Town of Essex

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

Regular Meeting AGENDA

Monday, August 5, 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: July 15, 2024
b. Approve check warrants: # 18223- 7/12/24; # 18224 - 7/19/24; # 18226 - 7/26/24

6. BUSINESS ITEMS

a. Consider approval of fiscal year 2025 tax rates
b. Consider approval of Investment Policy for final adoption at a future meeting
c. Consider approval of a resolution for the formation of the Development Review Board
d. Discussion about potential bond vote in November 2024 for Center Road forcemain project
e. *Discussion and potential action on contracts and the appointment or employment or evaluation of a public officer or employee
f. ** Discussion about pending or probable civil litigation

7. READING FILE

a. Board member comments
b. Upcoming meeting schedule
c. Charter Review Committee recommendations for review
d. Memo re: budget planning for fiscal year 2026
e. Essex Rescue 2024 Quarter 2 Report and Fiscal Year End 2023-2024
f. Vermont League of Cities and Towns - Town Fair 2024 registration open

8. EXECUTIVE SESSION

a. *An executive session is anticipated to discuss contracts and the appointment or employment or evaluation of a public officer or employee
b. ** An executive session is anticipated to discuss pending or probable civil litigation

9. ADJOURN

Certification: ____________________ 8/2/2024

TOWN OF ESSEX SELECTBOARD
REGULAR MEETING
MINUTES OF MEETING
August 5, 2024

SELECTBOARD: Tracey Delphia, Chair; Andrew Watts, Vice Chair; Kendall Chamberlin, Clerk; Dawn Hill-Fleury.
ADMINISTRATION: Greg Duggan, Town Manager; Aaron Martin, Public Works Director; Daniel Roy, Finance Director; Katherine Sonnick, Community Development Director.
OTHERS PRESENT: Patty Davis, Hubert Norton, Ken Signorello, M.J.S.S.

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
Town Manager Duggan noted that the Conservation and Trails Committee has submitted their proposed Fiscal Year 2025 Work Plan, and asked that the agenda be amended to include it in the reading file for the Selectboard's review.

3. AGENDA APPROVAL

ANDY WATTS made a motion, seconded by KENDALL CHAMBERLIN, to approve the agenda as amended. The motion passed 4-0.

4. PUBLIC TO BE HEARD
a. Comments from Public on Items not on Deliberative Agenda
None.

5. CONSENT ITEMS
a. Approve minutes – July 15, 2024
b. Approve check warrants: #18223—7/12/2024; #18224—7/19/2024; #18226—7/26/2024

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, to approve the consent agenda. The motion passed 4-0.

6. BUSINESS ITEMS
a. Consider approval of Fiscal Year 2025 tax rates
Finance Director Roy began by noting that the Town voted to raise $11,382,473 in property taxes for the Fiscal Year 2025 budget on Town Meeting Day, and that the Town has arrived at a Grand List of $16,121,097 for 2024. He said that the overall tax rate will increase by 4.36%, which is slightly higher than originally projected due to slightly lower grand list numbers than originally projected. He said that the proposed general tax rate for FY25 is $0.7061, the local agreement rate is $0.002, and the capital tax is $0.03, which together increase the municipal taxes on an average $280,000-valued home by $83.44 per year (over FY24 municipal taxes).

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, to set the general fund tax rate at $0.7061, the local agreement tax rate at $0.002, and the capital tax rate at $0.03 for a total municipal rate paid by taxpayers of $0.7381. The motion passed 4-0.

b. Consider approval of Investment Policy for final adoption at a future meeting

Director Roy said that this item relates to formalizing procedures for investment-related activities through adopting a formal Investment Policy, and he provided a summary of the draft Investment Policy for the Selectboard's review and feedback. He said that this policy would describe the relationship between the Treasurer and the Finance Department and provide guidance for how the Town can invest or reinvest any money that comes in from investments without needing to seek Selectboard approval for every specific transaction. He said it would also allow the Town to be able to invest funds into accounts with higher interest rates more nimbly. Mr. Chamberlin asked that it be made more explicit within the policy that the Treasurer is acting on guidance from the Finance Department, and Director Roy agreed to make these revisions.

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, that the Selectboard accept the Town of Essex Investment Policy with the proposed changes. The motion passed 4-0.

c. Consider approval of a resolution for the formation of the Development Review Board

Community Development Director Sonnick said that this item serves to formalize the Town's decision to form a Development Review Board (DRB) through the passage of a resolution (on the advice of the Vermont League of Cities and Towns) and also serves to ensure that the Selectboard and municipal staff are in alignment on the organization of the DRB and timing of its formation. She noted that she would like to have the DRB formed with ample time to recruit members, so she would also like to request approval for staff to advertise and interview for DRB positions in September. She noted that once the DRB is formed and begins reviewing applications, the Planning Commission and Zoning Board of Adjustment (ZBA) will no longer review applications, so any pending applications that are currently in process must be approved or denied by the current body prior to the formation of the DRB. She noted that the proposed number of board members is seven, with one alternate. Mr. Chamberlin asked if the Town will be encouraging members of the ZBA to apply for serving on the DRB, and Director Sonnick replied that yes, they will be encouraging current ZBA members (and Planning Commissioners) to apply for positions on the DRB If they are interested in continuing with development review work. Ms. Delphia asked about the timing of the formation of the DRB, and Director Sonnick replied that voters approved the formation of the DRB on or prior to January 1st. Ms. Delphia requested that wording in the resolution reflect that the DRB can be formed on or before January 1st. Mr. Watts asked what would occur if the pending applications do not reach resolution prior to the sunsetting of the ZBA and current Planning Commission, and Director Sonnick replied that they would need to start the process over again with the new DRB.

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, that the Selectboard approve and sign the attached resolution formalizing the transition to the DRB with the recommendations of the Selectboard Chair, allow staff to advertise for vacancies on the DRB, and hold interviews for the DRB at the Selectboard's September 16, 2024 meeting. The motion passed 4-0.

d. Discussion about potential bond vote in November 2024 for Center Road forcemain project

Public Works Director Martin noted that this item is informational tonight and is in preparation for the Selectboard's August 19th, 2024 meeting where it will consider warning a bond vote in the amount not to exceed $1,750,000 for the November ballot, for upgrades to the Heritage Estates Pump Station and replacement of the existing sewer forcemain on Center Road. He said that in 2021 and 2022 there were three significant breaks that cost the Town over $175,000 in repair bills and subsequently the Town issued a request for qualifications and solicited proposals from engineering firms for replacement plans. He noted that the contract for preliminary design and final project design was awarded to Aldrich & Elliott. He said the Town obtained subsidized loans through the State's Clean Water State Revolving Fund (CWSRF) for these two phases of the project. He said that the Town will need to decide whether to continue using the SRF for future phases of the project or to go through the Vermont Bond Bank for funding, but both alternatives require a positive bond vote to move forward into construction. He said that if the Town continues with the SRF, it will likely not be eligible for construction cost subsidies. He said that he and other staff are working to make a recommendation to the Selectboard at its August 19th meeting on which alternative should be pursued. He noted that this project will have an impact to ratepayers for sewer rates, but not for water rates. He noted that continuing to go through the SRF will lead to an increase on the average rate of about $46 per year. He said that once they decide which alternative to pursue for funding, they will work to refine these financial estimates in preparation for the public hearing. Mr. Chamberlin said that if the Town has a growth center designated by the State, it will receive more points on the funding prioritization list, and suggested looking into that. He also noted that some municipalities will use tax increment financing (TIF) districts to finance significant projects and lower costs to rate payers, and suggested looking into that as well.

e. *Discussion about potential action on contracts and the appointment or employment or evaluation of a public officer or employee

Discussed during Executive Session.

f. **Discussion about pending or probable civil litigation

Discussed during Executive Session.

7. <u>READING FILE</u>

a. Board member comments: Mr. Chamberlin spoke about budget planning for Fiscal Year 2026 and suggested reviewing the culvert replacement, paving, gravel, and building schedules when the budget is reviewed, in order to tie costs more directly to the budget. He asked for more information about how Essex Rescue's volume of service compares to those of other rescue agencies in the area. He further spoke about the Essex Conservation and Trails Committee workplan, suggesting that the committee focus on the MOU for the trees and boat access. Mr. Watts encouraged Selectboard members to review recommendations from the Charter Review Committee, as they are substantial and will be discussed at the August 19 Selectboard meeting. He also noted revised dates for the Vermont League of Cities and Towns meeting in Killington in October. Ms. Hill-Fleury thanked those who worked on the August 1 evening presentation. Ms. Delphia noted a related survey on the Essex website that members of the public should take in order to submit feedback on the Upper Main project. She also noted the recommendations from the Charter Review Committee and budget planning for Fiscal Year 2026 and asked that Selectboard members review these materials prior to the August 19 meeting.

b. Upcoming meeting schedule

c. Charter Review Committee recommendations for review

d. Memo re: budget planning for Fiscal Year 2026

e. Essex Rescue 2024 Quarter 2 Report and Fiscal Year End 2023-2024
f. Vermont League of Cities and Towns – Town Fair 2024 registration open
g. Conservation and Trails Committee Fiscal Year 2025 Work Plan

8. EXECUTIVE SESSION

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

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, that the Selectboard make the specific finding that general public knowledge of contracts would place the Town at a substantial disadvantage. The motion passed 4-0.

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, that the Selectboard enter into executive session to discuss contracts, pursuant to 1 V.S.A. § 313(a)(1)(A), and the appointment or employment or evaluation of a public officer or employee, pursuant to 1 V.S.A. Section 313(a)(3), to include the Town Manager. The motion passed 4-0 at 7:16 P.M.

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

ANDY WATTS, made a motion, seconded by KENDALL CHAMBERLIN, 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 4-0.

ANDY WATTS made a motion, seconded by DAWN HILL-FLEURY, 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. The motion passed 4-0 at 7:16 P.M.

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, to exit executive session. The motion passed 4-0 at 7:41 P.M.

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, to award the Town Manager a bonus for his achievement of mutually agreed-upon goals in the amount of $3,500. The motion passed 4-0.

9. ADJOURN

DAWN HILL-FLEURY, made a motion, seconded by KENDALL CHAMBERLIN, to adjourn the meeting. The motion passed 4-0 at 7:44 P.M.

Respectfully Submitted,
Amy Coonradt,
Recording Secretary

Approved this __19th____ day of _August___, 2024

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

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Kendall Chamberlin, Selectboard Clerk

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