



## Town of Essex

### Selectboard

Phone: (802) 878-1341

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## Regular Meeting AGENDA

**Monday, January 27, 2025 – 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 HEARINGS**
  - a. Public hearing on Fiscal Year 2026 Municipal Budget - 6:35 PM
  - b. Public hearing on Fiscal Year 2026 Capital Budget and Five-Year Plan - 6:45 PM
6. **CONSENT ITEMS**
  - a. Approve minutes: January 6, 2025
  - b. Approve check warrants: #18251 - 01/03/25; # 18254- 1/17/25 #18256 - 01/10/25
  - c. Consider approval of wastewater allocation for 27 Butternut Court
  - d. Consider approval of bid award for Church of Latter-day Saints stormwater project
  - e. Consider approval of appeal letter for redetermination of 2024 Equalization Study Results
  - f. Consider approval of Chittenden County Regional Planning Commission Fiscal Year 2026 Unified Planning Work Program application for Transportation Master Plan Update
  - g. Consider approval of Chittenden County Regional Planning Commission Fiscal Year 2026 Unified Planning Work Program application for Transportation Impact Fee Study
7. **BUSINESS ITEMS**
  - a. Presentation of fiscal year 2024 financial audit
  - b. Consider approval of fiscal year 2026 Green Mountain Transit Special Assessment
  - c. Consider approval of fiscal year 2026 municipal budget
  - d. Consider approval of fiscal year 2026 capital budget and five-year plan
  - e. Consider approval of Town Meeting ballot question proposing increase to capital tax rate
  - f. Consider approval to place Human Services Funding question on Town Meeting ballot and update Human Services Funding Distribution Policy
  - g. Consider approval of warnings for the 2025 Town Meeting and Informational Hearing
  - h. Discussion and potential action about Municipal Ethics Requirements by the State, including appointment of Ethics Liaison Officer
  - i. \* Consider approval of Town Manager's appointment of Charles Tabone to Cemetery Commission
  - j. \*\* Discussion about the negotiating or securing of real estate purchase or lease options
8. **READING FILE**
  - a. Board member comments
  - b. Upcoming meeting schedule
  - c. Champlain Water District Fiscal Year 2025-2026 Uniform Wholesale Water Rate
  - d. Investment Update for second quarter of fiscal year 2025
  - e. Financial update for fiscal year 2025 second quarter
  - f. Email and letter re: Act 180 - Position letter from the Chittenden County manager communities about Community Justice Center funding

- g. Status of Winter Operations Nov. 1, 2024 through Jan. 1, 2025
- h. Economic Development Commission Resignation - Rebecca Robinson
- i. Essex Farmer's Market

**9. EXECUTIVE SESSION**

- a. \* An executive session may be requested to discuss the appointment or employment or evaluation 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

**10. ADJOURN**

Certification:                                     1/24/2025

## SELECTBOARD

### TOWN OF ESSEX SELECTBOARD REGULAR MEETING MINUTES MONDAY, JANUARY 27, 2025

**SELECTBOARD:** Tracy Delphia, Chair; Andy Watts, Vice-Chair; Kendall Chamberlin, Clerk; Dawn Hill-Fleury; Ethan Lawrence

**ADMINISTRATION and STAFF:** Greg Duggan, Town Manager; Karen Adams, Deputy Town Manager; Dan Roy, Finance Director; Harlan Smith, Parks Superintendent

**OTHERS PRESENT:** Walter Adams, Bill Keyser, EM, MJSS

#### **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 said that Reading File Item I, Essex Farmers Market was not ready in time to be submitted to the online Reading File, however a physical copy is now available.

#### **3. APPROVE AGENDA**

Not required.

#### **4. PUBLIC TO BE HEARD**

##### **a. Comments from the Public on Items Not on Agenda**

None.

#### **6. CONSENT ITEMS**

Note: This item was moved ahead of the public hearings due to timing.

**DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to accept the consent agenda as presented. Motion passed 5-0.**

**a. Approve minutes: January 6, 2025**

**b. Approve check warrants: #18251 - 01/03/25; # 18254- 1/17/25 #18256 - 01/10/25**

**c. Consider approval of wastewater allocation for 27 Butternut Court**

**d. Consider approval of bid award for Church of Latter-day Saints stormwater project**

**e. Consider approval of appeal letter for redetermination of 2024 Equalization Study Results**

**f. Consider approval of Chittenden County Regional Planning Commission Fiscal Year 2026 Unified Planning Work Program application for Transportation Master Plan Update**

**g. Consider approval of Chittenden County Regional Planning Commission Fiscal Year 2026 Unified Planning Work Program application for Transportation Impact Fee Study**

#### **5. PUBLIC HEARINGS**

##### **a. Public hearing on Fiscal Year 2026 Municipal Budget - 6:35 PM**

**DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to open the public hearing. Motion passed 5-0.**

Mr. Duggan said that the Human Services Funding is included in the budget presented, even though it will appear as a separate ballot item. Ms. Delphia requested public input. Mr. Adams said that he would like the Selectboard to move the \$468,000 it plans to put in the Capital Fund back to the reserve and take the funds out of the budget. He expressed concern that the Town wishes to build a 20,000 square foot building when it cannot fully fund the current library. He said that 1% is too much funding for human services and

something that no other surrounding communities do. Ms. Delphia said that human services will be a different line item for this year's budget and directly approved by voters.

**DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to close the public hearing for the budget. Motion passed 5-0.**

**b. Public hearing on Fiscal Year 2026 Capital Budget and Five-Year Plan - 6:45 PM**

**DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to open the public hearing on the Capital Budget and Five-Year Plan. Motion passed 5-0.**

Ms. Hill-Fleury asked for an easy explanation of the capital budget to provide to the public. Ms. Adams said that this budget includes a transfer of \$216,000 from operating to capital, \$250,000 of fund balance designated for future tax rate reduction, and fund balance assignments of \$500,000. Mr. Lawrence said that there is a shortage of 2.5% in the Capital Budget. This will be covered if the Capital tax passes. If it fails, \$250,000 may need to be added back into Capital Budget from operating. Mr. Lawrence suggested moving the \$216,000 back into the operating budget. If the Capital Tax does not pass funds can be taken from the fund balance. Mr. Adams said that the voters will be asked for another 2 cents for the Capital Plan. Ms. Delphia said that this will increase transparency and reduce the need to borrow. Mr. Adams said that he is concerned that the Capital Fund will be overfunded with this method. Ms. Adams said that, even with additional taxation, a deficit is expected by FY 30. Mr. Duggan said 2 cents is recommended because Essex is behind on capital needs. Reappraisal will assist with the remaining funds. There is not a desire to fund more capital than is needed. Mr. Adams asked if the town has ever taken funds out of the 15% reserve. Mr. Watts said that this was done during flood events. Mr. Adams suggested cutting this to 12% as it has been used very sparingly and because the funds were reimbursed with federal money.

**DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to close the public hearing on the Capital Budget and Five-Year Plan. Motion passed 5-0.**

**7. BUSINESS ITEMS**

**a. Presentation of fiscal year 2024 financial audit**

Mr. Keyser, of Kittell Branagan & Sargent, presented. His firm was on-site in October and issued an unmodified (or clean) opinion. A single audit was required and no issues were found. 40% of expenditures were tested due to not having a single audit in the last ten years. He said that finance department staff is very responsive and good to work with. This is the first year of true financial separation with the City of Essex Junction. Mr. Keyser said that Essex has both the fund balance and cash flow to allow for investing without taking additional debt. Mr. Chamberlin asked about the fund balance amounts. Mr. Keyser said that a 15% fund balance is important and is best financial practices.

**b. Consider approval of fiscal year 2026 Green Mountain Transit Special Assessment**

Ms. Adams said that the Special Assessment for Essex is \$4,098. It is already included in the proposed operating budget. Green Mountain Transit (GMT) will only use these funds if needed. Ms. Hill-Fleury said that this is listed as supporting driver buyouts, which will make it more difficult to have routes. The Special Assessment must be approved by all member municipalities.

**KENDALL CHAMBERLIN made a motion, seconded by ETHAN LAWRENCE, to approve payment of GMT's Special Assessment for FY26. Motion passed 3-2 with DAWN HILL-FLEURY and ETHAN LAWRENCE in opposition.**

**c. Consider approval of fiscal year 2026 municipal budget**

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, to adopt the fiscal year 2026 municipal budget in the amount of \$16,365,963. No vote, motion failed.

ETHAN LAWRENCE made a motion to lower the budget by \$256,000, to include \$40,000 for the elimination of the conversion of a part-time to full-time position on Community Development and \$216,000 transfers to Capital. No second, motion failed.

DAWN HILL-FLEURY made a motion, seconded by ANDY WATTS, to adopt the fiscal year 2026 municipal budget in the amount of \$16,365,963. Motion passed 3-2, with ETHAN LAWRENCE and KENDALL CHAMBERLIN in opposition.

**d. Consider approval of fiscal year 2026 capital budget and five-year plan**

Ms. Hill-Fleury asked for clarification about the Route 15 sidewalk project, stating that it appears that there are two similar projects. Staff will need to get back to Ms. Hill-Fleury for further clarification. Mr. Lawrence recommended that this plan be tabled until the February 3<sup>rd</sup> meeting. All agreed.

**e. Consider approval of Town Meeting ballot question proposing increase to capital tax rate**

Mr. Duggan said that additional revenue is needed in order to keep up with capital needs and said that capital transfers have been reduced. 1.54 cents is the recommended amount from staff. Mr. Chamberlin said that staff needs to narrow down exactly what is needed and said that this amount does not cover what the town believes is necessary for capital.

ETHAN LAWRENCE made a motion, seconded by ANDY WATTS, that the Town of Essex increase the Capital Reserve Fund by adding two cents to the tax rate, in addition to the three cents previously authorized, for the purpose of financing capital projects and equipment on the 2025 Town Meeting Day ballot.

Friendly amendment by KENDALL CHAMBERLIN to increase the amount to 2.2 cents. Friendly amendment denied by ETHAN LAWRENCE. Motion passed 3-2, with ETHAN LAWRENCE and DAWN HILL-FLEURY in opposition.

**f. Consider approval to place Human Services Funding question on Town Meeting ballot and update Human Services Funding Distribution Policy**

Mr. Duggan said that Essex has been contributing 1% of their budget to human services since the 1980s. After consulting with legal counsel, the Town believes that it should be listed as a separate ballot item.

ETHAN LAWRENCE made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard place an article on the Town Meeting ballot to ask voters if they wish to appropriate 1% of the General Fund Budget as passed by voters to the Human Services Contributions fund. Motion passed 4-1, with KENDALL CHAMBERLIN in opposition.

ETHAN LAWRENCE made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard approve the changes to the current Human Services Funding Distribution Policy to align with this change. Motion passed 4-1 with KENDALL CHAMBERLIN in opposition.

**g. Consider approval of warnings for the 2025 Town Meeting and Informational Hearing**

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, that the Selectboard approve and sign the warning for the 2025 Town Meeting and warn an Informational Hearing to

receive comments on all questions on the 2025 ballot, to be held on March 3, 2025 at 7:30 pm at the Essex Middle School. Motion passed 4-1, with KENDALL CHAMBERLIN in opposition.

**h. Discussion and potential action about Municipal Ethics Requirements by the State, including appointment of Ethics Liaison Officer**

Mr. Duggan said that changes to state law require the appointment of an ethics liaison.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, the Selectboard designate Deputy Manager Karen Adams as the Ethics Liaison Officer for the Town of Essex to serve as the point of contact for communications with the Vermont Ethics Commission, receive ethics complaints, and track the completion of municipal ethics training. Motion passed 5-0.

**i. Consider approval of Town Manager's appointment of Charles Tabone to Cemetery Commission**  
DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to appoint Charles Tabone to the Cemetery Commission for a term ending March 31, 2028. Motion passed 5-0.

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

This was discussed during Executive Session.

**8. READING FILE**

**a. Board member comments:** Mr. Chamberlin thanked Mr. Roy for his comprehensive budget proposal. Ms. Hill-Fleury thanked Ms. Robinson for her service on the Economic Development Commission. Ms. Delphia said that Essex Parks & Recreation will run a farmer's market beginning in May.

**c. Champlain Water District Fiscal Year 2025-2026 Uniform Wholesale Water Rate**

**d. Investment Update for second quarter of fiscal year 2025**

**e. Financial update for fiscal year 2025 second quarter**

**f. Email and letter re: Act 180 - Position letter from the Chittenden County manager communities about Community Justice Center funding**

**g. Status of Winter Operations Nov. 1, 2024 through Jan. 1, 2025**

**h. Economic Development Commission Resignation - Rebecca Robinson**

**i. Essex Farmer's Market**

**9. EXECUTIVE SESSION**

**a. An executive session was held to discuss the negotiating or securing of real estate purchase or lease options**

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE 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 Deputy Town Manager. Motion passed 5-0.

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, to exit executive session. The motion passed 5-0 at 8:45 PM.

**10. ADJOURN**

DAWN HILL-FLEURY made a motion, seconded by ETHAN LAWRENCE, for the Selectboard to adjourn. The motion passed 5-0 at 8:45 PM.

Respectfully Submitted,  
Darby Mayville

**SELECTBOARD**

**JANUARY 27, 2025**

196 Recording Secretary

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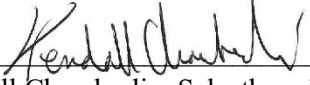
198 Approved this 3rd day of February, 2025

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

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Kendall Chamberlin, Selectboard Clerk

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