Town of Essex

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

Monday, December 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
- **WATCH:** Recorded meetings may be viewed on Town Meeting TV and Town of Essex Channels.
- **SCAN** the code on the left for the Zoom meeting link.

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. PUBLIC HEARING - 6:35 PM

a. First of two public hearings on proposed amendments to the Town of Essex Charter

6. CONSENT ITEMS

a. Approve minutes: December 2, 2024
b. Approve check warrants: #18245-11/15/24;# 18247- 12/06/24 # 18247- 12/06/24
c. Consider approval of the Clean Water State Revolving Fund Application for the Center Road Sewer Forcemain Project for Step III Construction
d. Consider approval of Vermont Agency of Transportation Stormwater Mitigation Grant Application for Salt Shed

7. BUSINESS ITEMS

a. Consider request from Conservation and Trails Committee to amend the committee's charter and become a commission
b. Discussion and potential action about Human Services Funding
c. Consider support of application for a state Village Center Designation
d. Discussion and potential action regarding the mailing of Town Meeting Day ballots
e. Discussion and potential action on Town dog licensing fees
f. Work session continued on fiscal year 2026 budget
g. Discussion about proposed fiscal year 2026 capital budget and five-year plan
h. Discussion about fiscal year 2024 fund balance assignments
i. * Consider appointment of a volunteer as Essex Representative on the Chittenden County Communications Union District - Hubie Norton
j. *Interview and consider appointment of a volunteer to serve as the Alternate Essex Representative on the Chittenden County Communications Union District Board - Andy Watts

8. READING FILE

a. Board member comments
b. Upcoming meeting schedule
c. Reappraisal deadline extended for Town of Essex and City of Essex Junction
d. Final obligation of American Rescue Plan Act funds for amendment to Stantec Contract
e. Cemetery Commission Resignation Letter - Joan Janzen

9. EXECUTIVE SESSION

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

10. ADJOURN

Certification: KML 12/13/2024

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

SELECTBOARD: Tracey Delphia, Chair; Andy Watts, Vice-Chair; Kendall Chamberlin, Clerk; Dawn Hill-Fleury; Ethan Lawrence
ADMINISTRATION and STAFF: Greg Duggan, Town Manager; Karen Adams, Deputy Manager; Tammy Getchell, Public Information Officer/Assistant to the Manager; Katherine Sonnick, Community Development Director; Daniel Roy, Finance Director
PUBLIC: Wade Carson, Patty Davis, Steve Dowd, Betsy Dunn, Shannon Jackson, Hubie Norton, Ken Signorello, Margaret Smith

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

2. AGENDA ADDITIONS/CHANGES
Mr. Duggan requested to rearrange the agenda to discuss Item 7i, "Consider appointment of a volunteer as Essex Representative on the Chittenden County Communications Union District - Hubie Norton" as the first business item.

3. APPROVE AGENDA
ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, to amend the agenda to discuss Item 7i, "Consider appointment of a volunteer as Essex Representative on the Chittenden County Communications Union District - Hubie Norton" prior to 7a, "Consider request from Conservation and Trails Committee to amend the committee's charter and become a commission." Motion passed 5-0.

4. PUBLIC TO BE HEARD
a. Comments from the public on Consent items and items not on Agenda
Ms. Dunn said that the Conservation & Trails Committee (CTC) would like to have a Christmas Party but is concerned about violating open meeting law. Mr. Duggan said that meeting socially is not a violation of the open meeting law.

5. PUBLIC HEARING
a. First of two public hearings on proposed amendments to the Town of Essex Charter
ETHAN LAWRENCE made a motion, seconded by ANDY WATTS, to open the public hearing for the proposed amendments to the Town of Essex Charter. Motion passed 5-0.

Ms. Delphia read the proposed changes and requested public input. None was given.

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, to close the public hearing. Motion passed 5-0.

6. CONSENT AGENDA
ANDY made a motion, seconded by ETHAN LAWRENCE, to accept the consent agenda as presented. Motion passed 5-0.
a. Approve minutes: December 2, 2024
b. Approve check warrants: #18245-11/15/24; # 18247- 12/06/24 # 18247- 12/06/24

c. Consider approval of the Clean Water State Revolving Fund Application for the Center Road Sewer Forcemain Project for Step III Construction
d. Consider approval of Vermont Agency of Transportation Stormwater Mitigation Grant Application for Salt Shed

7. <u>BUSINESS ITEMS</u>
a. Consider appointment of a volunteer as Essex Representative on the Chittenden County Communications Union District -Hubie Norton
ANDY WATTS made a motion, seconded by DAWN HILL-FLEURY, to appoint Hubie Norton as the Essex Representative seat on the Chittenden County Communications Union District. Motion passed 5-0.

b. Consider request from Conservation and Trails Committee to amend the committee's charter and become a commission
Mr. Signorello, Chair of the CTC, presented. Becoming a commission would allow the CTC to have more authority and accountability. Ms. Dunn, CTC member, said that the CTC has lost out on grants due to the long approval process. Mr. Dowd, CTC member, discussed frustrations with the bureaucratic process. Mr. Signorello said that the CTC has only 4-8 hours of staff support per month. Mr. Watts said that the Selectboard cannot allocate additional staff time, this is in the purview of the manager. Mr. Signorello said that, if CTC becomes a commission, they will have spending abilities. He noted that the CTC has not requested a specific budget. Mr. Watts said that state statute does not give Conservation Commissions the right to spend money. Mr. Lawrence said that the Cemetery Commission collects funds and purchases things on their own. Mr. Duggan said that the town charter allows the Selectboard to create whatever commissions/committees, however state statue regulations must be reviewed. Ms. Delphia suggested that the Selectboard reach out to the Vermont Association of Conservation Commissions to have these questions reviewed. Mr. Duggan said that the CTC can currently request to use funds for specific purposes.

Mr. Jackson, CTC member, said that the CTC would like to be the catalyst to accomplish things, rather than just talk about doing them. Ms. Delphia said that anything that is presented directly to the Selectboard would be then reviewed by staff and that it is not possible to circumvent staff review. She said that the Selectboard is always here to listen, regardless of the committee/commission structure. Mr. Duggan said that the CTC has some unfinished projects, and that looking into this change would take away from staff time that can be put into other things. He said that it is important to prioritize staff time and said that he recommends that the CTC not be permitted to represent the town in grants/agreements. Ms. Delphia said that it is important to look at the problem that needs to be solved and if this will do so. Answering a question from Mr. Watts, Mr. Signorello said that the biggest change in this proposed charter is that the CTC will directly present grants to the Selectboard, utilize municipal funding and receive donations.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to allow the Conservation and Trails Committee to become the Conservation and Trails Commission and accept the charter change, providing the mission and charter pass legal review.

Mr. Watts said that legal review should be done prior to voting. Ms. Delphia requested public comment. Ms. Smith said that she is concerned that the committee is losing out on grant funding because of bureaucratic policies. Mr. Chamberlin said that he would like to get additional information and reiterated staff time constraints.

DAWN HILL-FLEURY withdrew the motion.

ETHAN LAWRENCE made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard direct staff to conduct legal review on the proposed charter of the Conservation and Trails Committee of the Town of Essex and present at staff's earliest convenience. Motion passed 5-0.

c. Discussion and potential action about Human Services Funding

Ms. Getchell said that the Town Attorney has reviewed policies regarding the possibility of voters needing to approve human services funds directly. She said that an article should be placed on the ballot each year requesting that voters choose to approve this amount separately from the budget. Mr. Watts was concerned about picking a specific number, as the general fund budget could fail. Ms. Delphia said that it could be listed as 1% of the approved budget. Mr. Chamberlin said that this proposal does not tell the Selectboard what the taxpayers would like to see funded. He suggested that the amount be 1% of the previous year's budget. Mr. Chamberlin said that Selectboards do not have the authority to spend taxpayer money on charities, and that they must be chosen by voters. Mr. Lawrence said that the Board needs to move forward with what is proposed for the current year and find a way to make appropriations in November instead of March in the future. Ms. Hill-Fleury detailed the current guidelines for human services funding and said that information on which organizations obtain funds is available on the website.

ANDY WATTS made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard authorize the creation of a Human Services Contributions Fund. Motion passed 5-0.

c. Consider support of application for a state Village Center Designation

Ms. Sonnick said that Village Center Designation for Essex Center would be helpful for grant purposes. She explained the boundaries of this designation and said that this could be approved by the state as early as next month. Ms. Delphia requested public comment. Mr. Norton said that there used to be a Village of Essex Center, which was dissolved in 1972. Mr. Lawrence asked about adding greenspace to this district and Ms. Sonnick said that the boundaries can be adjusted at any time.

ANDY WATTS made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard sign the attached resolution, agreeing to and supporting the application for a Village Center Designation for historic Essex Center. Motion passed 5-0.

d. Discussion and potential action regarding the mailing of Town Meeting Day ballots

Ms. Adams said that the staff recommends mailing ballots to all who request them, including return postage. Mr. Chamberlin advocated for mailing ballots to all voters. In public comment, Mr. Signorello said that he supports the staff recommendation and does not believe that ballots should be sent to all voters.

ANDY WATTS made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard authorize the mailing of ballots only to those who have requested a ballot and to include return postage for voted ballots. Motion passed 4-1, with KENDALL CHAMBERLIN dissenting.

e. Discussion and potential action on Town dog licensing fees

Ms. Adams said that the state will increase their portion of dog licensing fees next year. Essex has not increased municipal fees since 2017. Staff recommends an increase to $15 for a spayed/neutered dog, or $17 for a non-spayed/neutered dog. $2 would be added to the fee for late registrations. Ms. Delphia requested public comment. Mr. Signorello encouraged a higher registration fee for non-spayed/neutered dogs.

ETHAN LAWRENCE made a motion, seconded by ANDY WATTS, that the Selectboard set dog licensing fees as recommended in the above memo. Motion passed 5-0.

Mr. Watts suggested additional discussion on the costs of registering non-spayed/neutered dogs. Mr. Chamberlin agreed, and Mr. Lawrence and Ms. Hill-Fleury disagreed. Mr. Chamberlin said that he would like to know more regarding the number of calls to animal control for non-spayed/neutered animals.

f. Work session continued on fiscal year 2026 budget

Mr. Duggan said that the general fund tax increase is just over 5%. Mr. Roy detailed a summary of FY26 Operating Budget changes that have been implemented since the 12/2 Selectboard Meeting. The Capital tax is proposed to be increased from three cents to five cents. Should this not be approved by voters, it will need to be re-funded via the general fund next year. Mr. Lawrence spoke in favor of reducing the fund balance. Mr. Duggan said that interest revenue is now included in the budget, and that health insurance cost calculations have been better estimated than in previous years. This will help to reduce excess fund balance in the next fiscal year. Mr. Watts said that he will withdraw his support for pulling out the capital transfers if it will result in an increase to operating transfers. Mr. Duggan said that increasing the capital tax will help to reduce the reliance on fund balance and allow voters a degree of transparency between the two.

Mr. Chamberlin said that all capital transfers should be pulled from around 2-3%.om the general fund and increase the capital tax to where it needs to be after reappraisal (around 5.5 cents). Mr. Watts expressed concern that voters could vote down the capital tax increase but approve the budget, which would put the town in a precarious position. Mr. Lawrence expressed concern that there are no major reductions in the budget. He said that the important thing is for the Selectboard to go through the budget and make cuts, as they cannot continue to fund budgets with capital and fund balance transfers. Mr. Duggan said that the fire department is budgeting as if 3.5 people are responding to each call, which is closer to the actual numbers. Ms. Delphia said that the leaner a budget is, the more important it is to keep a healthy fund balance. Mr. Lawrence said that taxpayers may be more likely to approve special projects if the yearly increase is not so high each year. He said that grand list growth has not been growing at the same rate as the tax rate. Mr. Lawrence said that this increase is really 7.5%, as it is from the fund balance from last year. Mr. Chamberlin said that Essex has reduced the amount of fund balance in the budget.

ETHAN LAWRENCE made a motion that the Essex Selectboard take and charge credit card fees to users. No vote, motion failed.

Ms. Delphia reviewed a list of changes that are not recommended by staff but could be made if Selectboard desired. The proposed changes are listed below.

• Moving fire radio purchases to capital: More information needed.
• Further adjusting the fire part-time salaries number: The average response is 2.7 people, and it is currently budgeted for a response time of 3.5 people. Mr. Lawrence said that he thinks that this figure is overly inflated and suggested a vacancy allowance. Staff indicated they would work with the Fire Chief to come back with an updated proposal in January for this item.
• Change to town clerk election expenses: No changes.
• Reducing police legal expense line item: Mr. Duggan said that police union negotiations may be during this fiscal year. No changes
• Changes to CATMA study funding: Ms. Delphia said that she feels that this is important due to other potential public transit cuts. Ms. Hill-Fleury said that she does not feel that Essex should be funding studies

right now. Mr. Chamberlin spoke in favor as this would assist with alleviating traffic on Sand Hill Road. No changes.

• Further changes to library supplies/collection funding: Mr. Lawrence and Mr. Watts discussed the accessibility of certain online services, and an interest in cutting these. The increase will be reduced from $5125 to $2500 increase. Mr. Lawrence said that this averages out to the increases that are typical for the library. In addition, the line items specific to library collections (610.000/640.201/640.202/651.000) were requested to be reduced by a total of $3,313, with staff indicating they would work with Library staff to understand how this could be implemented.

• EPR credit card fees being charged to users instead of included in general fund budget: This change will be made.

The Selectboard will be cancelling their special work session on December 18h, 2024. An additional work session can be held in January if needed.

g. Discussion about proposed fiscal year 2026 capital budget and five-year plan

Not discussed.

h. Discussion about fiscal year 2024 fund balance assignments

Not discussed.

i. Interview and consider appointment of a volunteer to serve as the Alternate Essex Representative on the Chittenden County Communications Union District Board - Andy Watts

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to appoint Andy Watts as the Alternate Essex Representative for the Chittenden County Communications Union District Board. Motion passed 5-0.

7. READING FILE

a. Board member comments: Ms. Delphia thanked Ms. Janzen for her service. Mr. Chamberlin thanked staff for their work on repairing the recent water leak. Ms. Hill-Fleury congratulated the UVM soccer team on their recent win. Mr. Duggan said that Essex Junction is interested in extending the Tree Farm lease and would like to create a working group with both Selectboard and City Council members.

b. Upcoming meeting schedule

c. Reappraisal deadline extended for Town of Essex and City of Essex Junction

d. Final obligation of American Rescue Plan Act funds for amendment to Stantec Contract

e. Cemetery Commission Resignation Letter - Joan Janzen

8. EXECUTIVE SESSION

Not held.

9. ADJOURN

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, for the Selectboard to adjourn. Motion passed 5-0 at 10:38 PM.

Respectfully Submitted,
Darby Mayville
Recording Secretary

Approved this __6th____ day of _January___, 2025

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

Kendall Chamberlin, Selectboard Clerk