TOWN OF ESSEX SELECTBOARD
REGULAR MEETING
MINUTES OF MEETING
April 21, 2025

SELECTBOARD: Tracey Delphia, Chair; Kendall Chamberlin, Vice Chair; Shannon Jackson, Clerk; Ethan Lawrence, Andy Watts.
ADMINISTRATION and STAFF: Greg Duggan, Town Manager; Karen Adams, Deputy Town Manager; Charles Cole, Fire Chief; Aaron Martin, Public Works Director.
OTHERS PRESENT: Iris Banks, Alan Nye, Ella Ruehsen, Ken Signorello, Jon Slason, Janet Watts, M.J.S.S., 8025980758, 8025986667.

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
Alan Nye spoke as the Essex representative for the Chittenden Solid Waste District, noting that they are in the process of bonding for and constructing a new materials recycling facility and that there is an anticipated increase in the District's solid waste management fee.

Ken Signorello spoke about the consent item related to trapping locations to support rabies vaccination of wildlife, and suggested that the Town could have sought advice from its Conservation &Trails Committee prior to determining the locations.

Ella Ruehsen introduced herself as the new lead reporter at the Essex Reporter.

SHANNON JACKSON made a motion, seconded by ANDY WATTS, to amend the agenda and move Consent Item #5F to be Business Item #6c. The motion passed 5-0.

5. CONSENT ITEMS
a. Approve minutes: March 17, 2025; April 7, 2025
b. Approve check warrants: #18267 – 03/28/2025; #18268 – 04/04/2025; #18271 – 4/11/2025
c. Consider final adoption of changes to Tax Sale Policy
d. Consider approval of trapping locations to support rabies vaccinations of wildlife
e. Consider approval of redetermination of Equalized Education Property Value and Coefficient of Dispersion
f. Consider approval of Fiscal Year 2026 Paving Program Bid Award **now Business Item #6c**

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, to approve the consent agenda as corrected. The motion passed 5-0.

6. <u>BUSINESS ITEMS</u>

a. *Interview of a volunteer to serve on the Essex Free Library Board of Trustees – Iris Banks

The Selectboard interviewed Iris Banks for a seat on the Essex Free Library's Board of Trustees. The candidate introduced herself and spoke about her experience serving on the Board currently and her interest in continuing to serve on the Board. The Selectboard asked her about the garden tours she has organized through the Library, what public service means to her, how she regards her role as a Trustee, and her thoughts on future fundraising opportunities for the Library.

b. *Interview of a volunteer to serve on the Essex Free Library Board of Trustees – Janet Watts

Mr. Watts recused himself from this item to avoid the possibility of an appearance of a conflict of interest.

The Selectboard interviewed Janet Watts for a seat on the Essex Free Library's Board of Trustees. The candidate introduced herself and spoke about her two decades of service on the Board and her interest in continuing to serve on the Board. The Selectboard asked her how it could be more helpful to the Library, what her vision is for the future of the Library, how she thinks they could draw more patrons to the Library, and what public service means to her.

c. Consider approval of Fiscal Year 2026 Paving Program Bid Award **was Consent Item #5f**

Public Works Director Martin began by noting that this item relates to the FY2026 Paving Program work and whether to approve awarding the program to the apparent low bidder, Frank W. Whitcomb Construction Corporation. He noted that five contractors replied to the bid, one bid was rejected, and the bids ranged from $446,610 to $373,196 (which was the lowest bid).

Mr. Jackson asked whether the Town has worked with Whitcomb in the past and inquired about the quality of their work, if so. He also noted that the Town does not always need to select the lowest bidder, given that this bidder is from New Hampshire. Director Martin noted that FW Whitcomb has plants in Vermont in addition to in New Hampshire, that they currently hold the FY25 contract, and that the Town has been pleased with their quality of work in the past. He noted that per the Town's purchasing policy it is required to select the low bidder, and this is staff's recommendation. Town Manager Duggan noted that there is some flexibility in the purchasing policy but that it typically does select the lowest bidder for paving contracts. Mr. Chamberlin asked if the contractor would conduct more paving if the Town puts more money into the contract for the same price per ton, and Director Martin replied that it depends on where the additional paving is located and the end-of-year funding.

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, that the Town of Essex Selectboard award the FY2026 Paving Contract to Frank W. Whitcomb Construction Corp., of New Hampshire, in the amount of $373,196.00. The work included in this Bid represents that which is required to continue the Department's five-year paving plan. The motion passed 5-0.

d. Consider approval of Truck #104 Replacement for Fiscal Year 2025

Director Martin noted that this item relates to the approval of the purchase of a replacement vehicle and plow equipment for plow truck #104, which was programmed and planned for as part of the FY25 budget. He noted that the truck chassis is ready and that staff would like to issue payment in order to keep the truck on schedule for plow fit-up, which will take an additional six months. Mr. Chamberlin asked how old the current truck is, and Director Martin replied that it is nine years old. Mr. Chamberlin noted that there is no additional cost to taxpayers, as this purchase would come from the Town's capital plan fund. Mr. Lawrence asked if truck #25 has been ordered yet, and Director Martin replied that it has been ordered. Mr. Lawrence asked if the plow will be paid using FY26 funding, and Town Manager Duggan replied that it will be paid for in FY26 and will be paid for with capital funds and not operating funds.

The following public comments were received:

- Ken Signorello asked if future dollars are projected taking inflation into account, and Director Martin replied that they are adjusted for inflation.

ETHAN LAWRENCE made a motion, seconded by ANDY WATTS, that the Selectboard approve the purchase of the replacement vehicle and plow equipment for plow truck #104. The motion passed 5-0.

e. Consider approval of 1st, 2nd, and 3rd class liquor license renewal applications

Mr. Lawrence asked whether the Town knows if these businesses own the properties they are situated on, noting that it is important that the owners are not delinquent in their taxes on these properties or any other properties they own in the Town. Town Manager Duggan replied that it would be possible to find this out with some extra legwork. Mr. Chamberlin spoke about the value of having a clear policy that doesn't allow for granting licenses to properties that don't have their taxes paid in full. He said that a condition of license approval should be that taxes are paid in full. Mr. Watts noted the difficulty of determining whether certain business owners hold properties with delinquent taxes. Ms. Delphia recommended approving these licenses and working to develop a clear policy on granting licenses and conditions for approval. Mr. Jackson recommended including liquor license expiration dates on future license renewal memos.

ETHAN LAWRENCE made a motion, seconded by ANDY WATTS, that the Selectboard approve the liquor license renewal applications for the businesses located in the Town of Essex listed in the April 17, 2025 memorandum re: "Liquor License Applications." The motion passed 4-1 (Mr. Chamberlin dissenting).

f. Discussion about Green Mountain Transit membership for Fiscal Year 2027

Deputy Town Manager Adams said this item relates to the Selectboard discussing GMT membership for Fiscal Year 2027 and determining if it needs further information from GMT in order to move forward. She noted that the Town must give one fiscal year's notice if it wishes to terminate its membership in GMT. Mr. Lawrence said that other municipalities that aren't members of a regional transportation system have created transportation enterprises and suggested that the Town could given notice to GMT and use this next year to explore setting up an enterprise, determining whether SSTA could contract privately with the Town, or using some of its own funding to add another bus to its senior bus route (and open the program up to non-seniors). Mr. Chamberlin said he would be open to exploring alternative options to GMT for the Town. Mr.

Watts noted that while Colchester isn't a GMT member, there are bus stops in Colchester along GMT routes (but Colchester doesn't have a representative on the GMT board). He said he would like to ask GMT whether Colchester pays for these services. He also said he would like to know if Colchester pays for SSTA stops. He said he would also like to know about GMT's justification for keeping the special assessment funding that the Town provided, if it does not plan to use it, and whether that funding would be returned to the Town if it withdrew membership from GMT. Mr. Jackson agreed with Mr. Watts and said he would he interested in having GMT answer these questions.

The following public comments were received:

- Ken Signorello noted that the Town already provides public transit services in the form of a senior bus program, and that exploring expansion of this service could be a worthwhile endeavor.

g. Consider appointment of representatives to Chittenden County Regional Planning Commission Board of Representatives

The Selectboard discussed appointing representatives to the CCRPC Board of Representatives.

KENDALL CHAMBERLIN made a motion, seconded by ETHAN LAWRENCE, to appoint Andy Watts as the CCRPC Representative and Tracey Delphia as the Alternate for the Town of Essex. The motion passed 5-0.

h. *Consider appointment of representatives to Chittenden County Regional Planning Commission's Transportation Advisory Committee

ETHAN LAWRENCE made a motion, seconded by ANDY WATTS, that the Selectboard appoint Aaron Martin as Essex's representative, and Annie Costandi as Essex's alternate, to the Chittenden County Regional Planning Commission's Transportation Advisory Committee for two-year terms running from July 1, 2025 through June 30, 2027. The motion passed 5-0.

i. * Consider appointment of representatives to Chittenden County Regional Planning Commission's Clean Water Advisory Committee

ETHAN LAWRENCE made a motion, seconded by SHANNON JACKSON, that the Selectboard appoint Annie Costandi as Essex's representative, and Lea Sanguinetti as Essex's alternate, to the Chittenden County Regional Planning Commission's Clean Water Advisory Committee for two-year terms running from July 1, 2025 through June 30, 2027. The motion passed 5-0.

j. Consider first approval of an updated Impact Fee Ordinance and authorizing staff to warn a public hearing for final adoption

Jon Slason, a consultant hired to work on the Fire Department Impact Fee Study, and Fire Chief Cole presented on this item, which relates to whether the Selectboard will amend its fee ordinance to incorporate potential fee options for new development. Town Manager Duggan noted that the Town currently collects recreation impact fees, but these amendments would allow it to collect fire impact fees. He said the Selectboard should decide which fees to begin charging and noted that the fees would be incorporated into the ordinance by reference (to allow for easier updating in future). Mr. Watts asked a number of process-related questions on how the fees would be determined, reviewed, and updated by the Selectboard, which Mr. Slason answered. Mr. Lawrence asked how this would interact with the agricultural sector, given that the impact fees are based on zoning regulations. Mr. Slason replied that these fees only apply in cases where the Town has permit authority over the land use change (through the Land Development Code). Mr. Jackson asked whether this has been reviewed by the Housing Committee, and Town Manager Duggan replied that it has not, though it has been reviewed by the Community Development Director. Mr. Chamberlin asked for details about the methodology for assessing impact fees for multi-family versus single-family homes, and Town Manager Duggan and Mr. Slason provided further details. Ms. Delphia asked why ordinance violations are reset every calendar year, and Town Manager Duggan replied that this is consistent throughout the Town's ordinances.

The following public comments were received:

- Ken Signorello suggested that the Housing Committee and the Economic Development Committee both be given the opportunity to provide input on the ordinance amendments prior to passage.

The Selectboard discussed soliciting input from the Housing Committee and Economic Development Committee prior to approving amendments, and also discussed the goal of approving amendments by the beginning of Fiscal Year 2026. They also discussed several minor changes to provide clarification within the ordinance. They said they would like to solicit input and make changes prior to holding a public hearing on the ordinance amendments.

k. **Discussion about confidential attorney-client communications and the negotiating or securing of real estate purchase or lease options

See item #8b below.

7. <u>READING FILE</u>

a. Board member comments: Mr. Lawrence asked a clarifying question on the Selectboard tours. Mr. Chamberlin noted that for the investment update, the majority of the Town's interest income is being put into its operating budget and he would like to discuss moving some of it to the capital budget. He thanked Finance Director Roy for providing the FY25 budget and spending review information. He also asked whether funding can be put into more proactive work for water and sewer, given that between $100,000 and $200,000 is being spent per year on unanticipated water and sewer repairs. Ms. Delphia noted that the Town's website now includes direct links for current municipal updates. Mr. Jackson suggested that some of the Town's purchasing relates to supplies could be made locally rather than through Amazon.
b. Upcoming meeting schedule
c. Chittenden County Communications Union District 2024 Annual Report
d. Investment Update for third quarter of Fiscal Year 2025
e. General Fund Fiscal Year 2025 budget and spending review – third quarter
f. Update on Highway Road Grader Repairs
g. Fiscal Year 2025 Public Works Annual Work Plan Quarter 3 Update

h. Update on Maple Street Emergency Sewer Structure Replacement
i. Fiscal Year 2026 Water and Sewer Budget and Rates
j. Updates on new municipal complex, Active Transportation Plan, reappraisal, and more

8. EXECUTIVE SESSION

a. *An executive session is anticipated to discuss the appointment or employment or evaluation of a public officer or employee

None held.

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

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, 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 5-0.

ANDY WATTSA made a motion, seconded by ETHAN LAWRENCE, that the Selectboard enter into executive session to discuss attorney-client communications made for the purpose of providing professional legal services to the body, and to discuss the negotiating or securing of real estate purchase or lease options, pursuant to 1 V.S.A. § 313(a)(1)(F) and 1 V.S.A. § 313(a)(2), to include the Town Manager, Deputy Town Manager, and Community Development Director. The motion passed 5-0 at 8:30 P.M.

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, to exit executive session. The motion passed 5-0 at 9:48 P.M.

9. ADJOURN

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, to adjourn the meeting. The motion passed 5-0 at 9:49 P.M.

Respectfully Submitted,
Amy Coonradt,
Recording Secretary

Approved this______day of_______, 2025
(see minutes of this day for corrections, if any)