Town of Essex
Selectboard
Phone: (802) 878-1341
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Regular Meeting AGENDA

Monday, April 15, 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 Consent items and items not on Agenda
5. **CONSENT ITEMS**
   a. Approve minutes: April 1, 2024
   b. Approve check warrants: #18200 - 03/29/24; #18201 - 04/05/24
   c. *Consider approval of Town Manager's reappointment of Elizabeth King to Cemetery Commission
   d. Consider approval of 2024 liquor license renewal applications
   e. Consider reappointment of Tree Warden
   f. Consider approval of revisions to Conflict of Interest Policy
   g. Consider approval of Arbor Day proclamation
   h. Consider approval for Treasurer to conduct business with Vermont Federal Credit Union
6. **BUSINESS ITEMS**
   a. Presentation of Life Saving Medals to Essex Police Officers
   b. *Interview and possible appointment of volunteers to serve on the Housing Commission - Carolyn Ellenberger, Anna Brouillette
   c. *Interview volunteers to serve on the Zoning Board of Adjustment - Trefor Williams, Stephanie Bixby
   d. *Interview volunteers to serve on the Conservation and Trails Committee - Paul Davis
   e. * Interview a volunteer to serve on the Economic Development Commission - Ta Tanisha Redditta
   f. *Consider the appointment of a Representative and Alternate to the Chittenden Solid Waste District - Alan Nye
   g. Consider approval of Chittenden Solid Waste District's proposed fiscal year 2025 budget [7:45 p.m.]
   h. Discussion and potential action on assignment of Fiscal Year 2024 National Opioid settlement funds
   i. Discussion on Fiscal Year 2024 General Fund Budget/Actual for March
   j. Update on Selectboard Fiscal Year 2024 Strategic Planning projects
   k. **Discussion and potential action on pending or probable civil litigation
7. **READING FILE**
   a. Board member comments
   b. Upcoming meeting schedule
   c. Green Mountain Transit announces new fare resumption date
   d. Memo re: Selectboard strategic planning session on May 8, 2024
   e. Petition for Redetermination of 2023 Equalization Study Results: Town of Essex
   f. April Essex Newsletter
   g. Water Sewer operating budget proposal for fiscal year 2025
   h. Water Sewer capital budget proposal for fiscal year 2025
8. **EXECUTIVE SESSION**
   a. *An executive session may be requested to discuss the appointment or employment of a public officer or employee
   b. **An executive session is anticipated to discuss pending or probable civil litigation

Certification: ______________________ 04/12/2024

TOWN OF ESSEX SELECTBOARD
REGULAR MEETING
MINUTES OF MEETING
April 15, 2024

SELECTBOARD: Tracey Delphia, Chair; Andrew Watts, Vice Chair; Kendall Chamberlin, Clerk; Dawn Hill-Fleury, Ethan Lawrence.
ADMINISTRATION: Greg Duggan, Town Manager; Ron Hoague, Chief of Police; Damir Karadza, Police Corporal; Robert Kissinger, Police Lieutenant; Marguerite Ladd, Deputy Manager; Dan Roy, Finance Director.
OTHERS PRESENT: Stephanie Bixby, Anna Brouillette, Raj Chawla, Patty Davis, Paul Davis, Jonas Desautels, Amy Dunn, Carolyn Ellenberger, Gina Halpin Barrett, Jen Holliday, Mujo Karadza, KJohnson, LCarroll, Regina Mahony, M.J.S.S., Alan Nye, Ta Tanish Redditta, Sarah Reeves, Ken Signorello, Nancy Williams, Trefor Williams, Irene Wrenner.

1. CALL TO ORDER
Chair Delphia called the meeting of the Town of Essex Selectboard to order at 6:30 P.M.

2. AGENDA ADDITIONS/CHANGES
Mr. Chamberlin requested moving item #5c and item #5e from the consent agenda to the business items portion of the agenda.

3. AGENDA APPROVAL

KENDALL CHAMBERLIN made a motion, seconded by ANDY WATTS to move item #5c and item #5e from the consent agenda to the business items portion of the agenda, as new items #6k and #6l. The motion passed 5-0.

4. PUBLIC TO BE HEARD
None.

5. CONSENT ITEMS
a. Approve minutes – April 1, 2024
b. Approve check warrants: #18200 – 03/29/2024; #18201 – 04/05/2024
c. *Consider approval of Town Manager's reappointment of Elizabeth King to Cemetery Commission **now agenda item #6k**
d. Consider approval of 2024 liquor license renewal applications
e. Consider reappointment of Tree Warden **now agenda item #6l**
f. Consider approval of revisions to Conflict of Interest Policy
g. Consider approval of Arbor Day proclamation
h. Consider approval for Treasurer to conduct business with Vermont Federal Credit Union

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

6. BUSINESS ITEMS

a. Presentation of Life Saving Medals to Essex Police Officers

Police Chief Hoague began by honoring Corporal Damir Karadza, who saved a man's life on March 3, 2024 by performing CPR on him until Essex Rescue and Essex Fire Department members could arrive. He said that Corporal Karadza's actions were direct and meaningful aid in saving the life of a patient in conditions that were not dangerous to the rescuers involved. Chief Hoague presented Corporal Karadza with the Essex Police Department Life Saving Award.

Police Chief Hoague then honored Officer Alexander Kochelyaev, who is also a member of the Essex Fire Department, and who saved a man's life on March 22, 2024 by performing CPR on him until Essex Rescue and Essex Fire Department members could arrive. Chief Hoague presented Officer Kochelyaev with the Essex Police Department Life Saving Award.

b. *Interview and possible appointment of volunteers to serve on the Housing Commission – Carolyn Ellenberger, Anna Brouillette

The Selectboard interviewed Carolyn Ellenberger and Anna Brouillette for two positions on the Housing Commission. The candidates introduced themselves and spoke about their interest in serving on the Housing Commission. The Selectboard asked further questions related to their vision for future work for the Commission, how they would collaborate with others on a team, and their understanding of what it means to be a public servant. Each candidate was given the opportunity to ask questions of the Selectboard.

ETHAN LAWRENCE made a motion, seconded by DAWN HILL-FLEURY to appoint Anna Brouillette and Carolyn Ellenberger to the Housing Commission with terms beginning immediately through June 30, 2027. The motion passed 4-1 (Mr. Chamberlin dissenting).

c. *Interview volunteers to serve on the Zoning Board of Adjustment – Trefor Williams, Stephanie Bixby

The Selectboard interviewed Trefor Williams and Stephanie Bixby for one position on the Zoning Board of Adjustment. The candidates introduced themselves and spoke about their background and interest in serving on the Zoning Board of Adjustment (Mr. Williams noted previous experience serving on both the ZBA and Planning Commission). The Selectboard asked further questions related to each candidate's vision for future work for the Board and how they would come to consensus with others on a team. Each candidate was given the opportunity to ask questions of the Selectboard.

d. *Interview volunteers to serve on the Conservation and Trails Committee – Paul Davis

The Selectboard interviewed Paul Davis for a position on the Conservation and Trails Committee. The candidate introduced himself and spoke about his background and interest in serving on the Conservation and Trails Committee. The Selectboard asked further questions related to his vision for future work for the Committee and his understanding of what it means to be a public servant. Mr. Davis was given the opportunity to ask questions of the Selectboard.

e. *Interview a volunteer to serve on the Economic Development Commission – Ta Tanisha Redditta

The Selectboard interviewed Ta Tanisha Redditta for a position on the Economic Development Commission. The candidate introduced herself and spoke about her background and interest in serving on the Economic Development Commission, also speaking about her prior experience and activities as a current serving member of the Economic Development Commission. The Selectboard asked further questions related to her vision for future work for the Committee. Ms. Redditta was given the opportunity to ask questions of the Selectboard.

f. *Consider the appointment of a Representative and Alternate to the Chittenden Solid Waste District – Alan Nye

The Selectboard interviewed Alan Nye for a position as an Essex representative and alternate to the Chittenden Solid Waste District. The candidate introduced himself and spoke about his background and interest in serving in this position, noting that he has served as a representative to CSWD for the past 20 years. The Selectboard asked further questions related to CSWD's future vision and goals and Mr. Nye's perspective on them. Mr. Nye was given the opportunity to ask questions of the Selectboard.

ANDY WATTS made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard appoint Alan Nye as a representative to the Chittenden Solid Waste District and appoint Marguerite Ladd as the alternate member for a two-year period beginning June 1, 2024. The motion passed 5-0.

g. Consider Approval of Chittenden Solid Waste District's proposed Fiscal Year 2025 budget (7:45 PM)

CSWD Executive Director Reeves provided an overview of the FY25 budget for the Selectboard's review and consideration. She began by noting the three main sources of CSWD's revenue, which are user fees, material and product sales, and solid waste management fees, adding that they do not receive revenue from local sales or property taxes. She spoke about CSWD's projected FY25 income of $15.9 million, anticipated to come from solid waste management fees, tipping fees, the sale of materials, and, to a lesser degree, from product stewardship and reimburseables, grant revenue, and interest and dividends. She spoke about CSWD's projected FY25 expenses of $16.08 million, the bulk of which are related to payroll expenses (38%) and materials management (43%), with other contributing costs associated with property management, promotion and education, community support, travel and training, administrative costs, and professional fees. She said that based on this, they are projecting a budget shortfall of approximately $287,000. She spoke about FY25 compared to FY24's budget, noting that while revenue is projected to increase by 3.6%, expenses are anticipated to increase by 11.7%. She said that much of the expense increase is related to equipment and fleet increased costs, related to CSWD's aging infrastructure. She said that this shortfall would be covered by drawing approximately $287,000 from CSWD's reserve fund. She noted that CSWD's board approved a solid waste management fee increase (the first in 12 years) from $27 per ton to $30 per ton, which will impact households by an approximately $0.28 per month increase. She noted that this charge is only on waste, not compost, recycling, or scrap. She said that they also approved an increase in the tip fee in the recycling facility to $90 per ton, which helps cover equipment expenses for the aging facility, and also budgeted $250,000 in operating expenses to cover equipment repair and replacement. She noted that there was no increase in tip fees for the organics recycling facility, nor increases in fees at drop off centers. She spoke briefly about upcoming capital projects and fund equity.

Mr. Watts noted concerns from residents with the number of trucks that pass through town on Route 15 to get to the state's sole landfill in Coventry, and asked if CSWD is working with the legislature to address that. Executive Director Reeves replied that the CSWD Board and the Vermont Agency of Natural Resources discussed this issue and that the newest draft of the State's materials management plan will require a convening of stakeholders to discuss disposal options.

Ms. Delphia asked how CSWD identifies materials that could have been diverted from a landfill, and Executive Director Reeves spoke about an update waste characterization study that was conducted in 2023, which analyzes what portion of the waste is recycling versus food scraps versus true waste.

The following public comments were received:

- Lorraine Zaloom spoke about the negative effects of heavy waste truck traffic on Route 15 past her house. She asked whether CSWD has plans to electrify or downsize its fleet. Executive Director Reeves replied that no CSWD trucks are specifically involved in hauling waste to the Coventry landfill. She spoke about efforts to electrify the CSWD fleet. She spoke about continued advocacy for further fleet electrification.
- Alan Nye noted that the solid waste management fee is increasing and that as recycling increases there is less solid waste to dispose of. He noted that Chittenden County is the highest-recycling county in the state.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to approve the Chittenden Solid Waste District FY25 budget as presented. The motion passed 5-0.

h. Discussion and potential action on assignment of Fiscal Year 2024 National Opioid Settlement Funds

Deputy Manager Ladd said that the Town has received approximately $10,142 in National Opioid Settlement funds for Fiscal Year 2024 and the Selectboard needs to decide what opioid abatement and remediation activities these funds should be put toward. She noted that there is no timeline to spend this funding. She noted that FY23 settlement funding was put toward Community Outreach at the Essex Police Department. Ms. Hill-Fleury said that she would like to see this funding put toward holding a forum with the Town, Junction, School District, Police Department, and Howard Center to present on drug issues in the Town, on the use of Narcan, and information on identifying fentanyl and other drugs. Police Chief Hoague spoke about the value of the Community Outreach Team in the community. He said that he would be supportive of a community forum, per Ms. Hill-Fleury's suggestion. He also noted that one option would be to return the funding to the State, as the State's health department is the expert and hub in opioid abuse abatement and treatment.

The following public comments were received:

- Lorraine Zaloom asked whether the Town has or has considered implementing a dashboard of metrics on its opioid statistics, similar to that of Burlington. Chief Hoague said that the Police Department can supply metrics around calls, but that opioid death and mental health data is supplied by the state. Ms. Zalooom emphasized the importance of having data to quantify the problem more precisely.
- Gina Halpin Barrett expressed support for a community forum to help the community recognize an overdose and how to use Narcan.

Mr. Lawrence expressed support for continuing to use this funding for the Howard Center.

Ms. Delphia said that next steps include getting more information on the cost of holding a community public forum, further understanding the amount of Howard Center costs that are already in the budget, a cost estimate for a Narcan vending machine for the community, and further exploration of data and metrics.

i. Discussion on Fiscal Year 2024 General Fund Budget/Actuals for March

Finance Director Roy noted that as of March, the Town has spent $11.2 million of $15.4 million (or 73%) of its General Fund budget for FY24, which is on target. He said that one of the key areas for flexibility in the budget is Public Works, given the lighter winter. He reviewed other departments with underspend and overspend, but noted that none of them are causing significant concern and are generally on target. He noted that interest income the Town earns will be put toward any overages seen in the General Fund. Mr. Chamberlin encouraged a review of the Town's fund balance policy.

j. Update on Selectboard Fiscal Year 2024 Strategic Planning projects
Town Manager Duggan noted that the Selectboard accomplished a great deal from its FY24 strategic plan and said that a written summary was provided for the Selectboard's review.

k. *Consider approval of Town Manager's reappointment of Elizabeth King to Cemetery Commission
Mr. Chamberlin said that the Town should develop a policy for a timeframe if appointments are going to be extended. He said that this should also not be on the consent agenda, to recognize the applicant. Town Manager Duggan noted that this specific reappointment is in keeping with practice, given that the Charter designates this as a Town Manager appointment. He noted that Ms. King applied for the reappointment and that there were no other applicants, so he expressed confidence in the proposed reappointment.

KENDALL CHAMBERLIN made a motion, seconded by ANDY WATTS, that the Selectboard appoint Elizabeth King to the Cemetery Commission for a term ending March 31, 2027. The motion passed 5-0.

l. Consider reappointment of Tree Warden
Mr. Chamberlin reiterated the comments he made during agenda item #6k above. He also expressed concern about the loss of knowledge when this Tree Warden retires, and asked that a Deputy Tree Warden volunteer position be created.

KENDALL CHAMBERLIN made a motion, seconded by ANDY WATTS, that the Selectboard reappoint Charles Vile as Tree Warden for the Town of Essex. The motion passed 5-0.

m. **Discussion and potential action on pending or probable civil litigation
See item #8b below.

7. <u>READING FILE</u>

a. Board member comments: Ms. Delphia spoke about the Selectboard Strategic Planning Session, saying that the Selectboard should be thinking about this plan at the macro-level for the next five years. Mr. Chamberlin spoke about the water/sewer capital budgets, and funding for a/c lines. He also wanted to confirm that the hydrants being replaced are Town hydrants and not private hydrants. He also asked whether the Town could obtain a congressional appropriation for some of its water/sewer projects.
b. Upcoming meeting schedule
c. Green Mountain Transit announces new fare resumption date
d. Memo re: Selectboard strategic planning session on May 8, 2024
e. Petition for Redetermination of 2023 Equalization Study Results: Town of Essex
f. April Essex Newsletter
g. Water Sewer operating budget proposal for Fiscal Year 2025
h. Water Sewer capital budget proposal for Fiscal Year 2025

8. EXECUTIVE SESSION

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

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, that the Selectboard enter into executive session to discuss the proposed public official appointment in accordance with 1 V.S.A. Section 313 (a) (3) and to include the Town Manager and Deputy Town Manager. The motion passed 5-0 at 9:07 P.M.

b. **An executive session is anticipated to discuss pending or probable civil litigation

ETHAN LAWRENCE made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard make the specific finding that general public knowledge of pending or probable civil litigation, to which the public body is or may be a party, would place the Town at a substantial disadvantage. The motion passed 5-0.

ETHAN LAWRENCE made a motion, seconded by ANDY WATTS, that the Selectboard enter into executive session to discuss pending or probable civil litigation, to which the public body is or may be a party, pursuant to 1 V.S.A. § 313(a)(1)(E), to include the Town Manager and Deputy Manager. The motion passed 5-0 at 9:07 P.M.

ETHAN LAWRENCE made a motion, seconded by ANDY WATTS, to exit executive session. The motion passed 5-0 at 9:24 P.M.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to authorize the Town Manager to executive a settlement agreement for a payment owed to SBA. The motion passed 5-0.

9. ADJOURN

DAWN HILL-FLEURY, made a motion, seconded by ETHAN LAWRENCE, to adjourn the meeting. The motion passed 5-0 at 9:26 P.M.

Respectfully Submitted,
Amy Coonradt,
Recording Secretary

Approved this __6th____ day of _May___, 2024
(see minutes of this day for corrections, if any)

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Kendall Chamberlin, Selectboard Clerk