



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

81 Main Street
Essex Junction, VT 05452
Tuesday, January 21, 2020
7:45 PM (or immediately following
Town Selectboard Meeting)

E-mail: manager@essex.org

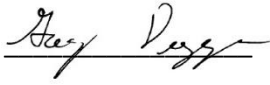
www.essexjunction.org
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Phone: (802) 878-1341

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

1. **CALL TO ORDER** [7:45 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. Discuss and possibly approve conceptual merger language about representation for discussion with state legislators
 - b. Discuss and possibly approve conceptual merger language about taxation for discussion with state legislators
6. **CONSENT ITEMS**
 - a. Approve minutes: January 14, 2020 – Joint Meeting
7. **READING FILE**
 - a. Board Member Comments
 - b. Town and Village Christmas Tree Pick-up
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: 01/17/2020 

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**VILLAGE OF ESSEX JUNCTION TRUSTEES
TOWN OF ESSEX SELECTBOARD
SPECIAL MEETING MINUTES
Tuesday January 21, 2020**

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

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

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager, Sarah Macy, Finance Director/ Assistant Manager; Dennis Lutz, Public Works Director

OTHERS PRESENT: Diane Clemens; Patty Davis; Michael Nosek; Margaret Smith; Ken Signorello; Irene Wrenner

1. CALL TO ORDER

Elaine Haney called the Essex Selectboard back to order from recess, and Andrew Brown called the Village of Essex Junction Trustees to order, to enter into the Special Joint Meeting of the Village of Essex Junction Trustees and the Town of Essex Selectboard at 7:41 PM.

2. AGENDA ADDITIONS/ CHANGES

Mr. Duggan provided a Comparative Taxation Plan document for reference in item 5B.

3. AGENDA APPROVAL

MAX LEVY made a motion, seconded by PATRICK MURRAY, that the Selectboard approve adding the Comparative Taxation Plan to item 5b on the agenda. The motion passed 5-0.

DAN KERIN made a motion, and RAJ CHAWLA seconded, that the 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

There were no comments from the public at this time.

5. BUSINESS ITEMS

a. Discuss and possibly approve conceptual merger language about representation for discussion with state legislators

Mr. Tyler, chair of the Governance Subcommittee, introduced the committee's recommendation for a merger transition model, and asked whether the board members would approve it for discussion with state legislators. He reminded them that that the Selectboard and Trustees would need to determine next steps for the recommendation, as they move forward with the process, because the Governance Committee does not have final voting authority. Mr. Tyler explained that the committee recommended a governance model that is a hybrid of seven representatives, including at-large and designated seats from the current Essex Junction and Essex Town municipalities, with terms of three years and staggered election cycles. He said the committee recommends that this transitional representation phase last 5 years, during which time work would include integration of ordinances, offices, codes and staff, while the governing body determines a final representation model. He pointed out that the representation structure would include 2 members from the former Essex Town

51 'outside the Village' district; 2 members from the former Essex Junction 'Town-inside-the-
52 Village' district; and 3 members at-large. Mr. Tyler explained that this model is a compromise
53 between various factors including the KSV analysis, the values of at-large and voting districts,
54 state statutes, and population numbers that may change after the Census. He read the
55 committee's arguments for voting districts and the at-large arguments. He explained that the
56 next steps will include completing a new Essex Charter draft and meeting with Attorney Dan
57 Richardson, then Legislators.
58

59 The Selectboard and Trustees all agreed with the idea of compromise at the core of the
60 recommended hybrid model but also weighed in on their preferred representation models.
61 They all stressed the importance of the temporary nature of this transitional model and that
62 this new board's work will be to move toward a final representation model that considers
63 accurate population counts and the best interests of the community. The board members
64 discussed the role accurate census numbers would play in districting and the role population
65 size may play on considering at-large models. Mr. Brown pointed out that a separate merger
66 vote for "at large" representation had been voted down in the past. The board members talked
67 about how different models may represent different interests. Ms. Cooper explained that her
68 values of inclusivity could be well reflected in an at-large model. Mr. Murray, and Mr. Watts
69 discussed their experiences of community perceptions of board member bias, based on
70 where they live or how they represent issues. They both stated a strong commitment to
71 considering all sides of situations and see their roles as representing everyone fairly, equally
72 and at-large. Mr. Chawla, Mr. Murray, Ms. Thibeault, and Mr. Brown discussed not preferring
73 a permanent hybrid model, but being willing to accept this as a transition, and talked about the
74 way this model is not directly informed by some of the KSV survey. Mr. Chawla suggested
75 that when the transitional governing body begins to define a more permanent redistricting or
76 at-large voting and representation model, an independent commission may be of value.
77

78 Mr. Tyler discussed the charter timeline and the role of the Vermont Legislature in the merger
79 process. He talked about the expected time lag between an Essex community vote and the
80 State of Vermont's vote in the legislature. He said both of these votes are needed to approve
81 the merger but, during the time between these votes, the current representative model would
82 remain as the governing body. Mr. Tyler pointed out that if a competing voter proposal from
83 Article 5 at Town meeting is voted in, they risk the possibility that the legislature will reject it
84 along with the Governance Subcommittee's recommendation.
85

86 Ms. Haney opened the floor to community comments.
87

88 Ms. Davis pointed out the quantified result of a KSV survey question on page 7, about
89 preferred representation models, where 62.44% of Village and Town residents who
90 participated in the survey preferred a District Ward model. She shared her opinion that, based
91 on this information, the model chosen should be a District Ward model. She said, from her
92 point of view, the interim model chosen by the boards is not a compromise because she
93 believes it only reflects Village interests.
94

95 Ms. Wrenner countered an idea mentioned by a board member that districting models are not
96 preferable for population sizes smaller than 40,000. She believes that Montpelier's 3-district
97 model contradicts this because the population size is smaller than Essex.

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Ms. Smith shared her perspective that the proposed model does not change the Town and Village dynamic of unequal representation. She talked about how she sees unequal representation contributing to unequal services between the Town and Village.

Ms. Haney discussed a chart about Selectboard membership between 1989-2019 to show representation fluctuations of people who live in the Village and the Town outside the Village. She talked about the importance of trusting the people who are elected to serve on the Selectboard, no matter where they are from, because they take an oath to represent everyone. Ms. Wrenner talked about her perception that implicit bias may play a role in decision making, even when Selectboard members think they are representing everyone. Mr. Murray noted that he has not found a vote on record, made by the Selectboard, that split along district lines between the Selectboard members who reside in the Village and the Selectboard members who reside in the Town outside the Village.

b. **Discuss and possibly approve conceptual merger language about taxation for discussion with state legislators**

Mr. Tyler introduced the Governance Subcommittee's taxation plan for the conceptual merger and asked whether the board members would approve it for discussion with state legislators. He clarified that the plan is based on careful budget calculations, KSV survey data, legal assumptions and insights from the Strategic Advance meeting. He said it carefully merges and plans out taxation over 12 years with the goal of lightening the tax burden, by easing it in over time, while not losing major services. He summarized the proposed four point plan of the recommendation and asked that the boards adopt one or more taxation schemes, under point II, to address Village debt and planned capital projects. These taxation schemes could include designating the Village as a tax rate reconciliation district; a sidewalk district; a capital improvement district and/or the Village center as a downtown improvement district. In each of these areas the Village would continue to invest in their own capital projects and pay on debt the Village has incurred.

The board members discussed the proposal. Mr. Levy, Mr. Chawla; Mr. Brown and Ms. Haney expressed concerns with the idea of a Sidewalk District. They talked about complications that may arise with this based on how to determine sidewalk district boundaries; plans of the Town outside the Village to install new sidewalks; current challenges with snow clearing of sidewalks; and maintaining standards of current sidewalk maintenance services. Mr. Murray and Ms. Haney discussed the mechanics of the entire taxation plan, noting that it carefully considers concerns by residents from the Town outside the Village about tax increases under a merger plan. They clarified that the first year of this plan, there would be a combined vote for one budget with two separate tax rates, which would change over 12 years until they are equal tax rates. Mr. Watts requested that the subcommittee ask the attorney about how the five year village capital plan would be affected by a 12 year taxation plan and to ask him about how to ensure that tax stabilization agreements do not expire as an effect of a merger. Ms. Cooper wondered what types of efficiencies would transpire based on finance only crafting one budget instead of two. Ms. Macy shared that having a streamlined budgeting season process would allow for more creative financial planning. Mr. Watts and Mr. Teich

143 discussed how the water and sewer rates and capital would continue to be their own districts,
144 not paid for by general funds but, instead, by water and sewer rates.
145

146 Ms. Haney opened the floor to community comments. Ms. Smith, Mr. Signorello and Ms.
147 Wrenner asked for clarification of the Comparative Taxation Plan chart, provided by staff for
148 the taxation discussion, which illustrates the adjustment of tax rates over twelve years. Ms.
149 Macy explained that the total change in taxes would be a \$330 increase in the Town outside
150 the Village and a \$470 decrease in the Village in order to achieve equality. She clarified that
151 these rate changes would be alleviated by spreading them out over 12 years; each year
152 would be an additional rate change, combined cumulatively with the previous rate changes.
153 The community members requested a chart that better illustrates the cumulative effect of the
154 tax changes for each year of the 12 year plan.
155

156 Ms. Haney reminded the board members that they will be discussing the plan with the entire
157 state legislative body. She asked them to forward any further questions about the proposed
158 representation or taxation plans to Mr. Tyler so they can be vetted by Attorney Richardson
159 and help inform the legislative visit discussions. Mr. Brown pointed out that, as per Vermont
160 statute, the Legislature must pass the new charter, with all new governance and taxation
161 changes, before Essex can make the changes, even if it passes with the voters. Ms. Haney
162 agreed that the legislative body must be in partnership with Essex in this process.
163

164 **ELAINE HANEY made a motion, seconded by PATRICK MURRAY, that the Selectboard**
165 **approve that the Governance Subcommittee visit the legislature to discuss the plans for**
166 **taxation and representation as presented. The motion passed 5-0.**
167

168 **ANDREW BROWN made a motion, seconded by DAN KERIN, that the Trustees approve**
169 **that the Governance Subcommittee visit the legislature to discuss the plans for taxation**
170 **and representation as presented. The motion passed 5-0.**
171

172 **Mr. Tyler stepped away from his seat.**
173

174 **6. CONSENT AGENDA**

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176 **a. Approve minutes: January 14, 2020 – Joint Meeting**
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178 **MAX LEVY made a motion, seconded by ANNIE COOPER, that the Selectboard approved**
179 **the minutes of the last Joint meeting, of January 14, 2020 with Selectboard comments:**

- 180 • Mr. Watts clarified that even though he did not attend the meeting it is Selectboard policy
181 that he still may vote

182 **The motion passed 5-0.**
183

184 **DAN KERIN made a motion, seconded by RAJ CHAWLA, to that the Trustees approve the**
185 **minutes from the last meeting. The motion passed 4-0. (Mr. Tyler returned to his seat, just**
186 **after the vote)**
187

188 **7. READING FILE**

189 **a. Board Member Comments**

- 190 • There were no board member comments at this time.

191 b. **Town and Village Christmas Tree Pick-up**

192

193 **8. EXECUTIVE SESSION**

194 a. ***An executive session is not anticipated**

195 An executive session did not take place.

196

197 **9. ADJOURN**

198

199 **DAN KERIN made a motion, seconded by RAJ CHAWLA, for the Trustees to adjourn the**
200 **meeting. The motion passed 5-0 at 9:37 PM.**

201

202 **Ms. Haney recessed the meeting to enter back into the meeting of the Village of Essex**
203 **Junction Trustees at 9:37 PM.**

204

205

206 Respectfully Submitted,

207 Cathy Ainsworth

208 Recording Secretary