TOWN OF ESSEX SELECTBOARD
REGULAR MEETING MINUTES
MONDAY, OCTOBER 6, 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; Kent Johnson, Town Planner; Bill Ellis, Town Attorney
OTHERS PRESENT: Gina Halpin Barrett, Brian Davis, Patty Davis, Anne Miller, Ken Signorello, Margaret Smith, Julian Ughetti, Su Ughetti, Anna von Gal, Reed von Gal, Lois Whitmore, Lorraine Zaloom, Mohit

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

2. AGENDA ADDITIONS/CHANGES
Greg Duggan proposed that Consent Item 5a, Approve minutes: August 18, 2025 and September 15, 2025, be discussed as Business Item 6e.

3. APPROVE AGENDA
ETHAN LAWRENCE made a motion, seconded by SHANNON JACKSON to add Business Item 6e, Approve minutes: August 18, 2025 and September 15, 2025. Motion passed 5-0.

4. PUBLIC TO BE HEARD
a. Comments from the Public on Consent Items and Items Not on Agenda
Lorraine Zaloom discussed concerns about aggressive approaches to site visits, stormwater and the misuse of AI tools.

5. CONSENT ITEMS
ANDY WATTS made a motion, seconded by SHANNON JACKSON, to accept the consent agenda, as amended. Motion passed 5-0.
~~a. Approve minutes: August 18, 2025 and September 15, 2025~~
b. Approve check warrants: #18294 - 09/12/25; #18295 - 09/19/25; #18296 - 9/26/25
c. Consider approval of Town Manager's appointment of Health Officer
d. Consider approval of corrections of errors and omissions on the 2025 Grand List as provided for in 31 V.S.A. 4261

6. BUSINESS ITEMS
a. Consider Approval of Essex Colonial Mart Liquor License Application
G. Duggan said that this is an existing facility under new ownership. Staff have no concerns about this application.

ETHAN LAWRENCE made a motion, seconded by SHANNON JACKSON, that the Selectboard approve the second-class liquor license application for Essex Colonial Mart located in the Town of Essex. Motion passed 5-0.

T. Delphia read the Selectboard's Liquor License Admonition.

b. Consider approval to authorize Town Manager to accept Vermont Agency of Transportation grant for design and construction of multi-use path along VT Route 15 between Orleans Road and VT Route 289

Brian Davis, Transportation Planner at the Chittenden County Regional Planning Commission, presented with Kent Johnson. G. Duggan said that Essex has received a grant for the design and construction of a multi-use path along VT Route 15, and is requesting that the Selectboard provide permission for acceptance. K. Johnson said that only two projects were selected statewide. B. Davis spoke of the statewide importance of Route 15. Construction is expected to occur in around five years. Most of the town's financial commitment will be near the end of the project. K. Adams said that she believes that this could be included in the capital budget without eliminating any other projects.

K. Chamberlin expressed concern about this project, as Essex Junction has not indicated support for connecting this project with paths or sidewalks in their community. He encouraged the use of current sidewalks and bike paths and connecting to existing resources. He said that this will also take away funds from current capital plans and require maintenance. K. Johnson said that the bike lanes will still be present on the roadway and that both walkers and bikers could use the path. He said that Essex Junction's Bike/Walk Advisory Committee has written a letter of support and that Essex Junction has expressed support for continuing the path. Answering a question from S. Jackson, K. Johnson said that the path does not end but connects into existing neighborhoods. E. Lawrence questioned if the funds have been committed in the Capital Plan. He said that there are other capital needs that are vital and that he does not believe that funds should be taken away from these.

In public input, Ken Signorello asked if signage would be available to guide users to existing sidewalks. K. Johnson said that this would be addressed during the design phase. L. Zaloom spoke in favor of this project and said that this will help to alleviate traffic and improve safety. Lois Whitmore asked for clarification on curb cuts, which was given. Patty Davis expressed support for the project but concern for capital funding levels.

SHANNON JACKSON made a motion, seconded by ANDY WATTS, to authorize the Town Manager to accept Vermont Agency of Transportation funding assistance for the design and construction of the VT Route 15 Shared-Use Path by signing the Project Commitment Form. Motion passed 3-2, with ETHAN LAWRENCE and KENDALL CHAMBERLIN dissenting.

c. Discussion about draft Resolution Affirming Commitment to Fairness, Freedom, and Community Safety

Mr. Watts and Mr. Jackson expressed support for this resolution. In public comment, Julian and Su Ughetti suggested edits to the resolution. Answering a question from E. Lawrence, J. Ughetti said that these revisions allow for protections for all, regardless of immigration status. L. Zaloom said that she would like to ensure that police are aware that due process applies to all. E. Lawrence said that he believes that the Constitution protects American citizens and that he does not believe that the Selectboard should take a political stance. K. Chamberlin concurred that the Selectboard should not be involved in political issues. T. Delphia will draft another version for the Selectboard's review.

d. Declaration of Inclusion - Progress Report

Karen Adams said that staff discussed how to implement the Declaration of Inclusion, and what this would look like. Some of these steps have included: the hiring of a Community Liaison officer, recording Selectboard meetings and offering hybrid participation options, the Parks & Rec scholarship fund, surveying the community, holding open houses, the 1% budgetary allocation for health and human services, the senior van, utilization of the ‘I Speak” cards, additional police trainings, the wide range of community volunteers, the community justice center, ease of reporting concerns, rumble strips on sidewalks for the visually impaired and offering library space. Regarding the town of Essex as an employer, K. Adams cited the coffee chats, competitive benefits, regular performance evaluations and professional development opportunities. Essex will conduct an ADA compliance review this year and the regional planning commission will be doing language access and communication work. The Selectboard thanked K. Adams and staff for their hard work on this issue. L. Whitmore suggested improving microphone quality at public meetings and increased night/weekend senior bus service.

e. Approve minutes: August 18, 2025 and September 15, 2025

The Selectboard made the following edits to the minutes of August 18, 2025:
-Line 46, the spelling of Duane Millar Barlow’s name is to be corrected.
-Line 115: One “said that” should be removed.

S. Jackson said that he liked the level of detail provided this edit. The Selectboard discussed whether it was an accurate statement that events were not being hold at the barn. E. Lawrence said that it is difficult to decide on the minutes when the facts are being debated.

SHANNON JACKSON made a motion, seconded by ANDY WATTS, to approve the amended minutes of August 18, 2025.

Reed Von Gal said that his certified copy of the minutes received from the Town Clerk do not align with what the Selectboard is reviewing. T. Delphia said that additional edits were made. R. Von Gal requested to review the minutes prior to approval, as he plans on appealing the decision. He asked that approval be postponed to the next meeting. T. Delphia said that the Selectboard has statutory requirements for approval. A. Watts said that members of the public should not be allowed to edit or hold up approval of minutes. E. Lawrence said it can be difficult for those who do not have access to the internet to get copies of the minutes in a timely fashion.

Motion passed 4-1, with ETHAN LAWRENCE dissenting.

The Selectboard made the following edits to the minutes of September 15, 2025:
-The spelling of T. Delphia’s name will be corrected throughout.
-Line 34 & 35: The spelling of Sally Fleury’s will be corrected.
-Line 118: “Members that can move to do this are members who voted yea previously. New information would be present or a changed situation as well,” should read, “One the prevailing side, this means that someone who voted nay would need to make the motion to reconsider.” This is further clarified on line 147.
-Line 153-154: “Tracy Delphia said that Public Works is already looking at the ordinance to identify where the pain points are to solidify that with a vote this evening,” should be changed to, “Should the Board want to have the ordinance updated, DPW is already working to identify potential changes.”
-Information referencing a motion in item 6 should be included with item 7.
-Line 220: Gill-Fleury should be Hill-Fleury
-Business Item G: Budget goals should be included.
-Line 226: Shannon Jackson, not Kendall Chamberlin voted nay.
-Line 175, the word “that” needs to be included
-The spelling of Kendall Chamberlin’s name will be corrected throughout.

-Line 176-177: "Kendall Chamberlin discussed that he would like to see all the amendments that do not include criteria for approval of a well in the water district," should be changed to, "Kendall Chamberlin discussed that he would like to see all the amendments that include criteria for approval of a well in the water district."

In public comment, R. Von Gal asked when he would be able to get a certified copy of the final amended minutes with the answer being by the end of that week.

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, to approve the meeting minutes of September 15, 2025, as amended. Motion passed 5-0.

f. Discussion about accessibility and public engagement in municipal government, including minutes and paper records

T. Delphia said that the minutes approval process which just took place is what can be expected in the future if additional detail is requested in the meeting minutes. Essex exceeds the statutory minimum requirements for meeting minutes. G. Duggan discussed the balance between efficiency and a desire to engage the public. S. Jackson spoke of the need for a more detailed summary, especially for more contentious meetings with significant debate. The Town of Essex pays around $5,000 yearly for Recording Secretary services. S. Jackson said that he would like the minutes to be as objective as possible and have a link to the recording. A. Watts said that it is difficult to determine which issues are contentious ahead of time and said that AI notetaking can have serious issues. It is the Selectboard's responsibility to review the draft and provide edits. E. Lawrence said that sufficient information should be available and there should be a set standard. G. Duggan said that one to three paragraphs are typically requested per business item. Longer meetings and more detailed minutes will cost the Town more. T. Delphia said that it is important to have a consistent standard across recording secretaries. S. Jackson said that longer topics should require more detail. K. Chamberlin encouraged the use of AI to enhance the process. G. Duggan said that this could be done on a test basis.

E. Lawrence said that publishing the agenda at 4:30 PM on Friday may not provide sufficient time to get a paper copy for those without internet access. He noted that there are no public transportation services on the weekend to access the library for a printed packet and said that this is not inclusive. S. Jackson suggested that the packet be prepared by Thursday evening, rather than Friday. E. Lawrence concurred. This would help to prevent a similar situation as happened to R. Von Gal this evening. A. Watts said that this would not have happened if the minutes had been approved on time. K. Chamberlin said that the packet is available for a full business day on Monday and said that it is primarily for the Board's use. S. Jackson said that asking library staff to assist with printing the packets could require increasing their budget. E. Lawrence said that agenda items could be skipped if materials for discussion items do not come in within the allowable timeframe. After some discussion, G. Duggan said that staff will ensure that the packet is ready by noon on Fridays, which can be adjusted if need be. In public comment, Anne Miller suggested utilizing AI for improved minute taking.

g. Discussion about Selectboard Team-Building Event

T. Delphia said that a team-building event could be helpful to ensure that there is continual respect and cooperation amount members. This was discussed further in Executive Session.

h. Discussion and Potential Approval of Extension of Shared Service Agreement with Essex Junction for Assessing Services

G. Duggan said that the shared services agreement concludes next June and continuing it will require further discussion.

ANDY WATTS made a motion, seconded by SHANNON JACKSON, to authorize the Town Manager to negotiate and sign a contract with the City of Essex Junction to provide Assessing Services.

A. Watts said that he included the phrase "negotiate" so that the manager could negotiate smaller changes. E. Lawrence said that any cost change should be brought back to the Selectboard, and that he did not feel comfortable with this.

Motion passed 4-1, with ETHAN LAWRENCE voting in opposition.

i. Consider approval to authorize the Town Manager to execute a contract with Howard Center Community Outreach
This was discussed during Executive Session.

j. Discussion about Pending or Probable Civil Litigation or a Prosecution, to which the Public Body is or may be a part
This was discussed during Executive Session.

7. READING FILE
a. Board member comments: S. Jackson thanked the Conservation and Trails Committee for their work on a recent clean-up event and said that he is impressed with the work of the new Trails Coordinator. A. Watts said that there will be a Selectboard Meet Up on October 30 hosted by the regional planning commission and Vermont League of Cities and Towns. The Agency of Natural Resources is holding Municipal Day next Friday. T. Delphia said that Community Day went very well. K. Chamberlin said that he is disappointed to see that there are no changes to the Winter Operations Plan this year regarding sidewalk plowing. E. Lawrence said that additional plowing was included last year.
b. Upcoming meeting schedule
c. Letter from Jo Ann Kramer re: sidewalk plowing
d. Essex Victim Services Project fiscal year 2025 summary
e. Letter from Vermont Emergency Management re: Emergency Management support for Vermont Communities
f. Email from Vermont Emergency Management re: Vermont Drought Response
g. All Hazard Mitigation Actions Report for 2024
h. Email re: Chittenden County Communications Union District fiscal year 2026 budget public hearing
i. Letter from HOPE Works re: Thank You
j. Reappraisal Project 2026 Update / Progress Report
k. Community Day Re-cap
l. Forest Management Plan Memo
m. Trail Work and Volunteer Initiatives Memo
n. Winter Operations Plan for 2025-2026

8. EXECUTIVE SESSION
a. An Executive Session was held to Discuss the Appointment or Employment or Evaluation of a Public Officer or Employee

SHANNON JACKSON made a motion, seconded by ETHAN LAWRENCE, that the Selectboard enter into executive session to discuss the appointment or employment or evaluation of a public officer or employee in accordance with 1 V.S.A. Section 313(a)(3), to include the Town Manager and Deputy Town Manager. Motion passed 5-0.

b. An Executive Session was held to Discuss Contracts
ANDY WATTS made a motion, seconded by SHANNON JACKSON, that Selectboard make the specific finding that general public knowledge of contracts would place the Town at a substantial disadvantage. Motion passed 5-0.

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE that the Selectboard enter into executive session to discuss contracts, pursuant to 1 V.S.A. §313(a)(1)(A), to include the Town Manager and Deputy Town Manager. Motion passed 5-0.

ANDY WATTS made a motion, seconded by SHANNON JACKSON, that the Selectboard authorize the Town Manager to finalize and execute an Agreement for the Development and Operation of the Community Outreach Program. Motion passed 5-0.

c. An Executive Session was held to Discuss Pending or Probable Litigation
SHANNON JACKSON made a motion, seconded by ANDY WATTS, that the Selectboard make the specific finding that general public knowledge of pending or probable civil litigation or prosecution to which the public body is or may be a party would place the Town at a substantial disadvantage. Motion passed 5-0.

SHANNON JACKSON made a motion, seconded by ANDY WATTS, that the Selectboard enter into executive session to discuss pending or probable civil litigation or a prosecution, to which the public body is or may be a party, pursuant to 1 V.S.A. §313(a)(1)(E), to include the Town Manager and Deputy Town Manager and Town Attorney. Motion passed 5-0.

ANDY WATTS made a motion, seconded by SHANNON JACKSON, to exit Executive Session at 10:08 PM. Motion passed 5-0.

9. <u>ADJOURN</u>
ANDY WATTS made a motion, seconded by SHANNON JACKSON, for the Selectboard to adjourn. Motion passed 5-0 at 10:11 PM.

Respectfully Submitted,
Darby Mayville
Recording Secretary