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

Monday, September 16, 2024 – 6:30 PM
81 Main St., Essex Junction, VT 05452

This meeting will be in person and online. The agenda is available in alternative formats upon request.
- **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
- **WATCH:** Recorded meetings may be viewed on Town Meeting TV and Town of Essex Channels.

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: August 19, 2024; August 26, 2024

b. Approve check warrants: # 18230- 8/15/24; # 18231 - 8/23/24; # 18232- 8/30/24; #18233-9/6/24

6. BUSINESS ITEMS

a. *Interview and possible appointment of volunteers to serve on the Development Review Board - Ian Carroll, Hubert Norton, Stephanie Bixby, Nick Martin, Sharon Zukowski and Dustin Bruso

b. Consider approval of Energy Committee request to amend Energy Committee charter and become Energy and Climate Commission

c. ** Discussion about Conservation and Trails Committee's recommendation to purchase land on River Road / VT Route 117 for small boat access point

d. Consider approval of policies for Vermont Community Development Program (VCDP) grant eligibility, for adoption at a future Selectboard meeting

e. Presentation of Chittenden County Regional Planning Commission's Annual Report

f. Presentation from and discussion with Green Mountain Transit about Draft Urban Service Reduction Plan

g. ** Discussion about the negotiating or securing of real estate purchase or lease options

h. *** Discussion about security or emergency response measures

7. READING FILE

a. Board member comments

b. Upcoming meeting schedule

c. Lake Champlain Chamber 2024 Annual Report

d. We Need Your Help! Join Us for Public Meetings on GMT's Future

e. Essex News - September edition features Explore Essex

f. Memo re: purchase of Fire Department Car 10

g. Lead Service Line Inventory

h. Recommended Town of Essex Charter amendments from the Charter Review Committee

i. Current Status of Public Works Projects, Summer 2024

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 the negotiating or securing of real estate purchase or lease options

c. *** An executive session is anticipated to discuss security or emergency response measures

9. ADJOURN

Certification: KML 9/16/2024

TOWN OF ESSEX SELECTBOARD
REGULAR MEETING MINUTES
MONDAY, SEPTEMBER 16, 2024

SELECTBOARD: Tracy Delphia; Andy Watts, Vice-Chair; Kendall Chamberlin, Clerk; Dawn Hill-Fleury; Ethan Lawrence
ADMINISTRATION and STAFF: Greg Duggan, Town Manager; Charlie Cole, Fire Chief; Tom Richards, Deputy Fire Chief; Katherine Sonnick, Community Development Director; Stephen Trenholm, Assistant Fire Chief
OTHERS PRESENT: Charlie Baker, Maya Balassa, Dottie Bergendahl, Stephanie Bixby, Paul Bohne, Natalee Braun, Dustin Bruso, Clayton Clark, Amy Demetrowitz, Will Dodge, Betsy Dunn, Geetha Ganesan, Nick Martin, Hubert Norton, Ken Signorello, David Skopin, Irene Wrenner, Sharon Zukowski

1. CALL TO ORDER
Ms. Delphia called the Town of Essex Selectboard meeting to order at 6:30 PM.

2. AGENDA ADDITIONS/CHANGES
None.

3. APPROVE AGENDA
Not required.

4. PUBLIC TO BE HEARD
a. Comments from Public on Items Not on Agenda
Ms. Dunn expressed concern for the workload of the Trails Coordinator position and unresponsiveness from town departments.

5. CONSENT ITEMS
DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to accept the consent agenda as presented. Motion passed 5-0.
a. Approve minutes: August 19, 2024; August 26, 2024
b. Approve check warrants: # 18230- 8/15/24; # 18231 - 8/23/24; # 18232- 8/30/24; #18233-9/6/2

6. BUSINESS ITEMS
a. Interview and possible appointment of volunteers to serve on the Development Review Board - ~~Ian Carroll~~, Hubert Norton, Stephanie Bixby, Nick Martin, Sharon Zukowski and Dustin Bruso
Mr. Norton said that he is a long-time resident who has served on the Zoning Board of Adjustment (ZBA) since 1983. He has professional experience in network planning and construction inspection. Answering a question from Mr. Lawrence, Mr. Norton said that he would serve in a leadership role, if necessary, but that he would prefer not to. Answering a question from Mr. Watts, Mr. Norton said that he believes that setting policy and implementing policy should be kept separate. He said that he would handle controversial issues by putting the public first. He intends to follow and enforce the Town Plan and ETC Next Plan. Answering a question from Ms. Delphia, Mr. Norton discussed a disconnect between public participation and satisfaction with the results.

Ms. Bixby said that she has professional experience in affordable housing and is currently on both the ZBA and an alternate on the Planning Commission (PC). Answering a question from Mr. Lawrence, Ms. Bixby said that she has reviewed the zoning regulations and has met all attendance requirements. Answering a question from Mr. Watts, Ms. Bixby said that all her work on the PC has been development review thus far.

She does not have any professional conflicts and discussed her vision for public input. She will follow and enforce the Town Plan and ETC Next Plan. She is unsure if she would like to keep her position on the PC if appointed to the Development Review Board (DRB). Mr. Martin said that he has served on the ZBA for seven years and is currently the chair. Answering a question from Mr. Lawrence, Mr. Martin said that it is important to maintain the continuity of the work of the ZBA has done. He would be interested in taking a leadership position. Answering Board questions, he said that he would do his best to hear both sides of an application and make a decision that took both perspectives in mind but with the zoning regulations as the deciding factor. He discussed how voting can help to handle a debate. He plans to follow the ETC Next Plan and Town Plan.

Ms. Zukowski said that she is a retired paralegal, enjoys attending PC meetings and has a deep understanding of the process. She said that she had no issues attending meetings in person and plans to uphold the Town Plan and ETC Next Plan. She said that if she disagrees with the regulations, she will still follow them and described the process of determining the intent of the regulations. Mr. Bruso said that he is a lifelong resident of Essex, and currently serves on the PC. He would like to serve on the DRB and PC but views the two as separate processes. He said that he has strengths in both policy and development review and is not able to say which board he would choose if he could only serve on one. He said that there is little to enforce with the ETC Next plan and the Town Plan, and that these principles should be put into bylaws. He said that he will approve applications that clearly meet the regulations even if he does not personally like it, but noted that unanimous decisions are not required. He said that collaborative discussions help to make everyone better understand the regulations and make better choices. Regarding public opinion, he said that the main thing to consider is if a project meets regulations. Public input in the planning process sets the stage for development regulations. He asked what the Selectboard sees as their relationship with the DRB and PC. Ms. Delphia discussed efforts for the Selectboard to build relationships with board members, as well as the potential for joint meetings. She said that there is always room for improving communication, and not to be shy about reaching out.

Ms. Delphia said that remaining interviews will occur at the first meeting in October and that the Selectboard will likely not make appointments before then.

b. Consider approval of Energy Committee request to amend Energy Committee charter and become Energy and Climate Commission

Mr. Dodge, Chair of the Energy Committee, said that they are proposing to change the committee charter based on items included in the Town's 2024 action plan, and detailed several of these. The Energy Committee desires to be a commission based on the long-term nature of many of their projects. Mr. Dodge said that he would like additional communication-related responsibilities for the board to reflect what the committee has always done. There is no statutory definition of a committee v. commission in Vermont law but Mr. Dodge said that commissions tend to be more of a long-term nature. Mr. Lawrence asked if the word mandate is included in town planning documents in relation to energy and said that it is a strong word. Mr. Dodge said that these are mandates for the committee, not the public. Mr. Watts questioned the committee's funding process, with Mr. Dodge stating that they would go through the budget process but wish to have a mechanism of getting continued funding from the town. He said that he hopes that some of the savings from energy proposals could go back into energy initiatives. Mr. Watts said that this seems like an enterprise fund fed by fund balance. He said that the committee/commission would need to ask the Town Manager for staff support, rather than contact them directly. Mr. Lawrence said that he believes that the Selectboard does not have the authority to set up enterprise funds without voter approval. The committee role in the grant funding process was discussed. Mr. Watts said that the energy committee should still be required to have an annual report, Mr. Dodge agreed. He will make some revisions and resubmit the document to the Selectboard. Ms. Delphia requested public comment. Ms. Zukowski said that the commission structure relives staff and Selectboard time. Mr. Signorello said that the word mandate is in the town plan 20 times. He said that the Conservation and Trials Committee is interested in something similar due to a desire to apply for grants independently. He suggested that committees/commissions be allowed to apply for grants but that the acceptance of the money is reserved for the Selectboard and Town Manager.

c. Discussion about Conservation and Trails Committee's recommendation to purchase land on River Road / VT Route 117 for small boat access point

Mr. Duggan detailed the steps that the Conservation and Trials Committee (CTC) has taken to purchase this land. Mr. Signorello, Chair of the CTC, discussed the uniqueness of the land and a desire for it to be under town ownership, either as a park or boat launch. He said that he believes that conservation funds could be used to purchase this property. Additional discussion will be had in Executive Session.

d. Consider approval of policies for Vermont Community Development Program (VCDP) grant eligibility, for adoption at a future Selectboard meeting

Ms. Sonnick said that the town has received a grant from the Vermont Community Development Program for recovery housing. The Town will essentially serve as a pass-through for the funds for Champlain Housing Trust (CHT). Several policies are required as conditions of accepting this grant. Some edits may be able to be made to the policies. Mr. Duggan said that Essex is still waiting for the Town Attorney's approval, as well as waiting to review potential impacts on existing personnel regulations. Mr. Lawrence expressed concerns about the town's potential liability for ensuring that these regulations are met. Ms. Demetrowitz, of CHT, said that these are general conditions and that any project that is using federal funds will have a plan for this prior to the start of the project. Ms. Delphia requested public comment, of which there was none.

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, to approve the Municipal Policies and Codes and Residential Anti-displacement and Relocation Plan, required policies for the Vermont Community Development Program (VCDP) grant eligibility, for final adoption at a future meeting. Motion passed 3-2, with ETHAN LAWRENCE and KENDALL CHAMBERLIN in opposition.

e. Presentation of Chittenden County Regional Planning Commission's Annual Report

Mr. Baker, of the Chittenden County Regional Planning Commission (CCRPC) detailed the projects that this organization has done for Essex. The CCRPC has also worked on energy planning, equity, clean water, and emergency management. Mr. Baker discussed changes to Act 250, stating that projects in growth areas may not need to go through Act 250 if under 50 units. He discussed mapping changes that would occur, as well as engagement and environmental justice projects. Mr. Baker discussed statewide and regional housing goals. He said that he is happy to speak with any groups in the town who may have input regarding maps and housing targets. He introduced Ms. Balassa as the staff planner responsible for the mapping work for the town of Essex.

f. Presentation from and discussion with Green Mountain Transit about Draft Urban Service Reduction Plan

Mr. Clark, General Manager of Green Mountain Transit (GMT), said that. GMT needs to reduce operational costs by three million dollars a year and stated that the cost to provide the services is growing at a faster rate than revenue. He hopes that only two million of cuts would be necessary and is hopeful that legislative funds may help to minimize additional service disruptions. The proposed cuts involve eliminating the

Jeffersonville commuter route, Saturday service on the #10 bus, and possible elimination for the #10 bus in June of next year. This would also reduce services for the Special Services Transportation Agency customers. If implemented, these cuts would result in a lowered assessment for Town of Essex. No changes are expected for the municipal senior van services. Mr. Clark discussed holding an Essex specific discussion regarding service cuts. Ms. Hill-Fleury said that there was concern about the student transportation element of the #10 bus, and Mr. Clark said that this will not be cut until the end of the school year. Mr. Clark said that full legislative details for GMT funding will not be available until April. Mr. Clark encouraged Essex to keep the funds in their budget and said that hopefully the service will be there to pay for. Answering a question from Mr. Lawrence, Mr. Clark said that the electric buses have not created the crisis, and are neutral to such. They were purchased using federal funds. Mr. Lawrence asked if a refund would be available to the Town of Essex if service is cut, Mr. Clark said yes. The Selectboard would be able to leave GMT if desired, and it would take effect in the next calendar year. Ms. Delphia requested public comment, of which there was none.

g. Discussion about the negotiating or securing of real estate purchase or lease options
This was discussed during Executive Session.

h. Discussion about security or emergency response measures
This was discussed during Executive Session.

7. <u>READING FILE</u>
a. Board member comments: Ms. Hill-Fleury encouraged all to attend the Explore Essex event on Saturday, as well as a free BBQ at the Methodist Church and the Firefighter's Barn Dance. Mr. Lawrence noted discrepancies in bids for the fire department project and said that the quotes are not comparable. Mr. Chamberlin said that he was disappointed that the Energy Committee was not to involved in this process. Mr. Duggan discussed the time crunch that the Fire Department is under to purchase this vehicle. He will discuss the comparability of the bids at his next meeting with the Fire Chief. Mr. Watts said that the Vermont State Cannabis Control Board is holding a municipal roundtable next month.
b. Upcoming meeting schedule
c. Lake Champlain Chamber 2024 Annual Report
d. We Need Your Help! Join Us for Public Meetings on GMT's Future
e. Essex News - September edition features Explore Essex
f. Memo re: purchase of Fire Department Car 10
g. Lead Service Line Inventory
h. Recommended Town of Essex Charter amendments from the Charter Review Committee
i. Current Status of Public Works Projects, Summer 2024

8. <u>EXECUTIVE SESSION</u>
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 KENDALL CHAMBERLIN, 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. Motion passed 5-0.

b. An executive session is anticipated to discuss the negotiating or securing of real estate purchase or lease options

ETHAN LAWRENCE made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard enter executive session to discuss the negotiating or securing of real estate purchase or lease options in accordance with 1 V.S.A. Section 313(a)(2) and to include the Town Manager and Parks & Recreation Director Conservation and Trails Committee representative(s). Motion passed 5-0.

c. An executive session is anticipated to discuss security or emergency response measures

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, that the Selectboard enter executive session to discuss security or emergency response measures, the disclosure of which could jeopardize public safety, in accordance with 1 V.S.A. Section 313(a)(10) and to include the Town Manager, Fire Chief, Deputy Fire Chief, and Assistant Fire Chief.

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, to exit executive session. Motion passed 5-0 at 11 PM.

9. ADJOURN

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, for the Selectboard to adjourn. The motion passed 5-0 at 11:00 PM.

Respectfully Submitted,
Darby Mayville
Recording Secretary

Approved this __7____ day of _October___, 2024
(see minutes of this day for corrections, if any)

____
Kendall Chamberlin, Selectboard Clerk

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