



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

2 Lincoln Street
Essex Junction, VT 05452
Tuesday, November 26, 2019
7:15 PM (or immediately following
Town 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** [7:15 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **PUBLIC TO BE HEARD**
 - a. Comments from Public on Items Not on Agenda
5. **BUSINESS ITEMS**
 - a. Annual presentation, Essex C.H.I.P.S.—David Voegelé
 - b. Annual presentation, Channel 17—Lauren Glenn-Davitian and Meghan O’Rourke
 - c. Adopt Town of Essex and Village of Essex Junction Housing Needs Assessment and Action Plan – Darren Schibler & Robin Pierce
 - d. Discussion of whether to pursue local option tax—Greg Duggan
 - e. Update from Subcommittee on Governance
 - f. Approve revised January meeting schedule – Greg Duggan
 - g. *Evaluation of public officer – Evan Teich
6. **CONSENT ITEMS**
 - a. Approve minutes: October 29, 2019 – Joint Meeting (Trustees only)
7. **READING FILE**
 - a. Board Member Comments
 - b. Memo from Jerry Firkey and Sharon Kelley re: Inform the Essex Selectboard regarding Revisions to the State Rental Housing Health Codes
8. **EXECUTIVE SESSION**
 - a. *An executive session is anticipated to discuss the evaluation of a public officer
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: 11/22/2019

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**VILLAGE OF ESSEX JUNCTION TRUSTEES
TOWN OF ESSEX SELECTBOARD
SPECIAL MEETING MINUTES
Tuesday November 26, 2019**

SELECTBOARD: Elaine Haney, Chair; Andrew Watts; Annie Cooper; Patrick Murray (Max Levy not in attendance)

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

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Sarah Macy, Finance Director/ Assistant Manager; Darren Schibler, Planner, Town of Essex; Robin Pierce, Community Development Director

OTHERS PRESENT: Diane Clemens; Maura Collins; Lauren Davitian; Meghan O'Rourke; David Voegele; Ken Signorello

1. CALL TO ORDER

Andrew Brown called the Village of Essex Junction Trustees back to order from recess, and Elaine Haney called the Essex Selectboard to order, to enter into the Special Joint Meeting of the Village of Essex Junction Trustees and the Town of Essex Selectboard at 7:15 PM.

2. AGENDA ADDITIONS/ CHANGES

Mr. Teich changed agenda item 6a to include Selectboard approval of the minutes of October 29, 2019. He also provided two additional handouts, TV Municipal Update on Essex & Essex Junction, for item 5a, and an Email from Max Levy regarding the discussion of whether to pursue a local option tax, for item 5d.

3. AGENDA APPROVAL

GEORGE TYLER made a motion, and **DAN KERIN** seconded, that the Trustees approve the agenda, as amended. The motion passed 4-0.

PATRICK MURRAY made a motion, and **ANNIE COOPER** seconded, that the Selectboard approve the agenda, as amended. The motion passed 4-0.

4. PUBLIC TO BE HEARD

a. Comments from Public on Items Not on Agenda

There were no comments from the public at this time.

5. BUSINESS ITEMS

a. Annual presentation, Essex C.H.I.P.S.—David Voegele

Mr. Voegele provided an update on Essex C.H.I.P.S. and the Quality Youth Development (QYD) Project. He discussed participation rates and engagement in Essex C.H.I.P.S. Community Health Initiatives and Programs: Teen and Tween Centers; Mentoring; Substance Use Prevention Campaign; Above the Influence state-wide tobacco prevention program; Adventure Orientation program; Youth Mental Health First Aid trainings; and Speech and Debate clubs. He also shared information about the Birdie-Bash 2020 badminton fundraiser to benefit Essex C.H.I.P.S. hosted on January 26th. Mr. Voegele discussed progress on the

51 (QYD) credentialing process, created by Essex C.H.I.P.S. He explained that this could
52 become a national quality standard for communities that support and empower youth. He
53 discussed the QYD benchmarks communities would need to achieve in order to be
54 credentialed. He explained that these benchmarks are based on the Search Institute's Assets
55 Development framework. Mr. Voegelé said that Essex/Westford, the pilot project for QYD, has
56 already achieved 7 of the 10 benchmarks. Four other communities in Vermont are also
57 interested in obtaining the QYD credential. The Selectboard members and Trustees
58 commended Mr. Voegelé on the work of Essex C.H.I.P.S. and encouraged him to continue to
59 share progress updates on Essex/Westford's QYD credentialing.
60

61 **b. Annual presentation, Channel 17—Lauren Davitian and Meghan O'Rourke**

62 Ms. Davitian and Ms. O'Rourke discussed highlights of their Town Meeting TV FY20 Update
63 memo to the Trustees and Selectboard members dated November 24, 2019, in preparation
64 for their FY21 funding request. They shared examples of how the three meetings covered by
65 Channel 17 for Essex Junction and the Town of Essex enable the public to be civically
66 engaged, through real time streaming, YouTube archives with transcripts and recordings
67 available on the website. They talked about how the station navigates changing technologies.
68 Ms. Cooper said her friends watch Channel 17. She and Mr. Brown talked about how
69 fortunate the municipalities are to have the service and Ms. Haney talked about how important
70 and popular the service was during this year's gun ordinance meetings.
71

72 Ms. Davitian and Ms. O'Rourke discussed a recent settlement reached with Comcast to
73 continue operating the station. They said that the settlement includes a stipulation that the
74 station will move from channel 17 to a thousand-tier station and they will operate with a new
75 name and look. Ms. Davitian talked with Mr. Tyler about strategies, such as embedding a link
76 and information on websites, to help people learn how to find the new station.
77

78 Ms. Davitian and Ms. O'Rourke said that the station will be increasing their request of Essex
79 and Essex Junction by 5% this year, noting that it costs approximately \$27K per year for the
80 service, some of which is also paid for by subscribers. Ms. Haney said that the State of
81 Vermont's Public, Educational & Government (PEG) Access Study Committee will continue to
82 consider PEG regulatory and funding mechanisms for community access channels. She
83 suggested that Essex support this group. Ms. Davitian said that there are promising examples
84 nationally, being explored by the committee, where alternative funding is provided from
85 broadband.
86

87 **c. Adopt Town of Essex and Village of Essex Junction Housing Needs Assessment and
88 Action Plan – Darren Schibler & Robin Pierce**

89 Mr. Brown recused himself from this agenda item for an actual or perceived conflict of interest
90 with his employer.
91

92 Mr. Schibler talked with the Trustees and Selectboard members about the Housing Needs
93 Assessment and Action Plan, first presented to them in June. Mr. Tyler and Mr. Murray said
94 they were impressed by the document's breadth of research. Mr. Schibler said, to address the
95 issues of affordable housing, stakeholders from multiple sectors of the community should also
96 be engaged. He talked with the Selectboard and Trustees about establishing a Joint Housing
97 Commission and, eventually, a housing trust fund. Mr. Schibler pointed out that the goals
98 listed on page 5 of the plan could become the mission of a housing commission and a

99 structure similar to the Economic Development Commission could be a model, with 5
100 members comprised of experts in the field. Maura Collins, an Essex resident who is also the
101 Executive Director of the Vermont Housing Finance Agency (VHFA), spoke to the Selectboard
102 and Trustees about her interest in establishing a housing commission in Essex. She talked
103 about how housing commissions function in other municipalities. She encouraged the Board
104 of Trustees and Selectboard to establish a commission soon, keeping in mind that it could
105 take years to finally establish a trust fund.
106

107 Mr. Watts and Mr. Murray shared anecdotes to illustrate issues related Essex's limited
108 housing availability. They talked about young families not being able to move in, former
109 residents not being able to move back and people moving away because housing is
110 unaffordable. Mr. Teich added that, even though a number of new apartments are being built
111 each year, they are filling almost immediately.
112

113 Ms. Haney and Mr. Tyler discussed staff capacity with Mr. Duggan and Mr. Teich, noting their
114 interest in keeping the conversations about housing moving forward. Mr. Teich said that if the
115 Trustees and Selectboard members advise the creation of a Housing Commission, staff will
116 devise a strategy with Ms. Collins and Mr. Schibler. Ms. Haney stated that it is the consensus
117 of the board members to move forward with the idea of establishing a housing commission
118 and suggested another discussion after the holidays about how to proceed.
119

120 **ANDY WATTS made a motion, and ANNIE COOPER seconded, that the Selectboard adopt**
121 **the Town of Essex and Village of Essex Junction Housing Needs Assessment and Action**
122 **Plan. The motion passed 4-0.**
123

124 **DAN KERIN made a motion, and AMBER THIBEAULT seconded, that the Trustees adopt**
125 **the Town of Essex and Village of Essex Junction Housing Needs Assessment and Action**
126 **Plan. The motion passed 3-0, with Mr. Brown recused.**
127

128 **d. Discussion of whether to pursue local option tax—Greg Duggan**

129 Mr. Watts recused himself from this agenda item for an actual or perceived conflict of interest
130 with his employer. Ms. Haney and Mr. Brown called a 5 minute recess to reestablish a quorum
131 of the Selectboard, then reconvened at 8:18
132

133 Mr. Duggan introduced the issue of whether to pursue a local option tax for capital
134 infrastructure expenses. He explained that this tax is the only way, other than raising property
135 taxes, that Essex could secure a significant amount more money to pay for infrastructure. He
136 said the tax could amount to \$1.2 million annually, estimated based on information from the
137 state. He said in order for a Local Option Tax to be established, there would need to be a
138 town-wide vote, the language of which would need to be approved by the board members in
139 January for it to appear on a March ballot. Mr. Teich advocated for the local option tax. He
140 said Essex is the only municipality in the region that has not adopted this yet and the costs
141 associated with wear and tear of the roads by people driving through could be offset by
142 people other than just Essex residents with a Local Option Tax. He noted that this strategy
143 supports resiliency planning, considering that the 10 year plan for Village capital maintenance
144 currently does not have a clear funding source for the full costs associated with these
145 projects. He discussed how the State of Vermont administers the tax. Mr. Brown wondered if
146 there is enough staff capacity to administer the tax, but Mr. Teich assured the board members

147 that they would make it work. Mr. Kerin and Mr. Teich discussed how some large industries
148 could be exempt from parts of a Local Option Tax and Mr. Brown said that the board
149 members would also have the choice of approving only part of the Local Options Tax, such as
150 on rooms and meals. Ms. Cooper wondered if an infographic could be generated to illustrate
151 how weekly expenses may change with the tax.
152

153 Mr. Tyler, Mr. Brown, Mr. Kerin, Mr. Levy (by e-mail) and Ms. Haney expressed support of the
154 tax but pointed out that the timing of the town-wide vote is an issue, with the merger decision
155 and a presidential election already at the forefront. They expressed concern that residents
156 may not understand what the Local Option Tax vote would mean for them in this context. Ms.
157 Haney strongly suggested not pursuing the tax right now. Mr. Teich reminded the board
158 members of the show of hands in support of a Local Option Tax at the Village of Essex
159 Junction's Annual meeting. He also said that the residents at the Town of Essex Annual
160 Meeting demonstrated interest in maintaining infrastructure by adding \$100,000 to the budget
161 for paving. Mr. Murray stated that his campaign for Selectboard included his support of
162 pursuing a Local Options tax. Ms. Thibeault suggested that staff should develop a strategy for
163 the board members to review in January to determine whether or not to pursue a March ballot
164 vote. The Trustees and Selectboard members agreed that they are not opposed to staff
165 bringing more information to a joint meeting in January.
166

167 Ms. Clemens introduced herself as a presiding officer at the polls and pointed out that there
168 are more options than just March for a vote on the Local Options Tax in 2020, noting the April
169 school budget vote and the August primary vote. She shared her opinion that this year is the
170 right time for a Local Options Tax because many other local communities have implemented
171 it, the roads need funding and residents are supportive.
172

173 Mr. Watts returned to the meeting.
174

175 e. **Update from Subcommittee on Governance**

176 Mr. Tyler reviewed the Subcommittee on Governance's recommendation for a representation
177 model within an Essex merger plan: establishing a 7-member board with four seats
178 designated (two from district 8-2; one from district 8-1; one from 8-3) and three seats at-large.
179 Mr. Tyler said that the subcommittee suggested the model be established for a transitional
180 phase, followed by a new government structure thereafter. He said the subcommittee debated
181 over if the recommendation should have been an all at-large representation structure or
182 divided amongst districts. He said they considered public feedback that prefers a ward
183 governance structure. He described the recommendation as the result of compromise on all
184 sides. Mr. Tyler said that, next, the subcommittee will determine a strategy for phasing in
185 taxes. He said there may be interest in creating a designated tax district during the phase-in
186 process to help pay for specific, planned, Village-level infrastructure work.
187

188 Mr. Watts told the board members that the subcommittee discussed the complexities of
189 getting representation correct. He expressed concern that the recommendation for
190 representation does not reflect public survey results. Mr. Brown agreed, pointing out that 50%
191 or higher of surveys from every district recommended a district ward model but a hybrid model
192 was suggested at the lowest rate. Mr. Murray said that the subcommittee's representative
193 model may face challenges because it is relatively unique. He agreed with Mr. Watts and Mr.

194 Brown that representation should be based a district ward model. Mr. Brown added that if the
195 subcommittee’s recommendation is accepted, an independent body should work with the
196 board to determine a permanent model. Ms. Haney suggested that the duration of an interim
197 representative body should be short and should have a requirement to begin developing a
198 districting board immediately. Mr. Watts explained that when the census is completed new
199 population count boundaries will need to be considered in this process.
200

201 Mr. Kerin expressed concern with the subcommittee’s recommendation of a special tax district
202 and Mr. Tyler explained that the tax would be specific, like the penny tax, only to a portion of
203 the community and would not include a representative entity dealing with debt or bonds. Ms.
204 Haney expressed concern that the special district idea is complicated and that any phase-in of
205 taxes should have a longer timeline than an interim representative body.
206

207 Mr. Signorello showed a chart of survey data from the Greater Essex 2020 website to
208 highlight that Essex residents prefer a district ward representation model. He suggested that
209 merger’s governance should include 3 representatives from the Town outside the Village, and
210 3 from inside the Village.
211

212 Mr. Franco said that he moved to Essex in July and would like more information on the issues
213 being discussed. He asked for direction on how to obtain this. Mr. Brown pointed him to the
214 Greater Essex 2020 website; Ms. Cooper said that any of the Selectboard members or
215 Trustees would be willing to talk with him individually; and Mr. Murray suggested that he read
216 current and back issues of the Essex Reporter.
217

218 **f. Approve revised January meeting schedule – Greg Duggan**

219 Mr. Duggan explained that the suggested changes to the January meeting schedule aim to
220 mitigate long meetings previously scheduled.
221

222 **GEORGE TYLER made a motion, and AMBER THIBEAULT seconded, that the Trustees**
223 **accept the January meeting schedule as presented. The motion passed 4-0.**
224

225 **ANNIE COOPER made a motion, and PATRICK MURRAY seconded, that the Selectboard**
226 **approve the schedule. The motion passed 4-0.**
227

228 **g. *Evaluation of public officer – Evan Teich**

229 Discussion of this item took place in executive session as 8a.
230

231 **6. CONSENT AGENDA**

232 **a. Approve minutes: October 29, 2019 – Joint Meeting (Selectboard and Trustees)**
233

234 **ANDY WATTS made a motion, seconded by PATRICK MURRAY, that the Selectboard**
235 **approve the Consent Agenda with Selectboard comments.**

- There were no changes or comments on the minutes.

237 **The motion passed 4-0.**
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239 **AMBER THIBEAULT made a motion, seconded by DAN KERIN, to that the Trustees**
240 **approve the Consent Agenda. The motion passed 4-0.**
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242 **7. READING FILE**

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a. **Board Member Comments**

- There were no board member comments on the reading file.

b. **Memo from Jerry Firkey and Sharon Kelley re: Inform the Essex Selectboard regarding Revisions to the State Rental Housing Health Codes**

8. EXECUTIVE SESSION

a. ***An executive session is anticipated to discuss the evaluation of a public officer**

GEORGE TYLER made a motion, and DAN KERIN seconded, that the Trustees enter into executive session to discuss the evaluation of a public official in accordance with 1 V.S.A. Section 313 (a)(3) and to include the Selectboard. The motion passed 4-0 at 9:55 PM.

ANDY WATTS made a motion, and PATRICK MURRAY seconded, that the Selectboard enter into executive session to discuss the evaluation of a public official in accordance with 1 V.S.A. Section 313 (a)(3) and to include the Trustees.

The motion passed 4-0 at 9:55 PM.

AMBER THIBEAULT made a motion, and DAN KERIN seconded, that the Trustees exit executive session. The motion passed 4-0 at 10:07 PM.

PATRICK MURRAY made a motion, and ANDY WATTS seconded, that the Selectboard exit executive session. The motion passed 4-0 at 10:07 PM.

9. ADJOURN

AMBER THIBEAULT made a motion, seconded by DAN KERIN, for the Trustees to adjourn the meeting. The motion passed 4-0 at 10:08 PM.

PATRICK MURRAY made a motion, seconded by ANDY WATTS, for the Selectboard to adjourn the meeting. The motion passed 4-0 at 10:08 PM.

Respectfully Submitted,
Cathy Ainsworth
Recording Secretary