



**CITY OF ESSEX JUNCTION
CITY COUNCIL
REGULAR MEETING AGENDA - REVISED**

Online & 2 Lincoln St.
Essex Junction, VT 05452
Wednesday, October 25, 2023
6:30 PM

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This meeting will be in-person at 2 Lincoln Street and available remotely. Options to watch or join the meeting remotely:

- **WATCH:** the meeting will be live streamed on [Town Meeting TV](#)
- **JOIN ONLINE:** [Join Zoom Meeting](#)
- **JOIN CALLING:** (toll free audio only): (888) 788-0099 | Meeting ID: 944 6429 7825; Passcode: 635787

1. **CALL TO ORDER** [6:30 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **PUBLIC TO BE HEARD**
 - a. Comments from Public on Items Not on Agenda
5. **BUSINESS ITEMS**
 - a. Tree Farm Management Group Season Summary Presentation
 - b. *Interview & Consider Appointments to CCCUD (Chittenden County Communications Union District) and Brownell Library Trustees
 - c. Discussion & Consideration of Health Officer
 - d. Department Head Conversation with Chelsea Mandigo
 - e. Acting as the Cannabis Control Board Commission: Consider Approval of S-000004597, Outdoor Cultivator Tier 1 Small Cultivator for TrichomeVT
 - f. Discussion and Consideration of an Application to the VLCT Welcoming and Engaging Communities Program
6. **CONSENT ITEMS**
 - a. Approve Check Warrant #24015 (10022023), #24016 (10132023), #24019 (10202023)
 - b. Approve Minutes: October 11, 2023
 - c. Acting as the Liquor Control Commission: Liquor License Approval
 - d. Approve the DWSRF Service Line Inventory Loan Agreement
7. **READING FILE**
 - a. Council Member & Manager Comments
 - b. Brownell Sustainable Library Certification
 - c. Howard Center Community Outreach FY23 Annual Report
 - d. Tree Advisory Committee Greatest Tree Contest Winners 2023
 - e. Capital Review Committee Minutes October 3, 2023
 - f. Planning Commission Minutes October 5, 2023
 - g. Development Review Board Minutes October 19, 2023
 - h. Tree Advisory Committee Minutes October 17, 2023
 - i. Bike Walk Committee Minutes October 16, 2023
 - j. Seven Days Article: "Chittenden County Homebuilding Campaign Is Falling Far Short of Its Goal"
8. **EXECUTIVE SESSION**
 - a. *An executive session may be needed to discuss an Appointment of a Public Official
9. **ADJOURN**

Members of the public are encouraged to speak during the Public to Be Heard agenda item, during a Public Hearing, or, when recognized by the

**CITY OF ESSEX JUNCTION CITY COUNCIL
MEETING AGENDA – October 25, 2023**

President, during consideration of a specific agenda item. The public will not be permitted to participate when a motion is being discussed except when specifically requested by the President. Regarding zoom participants, if individuals interrupt, they will be muted; and if they interrupt a second time they will be removed. This agenda is available in alternative formats upon request. Meetings of the City Council, like all programs and activities of the City of Essex Junction, are accessible to people with disabilities. For information on accessibility or this agenda, call the City Manager's office at 802-878-6944 TTY: 7-1-1 or (800) 253-0191.

**CITY OF ESSEX JUNCTION
CITY COUNCIL
REGULAR MEETING
MINUTES OF MEETING
OCTOBER 25, 2023**

COUNCILORS PRESENT: Raj Chawla, President; Amber Thibeault, Vice President; Marcus Certa, Clerk; Andrew Brown; Elaine Haney.

ADMINISTRATION: Regina Mahony, City Manager; Brad Luck, Director of Recreation & Parks; Chelsea Mandigo, Water Quality Superintendent; Harlan Smith, Director of Grounds & Facilities.

OTHERS PRESENT: Annie Cooper, Sven Eklof, Steven Eustis, Charles Lancaster, Marta Pauer-Tursi, Ken Signorello, Ann Wadsworth, James Waite, Stephen Wille Padnos, Giles Willey, Doug Wilson, Craig (Lillian).

1. CALL TO ORDER

Councilor Chawla called the meeting to order at 6:30 PM.

2. AGENDA ADDITIONS/CHANGES

3. APPROVE AGENDA

4. PUBLIC TO BE HEARD

a. Comments from public on items not on the agenda

Annie Cooper asked for the creation of policies related to finances and fees, to ensure a greater level of transparency around how fees and other forms of revenue are spent by the City.

5. BUSINESS ITEMS

a. Tree Farm Management Group Season Summary Presentation

Sven Eklof, President of the Tree Farm Management Group, and Giles Willey, Treasurer of the Tree Farm Management Group, gave a brief presentation about its 2023 operational and financial performance. He began by noting that Essex Junction is well-represented on the Board of the Tree Farm Management Group, and that 5 of its 9 members are from Essex Junction. He noted that they are working to increase representation on the board by increasing the number of board members from 9 to 11. He noted that this year was a tough year but a good year for the facilities, since while it was extremely rainy, it was a good year for revenue. He spoke about the leagues and sports clubs that use the Tree Farm's facilities, noting that this was the first year that they opened the facilities up to non-soccer or rugby sports leagues. He noted that costs are high, but that all revenue goes right back into the facility. He said that their goals for this year were to increase board members, expand user base, and rotate fields and reinvest in the facilities, and said that they met all of these goals. He said that one area for improvement is the parking situation on Old Colchester Road, and said that he is working with municipalities to increase signage and ensure that hedgerows are trimmed to make it clear that parking is prohibited on that road. Councilor Chawla suggested that the fee for renting out the facilities could increase to accommodate additional parking for larger events. Mr. Eklof noted that there is parking inside the facility, but that Old Colchester Road is a municipal road and shouldn't be used for parking. Mr. Eklof then noted that the Tree Farm Management Group is required to produce and submit a management plan to the Town and Junction by the end of the year, and said he would like to know what the Junction would like to be included in that plan. He said that the Group is also working on obtaining 501(c)(3) nonprofit status by the end of the year. He said that looking ahead, they anticipate hosting several large tournaments next year, and are working on drafting new agreements for tournaments that would include traffic and parking management plans. He said that they are also looking to expand membership to two more board members. He said that they would also like to focus more time and money on roads and parking lots, given the heavy focus they placed on the fields this year and the amount of rain that

54 damaged the roads. He noted that they may need to increase fees to accommodate increased costs in
55 the next year, as well as to begin putting funding reserves into a capital fund. He noted that in order to
56 increase capital reserves enough to make certain investments (such as a pavilion structure) in future
57 years, they may need to also solicit private donations.
58

59 Councilor Chawla asked how they arrived at fees and whether they looked at comparables from other
60 facilities. Mr. Willey replied that they are almost to the top of the range in terms of fees, and that for
61 some leagues, there are no other alternatives other than the Tree Farm facilities. He noted that they
62 cannot rely on increasing fees every year, but noted that the cost of many goods, such as fertilizer and
63 paint, increased significantly post-Covid-19.
64

65 Councilor Haney asked to see the most updated financial statements for Tree Farm Management Group.
66 Mr. Eklof said he will send the 2022 and 2023 information to the City Council.
67

68 Councilor Brown asked about a shared agreement with the school to maintain trails. Mr. Eklof noted that
69 the school district maintains the trails, and that most of the Tree Farm Management Group's activities
70 are focused on the grass, parking, and roads.
71

72 Mr. Eklof noted that the software used on the Tree Farm's website doesn't easily allow for uploading
73 minutes, and asked if they could share a link with municipal websites to allow for easier access to
74 minutes. Councilor Chawla said they could further pursue options offline, but would like minutes and
75 recordings of meetings to be posted in a place that is easy to find for the public.
76

77 Councilor Certa noted that projected costs and actual costs for certain line items in 2023 had high
78 variances and asked for more detailed explanation of why. Mr. Willey replied that several unforeseen
79 costs included field repair and maintenance after rugby tournaments and adult league field usage, as
80 well as road repairs due to traffic and excess rain. Mr. Eklof added that the increased actual costs are
81 related to water and the amount of rain that the facilities saw this summer.
82

83 The following public comments were received:

- 84 • Steven Eustis emphasized the importance of regular trail maintenance and said that if capital
85 investments can't be covered by fees and they are deemed important enough, the community
86 may need to consider additional approaches to funding. He noted that he has been at the facility
87 in the daytime and the gate has been closed and asked why. He noted that the trails had been
88 mowed more frequently this year than in previous years, which is an improvement. Mr. Willey
89 replied that with regards to the gate access, they aren't able to maintain a physical presence at
90 the facility all the time, and that when they cannot be there, they keep the gate shut for security
91 purposes.
- 92 • Annie Cooper said she is very impressed with the level of transparency and professionalism
93 brought by the Tree Farm Management Group tonight and thanked them for their work and
94 collaboration with the community.
95

96 b. *Interview & Consider Appointments to CCCUD (Chittenden County Communications Union District)
97 and Brownell Library Trustees

98 City Manager Mahony spoke briefly about both commissions. She noted that this is the third applicant
99 of three for the vacant Library Trustee seat, noting that the Trustees are normally elected but that there
100 is a vacancy and it is the City Council's responsibility to appoint an individual to a seat in the event of a
101 vacancy until the next election. She noted that the CCCUD is a relatively new group, whose purpose is
102 to obtain broadband service for all underserved properties in the district. She noted that Marta Pauer-
103 Tursi is applying for both of these boards. The City Council interviewed her for both of these positions,
104 and she introduced herself and spoke about her background and relevant professional experience, as
105 well as her interest in giving back to the community.

106
107 **RAJ CHAWLA made a motion, seconded by ANDREW BROWN, to elect Karen Hergesheimer to**
108 **the Brownell Library Board of Trustees. The motion passed 5-0.**
109

110 **RAJ CHAWLA made a motion, seconded by ELAINE HANEY, to elect Marta Pauer-Tursi to the**
111 **Chittenden County Communications Union District. The motion passed 5-0.**
112

113 c. Discussion & Consideration of Health Officer

114 City Manager Mahony said that this relates to the vacant Health Officer position, since the last health
115 officer resigned effective October 13, 2023. She noted that the intent of this position is to transition to a
116 full-time code enforcement/rental registry/health officer position, but that there is a current need to fill
117 the health officer role on a temporary basis. She noted that there is a candidate for the position that the
118 City is recommending for the Council's consideration, and that if approved by the City Council, would
119 then need to be approved by the Commissioner of the Health Department.
120

121 Councilor Certa asked what the timeline is for transitioning to a full-time position. City Manager Mahony
122 replied that there will be a more in-depth discussion at one of the Council's meetings on November 7.
123 She noted that the FY24 budget included funding for a full-time health officer/code enforcement/rental
124 registry position for half of the fiscal year, which would partially be funded by the rental registry fees,
125 and noted that they would like to have the revenue from the rental registry begin flowing into the City
126 prior to setting up this position.
127

128 The candidate for the temporary health officer role, Matt Smith, introduced himself to the Council and
129 spoke briefly about his background and interest in the position. He spoke about his current role as a
130 maintenance technician for Essex Junction Recreation & Parks, which has given him experience with
131 municipal government, code enforcement, and ordinances.
132

133 Councilor Brown asked about Mr. Smith's comfort level with social work and navigating tough situations
134 for individuals, and Mr. Smith replied that his experience working in the Fire Department has exposed
135 him to a variety of situations for individuals.
136

137 Councilor Certa asked how this would fit into Mr. Smith's current role, schedule, and bandwidth. Mr.
138 Smith replied that he would be able to have flexibility during the day to deal with calls from individuals,
139 and that he is confident he would be able to handle the role in addition to his current responsibilities.
140

141 **ANDREW BROWN made a motion, seconded by MARCUS CERTA, that the City Council make a**
142 **recommendation to the Department of Health to appoint Matthew Smith for the position of Health**
143 **Officer for the City. The motion passed 5-0.**
144

145 d. Department Head Conversation with Chelsea Mandigo

146 Water Quality Superintendent Mandigo began by speaking about some of the successes and challenges
147 in the wastewater facilities in the past year, the most significant of which was staff turnover and
148 subsequent loss of institutional knowledge (as a challenge), and the creation of a wastewater internship
149 position (as a success), which helped expose an individual to the department and could potentially lead
150 to the recruitment of a full-time position. She also noted that Essex Junction has one of the leading
151 wastewater departments in New England in terms of energy efficiency, due to its active pursuit of energy
152 efficient systems and technology. She then spoke briefly about successes and challenges in the
153 stormwater department, noting staff reduction challenges and a summer internship program there, as
154 well. She then spoke about sanitation, noting a full replacement of one of the pump stations that will
155 extend its life by another 20 years, conducting assessments of three pump stations to determine what
156 repairs are needed, and creating an allocation and sewer connection fee in order to put more funding
157 toward capital investments.

158
 159 Councilor Certa asked about the status of PFAS regulation and compliance work, and Water Quality
 160 Superintendent Mandigo replied that they are still awaiting guidance from the federal government. She
 161 said that new regulations could impact the amount of biosolids that are diverted to the landfill. She said
 162 that in the long term, the department would be looking to invest in removal technology. Councilor Certa
 163 asked about the amount of capacity that Essex has in its systems, given that the community is growing.
 164 Water Quality Superintendent Mandigo replied that they are working with a contractor to conduct a 10-
 165 year analysis of the facilities, to determine if repairs or upgrades are needed, and they should have a
 166 better sense of what is needed within the next year. She said that they are also conducting an analysis
 167 of the pipe connections as well. Councilor Haney asked whether the PFAS limits in wastewater would
 168 also mean that biosolids can no longer be bought from Essex Junction by Whitcomb Farm and used for
 169 fertilizer, and Water Quality Superintendent Mandigo replied that yes, the purchase and use of biosolids
 170 as fertilizer would also be prohibited, which poses even more of a challenge in terms of capacity.
 171

172 e. Acting as the Cannabis Control Board Commission: Consider Approval of S-000004597, Outdoor
 173 Cultivator Tier 1 Small Cultivator for TrichomeVT

174 City Manager Mahony said that from the staff perspective, the municipality cannot enforce land
 175 development code or ordinance on outdoor cultivations, which is what this application is for. She said
 176 that the State’s Cannabis Control Board approved this license provisionally, pending approval by the
 177 Local Cannabis Control Commission. She noted that staff recommend approving this license.
 178

179 Councilor Certa asked about whether the LCCC could conduct an inspection. City Manager Mahony
 180 replied that VCCB conducts an inspection prior to provisional approval, and also noted that the City
 181 notified VCCB that cannabis plants were visible from the street.
 182

183 **MARCUS CERTA made a motion, seconded by ANDREW BROWN, to that the Essex Junction**
 184 **Local Cannabis Control Commission approve the Local Cannabis License for TrichomeVT’s Tier**
 185 **1 Outdoor Cultivation. The motion passed 5-0.**
 186

187 The following public comments were received:

- 188 • Stephen Wille Padnos said that it is important to get clarity from the State on this issue, given the
- 189 legal confusion about municipal versus state authority for regulating cannabis.
- 190 • Annie Cooper asked for a future discussion on City Council rules and when during deliberative
- 191 items it is appropriate for the public to provide public comment.
 192

193 f. Discussion and Consideration of an Application to the VLCT Welcoming and Engaging Communities
 194 Program

195 City Manager Mahony said that this is a six-month program where Essex would have representatives
 196 within a cohort of other municipalities, and that the representatives are currently proposed as herself,
 197 Councilor Chawla, and HR Director Dwyer.
 198

199 **ANDREW BROWN made a motion, seconded by ELAINEY HANEY, that the City Council sign the**
 200 **letter of interest and authorize the City Manager to apply for the VLCT Welcoming and Engaging**
 201 **Communities Program. The motion passed 5-0.**
 202

203 6. **CONSENT AGENDA**

- 204 a. Approve Check Warrant #24015 (10/02/2023); #24016 (10/13/2023); #24019 (10/20/2023)
- 205 b. Approve Minutes: October 11, 2023
- 206 c. Acting as the Liquor Control Commission: Liquor License Approval
- 207 d. Approve the DWSRF Service Line Inventory Loan Agreement
 208

209 ELAINE HANEY made a motion, seconded by ANDREW BROWN, to approve the consent agenda
210 as presented. The motion passed 5-0.
211

212 7. READING FILE

- 213 a. Council & Manager member comments: City Manager Mahony noted that the City is still conducting
- 214 a public engagement process around the strategic visioning for the community. She noted that audit
- 215 fieldwork occurred last week and that department heads are submitting their budgets to the City
- 216 Manager and Finance Director within the next week, and the City Council can anticipate receiving
- 217 these budgets later in November. She also noted that the City has received updated costs for capital
- 218 projects. She provided updates on several construction projects within the City. She spoke about the
- 219 recent federal award given to UVM and GlobalFoundries as a tech hub, which unlocks a significant
- 220 amount of federal grant funding for further research. Councilor Chawla noted that some of this grant
- 221 funding could be leveraged by the City around workforce and infrastructure supports. Councilor Certa
- 222 thanked City staff for their attention during a tour of the City and its facilities, and thanked the Essex
- 223 Police Department for the ride-along experience he had the week prior. He also thanked City staff
- 224 for their work on West Street paving. Councilor Haney asked if there is an opportunity for Councilors
- 225 to provide goals and priorities for consideration on Budget Day. City Manager Mahony noted that
- 226 there are several unknowns around the budget (such as the workers association contract negotiation
- 227 and potential hikes in health insurance premiums).
- 228 b. Brownell Sustainable Library Certification
- 229 c. Howard Center Community Outreach FY23 Annual Report
- 230 d. Tree Advisory Committee Greatest Tree Contest Winners 2023
- 231 e. Capital Review Committee Minutes October 3, 2023
- 232 f. Planning Commission Minutes October 5, 2023
- 233 g. Development Review Board Minutes October 19, 2023
- 234 h. Tree Advisory Committee Minutes October 17, 2023
- 235 i. Bike Walk Committee Minutes October 16, 2023

236
237 8. EXECUTIVE SESSION

- 238 a. *An executive session may be needed to discuss an Appointment of a Public Official

239
240 **ANDREW BROWN made a motion, seconded by MARCUS CERTA, that the City Council enter**
241 **into executive session to discuss the appointment of public officials, pursuant to 1 V.S.A. §**
242 **313(a)(3) to include the City Manager. The motion passed 5-0 at 8:44 PM.**
243

244 **ELAINE HANEY made a motion, seconded by ANDREW BROWN, to exit executive session. The**
245 **motion passed 5-0 at 8:50 PM.**
246

247 9. ADJOURN

248
249 **RAJ CHAWLA made a motion, seconded by ANDREW BROWN to adjourn the meeting. The**
250 **motion passed 5-0 at 8:51 P.M.**
251

252 Respectfully Submitted,
253 Amy Coonradt