

**SELECTBOARD & TRUSTEES
(DRAFT)**

**TOWN OF ESSEX SELECTBOARD
VILLAGE OF ESSEX JUNCTION TRUSTEES
DRAFT JOINT MEETING MINUTES
Tuesday, August 25, 2020**

SELECTBOARD: Elaine Haney, Chair; Vince Franco; Dawn Hill-Fleury; Patrick Murray; Andy Watts.

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

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Sarah Macy, Assistant Manager/Finance Director.

OTHERS PRESENT: Diane Clemens; Kevin Collins; Annie Cooper; Patty Davis; Brian Donahue; Betsy Dunn; M.J. Engel; Timothy Miller; Rosanne Prestipino; Margaret Smith; Liz Subin; Irene Wrenner.

1. CALL TO ORDER

Elaine Haney called the meeting of the Town of Essex Selectboard to order to enter into joint business with the Village of Essex Junction Board of Trustees at 7:17 PM.

Andrew Brown called the meeting of the Village of Essex Junction board of Trustees to order to enter into joint business with the Essex Selectboard at 7:17 PM.

2. AGENDA ADDITIONS/CHANGES

Mr. Duggan requested the addition of the following handouts:

- 5b: Email from Brad Luck re: Merger delayed;
- 5b: Essex Fire Department No/Delayed Merger Impact
- 5c: Selectboard's Edits to Essex Junction Board of Trustees 8/20/2020 Version
- 5c: Questions on Charter Version 2.0

3. APPROVE AGENDA

DAN KERIN made a motion, seconded by RAJ CHAWLA, that the Trustees approve the agenda as amended. The motion passed 5-0.

PATRICK MURRAY made a motion, seconded by VINCE FRANCO, that the Selectboard accept the agenda. The motion passed 5-0.

4. PUBLIC TO BE HEARD

Ms. Davis said she was unsure why she was not quoted in the July 28 meeting minutes and requested her comment be included. She said she would not want a tax shift and made a hypothetical comparison to South Burlington being made to pay for Burlington's downtown development challenges. Ms. Davis also commended Mr. Brown for his attention to fiscal matters and Ms. Haney for her representation.

Mr. Murray explained that minutes should capture the spirit of statements and discussions in meetings, not quote people or transcribe.

Ms. Wrenner provided feedback to the minutes of July 28, suggesting a more neutral voice be used when recounting people's positions, instead of terms such as "gave her impression".

Ms. Dunn requested that the municipality place benches on hiking trails for people to rest. She recounted an encounter on a trail with an older hiker who appeared to need a place to rest.

55 **5. BUSINESS ITEMS**

56 a. **Discussion regarding State and Local education tax—Brian Donahue, Essex Westford**
57 **School District**

58 Mr. Donahue shared slides and spoke about how state and local education taxes are calculated.
59 This included an overview of the Essex Westford School District (EWSD) property tax
60 calculations and the fiscal year 2021 proposed school budget. He discussed the FY21 proposed
61 expense budget and the unanticipated results of mandated statewide healthcare. He explained
62 how the Homestead Tax is calculated and provided information about Net Educational Spending;
63 Equalized Pupil FTE; State Calculated Yield; and the Homestead Tax. He discussed how the
64 common level of appraisal (CLA) on homes taxed at fair market value is utilized in a statistical
65 analysis to determine the Projected Tax Rate. He said the Village of Essex Junction is seeing a
66 5.11% tax increase; the Town of Essex is seeing a 5.11% tax increase; and Westford is seeing a
67 7.83% tax increase. He showed how taxes have fluctuated over time and discussed the
68 Vermonters Income Sensitivity program, which resulted in communities' projected income
69 sensitivity yield.
70

71 The board members discussed the value of EWSD education, how tax rates effect educational
72 funding and the impact state efforts have on local taxes. They talked about how the CLA is linked
73 to rising property values and Mr. Donahue said doing re-appraisals every 8-10 years is a good
74 plan. The board members discussed the altered school funding trajectory, as a result of the
75 merger, which resulted in cost savings, and noted the district's decreased student count. The
76 board members discussed increasing labor costs, an increased demand for services and the
77 positive reputation of the EWSD. Ms. Haney wondered how equity plays a role in the education
78 tax and Mr. Donahue talked about the Equalized Pupil calculation, which is weighted to recognize
79 English Language Learners, students on Individualized Education Plans, etc. He also talked
80 about the role of Title 1 funds and the differences in how the CLA is calculated for businesses vs.
81 residences. Mr. Tyler asked for more information about how the state's unified healthcare
82 negotiations negatively impacted the district. Mr. Donahue said that the negotiation impacted
83 each district differently. Mr. Murray said Essex had an effective bargaining process prior to the
84 state negotiations, so the state-negotiated healthcare ended up being a cost, instead of savings.
85 Mr. Donahue and Ms. Haney talked about the challenges of trying to provide an estimated dollar
86 value of the tax increase households will pay related to school funding, due to the many analysis
87 factors that are used to calculate each home's taxes. Mr. Donahue invited the public to engage in
88 the budget building process, as they begin discussions this fall, aiming for quality education that
89 leverages diverse population growth.
90

91 b. **Discussion of staffing needs for consolidated functions—Evan Teich**

92 Mr. Teich began the discussion of staffing needs for consolidated functions, and costs associated
93 with delaying merger, by reviewing his memo. He said he engaged department heads to consider
94 the issue and develop an accurate accounting of needs. He discussed overall themes that
95 surfaced: vital decisions being delayed; the weight placed on staff by not knowing what will
96 happen with merger, which puts people in limbo over day-to-day decisions; opportunity costs to
97 budgets, such as the delay in instituting a local option tax; capital project delays based on lack of
98 direction; hiring delays, based on not knowing the long-term structures staff will transition to. He
99 also talked about duplication of efforts and the duplication of local assets. He said a pressing
100 need in his department is for the Assistant Manager position to become a full-time position,
101 separate from the Finance Director position, which should also be full-time. Mr. Teich said the
102 management team believes merger is the best direction and that there should not be status quo,
103 only forward movement. He talked about the staff morale, and the importance of staff being able
104 to see a "light at the end of the tunnel" and staff's dedication to seeing the process through.
105

106 The board members discussed the value of the document and insights provided therein. They
107 agreed it is a clear assessment of how the uncertainty of merger is putting a strain on
108 departments. Mr. Brown suggested a distilled version be created to share with the community.
109 Mr. Tyler talked about the necessity of political elements of municipal change because all of the
110 functions of the municipality are in service of the people. Mr. Murray requested Mr. Teich provide
111 an outline of positions needed immediately for the boards to discuss at the next joint meeting. Mr.
112 Teich agreed to do this, with consideration of the tax collection concerns for fiscal year 2021 due
113 to the impact of COVID. Ms. Haney suggested the memo be used when building the FY22
114 budget. Mr. Teich encouraged the boards to also consider population trends and the increasing
115 calls and demands on Town government.
116

117 **c. Discussion on draft charter and merger priorities**

118 Ms. Haney recapped the Board of Trustees and Selectboard’s current status on merger planning:

- 119 • The Trustee version of the merger question will be on their ballot in November.
- 120 • The Selectboard and the Board of Trustees are planning to stay the course with determining an
121 agreed upon draft charter and merger plan.
- 122 • Over the past week the Selectboard reviewed the draft charter submitted to them by the
123 Trustees and made comments on it.
- 124 • Mr. Duggan provided a list of questions for the Selectboard to make decisions on and some to
125 ask to Dan Richardson, the attorney advising the Town and Village on merger.
- 126 • The Trustees and Selectboard identified areas that still need conversation.
127

128 The board members discussed next steps in the process:

- 129 • Ms. Haney proposed, and the Trustees and Selectboard members agreed, that the next Joint
130 meeting include the Planning Commissions and Zoning Boards to talk about relevant topics
131 related to the charter and merger. Mr. Tyler suggested they have specific questions for these
132 groups regarding planning and community development.
- 133 • Mr. Brown said that, even though the charter question was approved for the Village ballot in
134 November, the charter does not need to be finalized until September 21. He said the Trustees
135 agree to adopt Selectboard suggestions as best as possible.
- 136 • Ms. Haney suggested, and the board members agreed, on a timeline for moving forward:
 - 137 – **October:** Finalize the following topics: Sidewalk District; Cannabis and Tobacco
138 ordinances; Representation; Planning Commission and Design Review Board decisions;
139 12-year taxation plan.
 - 140 – **November:** Conduct public hearings
 - 141 – **December:** Finalize ballot language for Town Meeting Day
 - 142 – **January and February:** conduct outreach and education
143

144 The board members discussed how to handle the results of the Village of Essex Junction vote in
145 November. Mr. Brown said if the Village’s vote in November and the Town’s vote in March both
146 pass with different charter models the Vermont House Government Operations Committee may
147 make revisions. Mr. Tyler said the Village vote will provide clarity about what the Village
148 population wants. Mr. Teich said Ms. Macy’s presentation about merged, separate or status quo
149 costs per department will be ready by September 28. He suggested board members should not
150 add significant new issues to research moving forward for answers to “what-if” scenarios.
151

152 Ms. Cooper described how she may experience, as a resident of the Village of Essex Junction,
153 first voting in November on the Village ballot and then possibly having to vote on something
154 different in March on a Town ballot. She encouraged the boards to address how to help Village
155 residents overcome this struggle. She suggested they think about what to do if the Village
156 residents, representing half of the population of Essex Town, pass a 3+3+1 representation

157 structure in November. Later, she also said Mr. Teich’s memo and presentation during this
158 meeting helped reassure her that merger is the right direction.
159

160 Ms. Davis said she would like the Selectboard chair to continue to support Town interests. She
161 said she looks forward to reviewing Ms. Macy’s breakdown of merged, separate or status quo
162 costs per department. She hoped for more information on positions and services that are shared
163 between the Town and Village municipalities.
164

165 Ms. Clemens said the opportunity costs related to stalling a merger, as discussed in agenda item
166 5b, were disturbing. She encouraged the boards to move together focused on positive municipal
167 effects of merger balanced with the best interests of the people. She suggested that anything
168 constructed to help people understand the vote should be easy to read and understand.
169

170 Ms. Wrenner suggested that the boards re-look at the compiled results of completed surveys to
171 determine governance. She said the proposed merger may not be where the municipalities are
172 going and said she believes people are cautious of merging. She said hearing from the public
173 could change the merger’s direction.
174

175 **d. *Appointment of Joint Essex Housing Commissioners**

176 An Executive session took place as item 7a to appoint Joint Essex Housing Commissioners.
177

178 **6. READING FILE**

179 **a. Board Member Comments**

180 • Mr. Tyler requested an earlier completion date of Ms. Macy’s merged, separate or status quo
181 costs per department, so it can help inform discussions before the September 21 deadline.

182 **b. VLCT Town Fair**

183 **c. Email from Jill Evans re: Direct Referrals from Police Departments to Essex Community
184 Justice Center – FY20**

185 • Ms. Haney shared gratitude to Ms. Evans for information she shared about direct referrals from
186 the PD to the CJC.

187 **d. Email and attachment from Kelley Avery, VLCT re: BCBSTVT and MVP Announce 2021
188 Exchange Rate Increases**

189 **e. Letter from Town Selectboard to the House Government Operations Committee**

190 **f. Email from Rep. Marybeth Redmond re: H.944 Amendments to the Town of Essex Charter**

191 • Ms. Haney expressed thanks to Rep. Redmond for her letter of support.

192 **g. Upcoming meeting schedule**
193

194 **7. CONSENT ITEMS**

195 **a. CONSENT ITEMS a. Approve minutes: July 28, 2020, August 3, 2020 (Trustees only)**
196

197 **VINCE FRANCO made a motion, seconded by PATRICK MURRAY, to approve the consent
198 agenda. The motion passed 5-0.**
199

200 **GEORGE TYLER made a motion, seconded by DAN KERIN, to approve the consent agenda.
201 The motion passed 5-0.**
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203 **8. EXECUTIVE SESSION**

204 **a. An executive session is anticipated for the appointment of public officials**
205

206 **ANDY WATTS made a motion, seconded by PATRICK MURRAY, for the Selectboard to enter
207 into executive session to discuss the proposed public official appointment(s) in accordance
208 with 1 V.S.A. Section 313(a)(3) and to include the Unified Manager and the Deputy Manager.
209 The motion passed 5-0 at 8:52 PM. ELAINE HANEY recused herself from executive session.**

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RAJ CHAWLA made a motion, seconded by **DAN KERIN**, the same as the Selectboard's [to enter into executive session to discuss the proposed public official appointment(s) in accordance with 1 V.S.A. Section 313(a)(3) and to include the Unified Manager and the Deputy Manager]. The motion passed 5-0 at 8:52 PM.

DAWN HILL-FLEURY made a motion, seconded by **ANDY WATTS**, for the Selectboard to exit executive session. The motion passed 4-0 at 9:41 PM.

RAJ CHAWLA made a motion, seconded by **AMBER THIBEAULT**, for the Trustees to exit executive session. The motion passed 5-0 at 9:41 PM.

DAN KERIN made a motion, seconded by **RAJ CHAWLA**, to appoint Mark Redmond to a 3-year term on the Housing Commission, Katie Ballard to a 3-year term, Mia Watson to a 3-year term, Michelle Teegarden to a 2-year term, Gabrielle Smith to a 2-year term, Evan Einhorn to a 1-year term, and Debbie McAdoo to a 1-year term. The motion passed 4-0, with Andrew Brown abstaining.

ANDY WATTS made a motion, seconded by **DAWN HILL-FLEURY**, to appoint Mark Redmond to a 3-year term on the Housing Commission, Katie Ballard to a 3-year term, Mia Watson to a 3-year term, Michelle Teegarden to a 2-year term, Gabrielle Smith to a 2-year term, Evan Einhorn to a 1-year term, and Debbie McAdoo to a 1-year term. Motion passed 4-0, with Elaine Haney abstaining.

9. ADJOURN

VINCE FRANCO made a motion, seconded by **PATRICK MURRAY**, for the Selectboard to adjourn. The motion passed 5-0 at 9:48 PM.

The Trustees discussed future meetings and deadlines for finalizing the merger document and ballot.

RAJ CHAWLA made a motion, seconded by **DAN KERIN**, for the Trustees to adjourn. The motion passed 5-0 at 9:54 PM.

Respectfully Submitted,
Cathy Ainsworth
Recording Secretary