Town of Essex
Selectboard
Phone: (802) 878-1341
Email: manager@essex.org

Regular Meeting AGENDA

Monday, May 6, 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. **CONSENT ITEMS**
   a. Approve minutes: April 15, 2024
   b. Approve check warrants: #18204 - 04/12/24; # 18205 - 4/19/24
   c. Consider authorization to participate in the State of Vermont Fiscal Year 2025 Municipal Roads Grants-in-Aid Program
   d. Consider approval of purchase of Public Works Truck 25 and amendment to Car 21 replacement schedule
   e. Consider approval of fiscal year 2025 Paving Program Bid Award
   f. Consider approval of fiscal year 2025 and fiscal year 2026 Retainer Contracts for Small Projects and Emergency Repairs
   g. Consider approval of Liquor License renewal applications
   h. Consider acknowledgment of new street name of Daisy Lane
6. **BUSINESS ITEMS**
   a. * Interview a volunteer to serve on the Police Community Advisory Board - Gwendolyn Evans
   b. * Interview a volunteer to serve on the Essex Free Library Board of Trustees - Marie Froeschl
   c. * Interview a volunteer to serve on the Energy Committee - Dorothy Bergendahl
   d. Consider approval to initiate tax sale procedures
   e. Discussion and potential action on proposed fiscal year 2025 Water and Sewer Budget and Rates
   f. Consider approval of proposed Water and Sewer Capital Plan for fiscal year 2025 to fiscal year 2029
   g. Consider approval to warn a public hearing for fiscal year 2025 water and sewer budget
   h. Consider approval of Human Services Funding recommendations for fiscal year 2024 and focus areas for fiscal year 2025
   i. Consider approval of copier lease
   j. Consider amending the Development Fee Schedule for Use Permits for not-for-profit organizations
   k. Discussion about Selectboard relationship with volunteer boards, commissions, and committees
7. **READING FILE**
   a. Board member comments
   b. Upcoming meeting schedule
   c. Annual State and Local Fiscal Recovery Funds Program (SLFRF) Compliance Report as of March 31, 2024 - American Rescue Plan Act (ARPA) funds
   d. Daniel Parkins Planning Commission resignation letter
   e. Essex Community Newsletter - May
   f. Reappraisal Coffee Talk - Town and City
8. **EXECUTIVE SESSION**
   a. *An executive session may be requested to discuss the appointment or evaluation of a public officer or employee

Certification: ____________________ 05/03/2024

TOWN OF ESSEX SELECTBOARD
REGULAR MEETING
MINUTES OF MEETING
May 6, 2024

SELECTBOARD: Tracey Delphia, Chair; Andrew Watts, Vice Chair; Kendall Chamberlin, Clerk; Dawn Hill-Fleury, Ethan Lawrence.
ADMINISTRATION: Greg Duggan, Town Manager; Tyler Borte, Water/Sewer Foreman; Tammy Getchell, Assistant to the Manager/Public Information Officer; Aaron Martin, Public Works Director; Rob Paluba, IT Director; Daniel Roy, Finance Director; Katherine Sonnick, Community Development Director.
OTHERS PRESENT: Dorothy Bergendahl, Natalee Braun, Caitlin Corless, Annie Costandi, Paul Davis, Will Dodge, Betsy Dunn, Gwendolyn Evans Marie Froeschl, Allan Ramsay, Ken Signorello, David Skopin, Janet Watts, MJSS, iPhone, 8029998039.

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**
3. Mr. Chamberlin requested moving item #5d and item #5f from the consent agenda to the business items portion of the agenda.

4. **AGENDA APPROVAL**
5. **KENDALL CHAMBERLIN made a motion, seconded by ANDY WATTS to move item #5d and item #5f from the consent agenda to the business items portion of the agenda, as new items #6h and #6i. The motion passed 5-0.**

6. **PUBLIC TO BE HEARD**

a. Comments from Public on Items not on Deliberative Agenda

Betsy Dunn asked whether the Town has considered having community gardens at the new Town center and office space, once it is constructed, noting that interest in community garden spaces is high. She also asked who is in charge of determining how much sand is taken out of the Saxon Hill sand pits. Ms. Delphia said that the Town will be soliciting public and community input on the new Town center. Town Manager Duggan noted that the contract related to sand extraction in Saxon Hill stipulates how much sand is able to be extracted at a time.

Paul Davis asked when the Selectboard will reach decisions on appointing applicants to its boards and commissions, and Ms. Delphia replied that they anticipate taking action at their June meeting.

7. **CONSENT ITEMS**

a. Approve minutes – April 15, 2024
b. Approve check warrants: #18204 – 04/12/2024; #18205 – 4/19/2024
c. Consider authorization to participate in the State of Vermont Fiscal Year 2025 Municipal Roads Grants-in-Aid Program
d. Consider approval of purchase of Public Works Trucks 25 and amendment to Car 21 replacement schedule **now business item #6h**

e. Consider approval of Fiscal Year 2025 Paving Program Bid Award
f. Consider approval of Fiscal Year 2025 and Fiscal Year 2026 Retainer Contracts for Small Projects and Emergency Repairs **now business item #6i**
g. Consider approval of Liquor License renewal applications
h. Consider acknowledgement of new street name of Daisy Lane

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

8. <u>BUSINESS ITEMS</u>

a. *Interview a volunteer to serve on the Police Community Advisory Board – Gwendolyn Evans

The Selectboard interviewed Gwendolyn Evans for a seat on the Police Community Advisory Board. She introduced herself and spoke about her interest in continuing to serve on this board. The Selectboard asked her further questions related to her accomplishments in outreach activities on the Board and what public service means to her. She had the opportunity to ask questions of the Selectboard.

b. *Interview a volunteer to serve on the Essex Free Library Board of Trustees – Marie Froeschl

The Selectboard interviewed Marie Froeschl for a seat on the Essex Free Library Board of Trustees. She introduced herself and spoke about her past history serving as a Trustee and liaison between the Friends of the Library and Board of Trustees, as well as her interest in serving as a Trustee. The Selectboard asked her questions related to her vision for the future of the Essex Free Library, how she would handle differences of opinion on the Board, how she thinks the current library building could be used if the library moves, and what it means to be a public servant. She had the opportunity to ask questions of the Selectboard.

c. *Interview a volunteer to serve on the Energy Committee – Dorothy Bergendahl

The Selectboard interviewed Dorothy Bergendahl for a seat on the Energy Committee. She introduced herself and spoke about her interest in continuing to serve on the Committee. The Selectboard asked her further questions related to her accomplishments on the Committee, liaising with the City, and what public service means to her. She had the opportunity to ask questions of the Selectboard.

d. Consider approval to initiate tax sale procedures

Finance Director Roy said that this relates to whether the Town decides to conduct tax sales, which is determined by either total delinquent taxes of more than 3% of the current year property tax revenue budget, or one or more accounts with cumulative delinquent taxes of more than $20,000. He noted that as of May 1, the Town has a total of $379,93 in delinquent taxes (a 3.5% delinquency rate). He said that current policy says that all properties with more than $10,000 are eligible for a tax sale once the delinquency rate meets the 3% threshold, and there are 10 properties that meet this criteria. He spoke about outreach efforts to notify the properties in question.

DAWN HILL-FLEURY made a motion, seconded by KENDALL CHAMBERLIN, that the Selectboard authorize staff to move forward with tax sale procedures in accordance with the Tax Sale Policy. The motion passed 5-0.

e. Discussion and potential action on proposed Fiscal Year 2025 Water and Sewer Budget and Rates

Public Works Director Martin said that this relates to the proposed water and sewer budget and whether the Selectboard will approve them. He noted that water line items for FY25 saw an 5.8% increase in budgeted line items, resulting in a 1.6% rate increase. He also noted that staff are proposing increasing the minimum water charge from $190 to $210 per year, to better reflect actual costs. He said that the two major impacts on the water budget this year are increased treatment costs and a proposed increase in the repairs and maintenance budget. He noted that the sewer line saw an 11% increase in budgeted line items, resulting in a 6.75% proposed rate increase. He said that the main drivers of this increase for the sewer budget were the cost of treatment and the cost to investigate and monitor the Town's sewer system. He spoke about the system stabilization accounts for water and sewer, showing a ten-year history of what the Town put aside for each. He spoke about ongoing work to reduce unaccounted for water and wastewater within the municipal system, including ways to monitor leaks and inflow/infiltration. He spoke about challenges related to pump station operations and maintenance, including workforce challenges.

Director Martin then spoke about the proposed 1.6% increase in water rate and proposed 6.75% increase in sewer rate and how that impacts the average single-family home in the Town. He noted that this would represent an average annual increase of $61.26 for a home using 200 gallons of water per day.

Ms. Hill-Fleury and Mr. Chamberlin emphasized the importance of increasing water connection fees to ensure that the cost of adding capacity to the Town's aging system is captured.

Director Martin then spoke about the staffing levels in the FY25 water and sewer budgets, noting that the specific item relates to whether the Selectboard will fully fund all 4 FTEs proposed in the water and sewer shared budget. He noted that there are currently 2.5 FTEs and reliance on some contracted services, and said that staff have proposed several alternative options to fully funding 4 FTEs. He noted that staff recommend fixing the water rate increase at 3%, which is in line with rate increases over the last ten years, and budgeting for 3 FTEs instead of the originally proposed 4. This would generate net asset increase of $74,000.

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, that the Selectboard authorize staff to adjust the proposed fiscal year 2025 water sewer budget to reflect Alternative 2 before the public hearing on the proposed budget. The motion passed 5-0.

f. Consider approval of proposed Water and Sewer Capital Plan for Fiscal Year 2025 to Fiscal Year 2029
Director Martin began by noting that this relates to the Water and Sewer Capital Plan for FY25-29, and that it is the second year the Water and Sewer Capital Plan is being presented separately from the overall Town Plan. He briefly outlined each of the water and sewer priority projects within the Plan, noting that the total estimated cost for these projects is $9,296,000 between FY25 and FY29. He further noted that several items could potentially be covered by a bond, which would cause some of this cost estimate to decrease, but said that the totals included in this plan represent the total cost of the projects.

The Selectboard discussed the presentation. Mr. Chamberlin emphasized the importance of ensuring that there is enough funding to cover these projects and maintain assets. Mr. Watts asked about the potential for bonding in order to qualify for State Revolving Loan funds, and Director Martin replied that there will likely be a November bond item for the Center Road Forcemain project and he explained the SRLF process requires an approved bond vote for qualifying for loan forgiveness for construction costs. Mr. Chamberlin suggested looking into obtaining earmarked Congressionally-directed spending for some of these larger Essex projects.

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, that the Selectboard approve the Water and Sewer Capital Plan for FY2025-FY2029 as presented and with the listing of the Susie Wilson Road Forcemain Project. The motion passed 5-0.

g. Consider approval to warn a public hearing for Fiscal Year 2025 water and sewer budget

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, that the Selectboard authorize staff to warn a public hearing for on the proposed Fiscal Year 2025 water and sewer budget for May 20, 2024. The motion passed 5-0.

h. Consider approval of purchase of Public Works Trucks 25 and amendment to Car 21 replacement schedule

Director Martin noted that the department had three vehicles on its equipment replacement schedule approved by the Selectboard, and that this seeks approval for the actual purchase of Truck 25 (a single-cab plow truck with sander) and postponement of purchase of Car 21 (an admin vehicle for the department). He noted that they solicited quotes for the vehicles, that Car 21 came in at quote, and that Truck 25 came in at significantly over the budgeted estimate. Mr. Chamberlin noted that the cost is significant to purchase a truck and retrofit it for the Town's needs. He asked about the condition of current Car 21, and Director Martin replied that it has several more years of life. He noted that current Truck 25 would be traded in to defray the cost of new Truck 25.

The following public comments were received:

- Will Dodge asked whether the Town has considered an electric truck, which could come with incentives from Green Mountain Power and other entities to reduce the total cost. Director Martin replied that he looked into hybrid trucks but not full electric trucks.

ETHAN LAWRENCE made a motion, seconded by KENDALL CHAMBERLIN, that the Selectboard approves Public Work's recommendation of the purchase of the Truck #25 replacement from Key Chevrolet for $54,696 and the plow and sanding equipment from DeJana Truck for $47,079, for a total replacement cost for Truck #25 of $101,775 and adjust the Vehicle and Equipment Replacement Plan for Public Works to replace Car #21 in FY2027. The motion passed 5-0.

i. Consider approval of Fiscal Year 2025 and Fiscal Year 2026 Retainer Contracts for Small Projects and Emergency Repairs

Director Martin noted that the retainer contract ran out last year, so the Town went out to bid again for heavy construction retainer contracts to help Public Works during emergency responses. He noted that there were three clean bids and staff is recommending authorizing execution of retainer contracts with these three bidders. Mr. Chamberlin asked if there was a provision to use local or smaller contractors for this work. Director Martin replied that there is that provision, but that these are for retainer contracts for on-call, emergency work, and expediency and reliability are some of the most important criteria.

ETHAN LAWRENCE made a motion, seconded by ANDY WATTS, that the Selectboard authorize the Town Manager to sign heavy construction retainer contracts with Engineers Construction Inc., Omega Excavation & Site Development, and J. Hutchins, Inc. The motion passed 5-0.

j. Consider approval of Human Services Funding recommendations for Fiscal Year 2024 and focus areas for Fiscal Year 2025

Assistant to the Manager Getchell noted that the Town of Essex Human Services Contribution of $154,012 was approved by voters as part of the FY24 budget and that the Town received 24 applications totaling $228,175 in requests. She spoke about how the review committee ranked and scored applications. She also said that the committee recommends using the same focus area criteria as last year, which aligns with the focus areas in the UVM Community Health Needs Assessment. She noted that the school district also recommended focusing on equity work and literacy and math support. Mr. Chamberlin expressed concern that the Selectboard doesn't have the authority to approve certain charitable donations and is uncertain that the Town is able to meet the criteria for doing so. Town Manager Duggan replied that authority was obtained through voter approval beginning in 1980, though staff are in the process of obtaining a final legal opinion on it.

ANDY WATTS made a motion, seconded by KENDALL CHAMBERLIN, that the Selectboard approval contribution to the Human Services Agencies as presented. The motion passed 5-0.

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, that the Selectboard approve the proposed focus areas for the FY25 funding cycle. The motion passed 5-0.

k. Consider approval of copier lease

IT Director Paluba noted that the last copier lease expired in December 2023 and that the Town received three quotes for either 1 or 5-year leases. He noted that because copiers depreciate in value quickly, leasing them makes more sense than purchasing them.

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, that the Selectboard authorize the Town Manager to execute a 60-month contract with Symquest. The motion passed 5-0.

l. Consider amending the Development Fee Schedule for Use Permits for not-for-profit organizations

Community Development Director Sonnick said that this item relates to whether the Selectboard will approve an amendment to the Development Fee Schedule by eliminating the use permit fee for not-for-profit organizations. She said that of the 60 permits issued in 2022, 11 of them were for not-for-profits. She said that that organizations would be required to submit proof of not-for-profit status when applying for the permit.

The following public comments were received:

- Ken Signorello expressed support for reducing the use fee but not eliminating it altogether. He noted that an IRS 990 form should suffice as proof of not-for-profit status.

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, that the Selectboard amend the Development Fee Schedule by eliminating the use permit fee, while retaining the $15 recording fee, for not-for-profit organizations. The motion passed 4-1 (Mr. Chamberlin dissenting).

m. Discussion about Selectboard relationship with volunteer boards, commissions, and committees
Town Manager Duggan said that the issue of the Selectboard's relationship with its volunteer boards, commissions, and committee has come up a number of times recently. He noted that the Selectboard appoints members to these boards, but that the relationship is generally otherwise undefined. He suggested several topics around this discussion, including the Selectboard's role in goal-setting and missions for boards, ex officio membership, attending meetings of other boards and committees, and obtaining staff and board chair input when making reappointment decisions.

The Selectboard discussed whether it is appropriate for them to attend the meetings of other boards and commissions. Ms. Hill-Fleury said that though they are on the Selectboard, they are also residents and taxpayers and should be permitted to attend any public meeting in that capacity. Ms. Delphia suggested stating one's role and capacity clearly if testifying at boards or commissions.

The Selectboard discussed the mission and goals of boards and commissions. Town Manager Duggan noted that the Selectboard develops the mission and overarching goals when they create a board or commission.

The Selectboard discussed obtaining staff and board chair input when making reappointment decisions. Mr. Watts noted that they had in the past consulted with board and commission chairs in closed session when making decisions about reappointment. Mr. Lawrence asked if it is appropriate to ask staff for attendance records and engagement of members in boards and commissions. Ms. Delphia cautioned against too much micromanagement, but said that having a process where individuals can raise concerns if warranted is important.

The following public comments were received:

- Ken Signorello said it is important that the Selectboard hear from each committee or commission once a year, as well as hear ad hoc updates. He noted that many commissions and committees have an advisory role, and he recommended that the Selectboard solicit advice from them more often. He said that attendance is an objective metric that is important when considering reappointment. He said that chairs should also have the opportunity to give feedback on staff representative performance as well.
- Janet Watts noted that the Library Board of Trustees has a policy that if a member misses three meetings in a row it triggers a discussion about attendance.

9. <u>READING FILE</u>

a. Board member comments: Ms. Hill-Fleury thanked Ally Vile for her service to the Parks & Recreation Department and Daniel Parkins for his service on the Planning Commission. Mr. Watts noted that there is a vote tomorrow for the school budget. Ms. Delphia noted the Reappraisal Coffee Talk next week.
b. Upcoming meeting schedule
c. Annual State and Local Fiscal Recovery Funds Program (SLFRF) Compliance Report as of March 31, 2024 – American Rescue Plan Act (ARPA) funds
d. Daniel Parkins Planning Commission resignation letter
e. Essex Community Newsletter – May
f. Reappraisal Coffee Talk – Town and City

10. EXECUTIVE SESSION

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

None needed.

11. ADJOURN

DAWN HILL-FLEURY, made a motion, seconded by ETHAN LAWRENCE, to adjourn the meeting. The motion passed 5-0 at 9:50 P.M.

Respectfully Submitted,
Amy Coonradt,
Recording Secretary

Approved this __20th____ day of _May___, 2024
(see minutes of this day for corrections, if any)

____
Kendall Chamberlin, Selectboard Clerk