



VILLAGE OF ESSEX JUNCTION TRUSTEES
TOWN OF ESSEX SELECTBOARD
SPECIAL MEETING AGENDA
REVISED 03/24/2020

81 Main St.
Essex Junction, VT 05452
Tuesday, March 24, 2020
7:00 PM (or immediately following
Village Trustees Meeting)

E-mail: manager@essex.org

www.essexjunction.org
www.essex.org

Phone: (802) 878-1341

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

COVID-19 UPDATE: Due to the Covid-19/coronavirus pandemic, the meeting will be held at the Town of Essex Offices, 81 Main St., Essex Jct. This meeting will be held remotely. In-person attendance should be used as a last resort. The public is encouraged to join the meeting using the conference call in information. The meeting is to be live-streamed on Channel 17's YouTube channel, as is always the case. Thank you for your patience and understanding.

- Join via conference call (audio only): (802) 377-3784 | Conference ID: 930 802 7#
For the purpose of recording minutes, you will be asked to provide your first and last name.
When listening to the meeting, please keep your phone on "mute" as to prevent interruptions during the meeting. For agenda items when it is appropriate for the public to speak, please unmute your phone and introduce yourself before requesting the floor from the Board President/Selectboard Chair.

- 1. CALL TO ORDER [7:00 PM]
2. STATEMENT ABOUT COVID-19 AND PUBLIC MEETINGS
3. AGENDA ADDITIONS/CHANGES
4. APPROVE AGENDA
5. PUBLIC TO BE HEARD
a. Comments from Public on Items Not on Agenda
6. BUSINESS ITEMS
a. Discuss recommendations from Governance Subcommittee memo and draft transition provisions
b. Discuss Q&A for water/sewer district recommendations and public works infrastructure
c. Discuss future meeting schedule of Governance Subcommittee
d. Discuss Strategic Advance and potential new date
e. COVID-19 Update and discussion of community and local business impacts
7. CONSENT ITEMS
a. Approve minutes: February 3, 2020 - (Trustees only; Selectboard approved 2/18)
8. READING FILE
a. Board Member Comments
9. EXECUTIVE SESSION
a. An executive session is not anticipated
10. 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: 03/20/2020 [Signature]

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**VILLAGE OF ESSEX JUNCTION TRUSTEES  
TOWN OF ESSEX SELECTBOARD  
SPECIAL MEETING MINUTES  
Tuesday March 24, 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; Rick Jones, Public Works Superintendent; Jim Jutras, Water Quality Superintendent.

**OTHERS PRESENT:** 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 7:09 PM.

**2. STATEMENT ABOUT COVID-19 AND PUBLIC MEETINGS**

Ms. Haney made a statement explaining how the meeting would proceed, with changes instituted to adhere to COVID-19/ coronavirus social distancing mandates. She said, even though the meeting location was in the Town of Essex Offices, 81 Main St., Essex Jct., board members would participate remotely via. Microsoft Teams. She invited the public to participate remotely using conference call-in information.

**3. AGENDA ADDITIONS/ CHANGES**

Ms. Haney proposed to change the agenda by addressing item 6e as the first business item.

**4. AGENDA APPROVAL**

**MAX LEVY made a motion, seconded by PATRICK MURRAY, that the Selectboard approve the agenda as amended. 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.**

**5. PUBLIC TO BE HEARD**

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

There were no comments from the public at this time.

**6. BUSINESS ITEMS**

**e. COVID 19 Update and discussion of community and local business impact**

Mr. Teich provided an update on department planning for COVID-19. This included strategies to keep staff separated from each other when working in the same departments or buildings. He also said only essential personnel are on-site and the business offices are closed to the public, except by appointment for business that cannot be conducted remotely; most business office employees are working from home. Since Mr. Teich's closures and cancellations update at the last Selectboard meeting on March 16, the community's Senior Van has also been suspended. The Selectboard members encouraged Mr. Teich to consider Town Clerk tasks,

52 such as title searches, as non-essential. Mr. Teich clarified that dog licenses registered after  
53 the April 1 deadline will not have penalties. He encouraged the public to process dog licenses  
54 by mail. Ms. Haney noted that the State House is considering legislation to allow public  
55 meetings to be held completely online.

56  
57 Mr. Teich said he would like Town and Village staff to host a community support event to help  
58 in some way during the COVID-19 pandemic. Mr. Levy suggested he consider a blood drive,  
59 as the Red Cross is in serious need. The board members praised municipal staff for excellent  
60 communications, flexibility and adaptability.

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62 a. **Discuss recommendations from Governance Subcommittee memo and draft transition  
63 provisions**

64 Mr. Tyler asked the Trustees and the Selectboard members to decide what to do with the  
65 Governance Subcommittee’s recommendations for the following provisions of a Town and  
66 Village merger plan: Representation, Tax Rate Integration and Transition. Ms. Cooper  
67 encouraged them to also consider that living through the current pandemic may influence the  
68 governance discussion moving forward.

69  
70 The board members discussed what representation model should be included in the charter.  
71 The majority of the Selectboard members and Trustees said that the 3-3 model recently  
72 passed by voters should be included, instead of the Governance Committee’s suggested 2-2-  
73 3 model. They discussed some of the challenges inherent with the 3-3 model and their  
74 concerns about tie votes. They agreed that changing a recently passed governance structure  
75 could be confusing for voters. The board members said that submitting a governance  
76 structure for legislature consideration that is similar to the one recently passed by voters, may  
77 make the process smoother. Mr. Watts suggested the representation section not be included  
78 in the merger charter, instead letting the 3-3 model passed by voters remain in place if  
79 passed by the state legislature. Mr. Brown said if a municipal charter does not specify the  
80 make-up of the legislative body, the State of Vermont requires that it default to a three-  
81 member Selectboard. Mr. Tyler stressed, and Ms. Haney strongly agreed, that the new  
82 charter should require the new board to establish a commission to research whether to  
83 implement and move forward with a ward structure in Essex. They discussed whether this  
84 commission’s recommendations should be ready in two or five years.

85  
86 The board members discussed the Tax Rate Integration models suggested by the  
87 Governance Subcommittee. The majority of the board members agreed with the concept of  
88 implementing tax integration models. Most were in favor of a sidewalk district for the Village  
89 but discussed whether the district could be expanded in future years. Most were also in favor  
90 of the Debt Assessment District and Mr. Levy suggested it be connected to actual dates of  
91 when debt is paid off. Board members expressed concerns with the idea of keeping a tax just  
92 on businesses in a downtown district, but Ms. Haney suggested they consider a penny on the  
93 tax rate kept for businesses as well as residents. Mr. Watts said the Capital Investment  
94 District should be a shorter timeline based on the Village’s five-year capital plan. While Mr.  
95 Brown and Mr. Chawla agreed with the models, they acknowledged their struggle to make a  
96 decision without having actual numbers included. Ms. Cooper stressed that without seeing a  
97 picture of costs associated with a complete separation of the Village from and the Town

98 outside the Village, she was not comfortable supporting any of the proposed Tax Rate  
 99 Integration plans. She said voters would not have enough information to make an informed  
 100 decision without this visual. Staff talked about the challenge of having to make a large number  
 101 of assumptions in order to present separation costs. Mr. Watts said he has received many  
 102 comments from residents in the Town outside the Village that the Village should “give  
 103 something up” to decrease the tax burden of merger. The board members discussed the that  
 104 there are misunderstandings and unsubstantiated perceptions about the Town and Village tax  
 105 structures; for instance, childcare offered by Essex Junction Recreation and Parks is paid for  
 106 entirely by users, not taxpayers. Ms. Macy said she would create new excel workbooks to  
 107 illustrate the topics discussed. Mr. Kerin suggested a visual be created that illustrates what is  
 108 paid for together and separately between the Village and the Town outside the Village.  
 109

110 The board members suggested the following regarding the proposed transition provisions for  
 111 a merged charter:

- 112 • Section 105a: provide flexibility to allow for occasional slow times when meetings may not  
 113 take place, like in some summer months.
- 114 • Section 114: confirm with legal counsel, and make explicit, who needs to vote for what in  
 115 order to dissolve the Town and Village charters and approve a new one.
- 116 • Section 109e: Ms. Haney clarified with Mr. Teich that separate labor unions for the current  
 117 municipalities cannot be dissolved with a charter change, but the employees would be  
 118 able to choose one or the other.  
 119

120 **b. Discuss Q&A for water/sewer district recommendations and public works**  
 121 **infrastructure**

122 Mr. Jones, Mr. Lutz and Mr. Jutras talked about the draft Q&A document about how water and  
 123 sewer districts would be handled in a merged community. Pointing to the Infrastructure  
 124 Comparison Document, Ms. Haney requested that the last line of the Sewer Utility and the  
 125 Water Utility sections be revised to say that residents not using municipal sewer and water  
 126 have their own costs for septic systems and wells. The board members also discussed  
 127 whether the document should note that connection costs to the municipal systems are the  
 128 responsibility of the property owners. Mr. Brown suggested the Q&A have an explicit sentence  
 129 about how the sewer system may expand in the future. Mr. Lutz said the sewer area  
 130 expansion process is very complicated and hard to explain briefly, but that he would try to  
 131 craft a sentence. Mr. Watts suggested the document include more about rates and why the  
 132 Village and Town outside the Village have different rates. Mr. Teich said the cost differences  
 133 are due largely to salaries so having to make assumptions about how departments would be  
 134 structured after a merger is challenge.  
 135

136 Mr. Signorello said that he pays for septic and water hookups to his septic system and his  
 137 well.  
 138

139 **c. Discuss future meeting schedule of Governance Subcommittee**

140 The Trustees and Selectboard members acknowledged the extensive research and hard work  
 141 of the Governance Subcommittee. They noted that the basic framework for a merger is almost  
 142 complete. They discussed whether or not to disband the subcommittee. The board members  
 143 decided to allow the subcommittee to remain intact for possible questions, but they will not

144 assign new tasks at this time. Mr. Tyler and Mr. Watts agreed to work with staff to finalize  
145 details of the merger plan.  
146

147 d. **Discuss Strategic Advance and potential new date**

148 Mr. Teich explained that the date planned for this year’s Strategic Advance should be  
149 rescheduled to avoid any COVID-19 restrictions on gatherings. He said he would send out a  
150 doodle to settle on a new date sometime between late May and June. He briefly reviewed the  
151 proposed agenda for the day, which will set goals for the upcoming year, and suggested the  
152 board members send him suggestions.  
153

154 **7. CONSENT AGENDA**

155  
156 a. **Approve minutes February 3, 2020 – (Trustees only; Selectboard approved 2/18)**  
157

158 **GEORGE TYLER made a motion, seconded by DAN KERIN, to that the Trustees approve**  
159 **the consent agenda. The motion passed 5-0.**  
160

161 **8. READING FILE**

162 a. **Board Member Comments**

- 163 • Mr. Tyler suggested that an upcoming meeting should include an agenda item of planning an  
164 exit poll for the merger vote so the reasons behind the vote results are clear.
- 165 • Mr. Levy expressed interest in the Strategic Advance agenda item 5 about creating a  
166 nonbinding resolution to continue the merger vote effort. He also suggested the boards  
167 choose a date at which point they need to decide whether to put a merger vote on the  
168 November 2020 ballot.
- 169 • This was Mr. Levy’s last municipal meeting as a Selectboard member. He thanked everyone  
170 for the support, camaraderie, and friendship he experienced. He said this was a great  
171 opportunity to do great work together with the staff and leaders of Essex.  
172

173 **9. EXECUTIVE SESSION**

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

175 An executive session did not take place.  
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177 **10. ADJOURN**

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179 **MAX LEVY made a motion, seconded by PATRICK MURRAY, for the Selectboard to**  
180 **adjourn the meeting. The motion passed 5-0 at 10:14 PM.**  
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182 **DAN KERIN made a motion, seconded by RAJ CHAWLA, for the Trustees to adjourn the**  
183 **meeting. The motion passed 5-0 at 10:14 PM.**  
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185  
186 Respectfully Submitted,  
187 Cathy Ainsworth  
188 Recording Secretary