



VILLAGE OF ESSEX JUNCTION TRUSTEES
TOWN OF ESSEX SELECTBOARD
SPECIAL MEETING AGENDA

81 Main Street
Essex Junction, VT 05452
Tuesday, April 9, 2019
7:00 PM

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

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE TO FLAG** [7:00 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 about unified website—Greg Duggan and Rob Paluba
 - b. Approve schedule for future joint board meetings—Greg Duggan
 - c. Discussion and potential selection of preferred Governance options—George Tyler
 - d. Approve RFP for public engagement facilitator for November 2020 vote on governance change—Greg Duggan
 - e. Discussion and potential action on continuation of Governance Subcommittee—George Tyler
 - f. Approve date and prepare for joint board strategic work session—Greg Duggan
6. **CONSENT ITEMS**
 - a. Accept report entitled “Assessment of Critical Non-Compliant Sidewalks, Paths and Crossings” — Dennis Lutz
 - b. Adopt Safety Committee Policy—Greg Duggan
 - c. Approval of minutes: February 6, 2019 (Trustees only, unless changes proposed)
7. **READING FILE**
 - a. Board Member Comments
 - b. Memo from Dennis Lutz re: Chittenden Regional Planning Commission (CCRPC) Unified Planning Work Program (UPWP) for FYE2020
8. **EXECUTIVE SESSION**
 - a. An executive session is not anticipated
9. **ADJOURN**

Members of the public are encouraged to speak during the Public to Be Heard agenda item, during a Public Hearing, or, when recognized by the Chair or President, during consideration of a specific agenda item. The public will not be permitted to participate when a motion is being discussed except when specifically requested by the Chair or President. This agenda is available in alternative formats upon request. Meetings, like all programs and activities of the Village of Essex Junction and the Town of Essex, are accessible to people with disabilities. For information on accessibility or this agenda, call the Unified Manager's office at 878-1341.

Certification: 04/05/2019 *Amitchell*

1 VILLAGE OF ESSEX JUNCTION TRUSTEES
2 TOWN OF ESSEX SELECTBOARD
3 FINAL SPECIAL MEETING MINUTES
4 Monday, April 9, 2019
5

6 **SELECTBOARD:** Elaine Haney, Chair; Max Levy; Andrew Watts; Patrick Murray; Annie Cooper
7

8 **TRUSTEES:** George Tyler, Village President; Dan Kerin; Andrew Brown; Lori Houghton
9

10 **ADMINISTRATION:** Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Sarah Macy,
11 Finance Director/ Assistant Manager; Rob Paluba, IT Director
12

13 **OTHERS PRESENT:** Betzi Bilodeau; Raj Chawla; Diane Clemens; Betsy Dunn; Jerry Fox; Paul
14 Hansen; Don Kent; Brian Shelden; Margaret Smith; Andy Suntup; Linda Suntup; Irene Wrenner
15

16 **1. CALL TO ORDER/ PLEDGE OF ALLEGIANCE TO THE FLAG**

17 Ms. Haney called the special Joint Meeting of the Town of Essex Selectboard and the Village
18 of Essex Junction Trustees to order at 7:00PM. She invited all in attendance to rise and join in
19 the "Pledge of Allegiance".
20

21 **2. AGENDA ADDITIONS/ CHANGES**

22 Ms. Haney reordered the agenda so 5d, approving an RFP, would take place after 5e. She
23 also noted that consulting attorney, Dan Richardson, would join the meeting for item 5c.
24

25 **3. AGENDA APPROVAL**

26
27 **MAX LEVY made a motion, and PATRICK MURRAY seconded, that the Selectboard**
28 **approve the agenda, with changes. The motion passed 5-0.**
29

30 **ANDREW BROWN made a motion, and DAN KERIN seconded, that the Trustees approve**
31 **the agenda, with changes. The motion passed 3-0 (Lori Houghton not yet in attendance).**
32

33 **4. PUBLIC TO BE HEARD**

34 **a. Comments from Public on Items Not on Agenda**

35 Margaret Smith requested that those at the table speak into the microphones, so the public in
36 attendance could hear the discussions.
37

38 Betsy Dunn wondered when the boards will have a conversation about Australian Ballot
39 voting vs. Town meetings. Ms. Haney said this conversation will come up as the boards move
40 forward with governance discussions, but probably not at the current meeting.
41

42 Irene Wrenner pointed out that people struggled to hear at Town Meeting, due to a problem
43 with the microphones.
44

45 **5. BUSINESS ITEMS**

46 **a. Discussion about unified website**

47 Mr. Duggan and Mr. Paluba introduced progress being made toward a unified website. Mr.
48 Duggan noted the color scheme and template provided by CivicPlus, for review and comment;
49 the compilation of Selectboard member and Trustee comments about the website redesign; a
50 draft survey to collect public comment about website needs; and a list of current websites
51 related to the website redesign conversation.
52

53 Trustee members discussed their concerns about the unified website, thinking that they may
 54 lose their Village website in this redesign process. Mr. Kerin asked for more information about
 55 what it means to share a platform. Mr. Paluba and Mr. Duggan explained the differences
 56 between “front end” and “back end” functionality and pointed out that a front-end exact replica
 57 of the current Village Website can be embedded in the platform. They described the back-end
 58 efficiencies that would result by hosting it on a shared platform. Mr. Paluba said the websites
 59 on the new platform would function collectively, include a shared search engine and provide
 60 consistency in how IT updates the website. Ms. Cooper suggested that the Village portion of
 61 the website not go live right away but be created as a replica of the current site with all of its
 62 features.

63
 64 Ms. Houghton and Mr. Tyler wondered what would happen to the website if the municipalities
 65 determine to not unify. Mr. Paluba described a \$150/hour fee associated with extra web
 66 design work with CivicPlus. They discussed the probability that the municipalities would still
 67 share the IT department, even if there is a vote to not unify. In this case, Mr. Paluba said that
 68 they would still benefit from the efficiencies of hosting the websites on a shared platform.

69
 70 The Trustees agreed to share a platform if the front-end of the Village website looks and
 71 functions the same.

72
 73 **b. Approve schedule for future joint board meetings**

74 Mr. Duggan described joint meeting schedule options for 2019-2020 for the Trustees and
 75 Selectboard members to consider. Staff suggested that the boards increase the number of
 76 Joint meetings, due to the increasing number decisions the municipalities must make
 77 together, the amount of similar information they need to be presented with, and the amount of
 78 work to be done before a November 2020 vote on governance changes. He described three
 79 options, with the third as the staff recommendation:

- 80 • Option 1: Status quo meetings (2.5 meetings per month for boards, 4.5 for staff)
- 81 • Option 2: Keep existing schedule and have a joint meeting every month (3 meetings per
 82 month for boards, 5 for staff)
- 83 • Option 3: Same Selectboard and Trustee schedule, with two of the meetings including
 84 joint business for both boards (3 meetings per month for boards, 4 for staff)

85
 86 Mr. Watts was concerned that holding a Joint Meeting at every second meeting would not
 87 leave enough time for municipality-specific items. He also wondered if going from one joint
 88 meeting every other month to two Joint meetings per month is too many, especially if the
 89 Governance Subcommittee also meets regularly. Mr. Teich and Mr. Duggan explained that if a
 90 scheduled joint meeting seems to not be needed, they could communicate this to the boards.
 91 Mr. Levy suggested that they schedule the meetings to get them on their calendars, but if
 92 some end up not being needed that is ok, too.

93
 94 Mr. Kerin cautioned that they schedule based on what is needed at this point and not focus on
 95 each individual scheduling conflict. Incoming Trustee Raj Chawla wondered if the Joint
 96 meetings could be scheduled by 7pm. The majority of the Selectboard and Trustees stressed
 97 that the first joint meeting of the month should be consistent and the second joint meeting
 98 should take place only as needed. Trustees and Selectboard members acknowledged that the
 99 municipality-specific meetings may run over by a few minutes and an increased number of
 100 Consent agenda items may be needed.

102 **MAX LEVY** made a motion, and **PATRICK MURRAY** seconded, that the Selectboard
103 approve **Option 3** for the meeting schedule for 2019-2020. The motion passed 4-1, with
104 dissenting vote by **Andy Watts**.
105

106 **ANDREW BROWN** made a motion, and **DAN KERIN** seconded, that the Trustees approve
107 **Option 3** for the meeting schedule for 2019-2020.
108

109 Mr. Tyler emphasized to staff that they take care to not overfill the meetings, with this change.
110

111 **The motion passed 3-0, Lori Houghton abstained.**
112

113 **c. Discussion and potential selection of preferred Governance options**

114 Mr. Tyler presented the Governance Subcommittee’s recommendation that the municipalities
115 move toward a Unified Charter model. He discussed the two major hurdles for achieving a
116 Unified Charter: establishing a new representation model; and reaching tax equity. Dan
117 Richardson, consulting attorney, stressed that there are ways to handle each issue. He said it
118 is important to be clear with residents that the benefits outweigh the tax changes. Mr. Tyler
119 explained that, under the Unified Charter model, they could either redistribute the electorate
120 based on population or keep representation from the Village and the Town outside the Village
121 to elect two individuals from each region and one “at large” person to represent both. Mr. Tyler
122 said that to reach tax equity, when combining the general funds, Town of Essex residents
123 Outside the Village would assume a 28% increase in taxes. He pointed out that there are
124 multiple options to consider that may ease the shock of this. Mr. Tyler described a second
125 option, which would include a “special districts” model. This would allow the Town Outside the
126 Village and/or the Village to have their own Parks and Rec and Library districts. These special
127 districts would elect and appoint their own boards and their budgets would be separate from
128 the Unified Charter’s general fund. Ms. Haney reiterated that administrative, budgetary and
129 department merger decisions; a 5-year timeline; and establishing a special district, when
130 defining the Unified Charter, could all alleviate the tax impact. She also pointed out that
131 redistricting could be designed in a variety of ways. Mr. Tyler pointed out that a decision by
132 the boards on the Unified Charter recommendation will help inform the outreach strategy.
133

134 The Trustees and Selectboard members supported the Unified Charter approach and
135 discussed the recommendation with Mr. Richardson. He clarified that proportional
136 representation could be written into the Charter either as a Village and Outside the Village
137 formation or they could form newly developed districts. He said the Trustees and Selectboard
138 could establish new voter districts or a neighborhood ward structure with representation from
139 each district along with one “at large” representative from all the districts. He urged caution
140 that they write specific language about flexibility into the charter so districts and representation
141 can adapt to changing population sizes. Ms. Cooper stated that the Unified Charter could be
142 an opportunity for less confusion for the residents than the current Village and Town Outside
143 the Village design. Mr. Watts and Ms. Houghton suggested carefully discussing the dynamics
144 of a “special tax district” and Mr. Kerin pointed out that there should not be taxation without
145 representation. Mr. Murray wanted to consider new annual meeting options while devising the
146 charter and Ms. Haney explained that this would be informed by the Essex Governance
147 Group report and their suggestions. Mr. Watts encouraged a discussion about if there are
148 ways to decrease the number of services in the municipalities to decrease the tax burden. Mr.
149 Tyler encouraged that all decisions be informed by the public’s interests and a dialogue be
150 established.

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The Trustees and Selectboard members discussed the timeline for approving and rolling out the Unified Charter. They discussed the importance of including transitional provisions and the possibility of an interim district during the Legislature's review of the charter, if the vote passes. Mr. Richardson said that the Selectboard and Trustees would need to decide if they will call a special meeting and consider shortened Selectboard member and Trustee terms, at first. He clarified that until the charter is approved by the Legislature, the old charter continues. Mr. Tyler explained that if the vote on the Unified Charter does not pass, the municipalities will revert to the current MOU structure of governance.

Ms. Haney invited community member comments:

Jerry Fox said that there are urban and rural differences between the Village and Town and he wondered why the recreation costs are different. He also wondered why the Town tax rate would go up if the Village is included under a Unified Charter. Ms. Haney explained that the Village currently has a higher tax rate because, in addition to the taxes they pay as residents of the Town of Essex, Village residents also pay for Village-specific services. By unifying, these services and expenses would be shared by all.

Betzi Bilodeau pointed out that the recommended timeline schedules community outreach to take place in summer months, and that people may be harder to reach during the summer. She also advocated for a governance model that does not include the Village and Outside the Village designations. She encouraged the Selectboard and Trustees consider the amortization or step strategy for the tax equalization.

Betsy Dunn suggested forming Essex voting districts using the State of Vermont's representation model. She said, based on population levels, this would result in seven Essex districts. She also proposed a hybrid town meeting followed by a ballot-election process the next month. She approved of phasing in taxes over five years.

Margaret Smith pointed out that the Village residents are members of the Town but the Town residents are not members of the Village. Mr. Tyler confirmed this is true because the Village pays for Village as well as Town services but Town residents who live outside of the Village only pay for Town services. He also clarified that that Town residents are welcome to use Village parks, library, etc., but sometimes at a different rate because Village residents are already paying higher taxes for these services.

Bridget Meyer expressed that she has many concerns but her main concern is that outreach to the community will be very challenging. She pointed out that communicating the plan to the community in a way that people understand may be a huge problem, considering many do not yet understand the status quo. She wondered if there could be a hybrid community member/professional group or community advisory group for problem solving, developing strategies and soliciting public input. Ms. Haney validated this concern and said this discussion will continue.

Brian Sheldon hoped that the dichotomy of maintaining only two districts be avoided moving forward. He suggested a neutral commission be formed to redraw the lines and consider population shifts, so new districts are formed with single-member representation. He talked about his time in Austin, Texas where representation changed from a five at-large

200 representative system to a ten-district representative system, with one at-large. The process
201 was through referendum and an independent committee, with no current or former politician
202 members, redrew the lines. He said this encouraged diverse representation, supportive
203 residents and a governance process that survived the Voting Rights Act.
204

205 Irene Wrenner requested information from Mr. Richardson about outreach that Bradford,
206 Vermont conducted. Mr. Richardson talked about an outreach process conducted in
207 Montpelier to illustrate how important it was for residents to first understand the difficulties with
208 the status quo. He said people need to understand the weaknesses of the Memorandum of
209 Understanding (MOU) between the Essex municipalities. He explained that an MOU is a
210 contractual agreement of how the two municipalities will work together, that either party could
211 walk away from at any time. A charter, however, is legally binding. He suggested that
212 outreach, with municipal and private partnerships including social media, include education on
213 the current dynamics of the status quo, and information about the change.
214

215 Ms. Wrenner encouraged people to use the terms Village and Town Outside the Village to
216 clarify which subset of the Town is being discussed. She said that the information collected
217 from the last community outreach campaign in Essex should be considered and used in this
218 process. She agreed with the idea of re-districting for more comprehensive, thorough and
219 diverse representation. She requested consideration be given to choosing an even number of
220 representatives because, in some large corporations, this is proving to build discussion of
221 diverse views.
222

223 Raj Chawla referenced outreach conducted previously by Essex, that included a video, to
224 point out that the cost allotted to the Unified Charter outreach may not be enough to conduct a
225 thorough campaign with media creation.
226

227 **e. Discussion & potential action on continuation of Governance Subcommittee**

228 The Trustees and Selectboard discussed whether they would approve the continuation of the
229 Governance Subcommittee with two representatives from each body. The boards discussed
230 the goals of the subcommittee over the next few months, including crafting an agreement with
231 the outreach contractor, continuing their research and filtering ideas so facts are clear about
232 unified governance. Mr. Brown encouraged the Subcommittee to hold its first meeting by the
233 end of April.
234

235 Community member Betsy Dunn shared her hope that a resident could join the
236 Subcommittee. Ms. Haney said the Subcommittee’s role is best served by board members,
237 but community engagement will take place through outreach efforts.
238

239 **MAX LEVY made a motion, and PATRICK MURRAY seconded, that the Selectboard**
240 **continue Governance Subcommittee work. The motion passed 4-1, with dissenting vote by**
241 **Andy Watts.**
242

243 **DAN KERIN made a motion, and LORI HOUGHTON seconded, that the Trustees continue**
244 **to provide members to the Governance Subcommittee. The motion passed 4-0.**
245

246 **d. Approve RFP for public engagement facilitator for November 2020 vote on governance**
247 **change**

248 Mr. Duggan presented the proposal that the Selectboard members and Trustees authorize
249 staff to issue a request for proposals (RFP) for a public engagement facilitator, in preparation
250 for a November 2020 vote on governance. Prior to the vote, the contractor would solicit input
251 from thousands of residents to review and shape the governance change options.
252

253 Ms. Cooper said the effort should include media talent from the community and bring on board
254 residents as a civic engagement opportunity. Mr. Levy and Ms. Houghton posed questions
255 about how much money it would take to reach thousands of people, suggesting that the
256 amount in the RFP seems far less than enough. Mr. Duggan suggested that it could be
257 revised and posted as a Request for Qualifications that asks applicants to submit a budget,
258 without dictating an amount. The Trustees and Selectboard members suggested revisions to
259 the RFP to ensure the applicants know the number of residents they will be expected to
260 receive input from, understand their role with staff and the Governance Subcommittee, and
261 are clear about the scope of work expected of them.
262

263 **ANDY WATTS made a motion, and MAX LEVY seconded, that the Selectboard authorize**
264 **staff to issue a Request for Qualifications for a public engagement facilitator in**
265 **preparation for a November 2020 vote on governance. The motion passed 5-0.**
266

267 **ANDREW BROWN made a motion, and LORI HOUGHTON seconded, that the Trustees**
268 **authorize staff to issue a Request for Qualifications for a public engagement facilitator in**
269 **preparation for a November 2020 vote on governance. The motion passed 4-0.**
270

271 **f. Approve date and prepare for joint board strategic work session—Greg Duggan**
272 Mr. Duggan presented a proposal that a strategic work session take place in June, for the
273 boards to focus on organizational management between the interconnected municipalities.
274 Mr. Teich described his hope that at least 10 department heads will be in attendance with a
275 majority of the Selectboard members and Trustees.
276

277 Mr. Watts and Mr. Tyler stressed that, if a facilitator is hired, they should be work-focused and
278 there should be a clear product at the end of the event. Mr. Teich explained that the facilitator
279 would also be charged with keeping the agenda on time, because the day will include so
280 many presentations from staff and work sessions.
281

282 Staff said that they will send out a doodle poll of options for days in June to see which will
283 work best for the largest number of people.
284

285 **ANDY WATTS made a motion, and MAX LEVY seconded, that the Selectboard authorize**
286 **the Unified Manager to hire a facilitator for the strategic work session event. The motion**
287 **passed 5-0.**
288

289 **DAN KERIN made a motion, and ANDREW BROWN seconded, that the Trustees authorize**
290 **the Unified Manager to hire a facilitator for the strategic work session event. The motion**
291 **passed 4-0.**
292

293 **6. CONSENT ITEMS**

294 a. Accept report entitled “Assessment of Critical Non-Compliant Sidewalks, Paths and
295 Crossings”

296 **The Selectboard/Trustees accept the report by the CCRPC and Toole Design Group**
297 **entitled “Assessment of Critical Non-Compliant Sidewalks, Paths and Crossings”**

- 298 and direct staff to utilize the report to develop a five-year municipal plan in the
- 299 Village and in the Town to address the ADA issues as they impact on sidewalks,
- 300 paths and crossings.
- 301 b. Adopt Safety Committee Policy
- 302 The Selectboard/Trustees adopt the Joint Safety Committee Policy.
- 303 c. Approval of minutes: February 6, 2019 (Trustees only)
- 304

305 **MAX LEVY** made a motion, and **PATRICK MURRAY** seconded, to approve the Consent
 306 agenda with comments. The motion passed 5-0.

307
 308 **ANDREW BROWN** made a motion, and **DAN KERIN** seconded, to approve the Consent
 309 agenda. The motion passed 4-0.

310
 311 **7. READING FILE**

312 **a. Board Member Comments**

313 The Selectboard and Trustees thanked Lori Houghton for her service as this was her final
 314 meeting as a Trustee.

315
 316 **8. EXECUTIVE SESSION**

317 There was no executive session.

318
 319 **9. ADJOURN**

320
 321 **MAX LEVY** made a motion, and **PATRICK MURRAY** seconded, to adjourn the meeting. The
 322 motion passed 5-0 at 10:26 pm.

323
 324 **ANDREW BROWN** made a motion, and **DAN KERIN** seconded, to adjourn the meeting. The
 325 motion passed 4-0 at 10:26 pm.

326
 327 Respectfully Submitted,
 328 Cathy Ainsworth
 329 Recording Secretary

330
 331 Approved this 20th day of May, 2019

332
 333 (see minutes of this day for corrections, if any)

334
 335
 336 
 337 _____
 338 Patrick Murray, Clerk, Selectboard

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