservation and Trails Committee were included. Ms. Sonnick answered affirmatively. Ms. Hill-Fleury asked Ms. Sonnick if she had any concerns about the changes made. Ms. Sonnick said that she thought that they helped to improve the plan. She suggested including changes to the Economic Development section regarding the "promotion of infill development within of industrial and commercial developments." Ms. Zukowski indicated support for the new wording, which is intended to clarify that development would occur within the current industrial and commercial districts, not outside of it. Mr. Watts suggested a change to verbiage regarding the Energy Coordinator position, changing it from "appoint and fund" to "consider," as the Board has not made a permanent decision on the issue. Mr. Dodge encouraged the Board to use stronger verbiage than "consider." The Board decided upon "investigate the funding for an Energy Coordinator." Mr. Signorello asked for clarification on some edits made by the Conservation and Trails Commission, which was given.

Motion by ETHAN LAWRENCE, seconded by TRACEY DELPHIA, to close the public hearing. Motion passed 5-0.

Motion by DAWN HILL-FLEURY, seconded by ETHAN LAWRENCE, to accept the changes as proposed this evening. Motion passed 5-0.

6. BUSINESS ITEMS

a. Interview and possible appointment of the Chittenden County Communications Union District representative for Essex - Hubert Norton

Mr. Norton explained the re-appointment process for the Chittenden County Communications Union District (CCCUD) and gave an overview of the work that they have done. This includes setting up operating procedures, hiring a consultant, creating a business plan, and issuing a request for proposals for internet providers to expand coverage. Mr. Watts said that this position was not advertised, as Mr. Norton had been appointed six months ago.

Mr. Watts is currently Essex's alternate to the CCCUD, and an item will be included on a future Selectboard agenda to consider reappointing Mr. Watts as the alternate.

The Board discussed how such a situation of the lack of advertising for the opening could be prevented in the future, and why it happened this time.

TRACEY DELPHIA made a motion, seconded by DAWN HILL-FLEURY, to appoint Hubert Norton as the Essex Representative to the Chittenden County Communications Union District for one year, with a term ending December 31, 2024. Motion passed 4-1, with KENDALL CHAMBERLIN dissenting.

b. Discussion with Energy Committee

Mr. Dodge introduced himself and the other committee members, noting that they have had difficulty filling open slots. He highlighted the Committee's accomplishments, including community outreach at the Champlain Valley Fair, work on the Town Plan, and legislative outreach. He discussed interest in expanding the Town's solar capacities and electric vehicle fleet, making the new municipal building as green as possible, a revolving loan fund for energy improvements, and a committee charter change to focus on greenhouse gases. Mr. Chamberlin suggested that the Energy Committee work with the Town on streetlight replacements and Mr. Yandow discussed the process of these replacements. An audience member asked if the Energy Committee has worked with the schools, and Mr. Dodge said that they have collaborated in some ways but not worked on large facilities-based projects together.

c. Discussion with Conservation and Trails Committee

Ms. Dunn discussed the Conservation and Trails Committee (CTC) work plan and outlined the five goals that they are working on. The CTC is also working on increased kayak access, pollinator gardens and forestry management plans. Impending budget requests are possible for signage, benches, and a Tree City USA project. Last year the CTC held an Arbor Day planting at two schools, held two clean-up days and achieved Tree City USA status. Ms. Dunn suggested that the Committee be split into a Conservation Commission and a Trails Committee.

d. Discussion with Economic Development Commission

Ms. Robinson, Chair, said that the action plan for 2024 and beyond is being developed, and action steps will be available within the next month. The EDC has started business outreach, and meetings are hosted in various business locations to learn more about local establishments and their needs. The Economic Development Commission (EDC) would like to work on a communications plan and to better leverage social and digital channels to connect with the public and other boards/commissions. Ms. Robinson said that the EDC finds that the stipends offered by the Town shows that their time is valued. Budget discussions have started, with a maximum request of \$30,000-\$40,000 for road signage, workshops and general fees. Ms. Hill-Fleury said that the Board has heard about improving communication for the past two years, and that this concerns her that it still needs improvement. Ms. Robinson said that the EDC has developed a solid e-mail list in the past year, but that they need to further refine their strategy for engagement. Mr. Duggan said that he believes that there have been vast improvements in business communications in the last few years, and that further improvements do not mean progress has not been made. Ms. Hill-Fleury said that she would like to learn more about these improvements, especially if additional funds are being requested. Mr. Chamberlin asked if there was an easily accessible list of Essex businesses and Ms. O'Sullivan explained the process of creating the public and internal lists as well as an emergency contact list for the police department.

e. Work session continued on fiscal year 2025 Budget

The Board chose to discuss all three budget-related items (fiscal year 2025 budget, fiscal year 2025 capital budget and five-year plan, and fiscal year 2023 fund balance assignments) at the same time. Mr. Watts said that there is a proposed 3.8% tax increase in the fiscal year 2025 budget, which is within the Selectboard's goal of the tax rate increase being less than 5%. Mr. Duggan said that the insurance rates have come in lower than expected. Mr. Watts said that the Board could either stay at this rate or add in some of the suggested additions from staff. These include funding for summer highway construction services, funding for highway sewer storm maintenance, and increasing both the part-time Administrative Assistant and Parks & Facilities Trail Coordinator positions to full year positions. Mr. Duggan said those areas had originally been reduced to stay below the 5% projected tax rate increase. Mr. Chamberlin said that funding these positions in the current year could cause a smaller projected increase in the next fiscal year, as there is a larger baseline. Mr. Roy said that adding all four items will bring the increase to 4.25%.

Mr. Lawrence requested that \$100,000 in funds slated for the new municipal complex be shifted to Public Works equipment costs. He cited negative feedback on the development of the new municipal complex and concerns about the replacement schedule. Mr. Lawrence said that he believes that equipment is kept far longer than it should be, causing the town to spend more on fixes and rental equipment than it would to purchase new. Ms. Delphia suggested that the process be reviewed for equipment replacement. Mr. Chamberlin requested an increase in the capital tax, from three cents to four cents. Mr. Watts said that the Board chose to limit the additional capital tax last year due to the unknown impact of reassessment. He suggested a variety of methods to increase funding to Public Works, agreeing that more funds need to be raised for capital. Mr. Chamberlin said that asking for a 4-cent capital tax will give more funds in the short term.

Ms. Hill-Fleury reminded the Selectboard that educational taxes are expected to rise significantly and that this must be taken into consideration when raising municipal taxes. Mr. Watts requested public comment, and none was given.

f. Discussion and potential action about proposed fiscal year 2025 capital budget and five-year plan

TRACEY DELPHIA made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard approve the FY25-FY29 Capital Plan and schedule the public hearing as proposed by staff for January 29, 2024. Motion passed 4-1, with ETHAN LAWRENCE dissenting.

g. Discussion and potential action about fiscal year 2023 fund balance assignments

TRACEY DELPHIA made a motion, seconded by ANDY WATTS, that the Selectboard assign the FY23 fund balance as recommended in the packet. Motion passed 4-1, with ETHAN LAWRENCE dissenting.

h. Consider adopting Fiscal Year 2025 Municipal Budget and warning public hearing

Motion by ANDY WATTS, seconded by KENDALL CHAMBERLIN, that the Selectboard adopt the fiscal year 2025 general fund budget and warn public hearings for the fiscal year 2025 general fund budget, adding in \$14,475 to highway summer construction services, \$6,350 to highway sewer storm maintenance, and increasing the part-time Administrative Assistant and Parks & Facilities Trail Coordinator positions, extending them to full year and also to schedule a public hearing for January 29, 2024.

Amendment by ETHAN LAWRENCE to add the total amount of the budget of \$16,106,421 to the motion. All agreed. Motion passed 4-1, with DAWN HILL-FLEURY dissenting.

i. Consider approval of Resolution in Appreciation of Robert Whitten

DAWN HILL-FLEURY made a motion, seconded by KENDALL CHAMBERLIN, to pass a resolution in appreciation of Robert Whitten. Motion passed 5-0.

RESOLUTION IN APPRECIATION OF ROBERT WHITTEN

WHEREAS, Robert Whitten was hired as Highway Crew member for the Town of Essex Public Works Department on October 17, 1983; and,

WHEREAS, Robert Whitten will be retiring on December 29, 2023; and,

WHEREAS, Robert Whitten has been an integral part of the Public Works Department supporting both the community and his fellow employees; and,

WHEREAS, Robert Whitten has played a leading role in the operation and maintenance of the water and sewer systems throughout the Town of Essex; and,

WHEREAS, Robert Whitten has been an indispensable team member for the Water and Sewer Department throughout his tenure; and,

WHEREAS, Robert Whitten has been a dedicated, loyal and dependable employee of the Town of Essex; now therefore be it

RESOLVED, that on the occasion of Robert's retirement that the Essex Selectboard, on behalf of the staff and citizens of the Town of Essex, hereby extend our most sincere appreciation to Robert Whitten for over 40 years of service in making Essex a better community in which to live and work.

Adopted this 18th day of December 2023 by the Town of Essex Selectboard.

The Selectboard and Mr. Duggan lauded Mr. Whitten for his hard work.

j. Discussion and potential action about evaluation of Town Manager

Mr. Watts asked the Board if they wanted any changes to the process from last year, and all indicated that they were amenable to sending out a survey like last year's. Mr. Duggan will work with HR Director Travis Sabataso to get this survey distributed.

k. Discussion about the appointment or employment or evaluation of public officer or employee
This was discussed during Executive Session.

l. Discussion and potential action about Town Manager's employment contract
DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to appoint the Chair and Vice-Chair to negotiate the Town manager's contract. Motion passed 5-0.

7. CONSENT AGENDA

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

a. Minutes: December 4, 2023

b. Approve check warrants: # 18178 - 12/01/23; #18179 - 11/21/23; #18180 - 12/08/23

c. Consider approval of extension of deadline for Tree Farm Management Group's 501c3 status

8. READING FILE

a. Board member comments: Ms. Hill-Fleury thanked the Board and staff for their hard work over the last year. Mr. Chamberlin asked about overweight permits and said that they should be given for a specific purpose and time. Hill-Fleury said that these permit standards are set by the state of Vermont, and the Town has very little control over the cost. The Selectboard lauded the work of Public Works during the flooding. Mr. Lawrence questioned why no information on site details, or the memorandum of understanding, has been issued regarding the new property purchase of 80 and 90 Upper Main St. Mr. Duggan said that all of this is public, and that he has released some of it for a public records request. He said staff intends to include the information as part of a discussion item in the next Selectboard meeting packet.

b. Upcoming meeting schedule

c. 2023 MS4 Permit, Notice of Intent, and 3-Acre Permits

d. Memo re: Support for Town of Essex VOREC Grant Application

e. Memo re: Lower Sand Hill Road Truck Traffic Concerns

f. Email from Aaron Martin re: 2nd Sand Hill Road study

g. Tree Farm Management Group: Management Plan Deadline Update

h. Current Status of Public Works Projects 2023

i. Status of Lead Copper Survey

8. EXECUTIVE SESSION

a. Discussion about the appointment or employment or evaluation of a public officer or employee
DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, that the Selectboard enter into executive session to discuss contracts and the appointment or employment or evaluation of a public officer or employee, pursuant to 1 V.S.A. § 313(a)(1)(A) and 1 V.S.A. § 313(a)(3) to include the Town Manager and Deputy Manager. Motion passed 5-0.

DAWN HILL-FLEURY made a motion, seconded by TRACEY ETHAN LAWRENCE to exit executive session. Motion passed 5-0 at 9:34 PM.

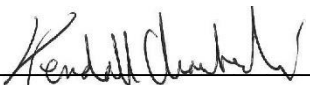
b. An executive session is anticipated to discuss contracts
Not discussed.

9. ADJOURN

238 **DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, for the Selectboard to**
239 **adjourn. The motion passed 5-0 at 9:34 PM.**
240

241 Respectfully Submitted,
242 Darby Mayville
243 Recording Secretary
244

245 Approved this 8th day of January, 2024
246 **(see minutes of this day for corrections, if any)**
247

248 
249 _____
250 Kendall Chamberlin, Selectboard Clerk
251