



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

Online & 2 Lincoln St.
Essex Junction, VT 05452
Wednesday, February 14, 2024
6:30 PM

E-mail: admin@essexjunction.org

www.essexjunction.org

Phone: (802) 878-6944

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
5. **BUSINESS ITEMS**
 - a. Fire Department Brief to Council
 - b. Review of Preliminary FY25 Enterprise & EJP Program Budgets
 - c. Discussion and Consideration of River St, Maple St, and West St Pump Station Improvement Projects
 - d. Working Session on FY25 Proposed General Fund & Capital Program Budgets
 - e. Discussion of Initial Draft of Annual Meeting Ballot Questions
6. **CONSENT ITEMS**
 - a. Approve Meeting Minutes: 1/17/24, 1/19/24, 1/24/24, 1/27/24
 - b. Approve Mailing of Ballots
 - c. Approve Little League Opening Day Parade Street Closure
 - d. Approve CVE Banner Requests
 - e. Approve Liquor License Renewals
 - f. Approve Document PVR-4155 "Certificate-No Appeal or Suit Pending" for the 2023 Grand List
7. **COUNCIL MEMBER COMMENTS & CITY MANAGER REPORT**
8. **READING FILE**
 - a. Check Warrant #24031 1/26/24 & #24032 2/9/24
 - b. January Financial Report
 - c. Capital Review Committee Minutes 2/6/24
 - d. Planning Commission Minutes 2/1/24
 - e. Police Community Advisory Board Minutes 12/19/23 & 1/23/24
9. **EXECUTIVE SESSION**
10. **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 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
FEBRUARY 14, 2024**

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

ADMINISTRATION: Regina Mahony, City Manager; Chris Gaboriault, Fire Chief; Ricky Jones, PW Superintendent; Brad Luck, EJRP Director; Chelsea Mandigo, Water Quality Superintendent; Jess Morris, Finance Director; Harlan Smith, Interim Building Coordinator.

OTHERS PRESENT: Dottie Bergendahl, Alexis Brown, Shawn Handy, Bassem Hariri, Tim Miller, Rick Smith, Resa.

1. CALL TO ORDER

Councilor Chawla called the meeting to order at 6:30 PM. He noted that the City Council previously had a meeting disrupted by anti-Semitic and racist hate speech, and that the City Council does not tolerate such actions and condemns them. He said that while the City Council cannot always prevent hate speech from occurring during public comments, the Council will take measures to make it more difficult to express such views.

2. AGENDA ADDITIONS/CHANGES

Councilor Thibeault asked to remove the minutes from January 17 and January 19 from the consent agenda and make them agenda item #5f.

City Manager Mahony also noted that the Little League Opening Day is May 4, not May 1, though this can be noted when the consent agenda is approved.

3. APPROVE AGENDA

MARCUS CERTA made a motion, seconded by ELAINE HANEY, to approve the agenda as amended. The motion passed 5-0.

4. PUBLIC TO BE HEARD

a. Comments from Public on Items Not on Agenda
None.

5. BUSINESS ITEMS

a. Fire Department Brief to Council

Chief Gaboriault began by providing a summary of the call volume to the Fire Department in 2023 by day of the week, noting that there seems to be no discernable pattern in call volume on certain days. He provided a summary of the call volume by time of day for 2023. He showed the breakdown between calls between fire and EMS, noting that EMS volume is less than fire, but it is picking up and is now almost half of the volume. He noted that the Fire Department backs up Essex Rescue with first response or call volume where the Fire Department is dispatched. He provided a breakdown of EMS call volume in 2023. He spoke about the department's accomplishments in the last six months. He noted that one activity has been the transition of gas-powered tools to battery operated versions for more efficiency. He noted that they installed a wide screen television in the training room. He noted that they converted all pagers to Motorola Minitor V1 technology. He said that in terms of the near future, they are looking for replace fire helmets, update iPad on Apparatus, update mobile radios to dual band on Apparatus, add one extra gas meter to each apparatus, add two portable dual band portables for line officers,

53 execute the frame replacement to Ladder 3, and implement a new accountability system (which is what
54 most departments within the county are using).
55

56 Councilor Certa asked what happens if there are EMS calls that are missed. Chief Gaboriault replied
57 that the Fire Department is dispatched if Essex Rescue is unavailable. He said that if no one is available,
58 a second ambulance is dispatched (from St. Michael's, for example). He said that there is a matrix of
59 dispatch, if one EMS service is unavailable. Councilor Certa asked about the need for coverage during
60 the week for volunteer firefighters, and asked about response times during some of those thinly-covered
61 times during the week. Chief Gaboriault said that some EMS workers have certain equipment in their
62 personal vehicles and do not need to go to the station prior to responding to a call. Councilor Certa
63 asked if it would save more time and property if there was full-time fire department staff, and Chief
64 Gaboriault replied that the annual property loss is minimal currently, and that it would maybe reduce the
65 response time by about 3-4 minutes overall (and would cost more to have full-time fire department staff).
66 He said that they currently have capacity to handle the calls that are coming in, but if the call volume
67 begins to increase significantly, they may need to reconsider that, in order to avoid burnout and
68 adequately staff the department. Councilor Chawla asked whether there have been efforts to lobby at
69 the state level for increased reimbursement for volunteer departments, and Chief Gaboriault replied that
70 he is not aware of lobbying efforts at the state level. He noted that the foundation raises about \$10,00-
71 \$15,000 per year.
72

73 b. Review of Preliminary FY25 Enterprise and EJRP Program Budgets

74 Finance Director Morris began by noting that these are the preliminary budgets for the City's enterprise
75 funds and EJRP program funds for FY25. She noted that the Water, Wastewater, and Sanitation budgets
76 are very preliminary and will change when more data becomes available. She said that currently, these
77 sanitation rates are currently projected to result in a 6.5% increase (or \$43.08 per year on an average
78 bill). She said that for FY25, the enterprise fund administrative fee calculation has been modified to
79 account for some changes in the City after being fully separated from the town. She noted that the fee
80 has increased by 3.7% over FY24, which include additional costs related to the Clerk and IT costs from
81 the General Fund that are attributable to the enterprise funds. She spoke in more detail about each the
82 water fund, wastewater fund, and sanitation fund, which are proposed to increase from FY24 by 5.82%,
83 11.46%, and 1.94% respectively, but again noted that this only includes 6 months of data and is a
84 preliminary estimate. Water Quality Superintendent Mandigo noted that the wastewater treatment facility
85 is seeing some stormwater flow through the system, resulting in an increase in the wastewater fund, but
86 that they are meeting with the Tri-Town group to determine why the flow has increased and address
87 potential infiltration issues.
88

89 Director Morris spoke about the Enterprise Funds Capital, noting that the water and wastewater capital
90 funds have sufficient funding and balances to complete all projects identified at this time. She noted that
91 the sanitation capital reserve incorporates upgrades for the River Street, Maple Street, and West Street
92 pump stations, and the cost of debt service for these is putting the reserve fund into the negative in FY28
93 (though 50% of the West Street pump station cost will be covered by the Town of Essex). She said that
94 staff are working to identify other fund sources for the pump station upgrades to offset potential
95 significant future rate increases for the sanitation fund. Councilor Chawla asked whether the City should
96 proactively increase a transfer into the capital fund to help address and defray potential future increases
97 due to this. Director Morris said that they can factor that in when they review these budgets when
98 additional flow data is incorporated.
99

100 Director Morris then spoke about the EJRP Program Fund. She noted that they have incorporated the
101 administrative fee allocation similarly to how it was incorporated into the enterprise fund budgets. She
102 said that it results in a \$45,000 transfer from the EJRP Program Fund to the General Fund. EJRP
103 Director Luck spoke in more detail about the EJRP Program Fund, which is projected to have a net loss
104 of \$98,000 (though this can be offset by the fund balance). He spoke about several unknowns that may

105 alleviate this loss, including the 2/3 room at the Park Street Preschool (and that revenue won't begin
106 until September but will become year-round revenue), and that there is a significant change in the
107 thresholds and reimbursement rates for the licensed childcare subsidy, both in a positive direction. He
108 said that both of these factors will be better known for next year's budget. Councilor Certa asked for
109 further detail about the after school program and who it is serving, and whether after school funding is
110 accessible by the municipality (or whether it is just available for local education agencies). Director Luck
111 replied that this budget does not make assumptions about grant or other legislatively directed funding
112 being available to the municipality. He noted that the majority of the kids on the waiting list for after-
113 school care are from the Town, and also spoke about the challenges associated with adding capacity to
114 the after-school care programming (lack of additional physical space that qualifies for licensing and
115 staffing).

116
117 Director Morris then spoke about the Senior Center Fund. She noted that for FY25, the City plans to run
118 all senior center programming through the General Fund and that the balance of \$16,791.69 for the
119 current Senior Center Fund will remain separate from other City funds. She said that the intention is to
120 see what future needs of the senior center and space are, once the 2 Lincoln renovations are completed.

121
122 Director Morris then spoke about next steps, noting that the enterprise budgets and approval for warning
123 the rate-setting public hearing are anticipated for April 10, and that the public hearing to set utility rates
124 is currently anticipated for May 22.

125
126 Councilor Chawla asked about the fund balance for the EJRP program fund and asked what staff
127 anticipate for that fund in the next fiscal year. Director Luck replied that EJRP was able to build up a
128 fund balance by using COVID-19-related grants to supplement that budget, and that EJRP tends to
129 perform well in terms of bringing in revenue and reducing expenses. He noted that EJRP's next large
130 need pertains to its own indoor space, and said that he hopes to continue to build the fund balance to
131 help contribute to building a space that accommodates EJRP's needs (gymnasium space, after-school
132 programming, and childcare programming).

133
134 The following public comments were received:

- 135 • Dorothy Bergendahl noted that the approximately \$17,000 raised for the Senior Center was
136 raised by the seniors and that she does not know what the procedure should be to decide how
137 to spend that money.

138
139 c. Discussion and Consideration of River St, Maple St, and West St Pump Station Improvement
140 Projects

141 Water Quality Superintendent Mandigo began by noting that the City's pump stations are aging and are
142 in need of either retrofitting or major upgrades in the next several years. She said that the three in
143 question have not had upgrades in years, and that the West Street pump station has the greatest amount
144 of City-wide flow and needs additional capacity to serve both the City and Town. She noted that the
145 River Street and Maple Street pump stations are ejector style stations, which use out-of-date technology
146 that is difficult to repair. She noted that consultants who were tasked with conducting a pump station
147 improvement study in 2022 estimated that refurbishing all three pump stations has a total estimated
148 construction cost of \$3,250,000. She also noted that it has been suggested that the City submit a priority
149 list application to the State's Clean Water State Revolving Loan Fund (CWSRF). She noted that the City
150 shared the improvement study with the Town of Essex, which supports moving forward with the retrofit
151 project for West Street (and will cost share 50% for that construction). She noted that the construction
152 costs not covered by the CWSRF loan would be covered by a bond. She spoke briefly about the
153 proposed timeline for these projects, which includes submitting a funding application to CWSRF in
154 February or March, signing an agreement with the engineering consultants to allow for preliminary
155 engineering in February, holding a bond vote for remaining funding in November, and beginning the
156 projects in 2025. Director Morris provided further detail about the cost estimates, noting that the CWSRF

157 program offers subsidies for engineering services, and that the Step 1 agreement for \$12,900 can
158 become incorporated into the full CWSRF loan amount if the City moves forward with the construction
159 project. She said that someone from the Vermont Bond Bank could potentially come to a Council
160 meeting to explain how bonding programs work, and that they could also have someone from the
161 Vermont Revolving Loan Fund come at the same time, as a good educational opportunity for the Council
162 and the public, later this spring.

163
164 Councilor Haney said that she would rather have the bond vote conversation in the context of the budget
165 discussions next year, rather than between the FY25 budget conversations and the FY26 budget
166 conversations, in order to see the impact of the bond on the budget. She said that she is not in favor of
167 a bond vote in November outside of the context of the budget review process. Councilor Chawla noted
168 that action taken tonight does not lock the City into holding a bond vote in November.

169
170 **RAJ CHAWLA made a motion, seconded by MARCUS CERTA, that the City Council authorize the**
171 **City Manager to sign the agreement with Aldrich and Elliott for engineering services, submit the**
172 **funding application to the Clean Water State Revolving Loan Program for three pump station**
173 **improvement, pending legal review of the engineering agreement. The motion passed 5-0.**
174

175 d. Working Session on FY25 Proposed General Fund & Capital Program Budgets

176 City Manager Mahony said that this is version four of the FY25 budget, noting that it is essentially the
177 same as the budget that was modified at the January 24th City Council meeting and presented on
178 January 27th at the community meeting. She said that outstanding items include the rental registry and
179 inspection program, which will be discussed further on February 28th. She said that one question remains
180 around whether the budget can support a health officer position and its goals of enhanced code
181 enforcement, should the Council decide not to pursue the rental registry program. She said that staff
182 have examined this, and that they think that no General Fund increases are needed in FY25, because
183 they could seek to house this within the Fire Department, which has capacity to accommodate the health
184 officer. She noted that the rental registry is currently included in the FY25 budget as a cost-neutral item.
185 She also noted that scenarios for various funding levels for the library have also been included for
186 tonight's discussion.

187
188 Director Morris spoke in more detail about the local option tax (LOT) funding and how it ties into the
189 capital plan. She said that as proposed, the capital plan has a planned transfer from LOT revenue to
190 fund capital projects with 25% allocated to sidewalks. She said that there is also a General Fund transfer
191 into the capital fund.

192
193 City Manager Mahony noted next steps, which include tonight's working session and a public hearing,
194 finalized budget, and approving articles for the annual meeting at the Council's February 28th meeting.

195
196 Councilor Certa thanked staff for providing scenarios for various funding options for the library, but said
197 that he thinks a joint discussion between the City Council and Library Trustees would be helpful as future
198 fiscal year budget discussions continue, but that he is comfortable putting the current proposal to the
199 voters for their consideration. Councilor Chawla agreed that future year discussions would be helpful,
200 not just for the library but for other departments within the City.

201
202 The following public comments were received:

- 203 • Resa spoke about the significant increase in the tax rate that taxpayers are facing for FY25 due
204 to the school budget increases, saying that anything that the City can do to lessen the municipal
205 tax increase will help immensely.

206
207 Councilor Certa asked whether EJRP's current fund balance could be put to good use now to help lessen
208 some of the municipal tax burden. He said he recognizes that the fund balance is being proposed to

209 help defray the cost of a new facility, but that is a future need, and this is an immediate need. Councilor
 210 Brown noted that this would not help solve the overarching problem of the potential need to right-size
 211 for the City, and advised that a right-sizing conversation happen prior to making decisions about what
 212 to do with fund balance. Director Morris noted that the EJRP fund balance is assigned to EJRP and
 213 cannot be taken and used by the General Fund without doing interfund borrowing.
 214

215 Building Coordinator Smith commended the City Council for its efforts to find additional funding and
 216 reduce the budget increase for the next fiscal year. He said that though this comment may not be
 217 relevant given what Director Morris pointed out, if the Council is considering looking at the EJRP fund
 218 balance, he would also suggest looking at the LOT, if the Council’s priority is to identify funds that can
 219 be used to address immediate needs.
 220

221 e. Discussion of Initial Draft of Annual Meeting Ballot Questions

222 City Manager Mahony reviewed the initial draft of the Annual Meeting ballot questions. She said that the
 223 Council needs to decide when and where it will hold its informational meeting, which must take place
 224 within 10 days prior to the Annual Meeting. She noted that staff suggests holding it on April 1 or April 3,
 225 and that staff recommend holding it virtually to increase access and participation. The Council decided
 226 to hold it on April 1, and to hold it virtually. She said that one item to potentially include on the ballot is
 227 the reauthorization of the Economic Development Fund Tax, and that the currently proposed language
 228 mimics the language used in 2021, which was the last time this tax was authorized by voters. Councilors
 229 discussed this and agreed on this inclusion.
 230

231 f. Approve Meeting Minutes: January 17, 2024 and January 19, 2024 **was part of consent agenda
 232 item 6a**

233 The following amendments were made to the January 17, 2024 minutes:

- 234 • Lines 84, 85, 89, 92, 94 and 96: Correct the spelling of the dog owner’s name (from Ms. Plate to
 235 Ms. Blake)

236
 237 The following amendments were made to the January 19, 2024 minutes:

- 238 • Add the order from the City Council as the final disposition of the dog hearing.

239
 240 **MARCUS CERTA made a motion, seconded by ANDREW BROWN, to approve the minutes with**
 241 **the proposed amendments. The motion passed 5-0.**
 242

243 6. **CONSENT AGENDA**

- 244 a. Approve Meeting Minutes: January 24, 2024, January 27, 2024
- 245 b. Approve Mailing of Ballots
- 246 c. Approve Little League Opening Day Parade Street Closure
- 247 d. Approve CVE Banner Requests
- 248 e. Approve Liquor License Renewals
- 249 f. Approve Document PVR-4155 “Certificate-No Appeal or Suit Pending” for the 2023 Grand List

250
 251 **ELAINE HANEY made a motion, seconded by ANDREW BROWN to approve the consent agenda**
 252 **as amended (noting the corrected date for the Little League Opening Day Parade of May 4). The**
 253 **motion passed 5-0.**
 254

255 7. **COUNCILOR COMMENTS AND CITY MANAGER REPORT**

256 City Manager Mahony noted that the City has identified the presence of the Emerald Ash Borer beetle
 257 in the City and that the Tree Advisory Committee has been preparing for this. She said that they received
 258 a tree grant to assist in the work of removing affected ash trees and replant them with resilient species.
 259 She said that this grant is for work on the City’s public properties, not private properties, but they are
 260 working to produce communication and educational materials for the public about this pest.

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8. **READING FILE**

- a. Check Warrant #24031 (1/26/2024) & #24032 (2/9/2024)
- b. January Financial Report
- c. Capital Review Committee Minutes 2/6/2024
- d. Planning Commission Minutes 2/1/2024
- e. Police Community Advisory Board Minutes 12/19/2023 & 1/23/2024

9. **EXECUTIVE SESSION**

None.

10. **ADJOURN**

ANDREW BROWN made a motion, seconded by MARCUS CERTA, to adjourn the meeting. The motion passed 5-0 at 8:32 P.M.

Respectfully Submitted,
Amy Coonradt