Town of Essex

Selectbord

Phone: (802) 878-1341

Email: manager@essex.org

Regular Meeting AGENDA

Monday, January 8, 2024 – 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. Second of two public hearings on the 2024 Essex Town Plan
6. **BUSINESS ITEMS**
   a. Consider moving the 2024 Town Plan for approval by voters, by Australian ballot, on March 5, 2024
   b. Consider approval of memorandum of understanding for use of VT Alert system
   c. Discussion about new municipal facilities and other site development at 80 & 90 Upper Main St.
   d. Discussion about FY 2025 budget adjustments for public hearing on January 29
   e. Consider approval of adjustments to fiscal year 2023 fund balance assignments
   f. Consider approval of amendments to fiscal year 2025 capital budget and five-year plan
   g. *Consider appointment of Andy Watts as alternate to Chittenden County Communications Union District
7. **CONSENT ITEMS**
   a. Approve minutes: December 18, 2023
   b. Approve check warrants: # 18181 - 12/15/23; # 18182- 12/22/23
   c. Consider approval of Vermont Bond Bank loan for Center Road Force Main Replacement Project
   d. Consider approval of awarding bid for Essex Route 15 Water Line Upgrade
   e. Chittenden County Regional Planning Commission Fiscal Year 2025 Unified Planning Work Program Application for Sand Hill Road Traffic Study
   f. Approval of Chittenden County Regional Planning Commission Unified Work Planning Program Application Stormwater CCTV Inspection
8. **READING FILE**
   a. Board member comments
   b. Upcoming meeting schedule
   c. Board & Committee Volunteers Needed
   d. Email re: Town of Essex Narcan Training Program
   e. Tree Farm Recreational Facility Management Plan, dated December 31, 2023
   f. Town Meeting Training offered by Vermont League of Cities and Towns
   g. Fiscal Year 2024 General Fund Budget/Actual for December
   h. Online feedback re: Sand Hill Pool
9. **EXECUTIVE SESSION**
   a. *An executive session may be requested to discuss the appointment or employment or evaluation of a public officer or employee

Certification: ____________ ____________
01/05/2024

TOWN OF ESSEX SELECTBOARD
REGULAR MEETING MINUTES
MONDAY JANUARY 8, 2024

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

ADMINISTRATION and STAFF: Greg Duggan, Town Manager; Ron Hoague, Police Chief; Marguerite Ladd, Deputy Manager; Aaron Martin, Public Works Director; Dan Roy, Finance Director; Katherine Sonnick, Community Development Director

OTHERS PRESENT: Betsy Dunn, Patty Davis, Gina Halpin Barrett, Deb Holland, Leah Pastel, Mary Post, Ken Signorello, Margaret Smith, Irene Wrenner, 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
None.

3. APPROVE AGENDA
No changes, thus no approval required.

4. PUBLIC TO BE HEARD
a. Comments from Public on Items Not on Agenda
Ms. Dunn said that she attended the House Committee on Government Operations committee to hear about Essex's charter change. She said that Mr. Watts spoke against the potential Development Review Board (DRB) date of implementation, and that she was disappointed to see this. She also said that there is poor leadership in the Planning Commission. Ms. Davis said that the Town of Essex had recently sent out a letter to Sandhill Road residents stating that lower Sandhill Road has been a traditional truck route and requested that this be stricken from the record. She said that Sandhill Road is a secondary arterial road and said that the developer was supposed to build an extension of Thomas Road however they did not. She presented conflicting traffic studies regarding this, and pointed out changes in the classification of Sandhill Road over time and said that a trucking management plan is necessary. Mr. Watts said that concerns about Planning Commission decisions should go to the Environmental Court.

Ms. Zaloom said that she feels that criticism or critique of other boards is appropriate for the Selectboard to hear, and that keeping the dialogue open is important. She seconded Ms. Davis's concerns about the truck traffic on Sandhill Road. Mr. Watts said that he is willing to hear about these concerns, however, to formally appeal a decision it would be necessary to go to the Environmental Court. Ms. Zaloom discussed concerns about Mr. Watt's opposition to the DRB proposal. Mr. Watts said that he raised concern about the timing of the DRB creation when he testified at the statehouse, however he does not want the date adjusted and does not believe that it will be changed. Ms. Post said that she was disappointed by Mr. Watts's comments on the timing. She also expressed concern that the Town of Essex is not following up with applicants to various committees.

5. PUBLIC HEARING
a. Second of two public hearings on the 2024 Essex Town Plan

Motion by DAWN HILL-FLEURY, seconded by ETHAN LAWRENCE to open the public hearing on the 2024 Essex Town Plan. Motion passed 5-0.

Ms. Sonnick presented the 2024 Plan and said that, should the Selectboard approve the document, the next step would be voter approval. Mr. Watts requested public input. Ms. Pastel said that she lives in Essex Highlands, which is listed as being an area with a minimum of three acres. There are many homes in this area on less land than this. She also expressed a desire to connect homes in this area to municipal water and sewer. She also requested a provision for an urgent care center in Essex and increased purchasing of conserved land. Ms. Davis said she would like to see future residential growth in neighborhood growth centers, as this builds community and is on the sewer lines. She said that current infrastructure should be maintained prior to building new ones. Ms. Zaloom suggested that wetland mapping be updated to help with flood resiliency and echoed Ms. Davis's statement on maintaining current infrastructure.

Ms. Sonnick presented childcare-related corrections from a community member. Ms. Sonnick said that she agreed with Ms. Zaloom that flood maps need to be updated, and explained some of the steps that the Town has taken to become more flood resilient. An urgent care center is currently under construction near the Essex Experience. The Town is opposed to expanding the sewer core, and Ms. Sonnick said this is a larger discussion item. No expansion of wastewater treatment is available at this point, and density is encouraged in the sewer core. Regarding the Essex Highland properties, Mr. Lawrence explained that existing properties have been grandfathered from the regulation and Mr. Duggan explained the nuances of the plan. Ms. Davis expressed support for expanding the sewer core. Mr. Lawernce asked Mr. Martin about sewer connections across Browns River. Mr. Martin said that much of this area is outside the current sewer core, but that does not mean that having water/sewer in this area is impossible, however it is improbable. Ms. Zukowski said that Essex does not have enough capacity within the existing core and said that a capacity study has not been done since 2004. Mr. Martin said that the last capacity study within the core was done in 2018, and the next update is planned for this summer. Ms. Zaloom asked if graywater recycling would cause issues for the existing sewer core, Ms. Sonnick said that this is good to be aware of but that it is a state issue.

Motion by DAWN HILL-FLEURY, seconded by ETHAN LAWRENCE to close the public hearing on the 2024 Essex Town Plan. Motion passed 5-0.

6. <u>BUSINESS ITEMS</u>

a. Consider moving the 2024 Town Plan for approval by voters, by Australian ballot, on March 5, 2024

Mr. Watts requested board comments, and Ms. Sonnick suggested a change to remove a reference to lots being no smaller than three acres in the Agricultural Residential District (AR). All agreed. The Selectboard said that more information needs to be obtained before deciding upon expanding the sewer district. Mapping was discussed, as well as the best source of updating this information. The possibility of purchasing land for conservation was also discussed, with Mr. Watts noting that there are several properties where the town has the right of first refusal upon sale. Mr. Watts requested public comment. Ms. Zaloom said that some maps are not up to date, and that they are changing quickly.

Motion by TRACEY DELPHIA, seconded by ETHAN LAWRENCE to move the 2024 Town Plan for vote by Australian ballot on Town Meeting Day, March 5, 2024, with minor changes as discussed this evening. Motion passed 5-0.

Mr. Watts clarified that edits involve the AR district lot acreage and minor edits to the childcare section.

b. Consider approval of memorandum of understanding for use of VT Alert system

Mr. Hoague said that Essex is looking to join the VT Alert system, which requires approval by the Selectboard. This is a notification system which allows government authorities to send notifications to citizens for significant events, such as school or road closings and law enforcement or weather emergencies. Mr. Chamberlin asked how much staff time this project would take. Mr. Hoague said that it would not be much after staff are trained, and detailed the staff who would be responsible for sending these alerts. This document would only apply to the Town of Essex and not include the City of Essex Junction. Mr. Watts requested public comment. Ms. Zaloom said that she believes that this is a great idea.

Motion by DAWN HILL-FLEURY, seconded by TRACEY DELPHIA that the Essex Town Selectboard approve the use of VT Alerts system for the Town of Essex and that the Chair of the Selectboard sign the attached MOU to move forward with the setup process. Motion passed 5-0.

c. Discussion about new municipal facilities and other site development at 80 & 90 Upper Main St.

Mr. Duggan said that the Town now owns 80-90 Upper Main Street and can begin engaging the public about what to do with the property. He noted that the packet includes information on the process of purchasing the property. Mr. Chamberlin asked if residents currently could access the property, Mr. Duggan said that this will be looked into further. Mr. Signorello suggested that the Selectboard develop a Master Plan and think about making changes gradually. He also suggested creating community gardens to monetize the space and fill a need. Ms. Zaloom suggested a dog park, Senior Center, childcare, and possible revenue generating rentals. Ms. Sonnick said that she is working on an RFP for consultants to work on the site planning process for this property, and the development of conceptual plans. Public engagement will be a priority throughout the process.

Mr. Lawrence expressed concern about the cost of a consultant and conducting this process prior to the public engagement process. He also brought up potential spending on consultants for the implementation of a DRB. The Board discussed this, with Ms. Sonnick stating that she does not feel the conversion to a DRB would require a consultant. Mr. Duggan said that the 80-90 Upper Main Street property will be a major priority of the Community Development Department over the next year, and that hiring a consultant is necessary. Mr. Lawrence said that designing a new municipal center was not listed as a priority in the past, and asked when this became a priority. Mr. Duggan said he would check into it, but that he thought that it was listed as such.

d. Discussion about FY 2025 budget adjustments for public hearing on January 29

Mr. Roy said that, now that County tax information is better able to be estimated, the Town is proposing an adjustment of $12,576 to the line item for the county tax, and a subsequent $626 as an increase to the Human Services line item. The total adjustment amount would be $13,202. This will be discussed again at the next public hearing on January 29.

e. Consider approval of adjustments to fiscal year 2023 fund balance assignments

Mr. Roy said that in wrapping up the audit process, a mistake in fund balance assignments was discovered and there are significantly less funds available than previously anticipated. This memo lists suggested cuts to the previously approved fund balance. Mr. Chamberlin expressed concern that $400,000 was being pulled out of the public works budget and said that he approved the budget because additional funds were added to this line item. Mr. Chamberlin suggested other solutions for this, such as setting a certain percentage of money aside for capital each year, or instituting a Local Option Tax or Capital Tax. Mr. Lawrence suggested using the money that is currently in the unassigned fund balance, which Mr. Watts stated would deplete the emergency funds by a third. Mr. Watts expressed concern about using these funds for a non-emergency purchase. Mr. Watts said that it is important not to assume that underspending will occur. Mr. Lawrence expressed concern about equipment not being replaced in a timely fashion, causing unnecessary repairs. Mr. Chamberlin said that this is still a short-term fix of a major funding problem and said that this is an important thing to ask residents about. Mr. Duggan said that the conversation for tonight is around assigning $150,000 in fund balance. Mr. Chamberlin said that he supports the current allocation but would like to discuss underfunding capital needs at a future meeting.

MOTION by TRACEY DELPHIA, seconded by KENDALL CHAMBERLIN that the Selectboard assign the fund balance as follows: $50,894 to road reconstruction and $100,000 for a new salt shed, totaling a $150,894 capital transfer from fund balance. Motion passed 4-1, with ETHAN LAWRENCE dissenting.

f. Consider approval of amendments to fiscal year 2025 capital budget and five-year plan

Mr. Watts said that changing the allocations changes the previously approved capital budget and plan. Mr. Lawrence and Mr. Chamberline expressed concern about the underfunding of the Public Works Department. Mr. Watts requested public input, of which there was none.

Motion by TRACEY DELPHIA, seconded by ANDY WATTS, for the Selectboard to approve the Capital budget amendments in conjunction with the fund balance assignment changes and warn a Public Hearing on that topic. Motion passed 3-2, with KENDALL CHAMBERLIN and ETHAN LAWRENCE dissenting.

g. Consider appointment of Andy Watts as alternate to Chittenden County Communications Union District

Ms. Delphia, acting as Chair for this item, said that Mr. Watts has been serving as the alternate and will now be interviewed for reappointment. Mr. Chamberlin asked if alternate openings are advertised, Ms. Delphia said that normally they are, however there was a discrepancy between the reappointment timing for the two boards. Answering a question from Ms. Hill-Fleury, Mr. Watts said that he is interested in this position because he has professional experience in the topic. Mr. Chamberlin said that his vote reflects process, not the qualities of the person being voted upon.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE to appoint Andy Watts as the Essex Alternate 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.

7. <u>CONSENT AGENDA</u>

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

a Approve minutes: December 18, 2023

b. Approve check warrants: # 18181 - 12/15/23; # 18182- 12/22/23

c. Consider approval of Vermont Bond Bank loan for Center Road Force Main Replacement Project

d. Consider approval of awarding bid for Essex Route 15 Water Line Upgrade

e. Chittenden County Regional Planning Commission Fiscal Year 2025 Unified Planning Work Program Application for Sand Hill Road Traffic Study: Mr. Chamberlin said that Ms. Davis said in Public Comment that she had documents showing that the developer was going to complete the Thompson

Drive extension and asked if Mr. Martin was aware of this. Mr. Martin said that he was not but that he thinks that bringing in a consultant to review this issue is a good idea.

f. Approval of Chittenden County Regional Planning Commission Unified Work Planning Program Application Stormwater CCTV Inspection

8. <u>READING FILE</u>

a. Board member comments: Mr. Lawrence asked if town staff have reached out to affected residents about the Sand Hill Road trucking issues. Mr. Duggan said that the Town followed up with the residents who attended the meeting via e-mail and let them know about the traffic study. A webpage will be created to better inform the public. Mr. Chamberlin asked if Essex had ever done a questionnaire on Town Meeting Day. Mr. Watts said that this has been done online and on paper.

b. Upcoming meeting schedule

c. Board & Committee Volunteers Needed

d. Email re: Town of Essex Narcan Training Program

e. Tree Farm Recreational Facility Management Plan, dated December 31, 2023

f. Town Meeting Training offered by Vermont League of Cities and Towns

g. Fiscal Year 2024 General Fund Budget/Actual for December

h. Online feedback re: Sand Hill Pool

9. <u>EXECUTIVE SESSION</u>

a. An executive session may be requested to discuss the appointment or employment or evaluation of a public officer or employee

Not discussed in Executive Session.

10. <u>ADJOURN</u>

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, for the Selectboard to adjourn. The motion passed 5-0 at 9:03 PM.

Respectfully Submitted,
Darby Mayville
Recording Secretary

Approved this __29th____ day of _January______, 2024
(see minutes of this day for corrections, if any)

____
Kendall Chamberlin, Selectboard Clerk