



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

81 Main Street
Essex Junction, VT 05452
Monday, June 3, 2019

7:30 PM (or immediately following
Town of Essex Selectboard Meeting)

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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** [7:30 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. Recognition of Chelsea Mandigo for Stormwater Award from Green Mountain Environmental Association
 - b. Recognition of Adriane Martin for Young Professional Award from Vermont Recreation & Parks
 - c. Update from Champlain Water District and introduction of Joe Duncan as CWD General Manager—James Fay
 - d. Planning for June 22 Strategic Advance work session—Jen Knauer
 - e. Update of development fees—Dana Hanley & Robin Pierce
 - f. Accept Town of Essex and Village of Essex Junction Housing Needs Assessment and Action Plan—Dana Hanley & Robin Pierce
 - g. Accept Essex Community Enhanced Energy Plan—Dana Hanley & Robin Pierce
 - h. Discussion of voting timeline for November 2020 vote on governance change—Evan Teich
 - i. Hire marketing firm for public engagement around governance change—Greg Duggan
6. **CONSENT ITEMS**
 - a. Approval of minutes: May 28, 2019
7. **READING FILE**
 - a. Certificate of Merit to Village of Essex Junction from Vermont Planners Association
 - b. Town of Essex/Village of Essex Junction Report for Calendar Year 2018: Progress on Implementation of All-Hazards Mitigation Plan
 - c. Job Description: Merger Project Manager (Long-term, temporary, part-time)
 - d. Board Member Comments
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: 05/31/2019 *Amitchell*

**VILLAGE OF ESSEX JUNCTION TRUSTEES
TOWN OF ESSEX SELECTBOARD
FINAL SPECIAL MEETING MINUTES
Monday, June 3, 2019**

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

TRUSTEES: Andrew Brown, President; George Tyler; Amber Thibeault (Dan Kerin and Raj Chawla were not in attendance)

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Sarah Macy Finance Director/Assistant Manager; Ally Vile, Parks & Recreation Director; Adriane Martin, Parks & Recreation Program Coordinator; Chelsea Mandigo, Stormwater Coordinator/Wastewater Operator; Darren Schibler, Planner; Sharon Kelley, Zoning Administrator; Robin Pierce, Village of Essex Junction Community Development Director

OTHERS PRESENT: John Alden; Natalie Braun; Diane Clemens; Maura Collins; Colin Flanders; Jim Fry; Liz Gamache; Lori Houghton; Jen Knauer; Phil March; Greg Morgan; Melanie Needle; Margaret Smith; David Skopin; Jake Tran; Mia Watson; Irene Wrenner

1. CALL TO ORDER

Elaine Haney called the Town of Essex Selectboard back to order from their recess, and Andrew Brown called the Village of Essex Junction Trustees to order. They entered into the Special Joint Meeting of the Village of Essex Junction Trustees and the Town of Essex Selectboard at 7:40 PM.

2. AGENDA ADDITIONS/CHANGES

Mr. Duggan asked to add item 5i to the agenda to discuss entering into a contract with a market research firm. Mr. Duggan also asked to add item 8a, in relation to this, an anticipated Executive Session to discuss awarding a contract.

3. AGENDA APPROVAL

MAX LEVY made a motion, and **PATRICK MURRAY** seconded, that the Selectboard approve the agenda as amended. The motion passed 5-0.

ANDREW BROWN made a motion, and **GEORGE TYLER** seconded, that the Trustees approve the agenda as amended. The motion passed 3-0.

4. PUBLIC TO BE HEARD

- a. **Comments from Public on Items Not on Agenda**
There were no comments from the public.

5. BUSINESS ITEMS

- a. **Recognition of Chelsea Mandigo for Stormwater Award from Green Mountain Environmental Association**

The Selectboard and Trustees recognized and congratulated Chelsea Mandigo, on her honor of receiving the Stormwater Award from the Green Mountain Environmental

Association, for outstanding performance in stormwater management and/or education, and significant contribution to the stormwater field. Ms. Mandigo said the award recognizes her contributions in the field of maintaining water quality. Ms. Haney acknowledged Ms. Mandigo's highly specialized skills. The board members gave Ms. Mandigo a standing ovation.

b. Recognition of Adriane Martin for Young Professional Award from Vermont Recreation & Parks

The Selectboard and Trustees talked with Ally Vile in recognition of Adriane Martin. They congratulated Ms. Martin on the honor of her receiving the Young Professional Award from Vermont Recreation & Parks, given to individuals who exhibit leadership, creativity, and have made significant contributions to the field of parks and recreation over time. Ms. Vile explained that during Ms. Martin's 5 years with Essex Parks and Recreation she has increased student involvement and intern mobilization and was recently chosen as the Chair Elect for the State Conference in 2020. The board members gave Ms. Martin a standing ovation.

c. Update from Champlain Water District (CWD) and introduction of Joe Duncan as CWD General Manager— James Fay

Mr. Fay introduced Mr. Duncan as the new CWD Manager. Previously, Mr. Duncan was the Chief Engineer and Assistant General Manager. He will begin his new role with CWD on July 1. Mr. Duncan explained that he is looking forward to continuing positive communications with the Selectboard and Trustees in this role. The board members and Trustees thanked Mr. Fay upon his retirement for his decades of service.

Mr. Fay discussed the benefits of the CWD governing structure with Mr. Watts. The CWD includes one elected commissioner (one vote) per city/town. He said there are also 28 employees to supply all 12 water districts, with only one Human Resources employee, one Finance Director and one Receptionist. Mr. Fay did not think that Mr. Watts' suggestion of sharing back-office functions with other service organizations would be possible.

Mr. Duncan talked with Mr. Brown about his interest in continuing the district's successful, proactive approach toward asset management and maintenance. Mr. Levy asked Mr. Duncan why Comparative Retail Water Rates in Essex Junction are lower than the rates in the Town of Essex and asked for clarification of sharp water rate fluctuations in the past. Mr. Duncan explained that water rates are calculated from the wholesale rate, with consideration of operational maintenance and water investment debt within the different municipalities. He also discussed the impact GLOBALFOUNDRIES' water use has on rates, explaining that their high water use allows for more economical rates, but when their water use goes down, fixed rates increase to make up the difference. Similarly, when IBM closed, the significant change in water use caused sharp fluctuations in rates. Mr. Fay pointed out that over the past 10 years rates have increased for the average family by \$4.17. He also explained that CWD has been carefully managing a capital reserve fund to ensure effective asset maintenance. He said that 2 months of the CWD operating budget is fund balance.

d. Planning for June 22 Strategic Advance work session—Jen Knauer

Ms. Knauer, moderator for the June 22 Strategic Advance work session, discussed the draft agenda with the Selectboard members and Trustees. She summarized key points from Liz Gamache's presentation at the previous joint meeting and requested feedback on the strategic advance agenda's menu of topics. These potential agenda topics include:

- A. Opportunity to hear from staff
- B. Articulate shared rationale/ vision for merger
- C. Define division of roles and responsibilities
- D. Develop tasks, key decision points and timeline leading up to November 2020
- E. Determine how decisions will be made
- F. Confirm communications plan
- G. Board/Trustee discussion and clarification of next steps

To inform the day's activities, the Selectboard and Trustees agreed to provide Ms. Knauer relevant, available information, such as established timeline points around legal dates for ballots, and suggestions from the marketing firm. Mr. Tyler will provide the draft communications plan, begun by the Joint Committee on Unification as well as relevant research and any key questions that need to be resourced at the Strategic Advance. They also agreed on three public comment periods of 5 to 10 minutes at morning, midday and at the end of the day, with time carefully allotted to speakers based on an initial raise of hands of all who wish to speak within the set timeframe.

Mr. Tyler hoped that operational and governmental matters remain clear so discussions of conceptualization will not be hindered by discussions of day-to-day matters. He wondered if having so many stakeholders present might be too ambitious. Ms. Knauer, Mr. Duggan, Mr. Brown and Mr. Teich talked about the benefits of staff presence and roles they might play during the day. Ms. Knauer clarified that staff input can be valuable when conceptualizing different futures. She clarified that the staff knowledge of real-life implications should be seen as a resource base available during the day to help streamline the process of conceptualization. Mr. Teich and Mr. Brown pointed out how valuable it is for staff to hear board enthusiasm and learn about what decisions need to be made.

Mr. Murray hoped significant time would be spent on item B, so the discussion around vision and rationale of merger options can go into depth. Mr. Brown discussed the importance of items E, C and G to inform the development of an infrastructure of how decisions will be made. Mr. Watts would like to discuss what should be in the communications plan.

Ms. Cooper confirmed with Ms. Knauer that the agenda would have clear timeframes around the central topics to be used in the day's design and Ms. Thibeault hoped there may be breakout sessions. Ms. Knauer explained that there will be multiple open discussions with easel sheets utilized to visualize trends. A recap at the end of the day will be prioritized.

e. ****Update of development fees—Dana Hanley & Robin Pierce**

Ms. Haney requested this item be moved to after Item 5g on the agenda to allow guests at the meeting to present first.

148 **GEORGE TYLER** made a motion on behalf of the Village Trustees, and **AMBER**
149 **THIBEAULT** seconded, to rearrange the agenda as described by Selectboard Chair
150 **Elaine Haney**. The motion passed 3-0.

151
152 **MAX LEVY** made a motion, and **ANNIE COOPER** seconded, to move item 5e to after
153 5g. The motion passed 5-0.

- 154
155 f. **Accept Town of Essex and Village of Essex Junction Housing Needs Assessment**
156 **and Action Plan— Darren Schibler & Robin Pierce**

157
158 **Mr. Brown** recused himself from this discussion because the topic pertains to the
159 work of his employment, which may suggest a conflict of interest. He passed his
160 Village Chair responsibilities to **Mr. Tyler** for the purpose of this discussion.

161
162 Mr. Schibler and Mr. Pierce provided a summary of the Town and Village Housing
163 Needs Assessment (HNA) and Action Plan. Mr. Schibler walked through a PowerPoint
164 overview that provided the context, driving questions, data sources and margin of error
165 for the study, as well as the goals and findings. The goals are that "everyone should
166 have access to a home that is affordable ($\leq 30\%$ of household income); is a desirable
167 type and size; located to support walking, biking and public transit; meets special needs
168 (ADA, senior care, recovery support, low-income, etc.); available without discrimination."
169 The findings included demographic trends of Essex, including Essex Junction, that show
170 increasing population, shrinking household size, more seniors and young adults,
171 increasing ethnic diversity, stagnant incomes and increasing cost burden. Mr. Schibler
172 discussed the finding that lower end jobs cannot or can just barely afford rent or a home
173 mortgage in Essex, so these employees mostly live outside of Essex and commute to
174 work. Mr. Schibler summarized the trends for rental housing as well as homeownership,
175 noting that affordability is an issue and renters often cannot access homeownership. He
176 also discussed trends for housing for the elderly, special needs housing and
177 homelessness. He described the recommended action plan, which would establish a
178 Joint Housing Commission; revise the land use regulations (consider inclusionary
179 zoning); reduce development fees for affordable housing projects; establish a housing
180 trust fund; and partner with housing developers and non-profits.

181
182 **Maura Collins**, an Essex resident and Executive Director of the Vermont Housing
183 Finance Agency (VHFA), thanked the Village of Essex Junction for supporting an
184 application that enabled VHFA to revamp their housing data website. She gave credit to
185 Essex staff for generating the Housing Needs Assessment and Action plan and said she
186 has discussed the proposal of establishing a joint housing commission with the Trustees
187 and Selectboard. She also spoke with the Economic Development Commission and with
188 ecumenical faith-based groups about this. Ms. Collins sees the formation of a housing
189 commission as a great first step in tackling housing needs in the area. VHFA staff
190 participates in many local municipal housing commissions and they are willing to provide
191 support and to work in partnership with Essex to move forward with a full community
192 action plan.

193
194 **ANDY WATTS** made a motion, and **MAX LEVY** seconded, that the Selectboard accept
195 the Town and Village Housing Needs Assessment and Action Plan. The motion
196 passed 5-0.

198 **AMBER THIBEAULT made a motion, seconded by ANDREW BROWN, to accept the**
199 **Town and Village Housing Action Plan.**

200 After discussion with Mr. Teich and Mr. Tyler, and upon legal counsel from the Village
201 Attorney, Mr. Brown recused himself from this vote. Because there was no voting
202 quorum, no vote could take place. Trustees not present will review the video of this
203 meeting and a vote on this topic will be taken at the next Trustees meeting where there
204 is a quorum.
205

206 **Amber Thibeault withdrew her motion.**
207

208 State Representative Lori Houghton pointed out that VHFA and other housing agencies
209 in Vermont have pushed for the State to address the issue of people who are financially
210 eligible but still not qualifying for Federal Housing Vouchers. As a result, language in the
211 current state budget will ensure that legislators dig into this topic to better understand
212 the Federal Housing Assistance available to the state and to strategize how to best use
213 it.
214

215 **g. Accept Essex Community Enhanced Energy Plan— Melanie Needle & Darren**
216 **Schibler**

217 Ms. Needle, the Senior Planner for the Chittenden County Regional Planning
218 Commission (CCRPC), introduced the Essex Community Enhanced Energy Plan
219 (ECEEP) and walked through a PowerPoint presentation. The Energy Committee,
220 Essex staff and both planning commissions were instrumental in the development of the
221 ECEEP. She said that Act 174 gives greater say to municipalities to permit renewable
222 energy initiatives or enhanced energy planning and the regional planning commissions
223 can review and approve enhanced energy plans. She pointed out that Vermont's energy
224 goals by 2050 are pushing municipalities to make big changes in heating, energy,
225 transportation and housing. Ms. Needle provided an overview of Vermont's total source
226 energy use (20% renewable in 2017) in multiple areas. She also gave an overview of
227 suggested implementation actions. She noted strategies for building renovations or new
228 developments; thermal and energy efficiency education and infrastructure; ease of use
229 of alternative energy transportation; access to alternative modes of transportation; and
230 siting of land use for renewable energy generation. She discussed energy targets and
231 analysis developed by the Vermont Energy Investment Corporation for Essex with
232 metrics and targets that show trajectories for changes in areas like the number of people
233 who switch to electric vehicles or begin using alternate heating and power sources for
234 electricity.
235

236 Ms. Haney suggested that at a future date, when there is time for discussion and more
237 individuals from the Energy Committee in attendance, Ms. Needle should return to the
238 Selectboard and Trustees to discuss the implementation strategies embedded in the
239 ECEEP in more detail. Ms. Needle pointed out that this plan will be an appendix to the
240 draft Village 2019 Comprehensive Plan being voted on by the Essex Junction Planning
241 Commission, which will then be sent to the Trustees the week of June 10th for approval,
242 followed by a public hearing in July. The Comprehensive Plan is scheduled to go to the
243 Trustees for adoption in August. The Town will be able to use the ECEEP in its
244 Comprehensive plan when the time comes and, in the meantime, can use the report to
245 support aligned initiatives.
246

247 **MAX LEVY made a motion, and PATRICK MURRAY seconded, that the Selectboard**
 248 **accept the Essex Community Enhanced Energy Plan. The motion passed 5-0.**
 249

250 ****e. Update of development fees— Darren Schibler & Robin Pierce**

251 Mr. Schibler and Mr. Pierce introduced the issue of considering alignment of
 252 development fees between the Village of Essex Junction and the Town of Essex. In the
 253 proposal, Phase 1 would align administrative and deliberative fees. Then, later, Phase 2
 254 would examine impact fees.
 255

256 Mr. Tyler hoped to learn more about the underlying logic for this proposal and for how
 257 development fees are determined by the Town. He expressed concern that this step
 258 could change the way impact fees are used toward development goals in the Village
 259 and that it is contradictory to efforts toward tax stabilization. Mr. Pierce explained that
 260 impact fees are rarely used in the Village, in order to encourage development.
 261

262 Ms. Haney discussed with Mr. Levy and Mr. Duggan how Town impact fees are
 263 currently determined, how the fees are used for capital funding, and the role of the
 264 Economic Development committee with this. Zoning Administrator Sharon Kelly shared
 265 that there has not been an increase in Town fees for a long time and there is room for
 266 the Town to have discussion with the Village on this.
 267

268 Mr. Schibler and Mr. Pierce discussed the day-to-day administrative benefits of aligning
 269 administrative and deliberative fees. Mr. Brown suggested aligning these first, under
 270 Phase 1, and holding off on Phase 2, because it warrants more discussion between the
 271 Selectboard and Trustees. Ms. Haney pointed out that the topic of impact fees may
 272 come up during capital budgeting conversations in the unification process. Mr. Duggan
 273 suggested that the topic could be included in timeline planning that takes place at the
 274 Strategic Advance.
 275

276 **ANDY WATTS made a motion, and Max Levy seconded, that the Selectboard**
 277 **authorize the Community Development Departments to create a proposal for parity**
 278 **between the two fee schedules of administrative and deliberative fees, which would**
 279 **be considered by the two legislative bodies at a later date. The motion passed 5-0.**
 280

281 **GEORGE TYLER made a motion that the Trustees authorize staff to jointly study and**
 282 **elaborate the goals of administrative and deliberative fees between the Village and**
 283 **the Town.**

284 Mr. Brown suggested utilizing the Selectboard's motion, for unity, noting that Mr. Tyler's
 285 request for elaborated goals be included in the work Community Development
 286 Departments' work. Ms. Haney observed that Mr. Tyler's motion did come up with a
 287 proposal for new fees.
 288

289 **GEORGE TYLER withdrew his motion.**
 290

291 **ANDREW BROWN made a motion, and AMBER THIBEAULT seconded, that the**
 292 **Trustees authorize the same motion as the Selectboard. The motion passed 3-0.**
 293

294 **h. Discussion of voting timeline for November 2020 vote on governance change—**
 295 **Evan Teich**

296 Mr. Teich discussed the timeline of the unification merger plan, including deadlines that
 297 must be met according to state statutes, at the state and local levels, in order to get a

vote on the ballot for November 3, 2020. Elaine Haney requested information of if the holiday date deadline can be changed without missing other required deadlines. Mr. Levy pointed out that this phase of the unification process begins in August 2020, which means all of the details that go into this process will be ironed out before then. Mr. Watts noted that the decision of which merger plan to go with will determine who votes. He and Mr. Brown talked about the importance of consulting with legal counsel regarding this phase of the timeline. Mr. Brown suggested that the Trustees and Selectboard read state statutes related to these deadlines.

i. ***Hire market research firm for public engagement around governance change—Greg Duggan**

Mr. Duggan explained that staff interviewed six market research firms for the governance change outreach efforts. He suggested that the Selectboard members and Trustees enter into executive session to discuss and select a firm to contract with.

6. CONSENT ITEMS

a. **Approval of minutes: May 28, 2019**

Mr. Watts suggested the minutes be changed from "Monday, May 28" to "Tuesday, May 28".

GEORGE TYLER made a motion, and AMBER THIBEAULT seconded, that the Trustees approve the Consent agenda with the change suggested by Mr. Watts. The motion passed 3-0.

7. READING FILE

- a. Certificate of Merit to Village of Essex Junction from Vermont Planners Association
- b. Town of Essex/Village of Essex Junction Report for Calendar Year 2018: Progress on Implementation of All-Hazards Mitigation Plan
- c. Job Description: Merger Project Manager (Long-term, temporary, part-time)
- d. **Board Member Comments**
 - Mr. Watts noted how much reading there was in this meeting's reading file and suggested some of the documents could have been provided farther in advance.

8. EXECUTIVE SESSION

- a. ***An Executive session to discuss entering into a contract with a firm to conduct public engagement efforts about governance change.**

ANDY WATTS made a motion, and MAX LEVY seconded, that the Selectboard make the specific finding that premature general public knowledge of the Town's position concerning the proposed contract discussion would put the Town at a substantial disadvantage. The motion passed 5-0.

ANDY WATTS made a motion, and MAX LEVY seconded, that the Selectboard enter into executive session to discuss contracts pursuant to 1. V.S.A. 313(a)(1)(A), to include the Trustees, Unified Manager, Deputy Manager, and Finance Director/Assistant Manager. The motion passed 5-0 at 10:00 p.m.

GEORGE TYLER made a similar motion, and AMBER THIBEAULT seconded, on behalf of the Essex Junction Trustees. The motion passed 3-0 at 10:00 p.m.

MAX LEVY made a motion, seconded by PATRICK MURRAY, for the Selectboard to exit executive session. The motion passed 5-0 at 10:33 p.m.

GEORGE TYLER made a motion, seconded by AMBER THIBEAULT, for the Trustees to exit executive session. The motion passed 3-0 at 10:33 p.m.

ANDREW BROWN made a motion, seconded by AMBER THIBEAULT, for the Trustees to authorize the Unified Manager to execute a contract with KSV for public engagement around governance change, and to return to the boards for approval if the contract exceeds \$40,000. The motion passed 3-0.

ELAINE HANEY made a motion, seconded by MAX LEVY, for the Selectboard to authorize the Unified Manager to execute a contract with KSV for public engagement around governance change, and to return to the boards for approval if the contract exceeds \$40,000. The motion passed 5-0.

9. ADJOURN

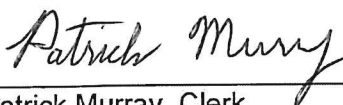
GEORGE TYLER made a motion, seconded by AMBER THIBEAULT, for the Trustees to adjourn. The motion passed 3-0 at 10:35 p.m.

ELAINE HANEY made a motion, seconded by MAX LEVY, for the Selectboard to adjourn. The motion passed 5-0 at 10:35 p.m.

Respectfully Submitted,
Cathy Ainsworth
Recording Secretary

Approved this 15th day of July, 2019

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


Patrick Murray, Clerk