



Town of Essex

Selectboard

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Regular Meeting AGENDA

Monday, February 3, 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. CONSENT ITEMS

- a. Approve minutes: January 27, 2025
- b. Approve check warrants: # 18257- 01/24/25
- c. Consider approval of 2025 Certificate of Highway Mileage

6. BUSINESS ITEMS

- a. Public Hearing for Center Road Forcemain Environmental Review
- b. Consider first approval of an ordinance for Code of Ethics Investigation and Enforcement and authorize staff to warn a public hearing for final adoption
- c. Consider approval of fiscal year 2026 capital budget and five-year plan
- d. Discussion and potential action about Town Meeting outreach for Selectboard members
- e. * Discussion regarding delinquent properties and Tax Sale process
- f. ** Discussion about the negotiating or securing of real estate purchase or lease options

7. READING FILE

- a. Board member comments
- b. Upcoming meeting schedule
- c. Letter from State of Vermont Office of the Attorney General re: Act 180
- d. Memo re: Essex Westford School District Board to mail postcards to all active voters about how to request ballots

8. EXECUTIVE SESSION

- a. * An executive session is anticipated to discuss confidential attorney-client communications
- b. ** An executive session is anticipated to discuss the negotiating or securing of real estate purchase or lease options

9. ADJOURN

Certification:  1/31/2025

**TOWN OF ESSEX SELECTBOARD
REGULAR MEETING
MINUTES OF MEETING
February 3, 2025**

SELECTBOARD: Tracey Delphia, Chair; Kendall Chamberlin, Clerk; Dawn Hill-Fleury.

ADMINISTRATION and STAFF: Greg Duggan, Town Manager; Karen Adams, Deputy Town Manager; Annie Costandi, Water Quality Director; Daniel Roy, Finance Director.

OTHERS PRESENT: Lynette Claudon, David F., Shannon Jackson, Michael Mainer, Ken Signorello, Harlan Smith, Irene Wrenner, Lorraine Zaloom.

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

None.

3. AGENDA APPROVAL

None needed.

4. PUBLIC TO BE HEARD

a. Comments from Public on Items not on Deliberative Agenda

Ken Signorello spoke about continued issues with the calendar of events on the Town website and said that improvements need to be made to help users more easily navigate to meeting agendas and minutes. Ms. Delphia said that staff will look into improving the user experience to make the website easier to navigate for finding meeting information and materials.

Irene Wrenner spoke about the Economic Development Commission's agenda for Thursday, February 6, expressing concern that the Open Meeting Law complaint that she filed is contained in an unredacted format in the agenda, which exposes her personal information to the public. Town Manager Duggan apologized and said this will be corrected.

5. CONSENT ITEMS

a. Approve minutes: January 27, 2025

b. Approve check warrants: #18257 – 01/24/2025

c. Consider approval of 2025 Certificate of Highway Mileage

DAWN HILL-FLEURY made a motion, seconded by KENDALL CHAMBERLIN, to approve the consent agenda as presented. The motion passed 3-0.

6. BUSINESS ITEMS

a. Public Hearing for Center Road Forcemain Environmental Review

Water Quality Director Costandi and Michael Mainer, Engineer with Aldrich & Elliott, spoke about this item. Mr. Mainer noted that this public hearing is a requirement for state funding for the project.

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DAWN HILL-FLEURY made a motion, seconded by KENDALL CHAMBERLIN, to open the public hearing for the Center Road Forcemain environmental review. The motion passed 3-0.

Water Quality Director Costandi began by noting that the project would replace a section of forcemain on Center Road from the Sweet Scoop Shop to Market 32, and would also make upgrades to the pump station. She said that because the project is being federally funded through the Clean Water State Revolving Fund, an environmental review of the project is required. She said that two categories of focus in the review were around environmental justice and wetland impacts, and that Aldrich & Elliott found no environmental impacts within these two categories upon review, and the State issued a finding of no significant impact. She said that associated with this review are requirements for this public hearing and a 30-day comment period to allow for feedback from the public on these findings.

Mr. Mainer provided more details on the project and the environmental review that was conducted. He said the project entails 2,400 feet of new 8-inch diameter forcemain along Center Road, as well as some improvements in and around the pump station to the north of the forcemain area. He noted that because the project is federally funded it must comply with requirements within the National Environmental Policy Act (NEPA). He spoke briefly about the review process conducted by Aldrich & Elliott, which is then verified by the State and an impact finding is made. He reiterated that the State determined there was no significant impact for this project. He said the only two criteria for review that pertained to this project were around environmental justice considerations and wetland impacts, and he walked through the affected resources and mitigation efforts for impacts for each criteria.

Ms. Hill-Fleury asked how this would impact the solar panels on that road, and Water Quality Director Costandi replied that there is an easement where the forcemain is located, so no surface structures are allowed over it and the solar panels will not be impacted. Ms. Hill-Fleury asked about concerns related to securing federal funding, and Mr. Mainer replied that it is funded through this current fiscal year's allocation, and has been secured.

No public comments were received during the meeting, but the public comment period is open for 30 days if members of the public wish to submit written public comment about the project.

DAWN HILL-FLEURY made a motion, seconded by KENDALL CHAMBERLIN, to close the public hearing. The motion passed 3-0.

b. Consider first approval of an ordinance for Code of Ethics Investigation and Enforcement and authorize staff to warn a public hearing for final adoption

Town Manager Duggan noted that this relates to Act 171 that passed in June 2024. He noted that Deputy Town Manager Adams was designated the Town's ethics liaison and designated complaint recipient. He said that the ordinance relates to the Town's ethics requirements and the process for filing complaints, and that it is based on a draft ordinance supplied by the Vermont League of Cities and Towns (VLCT). He said that once the ordinance is passed there will be trainings for staff and board members. Ms. Delphia noted that the trainings should be completed by the end of September in order to comply with statute. Town Manager Duggan outlined the ordinance

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adoption process and next steps, which involves warning the ordinance for a public hearing and then passing the ordinance after the hearing (and potentially a second hearing) is held.

DAWN HILL-FLEURY made a motion, seconded by KENDALL CHAMBERLIN, that the Selectboard pass ordinance Title 1, Chapter 1.05 Code of Ethics Investigation and Enforcement and authorize staff to publish a notice of a public hearing to be set for February 24, 2025 at 6:35 pm to introduce said ordinance, hear comments, and provide notice of the citizens' right to petition for a vote to disapprove the ordinance. The motion passed 3-0.

c. Consider approval of Fiscal Year 2026 Capital Budget and Five-Year Plan
There was no Selectboard discussion or public comment.

DAWN HILL-FLEURY made a motion, seconded by KENDALL CHAMBERLIN, that the Selectboard adopt the fiscal year 2026 capital budget and five-year plan. The motion passed 3-0.

d. Discussion and potential action about Town Meeting outreach for Selectboard members
Ms. Delphia noted a number of community events over the next few months and said that this relates to making sure Selectboard members are aware of these events and sign up to attend them as an opportunity to engage with members of the public.

e. *Discussion regarding delinquent properties and tax sales
Finance Director Roy provided an update on delinquent properties, noting that as of last May the Town had \$380,000 in delinquent taxes, of which around \$103,000 were based on six City properties for dates between 2017-2021 (prior to separation). He said that current delinquent taxes are around \$220,000, with the same amount being represented by those City properties. He noted that the Town reported liens with the City of Essex Junction on those six properties that are delinquent. He noted that they began tax sale process with ten properties that qualified for tax sale procedures because they had balances of \$10,000 or more, and four of which were in the City. He said that of these, six of them are making regular payments, two have had failed agreements, and two of which have been unresponsive.

f. **Discussion about the negotiating or securing of real estate purchase or lease options
See item #8b below for motions.

7. READING FILE

- a. Board member comments: Mr. Chamberlin said he is glad that the School Board will be sending out details about accessing an absentee ballot. Ms. Delphia said that Selectboard evaluations are due next Friday.
- b. Upcoming meeting schedule
- c. Letter from State of Vermont Office of the Attorney General re: Act 180
- d. Memo re: Essex Westford School District Board to mail postcards to all active voters about how the request ballots

8. EXECUTIVE SESSION

- a. *An executive session is anticipated to discuss confidential attorney-client communications

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DAWN HILL-FLEURY made a motion, seconded by KENDALL CHAMBERLIN, that that the Selectboard make the specific finding that general public knowledge of confidential attorney-client communications made for the purpose of providing professional legal services to the body would place the Town at a substantial disadvantage. The motion passed 3-0.

DAWN HILL-FLEURY made a motion, seconded by KENDALL CHAMBERLIN, that the Selectboard enter into executive session to discuss confidential attorney-client communications made for the purpose of providing professional legal services to the body, pursuant to 1 V.S.A. § 313(a)(1)(F) to include the Town Manager, Deputy Town Manager, and Finance Director. The motion passed 3-0.

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

DAWN HILL-FLEURY made a motion, seconded by KENDALL CHAMBERLIN, that 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. The motion passed 3-0 at 7:02 P.M.

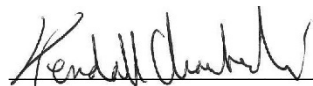
DAWN HILL-FLEURY made a motion, seconded by KENDALL CHAMBERLIN, to exit executive session. The motion passed 3-0 at 7:54 P.M.

9. ADJOURN

DAWN HILL-FLURY made a motion to adjourn, seconded by KENDALL CHAMBERLIN. The motion passed 3-0 at 7:55 P.M.

Respectfully Submitted,
Amy Coonradt,
Recording Secretary

Approved this 24th day of February, 2025
(see minutes of this day for corrections, if any)



Kendall Chamberlin, Selectboard Clerk