SELECTBOARD
(DRAFT)

TOWN OF ESSEX SELECTBOARD
SPECIAL MEETING MINUTES
MONDAY, JULY 13, 2026

SELECTBOARD: Shannon Jackson, Chair; Ethan Lawrence, Vice-Chair; Meg Zimmerman, Clerk; Kendall Chamberlin, Andy Watts

ADMINISTRATION and STAFF: Greg Duggan, Town Manager; Karen Adams, Deputy Town Manager; Annie Costandi, Water Quality Director; Dennis Lutz, Public Works Staff ; Aaron Martin, Director of Public Works; Adriane Martin, Parks & Recreation Director, Daniel Roy, Finance Director; Lea Sanguinetti, Associate Engineer

PUBLIC: Gina Halpin Barrett, Ian Caroll, Megan Clayton, Ryan Hegreness, Linda Merchant, Anne Miller, Micheal Miller, Jesse Myott, Reed Nye, Leyland Papa, Joanne Rice, Jeff Theis, Lindsey West, Lois Whitmore, Irene Wrenner, Lorraine Zaloom, Sharon Zukowski, Eric S. (screenname), m.music (screen name)

Meeting Recording: https://www.youtube.com/live/Q6FbLpO0l5M?si=IonwONDLHs7w5HKP

Times associated with each agenda item are approximate.

1. <u>CALL TO ORDER</u> (00:00:01)
Shannon Jackson called the meeting to order at 6:30 PM.

2. <u>AGENDA ADDITIONS/CHANGES</u> (00:00:39)
The agenda was accepted as presented.

3. <u>APPROVE AGENDA</u> (00:00:50)
No changes, thus no approval required.

4. <u>PUBLIC TO BE HEARD</u> (00:00:54)
None.

5. <u>CONSENT ITEMS</u> (00:01:59)
ETHAN LAWRENCE made a motion, seconded by ANDY WATTS, to approve the Consent Agenda. Motion passed 4-0, with MEG ZIMMERMAN not yet audible.
a. Approve minutes: June 29, 2026
b. Approve check warrants: # 18345 - 06/26/26; #18346 - 07/10/26
c. Consider adoption of 2026 Town Road and Bridge Standards
d. Consider Approval of Wastewater Allocation Request for 30 Boston Court
e. Consider approval to award contract for Logwood Circle / Alderbrook Road Stormwater Project

6. <u>BUSINESS ITEMS</u>
a. Interview and possibly appoint a volunteer to serve as the Winooski Valley Park District representative for Essex – Jeff Theis (00:03:14)
Jeff Theis said he is a resident of Essex and has served on the Winooski Valley Parks District (WVPD) as the representative for Essex for 6 years. He said the WVPD serves as the conservation district for the municipalities adjacent to the Winooski River. J. Theis expressed his availability to extend his term as

representative indefinitely. He said he utilizes his professional experience in risk mitigation and safety to drive successful outcomes for the WVPD. Regarding a question from Kendall Chamberlin about the projects he had worked on for Town of Essex during his tenure, he discussed acquiring land for the boat launch project.

ETHAN LAWRENCE made a motion, seconded by ANDY WATTS, that the Selectboard make the following reappointment of Jeff Theis as the Essex Representative to the Winooski Valley Park District Board of Trustees for a 3-year term. Motion Passed 5-0.

b. Presentation and potential adoption of Recreation Needs Assessment (00:13:06)
Ryan Hegreness, Parks, Recreation and Libraries Manager at BerryDunn Consulting, presented the key findings and community feedback from the recent Parks & Recreation Needs Assessment. He displayed a system map highlighting municipal parks, school recreation sites where recreation takes place, undeveloped properties, walkable access to parks and schools, and recreational easements. R. Hegreness said there are 12 parks and open spaces totaling over 1,000 acres managed by Essex Parks and Recreation Department (EPR). The consulting team and staff analyzed 56 current amenities to evaluate service delivery and support long-term growth strategies. R. Hegreness said 47% of the Essex population are within a 10-minute walking distance of outdoor recreation. Compared to similar communities, Essex exceeds the median acreage that it maintains per full-time equivalent employee. Operating expenditures per capita align with regional averages and earned revenue and cost recovery fall below peer New England communities.

R. Hegreness presented the results of a statistically valid community survey evaluating met and unmet needs within Essex and described the community engagement utilized. Multi-use trails for biking and walking, and adult fitness and wellness programs represent the foremost priority for community members. Survey results on the Sand Hill Pool reconstruction were reviewed. He said the feedback included community interest in a year-round pool enclosure, with 42% of surveyed community members indicating a preference for financing improvements and new amenities through voter-approved bonds. R. Hegreness presented the Selectboard with the key operation recommendations from the consulting team and staff. Key program recommendations include expanding the trail system, transitioning to year-round aquatic programs, increasing childcare capacity, and expanding event and partner-provided programming.

In response to M. Zimmerman's question about cost recovery, R. Hegreness noted that current programs are in a developmental phase, making current recovery rates promising for future scaling. To address year-round facility constraints, he suggested expanding space capacity through indoor partnerships and engaging independent contractors. Adriane Martin said while the provided data reflects FY25, the program has since secured a full-time program coordinator for FY26 who has successfully optimized program funding. In response to a question from K. Chamberlin about capital investment, R. Hegreness said current benchmarking data indicates opportunities for both maintaining existing municipal facilities and amenities, as well as pursuing community-requested expansions. Answering a question from E. Lawrence about the inclusion of community gardens in the needs assessments, R. Hegreness clarified this was seen as important based on Essex's population. L. Whitmore said she believes that an arts center would be an asset to the community. Answering a question from L. Zaloom about arts programming, R. Hegreness clarified that a program's placement in a lower category does not reflect its importance; prioritized initiatives can be delivered via existing programs, venues, or future facility expansions. In response to a question about the rental space at Sand Hill Pool area, Adriane Martin said there is a shaded area that is available on a first come first serve basis as well as birthday party packages for purchase. Margaret Smith noted that a dedicated arts space would increase accessibility and engagement for seniors.

ANDY WATTS made a motion, seconded by MEG ZIMMERMAN, that the Selectboard adopt the Parks & Recreation Needs Assessment. Motion passed 5-0.

c. Presentation and potential adoption of Parks & Recreation Impact Fee Analysis (01:05:31)
Jesse Myott, Local Governance Practice Group Manager at BerryDunn Consulting, presented the Parks and Recreation Impact Fee Analysis. He said the last impact fee study was prepared by an external consultant in 2004 when the Town of Essex and Essex Junction were one entity. The consulting team utilized the FY26 service delivery objectives to develop a 10-year forecast of capital needs and associated expansion costs driven by population growth. J. Myott reviewed the statutory framework governing park impact fees in Vermont. To lawfully update these fees, the Town must meet three requirements in addition to state statutes: maintain a confirmed planning process, establish clear Level-of-Service standards, and apply a reasonable and proportional fee formula. J. Myott discussed the four core components of the park impact fee analysis, outlining how projected development growth and service demands establish the fee structure. He identified cost offset strategies including state and federal grants, future tax contributions from any new residential developments, and other contributions such as donations. The 10-year population growth scenario for FY25–FY35 was reviewed. J. Myott noted a realistic, moderate growth forecast for the next ten years, projecting an increase of 1,700 residents and 740 new residential dwelling units over FY25-FY35.

Answering a question from K. Chamberlin regarding growth trends, J. Myott clarified that he anticipates the moderate growth scenario. Answering a question from E. Lawrence about the growth share cost equation, J. Myott clarified that if growth is not trending at the levels that are projected in the next 3 to 5 years the Selectboard can choose to reduce the impact fees. J. Myott discussed the estimated revenue generation for FY25-FY35 highlighting revenue generation, revenue realization, and estimated annual revenue generation. In response to a question from K. Chamberlin about what the Town currently does with impact fees it collects for the park, D. Roy said they are set aside within the capital projects program to be used for future recreation-related items. K. Adams clarified the Selectboard is being asked to adopt the Impact Fee Analysis this evening, and once the Impact Fee Analysis portion of the study is adopted, the Selectboard can update the Recreation Impact Fees.

KENDALL CHAMBERLIN made a motion, seconded by ANDY WATTS, that the Selectboard adopt the Parks & Recreation Impact Fee Analysis. Motion passed 5-0.

d. Consider appeal of traffic calming measures on Ethan Allen Avenue (01:48:38)
Annie Costandi presented the consideration to appeal of traffic calming measures on Ethan Allen Avenue to the Selectboard. She said that on June 16, 2026, the Public Works Department installed a speed bump, pursuant to Section 14 of the Traffic Calming Manual on the Town owned section of Ethan Allen Avenue, at the request of a petition signed by 17 residents and businesses to assist in the reduction of speed. A speed study was conducted in July 2024 that determined there was no need for traffic calming measures.

Megan Clayton presented an appeal regarding the speed bump. She cited page 22 of the Traffic Calming Manual to highlight that speed cushions are inappropriate for transit routes, noting that Ethan Allen Avenue hosts the Number 2 bus. In response to a question from A. Watts about what her concerns are with the speed bump, M. Clayton clarified that the structure produces significant noise when heavy trucks and trailers pass over it. A. Costandi said the speed bump is only temporary through October. Lea. Sanguinetti clarified the process for appealing a speed bump. Answering a question from M. Zimmerman regarding whether there has been a speed study done since the speed bump was installed, L. Sanguinetti said no. K. Chamberlin asked staff to provide the Selectboard with information as to how to address appeals going forward. Answering a question from M. Zimmerman regarding whether she wished to have the speed bump removed immediately even though it will be removed in October, M. Clayton answered affirmatively. Joanne Rice said there are children that do play in the area and benefit from the traffic calming measures. In response to a question from J. Rice about the update on the second set of speed bumps being installed, L. Sanguinetti said Public Works was waiting for the outcome of this appeal before purchasing this.

ETHAN LAWRENCE made a motion, seconded by KENDALL CHAMERLIN, that the Selectboard accept the appeal and remove the speed bump installed on Ethan Allen Avenue and request Public Works to follow up with exploration of Ethan Allen Avenue. Motion Passed 3-2, with SHANNON JACKSON and MEG ZIMMERMAN dissenting.

e. Review and discussion of projected Fiscal Year 2027 Tax Rates (02:28:24)
D. Roy presented the projected FY27 tax rates. Voters approved a budget of $12,400,000 which includes a 1% appropriation to the Essex Human Services Fund. The current adjusted municipal grand list total is at $28,666,058 with a general tax rate of $0.4330 for the general fund. He said the capital tax rate will remain at $.0500, as approved in Article III of the 2025 Town meeting. The projected general, capital and local agreement rate is $0.4847 for all Town taxpayers for FY27. D. Roy discussed the homestead and non-homestead rates regarding state education tax rates. In response to a question from E. Lawrence about the capital tax, D. Roy clarified that a tax base of $2,800,000 would result in a capital tax of $1,400,000. Answering a question from M. Zimmerman about the homestead and non-homestead tax rates, D. Roy clarified that these rates have decreased 50%. K. Adams said that homeowners can apply for a homestead exemption to declare their primary residence and reduce their property tax rate. Regarding a question from M. Zimmerman about the capital rate remaining at $.0500, D. Roy clarified that the rate changed from $.0300 in the previous year due to the Town reappraisal. Answering a question from L. Zaloom about the grievance procedure, K. Adams said the official deadline for submission of a grievance was July 8, 2026. The FY27 tax rates have been calculated based on the 2026 municipal Grand List.

f. Presentation of proposed updates to Water Use Ordinance 10.12 of the Town Ordinances (02:46:27)
Aaron Martin presented the proposed updates to the Water Use Ordinance 10.2 of the Town Ordinances with the revised Sewer Allocation and Sewer Use Ordinance. He said changes to the Sewer Allocation and Sewer Use Ordinance were accepted by the Selectboard at meetings earlier in the year. The Water Use Ordinance was reviewed, highlighting changes that were made to reflect the changes in the Sewer Use and Sewer Allocation Ordinance. Aaron Martin said the Selectboard was provided with a comprehensive overview of the changes within the agenda packet.

In response to a question from E. Lawrence about onsite wells and potable water, Dennis Lutz confirmed that the policy is designed to prevent any potential cross-connection with the municipal water source. Answering a question from K. Chamberlin regarding if the Town has an active backflow preventive program, Aaron Martin answered affirmatively. K. Chamberlin said the active backflow preventive program should be clearly referenced in the new ordinance. D. Lutz clarified that non-compliance is subject to the remedies of this ordinance under Section 10.12.340. D. Lutz clarified the appeals process when disputing a metered flow usage. In response to a question from E. Lawrence about the process of appealing sewer fees resulting from a mistakenly left running outside hose, D. Lutz clarified that, historically, the Town assesses the lowest possible sewer fees for such situations. A. Martin clarified that it costs $75 to send a meter out to have it tested for issues. Answering a question from A. Watts about allocation approval, D. Lutz clarified the water and sewer allocation for a new project. S. Zukowski suggested that the zoning regulations reflect the new sewer allocation ordinance. D. Lutz suggested the Selectboard provides a flow chart to new applicants to clarify the stages of the process. Staff will incorporate the requested changes and submit them to the Selectboard for final approval at a meeting in September.

g. Consider approval to include local option tax question(s) on the November 2026 ballot (03:22:25)
G. Duggan said the Selectboard must decide this evening if they would like a question regarding the Local Option Tax (LOT) on the state ballot in November. He discussed how the LOT could be used to reduce the tax rate or for specific projects. A. Watts said he is in favor of putting questions related to the LOT on the ballot so that the voters can decide. He believes that the allocation for the LOT should be decided upon at a public meeting. K. Chamberlin suggested that the LOT should be used to reduce debt. M. Zimmerman said it is important to hear from voters regarding the LOT and said she is in favor of using these funds to offset the tax rate. E. Lawrence said he does not support a 1% retail sales tax. He discussed what he sees as an excess of fund balance in Essex and suggested that taxes should not be raised for money that does not actually get spent for their allocated purposes. He said affordability is important to keeping young families in Essex. A. Watts clarified that he does not necessarily support the LOT, but that he does support allowing voters to decide if it should be implemented. M. Zimmerman concurred. K. Chamberlin discussed how the LOT can allow funds from non-resident purchases to fund Essex. In public input, K. Signorello said not having a LOT provides a competitive advantage for Essex. He said online sales will also be subject to the LOT, and Mr. Signorello said he is concerned that voters may not understand the issue being voted upon. Lorraine Zaloom said the LOT will also impact contractors and housing costs. She discussed the perceived regressive nature of the LOT and said rising costs are having a large impact on residents. E. Lawrence asked why this issue was being brought back up after failing in the past. A. Watts clarified that he requested that discussion on the LOT be delayed until a potential November vote so the Selectboard can plan for the use of the revenue stream. G. Duggan said staff, at the request of the Selectboard, have been working on finding sources of funding that are not property tax. S. Zukowski discussed the perceived regressive nature of the LOT and feels that Selectboard members do not understand the impact that it could have on low-income residents. A. Miller said she believes not charging the LOT is a competitive advantage for the Town.

ANDY WATTS made a motion, seconded by KENDALL CHAMBERLIN, that the Selectboard includes the three questions for each of the Local Options Tax categories including the clause which dedicates 50% of the revenues to municipal property tax relief. Motion passed 4-1, with ETHAN LAWRENCE dissenting.

h. Consider resident request to add proposed charter change to November 2026 ballot for changes to Planning Commission and Development Review Board (03:54:51)
G. Duggan said staff received a resident request to include a question on the November 2026 ballot which states the following:

"Article: Shall the voters of the Town of Essex prohibit members of the Essex Planning Commission from also serving on the Essex Development Review Board at the same time and prohibiting either board from having alternates. If approved the Town Charter language would add the following:

Subchapter 2, Section § 208 (d) No member of the Development Review Board shall be appointed to serve at the same time as a member of the Planning Commission. (e) The Development Review Board and the Planning Commission shall not have any alternates"

Ken Signorello, author of the petition, said the Selectboard can adjust the language before it is included on the ballot. He said the petition suggests eliminating the position of alternate because developers may plan when to submit applications with the goal of having a specific person review an application. A. Watts said this conflicts with state statute and said he does not believe the legislature will approve this change. K. Signorello said he believes Essex has a large enough population to not require overlap between the Planning

Commission (PC) and Development Review Board (DRB). He also said this question could be split into two separate ballot questions. K. Adams said printing a separate ballot would cost between $8,000-$10,000. In public comment, Ian Carroll said he serves on both the PC and DRB but is speaking this evening as a resident. He feels that this petition is a personal attack against him, which has been stated to him by one of the writers of the petition. He expressed concern that the public may not know what they are voting for. He cited the current state statutes relating to DRB composition. He said each member of the PC and DRB are bound by the Town Ethics Policy, and it is unrealistic and offensive to imagine that a small group could change regulations and projects to fit their personal will. I. Carroll said legal counsel has said it is smart to have crossover between the DRB and PC to improve communication and policy.

ANDY WATTS made a motion, seconded by KENDALL CHAMBERLIN, to extend the meeting to 11:30 PM.

Discussion: E. Lawrence said a unanimous vote is required to extend the meeting, and said a clear plan is required for him to vote yes on this issue. S. Jackson said he would like to keep each topic on the agenda to ten minutes. E. Lawrence said this is the last time he will approve a meeting extension, as he feels it is disrespectful to his time.

The motion passed 5-0.

E. Lawrence said it is important not to allow a small group of people to dominate the politics in Essex. He said it is essential that all be able to question policy and bring forth items to the Selectboard. He believes that the Town should provide additional information to the public regarding ballot initiatives. In public comment, L. Zaloom said this petition is not personal, but related to governmental best practices of separating judicial and legislative branches. She said several surrounding communities no longer allow overlap between the DRB and PC. A. Miller and S. Zukowski concurred.

ETHAN LAWRENCE made a motion, seconded by SHANNON JACKSON, that the Selectboard choose to include this requested language for the November ballot.

Friendly amendment by SHANNON JACKSON to eliminate the sentence: The Development Review Board and Planning Commission shall not have any alternates" from the ballot proposal. Thus, the language shall read: No member of the Development Review Board shall be appointed to serve at the same time as a member of the Planning Commission. Friendly amendment accepted by ETHAN LAWRENCE.

The motion failed 3-2, with MEG ZIMMERMAN, KENDALL CHAMBERLIN and ANDY WATTS dissenting.

i. Consider approval of goals for Town Manager for fiscal year 2027 (0:4:31:13)
ANDY WATTS made a motion, seconded by MEG ZIMMERMAN, that the Selectboard use the work plan as the defined goals and performance objectives for the manager.

Discussion: E. Lawrence asked G. Duggan to define, "support agriculture in Essex" prior to voting. He noted that this goal does not have a defined standard of completion. He noted that many of these goals in the work plan have already been completed or represent projects which are continually worked on.

The motion passed 4-1, with ETHAN LAWRENCE dissenting.

j. Discussion and potential action about pending or probable civil litigation or a prosecution
This was discussed during Executive Session.

7. <u>READING FILE</u> (04:36:06)
a. a. Board member comments: S. Jackson said the Coffee with Committees event will be back in August.
b. Upcoming meeting schedule
c. Green Mountain Transit Fiscal Year 2027 Appropriation Assessment Letter
d. Human Services Funding Thank You - Turning Point Center of Chittenden County
e. Human Services Funding Thank You - Vermont Adult Learning
f. Information regarding legislative changes related to the Town Forest Fire Warden system

8. <u>EXECUTIVE SESSION</u> (04:36:47)
a. An executive session may be requested to discuss the appointment or evaluation of a public officer or employee
Not required

b. An executive session may be requested to discuss contracts
Not required

c. An executive session is anticipated to discuss pending or probable civil litigation or a prosecution

ANDY WATTS made a motion, seconded by KENDALL CHAMBERLIN, that the Selectboard make the specific finding that general public knowledge of pending or probable civil litigation or a prosecution, to which the public body is or may be a party, would place the Town at a substantial disadvantage. Motion passed 5-0.

ANDY WATTS made a motion, seconded by KENDALL CHAMBERLIN, 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. Motion passed 5-0.

ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, to exit Executive Session. Motion passed 5-0 at 11:23 PM.

9. <u>ADJOURN</u>
ANDY WATTS made a motion, seconded by ETHAN LAWRENCE, for the Selectboard to adjourn. Motion passed 5-0 at 11:42 PM.

Respectfully Submitted,
Darby Mayville & Jamie Harrison
Recording Secretaries