



VILLAGE OF ESSEX JUNCTION  
TRUSTEES  
REGULAR MEETING AGENDA

Online  
Essex Junction, VT 05452  
Thursday, September 24, 2020  
6:30 PM

E-mail: [manager@essexjunction.org](mailto:manager@essexjunction.org)

[www.essexjunction.org](http://www.essexjunction.org)

Phone: (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: 727 856 822#
- **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.

1. **CALL TO ORDER** [6:30 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **PUBLIC TO BE HEARD**
  - a. Comments from Public on Items Not on Agenda
5. **BUSINESS ITEMS**
  - a. Discussion of Tree Farm operations with Tree Farm Board President
  - b. Discussion and possible approval of design of park at 1 Main St for grant application
  - c. Consider request to waive political sign ordinance prior to November election
  - d. Discussion and possible approval of charter for merger of Village of Essex Junction and Town of Essex
  - e. Discussion and possible approval to warn Special Village meeting on November 3
  - f. Discussion and possible approval to warn public hearings regarding the merger charter
  - g. Discussion and possible approval of sending ballots to all active voters for November 3 election
  - h. Discussion and possible approval of merger informational materials
  - i. Consider updating mission statement for Village of Essex Junction
  - j. Discussion and possible action on Policy on Raising of Flags and Painting of Murals on Town of Essex/Village of Essex Junction Property
6. **CONSENT ITEMS**
  - a. Approval to accept \$20,000 records digitization grant
  - b. Approve grant application and match funding for LED Beacon light at Lincoln/Central crosswalk
  - c. Approve minutes: September 8, 2020
  - d. Check Warrant #17216—9/11/20; #17217—9/18/20
7. **READING FILE**
  - a. Email from Jean Mongeon re: Lavoie Drive, speed bump/table
  - b. Email from Dawn Hill-Fleury re: Village vote
  - c. Memo from Greg Duggan and Ron Hoague re: Ordinances in regards to merger of Town of Essex and Village of Essex Junction
  - d. Upcoming meeting schedule
8. **EXECUTIVE SESSION**
  - a. An executive session is not anticipated
9. **ADJOURN**

This agenda is available in alternative formats upon request. Meetings of the Trustees, like all programs and activities of the Village of Essex Junction, are accessible to people with disabilities. For information on accessibility or this agenda, call the Unified Manager's office at 878-6951.

Certification: 09/18/2020

Date Posted

  
Initials

**Memorandum**

**To:** Trustees; Evan Teich, Unified Manager  
**From:** Greg Duggan, Deputy Manager GSD  
**Re:** Discussion with Tree Farm Board President  
**Date:** September 18, 2020

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**Issue**

The issue is for the Trustees to have a discussion with Tree Farm Board President Jake Hennekey about Tree Farm operations.

**Discussion**

Tree Farm Board President Jake Hennekey will be available at the September 24 Trustee meeting to discuss Tree Farm operations and address any questions and concerns from the Trustees.

**Cost**

N/a

**Recommendation**

This memo is for discussion.



Community Development Department

2 Lincoln Street  
Essex Junction, VT 05452  
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Office: (802) 878-6950  
Fax: (802) 878-6946

## **MEMORANDUM**

**TO:** Evan Teich, Unified Manager, Trustees  
**FROM:** Robin Pierce, Community Development Director  
**DATE:** September 24, 2020  
**SUBJECT:** 1 Main Street Design and next steps.

### **Issue**

The issue is whether the Trustees wish to have the design for the 1 Main Street park advance to the Corrective Action Plan, (CAP), portion of the process.

### **Discussion**

Following on from the purchase of 1 Main Street the Village has been involved in a process to develop the site into an Urban Park. During the Open and Outside event an advertised charrette was undertaken to elicit ideas for the Park moving forward. A charrette does not create the design, rather it encourages individuals to develop their own ideas for a design. Since the charrette elements of the individual ideas have been combined into a design by the Community Development Department taking into consideration the constraints of the site. This design will then direct the CAP.

The design has been given to Miles Waite who will be conducting the CAP to put the design into a format that will satisfy the CCRPC, and the State Department of Environmental Conservation (DEC) for the purposes of developing the CAP.

The CCRPC funding for this type of project is time sensitive and if we don't get the design to them by September 25th they may lose funding in the next round of funding allocations due to not spending all of their allocation this year.

The Park design recognizes the importance of the past and the promise of the future. Materials such as metal rail lines forming a pergola over the raised event platform recognize the Villages long relationship with trains. Bricks have been chosen in a wall to hark back to the Drury Brick Company and the wall will form a backdrop for those on the raised platform. Elm trees evoke memories of the main streets into the Five Corners prior to the Dutch Elm Disease. Bluestone is a timeless and robust paving choice. The raised event platform, which is slightly above grade by using steps, provides an opportunity for bands to play, and people to sit when no event is occurring. The water element in the rear of the brick wall provides a small area for dogs to get a drink, and frames a small space behind the event platform that will provide a calmer area where people can sit and relax with the echo of the wall

of water to compete with the noise of life around them. Benches without backs (along the eastern boundary), mean that people can choose to sit facing east or west. The design is different from Memorial Park. It is a design for a new generation, with a different purpose. It will provide a balance to Memorial Park; balance does not require symmetry. The design also recognizes that the vacant and underutilized land around the Park may be redeveloped over time and this design can accommodate that possibility without modification. While remaining open to Main Street.

### **Cost**

Based on the last Trustee meeting the Community Development Department asked Mile Waite to develop the Village design into a format that would be suitable to advance the CAP. The cost for this was not to exceed \$5,000. The funds were to be taken from those allocated for the Open and Outside event. So no new funding necessary, simply reallocating the funds to another Village Center activity.

### **Recommendation**

It is recommended that the Trustees approve this design and direct Staff to move the project forward through the CCRPC and DEC so that the CAP can be completed. There is no cost to the Village for the CAP.



EXISTING FIREBIRD CAFE SIGN TO REMAIN

NEW PARK BENCHES

GRASS

EXISTING FIREBIRD CAFE 1 MAIN ST.

NEW HEDGE

NEW BRICK FOUNTAIN WALL 10' WIDE BY 8' HIGH

NEW 10' X 10' 2' HIGH BRICK PLATFORM WITH BRICK STEPS (6" RISERS, 12" TREADS)

NEW 18" X 48" BLUESTONE PEDESTAL (TYP)

PAVED AREA

NEW TREE GRATE WITH 2-1/2" CALIPER PRINCETON ELM TREE (TYP)

EXISTING MONITORING WELL TO REMAIN UNDISTURBED

PROPOSED POCKET PARK WITH 3' X 3' X 2-1/2" THICK THERMAL BLUESTONE SURFACE

CONCRETE SIDEWALK

MAPLE STREET

MAIN STREET

40



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## **MEMORANDUM**

**TO:** Evan Teich, Unified Manager, Trustees  
**FROM:** Robin Pierce, Community Development Director  
**DATE:** September 24, 2020  
**SUBJECT:** Political Signs in the Village

### **Issue**

The issue is whether the Trustees wish to approve a waiver to permit political signs to be placed on property leading up to the November election.

### **Discussion**

A resident asked if the Trustees could waive political signage rules for two weeks leading up to the November election. The Village LDC under Section 714 A (f) states the following:-

(f) Signs erected on private property for elections or political campaigns. The signs shall be removed three (3) days after the election or conclusion of the campaign and may not exceed fifteen (15) square feet in surface area. A political candidate and/or representative may erect or hold a sign within the public right-of way provided the candidate and/or representative is present and does not block entrances, sidewalks, or obstruct Visibility Triangles. Political signs in right-of way may not exceed six (6) square feet in surface area.

The State also has requirements for temporary political signs.

1. You must obtain permission of the property owner before you place any sign.
2. It is a violation of criminal law to put a sign on any utility pole in Vermont. 13 V.S.A. §301
3. The Agency of Transportation (Travel Information Council) enforces Vermont's sign law. 10 V.S.A. §§481-506. According to these statutes:

- Signs may not be located within state highway rights-of-way or attached to a state or town sign, post or guardrail. Most highway rights-of-way in Vermont are at least three rods, or 49.5 feet. This means that signs must be placed at least 24.75 feet away from the centerline of most highways.
- Signs should be removed immediately after the election.
- Signs may not be attached to trees.
- Signs may not interfere with, imitate, or resemble any official traffic control sign, signal, or device; or appear to attempt to direct the movement of traffic.



- Signs may not be located in a way that prevents drivers from having a clear and unobstructed view of official traffic control signs and approaching or merging traffic.
- Signs may not be positioned so that they are readable primarily from a limited access facility (which includes the interstates and ramps and some other highways—such as US 7 between Bennington and Dorset).
- Signs must be in good repair and securely affixed to a substantial structure.

In the Village LDC and the State requirements I do not see any restriction on when a sign can be erected. The emphasis is on location of the sign for safety reasons, the style and size of the sign, and how long the sign can be in place after the election is concluded. No signs can be placed in Village or State ROW's for safety reasons and to ensure that these ROW's are not littered with signs.

### **Cost**

The cost to the Village would be enforcement of the regulations by Village Staff if necessary.

### **Recommendation**

As there is no limitation on how long before an election a sign can be erected it would seem there is no need to issue a waiver in this instance. In addition Staff would not recommend that Trustees permit political signs in the Village ROW.

## Memorandum

**To:** Trustees; Evan Teich, Unified Manager  
**Cc:** Selectboard  
**From:** Greg Duggan, Deputy Manager *GSD*  
**Re:** Charter for merger with Town of Essex  
**Date:** September 22, 2020

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### Issue

The issue is for the Trustees to review the Selectboard's comments and updates to the draft merger charter, and finalize the Trustee version of the charter before warning a merger vote for November.

### Discussion

The Selectboard reviewed the Trustees' draft version of the merger charter the night of Sept. 21. The draft charter, as updated by the Selectboard, is attached. The Selectboard made decisions on the following sections:

#### IN RESPONSE TO TRUSTEE QUESTIONS:

- Section 203 – keep section in charter
- Section 301 – Use Montpelier's language; 10 years
- Section 801 – Refer to statute

#### OTHER SECTIONS

- Sections 109 and 803 – remove PC term length, does not need to be in charter (24 VSA 4323 allows legislative body to determine term length)
- Section 114 – need to update language for approval of charter, election of officers, etc.
- Section 302 – agree with decision to remove section of tobacco and cannabis regulation
- Section 305 – specify that reorganization meeting of Selectboard occur the first meeting **of the month** following Town Meeting
- Section 307(a) – allow Selectboard members to be paid as poll workers
- Section 402 – agree with decision to keep in section about Moderator
- Section 501(a) and (c) – use Dan Richardson recommendations
- Sections 601, 602, 603, 604 – Refer to statute for adoption of ordinance; keep section 604 (update number) for filing and recording of ordinances; Keep and update section numbers for "Rescission of ordinances" and "petition for enactment of ordinance"
- Section 702 – refer to state and federal law for anti-discrimination
- Section 702(c) – Specify that Selectboard appoints Town Attorney based on Manager recommendation; Manager can hire other attorneys as needed
- Section 704 – keep section about manager vacancy
- Section 1101 – Specify tax payment dates of March 15 and September 15
- Section 1102 – Don't give Selectboard authority to waive late tax penalties
- Miscellaneous – Specify that Manager appoints treasurer

### Cost

n/a

### Recommendation

Staff recommends the Trustees finalize their version of the merger charter before warning a vote for November.



## TOWN OF ESSEX

### 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.

### Subchapter 1: Transitional Provisions

#### § 101 Adoption of town and village assets and liabilities

- (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 administrative proceedings; insurance policies; documents and records; debts, claims, bonded indebtedness; without any further act, deed, or instrument being necessary.
- (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.

#### § 102 Transition Period

The transition period shall begin not later than July 1, following the approval of the charter by the Legislature, and end on June 30 the year after approval of the charter. 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 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. **[ADDED/AMENDED BY BOT 8.17.20]**

#### § 103 Organizational Municipal Meeting

The first annual Town ~~meeting~~ Meeting shall occur on Town Meeting Day following approval of the ~~Charter~~ charter. This shall be a unified meeting of the new municipality

**Commented [HE1]:** Andy Watts: "According to Dan R, the charter becomes effective upon approval by the Legislature."

Need to confirm which is correct and update this sentence accordingly.

**Commented [gt2R1]:** There is no money to operate the new government so a transition period is needed. The budgeted money is for the former village and town.

**Commented [GD3R1]:** Reaching out to Dan R. for proper language

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 Town Meeting Day.~~ 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 by the ~~Village Trustees and Town Selectboard~~ Interim Governing Body pursuant to §105. The election of a moderator shall be the first order of business.

**Commented [HE4]:** Andy Watts: "It was discussed and agreed previously with the Trustees that the first budget should be in March to allow time in case the first budget fails."

**Commented [HE5]:** Andy Watts: "Once the charter is approved, those boards will cease to exist and governance will be by the new transitional board. The transitional board needs to warn the meeting since prior boards will no longer exist."

**Commented [gt6R5]:** Agree.

#### § 104 Transitional Districts

Transitional district rates shall be set by the new Town Selectboard.

- (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.
- (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.
- (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.
- (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

**Commented [HE7]:** This section is a point for further discussion with the Trustees.

Andy Watts: "Defining a sidewalk district like this would require a charter change to add other neighborhoods. Dan R recommended putting this in main charter section "Town may designate sidewalk district within Town boundaries for purpose of levying a special tax..." In my opinion, the sidewalk district should be permanent and extendable."

**Commented [gt8R7]:** This establishes the district. Language can be amended at a later date if needed.

Selectboard shall designate in their proposed budgets which projects are to be completed in each new fiscal year of the transitional period.

- (e) For a transitional period of 12 years commencing from the July 1 effective date of the ~~Charter~~ 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, and shall retain any and all state designations for the purposes of redevelopment in force at the time of adoption of the ~~Charter~~ charter or until such designations are withdrawn or amended as per routine statutory process.

**[ADDED/AMENDED BY BOT 8.17.20]**

#### § 105 Interim Governing Body

- (a) For the transition period described in paragraph § 102 following the approval of the charter by the Legislature, all members of the former Town Selectboard and Village Board of Trustees shall comprise an Interim Governing Body. In no event shall the Interim Governing Body consist of ~~less-fewer~~ than three ~~former~~ trustees and three ~~former~~ selectpersons. 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. The Interim Governing Body shall schedule, warn, and hold meetings as appropriate. The former 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 former 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 proposals or policies are needed to ensure a smooth transition. The new Town of Essex Selectboard may implement such proposals ~~at the end of the transitional period~~ ~~once the charter becomes effective.~~

**[ADDED/AMENDED BY GD 9/14/20]**

- (b) During the transition period the Interim Governing Body will also, with the assistance of the ~~Unified~~ Manager and staff, integrate the ordinances of the former Town of Essex with the ordinances of the former Village of Essex Junction, pursuant to § 110 below, by identifying conflicting ordinances and determining in each case whether the more or less restrictive ordinance will apply or a combination thereof.

**[ADDED/AMENDED BY BOT 8.17.20]**

- (c) In the event of a vacancy that results in ~~less-fewer~~ than three members of the former Town Selectboard or ~~less-fewer~~ than three members of the former Village Trustees,

**Commented [HE9]:** Make sure this sentence matches what's in §102.

**Commented [HE10]:** Again, the charter becomes effective upon approval of the Legislature.

**Commented [gt11R10]:** Again, there is no money to operate the new government.

**Commented [HE12]:** Question for Dawn: Does this alleviate your concerns regarding how ordinances will be dealt with?

all remaining members shall vote to appoint a member from the district with a vacancy in a manner pursuant to § 304. **[ADDED/AMENDED BY BOT 8.17.20]**  
**[ADDED/AMENDED BY GD 9/14/20]**

- (d) 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 as voting for the Essex Westford School District budget~~ Town Meeting Day pursuant to § 103.

§ 106 Town Selectboard

- (a) There shall be a Town Selectboard consisting of ~~seven~~ six ~~seven~~ members.

**[ADDED/AMENDED BY BOT 9/8/20]**

- (b) Three members shall reside within the boundaries of the former 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 2~~ 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~~ Ward 1. 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. 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.~~ **[ADDED/AMENDED BY BOT 8.17.20]** **[ADDED BY BOT 9/8/20]**

- (c) The term of office of a Town Selectperson shall be three years and terms shall be staggered. For the first election cycle ~~Sseven~~ seven ~~seven~~ 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. ~~The remaining seat will be at large from either ward and the term shall be three years.~~ ~~The remaining seat will be at large from either ward and the term shall be three years.~~ **[ADDED/AMENDED BY BOT 8.17.20]**

**[ADDED/AMENDED BY BOT 9/8/20]**

- (d) Within three years after the first election of the ~~Sseven~~ seven ~~seven~~ six member Selectboard, the Selectboard shall appoint a ~~special~~ special commission to study the composition of voting ~~wards~~ 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

**Commented [HE13]:** See comment HE3.

**Commented [GD14R13]:** I'm not seeing numbers next to the comments, so not sure what "HE3" references

**Commented [HE15]:** Should this section be in the permanent part of the charter?

**Commented [HE16]:** Andy Watts: "Since the Village is 8-2 for State/Federal elections, would it be simpler for the former Village to be Ward 2? Yes, I know this will look like I want to be number 1 but that is not it at all. And yes, I know that 8-1 and 8-3 would end up ward 1 but that still makes more sense to me than having Chittenden 8-1/Ward 2 and Chittenden 8-2/Ward 1. Less confusing."

**Commented [gt17R16]:** No problem with this change.

**Commented [gt18]:** We are recommending a 7 member board to comply with the guidance of the government operations committee.

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**Commented [GD19]:** George, I can't remember if the Trustees decided to keep this in, or to remove this section from the transitional phase and keep a redistricting clause in the permanent charter. Do you recall?

**Commented [gt20R19]:** I don't have notes but I believe we're okay with leaving it in. We've wrestled over this, unnecessarily, so many times that I think we need to just stop dealing with it. I can't get it through people's heads that the board will have the authority to do this any time they want so spelling it out like this is unnecessary.

considerations deemed proper, recommend within one year, changes, if any, to the number and boundaries of wards by which members of the Selectboard are elected.  
**[ADDED/AMENDED BY BOT 8.17.20]**

#### § 107 Budget and Municipality Administration

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, and debt, and that reflects any changes related to the merger.

#### § 108 Village and Town Department Transitional Provisions

- (a) For a transitional period of ~~5-five~~ years commencing from the July 1 effective date of the charter, the ~~manager~~ Manager, with the advice and consent of the new Town of Essex ~~Selectboard~~, shall integrate the fire departments, community development and planning ~~offices~~ departments, parks and recreation ~~offices~~ departments, and any other ~~former~~ town and village municipal services and operations, with special provisions and considerations outlined below.
- (b) The Town of Essex shall operate the former Essex Junction Fire Department and ~~former~~ Essex Town Fire Department, and each department shall have a chief appointed by the ~~manager~~ Manager. At the ~~manager's~~ 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 to remain "paid on call."  
**[ADDED/AMENDED BY BOT 8.17.20]**
- (c) During the five-year transitional period the ~~manager~~ Manager shall integrate and reorganize the ~~former~~ town and village recreation and parks departments and the ~~manager~~ Manager shall appoint a department head.
- (d) During the five-year transitional period the ~~manager~~ Manager shall integrate and reorganize the ~~former~~ town and village community development and planning departments, and the ~~manager~~ Manager shall appoint a department head.

#### § 109 Planning and Development

- (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 ~~former~~ Village's zoning bylaws and 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).

- (b) Prior to the effective date of the charter, the Town Selectboard shall appoint three members ~~of 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. The duration of the first terms shall be staggered ~~so as to establish ongoing, staggered three~~ ~~four-year appointment~~ schedules. ~~Once it has organized, The~~ the new Town Selectboard shall choose a seventh member for a ~~four-year term, once it has organized.~~ **[ADDED/AMENDED BY BOT 9/8/20]**
- (c) 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 new Town Development Review Board. The duration of the first terms shall be staggered ~~so as to establish ongoing, staggered three-year appointment schedules.~~ Once it has organized, The the new Town Selectboard shall choose a seventh member for a three-year term, ~~once it has organized.~~

**Commented [HE21]:** Does not have to be this specific. Could be former PC members, could be members of the public.  
Andy Watts: "The new Planning Commission will have a different role than current PC. Current members may prefer to be on the DRB. The proposed language requires the Trustees and Selectboard to appoint people whether they want to be on the PC or not."

**Commented [gt22R21]:** No problem with these recommendations

**Commented [HE23]:** Andy Watts: This section needs to match up with §803: are PC members to have 3-year terms or 4-year terms?

**Commented [gt24R23]:** 3 year terms, which is what they have now.

**Commented [GD25R23]:** BT: okay with 4 years if that's what Town has now

**Commented [HE26]:** See comment HE12

**Commented [GD27R26]:** I'm not seeing numbers next to the comments, so not sure what "HE12" references

#### § 110 Unification and Adoption of Ordinances, ~~bylaws~~ Bylaws, and ~~rules~~ Rules

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 Interim Governing Body shall integrate the ordinances of the former Town of Essex with the ordinances of the former Village of Essex Junction pursuant to § 105(b) of this charter. 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 officer or officers of the new Town of Essex.

#### § 111 Personnel

- (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 Sselectboard may implement such proposals ~~once the charter becomes effective at the end of the transitional period.~~
- (b) The Town of Essex personnel regulations in effect at the time of approval of the charter shall carry over and control until amended by the new Town of Essex Sselectboard. **[ADDED/AMENDED BY BOT 8.17.20]**

**Commented [HE28]:** See comment HE6

**Commented [GD29R28]:** I'm not seeing numbers next to the comments, so not sure what "HE6" references

(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.

**[ADDED/AMENDED BY BOT 8.17.20]**

#### § 112 Water and Sewer Districts

Upon the effective date of the charter, there shall be a transitional phase to incorporate the municipal water systems and municipal sewer systems 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 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.

**Commented [HE30]:** Should this be in the permanent charter section?

**Commented [gt31R30]:** Can be moved to the permanent section later if needed. No need to do so now.

#### § 113 Finances

- (a) The existing real property tax system of the ~~town~~ 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.
- (b) All ~~Tax~~ 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.
- (c) All existing legal obligations, including but not limited to tax stabilization agreements and any agreements to purchase real property, are to be considered obligations of the new governmental entity.

**Commented [HE32]:** Elaine Haney: 2021? If merger approved March 2021, Legislature approves May 2021, then transitional year starts July 1, 2021. So then expiring 2021 seats should be extended to June 30, 2021. On July 1, IGB takes over.

**Commented [gt33R32]:** Fine for now can be amended later in committee if needed.

**Commented [GD34R32]:** SB: prefer to clean up inconsistency now

#### § 114 Terms Extended

The Selectboard and Trustee terms set to expire in the year of approval of the Charter charter shall be extended without further action necessary, until June 30, 2022. 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.



§ 115 Transitional Tax Districts and Transitional Tax Provisions-

Transitional tax districts shall be established pursuant to § 104.

§ 116 Repeals

~~(a)~~ 24 App. V.S.A. chapters 117 (Town of Essex Charter) and 221 (Village of Essex Junction Charter) are repealed.

**Subchapter 2: Incorporation and Powers of The Town**

§ 201 Corporate Existence

The inhabitants of the Town of Essex, within the corporate limits as now established, shall be a municipal 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).

§202 General ~~powers~~Powers, lawLaw

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.

§ 203 Specific Powers

- (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.
- (b) The Town of Essex may acquire real and personal property within or without its corporate limits for any municipal purpose, including storm 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,

**Commented [HE35]:** Andy Watts: Do we need to include here a clause about imposing penalties for ordinance violations?

**Commented [gt36R35]:** Seems fine for now. If this doesn't allow for imposing penalties then it can be amended later.

**Commented [GD37R35]:** BT: SB can keep or remove, BT not overly concerned

**Commented [GD38R35]:** SB: okay to keep language

or condemnation and may sell, lease, mortgage, hold, manage, and control such property as its interest may require.

- (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 State, or the United States, or any agency thereof.
- (d) 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.
- (e) 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.
- (f) 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.

§ 204 Reservation of ~~powers~~ Powers

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.

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§205 Form of Government

- (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~~ 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.

(b) Voting ~~Districts~~ districts shall be established pursuant to § 301.

### Subchapter 3: Voting District and Governance Structure

#### § 301 Voting Wards

- (a) The former incorporated Village of Essex Junction shall be known as Ward 4. Boundary adjustments will be made over time as necessary pursuant to § 301-(b). The Town of Essex exclusive of 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).
- (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 years. [ADDED/AMENDED BY BOT 8.17.20]

**Commented [HE39]:** See comment HE10

**Commented [GD40R39]:** I'm not seeing numbers next to the comments, so not sure what "HE10" references

**Commented [HE41]:** Andy Watts: Does not mention the BCA here. Should they be here?

**Commented [gt42R41]:** Can be added later if necessary.

**Commented [HE43]:** Dawn Hill-Fleury & Andy Watts: Is 5 years ok or does it have to be every 10 to align with Census?

Elaine Haney: Maybe use this language that we sent to HGO re 3+3?

"The Town of Essex may be divided into wards by ordinance. The Selectboard-- or its designee being the Board of Civil Authority or a special commission appointed by the Selectboard--may make changes to the number and boundaries of the wards in order to provide an equal division of population among them in accordance with U.S. Census data. Ward changes shall not be made more frequently than once in ten years. Such changes shall be approved by the Selectboard and shall become effective immediately upon approval unless a later date is established therein."

**Commented [gt44R43]:** The language here is fine for the trustees' purposes. The SB can substitute the above version if needed in their charter. Can be reconciled in committee.

**Commented [GD45R43]:** BT: content with 5 or 10 years. Montpelier language has been approved already and could be a good model.

**Commented [GD46R43]:** SB: use Montpelier language; 10 years

#### § 302 Powers and Duties of Governing ~~body~~ Body

- (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.
- (b) Within the limitations of the foregoing, the Town of Essex Selectboard shall have the power to:
- (1) Appoint and remove a Town Manager and supervise, create, change, and abolish offices, commissions, or departments other than the offices, commissions, or departments established by this charter.
  - (2) Appoint the members of all boards, commissions, committees, or similar bodies unless specifically provided otherwise by this charter.
  - (3) Provide for an independent audit by a certified public accountant.
  - (4) Inquire into the conduct of any officer, commission, or department and investigate any and all municipal affairs.
  - (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.

~~(6) Make, establish, impose, alter, amend or repeal ordinances and regulations to enforce the same by fine, penalty, forfeiture, injunction, restraining order or any other proper remedy, with respect to the inspection, regulation, licensing or suppression of the following affairs, establishments, employments, enterprises, uses, undertakings, and businesses, viz:~~

~~i. The growing, processing, manufacture or sale of cannabis products. Cannabis is described as a Schedule I Controlled Substance under federal law, defined as the parts, products, and non-Hemp derivatives of the plant Cannabis sativa, indica, ruderalis and hybrid strains, including Medical Marijuana, irrespective of state law to the contrary.~~

~~ii. The growing, processing, manufacture or sale of tobacco and tobacco products. Tobacco, a state controlled and regulated drug, as defined by 7 V.S.A. § 101 to include: include cigarettes, little cigars, roll-your-own tobacco, snuff, cigars, new smokeless tobacco, and other tobacco products; Tobacco Substitutes include nicotine pods and juices, electronic cigarettes or other electronic or battery-powered devices, that contain and are designed to deliver nicotine or other substances into the body through the inhalation of vapor and that have not been approved by the U.S. Food and Drug Administration for tobacco cessation or other medical purposes. Products that have been approved by the U.S. Food and Drug Administration for tobacco cessation or other medical purposes shall not be considered to be tobacco substitutes. Tobacco and Cannabis Paraphernalia: includes any device used, intended for use, or designed for use in smoking, inhaling, ingesting, or otherwise introducing Tobacco, Cannabis or other substances into the human body, or for preparing the same for smoking, inhaling, ingesting, or otherwise introducing into the human body, including devices for holding Tobacco or Cannabis, rolling paper, wraps, cigarette rolling machines, grinders, pipes, water pipes, carburetion devices, bongs, hookahs, vaping devices, and empty pods or cartridges. [ADDED/AMENDED BY BOT 8.17.20] [REMOVED BY BOT 9/8/20]~~

**Commented [gt47]:** Since the SB is having trouble with this and we don't know where the legislature is going to land on local regulation of cannabis perhaps we can take this out with the understanding of amending the charter at a later time?

§ 303 Governing ~~body-Body composition-Composition~~ and ~~term-Term of officeOffice~~

(a) ~~There shall be a Town Selectboard consisting of seven-six-seven members.~~  
[ADDED/AMENDED BY BOT 8.17.20][ADDED/AMENDED BY BOT 9/8/20]

**Commented [HE48]:** This section requires discussion and agreement between the two boards.

**Commented [gt49R48]:** Why does it require discussion and agreement. It seems fine for now although a bit redundant. Suggest we leave as is.

**Commented [GD50R48]:** BT: can remove this section; still want to consider in future

**Commented [HE51]:** Change to a, b, c

~~(e)(b) The term of office of a Town Selectperson shall be three years and terms shall be staggered.~~

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~~(d)(c) Selectpersons shall represent the Town.~~ [ADDED/AMENDED BY BOT 8.17.20]

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§ 304 Vacancy in office

In case of a vacancy of a Selectboard seat, such vacancy shall be filled by the Town Selectboard until the next annual election pursuant to § 305(c) of this charter.

**[ADDED/AMENDED BY BOT 8.17.20]**

§305 Election of ~~governing~~ Governing body ~~Body officers~~ Officers

- (a) The terms of the officers shall commence on the first day of the month following the month of election. At the first meeting of the month 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. **[ADDED/AMENDED BY BOT 8.17.20]**
- (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.
- (c) In the event of death, resignation, or ~~incapacitation~~ incapacity of any Selectboard member, the remaining members of the Selectboard may appoint a person to fill that position until the next annual election. 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. 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. **[ADDED/AMENDED BY BOT 8.17.20]**
- (d) Elected Selectpersons who move from their ward prior to the expiration of their terms shall surrender their seats. **[ADDED/AMENDED BY BOT 8.17.20]**

§ 306 Compensation

- (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 annual budget presented to the meeting.
- (b) The Selectboard shall fix the compensation of all officers and employees, except as otherwise provided in this charter.

§ 307 Prohibitions and ~~conflicts~~ Conflicts of ~~interest~~ Interest

- (a) Holding Other Office. No Selectboard member shall hold any ~~other Town office or~~ employment during the term for which ~~he/she/they was/were~~ elected to the Selectboard. A Selectboard member may be appointed to represent the Town on other boards except as pursuant to 17 V.S.A. § 2647. No former Selectboard member shall hold any compensated appointive municipal office or employment, except for poll worker, until one year after the expiration of the term for which they were elected to the legislative body.
- (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 the manager's subordinates are empowered to appoint. ~~but~~ The legislative body may express its views and fully and freely discuss with the manager/Manager anything pertaining to the appointment, performance, and removal of such officers and employees in executive session.
- (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/Manager~~ solely through the ~~manager/Manager~~, and neither the legislative body nor its members shall give orders to any such officer or employee, either publicly or privately.

§ 308 Governing ~~body~~ Body meetings/Meetings

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.

§ 309 Special Town Meetings

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.

§ 310 Procedure

- (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.

- (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.

#### § 311 Appointments

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 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.

#### § 312 Additional ~~governing~~ Governing body ~~Body provisions~~ Provisions

- (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.
- (b) The Selectboard may authorize the sale or lease of any real or personal estate belonging to the Town.

### Subchapter 4 Other Elected Offices

#### § 401 Brownell Library trustees

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 elected library trustee. The five permanent, self-perpetuating library trustees shall function in accordance with the terms of the Brownell Trust agreement dated May 25, 1925. **[ADDED/AMENDED BY BOT 8.17.20]**

#### § 402 Moderator

The voters at the Town Annual Meeting shall elect a Moderator who shall preside at the next Town Annual Meeting. The term of Moderator shall be one year. Only qualified voters of the Town of Essex shall be eligible to hold the ~~Office~~ office of Moderator. **[ADDED/AMENDED BY BOT 8.17.20]**

**Commented [HE52]:** Andy Watts: "Do we have to have a moderator if the meeting is informational only?"

**Commented [gt53R52]:** The school district elects a moderator for their annual meeting. Suggest leaving it in for now and it can be taken out later if necessary.



## Subchapter 5 Town Meetings

### § 501 Town of Essex Meetings/Elections

- (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 held on Town Meeting Day, as defined in 1 VSA §371.~~ **[ADDED/AMENDED BY GD 9/15/20]**
- (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.
- (c) The election of officers and the voting on all questions shall be by Australian ballot system. ~~The Town Clerk and Board of Civil Authority shall conduct elections in accordance with general laws of the State. The ballot boxes shall be set by the Town Clerk and Board of Civil Authority in conformance with the general laws of the state.~~ **[ADDED/AMENDED BY BOT 8.17.20][ADDED/AMENDED BY GD 9/15/20]**

**Commented [HE54]:** Andy Watts: "Dan R recommends that we include something specific."

**Commented [gt55R54]:** Haven't heard from Dan about this yet. We can amend our final version if necessary.

**Commented [GD56R54]:** See Dan's comments in 9/8/20 packet to reference 1 VSA 371

**Commented [HE57]:** Andy Watts: "What does this mean?"

**Commented [gt58R57]:** I believe this was boilerplate charter language from Ann Janda. I believe it gives the clerk the authority to establish voting hours.

**Commented [GD59R57]:** BT: can take out "ballot boxes"; refer to Montpelier language sent by Dan R.

**Commented [GD60R57]:** From Dan R./Montpelier: "The [Town] Clerk and Board of Civil Authority shall conduct elections in accordance with general laws of the State."

## Subchapter 6 Ordinances

### § 601 Adoption of Ordinances.

[NOTE ADDED BY TRUSTEES: Dan Richardson and staff have recommended that the Charter simply reference state statutes for the process of adopting ordinances, as the most efficient and least restrictive method. However, the current Town Charter contains a highly detailed process for ordinance adoption, which is copied below. The Trustees have no preference for either method and defer to the Selectboard on this decision.]

**Staff and DR recommendation:** Ordinances shall be adopted in accordance with state law pursuant to 24 V.S.A. § 1972.

#### **Current Town Charter language:**

##### *Ordinances-Method of adoption and enforcement*

- (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.*

- (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.*

*§ 602 Introduction; first and second readings; public hearing*

- (a) *Every ordinance shall be introduced in writing. The enacting clause of 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.*
- (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.*
- (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.*

*§ 603 Effective date*

*Every ordinance shall become effective upon passage unless otherwise specified.*

§ 604 Filing and recording of ordinances

*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.*

§ 604 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~~ Selectboard 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~~ Selectboard 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 special or annual Town meeting exceeds five percent in number of the qualified voters of the municipality.

**[ADDED/AMENDED BY BOT 8.17.20]**

§ 604 Petition for enactment of ordinance; special meeting

- (a) Subject to the provisions of ~~section §304~~ of this ~~§C~~ 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~~ Selectboard 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~~ Selectboard. 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. **[ADDED/AMENDED BY BOT 8.17.20]**
- (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~~ Selectboard, 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 phraseology, but the Town Attorney shall not materially change its meaning and effect.

**Commented [HE61]:** Here is the state statute referred to by the Trustees and Dan R: [24 VSA § 1972](#). Do we want to go with just this, or keep what's currently in the draft charter? Trustees have stated they will defer to the SB on this.

**Commented [gt62R61]:** Suggest the trustees just go with the simpler version for now since the SB hasn't responded. They can add the 'town' version to their merger charter and it can be reconciled in committee. I don't see a deal breaker either way.

(c) The provisions of this section shall not apply to any appointments of officers, members of commissions, or boards made by the ~~selectmen~~ Selectboard or to the appointment or designation of ~~selectmen~~ Selectboard, or to rules governing the procedure of the ~~selectmen~~ Selectboard.

## Subchapter 7: Town Manager

### §701 Appointment/Hiring of Manager

The Selectboard shall appoint a Town ~~manager~~ 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~~ the Manager's executive and administrative qualifications in accordance with the Vermont statutes.

**[ADDED/AMENDED BY TRUSTEES 9/8/20]-**

### § 702 Powers of Manager

The Manager shall be the chief administrative officer of the Town of Essex. ~~He or she~~ They ~~The Manager~~ shall be responsible to the Selectboard for the administration of all Town of Essex affairs placed in ~~his or her~~ the Manager's charge by or under this charter. ~~He or she~~ They ~~The Manager~~ shall have the following powers and duties in addition to those powers and duties delegated to municipal managers under the Vermont statutes.

~~(1)~~ (a) The Manager shall appoint and, when ~~he or she~~ they ~~the Manager~~ 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~~ They ~~The Manager~~ may authorize any employee who is subject to ~~his or her~~ the Manager's direction and supervision to exercise these powers with respect to subordinates in that employee's department, office, or agency. There shall be no discrimination in employment, in accordance with applicable state and federal laws, including but not limited to 21 V.S.A. §495-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~~ ensure that the responsible administrative officer may secure efficient service. **[ADDED/AMENDED BY GD 9/8/20]**

~~(2)~~ (b) 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.

**Commented [gt63]:** I'm not sure why Elaine has inserted plural language to refer to the manager. I'm aware that in business communication it may be considered appropriate to refer to single persons as 'they' but I'm not sure it's appropriate or acceptable for legal documents. Also, the way the text weaves between manager and selectboard it gets a bit confusing. I suggest we just insert "the Manager" whenever the manager is referred to even if it's a bit awkward.

**Commented [GD64R63]:** BT: change 'they/their' to "the Manager"

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**Commented [HE65]:** Andy Watts: "Is this discrimination list complete?"

**Commented [gt66R65]:** Seems fine for now. Can be amended later if needed.

**Commented [GD67R65]:** BT: refer to State/Federal law

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~~(3)~~(c) The Manager shall recommend hiring of Town Attorney with Selectboard approval, and shall hire special attorneys as needed.

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~~(4)~~(d) The Manager or a staff member designated by the ~~manager~~ Manager shall attend all Selectboard meetings and shall have the right to take part in discussion and make recommendations but may not vote. The Selectboard may meet in executive session without the Manager for discussion of the Manager's performance or if the Manager is the subject of an investigation pursuant to §302(b)(4) of this charter.  
**[ADDED/AMENDED BY BOT 8.17.20]**

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~~(5)~~(e) The Manager shall see that all laws, provisions of this charter, and acts of the Selectboard, subject to enforcement by ~~him or her~~ the Manager or by officers subject to ~~his or her~~ the Manager's direction and supervision, are faithfully executed.

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~~(6)~~(f) The Manager shall prepare and submit the annual budget and capital program to the Selectboard.

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~~(7)~~(g) 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.

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~~(8)~~(h) 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~~ the Manager's direction and supervision.

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~~(9)~~(i) The Manager shall keep the Selectboard fully advised as to the financial condition and future needs of the Town of Essex and make such recommendations to the Selectboard concerning the affairs of the Town of Essex as ~~he or she~~ they the Manager deems ~~s~~ desirable.

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~~(10)~~(j) The Manager shall be responsible for the enforcement of all Town of Essex ordinances and laws.

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~~(11)~~(k) 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~~ the Manager by this charter, the Vermont statutes, or the Selectboard members.

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~~(12)~~(l) 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.  
**[ADDED/AMENDED BY TRUSTEES 9/8/20]**

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- (a) The Selectboard may remove the Manager from office for cause in accordance with the following procedures:
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 for a period not to exceed 45 days. A copy of the resolution shall be delivered within three days to the Manager.
  2. Within five days after a copy of the resolution is delivered to the Manager, ~~he or she~~they the Manager may file with the Selectboard a written request for a hearing. ~~S~~s 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.
  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~~they the Manager ~~has~~ have ~~has~~ not requested a public hearing, or at any time after the public hearing if ~~he or she~~they the Manager has ~~has~~ requested one.

(b) The Manager shall continue to receive ~~his or her~~their the Manager's salary until the effective date of a final resolution of removal.

**[ADDED/AMENDED BY TRUSTEES 9/8/20]**

§ 704 Vacancy in ~~office~~ Office of ~~manger~~ Manager

The Manager, by letter filed with the Town Clerk, may appoint a staff member to perform the Manager's duties in the event of the Manager's absence due to disability, incapacitation, or vacation unless the Manager has previously appointed a staff member as assistant manager or deputy manager, who would automatically assume the Manager's responsibilities in the Manager's absence. If the Manager fails to make such designations, the Selectboard, may by resolution, appoint an officer or employee of the Town to perform the duties of the Manager until the Manager is able to return to duty.

**[ADDED/AMENDED BY BOT 8.17.20]**

**Subchapter 8: Boards and Commissions**

§ 801 Board of Civil Authority

**Commented [HE68]:** Andy Watts: "Why is this section in charter instead of policy?"

**Commented [gt69R68]:** This was in the boilerplate we received from Ann. I don't see a problem with having it here and it can be amended later if needed.

**Commented [GD70R68]:** BT: refer to Dan Richardson response to keep this section in charter

**Commented [GD71R68]:** GD: sending to Dan R. for streamlined language

**Commented [GD72]:** BT: fine with this language, or referring to state law

**Commented [GD73R72]:** GD: state law (17 VSA 2103(5)): "(5) "Board of civil authority" means, unless otherwise provided by municipal charter, in the case of a town, the selectboard and town clerk and the justices residing therein; in the case of a city, the mayor, aldermen, city clerk, and justices residing therein; in the case of a village, the trustees, village clerk, and the justices residing therein; and, in any case, such suitable member or members of unrepresented or insufficiently represented political parties as may be appointed members of the board of civil authority under the provisions of section 2143 of this title. Except as otherwise provided in this title, those members of the board of civil authority present and voting shall constitute a quorum, provided that official action may not be taken without the concurrence of at least three members of the board."

**Commented [GD74R72]:** SB: reference statute

The Board of Civil Authority is comprised of the Town of Essex Selectboard members and Justices of the Peace.

§ 802 Board of Abatement of Taxes

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.

§ 803 Planning Commission

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-four~~ years from among the qualified voters of the Town. Members of the Commission shall hold no other Town office.

**[ADDED/AMENDED BY TRUSTEES 9/8/20]**

§ 804 Development Review Board

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 from among the qualified voters of the Town.

§ 805 Brownell Library ~~trustees~~ Trustees

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 elected library trustee. The Trustees holding office at the time of enactment of the ~~charter~~ shall serve until their terms are completed. The ~~library Library trustees~~ 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 Library trustees~~ 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.

**[ADDED/AMENDED BY BOT 8.17.20]**

**Subchapter 9: Administrative Departments**

~~Part I~~

§ 901 Personnel ~~administration~~ Administration and ~~benefits~~ Benefits

**Commented [HE75]:** 3 or 4 years? See comment HE12.

**Commented [gt76R75]:** I suggest we go with 3 years. We've never discussed PCs or DRBs with 4 year terms. Also – 3 years sort of aligns with elected official terms.

**Commented [GD77R75]:** BT: 4 years OK

**Commented [GD78R75]:** I'm not seeing numbers next to the comments, so not sure what "HE12" references

**Commented [HE79]:** See comment HE12

**Commented [GD80R79]:** I'm not seeing numbers next to the comments, so not sure what "HE12" references

**Commented [HE81]:** Elaine Haney: Why wouldn't the Essex Free Library Board of Trustees be in this section? Its members are appointed by the SB.

**Commented [gt82R81]:** Because the brownell trust requires the public election of its BOT. I don't believe the Essex Free board is a legal requirement so it probably doesn't need to be included. However, I doubt the trustees would have a problem if the SB inserted something about the Essex Free Board in their version of the charter.

**Commented [HE83]:** Is this Part I and Part II necessary? Doesn't appear anywhere else in the charter.

**Commented [GD84R83]:** GD: From Dan R., "Part I" and "II" are not necessary, simply a way to organize the section



- (a) The ~~Town manager-Manager~~ or the ~~Town manager's-Manager's~~ appointee shall be the personnel director. The ~~Town manager-Manager~~ shall maintain personnel 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~~they are~~the employee is~~ hired.  
**[ADDED/AMENDED BY GD 9/15/20]**
- (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.
- (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 appointment, promotion, or proposed promotion.

*Part II*

§ 902 Department of Real Estate Appraisal

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~~Manager.

§ 903 Appraisal of ~~property~~Property

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.

§ 904 Appraisal of ~~business-Business personal-Personal property-Property~~ for ~~tax-Tax purposes~~Purposes

Appraisal of business personal property shall be in accordance with the provisions of Vermont Statutes Annotated, Title 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.

§ 905 Duties of Department

The duties and powers of the department of real estate appraisal shall be the same as those established for listers under the general statutes.

§ 906 Purpose

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.

**Subchapter 10 Budget Process**

§ 1001 Fiscal year

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.

§ 1002 Annual ~~municipal~~ Municipal budget ~~Budget~~

With support from the finance department, the ~~Town~~ Manager shall submit to the Selectboard a budget for review before annual ~~town~~ Town meeting ~~Meeting~~ or at such previous time as may be directed by the Selectboard. The budget shall contain:

- (a) ~~(1)~~ An estimate of the financial condition of the Town as of the end of the fiscal year.
- (b) ~~(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.
- (c) ~~(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.
- (d) ~~(4)~~ A capital budget for the next five fiscal years, showing anticipated capital expenditures, financing, and tax requirements.
- (e) ~~(5)~~ Such other information as may be required by the Selectboard.

§ 1003 Governing Body's ~~action~~ Action on the ~~budget~~ Budget

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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.

§ 1004 Meeting ~~warning~~ Warning and ~~budget~~ Budget

- (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.
- (b) The ~~Town-Manager~~ shall not less than 15 days prior to the annual meeting ~~ensure the publication and distribution of~~ make available the Selectboard's recommended budget and the final warning of the pending annual meeting. **[ADDED/AMENDED BY BOT 8.17.20]**
- (c) The annual Town report shall be ~~distributed~~ made available to the legal voters of the Town not later than 10 days prior to the annual meeting. **[ADDED/AMENDED BY BOT 8.17.20]**

§ 1005 Appropriation ~~& and~~ and Transfers

- (a) An annual budget shall be adopted at Town ~~meeting~~ Meeting by the vote of a majority of eligible voters by Australian ~~Ballot~~ ballot. If, after the total budget has been appropriated, the ~~selectmen~~ Selectboard finds additional appropriations necessary, the appropriations shall be made and reported at the next Town ~~meeting~~ 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. **[ADDED/AMENDED BY BOT 8.17.20]**
- (b) From the effective date of the budget, the amounts stated therein, as approved by the voters, become appropriated to the several agencies and purposes therein named.
- (c) The ~~manager~~ 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~~ 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.

§ 1006 Amount to be ~~raised~~ Raised by ~~taxation~~ Taxation

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 the assessor for the corresponding tax year.

**Subchapter 11: Taxation**

§ 1101 Taxes on real ~~Real property~~ Property

Taxes on real property shall be paid in equal installments on ~~dates set by the Selectboard by ordinance~~ March 15 and September 15. The Selectboard shall send notice to taxpayers no less than 30 days prior to when taxes are due.

**Commented [GD85]:** SB: keep current dates (3/15 and 9/15)

§ 1102 Penalty

(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.

**Commented [HE86]:** Andy Watts: "Where does authority to collect penalty and interest on school tax come from?"

~~(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.~~  
[ADDED/AMENDED BY TRUSTEES 9/8/20]

**Commented [HE87]:** Andy Watts: "Dan R recommends NOT putting the Selectboard in the position of waiving penalties or interest on late payments. This is purview of BCA." Should receive confirmation from Dan R.

§ 1103 Assessment and ~~taxation~~ Taxation agreement Agreement

Notwithstanding section § 904 of this charter and the requirements of the general laws of the State of Vermont, the Selectboard ~~are~~ is hereby authorized and empowered to negotiate and execute assessment and taxation agreements between the Town and a taxpayer or taxpayers within the Town of Essex consistent with applicable requirements of the Vermont Constitution.

**Commented [gt88R87]:** Haven't heard from Dan about this. I suggest we leave it in unless we hear otherwise. Don't see a big conflict here and it can all be amended later.

**Commented [GD89R87]:** BT: take Dan Richardson advice and remove

**Formatted:** No underline

**Subchapter 12: Capital Improvements**

§ 1201 Capital ~~programs~~ Programs

(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.

(b) Contents. The capital program shall include:

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 necessity for such improvements;
3. Cost estimates, method of financing, and recommended time schedules for each such improvement; and
4. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

### **Subchapter 13: Amendment of Charter and Initiatives**

§ 1301 Laws ~~governing~~Governing

This charter may be amended in accordance with the procedure provided for by state statutes for amendment of municipal charters.

### **Subchapter 14: General**

§ 1401 Savings ~~clause~~Clause

Repeal or modification of this charter shall not affect ~~of the~~ validity of previously enacted ordinance, resolution, or bylaw.

§ 1402 Separability of ~~provisions~~Provisions

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.

**BT: have Manager appoint Treasurer**

~~ADD: to 203(b) add 103 (b) from left out stuff.~~

**Commented [GD90]:** SB: agreed, give power to manager

May 15, 2020 DRAFT Charter for Merged Municipality

VERSION 2.0. SELECTBOARD'S EDITS TO EJBOT'S 8-20-2020 VERSION

VERSION 3.0. TRUSTEE 9/8/20 EDITS TO SB VERSION

~~ADD section about annual report to section dealing with manager must publish budget.~~

~~ADD 201 to 305 moderator.~~

~~ADD subchapter 10 budget process 1005 appropriations and transfers~~

~~Add 303 to section 1005~~

~~ADD 304 AND 305 TO ORDINANCE ADOPTION SECTION~~

~~Add 901 to section dealing with hiring by manager~~

**Memorandum**

**To:** Trustees; Evan Teich, Unified Manager  
**Cc:** Susan McNamara-Hill, Clerk  
**From:** Greg Duggan, Deputy Manager *GSD*  
**Re:** Warning for Special Village Meeting in November 2020  
**Date:** September 21, 2020

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**Issue**

The issue is whether the Trustees will warn a special Village Meeting for November 3, 2020, and warn public hearings on October 13 and October 27.

**Discussion**

On the November 3 election, the Trustees plan to hold a special Village Meeting to ask voters to vote on two issues: whether or not to merge the Village of Essex Junction and Town of Essex, and whether or not to move to Australian ballot budget voting.

The ballot would contain the following two questions:

Shall the Village of Essex Junction approve the plan of merger to merge with the Town of Essex?

Shall the Village of Essex Junction adopt its budget by Australian ballot?

State law requires the meeting to be held within 30 to 40 days of it being warned. The Trustees can first warn a November 3, 2020 meeting on September 24. November 3 polls would be open from 7 a.m. to 7 p.m. on Tuesday, November 3.

State law 24 V.S.A. 1484 also requires two public hearings for a merger vote, with the hearings being held two weeks apart and at least five days before the day of the vote. The Trustee's regular meetings on October 13 and October 27 meet the criteria for the hearings.

**Cost**

Approximately \$200 for legal notices.

**Recommendation**

It is recommended that the Trustees warn a special Village Meeting for November 3, 2020, and warn public hearings on October 13 and October 27.



**Memorandum**

**To:** Trustees; Evan Teich, Unified Manager  
**Cc:** Susan McNamara-Hill, Clerk *GSD*  
**From:** Greg Duggan, Deputy Manager  
**Re:** Mailing ballots for November votes  
**Date:** September 21, 2020

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**Issue**

The issue is whether the Trustees will approve sending ballots to all active voters for the November 3, 2020 election.

**Discussion**

If the Trustees want to mail ballots to all active voters for the November 3, 2020 election, as was done with Village meeting in the spring, the Board will need to make a motion to do so.

**Cost**

Approximately \$17,250 for postage, not including the cost of envelopes and poll workers.

**Recommendation**

Staff recommends that the Trustees approve sending ballots to all active voters for the November 3, 2020 election.

**Memorandum**

**To:** Trustees; Evan Teich, Unified Manager

**Cc:** Tammy Getchell, Assistant to the Manager; Linda Mahns, Administrative Assistant

**From:** Greg Duggan, Deputy Manager <sup>ESD</sup>

**Re:** Informational materials about November merger vote

**Date:** September 21, 2020

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**Issue**

The issue is whether the Trustees will approve the distribution of informational materials about the November vote to merge the Village of Essex Junction and Town of Essex.

**Discussion**

If and when the Trustees confirm that the November 2020 ballots will have a question about merging the Village of Essex Junction and Town of Essex, they will likely want to distribute informational materials about the vote and the issue.

Two such informational documents are attached for review:

- PowerPoint about merger
- Q&A about Essex Junction Plan of Merger

Materials can, at minimum, be posted on the Village website.

**Cost**

Staff time. Printing and mailing costs may arise depending on the distribution method.

**Recommendation**

Staff recommends that the Trustees approve the distribution of informational materials about the November 2020 vote to merge the Village of Essex Junction and Town of Essex.

# **Essex Junction Plan of Merger:**

## **Questions and Answers**

### **I received a ballot in the mail asking if I approve the Plan of Merger with Essex Town. What is it for and what does it mean?**

The Essex Junction Trustees, the governing body for the Village of Essex Junction, are asking Village voters if they want to dissolve the Essex Junction Village government and form a new government with the Town of Essex.

The “Plan of Merger” refers to a Municipal Charter, a legally binding, founding document. The Charter describes how the community will be governed and how elections will be held, among other things. The Vermont Legislature must approve all new Charters before they become legally binding.

### **You mean there will be a new Charter for Essex and a new government?**

Yes. The current Village Charter and Town Charter would be dissolved and the two governments, along with all their assets and operations, would be consolidated under one Charter.

### **Does Essex Town need to agree with the merger?**

Yes. The Essex Town Selectboard must also put a similar question on a ballot and send it to Town voters, asking them if they wish to dissolve the Essex Town government and form a new government with Essex Junction.

The two plans of merger – the Village’s and Town’s – would then be sent to the Vermont Legislature for approval. The two plans would then be consolidated into a single plan and new municipal charter. In Vermont, the Legislature controls municipal charters and can approve, amend, or reject charters independent of the outcome of local voting.

### **I’m confused. I’ve received a ballot from Essex Junction, but I thought I lived in Essex Town?**

If you received a ballot from the Essex Junction government, then you live in the Village of Essex Junction, which is an incorporated municipal government with all the legal authority and powers as other municipal governments, such as Essex Town. All Village residents are citizens of two governments, the Essex Junction government and the Essex Town government.

## **Why haven't I received a ballot from the Essex Town government, asking me to approve a plan of merger with Essex Junction?**

The Essex Town Selectboard chose not to send out a merger ballots for the November elections. They tentatively plan to send them out for the Town Meeting elections in March of 2021.

## **Why did the Town delay sending out merger ballots until next spring?**

The Selectboard has asked the Legislature to clarify a decision it made earlier this year regarding a proposal to change the current Essex Town Charter. The Selectboard did not wish to finalize a merger Charter forming a new government with the Village until they received the Legislature's response.

## **You mean the Town's plan of merger could be different from Village's plan of merger we're voting on now?**

Yes, but that doesn't mean merger can't happen. The Legislature can approve a final plan of merger for a new Essex government as long as there aren't significant differences between the two merger plans approved by Village voters and Town voters. The differences can be reconciled by the Legislature.

## **Wouldn't it have been better for the Trustees to wait and join the Selectboard in the Spring so that the two merger plans would be identical?**

The Trustees believe the benefits of putting the merger question on a November ballot outweigh the risks of not having identical plans for these reasons:

- 1) We believe the decision of whether or not to dissolve the Village government and merge with the Town is extremely important. All Village residents have a stake in the outcome. We believe the November elections offer the best opportunity for getting the maximum response from Village voters rather than waiting until Essex Town Meeting Day which typically has a much lower response from Village voters.
- 2) We believe the Legislature is very unlikely to provide the Essex Selectboard with the guidance they are seeking to help them finalize their version of the merger plan.
- 3) The merger plan we're placing before Village voters was developed in close consultation with the Essex Selectboard, the unified manager, and legal counsel over two years and was nearly complete in April. We believed there was little more to be gained by prolonging the Charter development process through the Fall and into the Winter, when both governments must devote much of their time to developing budgets for the coming fiscal year for voter approval.

## **If merger is approved, what will the new community be called?**

Essex Town, Essex Junction, the “town,” the “village,” the “junction” – none of those names will change. The new charter will be for the “Town of Essex” and the incorporated Village of Essex Junction will become the unincorporated Village of Essex Junction, just as White River Junction is an unincorporated village in the Town of Hartford.

## **Do the Essex Junction Trustees support merger with Essex Town?**

Yes, but we also very firmly believe that Village citizens must make this decision without undue influence from us or the Essex Selectboard or any other group. We strongly encourage our citizens to discuss this among themselves, ask questions of their elected officials, and find out as much as they can from trusted informational materials offered by the Essex Junction government and Essex Town government.

### **Some of the benefits of merger we see include:**

- 1) The cost of operating all Town and Village services will be equitably distributed among all residents and businesses. Right now, Village residents and businesses share the cost of Town services, such as the Essex Police, the Essex Town Fire Department, The Essex Free Library, and the Essex Recreation and Parks department. But Town residents and businesses outside the Village do not share the cost of operating some Village services such as the Essex Junction Fire Department, The Essex Junction Recreation and Parks Department, The Brownell Library, and the Essex Junction Community Development and Planning Department. Town residents currently enjoy the use of these services without paying into their operating budgets. Town residents also receive village resident rates on services with Essex Junction Recreation and Parks. Work done to develop and maintain the village downtown (Community Development and Planning) directly benefits the tax base and financial health of the town as a whole.
- 2) The Village and Town will more closely plan and grow together. Right now the Village and Town have separate planning commissions, zoning boards, and community development operations. The Essex Junction Trustees concern themselves only with the development of the Village while the Essex Selectboard focuses mainly on the suburban and rural town outside the Village. With merger, all of these planning, zoning, and long-term visioning processes would be unified under one government.
- 3) Consolidating Village and Town departments can reduce costs by reducing duplication. To date, consolidation of various departments has saved Town and Village residents over a million and a half dollars.

### **Some of the risks of merger we see include:**

- 1) Village citizens will be giving up the very localized control they have over Village services such as the Essex Junction Recreation and Parks Department and the Brownell Library.
- 2) Village and Town departments that currently serve a limited population or geographic area within the community will be consolidated into larger, community-wide departments with more centralized control.
- 3) While consolidating Village and Town departments has reduced costs by reducing duplication, larger departments could also require more administrative services.

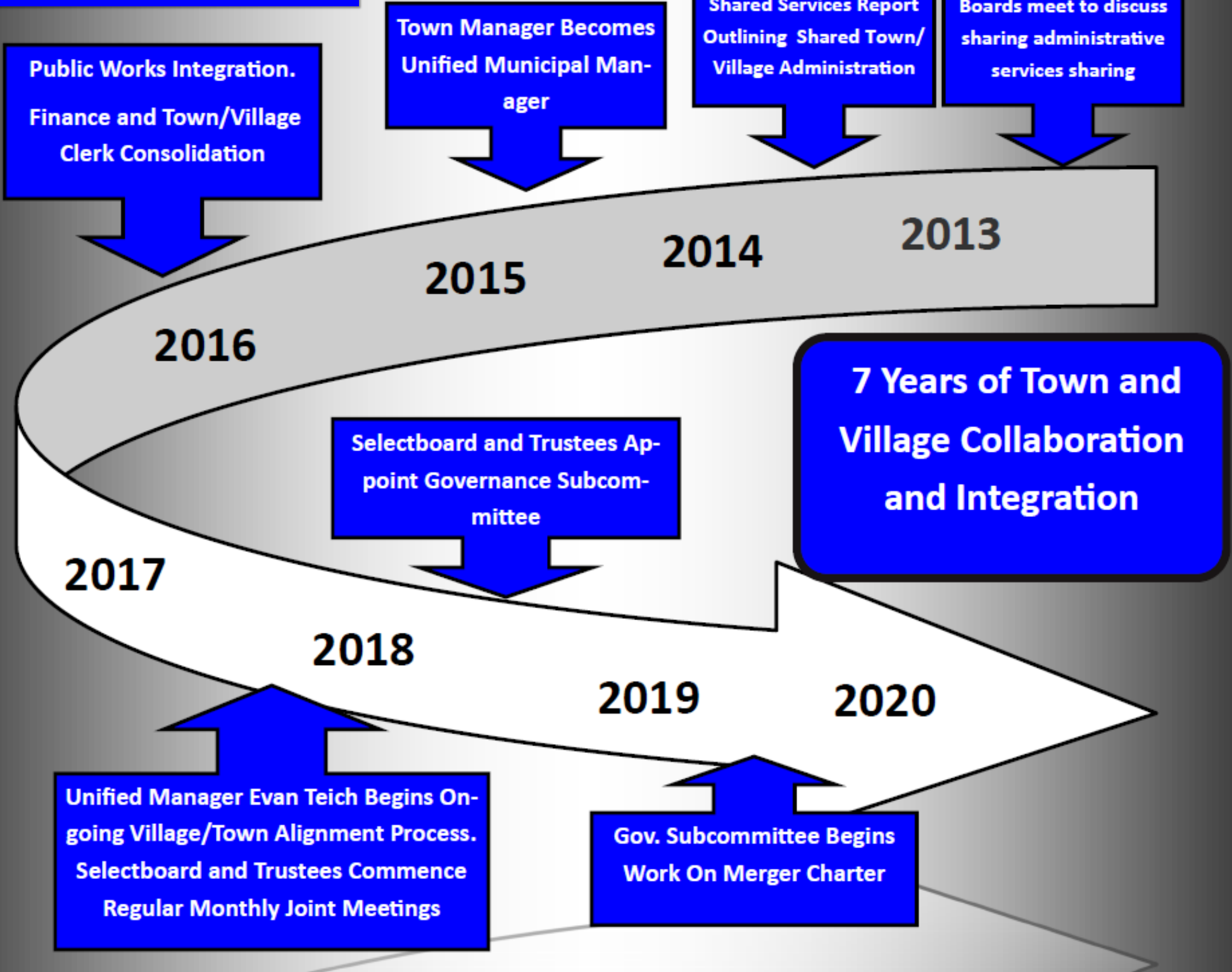
## **If merger happens, what will be the immediate effects?**

The Trustees and Selectboard have structured the merger plan to have limited short-term impact on the delivery of municipal services throughout the community. The cost of operating Village services that are not presently shared by Town residents will be phased in over twelve years rather than all at once. This “status quo” approach will reduce the financial impact of merger on taxpayers outside the Village while, at the same time, reduce the likelihood that taxpayers and elected officials will seek immediate cuts in any municipal services.

Over these twelve years the Village will also retain some of the costs associated with operating a more urbanized community, such as a more aggressive sidewalk plowing policy in the winter.

## **What happens if merger isn't approved?**

The Village and Town governments, and the services they provide, would stay as they are. Under the shared manager and administration, the two governments would probably keep seeking ways to consolidate costs and share services. But for the foreseeable future Village residents would continue paying a significantly larger share of total municipal expenditures than their Town neighbors. For that reason, the Village Trustees would likely begin research and community conversations about how next to proceed and whether to keep the status quo, separate from the Town to create an independent Village municipality with no ties to the Town, or to dissolve the Village entirely, which could mean significant cuts in local services.



*In 2019, Essex Junction and Essex Town appointed a governance subcommittee to identify and answer the financial and legal questions about merger and to recommend how to proceed.*

*In 2020, the elected boards of both governments collaborated on using the subcommittee's recommendations to create a new municipal Charter for a merged Town/Village community. The following slides provide some of the highlights.*



# Key Challenges for Creating a Unified Charter:

- Integrate Town & Village operating budgets without unacceptable increase in Town-Outside-The-Village taxes
- Devise a Representative Elected Council Model that balances different Expectations and Political Views (i.e. voting districts vs. at-large elections)

# Merger Will Equalize Town and Village Taxes, But Not All At Once. Why?

- The average Village residential taxpayer pays about an additional \$925 in municipal property taxes than the average town taxpayer.
- All Village residences and businesses are taxed by the Town to pay for Town services but Town residents and businesses are not taxed by the Village to pay for Village services. The cost of operating most Village services falls either mainly or entirely on Village taxpayers.
- Merger will equalize taxing and spending throughout the community. However, equalizing taxes all at once would cause about a \$350 increase in average residential property taxes in the Town. To lessen this negative impact, the merger plan calls for reconciling tax rates incrementally over a period of 12 years to align with the paydown of the Village's debt.

## The Village Merger Charter Calls for

# Two Transitional Periods:

### FIRST 5 YEARS

- ❑ 7-member elected board with a “balanced” number of designated seats for “village” and “town” residents.
- ❑ Reorganize Town and Village departments, building codes, municipal plans, ordinances, policies, etc.

### FIRST 12 YEARS

- ❑ Village Pays off its Residual Debt
- ❑ Village and Town tax rates gradually equalized. Village taxes decrease about \$35 per year; Town taxes increase about \$25 per year.
- ❑ 12-year phase in allows grand list growth and consolidation efficiencies to offset tax impacts on TOV.

## The Village Merger Plan Recommends a Phased-In Tax Rate Reconciliation Process

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**DURING** the first 12 years of merger:

- ❑ Village designated as a debt assessment district to pay off Village debt that was not incurred by TOV residents
- ❑ Village designated as a tax reconciliation district for integrating Village general fund into Town general fund. This prevents a sudden large tax increase for TOV taxpayers.
- ❑ The average tax reduction for Village taxpayers is currently estimated to be about \$35 per year over 12 years; the average tax increase for Town (outside the Village) taxpayers is currently estimated to be about \$25 per year over 12 years.

## **The Village Merger Charter also establishes the “Village” as a special district for 12 years for these purposes:**

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- ❑ The Village will be a “Sidewalk District” – The village has a completely interconnected sidewalk network which it aggressively maintains throughout the year to promote public health and safety. Declaring the Village a sidewalk district will help maintain this policy. It will require that Village residents pay a small additional tax, mainly for winter snowplowing.
- ❑ The Village will be designated as a ‘Capital Improvement District’ to keep a small portion its capital infrastructure expenditures separate from the Town budget to help decrease the financial impact of merger on taxpayers outside the Village
- ❑ The Village Center/Five Corners area will be designated as a Downtown Improvement District to help facilitate ongoing and anticipated rebuilding and revitalization projects.

**Village Merger Charter  
proposes 2 Voting  
Wards:**

**Ward 1 = TOWN**

**(all of Essex outside the  
boundaries of the former village)**

**Ward 2 = VILLAGE**

**(all of Essex within the boundaries  
of the former village)**

- Creating “village” and “town” voting wards gives all residents assurance that their part of the community will be adequately represented in the new government
- Ward boundary lines can be adjusted in the future to account for variations in population growth

## **Village Merger Charter proposes a 7-member elected board with:**

**Three “Town” seats  
(Ward 1)**

**Three “Village” seats  
(Ward 2)**

**One “at-large” seat  
(Wards 1 & 2)**

- Odd # board members avoids deadlock and complies with guidance of the Vermont Legislative committee that oversees municipal charters
- 3 “Village” and 3 “Town” seats gives assurance that both parts of former Village and Town will be represented
- 1 community-wide, at-large seat can be held by a resident of either ward, and is elected by voters in both wards
- Ward boundary lines can be adjusted in the future to account for variations in population growth

# Other Important Features of the Merger Plan:

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- ❑ Australian Ballot for voting on the Town municipal budget. Currently the Town and Village budgets are approved by voice vote at annual meetings.
- ❑ There would be one annual Meeting in March and it would be informational only.
- ❑ The name of the new community would be 'Essex.' The incorporated Village of Essex Junction would become the unincorporated Village of Essex Junction, just as White River Junction is an unincorporated village in the Town of Hartford
- ❑ Current Town and Village water/sewer rates not affected by merger. Water/sewer costs, including repairs, are paid by water-sewer bills, not property taxes. The 'new' Essex Town will 'own' the Essex Junction WW plant, one of the safest, most efficient, up to date facilities of its kind in Vermont.



**From: G. Tyler/9/1/20**

**DRAFT – Script for Merger Video**

**THE MERGER BALLOT AND THE VOTE**

This November, the Essex Junction Board of Trustees are asking their Essex Junction Village constituents to make an important decision.

Should we dissolve the Village government and join the Essex Town government in forming a new Essex community government?

If you're a registered voter in Essex Junction, you'll be receiving in the mail a ballot asking you to vote yes or no on whether to accept a plan of merger with Essex Town.

On Town meeting day in March, the Essex Town government will put a similar question on a ballot for Town voters, which includes voters in Essex Junction due to our dual citizenship in both the Village and the Town.

If the majority of voters approve both these proposals, the current Essex Junction and Essex Town governments would be merged into a single Essex government, with the approval of the Vermont State Legislature.

If the vote fails, whether on the Village side, the Town side, or both sides, the Town and Village governments and all the services they provide will continue just as they are.

The Essex Junction Trustees can't tell you how to vote, but perhaps a little background and history will help you decide on whether we should merge with Essex Town or stay as we are.

**A BRIEF HISTORY OF MERGER**

Essex Junction was created by the Vermont Legislature in 1893 as a second municipal government in Essex, along with the Essex Town municipal government. By incorporating as a village, people in the most rapidly growing part of Essex, around the crossroads we know as 5 corners, were able to tax themselves for municipal services that the rest of the town didn't want or wasn't able to provide, such as schools, fire, and police.

Under Vermont law, the people and businesses in the village were still considered part of the town and had to pay taxes to the town.

This probably wasn't too much of a burden for Essex Junction residents when the Essex Town government outside the village was small and the town was mostly undeveloped and rural. But as the town developed it created duplicate municipal services for town residents outside the village that village residents were required to support. Throughout the twentieth century the financial strain on village residents caused them to seek tax relief either by separating from Essex Town and becoming a city, as Winooski had done with Colchester and St. Albans city had done with St. Albans town, or by merging the Village and Town governments, so that all costs would be equally shared. Local records suggest there

have been over 20 failed attempts to merge or separate. The last merger attempt was in 2006 when it was approved by both sides but overturned on a revote in 2007. The village last attempted to separate in 2000 but the town disagreed with the separation and the Vermont legislature refused to take sides.

Getting Village residents and Essex Town residents outside the village to agree has always been the challenge. Most of the time they disagreed over how the costs of operating municipal services would be redistributed throughout the community. But there have also been concerns about identity, with the Village wanting to retain its “village-like” identity as a close knit community interconnected with sidewalks and a downtown, and the town wanting to preserve its character as a more rural and suburban community.

### **THE 2020 MERGER PLAN**

In 2018 the Essex Junction Trustees and Essex Town selectboard began working on a new plan for merging the Village and Town. One of the ideas they came up with was to shift the costs of operating village services into the town budget gradually over 12 years instead of all at once to avoid a sudden, unacceptable tax increase for town residents.

Essex Junction and Essex Town are two of the state’s fastest growing communities. Reconciling the village-town tax rate gradually over 12 years will allow some of that economic growth to offset the financial impact of merger on town taxpayers.

The 2020 merger plan will add about \$25 per year over 12 years to the average town homeowner’s tax bill and reduce the average village homeowner’s bill by about \$35 per year.

The merger plan also calls for all village and town services – police, fire departments, libraries, parks, and public works departments – to continue providing the same level of services as they are.

### **TWO VOTING WARDS FOR A SINGLE GOVERNMENT**

For governing purposes the merger divides the village and town into two separate voting wards. Each ward will elect three representatives to sit on the new town selectboard. A seventh representative, who can be from either ward, will be elected by voters in both wards. This “3-3-1” elected board structure conforms to the guidance of the Vermont Legislature, which must approve all merger plans.

The merger plan also helps both parts of the community retain their identities. Building and zoning regulations will remain as they are but can be adapted gradually as the community grows together.

The names we’re all familiar with – Essex Town, Essex Junction, the village, the town, the junction – will remain the same.

### **THE ESSEX TOWN VOTE WILL BE SEPARATE**

Finally, it's important for all Village voters to keep in mind that they are citizens of both governments, Essex Junction and Essex Town. Each government must get its voters' approval to merge. The plan being voted on this November is just from the Village government. If the plan is approved, the Essex Town government will ask village voters to approve its version of the merger plan on town meeting day next spring. In this vote they will be joined by voters in the town outside the village. It's anticipated that the town's plan will be nearly identical to the village's plan.

If both votes are positive, the two plans will be sent to the Vermont Legislature for approval. Any minor differences between the two plans will be reconciled and the merger will take affect later that year.

### **YOUR COMMUNITY IS IN YOUR HANDS – ASK QUESTIONS**

The Village Trustees urge all Village voters to visit the Essex Junction website to learn more about the village-town merger. What are the pros and cons? Do you like the idea of separate voting wards? Is the tax savings enough to offset the loss of local control of village services? Is the 12-year phase in plan too long or not long enough? What else do you need to know before casting your vote?

The Trustees will be holding online meetings in October. The schedules will be posted on the Essex Junction website and on front porch forum. This is an important decision for the future of your community so we urge you to tune in and bring your questions.

## Memorandum

**To:** Trustees; Evan Teich, Unified Manager  
**From:** Greg Duggan, Deputy Manager *GSD*  
**Re:** Mission statement for Village of Essex Junction  
**Date:** September 21, 2020

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### Issue

The issue is whether the Trustees wish to update the mission statement for the Village of Essex Junction.

### Discussion

When discussing the possible creation of a policy for allowing murals and flags on municipal property in Essex Junction, the Trustees mentioned a desire to reconsider the mission statement for the Village.

The mission statement currently reads as follows:

Our purpose is to support and enrich the lives and community spirit of our citizens through efficient and effective provision of the following services: highway, general administration, water, wastewater, sanitation, library, community development, economic development and fire protection.

The mission statement is included in the Annual Report and in the Personnel Guidelines.

The Trustees may wish to reference the Heart and Soul of Essex value statements while discussing and considering possible changes to the mission statement. The Heart and Soul values include the following:

#### **Local Economy**

Our residents contribute to a vibrant economy by working for and patronizing a diverse mix of businesses, from small, locally-owned enterprises to international corporations. We are committed to fostering an environment that produces a world-class workforce and a strong economy for years to come.

#### **Health & Recreation**

We value public places for outdoor and indoor recreation for all ages and abilities. We treasure Indian Brook reservoir, neighborhood parks and the chance to connect by bicycle or on foot. Community institutions provide education and programs to support healthy lifestyles.

#### **Safety**

Essex is a safe place where neighbors watch out for one another. We value an active, visible police force and strong fire and rescue services. Upgrades to our physical infrastructure will allow us to move about our community with comfort and security.

#### **Education**

Essex invests time, energy, and resources to ensure that our highly respected schools meet the needs of everyone in the community. We are proud to support learning that extends beyond the traditional classroom and includes the arts, athletics, and vocational instruction. Community programs and libraries offer diverse and affordable opportunities that prepare residents of all ages for lifelong learning and for work in an evolving economy.

**Thoughtful Growth**

We value wide-open spaces and tight-knit neighborhoods, rural roads and vibrant downtown streets. Essex is a place where we can enjoy a beautiful view, walk in the woods and go out to eat without ever leaving town. We support a diverse housing mix, opportunities for business development and a transportation system with a variety of options including a connected network of walking and biking routes.

**Community Connections**

Our deep connections with each other make Essex special. Neighbors help each other during good times and bad. We value diversity and welcome everyone. We build our sense of community at local events such as the Memorial Day Parade, Five Corners Farmers Market, and Winter Carnival. Our local newspapers and online forums give us plenty of ways to stay in touch. Residents participate in local government and volunteer.

**Cost**

n/a

**Recommendation**

This memo is for discussion and possible action. If the Trustees wish to update the mission statement, the following motion is recommended:

“I move that the Trustees adopt the following statement as the mission statement for the Village of Essex Junction: [read updated mission statement].”

## Memorandum

**To:** Board of Trustees; Selectboard; Evan Teich, Unified Manager  
**Cc:** Ron Hoague; Police Chief; Dennis Lutz, Public Works Director; Owiso Makuku, Interim Essex Community Development Director; Rick Jones, Public Works Superintendent; Robin Pierce, Essex Junction Community Development Director; Rick Hamlin, Village Engineer; Brian Donahue, Essex Westford School District Chief Operating Officer  
**From:** Greg Duggan, Deputy Manager *(SD)*  
**Re:** Draft Policy on Raising of Flags and Painting of Murals on Town of Essex and Village of Essex Junction Property  
**Date:** September 18, 2020

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### Issue

The issue is for the Trustees/Selectboard to review a draft Policy on Raising of Flags and Painting of Murals on Town of Essex and Village of Essex Junction Property, and consider accepting the policy for adoption at a future date.

### Discussion

After presenting the Selectboard and Trustees with a draft Policy on Raising of Flags and Painting of Murals on Town of Essex and Village of Essex Junction Property, staff has incorporated changes based on the board discussion and additional staff research and input.

The Village Attorney has advised that the legislative body should approve any murals or flags, which would denote the messages as sanctioned government speech. Allowing murals or flags to be installed without legislative approval could create a condition of a public forum, in which the boards need to allow multiple viewpoints.

Staff believes one of the most important considerations, particularly with murals proposed for roadways, is to not interfere with the public safety of pedestrians and vehicles, and to comply with the Manual on Uniform Traffic Control Devices (MUTCD). As a result, and based on input from the School District, staff does not recommend allowing murals on streets, though language for street murals currently remains in the attached draft policy in case either board wants to allow such murals.

Though the draft policy specifies preferred locations for murals in the street as the public portion of Educational Drive – between Main Street and Central Street – and a portion of Commonwealth Avenue, the Essex Westford School District Administration would prefer a road that would not cause any confusion about whether the mural is supported by the Village or the School District.

The draft policy is intended to be applied to any request, regardless of the content or message of the proposed flag or mural. The policy is based on input from Community Development, Public Works, Police, the Manager's Office, and Town and Village Attorneys.

The creation of the draft policy stems from a recent request from an Essex High School student to install a Black Lives Matter mural at Five Corners. Neither the Town nor Village have a policy on creating murals on municipal property. Similarly, no policy exists for flying flags on municipal flagpoles.

Staff recognizes that some subjectivity will be involved in the Trustee/Selectboard decision. Mission statements of the Village and Town may help provide guidance in decision-making, and have been included in the draft policy.

Staff asks that the Trustees/Selectboard provide feedback on the policy.

**Cost**

None.

**Recommendation**

If the Selectboard/Trustees feel ready after discussing the draft policy, they may wish to accept the Policy on Raising of Flags and Painting of Murals on Town of Essex and Village of Essex Junction Property for adoption at a future date.

## **DRAFT (9/18/20)**

### **Policy on Raising of Flags and Painting of Murals on Town of Essex and Village of Essex Junction Property**

#### **Objective:**

This policy will outline the parameters for the approval to raise, fly and maintain non-governmental flags and the painting of murals that support a non-governmental group, moral or value-laden position or are otherwise intended to make a statement.

#### **Position:**

It is the position of the Town of Essex Selectboard (Selectboard) and Village of Essex Junction Board of Trustees (Trustees) that no flag or mural, as outlined in the above/corresponding objective will be raised, flown or painted on Town/Village property without the express approval of the Selectboard/Trustees after a public presentation at a warned meeting. The underlying intent of the approval shall be rooted in the Mission Statement of the Town/Village (see below for mission statements) and shall reflect the statements embedded in the Heart and Soul of Essex document, specifically, "We value diversity and welcome everyone". No flag or mural that is in conflict with the morals, values and celebration of diversity of the Town/Village shall adorn Town/Village property, ~~or State or Federal property within the boundaries of the Town of Essex/Village of Essex Junction.~~

Every project must include or address the following guidelines to the satisfaction of the Selectboard/Trustees:

1. Enhance community identity, pride, and unity;
2. Provide the highest quality artwork available, promoting excellence and demonstrating diversity and variety of media;
3. Increase public exhibition opportunities for artists and craftspeople who live or work in and around the Town of Essex/Village of Essex Junction;
4. Encourage public participation and interactions with public spaces;
5. Represent a positive interest or value worthy of public recognition;
6. Creating awareness of how surroundings impact experience;
7. Enrich the public environment for both residents and visitors through incorporation of the arts;
8. Strive for diversity;



9. Reflect the social, ethnic and cultural fabric of the Town/Village; and

10. Not obstruct or obscure traffic control devices

### **Flags**

No flag, ~~except the flag of the United States or the flag of the State of Vermont,~~ shall be raised on ~~public lands~~ municipal property within the boundaries of the Town of Essex/Village of Essex Junction without the express consent of the Selectboard/Trustees after a majority vote. Flags raised on ~~public lands~~ municipal property within the Village of Essex Junction shall only need the consent of the Trustees. Presentation(s) for the raising of flags shall include the intent behind the raising of the particular flag and/or the specific location(s). Requests for approvals for the raising of flags shall specify:

1. Location(s) desired for the flag(s)-
2. Duration of the occupation on each flagpole
3. Plans for maintenance while the flag is raised
4. Timeline for removal after the time period has expired
5. The design and dimensions of the flag being requested-
6. Any additional information requested by the Selectboard/Trustees-

Flags shall be allowed for a periods of time specified in the approval granted by the Selectboard/Trustees ~~no greater than 90 days without a return to the Selectboard/Trustees for an extension of time.~~ The Selectboard/Trustees reserve(s) the right to refuse any request for a flag with images or words that violate the rights of any citizen, protected class(es) or is deemed not to meet a standard of moral or ethical decency. The Selectboard/Trustees may remove a flag if the design or dimensions are is not what was approved. The Selectboard/Trustees shall retain the right to remove a flag at any time, for any reason. The Selectboard/Trustees shall not accept any liability in regards to the installation, removal, maintenance, or message of the flag.

### **Murals**

No murals shall be drawn, painted or otherwise depicted on ~~public~~ municipal property within the boundaries of the Town of Essex/Village of Essex Junction without the express consent of the Selectboard/Trustees after a majority vote. Murals located on ~~public~~ State highways shall also receive approval from the Vermont Agency of Transportation. Based on safety considerations and MUTCD guidelines, preferred locations for murals on public ~~highways~~ streets are limited to Educational Drive between Main Street and Central Street/ ~~off Main Street~~ Drury Drive in the Village, and Commonwealth Avenue between VT Route 15 and the entrance to NBT Bank. In no event shall murals be installed on public lands adjacent to private property without the written permission from the property owner(s). Murals on ~~public lands~~ municipal property within the Village of Essex Junction shall only need the consent of the Trustees and, if necessary, the Vermont Agency of Transportation. Presentation(s) for the mural shall include the intent behind the particular mural and/or the specific location(s). Requests for approvals for the creation of murals shall specify:

1. Locations desired for the mural(s)

2. Duration of the occupation mural
3. Media intended to be used for the creation of the mural
4. Process for the creation of the mural (by volunteers, artists, etc.)
5. Plans for maintenance of the mural while it exists
6. Process for removal of the mural and restoration of the original surface
7. Timeline for removal after the time period has expired
8. The design and dimensions of the mural being requested-
9. Any additional information requested by the Selectboard/Trustees-

Murals shall be allowed for a period of time specified in the approval granted by the Selectboard/Trustees of no greater than 90 days without a return to the Selectboard/Trustees for an extension of time. The Selectboard/Trustees reserves the right to refuse any request for a mural with imagery or words that violate the rights of any citizen, protected class(es) or is deemed not to meet a standard of moral or ethical decency. The Selectboard/Trustees may remove a mural if the design or size that is installed is not what was approved. The Selectboard/Trustees shall retain the right to remove a mural at any time, for any reason. The Selectboard/Trustees shall not accept any liability in regards to the installation, removal, maintenance, or message of the mural.- The mural applicants must sign a release absolving the Town of Essex/Village of Essex Junction of any liability related to the mural and accepting all liability for injury or property damage caused to persons or vehicles during the installation of the mural, during its exhibition, or its removal. The applicant will also post a bond in the amount of the estimated cost of the mural removal. The bond will be released when the mural is removed prior to the time specified in the approval. No street shall be closed for the installation of a street mural without the written permission of the Selectboard or the Trustees. The terms of the closure approval will include the duration of the closure which will be strictly enforced. All traffic control and signage needed to properly close the road shall meet the requirements of the MUTCD and all costs shall be the responsibility of the applicant(s).

**Town Mission Statement (from Annual Report):**

The Town of Essex is committed to preserving the high quality of life enjoyed by our residents, providing fiscally sound, responsive municipal services, and delivering those services in an effective, efficient and professional manner.


**Village Mission Statement (from Annual Report):**

Our purpose is to support and enrich the lives and community spirit of our citizens through efficient and effective provision of the following services: highway, general administration, water, wastewater, sanitation, library, community development, economic development and fire protection.

# **MEMORANDUM**

**TO:** Village Trustees and Evan Teich, Unified Manager  
**FROM:** Sarah Macy, Finance Director/Assistant Manager  
**DATE:** September 17, 2020  
**SUBJECT:** Act 137 Digitization of Land Records Grant Award

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## **Issue**

The issue is whether or not the Trustees will authorize staff to accept the Act 137 Digitization of Land Records Grant for the Village.

## **Discussion**

Act 137 of 2020 provides Coronavirus Relief Funds to various entities in Vermont for necessary expenses incurred due to, or as a result of, the COVID-19 public health emergency. Coronavirus Municipal Records Digitization Grants are being issued to help provide economic support to town offices which have been impacted by increased customer demand due to the COVID-19 public health emergency but are unable to successfully allow those customers to search land records. The funds can be used to cover costs directly associated with digitizing land records.

We were notified on September 14<sup>th</sup> that the Town and the Village have each been awarded a \$20,000 grant to digitize land records going back a minimum of five years. These grants require no match unless additional funds are required to meet the five year requirement. Staff has worked with the existing vendor on scope of project and it is reasonable to get this project complete with the \$40,000 total award (\$20,000 for each entity). In the event additional funds are required, existing funds set aside for records preservation will be used. This does not impact the budget or tax dollars.

## **Cost**

The grant requires five years of records to be digitized, we anticipate the \$40,000 (\$20,000 each entity) to cover that requirement. Funds designated for records preservation will be used to cover any overage if needed.

## **Recommendation**

It is recommended that the Trustees authorize staff to accept the Act 137 Digitization of Land Records Grant for the Village.

## Sarah Macy

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**From:** TAX - Muni Grants <TAX.MuniGrants@vermont.gov>  
**Sent:** Monday, September 14, 2020 6:26 PM  
**To:** Sarah Macy  
**Subject:** Act 137 Digitization of Land Records Grant Award Approved

**Categories:** GRANTS

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

**Dear Essex Junction Officers:**

**This message is to notify your office that your grant application in the amount of up to \$20,000.00 under Act 137 of 2020 for the Digitization of Land Records has been APPROVED. The original grant application cap of \$20,000 has been lifted due to availability of funds. If you requested additional funding, this grant amount reflects a portion of your additional request, which was prorated across applicants. Your official grant agreement documents will be mailed to your office.**

### *Background*

Act 137 of 2020 provides Coronavirus Relief Funds to various entities in Vermont for necessary expenses incurred due to, or as a result of, the COVID-19 public health emergency. Coronavirus Municipal Records Digitization Grants are being issued to help provide economic support to town offices which have been impacted by increased customer demand due to the COVID-19 public health emergency but are unable to successfully allow those customers to search land records. The funds can be used to cover costs directly associated with digitizing land records.

Eligible reimbursement requests include the following:

- Scanner purchase
- Vendor contract fees for digitizing and making available via an online portal all historical, current and backlog of land records
- Labor costs associated with additional staffing/overtime pay for clearing COVID-19 related backlog of land record scanning
- Vendor contract fees to update municipal parcel data

For more information, visit: <https://tax.vermont.gov/coronavirus/municipal-grants/dgz-grant>

### *Conditions of Receipt*


Per the Guidelines established July 31, 2020, and per your attestation on your application, your municipality must demonstrate the digitization of land records dating back to at least November 1, 2015. On or before **November 1, 2020**, you must provide evidence of your progress in meeting the requirements of the grant via email to [tax.munigrants@vermont.gov](mailto:tax.munigrants@vermont.gov).

On or before **December 15, 2020**, you must submit documentation of your actual incurred expenses for reimbursement, following [these instructions](#). Failure to meet the grant requirements and/or submit actual expenses will mean your expenses will not be reimbursed.

For more information, contact [tax.munigrants@vermont.gov](mailto:tax.munigrants@vermont.gov) or 802-828-6639 to leave a message. Units of local government can contact their [Regional Planning Commissions](#) for free assistance to identify and document eligible COVID-19 expenses.

This message contains confidential information and is intended only for the individual(s) addressed in the message. If you aren't the named addressee, you should not disseminate, distribute, or copy this e-mail. If you aren't the intended recipient, you are notified that disclosing, distributing, or copying this e-mail is strictly prohibited.

**Memorandum**

**To:** Board of Trustees; Evan Teich, Unified Manager  
**Cc:** Greg Duggan, Deputy Manager  
**From:** Linda Mahns, Administrative Assistant   
**Re:** Grant application and funding for RRFB lights at the Lincoln/Central crosswalk  
**Date:** September 21, 2020

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**Issue**

The issue whether the Trustees will approve a grant application and matching funding for RRFB lights at the Lincoln/Central crosswalk.

**Discussion**

The Bike/Walk Advisory Committee (BWAC) has identified a grant opportunity to purchase and install an LED beacon (RRFB) light. The grant requires a 20 percent local match. LED beacon lights typically cost \$6,000 to \$8,000, so the local match would be approximately \$1,200 to \$1,600.

The BWAC considers crosswalks where the LED beacon lights will improve safety. These would be the same beacons used at crosswalks elsewhere in the village (i.e. Maple Street Park, 5 Corners.) If the grant application is successful, the BWAC determined that the Lincoln/Central crosswalk would be the recommended location for installation.

**Cost**

Matching funds for the grant are estimated at \$1,200 to \$1,600. The BWAC has a FY2021 budget of \$7,000.

**Recommendation**

Staff recommends the Trustees approve the grant application and funding request for the project match, if the Village receives the grant.

VILLAGE OF ESSEX JUNCTION TRUSTEES  
REGULAR MEETING MINUTES  
September 8, 2020

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

**ADMINISTRATION and STAFF:** Greg Duggan, Deputy Manager; Robin Pierce, Community Development Director; Evan Teich, Unified Manager (was present beginning at Business Item 5f).

**OTHERS PRESENT:** John Alden, Annie Cooper, Renee Dall, Roseanne Prestipino, Brian Shelden, Ken Signorello, Nancy Specht, Joyce Stannard, Irene Wrenner.

**1. CALL TO ORDER**

Andrew Brown called the meeting of the Village of Essex Junction Trustees to order at 6:30 PM.

**2. AGENDA ADDITIONS/CHANGES**

Deputy Manager Duggan noted an addition to the Consent Item, which would be Item 6d: Memo from Brad Luck asking for the Trustees to approve acceptance of a School Age Hub Start Up Funding Grant to help with reimbursement for day care costs.

Raj Chawla added a document to Business Item 5d (Consider request to create ordinance restricting parking on Warner Avenue), which is a letter from residents pertaining to that item.

**3. AGENDA APPROVAL**

**GEORGE TYLER made a motion, and AMBER THIBEAULT seconded, that the Board of Trustees approve the agenda as amended. The motion passed 5-0.**

**4. PUBLIC TO BE HEARD**

**a. Comments from public on items not on agenda**

Brian Shelden asked for the Village to waive the ordinance around campaign lawn signs and rights of way for the two weeks leading up to the November election. He said that this would remove any inadvertent favoritism and would lessen the burden on Public Works. Mr. Brown said that this topic would be brought forth at a future Trustees meeting for consideration.

**5. BUSINESS ITEMS**

**a. Discussion and potential action on Policy on Raising of Flags and Painting of Murals on Town of Essex/Village of Essex Junction Property**

Mr. Duggan introduced a draft policy on raising flags and painting murals on Town of Essex/Village of Essex Junction property, in response to a comment during a prior public forum requesting the painting of a Black Lives Matter mural in the Village center. He said that the policy includes guidelines for considering and approving requests of this nature and outlines an application process and criteria.

Mr. Brown said that the policy should explicitly require the submission by the applicant of the exact proposed design. He also suggested a provision that the mural or flag could be removed without prior notice by the Town/Village. He further suggested that the Town/Village engage with the School Board if any mural were to be installed on Education Drive.

49  
50 Mr. Tyler expressed appreciation for the intent and spirit behind the proposed policy but voiced concern  
51 that the policy asks the Trustees to deliberate on content outside of its scope of expertise, such as  
52 political speech. He added that it could also raise zoning or community development issues. He  
53 requested that senior staff be allowed the opportunity to weigh in on the policy prior to approval. He  
54 finally stated his preference for no policy but simply ad hoc requests from residents who would like to  
55 install murals or raise flags.

56  
57 Mr. Chawla suggested that Trustees review the Montpelier policy's guidelines, which could be helpful  
58 when refining a policy. He said that any policy should seek to tie specific requests to the community's  
59 standards and mission statement.

60  
61 Amber Thibeault spoke against having a policy for these requests, since a policy had not been necessary  
62 in the past. She also suggested several refinements to the draft policy's language.

63  
64 Dan Kerin spoke against having a policy for these requests.

65  
66 The Trustees will revisit the policy with any revisions at a subsequent Board of Trustees meeting.

67  
68 **b. Discussion and potential action on creation and hire of Town/Village Assistant Manager**

69 Mr. Duggan introduced the proposed Assistant Manager position for the Village of Essex Junction and  
70 Town of Essex, and the rationale for its creation. He said that as long as operations continue without  
71 consolidation it is difficult for staff to maintain multiple roles, citing Sarah Macy's position as both  
72 Finance Director and Assistant Manager. He said that the position could be partially funded by a vacant  
73 position and funded through the Town budget. He requested the Trustees' feedback on the position,  
74 timing, and funding sources.

75  
76 Mr. Brown spoke in support of the creation of the position and funding it through the Town of Essex. He  
77 asked if this would be an interim or a permanent position, and Mr. Duggan replied that this would be  
78 intended as a permanent position.

79  
80 Mr. Tyler spoke in support of the creation of the position, saying that it will be necessary whether a  
81 merger occurs or not. He suggested that elected officials would be willing to provide feedback to staff to  
82 further refine the position's job description.

83  
84 Other Trustees echoed support for the creation of the position.

85  
86 **c. Nominate representative to attend Vermont League of Cities & Towns' Town Fair**

87 Mr. Duggan introduced this item to nominate voting delegates to the Vermont League of Cities & Towns'  
88 Annual Town Meeting, the VLCT Employment and Resources Benefit Trust (VERB) Annual Meeting, and  
89 the PACIF Annual Meeting, which will occur in late September/early October.

90  
91 No Trustees are available to attend this set of meetings.

92  
93 **d. Consider request to create ordinance restricting parking on Warner Avenue**

94 Mr. Chawla recused himself from the discussion as a resident of the street in question, but introduced  
95 the item. He said that Pearl Street Park had recently added pickleball courts and a disc golf course,  
96 which have been extremely popular with residents, but which have also brought frustration about



97 increased parking on Warner Avenue. He said that many residents are beginning to have safety  
98 concerns. He said that one solution could be parking restrictions in the Village.  
99

100 Renee Dall echoed Mr. Chawla's concerns about parking and safety for the children playing on Warner  
101 Avenue.  
102

103 Mr. Brown asked for clarification about private versus Village property lines around Pearl Street Park.  
104

105 Mr. Chawla asked whether some of the green space inside the jug-handle could be converted into  
106 parking. Community Development Director Pierce replied that it would be possible once traffic  
107 modifications are made.  
108

109 Ms. Thibeault asked how these types of requests have been handled in the past. Other Trustees replied  
110 that this scenario has not occurred in the past.  
111

112 Mr. Tyler asked suggested the creation of a temporary parking area along a portion of Warner Avenue,  
113 but would ask that other senior staff and experts weigh in. Mr. Chawla replied that some residents had  
114 discussed this, but there had been some concern that a parking area would change the nature and  
115 character of the neighborhood.  
116

117 Mr. Duggan noted that there had been a recent ordinance change related to parking on Lincoln Street  
118 and outlined the process for this type of change. He further noted that the Police Department is  
119 currently working through parking ordinance updates and to develop potential solutions for this specific  
120 situation.  
121

122 Mr. Brown asked Mr. Chawla and Ms. Dall whether traffic might decrease in the colder months, and  
123 whether taking up an ordinance change in the winter would still be helpful. Ms. Dall replied that yes, it  
124 would be helpful.  
125

126 **e. Approve design of park at 1 Main St.**

127 Mr. Pierce provided an overview of this item, noting that a design charrette occurred and subsequently  
128 a schematic design was developed incorporating these ideas for an urban pocket park at 1 Main Street.  
129 He said that the design would still need to be presented to the Chittenden County Regional Planning  
130 Commission (CCRPC) and that a Corrective Action Plan (CAP) needs to be produced by an environmental  
131 engineer by mid-September in order to take advantage of time-limited available funding.  
132

133 John Alden asked if the Village supports this and whether the Village Planning Commission has been  
134 engaged. Mr. Brown replied that yes, the Village is providing guidance and support for this project, and  
135 also noted that the Village's Planning Commission has not met for a number of months.  
136

137 Mr. Pierce will present a schematic design to the Board of Trustees at their September 24 meeting.  
138

139 **f. Discussion on how to publicize merger facts and figures**

140 Mr. Duggan introduced this item as an opportunity for the Trustees to brainstorm additional ways to  
141 publicize information regarding the merger work to the community.  
142

143 Mr. Brown suggested using a website other than the GreaterEssex2020.org website, since that website  
144 is intended for collaborative actions between the Town and Village and that the interest in publicity is

145 coming solely from the Village Trustees. He also asked the Trustees if they would be willing to  
146 appropriate \$8,000-\$10,000 to help push information out to the community as effectively as possible.  
147

148 Mr. Kerin suggested that visual media is more impactful to some than reading material.  
149

150 George Tyler noted that ballots will be mailed in the beginning of October and that the Village needs to  
151 explain a number of fundamental elements of background information prior to voting.  
152

153 Mr. Chawla agreed with Mr. Tyler, saying that the Village needs to explain its existence vis a vis the  
154 Town, what the Village currently pays for, and what it would look like to merge in terms of tax  
155 implications. He said it would be important to explain why the Village is voting on this in November and  
156 the Town is voting on it in March.  
157

158 Mr. Brown said that focus should be on informing voters about the merger option, not options other  
159 than merger.  
160

161 Mr. Tyler said that he will work with Mr. Brown to draft a newsletter around merger information for the  
162 Board of Trustees' consideration and edits. He said he will also work with videographers to produce a  
163 video of the information as well.  
164

165 Mr. Duggan said that he would work with Ms. Macy to determine whether an allocation of \$8,000 would  
166 be possible.  
167

168 **DAN KERIN made a motion, and GEORGE TYLER seconded, that the Trustees approve the**  
169 **appropriation of a maximum of \$8,000 for information pertaining to upcoming merger vote. The**  
170 **motion passed 5-0.**  
171

172 **g. Discussion and potential action on merger charter**

173 Mr. Duggan summarized the status of the latest version of the merger charter, noting that attorney Dan  
174 Richardson responded to questions from the Selectboard, and that the Selectboard has made responses  
175 to those comments and edits based on those responses.  
176

177 Mr. Tyler said that he responded to the Selectboard edits or summarized the current status of items  
178 where possible. He provided an overview to the Board of Trustees explaining each of the Selectboard's  
179 questions or edits, and his subsequent responses to them. He noted that the composition of the new  
180 merged Selectboard remains a significant point of contention.  
181

182 Mr. Brown outlined next steps, saying that this version will be considered by the Selectboard at their  
183 next meeting, and then returned to the Trustees at their next meeting and be considered for approval to  
184 go to voters.  
185

186 **6. CONSENT ITEMS**

187 **GEORGE TYLER made a motion, and DAN KERIN seconded, that the Trustees approve the Consent**  
188 **Agenda, as amended:**

189 **a. Approve change in Trustee meeting schedule from September 22, 2020 to September 24, 2020**

190 **b. Approve minutes: August 25, 2020**

191 

- Mr. Brown requested to change "Shiang" to "Hsiang" in line 103.

192 **c. Check Warrant #17214—8/28/20; #17215—9/4/20**

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The motion passed 5-0.

7. READING FILE:

- a. Board Member Comments
- b. Vermont Community Leadership Network
- c. Green Up Day #2 in October
- d. Memo from Travis Sabataseo re: Recap of Abundant Sun Training on Promoting Dignity and Respect
- e. Update on racial justice work in Essex
- f. Memo from Greg Duggan re: Dates for racial justice training for elected officials
- g. Upcoming meeting schedule

8. EXECUTIVE SESSION:

- a. \*An executive session is not anticipated

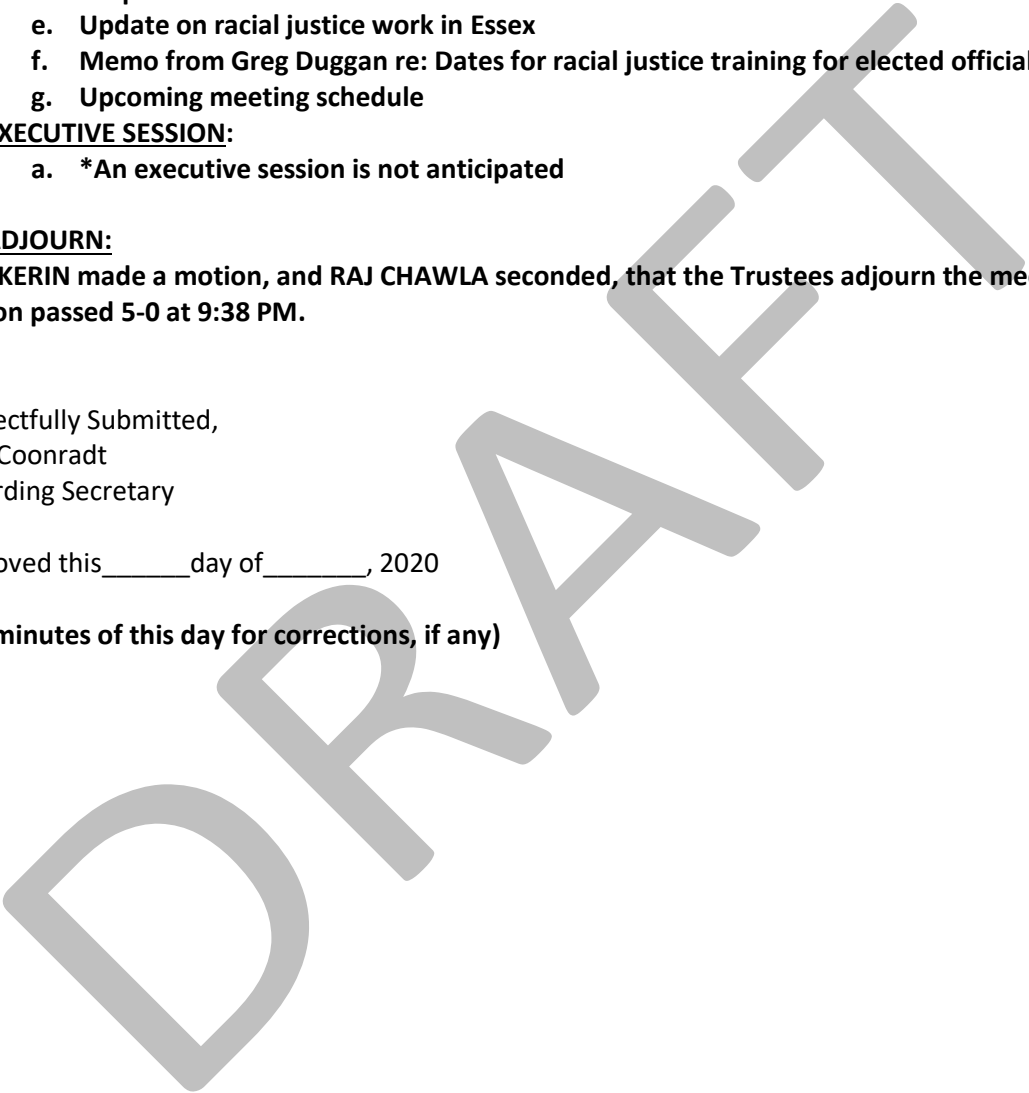
9. ADJOURN:

DAN KERIN made a motion, and RAJ CHAWLA seconded, that the Trustees adjourn the meeting. The motion passed 5-0 at 9:38 PM.

Respectfully Submitted,  
Amy Coonradt  
Recording Secretary

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020

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



Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
V9976	08/31/20	SERVICE CONTRACT 9702	210-41943.021 Contractual Svcs - Browne	1080.00	30255	09/11/20
09345	09/04/20	Monthly Fee for COBRA Adm 40507237	210-41320.210 HEALTH INS & OTHER BENEFI	42.50	30258	09/11/20
23635	09/01/20	ELEVATOR SERVICE Brownell 542076	210-41942.021 R&M Bldg - Brownell	307.95	30259	09/11/20
00530	08/03/20	YOUTH MATERIALS B5949241	210-45551.641 JUVEN COLLECTION-PRNT & E	72.40	30262	09/11/20
00530	08/03/20	YOUTH MATERIALS B5949241	210-45551.610 SUPPLIES	4.80	30262	09/11/20
00530	08/03/20	YOUTH MATERIALS B5949244	210-45551.641 JUVEN COLLECTION-PRNT & E	62.64	30262	09/11/20
00530	08/03/20	YOUTH MATERIALS B5949244	210-45551.610 SUPPLIES	4.80	30262	09/11/20
00530	08/03/20	YOUTH MATERIALS B5949404	210-45551.641 JUVEN COLLECTION-PRNT & E	146.73	30262	09/11/20
00530	08/03/20	YOUTH MATERIALS B5949404	210-45551.610 SUPPLIES	5.60	30262	09/11/20
00530	08/03/20	YOUTH MATERIALS B5949407	210-45551.641 JUVEN COLLECTION-PRNT & E	31.96	30262	09/11/20
00530	08/03/20	YOUTH MATERIALS B5949407	210-45551.610 SUPPLIES	1.60	30262	09/11/20
00530	08/03/20	YOUTH MATERIALS B5949445	210-45551.641 JUVEN COLLECTION-PRNT & E	10.25	30262	09/11/20
00530	08/03/20	YOUTH MATERIALS B5949445	210-45551.610 SUPPLIES	0.80	30262	09/11/20
00530	08/03/20	YOUTH MATERIALS B5949446	210-45551.641 JUVEN COLLECTION-PRNT & E	69.80	30262	09/11/20
00530	08/03/20	YOUTH MATERIALS B5949446	210-45551.610 SUPPLIES	4.00	30262	09/11/20
25765	08/21/20	MSP Sprinkler Inspection 10800	210-41942.026 R&M Bldg - Maple St Park	400.85	30266	09/11/20
21210	09/03/20	shop towels 4060590537	210-43110.610 SUPPLIES	80.17	30268	09/11/20
25120	09/03/20	Town Timesheets - August 324615	210-41510.570 Other Purchased Services	80.00	30271	09/11/20
31275	08/18/20	Rivendell #1 across from 22026	210-49340.000 MISC GRANT EXPENDITURES	6684.36	30280	09/11/20
31275	08/18/20	Rivendell #2, 21 and 23 F 22027	210-49340.000 MISC GRANT EXPENDITURES	11609.04	30280	09/11/20
31275	08/18/20	Tamarack #3 and #32 FEMA 22028	210-49340.000 MISC GRANT EXPENDITURES	11436.24	30280	09/11/20
31275	08/18/20	Greenwood #4 and 17 FEMA 22029	210-49340.000 MISC GRANT EXPENDITURES	3965.00	30280	09/11/20
V10576	09/01/20	Website hosting August 2829	210-41320.530 COMMUNICATIONS	129.00	30283	09/11/20
21845	08/19/20	YOUTH PROGRAMS 0017A	210-45551.837 CHILDRENS PROGRAMS	29.99	30288	09/11/20
19805	09/22/20	Managers Credit Card 9572 820	210-41320.340 COMPUTER EXPENSES	301.86	30290	09/11/20

12:22 pm

Check Warrant Report # 17216 Current Prior Next FY Invoices For Fund (GENERAL FUND)

HPackard

For Check Acct 01 (GENERAL FUND) All check #s 09/11/20 To 09/11/20 &amp; Fund 2

Vendor	Invoice Date	Invoice Description	Invoice Number	Account	Amount Paid	Check Number	Check Date
19805	09/22/20	Managers Credit Card	9572 820	210-41320.560	7.42	30290	09/11/20
				TRUSTEES EXPENDITURES			
19005	09/01/20	Phone Internet	7734656	210-41945.020	251.18	30292	09/11/20
				Telephone - 2 Lincoln St			
34895	09/01/20	West Street 8/1-8/31/20	1503408	210-43110.565	45.00	30298	09/11/20
				RUBBISH REMOVAL			
34895	09/01/20	TRASH REMOVAL 8/1-8/31	1503555	210-41942.020	223.60	30298	09/11/20
				R&M Bldg - 2 Lincoln St			
20470	08/31/20	August fuel	262568	210-41944.022	164.41	30299	09/11/20
				Gasoline - Fire Station			
20470	08/31/20	August fuel	262568	210-43110.626	1194.96	30299	09/11/20
				Vehicle Fuels			
20470	08/31/20	August fuel	262568	210-41944.026	119.22	30299	09/11/20
				Gasoline - Maple St Park			
04380	09/08/20	Replace mailbox	090820D	210-43125.610	45.00	30300	09/11/20
				WINTER MAINTENANCE			
09375	08/31/20	TECH ACCESS 8/1-8/31	3783524695	210-45551.530	90.00	30301	09/11/20
				TECHNOLOGY ACCESS			
33495	08/25/20	ADULT COLLECTION	47884512	210-45551.610	0.45	30307	09/11/20
				SUPPLIES			
33495	08/25/20	ADULT COLLECTION	47884512	210-45551.640	28.45	30307	09/11/20
				ADULT COLLECTION-PRINT &			
33495	08/25/20	ADULT COLLECTIONS	47884513	210-45551.640	12.19	30307	09/11/20
				ADULT COLLECTION-PRINT &			
05030	09/02/20	paving - essex town - ess	20200771	210-43120.570	112245.60	30310	09/11/20
				Summer Constr - Purchased			
25140	09/04/20	Asphalt	1098794	210-43120.610	251.36	30319	09/11/20
				Summer Const - Supplies			
25140	09/09/20	Asphalt	1099207	210-43120.610	127.36	30319	09/11/20
				Summer Const - Supplies			
25635	08/21/20	Field Paint	763350	210-45220.610	193.50	30320	09/11/20
				SUPPLIES			
24410	08/23/20	COURIER SERVICE	80272035	210-45551.536	43.36	30323	09/11/20
				POSTAGE/DELIVERY			
24410	08/30/20	COURIER SERVICE	80272036	210-45551.536	43.36	30323	09/11/20
				POSTAGE/DELIVERY			
05380	09/06/20	Postage 800090904061	090620D	210-41320.536	201.00	30324	09/11/20
				POSTAGE			
43275	08/26/20	Park St Repairs	13351	210-41942.023	442.98	30327	09/11/20
				R&M Bldg - Park St School			
37965	08/26/20	lincoln hall parking lot	354986	210-43150.430	426.61	30328	09/11/20
				Storm Sewer Maintenance			
37965	08/31/20	Hubbells Falls	84839	210-43124.570	348.00	30328	09/11/20
				Sidewalk and Curb Mainten			
17505	09/10/20	Village Solar Aug	221	210-41947.026	3324.10	30329	09/11/20
				Electricity - Maple St			
17505	09/10/20	Village Solar Aug	221	210-41947.023	349.64	30329	09/11/20
				Electricity - Park St Sch			
17505	09/10/20	Village Solar Aug	221	210-41947.021	976.42	30329	09/11/20
				Electricity - Brownell			

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
17505	09/10/20	SAND HILL SOLAR LLC Village Solar Aug 221	210-41947.022 Electricity - Fire Statio	526.08	30329	09/11/20
17505	09/10/20	SAND HILL SOLAR LLC Village Solar Aug 221	210-41947.020 Electricity - 2 Lincoln S	526.08	30329	09/11/20
17505	09/10/20	SAND HILL SOLAR LLC Village Solar Aug 221	210-43115.622 Electricity - St/Traffic	870.18	30329	09/11/20
17505	09/10/20	SAND HILL SOLAR LLC Village Solar Aug 221	210-43110.622 ELECTRICAL SERVICE	248.16	30329	09/11/20
29835	09/03/20	SHERWIN-WILLIAMS paint 53902	210-43150.430 Storm Sewer Maintenance	450.00	30330	09/11/20
29835	09/08/20	SHERWIN-WILLIAMS ACETONE-5-SW 60680	210-43123.730 Traffic Control	413.40	30330	09/11/20
29835	09/09/20	SHERWIN-WILLIAMS 42 GAL CONTRACTRBG for sk 61498	210-43110.610 SUPPLIES	47.65	30330	09/11/20
03320	09/01/20	TYLER TECHNOLOGIES INC Capital Assets Single-Use 025306692	210-41320.340 COMPUTER EXPENSES	607.45	30336	09/11/20
03320	09/01/20	TYLER TECHNOLOGIES INC Capital Assets Single-Use 025306692	210-14301.000 PREPAID EXPENSES	205.46	30336	09/11/20
19720	09/01/20	VERIZON CONNECT NWF, INC. AUG AVL MONTHLY SERVICE OS002211866	210-43110.442 EQUIPMENT RENTALS	128.26	30340	09/11/20
19720	08/01/20	VERIZON CONNECT NWF, INC. JUL AVL MONTHLY SERVICE OSV02183963	210-43110.442 EQUIPMENT RENTALS	126.51	30341	09/11/20
36130	07/18/20	VERIZON WIRELESS Usage and Purchase Charge 9858928478	210-42220.535 TELEPHONE SERVICES	160.04	30342	09/11/20
36130	07/18/20	VERIZON WIRELESS Usage and Purchase Charge 9858928478	210-41970.535 TELEPHONE SERVICES	40.01	30342	09/11/20
36130	08/18/20	VERIZON WIRELESS shared services 8/19-9/18 9860985098	210-42220.535 TELEPHONE SERVICES	160.04	30343	09/11/20
36130	08/18/20	VERIZON WIRELESS shared services 8/19-9/18 9860985098	210-41970.535 TELEPHONE SERVICES	40.01	30343	09/11/20
11935	08/26/20	VIKING-CIVES USA JOHNSTON PALM CONTROL VT6 4499437	210-43110.432 R&M Services - Vehicles	2220.00	30344	09/11/20
30210	11/21/19	VT LEAGUE OF CITIES & TOW Unemp Ins FY21Q2 V 30553Q4	210-43110.250 UNEMPLOYMENT INSURANCE	174.51	30348	09/11/20
30210	11/21/19	VT LEAGUE OF CITIES & TOW Unemp Ins FY21Q2 V 30553Q4	210-43151.250 UNEMPLOYMENT INSURANCE	17.45	30348	09/11/20
30210	11/21/19	VT LEAGUE OF CITIES & TOW Unemp Ins FY21Q2 V 30553Q4	210-41510.250 Unemployment Insurance	884.17	30348	09/11/20
07565	08/24/20	W B MASON CO INC COVID SUPPLIES 213102227	210-41320.600 Emergency Prep. Supplies	155.88	30351	09/11/20
07565	08/25/20	W B MASON CO INC Hand Sanitizer Masks 213154578	210-41320.600 Emergency Prep. Supplies	259.97	30351	09/11/20
07565	08/27/20	W B MASON CO INC Cleaning Supplies 213246163	210-45220.610 SUPPLIES	353.93	30351	09/11/20
42665	08/10/20	AMAZON/SYNCB ADULT YOUTH MATERIALS, S 0069853 820	226-45122.610 Supplies	87.69	30253	09/11/20
42665	08/10/20	AMAZON/SYNCB ADULT YOUTH MATERIALS, S 0069853 820	226-45115.610 SUPPLIES	31.42	30253	09/11/20
42665	08/10/20	AMAZON/SYNCB ADULT YOUTH MATERIALS, S 0069853 820	226-45124.610 SUPPLIES	30.42	30253	09/11/20

12:22 pm

Check Warrant Report # 17216 Current Prior Next FY Invoices For Fund (GENERAL FUND)

HPackard

For Check Acct 01 (GENERAL FUND) All check #s 09/11/20 To 09/11/20 &amp; Fund 2

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
42665	08/10/20	AMAZON/SYNCB ADULT YOUTH MATERIALS, S 0069853 820	226-45121.610 SUPPLIES	6.38	30253	09/11/20
20470	08/31/20	GLOBAL MONTELLO GROUP August fuel 262568	226-45120.626 GAS, GREASE & OIL	110.42	30299	09/11/20
36240	08/24/20	DUBOIS & KING INC Crescent Connector July 71	230-46801.008 CRESCENT CONNECTOR	11608.38	30281	09/11/20
18000	09/03/20	FERGUSON WATERWORKS #590 6X2 CC DBL HD EPOX SDL 6. 0977317	254-43200.610 SUPPLIES	112.29	30287	09/11/20
20470	08/31/20	GLOBAL MONTELLO GROUP August fuel 262568	254-43200.626 GAS,GREASE AND OIL	135.94	30299	09/11/20
30210	11/21/19	VT LEAGUE OF CITIES & TOW Unemp Ins FY21Q2 V 30553Q4	254-43200.250 UNEMPLOYMENT INSURANCE	43.63	30348	09/11/20
42625	09/01/20	ALDRICH & ELLIOTT PC professional services 8/2 79371	255-43330.015 Primary Digester Block Re	85.21	30251	09/11/20
42625	09/01/20	ALDRICH & ELLIOTT PC professional services 8/2 79371	255-43330.016 Flow EQ Digester Reseal	76.76	30251	09/11/20
22140	09/09/20	BSC INDUSTRIES INC AHU Filter Building 3690531	255-43200.570 MAINTENANCE OTHER	16.10	30263	09/11/20
11375	09/01/20	CASELLA WASTE MANAGEMENT September 2YD FL SERVICE 3077609	255-43200.565 GRIT DISPOSAL	976.98	30264	09/11/20
V10734	08/20/20	ENCORE ESSEX JUNCTION SOL August Payment (7/20/20-8 2008WWTP	255-43200.622 ELECTRICAL SERVICE	2969.11	30284	09/11/20
06870	09/03/20	ENDYNE INC weekly TKN 344251	255-43200.577 CONTRACT LABORATORY SERVI	35.00	30285	09/11/20
V10616	08/26/20	EVOQUA WATER TECH LLC 3,764 Gal BIOXIDE 904578959	255-43200.619 CHEMICALS	9368.70	30286	09/11/20
18000	09/04/20	FERGUSON WATERWORKS #590 Digester Pipe resetting 0976914	255-43200.570 MAINTENANCE OTHER	291.35	30287	09/11/20
19005	09/01/20	FIRSTLIGHT FIBER internet telephone 8/1-8 7734655	255-43200.535 TELEPHONE SERVICES	188.30	30291	09/11/20
20470	08/31/20	GLOBAL MONTELLO GROUP August fuel 262568	255-43200.626 GAS,GREASE AND OIL	185.99	30299	09/11/20
06355	08/28/20	INDUSTRIAL SCIENTIFIC Multi-Gas Monitor Service 2351404	255-43200.570 MAINTENANCE OTHER	408.97	30306	09/11/20
36130	07/18/20	VERIZON WIRELESS Usage and Purchase Charge 9858928478	255-43200.535 TELEPHONE SERVICES	170.12	30342	09/11/20
36130	08/18/20	VERIZON WIRELESS shared services 8/19-9/18 9860985098	255-43200.535 TELEPHONE SERVICES	164.93	30343	09/11/20
30210	11/21/19	VT LEAGUE OF CITIES & TOW Unemp Ins FY21Q2 V 30553Q4	255-43200.250 UNEMPLOYMENT INSURANCE	101.80	30348	09/11/20
20470	08/31/20	GLOBAL MONTELLO GROUP August fuel 262568	256-43200.626 GAS,GREASE AND OIL	256.51	30299	09/11/20
17505	09/10/20	SAND HILL SOLAR LLC Village Solar Aug 221	256-43220.002 WEST ST PS COSTS	567.15	30329	09/11/20
17505	09/10/20	SAND HILL SOLAR LLC Village Solar Aug 221	256-43220.001 SUSIE WILSON PS COSTS	372.18	30329	09/11/20
17505	09/10/20	SAND HILL SOLAR LLC Village Solar Aug 221	256-43200.622 ELECTRICAL SERVICE	128.90	30329	09/11/20
30210	11/21/19	VT LEAGUE OF CITIES & TOW Unemp Ins FY21Q2 V 30553Q4	256-43200.250 UNEMPLOYMENT INSURANCE	49.44	30348	09/11/20

09/11/20

Town of Essex / Village of EJ Accounts Payable

12:22 pm

Check Warrant Report # 17216 Current Prior Next FY Invoices For Fund (GENERAL FUND)

HPackard

For Check Acct 01 (GENERAL FUND) All check #s 09/11/20 To 09/11/20 & Fund 2

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
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Report Total

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Check Warrant Report # 17217 Current Prior Next FY Invoices For Fund (GENERAL FUND)

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For Check Acct 01 (GENERAL FUND) All check #s 09/18/20 To 09/18/20 &amp; Fund 2

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
07305	09/10/20	AIRGAS USA LLC Oxygen 9104976174	210-42220.615 EMS SUPPLIES	190.28	30359	09/18/20
42665	08/10/20	AMAZON/SYNCB EJRP Amazon July Purchase 0432266 0820	210-45110.610 SUPPLIES	20.49	30361	09/18/20
16030	09/11/20	BROWN ELECTRIC retrofit street light 35061	210-43115.610 Street Lights Supplies/Ma	2534.53	30370	09/18/20
21120	09/01/20	CHAMPLAIN MEDICAL URGENT Post Offer Physical 0004006100	210-42220.566 PHYSICAL EXAMS	305.00	30373	09/18/20
17895	07/31/20	CLEAN NEST MSP Cleaning 8998	210-41943.026 Contractual Svcs - Maple	2275.00	30375	09/18/20
17895	07/31/20	CLEAN NEST MSP Cleaning 8998	210-41320.600 Emergency Prep. Supplies	2942.00	30375	09/18/20
25120	09/03/20	CLICKTIME.COM Online Timesheets August 324673	210-45110.330 OTHER PROFESSIONAL SVCS	763.00	30377	09/18/20
04940	08/27/20	COMCAST Internet 9/4-10/3 EJFD 0179210 0820	210-41945.022 Telephone - Fire Station	168.40	30378	09/18/20
04940	08/03/20	COMCAST Cable TV 8/10-9/9/20 02077220820	210-41945.022 Telephone - Fire Station	21.34	30379	09/18/20
25515	08/07/20	CONCORD INSPECTION LLC NDT Testing 1053	210-42220.570 MAINTENANCE OTHER	1135.81	30380	09/18/20
17025	09/13/20	COONRADT AMY 09/08/20 VB Meeting minut 0042	210-41320.530 COMMUNICATIONS	234.52	30381	09/18/20
26140	08/16/20	EL GATO CANTINA Open and Outside Vouchers 081620D	210-41335.812 NEW PROGRAMS	700.00	30387	09/18/20
23215	08/10/20	ESSEX EQUIPMENT INC Security Fence Rental 107524520002	210-41320.600 Emergency Prep. Supplies	515.20	30390	09/18/20
23215	09/07/20	ESSEX EQUIPMENT INC Pool Fence Rental 107524520003	210-41320.600 Emergency Prep. Supplies	515.20	30390	09/18/20
38955	08/19/20	F W WEBB COMPANY Motion Activated Faucets 675568383	210-41320.600 Emergency Prep. Supplies	700.54	30392	09/18/20
04640	08/28/20	FASTENAL INDUSTRIAL & CON Carriage Bolts VTBUR283055	210-45220.610 SUPPLIES	265.39	30393	09/18/20
19005	09/01/20	FIRSTLIGHT FIBER TECH PHONE ACCESS Browne 7734758	210-45551.530 TECHNOLOGY ACCESS	48.69	30395	09/18/20
19005	09/01/20	FIRSTLIGHT FIBER TECH PHONE ACCESS Browne 7734758	210-41945.021 Telephone - Brownell	90.60	30395	09/18/20
10705	09/02/20	GARDENERS SUPPLY CO INC MSP Gardens Fall Mums 775348	210-45220.610 SUPPLIES	13.98	30397	09/18/20
34895	09/01/20	GAUTHIER TRUCKING, INC. MSP Trash Removal 1504387	210-41943.026 Contractual Svcs - Maple	392.33	30398	09/18/20
15045	09/01/20	GLOBAL FOUNDRIES US2 LLC Lease for Soccer Fields 090120D	210-45220.441 LAND LEASE	500.00	30399	09/18/20
04035	09/11/20	GOT THAT RENTAL & SALES I BLACK DIAMOND .105 TRIMME 77477	210-43110.610 SUPPLIES	42.89	30400	09/18/20
37715	08/07/20	INTEGRITY COMMUNICATIONS Office Phone Repairs MSP 38628	210-45110.530 COMMUNICATIONS	262.95	30409	09/18/20
26225	08/16/20	KAREN'S KLOSET Open and Outside Vouchers 081620D	210-41335.812 NEW PROGRAMS	70.00	30415	09/18/20
14025	09/11/20	LINCOLN NATIONAL LIFE INS Life Prem Oct 20 Village 100120V	210-41320.210 HEALTH INS & OTHER BENEFIT	162.41	30419	09/18/20

11:22 am

Check Warrant Report # 17217 Current Prior Next FY Invoices For Fund (GENERAL FUND)

hpackard

For Check Acct 01 (GENERAL FUND) All check #s 09/18/20 To 09/18/20 &amp; Fund 2

Vendor	Invoice Date	Invoice Description	Invoice Number	Account	Amount Paid	Check Number	Check Date
14025	09/11/20	Life Prem Oct 20 Village	100120V	210-41510.210 Group Insurance	40.61	30419	09/18/20
14025	09/11/20	Life Prem Oct 20 Village	100120V	210-43110.210 HEALTH INS & OTHER BENEFI	133.85	30419	09/18/20
14025	09/11/20	Life Prem Oct 20 Village	100120V	210-43151.210 HEALTH INS & OTHER BENEFI	21.65	30419	09/18/20
14025	09/11/20	Life Prem Oct 20 Village	100120V	210-45551.210 HEALTH INS & OTHER BENEFI	243.60	30419	09/18/20
14025	09/11/20	Life Prem Oct 20 Village	100120V	210-41970.210 HEALTH INS & OTHER BENEFI	81.20	30419	09/18/20
14025	09/11/20	Life Prem Oct 20 Village	100120V	210-45110.210 HEALTH INS & OTHER BENEFI	162.40	30419	09/18/20
14025	09/11/20	Life Prem Oct 20 Village	100120V	210-45220.210 HEALTH INS & OTHER BENEFI	78.73	30419	09/18/20
25625	09/02/20	EJRP Lowe's August	4191080 920	210-45220.610 SUPPLIES	233.87	30420	09/18/20
V10130	08/14/20	50-CT 1.2NL CNTR C	02078	210-43110.610 SUPPLIES	21.34	30421	09/18/20
V10130	08/29/20	Supplies	02437	210-42220.570 MAINTENANCE OTHER	55.37	30421	09/18/20
V10130	08/29/20	Tax Correction	02437A	210-42220.570 MAINTENANCE OTHER	-3.14	30421	09/18/20
V10130	08/30/20	Supplies	02730	210-42220.570 MAINTENANCE OTHER	60.45	30421	09/18/20
V10130	08/13/20	open outside cleaning	02731	210-41335.812 NEW PROGRAMS	335.22	30421	09/18/20
20670	08/16/20	Open and Outside Vouchers	081620D	210-41335.812 NEW PROGRAMS	350.00	30423	09/18/20
26145	08/16/20	Open and Outside Vouchers	081620D	210-41335.812 NEW PROGRAMS	970.00	30424	09/18/20
V10462	08/31/20	Aug 2020 Legal	AUG20LEGAL	210-41320.320 LEGAL SERVICES	262.50	30427	09/18/20
V10462	08/31/20	Aug 2020 Legal	AUG20LEGAL	210-41320.320 LEGAL SERVICES	280.00	30427	09/18/20
V10462	08/31/20	Aug 2020 Legal	AUG20LEGAL	210-15102.000 EXCHANGE - ENGI/LEGAL	542.50	30427	09/18/20
V10462	08/31/20	Aug 2020 Legal	AUG20LEGAL	210-41320.320 LEGAL SERVICES	807.50	30427	09/18/20
23420	08/03/20	Pool Portolet Cleaning	T537475	210-41320.600 Emergency Prep. Supplies	50.00	30435	09/18/20
23420	08/11/20	MSP Pool Portolets	T537976	210-41320.600 Emergency Prep. Supplies	400.00	30435	09/18/20
24410	09/06/20	COURIER SERVICES	80272037	210-45551.536 POSTAGE/DELIVERY	43.36	30440	09/18/20
26165	08/16/20	Open and Outside Vouchers	081620D	210-41335.810 COMMUNITY EVENTS & PROGRA	360.00	30443	09/18/20
18010	06/30/20	Hoods	3374199	210-42220.612 UNIFORMS,BOOTS,ETC	1003.46	30445	09/18/20
V1976	08/16/20	Open and Outside Vouchers	081620D	210-41335.812 NEW PROGRAMS	90.00	30446	09/18/20

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
02050	09/09/20	RON BUSHEY'S SUNOCO State Inspection EJFD 42 920	210-42220.432 VEHICLE MAINTENANCE	129.95	30447	09/18/20
37965	07/22/20	S D IRELAND CONCRETE East Street sidewalk 83644	210-43124.570 Sidewalk and Curb Mainten	271.25	30452	09/18/20
37965	08/05/20	S D IRELAND CONCRETE Maple Street sidewalk 84063	210-43124.570 Sidewalk and Curb Mainten	273.75	30452	09/18/20
03180	06/24/20	SAFETY SYSTEMS OF VT LLC Electrical Repairs outsid 19820	210-41942.026 R&M Bldg - Maple St Park	2129.98	30455	09/18/20
03180	09/01/20	SAFETY SYSTEMS OF VT LLC Fire Alarm Service - Labo 19965	210-41942.026 R&M Bldg - Maple St Park	341.20	30455	09/18/20
26250	09/09/20	SCOTT'S LINE STRIPING, IN 35 7 Pails of Paint 3 5 20090	210-43123.730 Traffic Control	551.25	30457	09/18/20
10435	08/14/20	SCREENMYLOGO.COM Maint. Masks 18190	210-45220.610 SUPPLIES	139.80	30458	09/18/20
10435	08/31/20	SCREENMYLOGO.COM Maint Hoodies 18207	210-45220.610 SUPPLIES	630.00	30458	09/18/20
42075	08/26/20	STATE OF VERMONT Essex Dog Park Fee 082620D	210-45220.441 LAND LEASE	50.00	30466	09/18/20
23395	09/08/20	VILLAGE HARDWARE - WILLIS Library tent repairs 511989	210-43110.610 SUPPLIES	52.23	30474	09/18/20
40445	09/13/20	VT EMS DISTRICT # 3 Annual Dues EJFD 09132020	210-42220.500 TRAINING, CONFERENCES, DU	60.00	30476	09/18/20
38200	09/04/20	VT RECREATION & PARKS ASS VT Conf - H.Smith 01550	210-45220.500 TRAINING, CONF, DUES	77.00	30478	09/18/20
07565	08/19/20	W B MASON CO INC Hand Sanitizer 212993561	210-41320.600 Emergency Prep. Supplies	89.90	30479	09/18/20
07565	09/02/20	W B MASON CO INC SUPPLIES, COVID SUPPLIES 213421620	210-45110.610 SUPPLIES	29.99	30479	09/18/20
07565	09/02/20	W B MASON CO INC SUPPLIES, COVID SUPPLIES 213421620	210-41320.600 Emergency Prep. Supplies	69.98	30479	09/18/20
07565	09/04/20	W B MASON CO INC Office Supplies 213494176	210-45110.610 SUPPLIES	156.01	30479	09/18/20
07565	09/09/20	W B MASON CO INC Maint Supplies 213583931	210-45220.610 SUPPLIES	772.29	30479	09/18/20
07565	09/10/20	W B MASON CO INC Handwashing Stations 213617525	210-41320.600 Emergency Prep. Supplies	249.90	30479	09/18/20
V10084	05/31/20	HANDY GABE Move sign pole 000758	223-46802.004 Road Res-Q	2000.00	30404	09/18/20
42665	08/10/20	AMAZON/SYNCB EJRP Amazon July Purchase 0432266 0820	225-45122.614 PROGRAM EXPENSES	76.98	30361	09/18/20
26020	09/05/20	802 RESTROOMS CMS Restrooms 7512090520	226-45122.330 OTHER PROFESSIONAL SVCS	7450.00	30355	09/18/20
07305	09/10/20	AIRGAS USA LLC Pool Chemicals 9104976173	226-45124.434 MAINTENANCE-BLDGS/GROUNDS	127.92	30359	09/18/20
07305	08/31/20	AIRGAS USA LLC Pool Chemicals 9973048051	226-45124.434 MAINTENANCE-BLDGS/GROUNDS	294.11	30359	09/18/20
42665	08/10/20	AMAZON/SYNCB EJRP Amazon July Purchase 0432266 0820	226-45124.610 SUPPLIES	612.52	30361	09/18/20
42665	08/10/20	AMAZON/SYNCB EJRP Amazon July Purchase 0432266 0820	226-45122.610 Supplies	1447.00	30361	09/18/20

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
42665	08/10/20	AMAZON/SYNCB EJRP Amazon July Purchase 0432266 0820	226-45121.610 SUPPLIES	331.59	30361	09/18/20
25955	08/23/20	AT&T MOBILITY EJRP Cell Phones August 9923108 920	226-45120.535 Telephone	291.30	30363	09/18/20
07465	09/02/20	BIBENS ACE HARDWARE INC RecKids SLS Site Keys 39028	226-45123.610 Supplies	40.66	30369	09/18/20
19430	09/05/20	ELEGANT FLOORS LLC Park St Carpet CG000474	226-45121.610 SUPPLIES	3974.32	30388	09/18/20
24045	09/03/20	EMPIRE JANITORIAL SUPPLY Janitorial Supplies 206096	226-45123.610 Supplies	361.42	30389	09/18/20
24045	09/08/20	EMPIRE JANITORIAL SUPPLY Janitorial Supplies 206103	226-45123.610 Supplies	271.03	30389	09/18/20
25075	09/03/20	ESSEX HIGH SCHOOL STUDENT YH Volleyball Camp 090320D	226-45115.330 OTHER PROFESSIONAL SVCS	960.00	30391	09/18/20
04640	08/10/20	FASTENAL INDUSTRIAL & CON First Aid Supplies VTBUR282186	226-45122.610 Supplies	64.44	30393	09/18/20
04640	08/24/20	FASTENAL INDUSTRIAL & CON First Aid Supplies VTBUR282845	226-45122.610 Supplies	15.68	30393	09/18/20
04640	08/28/20	FASTENAL INDUSTRIAL & CON First Aid Supplies VTBUR283056	226-45121.610 SUPPLIES	38.74	30393	09/18/20
26220	08/10/20	J&B INTERNATIONAL TRUCKS EJRP Bus Repair R10100000701	226-45122.330 OTHER PROFESSIONAL SVCS	7449.61	30412	09/18/20
17615	09/17/20	JASON TARDY PRODUCTIONS Picnic in the Park 9/17 091720D	226-45115.330 OTHER PROFESSIONAL SVCS	700.00	30413	09/18/20
07070	09/03/20	LIGUORI JENNIFER YH Volleyball Camps 090320D	226-45115.330 OTHER PROFESSIONAL SVCS	3472.00	30418	09/18/20
14025	09/11/20	LINCOLN NATIONAL LIFE INS Life Prem Oct 20 Village 100120V	226-45120.210 HEALTH INS & OTHER BENEFIT	322.52	30419	09/18/20
14025	09/11/20	LINCOLN NATIONAL LIFE INS Life Prem Oct 20 Village 100120V	226-45121.210 HEALTH INS & OTHER BENEFIT	157.27	30419	09/18/20
25625	09/02/20	LOWE'S - 1080 EJRP Lowe's August 4191080 920	226-45115.610 SUPPLIES	313.96	30420	09/18/20
14570	08/27/20	METROCK STATION / VERTI Camp Wild Outdoor Guide 80522	226-45122.330 OTHER PROFESSIONAL SVCS	500.00	30426	09/18/20
41950	08/03/20	OCCUPATIONAL HEALTH CENTE CDL Physical - M.Gillard 1206878763	226-45120.330 OTHER PROFESSIONAL SVCS	123.00	30432	09/18/20
41950	08/31/20	OCCUPATIONAL HEALTH CENTE CDL Physical - K Santor 1206902929	226-45120.330 OTHER PROFESSIONAL SVCS	123.00	30432	09/18/20
24855	09/16/20	PETTY CASH - CAITLIN FAY EJRP Petty Cash Reimburse 091620D	226-45122.580 TRAVEL	40.00	30437	09/18/20
24855	09/16/20	PETTY CASH - CAITLIN FAY EJRP Petty Cash Reimburse 091620D	226-45123.610 Supplies	20.00	30437	09/18/20
24855	09/16/20	PETTY CASH - CAITLIN FAY EJRP Petty Cash Reimburse 091620D	226-45122.610 Supplies	134.60	30437	09/18/20
24855	09/16/20	PETTY CASH - CAITLIN FAY EJRP Petty Cash Reimburse 091620D	226-45123.610 Supplies	345.20	30437	09/18/20
24855	09/16/20	PETTY CASH - CAITLIN FAY EJRP Petty Cash Reimburse 091620D	226-45123.610 Supplies	59.80	30437	09/18/20
24325	08/31/20	RADIO NORTH GROUP INC RecKids SLS Radios 24142379	226-45123.610 Supplies	11280.00	30442	09/18/20

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
24830	REINHART FOODSERVICE	09/08/20	RecKids Hiawatha Snack 368834	226-45120.610 SUPPLIES	107.28	30444	09/18/20
24830	REINHART FOODSERVICE	09/08/20	RecKids SLS Snack 369402	226-45123.610 Supplies	125.01	30444	09/18/20
24830	REINHART FOODSERVICE	09/08/20	Fleming RK Snack 370272	226-45120.610 SUPPLIES	56.24	30444	09/18/20
24830	REINHART FOODSERVICE	09/08/20	Rec Kids SLS Spoons 370560	226-45123.610 Supplies	11.87	30444	09/18/20
24830	REINHART FOODSERVICE	09/08/20	Rec Kids SLS Snack 371078	226-45123.610 Supplies	505.44	30444	09/18/20
24830	REINHART FOODSERVICE	09/08/20	Summit RK Snack 371101	226-45120.610 SUPPLIES	176.99	30444	09/18/20
24830	REINHART FOODSERVICE	05/01/20	VK Snack Rebate RCR517200006	226-45120.610 SUPPLIES	-1.80	30444	09/18/20
24830	REINHART FOODSERVICE	07/06/20	VK Snack Rebate RCR517200009	226-45120.610 SUPPLIES	-43.90	30444	09/18/20
24830	REINHART FOODSERVICE	08/02/20	Camp Snack Rebate July RCR517200010	226-45122.610 Supplies	-82.29	30444	09/18/20
24830	REINHART FOODSERVICE	08/31/20	Snack Rebate August RCR517200012	226-45122.610 Supplies	-47.13	30444	09/18/20
42565	SEVEN DAYS	09/02/20	Employment Ads 206157	226-45123.330 Other Professional Svcs	192.00	30459	09/18/20
42565	SEVEN DAYS	09/09/20	Employment Ads 206312	226-45123.330 Other Professional Svcs	292.00	30459	09/18/20
19290	SMOKEY NEWFIELD PROJECT L	09/17/20	Picnic in the Park 9/17 091720D	226-45115.330 OTHER PROFESSIONAL SVCS	300.00	30461	09/18/20
19130	ST PIUS X CHURCH	09/15/20	RecKids SLS Parish Hall R 6thQFF	226-45123.330 Other Professional Svcs	462.00	30464	09/18/20
38200	VT RECREATION & PARKS ASS	09/04/20	VT Conf - C. Fay 01542	226-45110.500 TRAINING, CONF, DUES	77.00	30478	09/18/20
38200	VT RECREATION & PARKS ASS	09/04/20	VT Conf B. Luck 01543	226-45110.500 TRAINING, CONF, DUES	77.00	30478	09/18/20
38200	VT RECREATION & PARKS ASS	09/04/20	VT Conf A.Callan 01544	226-45120.500 TRAINING, CONF, DUES	77.00	30478	09/18/20
38200	VT RECREATION & PARKS ASS	09/04/20	VT Conf - R.Gallo 01545	226-45120.500 TRAINING, CONF, DUES	77.00	30478	09/18/20
38200	VT RECREATION & PARKS ASS	09/04/20	VT Conf - M.Gillard 01546	226-45120.500 TRAINING, CONF, DUES	77.00	30478	09/18/20
38200	VT RECREATION & PARKS ASS	09/04/20	VT Conf - P.Ivory 01547	226-45115.500 TRAINING, CONF, DUES	77.00	30478	09/18/20
38200	VT RECREATION & PARKS ASS	09/04/20	VT Conf N.Basic 01548	226-45110.500 TRAINING, CONF, DUES	77.00	30478	09/18/20
38200	VT RECREATION & PARKS ASS	09/04/20	VT Conf - K.Santor 01549	226-45115.500 TRAINING, CONF, DUES	77.00	30478	09/18/20
07565	W B MASON CO INC	09/01/20	Rec Kids Supplies 213372343	226-45120.610 SUPPLIES	41.99	30479	09/18/20
07565	W B MASON CO INC	09/01/20	RecKids Hiawatha Supplies 213372750	226-45120.610 SUPPLIES	68.03	30479	09/18/20
07565	W B MASON CO INC	09/02/20	Gloves 213416271	226-45123.610 Supplies	109.90	30479	09/18/20

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
07565	09/04/20	Gloves 213490557	226-45124.610 SUPPLIES	17.99	30479	09/18/20
07565	09/04/20	Rec Kids SLS Med Lock Box 213507134	226-45123.610 Supplies	348.81	30479	09/18/20
07565	09/08/20	Rec Kids SLS Supplies 213543341	226-45123.610 Supplies	37.98	30479	09/18/20
07565	09/09/20	Preschool Supplies 213574807	226-45121.610 SUPPLIES	37.54	30479	09/18/20
V10462	08/31/20	Aug 2020 Legal AUG20LEGAL	230-46801.008 CRESCENT CONNECTOR	552.50	30427	09/18/20
V10462	08/31/20	Aug 2020 Legal AUG20LEGAL	230-46801.007 PEARL ST. LINKING SIDEWAL	17.50	30427	09/18/20
V10462	08/31/20	Aug 2020 Legal AUG20LEGAL	230-46801.008 CRESCENT CONNECTOR	3777.50	30427	09/18/20
V10462	08/31/20	Aug 2020 Legal AUG20LEGAL	230-46801.022 Densmore Dr, FEMA	2462.50	30427	09/18/20
26015	06/19/20	Reimbursement for flood r FY20Reim	230-46801.022 Densmore Dr, FEMA	2800.00	30460	09/18/20
17820	08/12/20	Cascade Bball Repairs 498	233-46801.005 RESURFACING	6175.00	30358	09/18/20
17820	08/14/20	MSP Bball Repairs 500	233-46801.005 RESURFACING	8858.75	30358	09/18/20
17820	08/14/20	Skatepark Repairs 501	233-46801.005 RESURFACING	6080.00	30358	09/18/20
01590	09/02/20	Playground Net Repair 1137	233-46801.009 PARK AMENITIES	21000.00	30436	09/18/20
14245	09/04/20	U-W Operating Nut, Standa 1NV180700	254-43200.614 DISTRIBUTION MATERIALS	90.35	30384	09/18/20
14025	09/11/20	Life Prem Oct 20 Village 100120V	254-43200.210 HEALTH INS & OTHER BENEFIT	100.93	30419	09/18/20
05290	09/15/20	BOTTLE JACK Digester 552025931192	255-43200.570 MAINTENANCE OTHER	22.99	30357	09/18/20
11375	07/01/20	2YD FL SERVICE MSW 3052483	255-43200.565 GRIT DISPOSAL	976.98	30371	09/18/20
23980	09/09/20	Dewatering UPS batteries 903201013772	255-43200.570 MAINTENANCE OTHER	112.04	30410	09/18/20
14025	09/11/20	Life Prem Oct 20 Village 100120V	255-43200.210 HEALTH INS & OTHER BENEFIT	209.19	30419	09/18/20
03160	09/08/20	POLYMER FOR DEWATERING OP 20229	255-43200.619 CHEMICALS	6900.00	30434	09/18/20
V10663	09/04/20	Honeywell C7927A1016 UV F 12546	255-43200.570 MAINTENANCE OTHER	499.98	30468	09/18/20
14025	09/11/20	Life Prem Oct 20 Village 100120V	256-43200.210 HEALTH INS & OTHER BENEFIT	95.16	30419	09/18/20

09/18/20

Town of Essex / Village of EJ Accounts Payable

11:22 am

Check Warrant Report # 17217 Current Prior Next FY Invoices For Fund (GENERAL FUND)

hpackard

For Check Acct 01 (GENERAL FUND) All check #s 09/18/20 To 09/18/20 & Fund 2

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
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Report Total

135031.49

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**From:** Jean Mongeon

**Sent:** Sunday, September 6, 2020 1:14 PM

**To:** Andrew Brown; George Tyler; Daniel Kerin; Raj Chawla; Amber Thibeault

**Subject:** Lavoie Drive, speed bump/table

Dear Board of Trustees:

I would like to suggest a review of the traffic on Lavoie Drive in Essex Junction. I live at No. 5, and I find that most cars going by my house are traveling well over the speed limit. There are more and more children living on this street, and more and more traffic cutting through from Cascade Street. Everyone seems to be in a hurry. I am very concerned about the potential for someone getting hit by a car which is unable to stop quickly.

Thank you for your consideration.

Sincerely,

Jean Mongeon  
5 Lavoie Drive, Essex Junction  
802-233-8763



**From:** Dawn Hill-Fleury

**Date:** September 17, 2020 at 3:00:43 PM EDT

**To:** Andrew Brown <[abrown@essexjunction.org](mailto:abrown@essexjunction.org)>

**Subject:** Village vote

Good Morning

We will be doing the Village vote mailing on October 7th, beginning at 9 AM in the conference room at 81 Main. We could use some help. I need 12 people and only have 5 at this time.

If any of you can help please let me know. We wanted to do this on the first but the ballots will not be ready.

Thanks

Dawn Hill-Fleury

Board of Civil Authority

**Memorandum**

**To:** Selectboard; Evan Teich, Unified Manager  
**Cc:** Board of Trustees  
**From:** Greg Duggan, Deputy Manager; Ron Hoague, Police Chief  
**Re:** Ordinances in regards to merger of Town of Essex and Village of Essex Junction  
**Date:** September 18, 2020

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**Issue**

The issue is for the Selectboard to have a discussion with the police chief about how to handle existing ordinances in the context of a merger of the Town of Essex and Village of Essex Junction.

**Discussion**

The Town of Essex and Village of Essex Junction currently have ordinances that, in some instances, apply to specific parts of the community. The police need to enforce the ordinances where they apply, whether inside or outside the Village of Essex Junction. During conversations around merging the Town and Village, the question has arose of how to handle differences between Town and Village ordinances.

The police would prefer to have one set of ordinances governing the Town and Village. For instance, in the near future the Police Department will propose revised traffic ordinances that can be enforced town-wide, instead of differently inside and outside the Village. The police plan to propose additional changes to other ordinances in the future, as well. If the Town and Village adopt the same ordinances prior to any merger, the ordinances would already be aligned if merger happens.

In the context of merger, attorney Dan Richardson has advised that the more restrictive ordinance would apply, and that the new Selectboard can deal with inconsistencies. Language can be added to the merger charter specifying when ordinances already applied to a specific area continue to do so, such as with the discharge and no-discharge areas for firearms. The transitional phase of the merger charter could note that inconsistencies need to be rectified by a certain date, after which the more restrictive ordinance would take effect; or the existing Town ordinance be applied town-wide to the merged community; or the new charter could specify that the current ordinances apply to their current areas until replaced by newer versions that incorporate them both into one.

**Cost**

n/a

**Recommendation**

This memo is for informational purposes.

# MEETING SCHEDULES

09/11/2020

***DUE TO THE COVID-19 PANDEMIC, ALL MEETINGS ARE HELD ONLINE UNTIL FURTHER NOTICE***

<b>TOWN SELECTBOARD MEETINGS</b> 	<b>VILLAGE TRUSTEES MEETINGS</b> 	<b>JOINT MEETINGS</b> 
September 21, 2020—6:30 PM	SB Regular	Cathy
September 24, 2020—6:30 PM	VB Regular	Amy from recording
September 28, 2020—6:30 PM	JT Special	Cathy
October 5, 2020—6:30 PM	SB Regular	Cathy
October 13, 2020—6:30 PM	VB Regular	Cathy
October 19, 2020—6:30 PM	SB Regular	Cathy
October 26, 2020—6:30 PM	JT Special	Cathy
October 27, 2020—6:30 PM	VB Regular	Cathy
November 2, 2020—6:30 PM	SB Regular	Cathy
November 10, 2020—6:30 PM	VB Regular	Cathy
November 16, 2020—6:30 PM	SB Regular	Cathy
November 23, 2020—6:30 PM	JT Special	Cathy
November 24, 2020—6:30 PM	VB Regular	Cathy
December 7, 2020—6:30 PM	SB Regular	Cathy
December 9, 2020—8:30 AM	VB—All Day Budget Workshop	Cathy
December 21, 2020—6:30 PM	SB Regular	Cathy
December 28, 2020—6:30 PM	JT Special	Cathy
December 29, 2020—6:30 PM	VB Regular	Cathy
January 4, 2021—8:00 AM	SB—All Day Budget Workshop	Cathy
January 11, 2021—6:30 PM	SB Regular	Cathy
January 12, 2021—6:30 PM	VB Regular	Cathy
January 19, 2021—6:30 PM	SB Regular	Cathy
January 25, 2021—6:30 PM	JT Special	Cathy
January 26, 2021—6:30 PM	VB Regular	Cathy
February 1, 2021—6:30 PM	SB Regular	Cathy
February 9, 2021—6:30 PM	VB Regular	Cathy
February 16, 2021—6:30 PM	SB Regular	Cathy
February 22, 2021—6:30 PM	JT Special	Cathy

<b>February 23, 2021—6:30 PM</b>	VB Regular	Cathy
<b>March 1, 2021—7:30 PM</b>	Town Annual Meeting	Cathy
<b>March 9, 2021—6:30 PM</b>	VB Regular	Cathy
<b>March 15, 2021—6:30 PM</b>	SB Regular	Cathy
<b>March 22, 2021—6:30 PM</b>	JT Special	Cathy
<b>March 23, 2021—6:30 PM</b>	VB Regular	Cathy
<b>April 5, 2021—6:30 PM</b>	SB Regular	Cathy
<b>April 7, 2021—7:00 PM</b>	Village Annual Meeting	Cathy