



VILLAGE OF ESSEX JUNCTION TRUSTEES
TOWN OF ESSEX SELECTBOARD
MEETING AGENDA

Online
Essex Junction, VT 05452
Tuesday, July 28, 2020
7:15 PM

E-mail: manager@essex.org

www.essexjunction.org
www.essexvt.org

Phone: (802) 878-1341
(802) 878-6951

Due to the Covid-19 pandemic, **this meeting will be held remotely**. Available options to watch or join the meeting:

- **WATCH:** the meeting will be live-streamed on [Town Meeting TV](#).
- **JOIN ONLINE:** [Join Microsoft Teams Meeting](#). Depending on your browser, you may need to call in for audio (below).
- **JOIN CALLING:** Join via conference call (*audio only*): (802) 377-3784 | Conference ID: 160 080 725#
- **PROVIDE FULL NAME:** For minutes, please provide your full name whenever prompted.
- **CHAT DURING MEETING:** Please use "Chat" to request to speak, only. **Please do not use for comments.**
- **RAISE YOUR HAND:** Click on the hand in Teams to speak or use the "Chat" feature to request to speak.
- **MUTE YOUR MIC:** When not speaking, please mute your microphone on your computer/phone.

The Selectboard and Trustees meet together to discuss and act on joint business. Each board votes separately on action items.

1. **CALL TO ORDER** [7:15 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. *Interview: Housing Commission
 - Rupesh Asher
 - b. Discuss Selectboard and Board of Trustees priority issues related to merger (to create list for future work and prioritization)
 - c. Discussion and potential action on date of merger vote
 - d. **Discuss creation of MOUs to memorialize completed consolidation work to date, and shared Board decisions
 - e. Discuss potential Town and/or Village charter changes for inclusion on November 2020 ballot(s)
6. **CONSENT ITEMS**
 - a. Approve minutes: June 23, 2020 (Trustees only); June 29, 2020 (Trustees only); July 6, 2020 (Trustees only)
7. **READING FILE**
 - a. Board Member Comments
 - b. Email re: Request for separation financials
 - c. Email from Missie Thurston re: BLM & Policing in Essex
 - d. Email from Kara Douglas re: Citizen Oversight Committee for Essex Policing
 - e. Email from Lillie Bleau re: Essex policing needs to change
 - f. Email from David Voegele, Essex CHIPS Director re: Quality Youth Development (QYD) Community certification
8. **EXECUTIVE SESSION**
 - a. *An executive session may be necessary for appointment of public officials
 - b. **An executive session may be necessary to discuss employment of public employees


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 Chair or 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 Chair or President. This agenda is available in alternative formats upon request. Meetings, like all programs and activities of the Village of Essex Junction and the Town of Essex, are accessible to people with disabilities. For information on accessibility or this agenda, call the Unified Manager's office at 878-1341 TTY: 7-1-1 or (800) 253-0191.

Certification: 07/24/2020



Memorandum

To: Village Trustees and Town Selectboard
From: Tammy Getchell, Assistant to the Manager 
Re: Appointment of volunteers to the Joint Essex Housing Commission
Date: July 24, 2020

Issue

The issue is whether the Selectboard and Trustees will fill up to seven vacant seats on the Joint Essex Housing Commission.

Discussion

The Joint Essex Housing Commission Charter states, *“The Commission is composed of up to seven members jointly appointed by the Selectboard and Trustees. Each member shall serve a staggered three-year term with no term limit. In appointing Commission members, the Selectboard and Trustees should select members who represent a variety of relevant interests and backgrounds, including but not limited to: for-profit and non-profit housing developers; housing authorities and agencies; social services organizations; representatives of area businesses; and at-large members of the community. Four of the members shall be residents; for the remaining members, residency is preferred but not required.”*

Mark Redmond, Gabrielle Smith, Will Towne, and Mia Watson were interviewed on June 9th. The video link to view the interviews begins at 2:01 at the following link: [Joint Essex Meeting June 9](#). Patrick Scheld, Don Miller, Joseph Engelken and Ned Daly were interviewed on June 23rd. The video link to view the interviews for that evening begins at 1:12 at the following link: [Joint Essex Meeting June 23](#).

Rupesh Asher is attending the meeting on July 28th to be interviewed and three other volunteers are confirmed to attend on August 3rd. Remaining applicants are still being scheduled.

June 9	June 23	July 28	August 3
Mia Watson	Patrick Scheld	Rupesh Asher	Katie Ballard
Will Towne	Don Miller		Anthony Barr
Mark Redmond	Joseph Engelken		Ara Hagan
Gabrielle Smith	Ned Daly		

The appointment of public officials can be a protected discussion during the interview, provided that the Trustees and Selectboard make a final decision to appoint a public official in an open meeting and shall explain the reasons for its final decision during the open meeting.

Cost

None.

Recommendation

It is recommended that the Selectboard and Trustees interview Rupesh Asher on July 28th for the Joint Essex Housing Commission. If the board members wish to enter executive session, the following motion is recommended:

“I move that the Trustees/Selectboard enter into executive session to discuss the proposed public official appointment(s) in accordance with 1 V.S.A. Section 313(a)(3) and to include the Unified Manager, the Assistant Manager and the candidate.”

To the members of Select Board

Why do I want be a member:

- To serve my community
- For the wellbeing and smooth functions of the town.
- work with others who have the same intention in mind (to further the betterment of the town).
- To give back to the community.

Special Qualities:

- Worked, lived and benefited from community for about 21 years
- Known to many community members when i worked in retail for about 16 years
- I've been in professional organizations related to my career.
- I have planned from organizations budgets to overseeing staff.
- I have worked with boards of the community we live in for betterment of the community.
- Believer of "doing the right thing" to protect the interests of the community.
- I strongly believe that we need to participate with different levels of organizations so we can serve the community.

Experience:

- I personally don't have experience IN government but I am aware of the functionalities of government and the skills needed to maintain a successful community.
- I might not have IN experience but I have been in similar positions.
- I am a team player (kids team at home to complex teams involving many professionals).
- People person (communication skills)
- Passionate about the success and wellbeing of the others.
- I am ready to learn from experiences of my fellow colleagues.

Finally, I live in Essex with my wife and 3 daughters who keep me busy, engaged and active in the community. I love to spend time hiking, biking, and playing tennis in my free time. I worked at Rite aid for 16 years in Essex Junction and now I work as a consultant. I am local and would like to be part of the select board so I can contribute to the betterment of society.

Looking forward to hearing back from you,

Rupesh Asher.

Memorandum

To: Board of Trustees; Selectboard; Evan Teich, Unified Manager
Cc: Sarah Macy, Assistant Manager/Finance Director
From: Greg Duggan, Deputy Manager GSD
Re: Identifying priority issues related to merger
Date: July 23, 2020

Issue

The issue is for the boards to discuss priority issues related to merger to inform future work.

Discussion

Regardless of when a town-wide vote is held on whether or not to merge the Town of Essex and Village of Essex Junction, the boards need to finalize some details of the merger plan. A copy of the latest merger draft is attached with the comments from both boards.

Issues that still need to be finalized include, but are not limited to, representation on the board, and potential redistricting options; timeline of tax plan; transitional tax districts; how to handle community development; water and sewer districts and rates. The boards may wish to identify and prioritize those topics and more.

Cost

n/a

Recommendation

This memo is for discussion.

TRUSTEE COMMENTS	SELECTBOARD COMMENTS	DETERMINATION
<p align="center">TOWN OF ESSEX</p> <p>PREAMBLE The inhabitants of the Town of Essex, including the historical, unincorporated Village of Essex Junction, are a corporate and political body under the name of "Town of Essex" As such, inhabitants enjoy all rights, immunities, powers, and privileges and are subject to all the duties and liabilities now appertaining to or incumbent upon them as a municipal corporation.</p> <p>Subchapter 1: Transitional Provisions</p> <p>§ 101 Adoption of town and village assets and liabilities</p> <p>(a) All assets and obligations formerly owned or held by the Town and Village shall become the assets and obligations of the new Town of Essex upon the effective date of the charter. This shall include all real property, easements, rights and interests in land, buildings and other improvements; vehicles, equipment, and other personal property; assessed but uncollected taxes, rents and charges, together with lien rights and enforcement powers; moneys, rights of action in legal or</p>	<p align="center">TOWN OF ESSEX</p> <p>PREAMBLE The inhabitants of the Town of Essex, including the historical, <u>unincorporated Village</u> of Essex Junction, are a corporate and political body under the name of "Town of Essex" As such, inhabitants enjoy all rights, immunities, powers, and privileges and are subject to all the duties and liabilities now appertaining to or incumbent upon them as a municipal corporation.</p> <p>Subchapter 1: Transitional Provisions</p> <p>§ 101 Adoption of town and village assets and liabilities</p> <p>(a) <u>All assets</u> and obligations formerly owned or held by the Town and Village shall become the assets and obligations of the new Town of Essex upon the effective date of the charter. This shall include, but is not limited to, all real property, easements, rights and interests in land, buildings and other improvements; vehicles, equipment, and other personal property; assessed but uncollected taxes, rents and charges, together with lien rights and enforcement powers;</p>	<p>Take out "unincorporated"</p> <p>Let DR wordsmith</p>

Commented [GD42]: AW: Does 'unincorporated' need to be in charter? Are other unincorporated entities defined or specified in VT statute or other charters?

Commented [GD43R42]: DR: recommend removal, not crucial to have

Commented [GD44]: EH: Should this paragraph include outstanding penalties and interest as well as uncollected taxes? Should uncollected water bill payments be specified? Should this section specifically exclude the Village infrastructure bond even though it is mentioned in the next section?

Commented [GD45R44]: DR: include something unusual, if not like the others. Could add something like "including by not limited to ...". Mention MOUs

TRUSTEES	SELECTBOARD	DETERMINATION
<p>administrative proceedings; insurance policies; documents and records; debts, claims, bonded indebtedness; without any further act, deed, or instrument being necessary.</p> <p>(b) All contracts, agreements, trusts, and other binding written documents affecting the Town or Village shall remain in effect on the effective date of the charter, and the new Town of Essex shall assume all the responsibilities formerly belonging to the Town and Village unless otherwise specified. Pursuant to § 104, the unincorporated Village shall become a debt assessment district until the Village’s residual bond debt is retired.</p>	<p>moneys, rights of action in legal or administrative proceedings; insurance policies; documents and records; debts, claims, bonded indebtedness; without any further act, deed, or instrument being necessary.</p> <p>(b) All contracts, agreements, trusts, and other binding written documents affecting the Town or Village shall remain in effect on the effective date of the charter, and the new Town of Essex shall assume all the responsibilities formerly belonging to the Town and Village unless otherwise specified. Pursuant to § 104, the unincorporated Village shall become a debt assessment district until the Village’s residual bond debt is retired.</p>	
<p>§ 102 Transition Period</p> <p>The transition periods shall begin not later than July 1, following the approval of the charter by the Legislature, and end as specified below for individual transition periods. At the end of the transition period, the charter will become effective and the new Town of Essex shall be fully established and organized. Nothing in this section shall affect or limit other provisions in this subchapter or in other subchapters,</p>	<p>§ 102 Transition Period</p> <p>The transition period shall begin not later than July 1, following the approval of the charter by the Legislature, and end on June 30, 20___. At the end of the transition period, the charter will become effective and the new Town of Essex shall be fully established and organized. Nothing in this section shall affect or limit other provisions in this subchapter or in other subchapters, which serve a transitional purpose and</p>	<p>PARKING LOT</p>

Commented [GD46]: EH: able to better define transition period? Is it the period of time between a positive vote and the first merged budget year, or is it the entirety of the period from the approval of the Legislature and the end of the 12-year taxation transition? Shouldn't the new charter become fully effective on that specific July 1, in order to carry out the requirements within it?

Commented [GD47R46]: DR: consider shorter transition period, with call-outs for specific longer transition periods. Eg, transition period for moving to new governing body, charter; others for taxation, etc.

Commented [GD1]: DR: charter becomes effective upon passage

TRUSTEES	SELECTBOARD	DETERMINATION
<p>which serve a transitional purpose and which by their own provisions continue beyond the transitional period. In such cases, transitional provisions intended to extend beyond the transitional period shall be governed by specific sunset terms.</p>	<p>which by their own provisions continue beyond the transitional period. In such cases, transitional provisions intended to extend beyond the transitional period shall be governed by specific sunset terms.</p>	
<p>§ 103 Organizational Municipal Meeting</p>	<p>§ 103 Organizational Municipal Meeting</p>	<p>103. KEEP as Town Meeting Day in first year; get clarification from Dan Richardson if need a clause in case of failed budget vote for first</p>
<p>The first annual Town meeting shall occur on the same date as the Essex Westford School District preceding the July 1 effective date of the charter. This shall be a unified meeting of the new municipality and shall be noticed and warned to all residents of the Town of Essex and unincorporated Village of Essex Junction. This meeting shall be for the purpose of presenting and discussing the budget only. Other (new Town) business may also be presented and discussed but not voted on. After presentation and discussion of the budget and any other business the meeting shall adjourn. Voting on the budget shall be by Australian ballot and shall occur on the same day as the budget vote for the Essex-Westford School District. Voting for new Essex Town elected officers shall also occur at this time. Time and holding of the meeting shall be pursuant to Subchapter 5 of the Town charter. The first annual Town meeting shall be jointly warned</p>	<p>The first annual Town meeting shall occur on the same date as the Essex Westford School District preceding the July 1 effective date of the charter. This shall be a unified meeting of the new municipality and shall be noticed and warned to all residents of the Town of Essex and unincorporated Village of Essex Junction. This meeting shall be for the purpose of presenting and discussing the budget only. Other (new Town) business may also be presented and discussed but not voted on. After presentation and discussion of the budget and any other business the meeting shall adjourn. Voting on the budget shall be by Australian ballot and shall occur on the same day as the budget vote for the Essex-Westford School District. Voting for new Essex Town elected officers shall also occur at this time. Time and holding of the meeting shall be pursuant to Subchapter 5 of the Town charter. The first annual Town meeting shall be jointly warned</p>	<p>budget</p>

- Commented [GD2]:** DR: organizational meeting needs to happen when new town forms. If old boards become new board, need to start acting as new board as soon as possible ** DR to draft language
- Commented [GD3]:** DR: consider timing of Legislature approval. Consider trigger of when charter becomes effective
- Commented [GD48]:** PM/AW/EH: prefer a specific date/day, not tied to EWSD.
AW: prefer earlier date
SB: prefer Town Meeting Day
EH: would be nice to get same-day voting with EWSD, even if not specified in charter

TRUSTEES	SELECTBOARD	DETERMINATION
<p>by the Village Trustees and Town Selectboard. The election of a moderator shall be the first order of business.</p>	<p>by the Village Trustees and Town Selectboard. The election of a moderator shall be the first order of business.</p>	
<p>§ 104 Transitional Districts</p>	<p>§ 104 Transitional Districts</p>	
<p>Transitional district rates shall be set by the new Town Selectboard.</p>	<p>Transitional district rates shall be set by the new Town Selectboard.</p>	
<p>(a) For a transitional period commencing from the July 1 effective date of the charter, the unincorporated Village of Essex Junction (formerly the incorporated Village of Essex Junction) shall be designated as a Debt Assessment District for the purpose of retiring the Village’s residual bonded debt in existence before the transitional period. This residual debt is scheduled to retire in FY 2035.</p>	<p>(a) For a transitional period commencing from the July 1 effective date of the charter, the unincorporated Village of Essex Junction (formerly the incorporated Village of Essex Junction) shall be designated as a Debt Assessment District for the purpose of retiring the Village’s residual bonded debt in existence before the transitional period. This residual debt is scheduled to retire in FY 2035.</p>	
<p>(b) For a transitional period of 12 years commencing from the July 1 effective date of the charter, the unincorporated Village of Essex Junction (formerly the incorporated Village of Essex Junction) shall be designated as a Tax Reconciliation District for the purpose of transferring the cost of the Village’s municipal operations into the Town’s operational budget.</p>	<p>(b) For a transitional period of 12 years commencing from the July 1 effective date of the charter, the unincorporated Village of Essex Junction (formerly the incorporated Village of Essex Junction) shall be designated as a Tax Reconciliation District for the purpose of transferring the cost of the Village’s municipal operations into the Town’s operational budget.</p>	

- Commented [GD4]:** DR: make sure there are clear dates for each district to sunset
- Commented [GD49]:** EH: able to set taxation transition start date at a time in the future? E.g., 3 years after legislature approves charter; do other consolidations in that interim period?
- Commented [GD50R49]:** DR: need good reason for delay in beginning. Recommend keeping it simple. Hard-pressed to not do after first Town Meeting. Legislature would need good, solid reason to allow delay. Could take effect “July 1 after Legislature approves charter”, or something similar. Likely July 1, 2022 based on timelines. Otherwise need really good reason, or state may not approve charter
- Commented [GD5]:** Trustees: would like dialogue on tax rates for certain areas and/or reasons within the community

TRUSTEES	SELECTBOARD	DETERMINATION
<p>(c) For a transitional period of 12 years commencing from the July 1 effective date of the charter, the unincorporated Village of Essex Junction (formerly the incorporated Village of Essex Junction) shall be designated as a Sidewalk District for the purpose of levying a special tax on properties within the Village for the purpose of maintaining the Village’s sidewalks, including snow removal and routine maintenance, but not capital repairs, in accordance with its previous sidewalk maintenance procedures prior to the merger.</p>	<p>(c) For a transitional period of 12 years commencing from the July 1 effective date of the charter, the unincorporated Village of Essex Junction (formerly the incorporated Village of Essex Junction) shall be designated as a Sidewalk District for the purpose of levying a special tax on properties within the Village for the purpose of maintaining the Village’s sidewalks, including snow removal and routine maintenance, but not capital repairs, in accordance with its previous sidewalk maintenance procedures prior to the merger.</p>	
<p>(d) For a transitional period of 12 years commencing from the July 1 effective date of the charter, the unincorporated Village of Essex Junction (formerly the incorporated Village of Essex Junction) shall be designated as a Capital Improvement District for the purpose of levying a special tax on properties within the Village for the purpose of paying for Village capital infrastructure projects on the Village’s Capital Reserve Plan prior to the merger. The Capital Improvement District is not required to complete all projects in the plan prior to the end of the transitional period and the (new</p>	<p>(d) For a transitional period of 12 years commencing from the July 1 effective date of the charter, the unincorporated Village of Essex Junction (formerly the incorporated Village of Essex Junction) shall be designated as a Capital Improvement District for the purpose of levying a special tax on properties within the Village for the purpose of paying for Village capital infrastructure projects on the Village’s Capital Reserve Plan prior to the merger. The Capital Improvement District is not required to complete all projects in the plan prior to the end of the transitional period and the (new</p>	

Commented [GD6]: DR: need language that allows board to change boundaries of sidewalk district; otherwise requires a charter change

Commented [GD7]: Trustees: consider rewording to allow potential to expand sidewalk district; Village needs to ensure sidewalk maintenance for safety

Commented [GD51]: AW: could the district be modified within the 12 years if the community wants it?

Commented [GD52R51]: DR: if want permanent sidewalk district, take out of transition provisions and create separate charter provision (“minus 12-year transition period”). “Town may designate sidewalk district within Town boundaries for purpose of levying special tax ...”

DR can finalize language based on Board desire.

Commented [GD53]: AW: better to do 5 years for capital budget and planning?

Commented [GD54R53]: DR: legislature good either way, as long as well-defined. Could be reasonable argument for either time period. Reasonable being tied to Town needs, not something like unemployment

TRUSTEES	SELECTBOARD	DETERMINATION
<p>governing board) shall designate in their proposed budgets which projects are to be completed in each new fiscal year of the transitional period.</p> <p>(e) For a transitional period of 12 years commencing from the July 1 effective date of the charter, the Village Center Zone, as designated in the Essex Junction zoning plan, shall be designated as a Downtown Improvement District for the purpose of continuing the Village’s downtown revitalization efforts as outlined in the Village’s municipal plan. The new Town of Essex shall levy a special tax on commercial properties within the District at a rate up to but not to exceed an additional \$0.01 on the community-wide tax rate in each fiscal year to pay for infrastructure improvements, landscaping improvements and maintenance, and real estate purchases within the District in accordance with the revitalization objectives in the municipal plan.</p> <p>§ 105 Interim Governing Body</p>	<p>governing board) shall designate in their proposed budgets which projects are to be completed in each new fiscal year of the transitional period.</p> <p>(e) For a transitional period of 12 years commencing from the July 1 effective date of the charter, the Village Center Zone, as designated in the Essex Junction zoning plan, shall be designated as a Downtown Improvement District for the purpose of continuing the Village’s downtown revitalization efforts as outlined in the Village’s municipal plan. The new Town of Essex shall levy a special tax on commercial properties within the District at a rate up to but not to exceed an additional \$0.01 on the community-wide tax rate in each fiscal year to pay for infrastructure improvements, landscaping improvements and maintenance, and real estate purchases within the District in accordance with the revitalization objectives in the municipal plan.</p> <p>§ 105 Interim Governing Body</p>	
<p>(a) For the transition period described in paragraph § 102 following the approval of the charter by the Legislature, all members of the</p>	<p>(a) For the transition period described in paragraph § 102 following the approval of the charter by the Legislature, all members of the</p>	

Commented [GD55]: EH: want to better understand the reasoning to shrink the district to a smaller area, and ability to raise money within that district

Commented [GD56R55]: DR: recommend talking to State about Village Center designation transferring; other state designations. Consider options if want to expand or change over time.

Commented [GD57]: AW/PM: prefer “may” so new entity not locked into charging levy

Commented [GD8]: Trustees: Need Dan Richardson to weigh in on how duly elected officials retain (or do not retain) their seats until new board takes effect

DR: interim board will govern until time of new election. July 1 (or start date of new community) until next election. Charter authorizing old seat is gone, ends when new charter takes effect.
Recommend not using districts for interim governing body. Have clean slate elections for new board in July or August, or appropriate time (summer election may see low turnout)

TRUSTEES	SELECTBOARD	DETERMINATION
<p>former Town Selectboard and Village Trustees shall comprise an Interim Governing Body. In no event shall the Interim Governing Body consist of less than three trustees and three selectpersons. If one or two member(s) of one board resign(s) during the transition period, an equal number of members shall resign from the other board. <i>In the event of a resignation, the remaining members of the board on which the resignation occurred shall appoint a replacement chosen from the registered voters in the communities over which they have jurisdiction.</i> Each board shall designate its own process for determining such resignations with a preference for retaining selectpersons who reside outside the Village. The Interim Governing Body shall, schedule, warn, and hold meetings as appropriate. The <i>(former?)</i> selectpersons shall address details and issues relating to expenditures in the Essex Town budget approved by voters for the fiscal year of the transitional period. The <i>(former?)</i> trustees shall address details and issues relating to expenditures in the Essex Junction budget approved by voters for the fiscal year of the transitional period. The selectpersons and trustees shall</p>	<p>former Town Selectboard and Village Trustees shall comprise an Interim Governing Body. In no event shall the Interim Governing Body consist of less than three trustees and three selectpersons. If one or two member(s) of one board resign(s) during the transition period, an equal number of members shall resign from the other board. Each board shall designate its own process for determining such resignations with a preference for retaining selectpersons who reside outside the Village. The Interim Governing Body shall, schedule, warn, and hold meetings as appropriate. The selectpersons shall address details and issues relating to expenditures in the Essex Town budget approved by voters for the fiscal year of the transitional period. The trustees shall address details and issues relating to expenditures in the Essex Junction budget approved by voters for the fiscal year of the transitional period. The selectpersons and trustees shall address all details and issues relating to the transition from a town and village to the new Town of Essex jointly. The Interim Governing Body with the assistance of the Unified Manager shall develop recommendations for whatever</p>	

Commented [GD58]: EH: want to better define transition periods; rewrite sixth line or add another sentence

Commented [gt9]: This must come out. Elected board members cannot be summarily removed like this.

Commented [gt10]: This needs to come out. If any Essex citizen can serve on the selectboard now, what would be the legal argument for discriminating against village residents during the transition period?

TRUSTEES	SELECTBOARD	DETERMINATION
<p>address all details and issues relating to the transition from a town and village to the new Town of Essex jointly. The Interim Governing Body with the assistance of the Unified Manager shall develop recommendations for whatever proposals or policies are needed to ensure a smooth transition. The new Town of Essex Selectboard may implement such proposals once the charter becomes effective.</p>	<p>proposals or policies are needed to ensure a smooth transition. The new Town of Essex Selectboard may implement such proposals once the charter becomes effective.</p>	
<p>(b) <i>???????In the event of a vacancy that results in less than three members of the former Town Selectboard or less than three members of the former Village Trustees, all remaining members shall vote to appoint a member from the district with a vacancy in a manner pursuant to § 304.?????</i></p>	<p>(b) In the event of a vacancy that results in less than three members of the former Town Selectboard or less than three members of the former Village Trustees, all remaining members shall vote to appoint a member from the district with a vacancy in a manner pursuant to § 304.</p>	
<p>(c) The Interim Governing Body will also, with the assistance of the Unified Manager and staff, propose and warn in the manner pursuant to this charter, the first annual budget of the new Town of Essex for consideration by the voters at the first annual meeting held pursuant to § 103. This meeting shall be informational only. Voting for the budget shall occur on the same day</p>	<p>(c) The Interim Governing Body will also, with the assistance of the Unified Manager and staff, propose and warn in the manner pursuant to this charter, the first annual budget of the new Town of Essex for consideration by the voters at the first annual meeting held pursuant to § 103. This meeting shall be informational only. Voting for the budget shall occur on the same day</p>	

Commented [gt11]: This is similar to the italicized recommended sentence above. Only need to keep in one. For me the question is the legality of all board members choosing a replacement vs board members on the board on which the resignation occurred.

TRUSTEES	SELECTBOARD	DETERMINATION
<p>as voting for the Essex-Westford School District budget pursuant to § 103.</p> <p>(d) The Interim Governing Body shall become the new Town Selectboard, pursuant to § 106, upon passage of first annual budget. All members of the new Town Selectboard shall serve for the duration of the terms for which they were originally elected as village trustees or town selectmen. For the next two election cycles the new Town Selectboard, with the assistance of the manager, shall propose and warn annual elections as necessary to achieve the new Town Selectboard structure and ward delineations pursuant to § 106. This could include elections exclusively for eligible residents in Ward 2, pursuant to § 106 (b), in the event that two or more members of the newly formed new Town Selectboard reside within Ward 1.</p>	<p>as voting for the Essex-Westford School District budget pursuant to § 103.</p>	
<p>§ 106 Town Selectboard</p>	<p>§ 106 Town Selectboard</p>	
<p>(a) There shall be a Town Selectboard consisting of six members. There shall be a Town Selectboard consisting of seven members.</p>	<p>(a) There shall be a Town Selectboard consisting of six members.</p>	
<p>(b) Three members shall reside within the boundaries of the former</p>	<p>(b) Three members shall reside within the boundaries of the former</p>	

- Commented [GD12]:** See comments from DR: members will only serve until first election of new town; old charter governing the previous elections will no longer be in effect
- Commented [gt13]:** One possible option, in the event of a 2 or greater majority of village residents is to hold special elections for TOV residents to achieve a better balance of ward 1 and ward 2 representatives.
- Commented [GD59]:** SB: discuss details with Trustees
- Commented [GD14]:** DR: need odd number to break tie. See letter from Gov Ops
- Commented [gt15]:** Not unless we want the Gov Ops committee to either amend to a 7-member board or send the whole thing back to us.
- Commented [GD60]:** EH: add seventh member; honor 3-3 vote, and recognize concerns from Gov Ops; potential majority limited to 1 person instead of 2-2-3 proposal.
- Commented [GD61R60]:** VF: weak mayor, or simply an at-large member?
- Commented [GD62R60]:** EH: residents didn't have desire for mayor; specific role of at-large member would be TBD
- Commented [GD63R60]:** AW: can chair vote only in instance of tie? Would that be part of charter, or Rules of Business?
- Commented [GD16]:** Trustees/Evan: get opinion from Dan Richardson on whether to put forth 6-member Selectboard and, if so, need tie breaker option. Trustees want merger to pass, but prefer odd number of members.
- Commented [GD64]:** AW: does this section need to be part of final charter, not just transitional
** need to clarify all items that are transitional and which are permanent **

TRUSTEES	SELECTBOARD	DETERMINATION
<p>incorporated Village of Essex Junction to be elected by the qualified voters within the boundaries of the former incorporated Village of Essex Junction. This area will become known as Ward 1. Boundary adjustments will be made over time as necessary pursuant to § 301. Three members shall reside within the boundaries of the Town of Essex exclusive of the former Village of Essex Junction to be elected by the qualified voters of the Town of Essex exclusive of the former Village of Essex Junction. This area will become known as Ward 2. Boundary adjustments will be made over time as necessary pursuant to § 301. One member shall reside in either Ward 1 or Ward 2 to be elected by the combined votes of the qualified voters in Ward 1 and Ward 2.</p> <p>(c) The term of office of a Town Selectperson shall be three years and terms shall be staggered. For the first election cycle six people will be elected. One seat for each ward will be for three years; one seat for each ward will be for two years; one seat for each ward will be for one year. After that, every seat shall be a three year term.</p>	<p>incorporated Village of Essex Junction to be elected by the qualified voters within the boundaries of the former incorporated Village of Essex Junction. This area will become known as Ward 1. Boundary adjustments will be made over time as necessary pursuant to § 301. Three members shall reside within the boundaries of the Town of Essex exclusive of the former Village of Essex Junction to be elected by the qualified voters of the Town of Essex exclusive of the former Village of Essex Junction. This area will become known as Ward 2. Boundary adjustments will be made over time as necessary pursuant to § 301.</p> <p>(c) The term of office of a Town Selectperson shall be three years and terms shall be staggered. For the first election cycle six people will be elected. One seat for each ward will be for three years; one seat for each ward will be for two years; one seat for each ward will be for one year. After that, every seat shall be a three-year term.</p>	

Commented [gt17]: This all needs to come out. It's my understanding that all trustees and selectmen with more than one year left in office at the time of the passage of the merger must be allowed to serve out their terms on the new selectboard. If true, then the new selectboard could have 8 members and five or more could be from the village. Therefore it could take 2 election cycles to achieve the 3-3-1 structure.

TRUSTEES	SELECTBOARD	DETERMINATION
<p>(d) Within three years after the first election of the six-member Selectboard, the Selectboard shall appoint a special commission to study the composition of voting wards within the Town of Essex, including the former incorporated Village of Essex Junction, and, having regard to an equal division of population and other considerations deemed proper, recommend changes to the boundaries by which members of the Selectboard are elected.</p>	<p>(d) Within three years after the first election of the six-member Selectboard, the Selectboard shall appoint a special commission to study the composition of voting wards within the Town of Essex, including the former incorporated Village of Essex Junction, and, having regard to an equal division of population and other considerations deemed proper, recommend changes to the boundaries by which members of the Selectboard are elected.</p>	
<p>§ 107 Budget and Municipality Administration</p>	<p>§ 107 Budget and Municipality Administration</p>	<p>107. USE DRichardson answer</p>
<p>Following the approval of the charter by the Legislature pursuant to § 103 and § 105, the Manager will propose a unified budget for the community for the next fiscal year that addresses proper service levels, contractual obligations, capital projects, debt, and that reflects any changes related to the merger.</p>	<p>Following the approval of the charter by the Legislature pursuant to § 103 and § 105, the Manager will propose a unified budget for the community for the next fiscal year that addresses proper service levels, contractual obligations, capital projects, debt, and that reflects any changes related to the merger.</p>	
<p>§ 108 Village and Town Department Transitional Provisions</p>	<p>§ 108 Village and Town Department Transitional Provisions</p>	
<p>(a) For a transitional period of 5 years commencing from the July 1 effective date of the charter, the manager, with the advice and</p>	<p>(a) For a transitional period of 5 years commencing from the July 1 effective date of the charter, the manager, with the advice and consent</p>	

Commented [GD65]: SB: look at other parts of charter that specify '2 districts,'; make sure 2 districts isn't the only option

Commented [GD66R65]: DR: good point

Commented [GD18]: AB: is this comment necessary?
DR: fine to keep

TRUSTEES	SELECTBOARD	DETERMINATION
<p>consent of the new Town of Essex selectboard shall integrate the fire departments, community development and planning offices, parks and recreation offices, and any other town and village municipal services and operations, with special provisions and considerations outlined below.</p> <p>(b) The Town of Essex shall continue to operate the former Essex Junction Fire Department and Essex Town Fire Department, and each department shall have a chief appointed by the manager. At the manager’s discretion, one person may be appointed chief for both departments. During the transitional period, pursuant to § 105, the Interim Governing Body may review options for integrating the operations of the two departments for the purpose of improving efficiency and service levels and with a preference for retaining the historic identities of the two departments and for the predominant level of service remain “paid on call.”</p> <p>(c) During the five-year transitional period the manager shall integrate and reorganize the town and village recreation and parks departments</p>	<p>of the new Town of Essex selectboard shall integrate the fire departments, community development and planning offices, parks and recreation offices, and any other town and village municipal services and operations, with special provisions and considerations outlined below.</p> <p>(b) The Town of Essex shall continue to operate the former Essex Junction Fire Department and Essex Town Fire Department, and each department shall have a chief appointed by the manager. At the manager’s discretion, one person may be appointed chief for both departments. During the transitional period, pursuant to § 105, the Interim Governing Body may review options for integrating the operations of the two departments for the purpose of improving efficiency and service levels and with a preference for retaining the historic identities of the two departments and for the predominant level of service remain “paid on call.”</p> <p>(c) During the five-year transitional period the manager shall integrate and reorganize the town and village recreation and parks departments</p>	<p>108.B. clarify, make sure neither department goes away; both will continue to operate. Take out “continue,” as it will be a new Town of Essex</p>

Commented [GD67]: Clarify wording; TOE not currently operating EJFD

TRUSTEES	SELECTBOARD	DETERMINATION
<p>and the manager shall appoint a department head.</p> <p>(d) During the five-year transitional period the manager shall integrate and reorganize the town and village community development and planning departments, and the manager shall appoint a department head.</p>	<p>and the manager shall appoint a department head.</p> <p>(d) During the five-year transitional period the manager shall integrate and reorganize the town and village community development and planning departments, and the manager shall appoint a department head.</p>	
<p>§ 109 Planning and Zoning Development</p> <p>(a) On the effective date of this charter, the former Town plan and Village plan, and the former Town zoning bylaws and subdivision regulations, and the Village’s zoning bylaws and Land Development Code (land development code) shall remain in effect in their respective former geographic areas until amended or revised by the new Town Selectboard upon recommendation by the merged Planning Commission and in conjunction with the Chittenden County Regional Planning Commission and pursuant to 24 VSA 4350(a).</p> <p>(b) Prior to the effective date of the charter, the Town Selectboard shall appoint three members of</p>	<p>§ 109 Planning and Zoning</p> <p>(a) On the effective date of this charter, the former Town plan and Village plan, and the former Town zoning bylaws and subdivision regulations (land development code) shall remain in effect in their respective former geographic areas until amended or a comprehensive rewrite is presented by the merged Planning Commission and adopted by the new Town Selectboard.</p> <p>(b) Prior to the effective date of the charter, the Town Selectboard shall appoint three members of</p>	<p>109. SB okay with DRB, need to ensure transition plan. BT okay with DRB Clarify 3 or 4-year terms; make sure consistent throughout charter</p> <p>DR – can put language in; matter of timing. Current members’ terms would end; period where applicants for new PC/DRB/ZBA would be heard, and appointed for staggered terms. Don’t need complex language, just authorizing language.</p>

- Commented [GD19]:** AT: keep option open for volunteers to serve on one committee or the other; b
- Commented [GD20]:** DR: Village has designated downtown; helps with incentives for development
- Commented [GD68]:** SB: determine DRB or ZBA
- Commented [GD69]:** And Village Land Development Code
- Commented [GD70R69]:** DR: will ask colleague about ideas for protecting downtown Village

TRUSTEES	SELECTBOARD	DETERMINATION
<p>the then current town planning commission and the Village Trustees shall appoint three members of the then current village planning commission to serve on the new Town planning commission. Each shall appoint one member for a one-year term, one member for a two-year term and one member for a three-year term. The duration of the first terms shall be staggered so as to establish ongoing, staggered three-year appointment schedules. The new Town Selectboard shall choose a seventh member for a four-year term, once it has organized.</p>	<p>the then current town planning commission and the Village Trustees shall appoint three members of the then current village planning commission to serve on the new Town planning commission. Each shall appoint one member for a one-year term, one member for a two-year term and one member for a three-year term. The new Town Selectboard shall choose a seventh member for a four-year term, once it has organized.</p>	<p><u>Wards?</u> BT – okay with current boards each appointing PC members during transition period SB – ditto</p>
<p>(c) Prior to the effective date of the charter, the Town Selectboard shall appoint two members of the then current town zoning board of adjustment and the Village Trustees shall appoint two members of the then current village zoning board of adjustment to serve on the Development Review Board. Each shall appoint one member for a one-year term and one member for a two-year term. The new Town Selectboard</p>	<p>(c) Prior to the effective date of the charter, the Town Selectboard shall appoint two members of the then current town zoning board of adjustment and the Village Trustees shall appoint two members of the then current village zoning board of adjustment to serve on the Development Review Board. Each shall appoint one member for a one-year term and one member for a two-year term. The new Town Selectboard</p>	

Commented [GD21]: (a) Use language from section (c) re: Prior to the effective date of the charter, the Town Selectboard shall appoint three members and the Village Trustees shall appoint three members to serve on the Development Review Board. The duration of the first terms shall be staggered so as to establish ongoing, staggered three-year appointment schedules. The new Town Selectboard shall choose a fifth member for a three-year term, once it has organized.
To create flexibility of appointment

Commented [GD71]: ET: consider assigning PC seats by ward (beyond just initial appointment period)

Commented [GD72]: AW: section 803 of charter says 3-year terms; need to make sure charter is consistent. Current PC in town is 4 years

Commented [GD73]: GD: consider whether this should be PC and/or ZBA, since PC in current form handles some responsibilities of a DRB

Commented [GD74]: EH/GD: if can't define in charter, create an accompanying document to explain details of charter in layman terms

TRUSTEES	SELECTBOARD	DETERMINATION
<p>shall choose a fifth member for a three-year term, once it has organized. Prior to the effective date of the charter, the Town Selectboard shall appoint three members and the Village Trustees shall appoint three members to serve on the Development Review Board. The duration of the first terms shall be staggered so as to establish ongoing, staggered three-year appointment schedules. The new Town Selectboard shall choose a fifth member for a three-year term, once it has organized.</p> <p>§ 110 Unification and Adoption of Ordinances, bylaws, and rules</p> <p>On the effective date of this charter, all ordinances, and bylaws of the Town of Essex and the Village of Essex Junction shall become ordinances and bylaws of the new Town of Essex. The new Town of Essex Selectboard shall be fully authorized to amend or repeal any ordinance according to the provisions of subchapter 6 of the charter. Whenever a power is granted by any such ordinance, or bylaw to an officer or officers of the Town of Essex or the Village of Essex Junction, such power is conferred upon the appropriate</p>	<p>shall choose a fifth member for a three-year term, once it has organized.</p> <p>§ 110 Unification and Adoption of Ordinances, bylaws, and rules</p> <p>On the effective date of this charter, all ordinances, and bylaws of the Town of Essex and the Village of Essex Junction shall become ordinances and bylaws of the new Town of Essex. The new Town of Essex Selectboard shall be fully authorized to amend or repeal any ordinance according to the provisions of subchapter 6 of the charter. Whenever a power is granted by any such ordinance, or bylaw to an officer or officers of the Town of Essex or the Village of Essex Junction, such power is conferred upon the appropriate</p>	<p>110.</p> <p>SB – check with DR if possible to have existing ordinances still apply to current boundaries of Town and Village, until new SB determines otherwise Ex: firearms discharge, dog leashing</p> <p>See if Chief Garey has side-by-side list of where ordinances differ</p> <p>BT – recognize that different parts of community need different rules/regs/bylaws/ordinances. Find out how do, ask new SB to consider intent of original ordinance</p>

Commented [GD22]: DR: legislature seems to prefer DRB over ZBA.

Commented [GD75]: EH/PM: does charter need to determine what to do with conflicting ordinances in the Town and Village?

Commented [GD76R75]: DR: can specify more or less restrictive ordinance will apply, and raise any conflicting ordinances to SB for resolution

TRUSTEES	SELECTBOARD	DETERMINATION
<p>officer or officers of the new Town of Essex.</p> <p>§ 111 Personnel</p> <p>(a) Pursuant to § 105, the Interim Governing Body established in § 105 shall develop a pay and classification plan and make recommendations to meet the Town's needs. The new-Town of Essex selectboard may implement such proposals once the charter becomes effective.</p> <p>(b) The Town of Essex personnel regulations in effect as of 6/30/___ shall carry over and control as of July 1, 20__ until amended by the new Town of Essex selectboard.</p> <p>(c) Employees of the Town of Essex and the Village of Essex Junction shall become employees of the new Town of Essex. The dates of hire with the Town of Essex and the Village of Essex Junction will be used as the dates of hire for purposes related to benefits with the new Town of Essex and all accrued benefits shall carry over.</p> <p>(d) Upon the effective date of the charter, employees of the Village as of June 30, 20__ shall have the</p>	<p>officer or officers of the new Town of Essex.</p> <p>§ 111 Personnel</p> <p>(a) Pursuant to § 105, the Interim Governing Body established in § 105 shall develop a pay and classification plan and make recommendations to meet the Town's needs. The new-Town of Essex selectboard may implement such proposals once the charter becomes effective.</p> <p>(b) The Town of Essex personnel regulations in effect as of 6/30/___ shall carry over and control as of July 1, 20__ until amended by the new Town of Essex selectboard.</p> <p>(c) Employees of the Town of Essex and the Village of Essex Junction shall become employees of the new Town of Essex. The dates of hire with the Town of Essex and the Village of Essex Junction will be used as the dates of hire for purposes related to benefits with the new Town of Essex and all accrued benefits shall carry over.</p> <p>(d) Upon the effective date of the charter, employees of the Village as of June 30, 20__ shall have the</p>	<p>GET MORE FEEDBACK FROM DRichardson: “all existing ordinances shall apply to their pre-merger jurisdiction” (confirm wording) Or Identify conflicting ordinances in advance; make a priority to resolve those ordinances Or Choose less/more restrictive ordinance</p> <p>Legislature likely to uphold all options; language needs to be clear for residents. Difference is in timing; if only 2-3 ordinances, deal with it right away. If more, could have existing apply to old jurisdictions, and create ordinance merger committee to propose changes Ex: different parking districts, or firearms discharge areas Need to clarify where ordinances apply if they differ New unified entity will want single body of ordinances. Can create one ordinance where differences are delineated by area, e.g., firearms. Needs to be clear to citizens to be enforceable</p>

Commented [GD77]: EH: how does this work with Village employees and Essex Jet Employee Association?

Commented [GD78R77]: ET: assumption is that all employees would become employees of new entity with same pay, etc; unions would eventually need to decide what to do, because can't have two associations for same employees
 Goal is that no one loses job because of merger

TRUSTEES	SELECTBOARD	DETERMINATION
<p>option to remain in the retirement program they are enrolled in as of June 30, 20__ or to join the Vermont Municipal Employees Retirement System.</p> <p>(e) All new employees hired after the effective date of the charter will be considered Town of Essex Employees and are subject to the Town Employee Manual and/or their respective labor agreement.</p>	<p>option to remain in the retirement program they are enrolled in as of June 30, 20__ or to join the Vermont Municipal Employees Retirement System.</p> <p>(e) All new employees hired after the effective date of the charter will be considered Town of Essex Employees and are subject to the Town Employee Manual and/or their respective labor agreement.</p>	
<p>§ 112 Water and Sewer Districts</p> <p>Upon the effective date of the charter, there shall be a transitional phase to incorporate the municipal water system(s) and municipal sewer system(s) into one service area district. The one district shall be made up of multiple systems which follow the boundaries of the legacy systems including those operated separately by the Village of Essex Junction and the Town of Essex. Each system will have its own user base consistent with the legacy systems. Costs specific to each system will be charged solely to the user base within the boundaries of that system including capital and debt service costs. Any new costs incurred after the effective date of the charter of the merged municipality attributable to the entire district will be borne by all</p>	<p>§ 112 Water and Sewer Districts</p> <p>Upon the effective date of the charter, there shall be a transitional phase to incorporate the municipal water system(s) and municipal sewer system(s) into one service area district. The one district shall be made up of multiple systems which follow the boundaries of the legacy systems including those operated separately by the Village of Essex Junction and the Town of Essex. Each system will have its own user base consistent with the legacy systems. Costs specific to each system will be charged solely to the user base within the boundaries of that system including capital and debt service costs. Any new costs incurred after the effective date of the charter of the merged municipality attributable to the entire district will be borne by all</p>	<p>112. clarify with DR if new town can have different water/sewer/utility districts and rates based on needs; and retain ability to combine in future. Avoid limitations, keep flexibility</p>

Commented [GD79]: DR: this section can probably come out and be dealt with by a Personnel Policy

Commented [GD80]: DR: ditto

Commented [GD81]: AW: specifying different costs for different systems may limit flexibility in future; want to be able to consider single cost structure in entire Town in future

Commented [GD82R81]: ET: discuss with Trustees; get clarification from Dan Richardson

TRUSTEES	SELECTBOARD	DETERMINATION
<p>users. Costs attributable to specific users through a special assessment, surcharge or other contractual arrangement shall continue to be assessed to the specific users until they are paid in full.</p> <p>§ 113 Finances</p> <p>(a) The existing real property tax system of the town shall become the system of the new Town of Essex. Upon the effective date of the charter, all grand lists will remain in effect and any remaining taxes due to the Village and Town will be payable to the new Town of Essex keeping all existing due dates. The new Town of Essex will manage the existing budget of the Village and Town with oversight by the Interim Governing Body.</p> <p>(b) All Tax and indebtedness incurred by the Village tax payers at the time of merger are to remain with these properties until final payment of said obligations are made in full.</p> <p>(c) All existing legal obligations, including but not limited to tax stabilization agreements and any agreements to purchase real property, are to be considered</p>	<p>users. Costs attributable to specific users through a special assessment, surcharge or other contractual arrangement shall continue to be assessed to the specific users until they are paid in full.</p> <p>§ 113 Finances</p> <p>(a) The existing real property tax system of the town shall become the system of the new Town of Essex. Upon the effective date of the charter, all grand lists will remain in effect and any remaining taxes due to the Village and Town will be payable to the new Town of Essex keeping all existing due dates. The new Town of Essex will manage the existing budget of the Village and Town with oversight by the Interim Governing Body.</p> <p>(b) All Tax and indebtedness incurred by the Village tax payers at the time of merger are to remain with these properties until final payment of said obligations are made in full.</p> <p>(c) All existing legal obligations, including but not limited to tax stabilization agreements and any agreements to purchase real property, are to be considered</p>	

TRUSTEES	SELECTBOARD	DETERMINATION
<p>obligations of the new governmental entity.</p> <p>§ 114 Terms Extended</p> <p>The Selectboard and Trustee terms set to expire in 20__ shall be extended without further action necessary, until June 30, 20__. All other elected officials holding office at the time of Legislative approval of the charter shall remain in their seats until new elections occur or until they step down from office.</p>	<p>obligations of the new governmental entity.</p> <p>§ 114 Terms Extended</p> <p>The Selectboard and Trustee terms set to expire in 20__ shall be extended without further action necessary, until June 30, 20__. All other elected officials holding office at the time of Legislative approval of the charter shall remain in their seats until new elections occur or until they step down from office.</p>	
<p>§ 115 Transitional Tax Districts and Transitional Tax Provisions.</p>	<p>§ 115 Transitional Tax Districts and Transitional Tax Provisions.</p>	<p>115. CLARIFY WITH DAN</p>
<p>Transitional tax districts shall be established pursuant to § 104.</p>	<p>Transitional tax districts shall be established pursuant to § 104.</p>	
<p>§ 115 Repeals</p>	<p>§ 115 Repeals</p>	<p>115. CLARIFY WITH DAN; fix numbering</p>
<p>(a) 24 App. V.S.A. chapters 117 (Town of Essex Charter) and 221 (Village of Essex Junction Charter) are repealed.</p>	<p>(a) 24 App. V.S.A. chapters 117 (Town of Essex Charter) and 221 (Village of Essex Junction Charter) are repealed.</p>	
<p>Subchapter 2: Incorporation and Powers of The Town</p>	<p>Subchapter 2: Incorporation and Powers of The Town</p>	
<p>§ 201 Corporate Existence</p> <p>The inhabitants of the Town of Essex, within the corporate limits as now established, shall be a municipal</p>	<p>§ 201 Corporate Existence</p> <p>The inhabitants of the Town of Essex, within the corporate limits as now established, shall be a municipal</p>	

Commented [GD23]: Trustees: Is this necessary, since referenced above?

Commented [GD24]: Trustees: Is this necessary, since referenced above?

TRUSTEES	SELECTBOARD	DETERMINATION
<p>corporation by the name of the Town of Essex. This municipal corporation is a merger of and a successor to the Town of Essex (24 App. V.S.A. chapter 117 repealed) and the Village of Essex Junction (24 App. V.S.A. chapters 221 repealed).</p> <p>§202 General powers, law</p> <p>Except as modified by the provisions of this charter, or by any lawful regulation or ordinance of the Town of Essex, all provisions of the statutes of this state applicable to municipal corporations shall apply to the Town of Essex.</p> <p>§ 203 Specific Powers</p> <p>(a) The Town of Essex shall have all the powers granted to towns and municipal corporations by the Constitution and laws of this State together with all the implied powers necessary to carry into execution all the powers granted; and it may enact ordinances not inconsistent with the Constitution and laws of the State of Vermont or with this charter.</p> <p>(b) The Town of Essex may acquire real and personal property within or without its corporate limits for any municipal purpose, including storm</p>	<p>corporation by the name of the Town of Essex. This municipal corporation is a merger of and a successor to the Town of Essex (24 App. V.S.A. chapter 117 repealed) and the Village of Essex Junction (24 App. V.S.A. chapters 221 repealed).</p> <p>§202 General powers, law</p> <p>Except as modified by the provisions of this charter, or by any lawful regulation or ordinance of the Town of Essex, all provisions of the statutes of this state applicable to municipal corporations shall apply to the Town of Essex.</p> <p>§ 203 Specific Powers</p> <p>(a) The Town of Essex shall have all the powers granted to towns and municipal corporations by the Constitution and laws of this State together with all the implied powers necessary to carry into execution all the powers granted; and it may enact ordinances not inconsistent with the Constitution and laws of the State of Vermont or with this charter.</p> <p>(b) The Town of Essex may acquire real and personal property within or without its corporate limits for any municipal purpose, including storm</p>	<p>203b. keep vague, per DR suggestion</p>

Commented [GD83]: AW: lot of sections added in middle of this paragraph more than what's in current charter and 103b; do we want all specifics, and/or add clause to say "... and similar ..."? Or leave vague, like old language?

Commented [GD84R83]: DR: able to keep vague

TRUSTEES	SELECTBOARD	DETERMINATION
<p>water collection and disposal, waste water collection and disposal, solid waste collection and disposal, provision of public water supply, provision of public parks and recreation facilities, provision of municipal facilities for office, fire protection, and police protection, provision of public libraries, provision of public parking areas, provision of sidewalks, bicycle paths, and green strips, provision of public roadways, provision of public view zones and open spaces, and such other purposes as are addressed under the general laws of the State of Vermont. The Town of Essex may acquire such property in fee simple or any lesser interest or estate, by purchase, gift, devise, lease, or condemnation and may sell, lease, mortgage, hold, manage, and control such property as its interest may require.</p> <p>(c) The Town of Essex may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with other Vermont municipalities, the State of Vermont, any one or more subdivisions or agencies of the</p>	<p>water collection and disposal, waste water collection and disposal, solid waste collection and disposal, provision of public water supply, provision of public parks and recreation facilities, provision of municipal facilities for office, fire protection, and police protection, provision of public libraries, provision of public parking areas, provision of sidewalks, bicycle paths, and green strips, provision of public roadways, provision of public view zones and open spaces, and such other purposes as are addressed under the general laws of the State of Vermont. The Town of Essex may acquire such property in fee simple or any lesser interest or estate, by purchase, gift, devise, lease, or condemnation and may sell, lease, mortgage, hold, manage, and control such property as its interest may require.</p> <p>(c) The Town of Essex may exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with other Vermont municipalities, the State of Vermont, any one or more subdivisions or agencies of the</p>	

TRUSTEES	SELECTBOARD	DETERMINATION
<p>State, or the United States or any agency thereof.</p> <p>(d) The Town of Essex may establish and maintain an electric power system and regulate power line installations; provided, however, that the Town shall have no authority under this charter which conflicts with that authority granted to the Public Utilities Commission or any other state regulatory agency.</p> <p>(e) In this charter, mention of a particular power shall not be construed to be exclusive or to restrict the scope of the powers which the Town of Essex would have if the particular power were not mentioned.</p> <p>§ 204 Reservation of powers</p> <p>Nothing in this charter shall be so construed as in any way to limit the powers and functions conferred upon the Town of Essex and the Town Selectboard by general or special enactments in force or effect or hereafter enacted; and the powers and functions conferred by this charter shall be cumulative and in addition to the provisions of such general or special enactments.</p>	<p>State, or the United States or any agency thereof.</p> <p>(d) The Town of Essex may establish and maintain an electric power system and regulate power line installations; provided, however, that the Town shall have no authority under this charter which conflicts with that authority granted to the Public Utilities Commission or any other state regulatory agency.</p> <p>(e) In this charter, mention of a particular power shall not be construed to be exclusive or to restrict the scope of the powers which the Town of Essex would have if the particular power were not mentioned.</p> <p>§ 204 Reservation of powers</p> <p>Nothing in this charter shall be so construed as in any way to limit the powers and functions conferred upon the Town of Essex and the Town Selectboard by general or special enactments in force or effect or hereafter enacted; and the powers and functions conferred by this charter shall be cumulative and in addition to the provisions of such general or special enactments.</p>	

TRUSTEES	SELECTBOARD	DETERMINATION
<p>§205 Form of Government</p> <p>(a) The municipal government provided by this chapter shall be known as selectboard-manager form of government. Pursuant to its provisions and subject only to the limitations imposed by the State Constitution and by this chapter, all powers of the Town of Essex shall be vested in an elective Town Selectboard, which shall enact ordinances, codes, and regulations; adopt budgets; determine policies; and appoint the Town Manager, who shall enforce the laws and ordinances and administer the government of the Town. All powers of the Town shall be exercised in the manner prescribed by this chapter or prescribed by ordinance.</p> <p>(b) Voting Districts shall be established pursuant to § 301.</p>	<p>§205 Form of Government</p> <p>(a) The municipal government provided by this chapter shall be known as selectboard-manager form of government. Pursuant to its provisions and subject only to the limitations imposed by the State Constitution and by this chapter, all powers of the Town of Essex shall be vested in an elective Town Selectboard, which shall enact ordinances, codes, and regulations; adopt budgets; determine policies; and appoint the Town Manager, who shall enforce the laws and ordinances and administer the government of the Town. All powers of the Town shall be exercised in the manner prescribed by this chapter or prescribed by ordinance.</p> <p>(b) Voting Districts shall be established pursuant to § 301.</p>	<p>CHECK WITH DR RE: 205b</p>
<p>Subchapter 3: Voting District and Governance Structure</p>	<p>Subchapter 3: Voting District and Governance Structure</p>	
<p>§ 301 Voting Wards</p> <p>(a) The former incorporated Village of Essex Junction shall be known as Ward 1. Boundary adjustments will be made over time as necessary pursuant to § 301.b. The Town of Essex exclusive of</p>	<p>§ 301 Voting Wards</p> <p>(a) The former incorporated Village of Essex Junction shall be known as Ward 1. Boundary adjustments will be made over time as necessary pursuant to § 301.b. The Town of Essex exclusive of</p>	<p>301 PARKING LOT</p>

- Commented [GD25]:** Trustees: For Dan: Is this necessary, given subchapter 3?
- Commented [GD26]:** Trustees: consider language and decide if more clarity or flexibility needed in shifting district boundaries; public hearing process for new boundaries?
- Commented [GD85]:** AW: is there a way to define ward boundaries without requiring a charter change to modify boundaries in future? Change by ordinance? Is this covered by "made over time as necessary"?
- Commented [GD86R85]:** DR: yes, Montpelier allows boundaries to change without changing charter. Burlington, on other hand, has to go to legislature to change charter when changing ward boundaries.

TRUSTEES	SELECTBOARD	DETERMINATION
<p>the former Village of Essex Junction shall be known as Ward 2. Boundary adjustments will be made over time as necessary pursuant to § 301.b.</p> <p>(b) The Selectboard is empowered to make such changes from time to time, by resolution or ordinance, in the number and boundaries of the wards of the Town as it may deem proper, having regard so far as practicable and convenient, to an equal division of population among them; provided that after the first change so made, such changes shall not be made more than once in five or seven years.</p>	<p>the former Village of Essex Junction shall be known as Ward 2. Boundary adjustments will be made over time as necessary pursuant to § 301.b.</p> <p>(b) The Selectboard is empowered to make such changes from time to time, by resolution or ordinance, in the number and boundaries of the wards of the Town as it may deem proper, having regard so far as practicable and convenient, to an equal division of population among them; provided that after the first change so made, such changes shall not be made more than once in five or seven years.</p>	
<p>§ 302 Powers and Duties of Governing body</p> <p>(a) The members of the Town of Essex Selectboard shall constitute the legislative body of the Town of Essex for all purposes required by statute, and except as otherwise herein specifically provided shall have all the powers and authority given to, and perform all duties required of town legislative bodies or selectboards under the laws of the State of Vermont.</p> <p>(b) Within the limitations of the foregoing, the Town of Essex Selectboard shall have the power to:</p> <p>(1) Appoint and remove a Town Manager and supervise, create,</p>	<p>§ 302 Powers and Duties of Governing body</p> <p>(a) The members of the Town of Essex Selectboard shall constitute the legislative body of the Town of Essex for all purposes required by statute, and except as otherwise herein specifically provided shall have all the powers and authority given to, and perform all duties required of town legislative bodies or selectboards under the laws of the State of Vermont.</p> <p>(b) Within the limitations of the foregoing, the Town of Essex Selectboard shall have the power to:</p> <p>(1) Appoint and remove a Town Manager and supervise, create,</p>	

Commented [GD87]: EH: clarify proportionality, either in charter or in cheat sheet

Commented [GD88]: AW: should we specify one or the other?

Commented [GD89R88]: DR: yes, choose 5 or 7. Proportionality may require. Final language will be precise.

TRUSTEES	SELECTBOARD	DETERMINATION
<p>change, and abolish offices, commissions, or departments other than the offices, commissions, or departments established by this charter.</p> <p>(2) Appoint the members of all boards, commissions, committees, or similar bodies unless specifically provided otherwise by this charter.</p> <p>(3) Provide for an independent audit by a certified public accountant.</p> <p>(4) Inquire into the conduct of any officer, commission, or department and investigate any and all municipal affairs.</p> <p>(5) Exercise every other power which is not specifically set forth herein, but which is granted to selectboards or legislative bodies by the statutes of the state of Vermont.</p>	<p>change, and abolish offices, commissions, or departments other than the offices, commissions, or departments established by this charter.</p> <p>(2) Appoint the members of all boards, commissions, committees, or similar bodies unless specifically provided otherwise by this charter.</p> <p>(3) Provide for an independent audit by a certified public accountant.</p> <p>(4) Inquire into the conduct of any officer, commission, or department and investigate any and all municipal affairs.</p> <p>(5) Exercise every other power which is not specifically set forth herein, but which is granted to selectboards or legislative bodies by the statutes of the state of Vermont.</p>	
<p>§ 303 Governing body composition and term of office</p> <p>(a) There shall be a Town Selectboard consisting of six members.</p> <p>(b) The term of office of a Town Selectperson shall be three years and terms shall be staggered.</p>	<p>§ 303 Governing body composition and term of office</p> <p>(a) There shall be a Town Selectboard consisting of six members.</p> <p>(b) The term of office of a Town Selectperson shall be three years and terms shall be staggered.</p>	

Commented [GD90]: Update per above

TRUSTEES	SELECTBOARD	DETERMINATION
<p>(c) Elected Selectpersons shall represent the Town and the ward they live in.</p> <p>§ 304 Vacancy in office</p> <p>In case of a vacancy of any elected Town official, such vacancy shall be filled by the Town Selectboard until the next annual election. The person then elected shall serve for the remainder of the unexpired term. If more than one vacancy occurs on an elected board at the same time the vacancy shall be filled by a special Town meeting called for that purpose. Separate filing shall be made for such unexpired term.</p> <p>§305 Election of governing body officers</p> <p>(a) At the first meeting following the annual Town meeting, the Selectboard shall organize and elect a chairperson, vice chairperson, and clerk by a majority vote of the entire Selectboard, and shall file a certificate of the election for record in the office of the Town clerk. In the event of a tie vote, the selectperson of the two with the longest most recent contiguous service on the board shall become chair. The same shall go for vice chair and clerk.</p>	<p>(c) Elected Selectpersons shall represent the Town and the ward they are elected by.</p> <p>§ 304 Vacancy in office</p> <p>In case of a vacancy of any elected Town official, such vacancy shall be filled by the Town Selectboard until the next annual election. The person then elected shall serve for the remainder of the unexpired term. If more than one vacancy occurs on an elected board at the same time the vacancy shall be filled by a special Town meeting called for that purpose. Separate filing shall be made for such unexpired term.</p> <p>§305 Election of governing body officers</p> <p>(a) At the first meeting following the annual Town meeting, the Selectboard shall organize and elect a chairperson, vice chairperson, and clerk by a majority vote of the entire Selectboard, and shall file a certificate of the election for record in the office of the Town clerk. In the event of a tie vote, the selectperson of the two with the longest most recent contiguous service on the board shall become chair. The same shall go for vice chair and clerk.</p>	<p>303c. confirm if charter needs to specify that member loses seat when moves out of ward, or if that is in statute</p> <p>304. each candidate running needs to declare which seat they want</p> <p>305. need to specify when SB member term begins (e.g., see current charters)</p>

- Commented [GD91]:** Define if 7th member is added, what that person represents; e.g., if at large, represent entire municipality
- Commented [GD92R91]:** DR: When elected, represent entire town
- Commented [GD93]:** AW: can person be elected to represent a ward that did not elect them? What if elected official moves to a different ward when in term?
- Commented [GD94R93]:** DR: represent entire town. If move out of ward, need to resign and give up seat; define eligibility. See Montpelier for example; they define under "Vacancy"
- Commented [GD95]:** AW: What if elected official moves to a different ward when in term? Do they need to leave office?
- Commented [GD96R95]:** See DR answer above
- Commented [GD97]:** AW: see 305c, redundant
- Commented [GD98]:** AW: need to define when term begins, allow for recounts. etc

- Commented [GD99]:** SB: consider if this is relevant depending on odd or even number board
- Commented [GD100R99]:** DR: irrelevant if odd number board

- Commented [GD27]:** Trustees: consider striking this passage

TRUSTEES	SELECTBOARD	DETERMINATION
<p>(b) The chairperson of the Selectboard or in the chairperson's absence, the vice chairperson, shall preside at all meetings of the Selectboard and shall be recognized as the head of the Town government for all ceremonial purposes.</p> <p>(c) In the event of death, resignation, or incapacitation of any Selectboard member, the remaining members of the Selectboard may appoint a person to fill that position until the next annual election. At the next annual election, the vacancy shall be filled and the person so elected shall serve for the remainder of the term of office. In the event the Selectboard is unable to agree upon an interim replacement until the next annual Town election, a special election shall be held forthwith to fill the position.</p>	<p>(b) The chairperson of the Selectboard or in the chairperson's absence, the vice chairperson, shall preside at all meetings of the Selectboard and shall be recognized as the head of the Town government for all ceremonial purposes.</p> <p>(c) In the event of death, resignation, or incapacitation of any Selectboard member, the remaining members of the Selectboard may appoint a person to fill that position until the next annual election. At the next annual election, the vacancy shall be filled and the person so elected shall serve for the remainder of the term of office. In the event the Selectboard is unable to agree upon an interim replacement until the next annual Town election, a special election shall be held forthwith to fill the position.</p>	
<p>§ 306 Compensation</p> <p>(a) Compensation paid to the Selectboard members as reimbursement for expenses shall be set by the voters at the annual meeting, with a minimum of \$1500.00 a year each. Selectboard members compensation must be set forth as a separate item in the</p>	<p>§ 306 Compensation</p> <p>(a) Compensation paid to the Selectboard members as reimbursement for expenses shall be set by the voters at the annual meeting, with a minimum of \$1500.00 a year each. Selectboard members compensation must be set forth as a separate item in the</p>	<p>306. BT: 3 for minimum required amount, 2 for \$100/meeting (approx. 24 meetings) ; 3 support \$1500 minimum SB: keep at minimum (\$1500)</p> <p>Consider discussion at future SB (new town?) to consider raising amount in budget (but not in charter)</p>

Commented [GD101]: AW: see 304, redundant

Commented [GD28]: Current Town Selectboard reimbursement

Commented [GD102]: EH: consider \$2000/year, \$4000 for chair; annual raises built in

TRUSTEES	SELECTBOARD	DETERMINATION
<p>annual budget presented to the meeting.</p> <p>(b) The Selectboard shall fix the compensation of all officers and employees, except as otherwise provided in this charter.</p>	<p>annual budget presented to the meeting.</p> <p>(b) The Selectboard shall fix the compensation of all officers and employees, except as otherwise provided in this charter.</p>	<p>306b. CHECK REDUNDANCY</p>
<p>§ 307 Prohibitions and conflicts of interest</p> <p>(a) Holding Other Office. No Selectboard member shall hold any other Town office or employment during the term for which he/she/they was elected to the Selectboard. No former Selectboard member shall hold any compensated appointive municipal office or employment until one year after the expiration of the term for which they were elected to the legislative body.</p>	<p>§ 307 Prohibitions and conflicts of interest</p> <p>(a) Holding Other Office. No Selectboard member shall hold any other Town office or employment during the term for which he/she/they was elected to the Selectboard. No former Selectboard member shall hold any compensated appointive municipal office or employment until one year after the expiration of the term for which they were elected to the legislative body.</p>	<p>307. get clarification on holding other office. (school board, state rep, etc.) ET – recommend that Employees cannot be SB members</p>
<p>(b) Appointments and Removals. Neither the legislative body nor any of its members shall in any manner dictate the appointment or removal of any municipal administrative officers or employees whom the manager or any of his subordinates are empowered to appoint, but the legislative body may express its views and fully and freely discuss with the manager anything pertaining to appointment and</p>	<p>(b) Appointments and Removals. Neither the legislative body nor any of its members shall in any manner dictate the appointment or removal of any municipal administrative officers or employees whom the manager or any of his subordinates are empowered to appoint, but the legislative body may express its views and fully and freely discuss with the manager anything pertaining to appointment and</p>	<p>307b – let DR wordsmith, per comment</p>

Commented [GD103]: AW: want clarification; this won't work if at Australian ballot

Commented [GD104]: AW: redundant section with 312a

Commented [GD105]: AW/PM: want clarification on this and purpose. Town office, school board, etc?

Commented [GD106R105]: DR: awkward if on SB and DRB, for instance, because providing oversight of 'self. Default statute does not prevent this. Be clear and specific if this stays.

DR will do more research to see if any concerns with constitutionality of making people choose between office and job

Commented [GD107]: AW: want to strike this section; SB shouldn't criticize employees publicly; manager has authority over personnel

** check with Dan Richardson if this needs to be in charter; don't want to limit ability to discuss personnel in executive session **

Commented [GD108R107]: DR: can wordsmith. Don't want to create situation of constructive termination

TRUSTEES	SELECTBOARD	DETERMINATION
<p>removal of such officers and employees.</p> <p>(c) Interference with Administration. Except for the purpose of inquiries and investigations under Section 302 (b)(4), the legislative body or its members shall deal with the municipal officers and employees who are subject to the direction and supervision of the manager solely through the manager, and neither the legislative body nor its members shall give orders to any such officer or employee, either publicly or privately.</p> <p>§ 308 Governing body meetings</p> <p>As soon as possible after the election of the chairperson and vice chairperson, the Selectboard shall fix the time and place of its regular meetings, and such meetings shall be held at least once a month.</p> <p>§ 309 Special meetings</p> <p>Special Town meetings, shall be called in the manner provided by the laws of the State, and the voting on all questions shall be by the Australian ballot system.</p> <p>§ 310 Procedure</p>	<p>removal of such officers and employees.</p> <p>(c) Interference with Administration. Except for the purpose of inquiries and investigations under Section 302 (b)(4), the legislative body or its members shall deal with the municipal officers and employees who are subject to the direction and supervision of the manager solely through the manager, and neither the legislative body nor its members shall give orders to any such officer or employee, either publicly or privately.</p> <p>§ 308 Governing body meetings</p> <p>As soon as possible after the election of the chairperson and vice chairperson, the Selectboard shall fix the time and place of its regular meetings, and such meetings shall be held at least once a month.</p> <p>§ 309 Special meetings</p> <p>Special Town meetings, shall be called in the manner provided by the laws of the State, and the voting on all questions shall be by the Australian ballot system.</p> <p>§ 310 Procedure</p>	<p></p> <p>309. change header to “special Town Meetings”</p>

Commented [GD109]: SB: too restrictive? Do all special town meetings need to be by ballot?

Commented [GD110R109]: DR: not required. May make sense, especially if moving to Australian ballot in general

TRUSTEES	SELECTBOARD	DETERMINATION
(a) The Selectboard shall determine its own rules and order of business.	(a) The Selectboard shall determine its own rules and order of business.	
(b) The presence of four members shall constitute a quorum. Four affirmative votes shall be necessary to take binding Selectboard action. However, in the case of a tie vote on the budget, the Chair of the Planning Commission shall cast a vote to break the tie.	(b) The presence of four members shall constitute a quorum. Four affirmative votes shall be necessary to take binding Selectboard action. However, in the case of a tie vote on the budget, the Chair of the Planning Commission shall cast a vote to break the tie.	310b. quorum = majority of board, that number needed for a vote to pass. Remove PC Chair clause
(c) The Selectboard shall in accordance with Vermont law keep minutes of its proceedings. This journal shall be a public record.	(c) The Selectboard shall in accordance with Vermont law keep minutes of its proceedings. This journal shall be a public record.	
(d) All meetings of the Selectboard shall be open to the public unless, by an affirmative vote of the majority of the members present, the Selectboard shall vote that any particular session shall be an executive session or deliberative session in accordance with Vermont law.	(d) All meetings of the Selectboard shall be open to the public unless, by an affirmative vote of the majority of the members present, the Selectboard shall vote that any particular session shall be an executive session or deliberative session in accordance with Vermont law.	310d. clarify if deliberative session is required to put in charter
<p>§ 311 Appointments</p> <p>The Selectboard shall have the power to appoint the members of all boards, commissions, committees, or similar bodies unless specifically provided otherwise by this charter. The terms of</p>	<p>§ 311 Appointments</p> <p>The Selectboard shall have the power to appoint the members of all boards, commissions, committees, or similar bodies unless specifically provided otherwise by this charter. The terms of</p>	<p>311. Have DR carry over all necessary language; make sure SB keeps current powers of appointment</p>

Commented [GD29]: Trustees: Does quorum need to be defined, and if so, is this the right place? Could be good to leave in for clarity.

Commented [GD30]: Trustees: Does PC chair need to be at Selectboard meetings? Ann J. was presenting options for tie breakers.
ET: check with Dan Richardson – does this section need to even be in a charter? Let Roberts Rules apply; or a tie means a vote dies? Consider referencing Roberts Rules in charter.

Commented [GD111]: AW: don't want appointed person as de facto SB member
ET: consider Robert's Rules for procedure
Possible for charter to allow 'majority of members present'?
** get clarification from Dan Richardson **

Commented [GD112R111]: DR: If four is a quorum, need four votes for approval; majority of board, not majority of people present

Commented [GD113]: AW: copied from another section (206 of current charter), but specifics dropped. Don't want to inadvertently lose a power; cross reference to make sure language allows SB to appoint who they want/need to appoint

TRUSTEES	SELECTBOARD	DETERMINATION
<p>all appointments shall commence on the day after the day of appointment unless the appointment is to fill a vacancy in an office, in which case the term shall commence at the time of appointment.</p> <p>§ 312 Additional governing body provisions</p> <p>(a) No claim for personal services shall be allowed to the officers elected at the annual meeting, except when compensation for such services is provided for under the provisions of this chapter or by the general law. The compensation of all officers and employees of the Town shall be fixed by the Selectboard, except as herein otherwise provided.</p> <p>(b) The Selectboard may authorize the sale or lease of any real or personal estate belonging to the Town.</p>	<p>all appointments shall commence on the day after the day of appointment unless the appointment is to fill a vacancy in an office, in which case the term shall commence at the time of appointment.</p> <p>§ 312 Additional governing body provisions</p> <p>(a) No claim for personal services shall be allowed to the officers elected at the annual meeting, except when compensation for such services is provided for under the provisions of this chapter or by the general law. The compensation of all officers and employees of the Town shall be fixed by the Selectboard, except as herein otherwise provided.</p> <p>(b) The Selectboard may authorize the sale or lease of any real or personal estate belonging to the Town.</p>	
<p>Subchapter 4 Other Elected Offices</p> <p>§ 401 Brownell Library trustees</p> <p>There shall be a five-member Board of Library Trustees who shall be elected to five-year terms using the Australian ballot system pursuant to § 501. Only qualified voters of the Town of Essex shall be eligible to hold the office of library trustee. The five permanent, self-perpetuating library trustees shall</p>	<p>Subchapter 4 Other Elected Offices</p> <p>§ 401 Brownell Library trustees</p> <p>There shall be a five-member Board of Library Trustees who shall be elected to five-year terms using the Australian ballot system pursuant to § 501. Only qualified voters of the Town of Essex shall be eligible to hold the office of library trustee. The five permanent, self-perpetuating library trustees shall</p>	<p>401. Get clarification from Dan</p>

Commented [GD114]: AW: section redundant with 306b

Commented [GD115]: Determine if this section is required
AW: Brownell Board may need to update its governing document

TRUSTEES	SELECTBOARD	DETERMINATION
<p>function in accordance with the terms of the Brownell Trust agreement dated May 25, 1925.</p> <p>Subchapter 5 Town Meetings</p> <p>§ 501 Town of Essex Meetings/Elections</p> <p>(a) Annual meetings for the election of officers, the voting on the budgets, and any other business included in the warnings for the meetings, shall be on a date established and legally warned by the Selectboard.</p> <p>(b) Provisions of the laws of the State of Vermont relating to the qualifications of electors, the manner of voting, the duties of elections officers, and all other particulars respective to preparation for, conducting, and management of elections, so far as they may be applicable, shall govern all municipal elections, and all general and special meetings, except as otherwise provided in this charter.</p> <p>(c) The election of officers and the voting on all questions shall be by Australian ballot system. The ballot boxes shall be open between 7:00 a.m. and 7:00 p.m. as shall be determined and warned by the Selectboard.</p>	<p>function in accordance with the terms of the Brownell Trust agreement dated May 25, 1925.</p> <p>Subchapter 5 Town Meetings</p> <p>§ 501 Town of Essex Meetings/Elections</p> <p>(a) Annual meetings for the election of officers, the voting on the budgets, and any other business included in the warnings for the meetings, shall be on a date established and legally warned by the Selectboard.</p> <p>(b) Provisions of the laws of the State of Vermont relating to the qualifications of electors, the manner of voting, the duties of elections officers, and all other particulars respective to preparation for, conducting, and management of elections, so far as they may be applicable, shall govern all municipal elections, and all general and special meetings, except as otherwise provided in this charter.</p> <p>(c) The election of officers and the voting on all questions shall be by Australian ballot system. The ballot boxes shall be open between 7:00 a.m. and 7:00 p.m. as shall be determined and warned by the Selectboard.</p>	<p>501a. MAKE SPECIFIC SB – Town Meeting Day BT – Town Meeting Day</p> <p>501c. use DR recommended language allowing Clerk and BCA to set hours</p>

Commented [GD31]: Trustees: For Dan Richardson – is it possible to codify the mailing of ballots to all residents? For SB – do we want to?

Commented [GD116]: AW: too ambiguous? Provide more specifics

Commented [GD117R116]: DR: provide specifics, don't want too much leeway, eg first Tuesday of March, third Tuesday of April, etc.

Commented [GD32]: Trustees: For Dan Richardson: Do hours need to be specified? For example, Village changed hours of polls during Covid state of emergency.

Commented [GD118]: Want to keep hours? Doing so specifies hours so they cannot be reduced. Secretary of State and statute may define hours
Specify 'hours determined by state'?

Commented [GD119R118]: DR: usually set by Town Clerk and BCA; recommend doing it this way. "set by Town Clerk and Board of Civil Authority in conformance with general laws of the state"

TRUSTEES	SELECTBOARD	DETERMINATION
<p>Subchapter 6 Ordinances</p> <p>§ 601 Ordinances-Method of adoption and enforcement</p> <p>(a) The Selectboard may provide penalties for the breach of any ordinance authorized by general law or this charter; may prosecute any person violating the same through the Town attorney or police officers who for such purposes shall be informing officers; and may maintain actions to restrain actual or threatened violations of the same. The establishment of any fine or penalty shall be by ordinance.</p> <p>(b) Ordinance-making authority granted to the Town by this charter and general law shall be exercised pursuant to the provisions of sections § 602 through § 605 of this charter, except for zoning by-laws and/or subdivision regulations which shall be adopted pursuant to 24 V.S.A. Chapter 117, as amended from time to time hereafter.</p> <p>§ 602 Introduction; first and second readings; public hearing</p> <p>(a) Every ordinance shall be introduced in writing. The enacting clause of</p>	<p>Subchapter 6 Ordinances</p> <p>§ 601 Ordinances-Method of adoption and enforcement</p> <p>(a) The Selectboard may provide penalties for the breach of any ordinance authorized by general law or this charter; may prosecute any person violating the same through the Town attorney or police officers who for such purposes shall be informing officers; and may maintain actions to restrain actual or threatened violations of the same. The establishment of any fine or penalty shall be by ordinance.</p> <p>(b) Ordinance-making authority granted to the Town by this charter and general law shall be exercised pursuant to the provisions of sections § 602 through § 605 of this charter, except for zoning by-laws and/or subdivision regulations which shall be adopted pursuant to 24 V.S.A. Chapter 117, as amended from time to time hereafter.</p> <p>§ 602 Introduction; first and second readings; public hearing</p> <p>(a) Every ordinance shall be introduced in writing. The enacting clause of all</p>	<p>Subchapter 6</p> <p>– confirm that SB remains board of liquor control and retains powers</p> <ul style="list-style-type: none"> - Look at VLCT report and see if it’s worth making changes to charter based on that <p>Go with state/Village ordinance adoption process</p>

Commented [GD33]: RC: consider ways to give Selectboard authority to regulate alcohol, tobacco, cannabis; if so, is this the right spot. See St. Johnsbury example

Commented [GD120]: GD: staff prefers Village adoption process, which refers to procedure laid out by statute (24 vsa 1972). DR recommends the same

TRUSTEES	SELECTBOARD	DETERMINATION
<p>all ordinances shall be "The Selectboard of the Town of Essex hereby ordains. . . ." If the Selectboard passes the proposed ordinance upon first reading, then the Selectboard shall cause it to be published in a newspaper of general circulation in the Town in the form passed, or a concise summary of it, including a statement of purpose, principal provisions, and table of contents or list of section headings, together with a reference to a place within the Town where copies of the full text of the proposed ordinance may be examined, at least once, together with a notice of the time and place when and where there will be a public hearing to consider the same for final passage. The first such publication shall be at least one week prior to the date of the public hearing. Any published notice shall explain citizens' rights to petition for a vote on the ordinance at an annual or special meeting, pursuant to Vermont Statutes Annotated, Title 24 § 1973, and shall also contain the name, address and telephone number of a person with knowledge of the ordinance who is available to answer questions about it.</p>	<p>ordinances shall be "The Selectboard of the Town of Essex hereby ordains. . . ." If the Selectboard passes the proposed ordinance upon first reading, then the Selectboard shall cause it to be published in a newspaper of general circulation in the Town in the form passed, or a concise summary of it, including a statement of purpose, principal provisions, and table of contents or list of section headings, together with a reference to a place within the Town where copies of the full text of the proposed ordinance may be examined, at least once, together with a notice of the time and place when and where there will be a public hearing to consider the same for final passage. The first such publication shall be at least one week prior to the date of the public hearing. Any published notice shall explain citizens' rights to petition for a vote on the ordinance at an annual or special meeting, pursuant to Vermont Statutes Annotated, Title 24 § 1973, and shall also contain the name, address and telephone number of a person with knowledge of the ordinance who is available to answer questions about it.</p>	

TRUSTEES	SELECTBOARD	DETERMINATION
<p>(c) At the time and place so advertised, or at any time and place to which the hearing may from time to time be adjourned, the ordinance shall be introduced, and thereafter, all persons interested shall be given an opportunity to be heard.</p> <p>(d) After the hearing, the Selectboard may finally pass the ordinance with or without amendment, except that if the Selectboard makes an amendment, it shall cause the amended ordinance to be published, pursuant to subsection (a) of this section at least once together with a notice of the time and place of a public hearing at which the amended ordinance will be further considered, which publication shall be at least three days prior to the public hearing. At the time so advertised or at any time and place to which the meeting may be adjourned, the amended ordinance shall be introduced, and after the hearing, the Selectboard may finally pass the amended ordinance, or again amend it subject to the same procedures as outlined herein.</p> <p>§ 603 Effective date</p> <p>Every ordinance shall become effective upon passage unless otherwise specified.</p>	<p>(c) At the time and place so advertised, or at any time and place to which the hearing may from time to time be adjourned, the ordinance shall be introduced, and thereafter, all persons interested shall be given an opportunity to be heard.</p> <p>(d) After the hearing, the Selectboard may finally pass the ordinance with or without amendment, except that if the Selectboard makes an amendment, it shall cause the amended ordinance to be published, pursuant to subsection (a) of this section at least once together with a notice of the time and place of a public hearing at which the amended ordinance will be further considered, which publication shall be at least three days prior to the public hearing. At the time so advertised or at any time and place to which the meeting may be adjourned, the amended ordinance shall be introduced, and after the hearing, the Selectboard may finally pass the amended ordinance, or again amend it subject to the same procedures as outlined herein.</p> <p>§ 603 Effective date</p> <p>Every ordinance shall become effective upon passage unless otherwise specified.</p>	

TRUSTEES	SELECTBOARD	DETERMINATION
<p>§ 604 Filing and recording of ordinances</p> <p>The Town clerk shall prepare and keep in the Town clerk’s office a book of ordinances which shall contain each ordinance finally passed by the Selectboard, together with a complete index of the ordinances according to subject matter.</p>	<p>§ 604 Filing and recording of ordinances</p> <p>The Town clerk shall prepare and keep in the Town clerk’s office a book of ordinances which shall contain each ordinance finally passed by the Selectboard, together with a complete index of the ordinances according to subject matter.</p>	
<p>§ 605 Public nuisances</p> <p>The Selectboard may prosecute and seek damages and injunctive relief to end or mitigate public nuisances.</p>	<p>§ 605 Public nuisances</p> <p>The Selectboard may prosecute and seek damages and injunctive relief to end or mitigate public nuisances.</p>	<p>605. take DR advice to remove</p>
<p>Subchapter 7: Town Manager</p> <p>§701 Appointment/Hiring of Manager</p> <p>The Selectboard shall appoint a Town manager under and in accordance with Vermont Statutes Annotated, as amended from time to time hereafter. The Manager shall be appointed solely on the basis of his or her executive and administrative qualifications in accordance with the Vermont statutes.</p>	<p>Subchapter 7: Town Manager</p> <p>§701 Appointment/Hiring of Manager</p> <p>The Selectboard shall appoint a Town manager under and in accordance with Vermont Statutes Annotated, as amended from time to time hereafter. The Manager shall be appointed solely on the basis of his or her executive and administrative qualifications in accordance with the Vermont statutes.</p>	
<p>§ 702 Powers of Manager</p> <p>The Manager shall be the chief administrative officer of the Town of Essex. He or she shall be responsible to</p>	<p>§ 702 Powers of Manager</p> <p>The Manager shall be the chief administrative officer of the Town of Essex. He or she shall be responsible to</p>	

- Commented [GD34]:** Trustees: For Dan Richardson - Why is this section here? Seems out of place.
- Commented [GD121]:** AW: hard to define ‘public nuisance,’ prefer to see section removed
- Commented [GD122R121]:** GD/ET: agree, refer to ordinance
DR: okay to remove. 24 vsa 2291(14) allows municipality to define public nuisance and deal with it, if boards want to keep in and call attention to it or add powers. Simpler to keep off charter
- Commented [GD123]:** EH: does new SB need to re-sign contract with manager
- Commented [GD124R123]:** DR: new entity is successor to Town and Village, and contract would continue; doesn’t need to be part of charter

- Commented [GD125]:** AW: new section. Does it need to be in charter, or should it be contract with manager
- Commented [GD126R125]:** DR: these provisions apply if there is no contract. Outline of powers gives authority to manager

TRUSTEES	SELECTBOARD	DETERMINATION
<p>the Selectboard for the administration of all Town of Essex affairs placed in his or her charge by or under this charter. He or she shall have the following powers and duties in addition to those powers and duties delegated to municipal managers under the Vermont statutes.</p> <p>(1) The Manager shall appoint and, when he or she deems it necessary for the good of the service, suspend or remove all Town of Essex employees, and other employees provided for by or under this charter for cause, except as otherwise provided by law, this charter, or personnel rules adopted pursuant to this charter. He or she may authorize any employee who is subject to his or her direction and supervision to exercise these powers with respect to subordinates in that employee's department, office, or agency.</p> <p>(2) The Manager shall direct and supervise the administration of all departments, offices, and agencies of the Town of Essex, except as otherwise provided by this charter or by law.</p> <p>(3) The Manager shall appoint the Town attorney.</p>	<p>the Selectboard for the administration of all Town of Essex affairs placed in his or her charge by or under this charter. He or she shall have the following powers and duties in addition to those powers and duties delegated to municipal managers under the Vermont statutes.</p> <p>(1) The Manager shall appoint and, when he or she deems it necessary for the good of the service, suspend or remove all Town of Essex employees, and other employees provided for by or under this charter for cause, except as otherwise provided by law, this charter, or personnel rules adopted pursuant to this charter. He or she may authorize any employee who is subject to his or her direction and supervision to exercise these powers with respect to subordinates in that employee's department, office, or agency.</p> <p>(2) The Manager shall direct and supervise the administration of all departments, offices, and agencies of the Town of Essex, except as otherwise provided by this charter or by law.</p> <p>(3) The Manager shall appoint the Town attorney.</p>	<p>702.3 (NEED TO WORDSMITH) See Village charter re :appointing attorney</p>

Commented [GD127]: ET: prefer something like "Manager shall hire attorneys as needed"

TRUSTEES	SELECTBOARD	DETERMINATION
<p>(4) The Manager shall attend all Selectboard meetings and shall have the right to take part in discussion and make recommendations but may not vote.</p> <p>(5) The Manager shall see that all laws, provisions of this charter, and acts of the Selectboard, subject to enforcement by him or her or by officers subject to his or her direction and supervision, are faithfully executed.</p> <p>(6) The Manager shall prepare and submit the annual budget and capital program to the Selectboard.</p> <p>(7) The Manager shall submit to the Selectboard and make available to the public a complete report on the finances and administrative activities of the Town of Essex as of the end of each fiscal year.</p> <p>(8) The Manager shall make such other reports as the Selectboard may require concerning the operations of Town of Essex departments, offices, and agencies subject to his or her direction and supervision.</p> <p>(9) The Manager shall keep the Selectboard fully advised as to the financial condition and future needs</p>	<p>(4) The Manager shall attend all Selectboard meetings and shall have the right to take part in discussion and make recommendations but may not vote.</p> <p>(5) The Manager shall see that all laws, provisions of this charter, and acts of the Selectboard, subject to enforcement by him or her or by officers subject to his or her direction and supervision, are faithfully executed.</p> <p>(6) The Manager shall prepare and submit the annual budget and capital program to the Selectboard.</p> <p>(7) The Manager shall submit to the Selectboard and make available to the public a complete report on the finances and administrative activities of the Town of Essex as of the end of each fiscal year.</p> <p>(8) The Manager shall make such other reports as the Selectboard may require concerning the operations of Town of Essex departments, offices, and agencies subject to his or her direction and supervision.</p> <p>(9) The Manager shall keep the Selectboard fully advised as to the financial condition and future needs</p>	<p>702(4). DR: "manager or his or her designee shall be entitled to attend all Selectboard meetings." CHECK statute to see what's said about council-manager form of government. DR to wordsmith</p>

Commented [GD128]: AW: too restrictive? Can manager send representative or designee?
 DR: "manager or his or her designee shall be entitled to attend all Selectboard meetings."

TRUSTEES	SELECTBOARD	DETERMINATION
<p>of the Town of Essex and make such recommendations to the Selectboard concerning the affairs of the Town of Essex as he or she deems desirable.</p> <p>(10) The Manager shall be responsible for the enforcement of all Town of Essex ordinances and laws.</p> <p>(11) The Manager may when advisable or proper delegate to subordinate officers and employees of the Town of Essex any duties conferred upon him or her by this charter, the Vermont statutes, or the Selectboard members.</p> <p>(12) The Manager shall perform such other duties as are specified in this charter or in State law, or as may be required by the Selectboard.</p>	<p>of the Town of Essex and make such recommendations to the Selectboard concerning the affairs of the Town of Essex as he or she deems desirable.</p> <p>(10) The Manager shall be responsible for the enforcement of all Town of Essex ordinances and laws.</p> <p>(11) The Manager may when advisable or proper delegate to subordinate officers and employees of the Town of Essex any duties conferred upon him or her by this charter, the Vermont statutes, or the Selectboard members.</p> <p>(12) The Manager shall perform such other duties as are specified in this charter or in State law, or as may be required by the Selectboard.</p>	
<p>§ 703 Hearing/Removal Process</p>	<p>§ 703 Hearing/Removal Process</p>	<p>703. KEEP in charter</p>
<p>(a) The Selectboard may remove the Manager from office for cause in accordance with the following procedures:</p> <ol style="list-style-type: none"> 1. The Selectboard shall adopt by affirmative vote of a majority of all its members a preliminary resolution which must state the reasons for removal and may suspend the Manager from duty 	<p>(a) The Selectboard may remove the Manager from office for cause in accordance with the following procedures:</p> <ol style="list-style-type: none"> 1. The Selectboard shall adopt by affirmative vote of a majority of all its members a preliminary resolution which must state the reasons for removal and may suspend the Manager from duty 	

Commented [GD129]: AW: better off in contract?

Commented [GD130R129]: DR: should be in charter. Case in St. J a few years ago giving manager right to hearing process. Keep provisions in charter. Contract provision could take place if necessary, but this provides guidelines if not in contract or need guidance for some reason

TRUSTEES	SELECTBOARD	DETERMINATION
<p>for a period not to exceed 45 days. A copy of the resolution shall be delivered within three days to the Manager.</p> <p>2. Within five days after a copy of the resolution is delivered to the Manager, he or she may file with the Selectboard a written request for a hearing. Said hearing to be in a public or executive session by choice of the Manager. This hearing shall be held at a special Selectboard meeting not earlier than 15 days nor later than 30 days after the request is filed. The Manager may file with the Selectboard a written reply not later than five days before the hearing.</p> <p>3. The Selectboard may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members at any time after five days from the date when a copy of the preliminary resolution was delivered to the Manager, if he or she has not requested a public hearing, or at any time after the public hearing if he or she has requested one.</p>	<p>for a period not to exceed 45 days. A copy of the resolution shall be delivered within three days to the Manager.</p> <p>2. Within five days after a copy of the resolution is delivered to the Manager, he or she may file with the Selectboard a written request for a hearing. Said hearing to be in a public or executive session by choice of the Manager. This hearing shall be held at a special Selectboard meeting not earlier than 15 days nor later than 30 days after the request is filed. The Manager may file with the Selectboard a written reply not later than five days before the hearing.</p> <p>3. The Selectboard may adopt a final resolution of removal, which may be made effective immediately, by affirmative vote of a majority of all its members at any time after five days from the date when a copy of the preliminary resolution was delivered to the Manager, if he or she has not requested a public hearing, or at any time after the public hearing if he or she has requested one.</p>	

TRUSTEES	SELECTBOARD	DETERMINATION
<p>(b) The Manager shall continue to receive his or her salary until the effective date of a final resolution of removal.</p> <p>§ 704 Vacancy in office of manger</p> <p>The Manager, by letter filed with the Town Clerk, may appoint an officer or employee of the Town to perform his or her duties during his or her vacation, incapacitation, or disability. In the event of failure of the Manager to make such designation, the Selectboard may by resolution appoint an officer or employee of the Town to perform the duties of the Manager until he or she shall return or his or her disability shall cease. However, if the Manager has within his or her administration, formed and appointed the position of Assistant Town Manager, said Assistant shall automatically assume the Manager's responsibilities during his or her temporary absence or disability.</p>	<p>(b) The Manager shall continue to receive his or her salary until the effective date of a final resolution of removal.</p> <p>§ 704 Vacancy in office of manager</p> <p>The Manager, by letter filed with the Town Clerk, may appoint an officer or employee of the Town to perform his or her duties during his or her vacation, incapacitation, or disability. In the event of failure of the Manager to make such designation, the Selectboard may by resolution appoint an officer or employee of the Town to perform the duties of the Manager until he or she shall return or his or her disability shall cease. However, if the Manager has within his or her administration, formed and appointed the position of Assistant Town Manager, said Assistant shall automatically assume the Manager's responsibilities during his or her temporary absence or disability.</p>	<p>704. KEEP, make sure not too prescriptive. Let DR wordsmith; refer to COOP policy for “however, if the manager ...” and strike that section</p>
<p>Subchapter 8: Boards and Commissions</p> <p>§ 801 Board of Civil Authority</p> <p>The Board of Civil Authority is comprised of the Town of Essex Selectboard members and Justices of the Peace.</p>	<p>Subchapter 8: Boards and Commissions</p> <p>§ 801 Board of Civil Authority</p> <p>The Board of Civil Authority is comprised of the Town of Essex Selectboard members and Justices of the Peace.</p>	

Commented [GD131]: AW: prefer policy, not charter item
 EH: get best practice from Dan Richardson

Commented [GD132R131]: DR: could be done by policy instead of charter. If in charter, make clear in event of actual vacancy; needs to be clear who makes managerial decisions. Default to deputy/assistant
 ET: manager shall designate person. If prolonged absence where manager is incapacitated, SB shall appoint interim manager for that time

Commented [GD133]: Too specific?

Commented [GD134]: AW: not in current charter, does it need to be included here? Combine with 802?
 DHF: combine

Commented [GD135R134]: DR: BCA and Board of Abatement are different. Both laid out in statute. Not necessary to keep

TRUSTEES	SELECTBOARD	DETERMINATION
<p>§ 802 Board of Abatement of Taxes</p> <p>The board of civil authority shall constitute a board of abatement as provided by law. The board of abatement shall meet and discharge its duties as required by the applicable statutory provisions.</p>	<p>§ 802 Board of Abatement of Taxes</p> <p>The board of civil authority shall constitute a board of abatement as provided by law. The board of abatement shall meet and discharge its duties as required by the applicable statutory provisions.</p>	
<p>§ 803 Planning Commission</p> <p>There shall be a Planning Commission and its powers, obligations and operation shall be under and in accordance with Vermont Statutes Annotated, as they may be amended from time to time hereafter, and members will be appointed by the Town Selectboard for terms of three years from among the qualified voters of the Town. Members of the Commission shall hold no other Town office.</p>	<p>§ 803 Planning Commission</p> <p>There shall be a Planning Commission and its powers, obligations and operation shall be under and in accordance with Vermont Statutes Annotated, as they may be amended from time to time hereafter, and members will be appointed by the Town Selectboard for terms of three years from among the qualified voters of the Town. Members of the Commission shall hold no other Town office.</p>	
<p>§ 804 Development Review Board</p> <p>A Development Review Board shall be established and its powers, obligations and operation shall be under and in accordance with Vermont Statutes Annotated, as they may be amended from time to time hereafter, and members will be appointed by the Town Selectboard for terms of three years</p>	<p>§ 804 Development Review Board</p> <p>A Development Review Board shall be established and its powers, obligations and operation shall be under and in accordance with Vermont Statutes Annotated, as they may be amended from time to time hereafter, and members will be appointed by the Town Selectboard for terms of three years</p>	

Commented [GD35]: GT: want way to ensure development goals of Village Center continue; could have forum, consider Rutland Redevelopment Authority as example
Dan Richardson – is there a way to get something like a redevelopment authority in a charter?

Commented [GD136]: Decide 3 year or 4-year terms; consistency elsewhere in charter

Commented [GD36]: Trustees: need to decide if we do DRB or ZBA

Commented [GD137]: See comments above re: DRB vs. ZBA

TRUSTEES	SELECTBOARD	DETERMINATION
<p>from among the qualified voters of the Town.</p> <p>§ 805 Brownell Library trustees</p> <p>There shall be a five-member Board of Library Trustees who shall be elected to five-year terms using the Australian ballot system pursuant to § 501. Only qualified voters of the Town of Essex shall be eligible to hold the office of library trustee. The trustees who are now in office shall serve until their terms are completed. The library trustees shall establish policy for the operation of the Library and shall otherwise act in conformance with the Vermont statutes. The five permanent, self-perpetuating library trustees shall function in accordance with the terms of the Brownell Trust agreement dated May 25, 1925. The Library shall be required to follow all financial and personnel policies adopted by the Town Selectboard.</p>	<p>from among the qualified voters of the Town.</p> <p>§ 805 Brownell Library trustees</p> <p>There shall be a five-member Board of Library Trustees who shall be elected to five-year terms using the Australian ballot system pursuant to § 501. Only qualified voters of the Town of Essex shall be eligible to hold the office of library trustee. The trustees who are now in office shall serve until their terms are completed. The library trustees shall establish policy for the operation of the Library and shall otherwise act in conformance with the Vermont statutes. The five permanent, self-perpetuating library trustees shall function in accordance with the terms of the Brownell Trust agreement dated May 25, 1925. The Library shall be required to follow all financial and personnel policies adopted by the Town Selectboard.</p>	
<p>Subchapter 9: Administrative Departments</p> <p><i>Part I</i></p> <p>§ 901 Personnel administration and benefits</p> <p>(a) The Town manager or the Town manager's appointee shall be the personnel director. The Town manager shall maintain personnel</p>	<p>Subchapter 9: Administrative Departments</p> <p><i>Part I</i></p> <p>§ 901 Personnel administration and benefits</p> <p>(a) The Town manager or the Town manager's appointee shall be the personnel director. The Town manager shall maintain personnel</p>	

Commented [GD138]: Is this necessary? Because it's dealing with elected officials? Is it redundant with other Brownell section? Only one specifies need to be qualified voter in Essex

Should this be in transitional section? Specify "transitional for Brownell"??

Commented [GD139R138]: DR: remove if redundant. ET: keep in to show that Brownell is remaining; find best place for this section in charter

Commented [GD37]: Trustees: For Dan Richardson – which of these sections are needed, if any? Do we have to specify departments?

DR: do need to specify assessor; no default statutes

TRUSTEES	SELECTBOARD	DETERMINATION
<p>rules and regulations protecting the interests of the Town and of the employees. These rules and regulations must be approved by the Selectboard, and shall include the procedure for amending them and for placing them into practice. Each employee shall receive a copy of the rules and regulations when he or she is hired.</p> <p>(b) The rules and regulations may deal with the following subjects or with other similar matters of personnel administration: job classification, jobs to be filled, tenure, retirement, pensions, leaves of absence, vacations, holidays, hours and days of work, group insurance, salary plans, rules governing hiring, temporary appointments, lay-off, reinstatement, promotion, transfer, demotion, settlement of disputes, dismissal, probationary periods, permanent or continuing status, in-service training, injury, employee records, and further regulations concerning the hearing of appeals.</p> <p>(c) No person in the service of the Town shall either directly or indirectly give, render, pay or receive any service or other valuable thing for or on account of or in connection with any appointment, proposed</p>	<p>rules and regulations protecting the interests of the Town and of the employees. These rules and regulations must be approved by the Selectboard, and shall include the procedure for amending them and for placing them into practice. Each employee shall receive a copy of the rules and regulations when he or she is hired.</p> <p>(b) The rules and regulations may deal with the following subjects or with other similar matters of personnel administration: job classification, jobs to be filled, tenure, retirement, pensions, leaves of absence, vacations, holidays, hours and days of work, group insurance, salary plans, rules governing hiring, temporary appointments, lay-off, reinstatement, promotion, transfer, demotion, settlement of disputes, dismissal, probationary periods, permanent or continuing status, in-service training, injury, employee records, and further regulations concerning the hearing of appeals.</p> <p>(c) No person in the service of the Town shall either directly or indirectly give, render, pay or receive any service or other valuable thing for or on account of or in connection with any appointment, proposed</p>	

TRUSTEES	SELECTBOARD	DETERMINATION
<p>appointment, promotion or proposed promotion.</p> <p><i>Part II</i> § 902 Department of Real Estate Appraisal</p> <p>There shall be established a department of real estate appraisal headed by a professionally qualified real estate assessor, who shall be appointed by the manager.</p> <p>§ 903 Appraisal of property</p> <p>The department of real estate appraisal shall appraise all real and business personal property for the purpose of establishing the grand list. Appraisals shall be reviewed periodically and kept up to date. Technically qualified individuals or firms may be employed as needed.</p> <p>§ 904 Appraisal of business personal property for tax purposes</p> <p>Appraisal of business personal property shall be in accordance with the provisions of Vermont Statutes Annotated, Title 32 § 3618, as the same may from time to time be amended, provided that all business personal property acquired by a taxpayer after September 30, 1995 shall be exempt from tax.</p>	<p>appointment, promotion or proposed promotion.</p> <p><i>Part II</i> § 902 Department of Real Estate Appraisal</p> <p>There shall be established a department of real estate appraisal headed by a professionally qualified real estate assessor, who shall be appointed by the manager.</p> <p>§ 903 Appraisal of property</p> <p>The department of real estate appraisal shall appraise all real and business personal property for the purpose of establishing the grand list. Appraisals shall be reviewed periodically and kept up to date. Technically qualified individuals or firms may be employed as needed.</p> <p>§ 904 Appraisal of business personal property for tax purposes</p> <p>Appraisal of business personal property shall be in accordance with the provisions of Vermont Statutes Annotated, Title 32 § 3618, as the same may from time to time be amended, provided that all business personal property acquired by a taxpayer after September 30, 1995 shall be exempt from tax.</p>	

TRUSTEES	SELECTBOARD	DETERMINATION
<p>§ 905 Duties of Department</p> <p>The duties and powers of the department of real estate appraisal shall be the same as those established for listers under the general statutes.</p> <p>§ 906 Purpose</p> <p>The purpose of the department of real estate appraisal is to provide for appointment of a qualified real estate assessor rather than the election of listers. The Town shall be governed by, and each taxpayer shall have rights granted by, the applicable statutes concerning real and personal property taxation, appeal therefrom, and other statutes concerning taxation.</p>	<p>§ 905 Duties of Department</p> <p>The duties and powers of the department of real estate appraisal shall be the same as those established for listers under the general statutes.</p> <p>§ 906 Purpose</p> <p>The purpose of the department of real estate appraisal is to provide for appointment of a qualified real estate assessor rather than the election of listers. The Town shall be governed by, and each taxpayer shall have rights granted by, the applicable statutes concerning real and personal property taxation, appeal therefrom, and other statutes concerning taxation.</p>	
<p>Subchapter 10 Budget Process</p> <p>§ 1001 Fiscal year</p> <p>The fiscal year of the Town shall begin on the first day of July and end on the last day of June of each calendar year. The fiscal year shall constitute the budget and accounting year as used in this charter.</p> <p>§ 1002 Annual municipal budget</p>	<p>Subchapter 10 Budget Process</p> <p>§ 1001 Fiscal year</p> <p>The fiscal year of the Town shall begin on the first day of July and end on the last day of June of each calendar year. The fiscal year shall constitute the budget and accounting year as used in this charter.</p> <p>§ 1002 Annual municipal budget</p>	

Commented [GD140]: DR: budget does not need to be in charter, but good governance process to lay out budget procedures

TRUSTEES	SELECTBOARD	DETERMINATION
<p>With support from the finance department, the Town Manager shall submit to the Selectboard a budget at least 50 days before annual town meeting or at such previous time as may be directed by the Selectboard. The budget shall contain:</p> <p>(1) An estimate of the financial condition of the Town as of the end of the fiscal year.</p> <p>(2) An itemized statement of appropriations recommended for current expenses, and for capital improvements, during the next fiscal year; with comparative statements of appropriations and estimated expenditures for the current fiscal year and actual appropriations and expenditures for the immediate preceding fiscal year.</p> <p>(3) An itemized statement of estimated revenues from all sources, other than taxation, for the next fiscal year; and comparative figures of tax and other sources of revenue for the current and immediate preceding fiscal years.</p> <p>(4) A capital budget for the next five fiscal years, showing anticipated capital expenditures, financing, and tax requirements.</p>	<p>With support from the finance department, the Town Manager shall submit to the Selectboard a budget at least 50 days before annual town meeting or at such previous time as may be directed by the Selectboard. The budget shall contain:</p> <p>(1) An estimate of the financial condition of the Town as of the end of the fiscal year.</p> <p>(2) An itemized statement of appropriations recommended for current expenses, and for capital improvements, during the next fiscal year; with comparative statements of appropriations and estimated expenditures for the current fiscal year and actual appropriations and expenditures for the immediate preceding fiscal year.</p> <p>(3) An itemized statement of estimated revenues from all sources, other than taxation, for the next fiscal year; and comparative figures of tax and other sources of revenue for the current and immediate preceding fiscal years.</p> <p>(4) A capital budget for the next five fiscal years, showing anticipated capital expenditures, financing, and tax requirements.</p>	

Commented [GD141]: DR: typical for Manager to submit budget; not typical to put timeframe or date in charter. Recommend: "Shall prepare and submit budget to Selectboard for review and adoption prior to annual meeting"

Important to require town budget. Subsections about details, components, dates etc. not necessary for charter

Commented [GD142]: Redundant with 1201

TRUSTEES	SELECTBOARD	DETERMINATION
<p>(5) Such other information as may be required by the Selectboard.</p>	<p>(5) Such other information as may be required by the Selectboard.</p>	
<p>§ 1003 Governing Body’s action on the budget</p> <p>The Selectboard shall review, and approve the recommended budget with or without change. The budget shall be published not later than two weeks after its preliminary adoption by the Selectboard. The Selectboard shall fix the time and place for holding a public hearing for the budget, and shall give a public notice of such hearing.</p>	<p>§ 1003 Governing Body’s action on the budget</p> <p>The Selectboard shall review, and approve the recommended budget with or without change. The budget shall be published not later than two weeks after its preliminary adoption by the Selectboard. The Selectboard shall fix the time and place for holding a public hearing for the budget, and shall give a public notice of such hearing.</p>	
<p>§ 1004 Meeting warning and budget</p> <p>(a) The Selectboard shall hold at least one public hearing at least 30 days prior to the annual meeting to present and explain its proposed budget and shall give a public notice of such hearing.</p> <p>(b) The Town Manager shall not less than 15 days prior to the annual meeting print and distribute the Selectboard recommended budget and the final warning of the pending annual meeting.</p>	<p>§ 1004 Meeting warning and budget</p> <p>(c) The Selectboard shall hold at least one public hearing at least 30 days prior to the annual meeting to present and explain its proposed budget and shall give a public notice of such hearing.</p> <p>(d) The Town Manager shall not less than 15 days prior to the annual meeting print and distribute the Selectboard recommended budget and the final warning of the pending annual meeting.</p>	
<p>§ 1005 Appropriation & Transfers</p> <p>(a) From the effective date of the budget, the amounts stated therein,</p>	<p>§ 1005 Appropriation & Transfers</p> <p>(a) From the effective date of the budget, the amounts stated therein,</p>	

Commented [GD143]: AW: redundant with 1004a

Commented [GD38]: Trustees: consider "... not less than one public hearing ..."

Commented [GD144]: AW: need to specify annual report somewhere?

Commented [GD145]: Section redundant with 1003

Commented [GD146]: AW: can we use language that does not REQUIRE print and distribute; mail postcards, or find other way to "make available"

Commented [GD147R146]: DR: The Town "... shall make available ..."

TRUSTEES	SELECTBOARD	DETERMINATION
<p>as approved by the voters, become appropriated to the several agencies and purposes therein named.</p> <p>(b) The manager may at any time transfer an unencumbered appropriation balance or portion thereof between general classifications of expenditures within an office, department or agency. At the request of the manager, the Selectboard may, by resolution, transfer any unencumbered appropriation balance or portion thereof within the Selectboard budget from one department, office or agency to another. Notwithstanding the above, no unexpended balance in any appropriation not included in the Selectboard budget shall be transferred or used for any other purpose.</p>	<p>as approved by the voters, become appropriated to the several agencies and purposes therein named.</p> <p>(b) The manager may at any time transfer an unencumbered appropriation balance or portion thereof between general classifications of expenditures within an office, department or agency. At the request of the manager, the Selectboard may, by resolution, transfer any unencumbered appropriation balance or portion thereof within the Selectboard budget from one department, office or agency to another. Notwithstanding the above, no unexpended balance in any appropriation not included in the Selectboard budget shall be transferred or used for any other purpose.</p>	
<p>§ 1006 Amount to be raised by taxation</p> <p>Upon passage of the budget by the voters, the amounts stated therein as the amount to be raised by taxes shall constitute a determination of the amount of the levy for the purposes of the Town in the corresponding tax year, and the Selectboard shall levy such taxes on the grand list as prepared by</p>	<p>§ 1006 Amount to be raised by taxation</p> <p>Upon passage of the budget by the voters, the amounts stated therein as the amount to be raised by taxes shall constitute a determination of the amount of the levy for the purposes of the Town in the corresponding tax year, and the Selectboard shall levy such taxes on the grand list as prepared by</p>	

Commented [GD39]: AB: for Dan Richardson – is this different from budget approved by voters?

Commented [GD40]: AB: For Dan – does this include enterprise funds, etc.?

TRUSTEES	SELECTBOARD	DETERMINATION
<p>the assessor for the corresponding tax year.</p> <p>Subchapter 11: Taxation</p> <p>§ 1101 Taxes on real and personal property</p> <p>Taxes on real and personal property shall be paid in two equal payments, with one-half of the annual tax bill for each taxpayer due and payable no later than September 15 and March 15, or in the case of a weekend, the next business day, of each fiscal year or pursuant to such other schedule as the Selectboard may adopt by resolution, bylaw or ordinance.</p>	<p>the assessor for the corresponding tax year.</p> <p>Subchapter 11: Taxation</p> <p>§ 1101 Taxes on real and personal property</p> <p>Taxes on real and personal property shall be paid in two equal payments, with one-half of the annual tax bill for each taxpayer due and payable no later than September 15 and March 15, or in the case of a weekend, the next business day, of each fiscal year or pursuant to such other schedule as the Selectboard may adopt by resolution, bylaw or ordinance.</p>	
<p>§ 1102 Penalty</p> <p>(a) An additional charge of eight percent shall be added to any tax not paid on or before the dates specified in section § 1101 of this charter, and interest as authorized by Vermont statutes.</p> <p>(b) The Selectboard shall have the authority to waive penalty on late payments in the case of natural disaster, pandemic, or economic downturns at their discretion.</p>	<p>§ 1102 Penalty</p> <p>(a) An additional charge of eight percent shall be added to any tax not paid on or before the dates specified in section § 1101 of this charter, and interest as authorized by Vermont statutes.</p> <p>(b) The Selectboard shall have the authority to waive penalty on late payments in the case of natural disaster, pandemic, or economic downturns at their discretion.</p>	
<p>§ 1103 Assessment and taxation agreement</p>	<p>§ 1103 Assessment and taxation agreement</p>	

Commented [GD148]: AW: clarify what 'personal property' means, and if it's needed

Commented [GD149R148]: DR: some municipalities tax business property. Will do more research.

Can remove this section about personal property. Need to keep tax payment schedule, can keep flexible with something like 'must be paid in equal installments on dates set by Selectboard in ordinance,' or 'any tax from grand list due and payable as Selectboard defines in ordinance'

May want to add notice provision about sending notice no less than 30 days before taxes are due

Commented [GD41]: Trustees: Can this come out, be addressed by policy instead of in charter?

Commented [GD150]: AW: need to be explicit about what which taxes we're penalizing (e.g., school taxes, village taxes)? Or is that authority elsewhere in charter?

Commented [GD151R150]: DR: penalty applied to all property taxes collected by Town

Will check on penalty specifics, and options

Commented [GD152]: ET/GD: for discussion; still need penalty to discourage people from not paying

Commented [GD153]: AW: does this take power from BCA? Can that legally be done?

Commented [GD154R153]: DR: don't recommend putting SB in that position, but this way is limited to specific issues; waive for everyone, not individuals. Also have option to change date

TRUSTEES	SELECTBOARD	DETERMINATION
<p>Notwithstanding section § 904 of this charter and the requirements of the general laws of the State of Vermont, the Selectboard are hereby authorized and empowered to negotiate and execute assessment and taxation agreements between the <u>Town</u> and a taxpayer or taxpayers within the Town of Essex consistent with applicable requirements of the Vermont Constitution.</p> <p>Subchapter 12: Capital improvements</p> <p>§ 1201 Capital programs</p> <p>(a) The Manager shall prepare and submit to the Selectboard a five-year capital program at least three months prior to the final date for submission of the budget.</p> <p>(b) Contents. The capital program shall include:</p> <ol style="list-style-type: none"> 1. A clear general summary of its contents; 2. A list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the 	<p>Notwithstanding section § 904 of this charter and the requirements of the general laws of the State of Vermont, the Selectboard are hereby authorized and empowered to negotiate and execute assessment and taxation agreements between the <u>Town</u> and a taxpayer or taxpayers within the Town of Essex consistent with applicable requirements of the Vermont Constitution.</p> <p>Subchapter 12: Capital improvements</p> <p>§ 1201 Capital programs</p> <p>(a) The Manager shall prepare and submit to the Selectboard a five-year capital program at least three months prior to the final date for submission of the budget.</p> <p>(b) Contents. The capital program shall include:</p> <ol style="list-style-type: none"> 1. A clear general summary of its contents; 2. A list of all capital improvements which are proposed to be undertaken during the five fiscal years next ensuing, with appropriate supporting information as to the 	

Commented [GD155]: AW: redundant with 1002(4)

TRUSTEES	SELECTBOARD	DETERMINATION
<p>necessity for such improvements;</p> <p>3. Cost estimates, method of financing, and recommended time schedules for each such improvement; and</p> <p>4. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.</p> <p>The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.</p> <p>Subchapter 13: Amendment of Charter and Initiatives</p> <p>§ 1301 Laws governing</p> <p>This charter may be amended in accordance with the procedure provided for by state statutes for amendment of municipal charters.</p> <p>Subchapter 14: General</p> <p>§ 1401 Savings clause</p> <p>Repeal or modification of this charter shall not affect the validity of</p>	<p>necessity for such improvements;</p> <p>3. Cost estimates, method of financing, and recommended time schedules for each such improvement; and</p> <p>4. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.</p> <p>The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.</p> <p>Subchapter 13: Amendment of Charter and Initiatives</p> <p>§ 1301 Laws governing</p> <p>This charter may be amended in accordance with the procedure provided for by state statutes for amendment of municipal charters.</p> <p>Subchapter 14: General</p> <p>§ 1401 Savings clause</p> <p>Repeal or modification of this charter shall not affect of validity of</p>	

TRUSTEES	SELECTBOARD	DETERMINATION
<p>previously enacted ordinance, resolution, or bylaw.</p> <p>§ 1402 Separability of provisions</p> <p>The provisions of this charter are declared to be severable. If any provisions of this charter are for any reason invalid, such invalidity shall not affect the remaining provisions, which can be given effect without the invalid provision.</p>	<p>previously enacted ordinance, resolution, or bylaw.</p> <p>§ 1402 Separability of provisions</p> <p>The provisions of this charter are declared to be severable. If any provisions of this charter are for any reason invalid, such invalidity shall not affect the remaining provisions, which can be given effect without the invalid provision.</p>	
<p>ADDITIONAL TRUSTEE COMMENTS</p> <ul style="list-style-type: none"> • Consider recall provision for elected officials; see charters provided by Andrew Brown for examples • Want to discuss local options tax; 2006 charter had local option tax built in; may not want to include in merger charter (Dan Richardson has advised against it; ET – consider after merger vote); Trustees generally think not worth including in this charter vote, but needs to be discussed 	<p>ADDITIONAL COMMENTS (AW): list of things that are in the current charter but are missing from the proposed new one. 103a: This section was copied to section 203a of proposed charter with this clause at the end deleted, “and impose penalties for the violation thereof.” Why was this clause dropped? <i>103. Powers of the Town</i> <i>(a) The Town shall have all of the powers granted to towns and municipal corporations by the Constitution and laws of this State; it may enact ordinances,</i></p>	

Commented [GD156]: DR will look into language

TRUSTEES	SELECTBOARD	DETERMINATION
	<p><i>bylaws, and regulations not inconsistent with the Constitution and laws of the State of Vermont or with this charter, and impose penalties for the violation thereof.</i></p> <p>103b: The last sentence about condemnation was dropped in proposed charter section 203b. Why was it dropped? <i>(b) The Town may acquire property within or without its corporate limits for any town purpose, in fee simple or any lesser interest or estate, by purchase, gift, devise or lease, and may sell, lease, mortgage, hold, manage, and control such property as its interests may acquire. The Town may further acquire property within its corporate limits by condemnation where granted to towns by the statutes of the State of Vermont.</i></p> <p>103c: Dropped from proposed charter. Why? Empowers SB to establish departments. <i>(c) The Town may establish and maintain departments or divisions, as deemed appropriate by the Board of Selectmen for the efficient maintenance and operation of Town affairs, to include, by way of illustration and not by way of limitation, police, fire, water, and public works departments.</i></p> <p>109: There is no reference to an Annual Report in the proposed charter. Why was this dropped? <i>109. Annual Town report The annual Town report shall be distributed to the legal voters of the Town not later than 10 days prior to the annual meeting.</i></p>	

TRUSTEES	SELECTBOARD	DETERMINATION
	<p>201: This section was dropped from proposed charter. The proposed charter has no reference to electing a moderator.</p> <p><i>201. Officers generally</i> <i>The elected officers of the Town of Essex shall be: selectmen and Moderator. These officers shall have all the powers and duties necessary to carry out the provisions of this charter as well as those provided by law. The terms of the officers shall commence on the first day of the month following the month of election.</i></p> <p>202c: Dropped from proposed charter. Limits SB election to two seats except in the case of a vacancy. Why was this dropped?</p> <p><i>202. Selectmen - Number, terms of office, election</i> <i>(c) Unless necessary to fill a vacancy, no more than two selectmen shall be elected at any annual meeting. Notwithstanding, the terms of the presently elected selectmen shall not be modified by this section.</i></p> <p>203c: Says “incapacity shall include the failure by any member to attend at least 50 percent of the meetings of the board in any calendar year.” This was dropped from the proposed charter and removes the ability to replace an absent SB member.</p> <p><i>203. Organization</i> <i>(c) In the event of death, resignation, or incapacity of any selectmen, the remaining members of the Board may appoint a person eligible to fill that position. At the next annual meeting, the vacancy shall be filled by serving the remaining balance of</i></p>	

TRUSTEES	SELECTBOARD	DETERMINATION
	<p><i>the term. Incapacity shall include the failure by any member of the Board to attend at least 50 per cent of the meetings of the Board in any calendar year. In the event the Board is unable to agree upon an interim replacement until the next annual Town meeting, a special election shall be held forthwith to fill the position.</i></p> <p>205: Dropped from proposed charter. Why? NOTE: The proposed charter specifies that a SB clerk will be elected but defines no duties for them. Dropping section 205 removes those duties specified in the current charter.</p> <p><i>205. Record of proceedings (a) An official record of the proceedings of the Board of Selectmen shall be kept by its Clerk, who need not be a member of the Board of Selectmen, which shall be kept in the office of the Town Clerk and shall be open for public inspection. The Town Clerk shall keep official record of the proceedings of all special and annual Town meetings. (b) The minutes of each meetings shall be approved by the Board at its next meeting and the official copy authenticated by the signature of the Clerk of the Board.</i></p> <p>303: This section was dropped from the proposed charter. This removes the clause about budget adjustments. Do we want to give up this power?</p> <p><i>303. Budget An annual budget shall be adopted at Town meeting by the vote of a majority of those eligible to vote present at the meeting. If, after the total budget has been appropriated, the selectmen find additional</i></p>	

TRUSTEES	SELECTBOARD	DETERMINATION
	<p><i>appropriations necessary, the appropriations shall be made and reported at the next Town meeting as a specific item. The appropriations shall only be made in special circumstances or situations of an emergency nature. No specific explanation need be given for any normal annual operating expense in any office, department, or agency which may be increased over the budget amount by an amount not more than 10 percent of the office's, department's, or agency's budget.</i></p> <p>Sections 304 and 305 are dropped from the proposed charter. This removes explicit resident ability to petition ordinance changes. I don't think we should drop these sections.</p> <p><i>304. Rescission of ordinances All ordinances shall be subject to rescission by a special or annual Town meeting, as follows: If, within 44 days after final passage by the selectmen of any such ordinance, a petition signed by voters of the Town not less in number than five percent of the qualified voters of the municipality is filed with the Town Clerk requesting its reference to a special or annual Town meeting, the selectmen shall fix the time and place of the meeting, which shall be within 60 days after the filing of the petition, and notice thereof shall be given in the manner provided by law in the calling of a special or annual Town meeting. Voting shall be by Australian ballot. An ordinance so referred shall remain in effect upon the conclusion of the meeting unless a majority of those present and voting against the ordinance at the</i></p>	

TRUSTEES	SELECTBOARD	DETERMINATION
	<p><i>special or annual Town meeting exceeds five percent in number of the qualified voters of the municipality.</i></p> <p><i>305. Petition for enactment of ordinance; special meeting</i> <i>(a) Subject to the provisions of section 304 of this Charter, voters of the Town may at any time petition in the same manner as in section 304 for the enactment of any proposed lawful ordinance by filing the petition, including the text of the ordinance, with the Town Clerk. The selectmen shall call a special Town meeting (or include the ordinance as annual meeting business) to be held within 60 days of the date of the filing, unless prior to the meeting the ordinance shall be enacted by the selectmen. The warning for the meeting shall state the proposed ordinance in full or in concise summary and shall provide for an Australian ballot vote as to its enactment. The ordinance shall take effect on the 10th day after the conclusion of the meeting provided that voters as qualified in section 304, constituting a majority of those voting thereon, shall have voted in the affirmative.</i> <i>(b) The proposed ordinance shall be examined by the Town Attorney before being submitted to the special Town meeting. The Town Attorney is authorized subject to the approval of the selectmen, to correct the ordinance so as to avoid repetitions, illegalities, and unconstitutional provisions and to ensure accuracy in its text and references and clearness and preciseness in its</i></p>	

TRUSTEES

SELECTBOARD

DETERMINATION

	<p><i>phraseology, but the Town Attorney shall not materially change its meaning and effect.</i></p> <p><i>(c) The provisions of this section shall not apply to any appointments of officers, members of commissions, or boards made by the selectmen or to the appointment or designation of selectmen, or to rules governing the procedure of the selectmen.</i></p> <p>503: References personal business property. What is this?</p> <p><i>503. Appraisal of business personal property for tax purposes</i> <i>Appraisal of business personal property shall be in accordance with the provisions of 32 V.S.A. § 3618, as the same may from time to time be amended provided that all business personal property acquired by a taxpayer after September 30, 1995 shall be exempt from tax.</i></p> <p>602: This section was dropped from the proposed charter. Explicitly lists officers that are appointed by the Manager. Are we giving up Manager powers by not being specific? NOTE: Town Treasurer is not mentioned anywhere in the proposed charter. Is this a problem?</p> <p><i>602. Officials appointed by Manager</i> <i>The Town Manager shall appoint with the approval of the selectmen: Town Clerk, Town Treasurer, Assistant Town Clerk, constables, Grand Juror, Director of Public Works, Police Chief, a Town Agent if the Town Attorney is not a resident of the Town of Essex, cemetery commissioners, Health Officer, fire wardens, Zoning</i></p>	
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TRUSTEES	SELECTBOARD	DETERMINATION
	<p><i>Administrator, and if needed, the Town Manager may appoint fence viewers, Inspector of Lumber and Shingles, and any other officer which the selectmen of a Town are authorized to appoint if the selectmen have not filled the office. The terms of the appointed officials shall commence on the first day of April following appointment. Appointments to fill a vacancy in an office shall be effective at the time of appointment and shall run for the unexpired period of the term. (Amended 1999, No. M-1, eff. Jan. 1, 1999.)</i></p> <p>901: This section is dropped which removes our employment non-discrimination clause. The word discrimination does not appear anywhere in the new proposed charter. We are losing something important here especially given today's environment.</p> <p><i>901. Appointment and removal All Town employees not elected by the voters shall be appointed, supervised, and removed by the Town Manager unless otherwise specified by this charter. There shall be no discrimination in employment on account of race, religion, sex, or political opinions. Appointments, lay-offs, suspensions, promotions, demotions, and removals shall be made primarily on the basis of training, experience, fitness, and performance of duties, in such manner as to insure that the responsible administrative officer may secure efficient service.</i></p> <p><u>FINAL SELECTBOARD COMMENTS</u> EH: need conversation with Trustees re:</p>	

TRUSTEES	SELECTBOARD	DETERMINATION
	<p>Sidewalk district Taxation timeframe Capital district</p> <p>Big concerns?</p> <ul style="list-style-type: none"> - PM – no, all addressed tonight - AW – nothing to keep going forward; reservations of whether it will pass - VF – reservation over district neutral language; no other deal breakers - DHF – concern over desire to merge, but Village desire to have separate taxation and districts for so many years. Some things remaining separate; if merge, merge everything 	

Memorandum

To: Board of Trustees; Selectboard; Evan Teich, Unified Manager
Cc: Sarah Macy, Assistant Manager/Finance Director
From: Greg Duggan, Deputy Manager GSD
Re: Choosing a date for town-wide merger vote
Date: July 23, 2020

Issue

The issue is for the boards to discuss the timing of a town-wide merger vote.

Discussion

Both boards have separately discussed whether or not to continue with a town-wide merger vote in November 2020, or whether to postpone for a future date. The boards may wish to continue the conversation together.

Cost

n/a

Recommendation

This memo is for discussion.

Memorandum

To: Board of Trustees; Selectboard; Evan Teich, Unified Manager
Cc: Sarah Macy, Assistant Manager/Finance Director
From: Greg Duggan, Deputy Manager *GSD*
Re: MOUs to memorialize completed consolidation work to date, and shared Board decisions
Date: July 24, 2020

Issue

The issue is for the boards to discuss existing MOUs about consolidation work, and any potential MOUs to further memorialize work to date.

Discussion

Since 2013, the Village of Essex Junction and Town of Essex have created memorandums of understanding and memorandums of agreement to ensure shared services and staffing. The MOUs cover items including a shared/unified manager, stormwater, a shared bank account, the Clerk's Office, and Public Works services.

Depending on the future and timeline of merger discussions, staff recommends the boards revisit existing MOUs and identify areas that may need extensions or new agreements. For instance, an agreement to share functions of the Manager's Office, including Information Technology, Human Resources, and other staff in the Manager's Office.

A full list of consolidation documents is available online at www.essexvt.org/724/Town-Village-Consolidation-Documents

Cost

n/a

Recommendation

This memo is for discussion. If the boards need to discuss staffing in executive session, the following motion is recommended:

"I move that the Trustees/Selectboard enter into executive session to discuss the employment of a public employee in accordance with 1 V.S.A. Section 313(a)(3) and to include the Selectboard/Trustees, Unified Manager, Deputy Manager, and Assistant Manager/Finance Director."

Memorandum

To: Board of Trustees; Selectboard; Evan Teich, Unified Manager
Cc: Sarah Macy, Assistant Manager/Finance Director
From: Greg Duggan, Deputy Manager GSD
Re: Potential charter changes for inclusion on November 2020 ballots
Date: July 24, 2020

Issue

The issue is for the boards to discuss any charter change items they may wish to include on November 2020 ballots.

Discussion

At the most recent Selectboard meeting, members discussed the possibility of including charter change items on the November 2020 ballot. Possibilities included moving to Australian ballot for budget approvals, and creating a ward system of governance.

Other possible charter changes discussed in recent years include moving to gender neutral language, specifying a shared/unified municipal manager instead of "Town/Village Manager", adjusting tax penalties, voting dates, the need to approve Selectboard minutes at the next meeting, and the mailing of annual reports to all households.

Cost

n/a

Recommendation

This memo is for discussion.

**SELECTBOARD & TRUSTEES
(DRAFT)**

**TOWN OF ESSEX SELECTBOARD
VILLAGE OF ESSEX JUNCTION TRUSTEES
DRAFT JOINT MEETING MINUTES
Tuesday June 23, 2020**

SELECTBOARD: Elaine Haney, Chair; Dawn Hill-Fleury; Vince Franco; Patrick Murray; Andy Watts.

TRUSTEES: Andrew Brown, President; Raj Chawla; Dan Kerin; Amber Thibeault; George Tyler.

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Sarah Macy, Assistant Manager/Finance Director; Charles Cole, Fire Chief; Rick Garey, Chief of Police; Ron Hoague, Police Captain; Travis Sabatano, Human Resources Director; Darren Schibler, Town Planner.

OTHERS PRESENT: Kelly Adams; Doug Babcock; Richard Baker; Robert Bates; Tony Barr; Sonya Buglion-Gluck; Morgan Candace; Carolyn___; Stephan Cluett; Ned Daly; Tracey Delphia; Helen Diplock; Brian Donohue; Joe Engelken; Jill Evans; Rep. Dylan Giambatista; Tracy Harrington; Karen___; Brad Kennison; Raghavendra Krishna; Brandi Littlefield; Erin Maguire; Susan McCormack; Kelly McCutcheon Adams; Donald Messier; Donald Miller; Russ Mills; Will Moran; Patty___; Natalie___; Roseanne Prestipino; Tom Proctor; Rep. Marybeth Redmond; Richard___; Abby Russin; Patrick Scheld; Brian Shelden; Liz Subin; Sue___; Joe Teegarden; Steve Trenholm; Andrea VanLiew; Tanya Vyhovsky; Susanna Weller; Renzo White; Diana Wood; Irene Wrenner; Lorraine Zaloom.

1. CALL TO ORDER

Elaine Haney called the meeting of the Town of Essex Selectboard to order to enter into joint business with the Village of Essex Junction Board of Trustees at 7:24 PM.

Andrew Brown called the meeting of the Village of Essex Junction board of Trustees to order to enter into joint business with the Essex Selectboard at 7:24 PM.

2. AGENDA ADDITIONS/CHANGES

Mr. Duggan requested the addition of an email from Josh Simon to the reading file.

3. APPROVE AGENDA

AMBER THIBEAULT made a motion, seconded by **DAN KERIN**, that the Trustees approve the Agenda as amended. The motion passed 5-0.

PATRICK MURRAY made a motion, seconded by **ANDY WATTS**, that the Selectboard approve the agenda as proposed. The motion passed 5-0.

4. PUBLIC TO BE HEARD

There were no comments from the public at this time.

5. BUSINESS ITEMS

a. *Interviews and appointments for Essex Housing Commission

For this business item, Ms. Haney recused herself due to a professional relationship with one of the candidates, and Mr. Brown recused himself for a conflict of interest with his employer.

The Trustees and Selectboard members interviewed Mr. Schled. He said his interest in the appointment is due to his work with the VT Department of Housing and Community Development, administering CDBG grants. He said he would look forward to being on the other

54 side, working on housing from within the community. He talked about wanting to help develop
55 opportunities for affordable housing by rehabilitating units and developing additional units. He
56 said development should include building projects with a mix of community living opportunities.
57 He said downsizing and aging populations could be served by developing existing housing units
58 inside their properties and working with zoning boards to make these options available. He said it
59 would also benefit the community to work with non-profit developers to offer senior housing that
60 is affordable and convenient to downtown. He discussed how he got started in the work he is in,
61 through third world international opportunities, managing AmeriCorps and working in disaster
62 recovery with funding community housing. He said his international experience will help shape
63 efforts to overcome barriers to achieve goals.
64

65 The Trustees and Selectboard members interviewed Mr. Miller. He said he would look forward to
66 serving with the people being interviewed. He said he has been involved with and interested in
67 housing for his whole career, including remodeling old houses and doing carpentry work. He said
68 he also worked in social services and has interest in what can happen with housing in Essex to
69 reflect the needs of diverse populations. He said housing development in Essex should consider
70 each unit's full package of energy efficiency, community affordability and proximity to services.
71 He discussed remodeling projects to improve energy efficiencies. He said he is interested in this
72 position because of his background and would not be interested in serving on a different
73 committee.
74

75 The Trustees and Selectboard members interviewed Mr. Engelken. He said, with a BS in Finance
76 and Master's degree in real estate, he has worked on credit ratings for real estate trusts,
77 students, builders, etc. Working for Redstone, he conducts acquisition, underwriting and market
78 research for housing projects. The Housing Commission position interests him professionally and
79 personally. He said he's lived in Essex for four years, starting his family, and he wants to do
80 something for the community. He talked about the overarching issue of the short supply of
81 housing in the community, which, he explained, contributes to lack of affordability. He said more
82 development of housing could impact affordability and preserving older homes could contribute to
83 livability. He said renovating older homes for senior living may be a good idea. He discussed the
84 high cost of living in Vermont and said he would like to address how to help young professionals
85 who have to live with roommates to be able to afford housing.
86

87 The Trustees and Selectboard members interviewed Mr. Daley. He said he has been a resident
88 of Essex for 8 years. Throughout his background in engineering and construction he explained
89 that he focused on team building with owners, designers, and others on shared efforts. He said
90 this is important when working on housing issues because anything developed needs multiple
91 stakeholders to find agreements. Mr. Daley described his work on the Planning Commission as a
92 position of reacting to issues that come up, while this position on the Housing Commission, would
93 allow him to be proactive. He said retrofitting old housing and engaging large-scale project
94 opportunities both need to be considered to address the current demand for housing. He said by
95 creatively packaging projects they could better serve local housing needs. Mr. Daley talked about
96 how COVID and global warming may impact housing to be more affordable and energy
97 efficient and that these issues may be easier to address through incentives. He said, in order to
98 address the needs of young families and low income wage earners, a mix of community
99 development strategies are required. Mr. Daley explained he would continue to serve on the
100 planning commission for one more year if he is appointed to this position.
101

102 At the conclusion of these interviews, Mr. Brown and Ms. Haney returned to the meeting from
103 their recusals.
104

105 **b. Discussion of policing in Essex**

106 Ms. Haney made introductory comments about current events in the US prompting communities
107 to examine their practices to ensure residents are safe, especially people of color, and residents
108 are not being discriminated against or experiencing racial bias. She said the first step of this
109 conversation in Essex is a presentation from Chief Garey and Captain Hoague, followed by
110 multiple meetings thereafter to hear from community members. Chief Garey expressed outrage
111 and sadness for the Death of George Floyd and condemned the misuse of force from the officers
112 involved. He introduced the importance of fair and impartial policing, de-escalation, and
113 reasonable use of force in the Essex Police Department (PD).
114

115 Chief Garey described the Essex PD's efforts in alignment with Vermont Legislation on policing.
116 He provided an overview of the department, discussed staff vacancies and described new officer
117 recruitment and screening practices. Captain Hoague detailed standards and expectations the
118 Essex PD holds for new officers.
119

120 Chief Garey talked about officer trainings: police academy trainings; Essex field probationary
121 trainings and mandatory ongoing training. He and Captain Hoague discussed specialized
122 trainings in de-escalation; use of force; diversity; fair and impartial policing and anti-bias. They
123 said Essex does more trainings in these areas than what is required in the state of VT.
124

125 Chief Garey discussed Essex officer promotions and transfer policies; codes of conduct; police
126 discipline recommendations related to violations and how complaints of officer inappropriateness
127 are filed, reviewed, and internally investigated. He said criminal misconduct investigations are
128 referred to VT State Police or other PDs and shootings are reviewed by the State of VT Attorney
129 General's office. He discussed the officer de-certification process through Act 56.
130

131 Chief Garey discussed data collection, including the need for improvements in this area. He
132 talked about historical records; car/ traffic stop data and crime reports accessible through the
133 Essex PD website. He discussed the longevity of Essex's car camera efforts and the plan to
134 implement body cameras.
135

136 Chief Garey described community collaborations with the School Resource Officers (SRO) for
137 school security; the Community Justice Center for restorative justice; and the Community
138 Outreach partnership with the Howard Center embedding mental health workers and counselors
139 with officer dispatches, when needed. He said the department is open to community oversight
140 and feedback. Representatives from CJC and Howard Mental Health provided more information
141 about Essex activities within their partnerships with the Essex PD.
142

143 Chief Garey said rules and regulation policy reviews and revisions are ongoing within the
144 department. He pointed out fair and impartial policing and response to resistance strategies in
145 these policies. Captain Hoague discussed recent policy updates. Chief Garey explained that the
146 PD does not use military equipment.
147

148 Captain Hoague shared his list of what he would like to do as the new Chief of Police, including
149 increased reporting to the Selectboard; increased transparency with the public; community
150 collaboration; body cam implementation; SRO program review; and establishing a fair and
151 impartial policing advisory committee.
152

153 *Ms. Haney opened community comments, limited to two minutes each:*
154

155 Reverend Baker asked Captain Hoague if he would be willing to fly the Black Lives Matter flag
156 over the PD and requested more information about the PD De-escalation Training. Captain
157 Hoague said he believes the PD needs to be an impartial organization that is seen as objective

158 so he would not fly the flag over the PD because he would not want to, later, be encouraged to fly
159 potentially contrary flags. He said he would provide more information on De-escalation trainings.
160

161 Ms. Adams said she hopes this conversation is the first of many. She discussed her experience
162 as a white parent, realizing her privilege as she raises her children to see police officers as
163 helpers. She said she would like this to be something all people can do and thinks there is a lot of
164 work to be done to make this happen. She wants there to be a deep discussion about implicit
165 bias and racism.
166

167 Ms. Vyhovsky spoke about being a social worker in a relationship with a person of color. She
168 said conversations like these are essential and encouraged a community oversight committee to
169 monitor and review all complaints related to the PD to ensure greater transparency. She also
170 encouraged the PD to look to ACLU research suggesting that SRO's are a direct link to the
171 prison pipeline, targeting children with disabilities and children of color. She said these jobs
172 should be held by counselors and social workers.
173

174 Ms. Buglion-Gluck stressed the need for more opportunities for public comment and discussion
175 on these issues. She does not believe the SROs are a good strategy because of the prison
176 pipeline link. She shared her opinion that the current hours of implicit bias training required of
177 Police Officers will not change the fundamental flaw that US policing is focused on protecting
178 white lives. She said it is crucial that the PD hears from people of color from the community. She
179 said the meeting was not widely advertised and more opportunities are needed.
180

181 Ms. McCormick expressed her frustration that only half of the number of people who were
182 present at the beginning of the meeting had to leave before public comments began, because
183 they started so late. She stressed the importance of fair and impartial community engagement to
184 share the trauma and pain that residents feel over policing. She said making people wait two and
185 a half hours perpetuates privilege of the system versus people who cannot wait that long so late
186 at night. She encouraged opportunities that are more equitable and inclusive.
187

188 Ms. Wilson said she heard that the PD would like the state to increase mandated trainings. She
189 wondered if it would be helpful for residents to advocate to the legislature for this.
190

191 The Trustees and Selectboard expressed appreciation for Chief Garey and Captain Hoague for
192 their informative presentation and agreed more community comment opportunities are needed.
193 Mr. Brown suggested also establishing a process to ensure residents feel comfortable and safe
194 to honestly share their points of view, and stories. Ms. Haney apologized to those in the
195 community who may have wanted to speak but did not due to the length of the meeting. Mr.
196 Brown thanked Captain Hoague and Chief Garey for attending the vigil on these issues, in
197 uniform, where they took a knee. Mr. Franco requested information from Chief Garey about their
198 opinions on how to establish a community oversight board. Mr. Murray said he has a list of
199 questions he would like clarification on in a future meeting. He also requested information from
200 the Howard Center about if they have the resources needed for their work with the PD and
201 COVID response.
202

203 **6. CONSENT ITEMS**

- 204 a. Approve Minutes: June 8, 2020 (Trustees only); June 9, 2020 (Trustees only)
205

206 **AMBER THIBEALT made a motion, seconded by RAJ CHAWLA, that the Trustees approve the**
207 **Consent Agenda. The motion passed 5-0.**
208

209 **7. READING FILE**

- 210 a. Board Member Comments

- 211 ○ There were no comments from the board members at this time
- 212 b. Major Public Works Initiatives in the Town and the Village
- 213 c. Email from Ewing Fox re: Statement for Board Meeting Monday
- 214 d. Letter from Maura Carroll re Nomination to the VLCT Board of Directors
- 215 e. Email from Josh Simon
- 216

217 **8. EXECUTIVE SESSION**

- 218 a. *An executive session is expected for appointment of public officials.
- 219 Ms. Haney and Mr. Brown recused themselves from this agenda item due to conflicts of interest.
- 220

221 **ANDY WATTS made a motion, seconded by PATRICK MURRAY, that the Selectboard enter**
222 **into executive session to discuss the proposed public official appointment(s) in accordance**
223 **with 1 V.S.A. Section 313(a)(3) and to include the Unified Manager and the Assistant Manager.**
224 **The motion passed 4-0 at 10:23.**
225

226 **GEORGE TYLER made a motion, seconded by DAN KERIN, that the Trustees enter into**
227 **executive session to discuss the proposed public official appointment(s) in accordance with**
228 **1 V.S.A. Section 313(a)(3) and to include the Unified Manager and the Assistant Manager. The**
229 **motion passed 4-0 at 10:23.**
230

231 **VINCE FRANCO made a motion, seconded by ANDY WATTS, that the Selectboard continue**
232 **the meeting past 11 p.m. The motion passed 4-0 at 11:04 p.m.**
233

234 **DAWN HILL-FLEURY made a motion, seconded by VINCE FRANCO, that the Selectboard exit**
235 **executive session. The motion passed 4-0 at 11:15 p.m.**
236

237 **GEORGE TYLER made a motion, seconded by DAN KERIN, that the Trustees exit executive**
238 **session. The motion passed 4-0 at 11:15 p.m.**
239

240 Mr. Tyler said the boards were not going to decide candidate appointments to the Housing
241 Commission that night. Mr. Murray thanked all applicants and explained that the boards wanted
242 to take another month to put out the call for more candidates with a more diverse skill set. Any
243 new candidates would be interviewed at a joint meeting in approximately a month. Mr. Tyler
244 thanked the current candidates and asked them to not draw any conclusions about the board's
245 actions, just that they face a difficult decision, and need more time to work on appointments.
246

247 **9. ADJOURN**

248
249 **DAWN HILL-FLEURY made a motion, seconded by VINCE FRANCO, to adjourn. The motion**
250 **passed 5-0 at 11:20 p.m.**
251

252 **GEORGE TYLER made a motion, seconded by AMBER THIBEAULT, to adjourn. The motion**
253 **passed 4-0 at 11:20 p.m.**
254

255
256 Respectfully Submitted,
257 Cathy Ainsworth
258 Recording Secretary
259

**VILLAGE OF ESSEX JUNCTION TRUSTEES
TOWN OF ESSEX SELECTBOARD
DRAFT JOINT MEETING MINUTES
June 29, 2020**

SELECTBOARD: Elaine Haney, Chair; Dawn Hill-Fleury; Patrick Murray; Andrew Watts.

TRUSTEES: Andrew Brown, President; Raj Chawla; Amber Thibeault; Dan Kerin; George Tyler.

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Sarah Macy, Finance Director/Assistant Manager, Dan Richardson, Attorney.

OTHERS PRESENT: Al Bombardier, Helen Diplock, Deb McAdoo, Russ Mills, Patrick Neal, Marybeth Redmond, Abby Russin, Pat Seaver, Brian Shelden, Ken Signorello, Gabrielle Smith, Margaret Smith, Mike Thorne, Jim Waite, Lorraine Zaloom, Patty ____.

1. CALL TO ORDER

Andrew Brown called the Village of Essex Junction Trustees and Elaine Haney called the Town of Essex Selectboard to order and to enter into the Joint Meeting of the Village of Essex Trustees and the Town of Essex Selectboard at 6:31 PM.

2. AGENDA ADDITIONS/CHANGES

There were no agenda additions or changes at this time.

3. AGENDA APPROVAL

There were no changes to the agenda so approval is not needed at this time.

4. PUBLIC TO BE HEARD

a. Comments from public on items not on agenda

Dawn Hill-Fleury asked when future meetings will be held with the police and Ms. Haney replied that there will be an item on the July 6 meeting agenda to address next concerns and hear from the public.

Ken Signorello suggested that the Selectboard stipend be commensurate with the effort that Board members put into their work, recognizing that it is a substantial time commitment. Ms. Haney replied that multiple Board members over the years have asked for increased stipends and that the stipend should increase commensurate with the cost of living.

Irene Wrenner asked about the status of the merger charter, noting that the version being considered tonight is significantly different than the draft being worked on by the Subcommittee on Governance earlier in the spring, and that only one Board member has taken the time to compare the draft to the Town charter. She urged the Joint Boards to wait until the end of the COVID-19 pandemic to take up the merger issue, and suggested that constituents are more interested in issues around policing at this time.

Patty__ noted that the policing issue is a recurring request in the Town and Village to let the public be heard and acknowledged and to let the public know that staff and the Boards are working on this issue.

48 She added that the Boards deserve compensation, but they need to take on the issues that their
49 constituents want them to take on.

50
51 Lorraine Zaloom asked the Joint Boards to reconsider working on merger, given that the impacts of the
52 pandemic may shift what should be included in a merger plan. She suggested that town representation
53 and policing should be issues that take precedence at this time.

54
55 Raj Chawla noted the significant time commitment needed to participate on a Board, and that if the
56 Boards want diverse and motivated representation then they need to think about compensation and
57 whether finances are a barrier to participation.

58
59 George Tyler noted that the Subcommittee on Governance’s meetings had to cease abruptly due to
60 COVID-19, and that the group has been heavily focused on representation and tax models. He added
61 that Project Manager Ann Janda had put together boilerplate language for the body of the draft merger
62 charter based on the contents of the Town and Village charters, and that this was done in a transparent
63 manner.

64
65 **5. BUSINESS ITEMS**

66 **a. Review, discuss, and edit draft merger charter**

67
68 Ms. Haney led the first portion of this item, proposing that the Joint Boards review and edit the less
69 substantive items in the charter first, and then focus in more depth on the following sections: transition
70 period, sidewalk, capital improvement, formation of interim board/permanent board, and
71 proportionality in districts.

72
73 Less substantive items discussed included when an organizational municipal meeting should occur (keep
74 as Town Meeting Day in the first year), whether the new municipality should have a Zoning Board of
75 Adjustment or a Development Review Board (the latter was preferred), the unification and adoption of
76 Town and Village ordinances, personnel, and compensation.

77
78 Upon review of these items, the Joint Boards put forth a number of questions to Attorney Dan
79 Richardson.

- 80
- 81 • They asked about how to reconcile ordinances in the Village and Town that may conflict or may
82 only apply to their respective communities, and Mr. Richardson suggested that either the
83 existing ordinances apply to their pre-merger jurisdiction or that the Town and Village could
84 identify the ordinances that have some conflict or differences in advance and resolve those as
85 one of the first orders of business of the new merged entity. He added that whatever strategy is
86 employed, the ordinances need to have plain language guidance on how they apply and to
87 whom, so that a lay person can interpret them with relative ease.
 - 88 • The Joint Boards asked Mr. Richardson about how to transition to a Development Review Board
89 from a Zoning Board of Adjustment, and he replied that the terms should be staggered and that
90 authorizing language is needed in the charter.
 - 91 • Mr. Tyler asked about having an odd-numbered versus even-numbered board, saying that the
92 House Committee on Government Operations had said that an even-numbered board does not
93 have a precedent. Mr. Richardson replied that he has not seen an even-numbered governing
94 board, and that the number of board members needs to force consensus. Mr. Watts expressed
95 concern that because a board of three Village representatives and three Town representatives
was placed on the ballot and passed in March, it may conflict with the number of Board

96 members proposed in the merger charter. He asked whether multiple questions could be placed
97 on the ballot so that if folks disagree with a 3 and 3 representation they could still vote for a
98 merger with a different number of Board members. Mr. Richardson replied that no, a charter
99 needs to be put forward and the Town needs to approve it.

100
101 Irene Wrenner noted that the House Committee on Government Operations did not discuss the issue of
102 number of board members, and that they did not vote down the Essex charter change. She also pointed
103 out that the Essex/Westford School Board is even-numbered and has only ever had one tie vote.
104

105 Mr. Richardson elaborated on the House Committee on Government Operations' process, that they
106 review charter changes, hear testimony, and deliberate as a committee, and that legislative counsel
107 reviews all changes for constitutional and statutory consistency. He also noted that their process and
108 timeline is at their discretion.
109

110 Al Bombardier noted his agreement with Mr. Richardson in that the ballot needs to contain one
111 question to voters. He also noted that there are cost shifts and implications built into the new charter,
112 and that people in the Town outside the Village need to understand these implications prior to a vote.
113

114 Ken Signorello said that hypothetically, if there were a complete merger plan on ballot and a question
115 to change the existing charter to Australian ballot, and the merger failed and Australian ballot vote
116 succeeded, the Australian ballot action would go forward. He further noted that the correspondence
117 from the House Committee on Government Operations back to the Town read like it was a response to
118 the multitude of correspondence the committee chair was receiving from the Town constituents.
119

120 Ms. Hill-Fleury asked how to reconcile and honor the Town's wishes to have a 3 + 3 representation
121 model. Mr. Richardson said that the Town and Village need to figure out how to merge but ensure that
122 consensus is the decision-making driver of governance and that one group does not overpower the
123 interests of the other.
124

125 Ms. Haney suggested that the intention of the voters could be honored by having a 3 + 3 + 1
126 representation model with a representative that does not vote unless they need to break a tie. She also
127 noted that ties have been extremely rare and have never been on Town/Village lines.
128

129 **6. CONSENT ITEMS**

130
131 **GEORGE TYLER made a motion, and AMBER THIBEAULT seconded, that the Trustees approve the**
132 **consent agenda for June 29, 2020. The motion passed 5-0.**
133

- 134 a. **Adopt revisions to Village of Essex Junction General Rules and Personnel Regulations (Trustees**
135 **only)**
136

137 **7. READING FILE:**

- 138 a. **Board Member Comments**
139

140 **8. EXECUTIVE SESSION:**

- 141 a. **An executive session is not anticipated**
142

143 **9. ADJOURN:**

**TRUSTEES & SELECTBOARD
(DRAFT)**

June 29, 2020

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DAN made a motion, and RAJ seconded, to adjourn the Trustees meeting. VOTING: unanimous; motion passed at 10:15 PM.

PATRICK MURRAY made a motion, and DAWN seconded, to adjourn the Selectboard meeting. VOTING: unanimous; motion passed at 10:16 PM.

Respectfully Submitted,
Amy Coonradt
Recording Secretary

Approved this _____ day of _____, 2020

(see minutes of this day for corrections, if any)

DRAFT

**SELECTBOARD & TRUSTEES
(DRAFT)**

**TOWN OF ESSEX SELECTBOARD
VILLAGE OF ESSEX JUNCTION TRUSTEES
DRAFT JOINT MEETING MINUTES
Monday, July 6, 2020**

SELECTBOARD: Elaine Haney, Chair; Vince Franco; Dawn Hill-Fleury; Patrick Murray; Andy Watts.

TRUSTEES: Andrew Brown, President; Raj Chawla; Dan Kerin; Amber Thibeault; George Tyler.

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Jill Evans, Community Justice Center Director; Rick Garey, Chief of Police; Ron Hoague, Police Captain; Sarah Macy, Assistant Manager/Finance Director; Owiso Makuku, Community Development Director; Susan McNamara-Hill, Town Clerk/ Treasurer.

OTHERS PRESENT: Dustin Brusco; Sonia Buglion-Gluck; Annie Cooper; Diane Clemens; Tracy Delphia; Helen Diplock; Brad Kennison; Russell Mills; Roseanne Prestipino; Tom Proctor; Pat Seaver; Brian Shelden; Ken Signorello; Margaret Smith; Tanya Vyhovsky; Irene Wrenner; Lorraine Zaloom.

1. CALL TO ORDER

Elaine Haney called the meeting of the Town of Essex Selectboard to order to enter into joint business with the Village of Essex Junction Board of Trustees at 7:35 PM.

Andrew Brown called the meeting of the Village of Essex Junction board of Trustees to order to enter into joint business with the Essex Selectboard at 7:35 PM.

2. AGENDA ADDITIONS/CHANGES

Mr. Duggan requested a memo of feedback from staff be included with item 5b (Review, discuss, and edit draft merger charter).

3. APPROVE AGENDA

VINCE FRANCO made a motion, seconded by PATRICK MURRAY, that the Selectboard accept the agenda. The motion passed 5-0.

GEORGE TYLER made a motion, seconded by AMBER THIBEAULT, that the Trustees approve the Agenda as amended. The motion passed 5-0.

4. PUBLIC TO BE HEARD

Ms. Cooper suggested that, with a more attentive sense of time and meeting structure during the earlier meeting of the Selectboard, the Joint meeting could have started on time at 7:15. She encouraged the Selectboard to try harder on this.

5. BUSINESS ITEMS

a. *Discuss next steps in community discussion about policing

Ms. Haney presented the steps the Unified Manager, Mr. Brown and she took after the June 23 Joint meeting in preparation to begin a community discussion about policing. She shared her perspective that, with the high workload of the boards at this time, outside help to facilitate the conversation is needed. She said they invited the Community Justice Center (CJC) to consider convening and facilitating community conversations about policing in Essex.

The board members agreed that multiple opportunities for public conversation should take place, so residents can share their stories and concerns comfortably. They discussed that some people

54 feel uncomfortable speaking to those in power (police, board members, etc.), and stressed the
55 importance of engaging a third party to help eliminate this barrier for people. The board members
56 commended the CJC's expertise in this type of work and talked about whether or not it is a
57 conflict of interest to have the group, whose funding is passed through the Police Department,
58 serve the role of facilitating these discussions. Mr. Murray said that if the CJC assembles a group
59 of stakeholders from outside the Police Department, representation from the Selectboard should
60 be present. Mr. Chawla suggested a path forward could include an initial phase with the CJC in
61 addition to other efforts to witness and hear the public.
62

63 Ms. Evans said the CJC acknowledged, during internal conversations about facilitating this
64 conversation, a potential perception of conflict of interest due to their relationship with the Police
65 Department. She said the CJC is comfortable convening stakeholders but the effort should be in
66 consultation with experts from non-dominant cultures. She encouraged intentionality in the
67 planning for this, considering the amount of white privilege in the CJC, on the boards and in the
68 Police Department. She also encouraged the process to include various modalities to engage
69 people to share their stories safely and, if they choose, anonymously.
70

71 Mr. Watts wondered if the community discussion would focus only on potential racial bias in
72 policing or if it will include other types of implicit bias. He brought up examples of not having
73 translation services available at Town Meeting and whether the name of Indian Brook is
74 appropriate. Mr. Murray suggested there should be strict assurances of privacy within this
75 process because people in the community do not feel safe, due to incidents of racism in Essex.
76 He shared a recent micro aggressive incident toward a friend who is black.
77

78 Ms. Haney opened the floor to community comments.
79

- 80 • Ms. Cooper expressed thanks to Ms. Evans for the work of the CJC and expressed enthusiasm
81 for the work ahead. She said the conversation should move out of the Selectboard setting.
- 82 • Ms. Zaloom wondered why the Essex Junction Trustees are weighing in on this item. She said
83 she believes, with both boards present, they are not acting quickly enough to take public
84 comments on the issue. She said there should be enough time to address this issue and that
85 the public perception is that the merger is being prioritized over this issue.
- 86 • Ms. Vyhovsky said she supports a robust public discussion but engaging the CJC to lead it is
87 problematic. She said she knows that people of color are uncomfortable with speaking to the
88 police. She stressed the importance of creating a space and process where everyone is
89 comfortable sharing their experiences. She said Essex should prioritize prevention, community
90 support systems and citizen oversight of policing.
- 91 • Mr. Proctor introduced himself as the Chittenden County organizer of the Rights & Democracy
92 Project. He said he believes Essex's response to this issue has been lacking, compared to
93 other communities, and that engaging the CJC to facilitate the conversation is problematic
94 because they seem to report to the police. He said the Selectboard should hold the Police
95 Department accountable and speed up the process to not lose public consciousness
96 momentum.
- 97 • Ms. Buglion-Gluck stressed the importance of creating a safe place for people to feel
98 comfortable speaking about their experiences. She talked about problems inherent in the white-
99 dominant groups creating legislation and processes without consulting with people of color. She
100 encouraged the Selectboard to create an inclusive process and solicit public input, at every
101 step, to address issues of racism.
- 102 • Mr. Signorello said the CJC should be part of the conversation, because they are experts in
103 restorative justice, but they should not lead the conversation.

- 104 • Ms. Wrenner suggested that the Racial Justice Alliance or the Peace and Justice Center be
105 contacted to help the Selectboard with this process. She wondered if Jen Knauer, who has
106 facilitated conversations for Essex in the past, could play a role in helping receive public
107 comments. She said police restructuring to address this issue should be the most important
108 topic, not the merger.
109

110 The board members discussed a possible public discussion timeline with the CJC. They talked
111 about convening stakeholders including the ACLU and NAACP. Mr. Murray suggested that
112 gathering and listening is a good strategy but good-faith action steps should also be considered
113 to address racial justice. Ms. Hill-Fleury asked how the CJC became the decided leader of the
114 process. Ms. Haney said that she, Trustee President Andrew Brown, and staff made the decision
115 to ask the CJC to convene groups to the table, but not lead the discussion. Mr. Watts suggested
116 that a Selectboard vote should have been held before the decision was made; Ms. Haney invited
117 him to submit a motion.
118

119 **ANDY WATTS made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard**
120 **schedule a public meeting to collect public input on this topic. The motion passed 5-0.**
121

122 Ms. Haney asserted, to Mr. Watts, that she is unsure of the time available or expertise on the
123 Selectboard to be able to successfully facilitate the meeting approved by this motion. She
124 requested that staff include the discussion on the next Selectboard agenda. Ms. Evans
125 suggested the discussion begin early in a meeting to be able to hear people on this topic. Mr.
126 Teich said he would put out options of dates to the Selectboard, warn a meeting, and continue to
127 work with the CJC to help the Selectboard and staff plan meaningful, facilitated conversations.
128 Mr. Franco said he disagreed with Ms. Haney's sharpness and tone toward Mr. Watts during this
129 discussion. Ms. Haney apologized.
130

131 Ms. Haney opened the floor to public comments:
132

- 133 • Ms. Zaloom said the CJC is paid through the Police Department's budget, so it would be a
134 conflict of interest to engage them on this effort. She said seeing Chief Hoague in the Microsoft
135 Teams chat area is intimidating to some people, who may choose not to speak. She also
136 shared her opinion that the Trustees should weigh in only as public, not as board members,
137 and requested that Ms. Haney not bully Mr. Watts during meetings.
138 • Ms. Wrenner said public conversations should be convened with a neutral body; the Trustees
139 should not be part of the conversation; and the Selectboard chair should not be formulating
140 plans without the approval of the Selectboard.
141 • Ms. Delphia shared her perspective that people are uncomfortable with the idea that the
142 Selectboard does not feel there is enough for this effort, while people in the community do not
143 feel safe. She said people's safety should be the priority. She requested a multipronged
144 approach to truly understand people's experiences.
145 • Ms. Vyhovsky thanked Mr. Watts for standing up for what the community is asking for. She said
146 making sure people in the community are safe should be the number one priority. She talked
147 about people needing help within a broken system, which is structured against them, to
148 underscore the importance of engaging a facilitator that is not part of the structure. She
149 encouraged the Selectboard to find a neutral group, skilled in facilitation, led by people of color
150 because, in the Essex community, she believes it is people of color who do not feel safe.
151

152 Mr. Brown said the Trustees make ordinances different than the ones in the Town outside the
153 Village and are responsible for locations where incidents may or may not be playing out in the
154 community. He said the Trustees need to make sure implicit bias is not playing out or one part of
155 the community is not being targeted. He said it would be a disservice to the community if the

156 Trustees are not included as part of the conversation. The rest of the Trustees agreed. Mr.
157 Chawla requested that the Selectboard's convened discussion include the Trustees.
158

159 Mr. Watts suggested that scheduling something to accommodate the Trustees' schedule could
160 slow down the process. He also suggested that there may be an agreement that authorizes the
161 Trustees to engage` with the Police Department but he did not think the Trustees can enact
162 policy in this area. Mr. Franco agreed that the Selectboard should have the meeting first and if
163 the Trustees can attend, they should. The Selectboard members agreed. Mr. Chawla said that it
164 is disrespectful to the community for residents to have to share their stories multiple times to the
165 CJC, Selectboard and the Trustees.
166

167 Mr. Brown called a recess, and Ms. Haney agreed, at 9:02 PM, then reconvened the meeting at
168 9:12 PM.
169

170 **b. Review, discuss and edit draft merger charter**

171 *This agenda item was not addressed.
172

173 **6. READING FILE**

174 *This agenda item was not addressed.

175 a. Board Member Comments

176 b. Emails from Sue McCormack, Elaine Haney re: Follow up to Essex Police meeting with Essex
177 Selectboard & Trustees

178 c. Email from Will Senning re: IMPORTANT – Elections PPE Kit Delivery

179 d. COVID-19 Prevention Messaging for State Partners
180

181 **7. EXECUTIVE SESSION**

182 a. An executive session is not anticipated
183 No executive session took place.
184

185 **8. ADJOURN**
186

187 After recess, Mr. Brown said that with a majority of the Selectboard not in favor of including the
188 Trustees in a conversation the Trustees would like to adjourn their presence at this meeting.
189

190 **ANDREW BROWN made a motion, seconded by GEORGE TYLER, to adjourn. The motion**
191 **passed 5-0 at 9:13 PM.**
192

193 Ms. Haney pointed out that because the meeting was warned as a Joint meeting the departure of
194 the Trustees, signifies the end of the meeting.
195

196 **VINCE FRANCO made a motion, seconded by PATRICK MURRAY, to adjourn. The motion**
197 **passed 4-1, with dissenting vote from ANDY WATTS, at 9:14 PM**
198
199

200 Respectfully Submitted,
201 Cathy Ainsworth
202 Recording Secretary
203

Joint Reading 7b

From: Bridget Downey - Meyer

Sent: Thursday, July 23, 2020 9:50 AM

To: Andrew Brown <abrown@essexjunction.org>; Elaine Haney <ehaney@essex.org>; Andy Watts <AWatts@ESSEX.ORG>; Vince Franco <vfranco@essex.org>; Dawn Hill-Fleury <dhillfleury@essex.org>; Patrick Murray <PMurray@essex.org>; Raj Chawla <RChawla@essexjunction.org>; Amber Thibeault <AThibeault@essexjunction.org>; Daniel Kerin <dkerin@essexjunction.org>; George Tyler <gt Tyler@essexjunction.org>; Evan Teich <eteich@essex.org>

Subject: Request for separation financials

CAUTION: EXTERNAL MAIL. DO NOT CLICK ON LINKS OR OPEN ATTACHMENTS YOU DO NOT TRUST

To the Selectboard and Trustees,

We were disappointed at the outcome of the policing community conversation during the 7/6 Selectboard/Trustee meeting. It is obvious that relations between the two boards are strained, which now may affect merger discussions. We, the undersigned citizens of Essex, are not with this letter advocating for or against merger but believe we must continue working towards fair and equitable representation and tax structure within our two communities. That means all pertinent information must be on the table.

In order to keep moving toward this goal we need factual data. We request complete and accurate calculations of what the costs would be if our two communities separated.

Please include:

1. Yearly budget of each Town department and the % of each Village and TOV tax that pays for that department
2. On the same spreadsheet as #1 notate the departments that are duplicated in both municipalities and the year each department was established within its own municipality.
3. The tax dollar amount paid by Village residents into the Town Capital Fund. Also provide a yearly estimate of how much of the capital fund is spent within the Village boundary.
4. The tax rate changes for each community and the estimated tax increase or decrease based on an average home value.
5. An estimate of the number of positions and associated salary and benefit costs to backfill positions necessitated by separation and how those fall (TOV / Village).

We realize that this is not a simple task but do request numbers in a timely fashion.

Thank you,

Bridget Meyer, Lori Houghton, Harlan Smith, Richard Smith, Andy Kolovos, Nick Meyer, Melanie Tupaj, Emily Tupaj, Daryl Stultz, Saramichelle Stultz, Jon Houghton, Erin Knox, Linda Waite Simpson, John Crock, Liz Subin, Annie Cooper, Kelly Adams, Gabrielle Ratte Smith, Ann Wadsworth, Ed Malina, Aimee Cronin, Julie Miller Johnson, Renee Dall, Sheila Porter, Mike Sullivan, Joe Knox, Kim Gleason

Joint Reading 7c

From: Missie Thurston
Sent: Monday, July 20, 2020 11:23 PM
To: Evan Teich <eteich@essex.org>
Subject: BLM & Policing in Essex

CAUTION: EXTERNAL MAIL. DO NOT CLICK ON LINKS OR OPEN ATTACHMENTS YOU DO NOT TRUST

Hi Evan,

As the Town Manager of Essex, you hold an important position -- especially as our country grapples with the reality of being Black in America. It's essential that Essex government actively hear from the community on issues vital to the health and safety of Essex now and in the future. I ask, please, that you work with the Select Board to take immediate steps, including:

1. Creating a citizen oversight committee of policing in Essex so that the police are held accountable by the citizens they serve. The citizen oversight committee needs to be created immediately and have authority.
2. Reallocating, at a minimum, the funding for the open 4 police positions (a fraction of the police department's \$4.5 million) toward mental health services, education, and social support for our community.
3. Removing officers from Essex schools, making a safer environment for students and working to stop the school to prison pipeline. (At a minimum, open the conversation so that you can hear from a variety of students (even those who feel unsafe voicing their concerns in a public forum) to understand what officers in their schools mean to them.)

I have also emailed the members of the Select Board and am about to email the new Chief of Police. If there are other ways to help bring these conversations to the forefront, please let me know how it is best to do so.

I look forward to an open and honest Essex, eager to learn and grow together in order to create a town that honors the humanity and safety of everyone.

Best wishes,

Missie

--

Missie Thurston
Essex, VT

From: Kara Douglas
Sent: Tuesday, July 21, 2020 8:09 PM
To: Susan McNamara-Hill <SMcnamarahill@ESSEX.ORG>
Subject: Citizen Oversight Committee for Essex Policing

CAUTION: EXTERNAL MAIL. DO NOT CLICK ON LINKS OR OPEN ATTACHMENTS YOU DO NOT TRUST

Hello, Ms. McNamara-Hill!

My name is Kara Douglas. I live in the Tanglewood neighborhood in Essex, VT. I'm reaching out because my understanding is that Essex Policing currently lacks community oversight, even though 30% of the town budget goes to the police department. In my opinion, Essex would benefit from a citizen oversight committee so that police are held accountable by the citizens they serve. If the Select Board believes they cannot do so within the confines of the current Town Charter, for any reason, they should secure the appropriate language from the town's attorney and draft such a clause for the November ballot as a separate article to be voted on.

At a minimum, I hope Essex carefully considers reallocating the funding for the four open police positions toward mental health services, education, and/or social support for our community.

Thank you,
Kara

--

People think that the phrase "Be the change you wish to see in the world," is a call to activism, but I see it as a call to laugh and shrug when you feel like complaining, to offer a smile when dealing with someone harried, to let a flower grow for all to admire instead of plucking it and keeping it to yourself.... Though they may not be recognized as such, these are all acts of heroism, and they are real, feasible catalysts for positive change.

From: Lillie Bleau
Date: July 24, 2020 at 7:57:14 AM EDT
To: Susan McNamara-Hill <SMcnamarahill@ESSEX.ORG>
Subject: Essex policing needs to change

CAUTION: EXTERNAL MAIL. DO NOT CLICK ON LINKS OR OPEN ATTACHMENTS YOU DO NOT TRUST

Dear Susan,

I'm a concerned Essex resident and I'm writing to you as one of our community leaders to call for community oversight of Essex policing and to reallocate some of the Essex policing budget. At a minimum, we want vacant officer positions **not filled**.

At issue:

- 30% of town budget (\$4.5 million) goes to the police department and there's no citizen oversight
- Students in general, and students of color, have not been represented when discussing officers in schools
- Currently 28 positions of 32 are filled and select board has discussed if those 4 positions should be allocated to mental health services
- There has been active avoidance, cutting off feedback from the community in relation to policing in Essex

What needs to change:

1. Essex needs to create a citizen oversight committee of policing in Essex so that the police are held accountable by the citizens they serve. The citizen oversight committee needs to be created immediately and have authority. If the Select Board believes they cannot do so within the confines of the current Town Charter, for any reason, they should secure the appropriate language from the town's attorney and warn such a clause for the November ballot as a separate article to be voted on.
2. Essex needs to reallocate, at a minimum, the funding for the open 4 police positions (a fraction of the police department's \$4.5 million) toward mental health services, education, and social support for our community.
3. Essex needs to remove officers from schools, making a safer environment for students and working to stop the school to prison pipeline.

Sincerely,
Lillie Bleau

To: Evan, Elaine, and Andrew

Hi. Just letting you know that the efforts by a group of young adults in the broad Essex community has been successful in achieving **Quality Youth Development (QYD) Community** certification for the Village and Town jointly. The email below was sent to Dominique Sweat (Chair for the Essex QYD Steering Committee) last week, and a press release went out this past Friday.

Please contact me (or Dom Sweat) if you would like to chat about this new community credential!

Congratulations to Essex and Essex Junction!

David

David Voegele, Director

The QYD Project

2 Lincoln Street
Essex Junction, VT 05452
[802\) 878-6982 Ext. 101](tel:(802)878-6982)
www.essexchips.org

Congratulations to
Essex & Essex Junction, VT

The community of Essex and Essex Junction, in the state of Vermont, is hereby certified as a

Quality Youth Development Community™.

This earned certification is in recognition of Essex and Essex Junction's commitment to youth, as evidenced by a variety of sustainable and substantive efforts that support, engage, inspire, and empower youth.

Through a 7-month process, a dedicated group of youth and adults provided documentation that Essex and Essex Junction had achieved seven of ten QYD™ Benchmarks. Essex and Essex Junction's certification as a QYD Community™ is for three years from the date below. During that time, the Essex and Essex Junction QYD Steering Committee may strive to achieve three additional QYD Benchmarks, in order to become a Four-Star QYD Community™.

Certified this 29th day of June 2020, on the recommendation of
the National QYD Credential Committee, by:

Barbara Abraham

Barbara Abraham, Chair
Leominster, MA

