

**VILLAGE OF ESSEX JUNCTION
TRUSTEES MEETING MINUTES
May 11, 2021**

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

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Maureen Gillard, Recreation & Parks Afterschool Enrichment Coordinator; Marguerite Ladd, Assistant Manager; Brad Luck, Essex Junction Recreation and Parks (EJRP) Director; Robin Pierce, Community Development Director; Harlan Smith, Grounds & Facilities Director

OTHERS PRESENT: Bob Burrows; Alise Certa; Marcus Certa; Diane Clemens; Kevin Collins; Annie Cooper; Erin Dickinson; Rep. Karen Dolan; Betsy Dunn; Alan Nye Flotilla; Elaine Haney; Paul Hansen; Rep. Lauri Houghton; Tamara Jaques; Deb McAdoo; Bridget Meyer; Frank Naef; Judy Naef; Mary Post; Roseanne Prestipino; Sarah Reeves; Ken Signorello; Saramichelle Stultz; Mike Sullivan; Dennis Thibeault; Mike Thorne; Lindsey Wein; Irene Wrenner; Jackie; R M

1. **CALL TO ORDER**

Mr. Brown called the meeting to order at 6:30 PM.

2. **AGENDA ADDITIONS/ CHANGES**

Ms. Ladd requested that agenda item 5a, Chittenden Solid Waste District Fiscal Year 2022 Budget Presentation, become 5c, so the Work session on Essex Junction Independence Initiative became agenda item 5a, and Consider formal acknowledgement for pursuit of Essex Junction Independence became agenda item 5b.

3. **APPROVE AGENDA**

DAN KERIN made a motion, seconded by GEORGE TYLER, 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 the agenda.**

Mrs. Naef spoke about ongoing challenges she and her husband face due to the construction of an apartment building next door to her home on Park Terrace. She said the issues had not been resolved since bringing them up at a previous Trustee meeting and the construction noise still begins before 7am. Mr. Brown requested that Mr. Teich look into the police responses to Mr. and Mrs. Naef's reports. Mr. Teich agreed to do this and said he would talk with the Police Chief about monitoring the location prior to 7am. He also said he would speak with the property owner and follow up with Mr. and Mrs. Naef.

Ms. Clemens said she missed the previous meeting's discussion about commercial waste removal noise. She said she lives a block from the fair grounds and hears the waste removal at 4:30 AM year-round. She said that, even though it is further than 200 feet away, the noise is very loud. She said the sound regulation should limit commercial waste removal to after 7am and requested the sound ordinances in the Land Development Code be better enforced. Mr. Teich explained that sound ordinance violations need to be verified by a qualified person measuring the sound.

5. **BUSINESS ITEMS**

a. **Work session on Essex Junction Independence Initiative**

Mr. Luck provided an overview of the evening's work session, to discuss:

A. Timeline leading to November 2 vote

B. Charter legislative process with Representatives Houghton and Dolan

- 56 C. Charter items
- 57 D. Charter writing process
- 58 E. Outreach strategies
- 59

60 Mr. Brown opened public comments:

61
62 Ms. Clemens asked if only the Village would be voting on the separation question in November.
63 Mr. Brown confirmed this would be just an Village vote.

64
65 Ms. McAdoo wondered how the Village residents could support the vote in Montpelier.

66
67 Ms. Wrenner encouraged transparency in the separation process and for people's comments to be
68 included in public records.

69
70 A. Mr. Luck presented a proposed timeline leading to the November 2 vote, including a full day
71 work session in June, added work sessions in July and August, a Summit on September 11,
72 and an added public hearing on September 28. The Trustees discussed possible times for the
73 June work session, suggesting several blocks versus looking for a full day in June. They
74 suggested weekday eve times after 4 PM and parts of weekend days. Mr. Tyler suggested
75 using part of the Joint Meeting on June 5 for dialogue on the separation issue with the
76 Selectboard. Mr. Chawla suggested that the second half of the day on June 5 be dedicated for
77 the Trustees work session. Ms. Thibeault suggested that the joint meeting, scheduled for May
78 24, include an agenda item about separation. Mr. Brown said he would draft a letter to the
79 Selectboard President that the Trustees would like to discuss the issue with them in June.
80

81 B. Rep. Houghton described the charter legislative process, referencing statute 17 V.S.A. § 2645.
82 She detailed the steps that would be taken, if the vote passes in Essex Junction by: the clerk,
83 Secretary of State, Legislature, Representatives Houghton and Dolan, the Government
84 Operations (Gov. Ops.) committee, the House Ways & Means committee, the Senate Gov.Ops
85 committee, the Senate Finance Committee, and the Governor. She explained the multiple
86 hearings and opportunities to give testimony along this process, as the Legislature and Senate
87 determine whether to accept the charter as written, revise it, or not accept it. Rep. Houghton
88 said it is important for the Charter to include a clear transition plan that describes how the
89 Village will transition into becoming its own municipality. Rep. Dolan agreed with her
90 explanation and described how and when letters and testimony from the public would be
91 helpful. She said once the bill is drafted and introduced to the Gov.Ops committee, people
92 could write letters.
93

94 Rep. Houghton gave tips for the Essex Junction Independence process. She said legislators
95 look for engagement and clarity during a charter change process. She said they will want to be
96 sure that voters know what they are voting on and that they support it strongly at the vote. She
97 said civility and transparency are essential. Ms. Dolan agreed that having an intentional
98 process with stakeholder engagement and high voter turnout will strengthen the bill. Mr. Tyler
99 asked if a written letter to the Legislature to explain what happened with merger, would be
100 helpful. He also asked if they should be informed on the facts, because there has been
101 unauthorized information, contention, and difficulties with the merger process. Ms. Houghton
102 said the Gov.Ops committee is well informed of the merger situation and are currently taking
103 testimony on the 3+3 charter change that passed by petition and vote for the Essex Town
104 charter. Mr. Tyler asked if an executive summary of what is happening in the Village could be
105 helpful. Rep. Houghton said factual information, laid out in easily understood language, could
106 be helpful. She said that getting a charter change like this passed is not easy but that the
107 Village has a good case, if they continue to methodically work through the process. Rep. Dolan
108 and Houghton added that a recent bill passed in the legislator would allow for universal mail-in

109 voting, and strategies for effective vote counting. They thanked all who are involved for
110 organizing and coordinating effective voting.
111

112 C. Mr. Luck said the merger charter that had passed in the Village could be used as a template for
113 the new charter. He said, by sorting the 52 sections by point value of how much discussion is
114 required, the top sections are 701-704. These items include: Form of Government; Election of
115 Officials; Governing Body Composition; Terms of Office; Meetings/Elections. The other
116 sections require less discussion because of state statute, etc. The Trustees agreed these items
117 are most important for discussions. Mr. Tyler said the Trustees must become clear on options
118 for different forms of government to ensure accurate communication with the public. He
119 expressed concern that there may not be enough time to thoroughly discuss all of the items
120 prior to the vote. Mr. Chawla and Mr. Brown talked about the importance of being clear about
121 what can be done in the time before the election and what needs to be included in the transition
122 plan for separation. Mr. Chawla said the transition plan could encompass up to 4 years. Mr.
123 Brown pointed out that redistricting could take place once the Census numbers come out. Ms.
124 Houghton said that reapportionment will be important with the Gov.Ops Committee and the
125 new Census data will be available in September.
126

127 D. Mr. Luck explained some of the steps needed to take place to rewrite the Charter and said he
128 would like to have a marked up draft charter for everyone to review at the next meeting. Mr.
129 Tyler offered to review and mark up the charter and the Trustees said they would provide their
130 revision suggestions to him. Mr. Chawla said the Vermont Cities summary provided can be
131 helpful for working on the charter.
132

133 E. Mr. Luck talked about opportunities planned for the community to learn and contribute to the
134 Essex Junction Independence process. He said the Essex Junction website now has an Essex
135 Junction Independence page with information on the effort. He proposed other efforts including
136 posting work session summaries on Front Porch Forum; using the online PlaceSpeak platform
137 for community engagement; conducting mailings; hosting informal coffee chats; holding forums
138 for sharing education and discussion. Mr. Luck provided an overview of the PlaceSpeak
139 platform's functionality, explaining how people can make accounts and remain anonymous. He
140 said the platform can verify Village residency of users, based on a two-step verification
141 process. Mr. Teich said Jen Knower and Darren Schibler have used the platform for community
142 development. The Trustees agreed with the strategies proposed, budget permitting. Mr. Brown
143 suggested that if anything needs to be cut, the coffee chats may not be necessary due to the
144 high turnouts to Trustee meetings. Mr. Kerin and Mr. Chawla stressed the importance of clear,
145 accurate communications coming from the board. Mr. Luck said he could draft a postcard for a
146 first mailing on the issue for the Trustees to review at the next meeting. Mr. Kerin said postcard
147 information should be substantive. Mr. Luck also said he would provide information to the
148 Trustees to consider different options for city government.
149

150 **b. Consider formal acknowledgement for pursuit of Essex Junction Independence**

151 Mr. Brown introduced the issue of whether the Trustees would formally acknowledge the pursuit of
152 Essex Junction Independence. Mr. Tyler said he will join this effort in support of the Trustees and
153 with acknowledgement to the voter petition. He described his intimate involvement and belief in the
154 merger effort, to explain why he has been reluctant to move in this direction, but said he would
155 support the motion. He urged the board to work on clarifying the financial implications of separation
156 to ease people's concerns about what this would mean to their taxes.
157

158 Mr. Brown clarified for the public that the intent of the vote was to formally acknowledge the work
159 plan for Essex Junction Independence and this agenda item's vote is not on separation.
160

161 Mr. Sullivan said he supports this endeavor.

162
163 **DAN KERIN made a motion, seconded by RAJ CHAWLA, that the Trustees recognize Essex**
164 **Junction independence as our top priority and we adopt the goals and operating principles**
165 **from our April 27 work session, for a charter to be presented to the voters of our community on**
166 **a target date of November 2021. The motion passed 5-0.**
167

168 c. **Chittenden Solid Waste District Fiscal Year 2022 Budget Presentation – Sarah Reeves**
169 Ms. Reeves, Executive Director of the Chittenden Solid Waste District (CSWD), presented their
170 Fiscal Year (FY) 2022 budget proposal, as detailed in the document provided. She explained that
171 the CSWD is a municipality to oversee and manage solid waste in Chittenden County, with
172 appointed representatives from each district. She described their funding, which comes from user
173 fees, materials and products sales, solid waste management fees and a grants variable amount.
174 She said the FY2022 budget is planned to be almost \$13 million. She said the CSWD is
175 anticipating a good year for recyclables and compost, and she described this year as a banner
176 year for compost sales. She said a small fee was raised on biosolids due to usage. In FY2022,
177 they anticipate: heavy capital improvements in the compost facility; repairs and upgrades to the
178 drop off centers; and beginning work to plan a new materials facility. She said this facility would be
179 a \$20 million infrastructure project that may require a municipal bond. She said they are actively
180 pursuing an earmark for this project as well. She described the facility as including 21st century
181 technology to better sort recycling products and meet demands from paper mills. Essex's CSWD
182 Representative, Mr. Nye Flotilla, clarified that the Bond request for this materials facility would not
183 go to taxpayers, it would only be a request that the CSWD be able to take out a bond. Payments
184 on the bond would come from the district's 3 main sources of revenue.
185

186 Mr. Tyler asked why redemption bottles are not collected at the solid waste drop off center and Ms.
187 Reeves said they had previously and would see if this could be brought back. Mr. Tyler also
188 mentioned the successful transitions made to adhere to the Act 148 Food scraps law. Mr. Kerin
189 wondered whether the trash drop off site in Essex could start accepting debit or credit cards. Ms.
190 Reeves said other sites do accept them but Essex has had connectivity issues. She said this
191 service would be available in Essex within the next few months.
192

193 **6. CONSENT ITEMS**

- 194 a. **Consider approval of Hiawatha Block Party application**
195 • **To approve the application to close or obstruct a street, for Hiawatha Ave #1-8, on July**
196 **17, 2021 from 4pm to 9pm, for the purpose of a block party.**
197 b. **Approve minutes: April 27, 2021**
198 c. **Check Warrants: #17248 – 4/23/21; #17249 – 4/30/21; #17250 – 5/7/21**
199

200 **RAJ CHAWLA made a motion, seconded by AMBER THIBEAULT to approve the Consent**
201 **Agenda. The motion passed 5-0.**
202

203 **7. READING FILE**

- 204 a. **Board member comments**
205 • Mr. Tyler said that he, Mr. Garey, and Mr. Pierce met with Amtrack to discuss the year's work
206 schedule for the train platform in the Village. He said the project would occur in two phases:
207 first they would build the interior of the station and then they would build the entire platform
208 from Central street to Main street. He said they should anticipate significantly disrupted parking
209 and have a board level discussion on this issue.
210 • Mr. Kerin asked if train track road crossings could not require trains to blow their horns. Mr.
211 Teich explained that this would be impossible unless they were federally approved quiet zones.
212 • Mr. Chawla said he attended an Economic Development Commission meeting where Mr.
213 Pierce provided a comprehensive update of information. He requested similar informational
214 write-ups be prepared for the Trustees. Mr. Brown agreed and wondered whether committee

- 215 meeting minutes could be included in their board packets. Mr. Teich said the minutes are
216 posted on the website and he would talk with staff about emailing them to the Trustees.
217 • Mr. Teich gave an update on municipal building re-openings, planned to begin with soft
218 openings in early June, as they best decide how to ensure safety. He said the plexiglass will
219 remain and they will require people to wear masks until CDC guidance makes changes.
220 • Mr. Chawla updated the Trustees on Burlington Telecom’s upcoming expansion into Essex.
221 Ms. Thibeault suggested Burlington Telecom be scheduled to present to the Trustees.
222 b. **Email from Kelley Avery re: Vermont League of Cities and Towns Group Dental Coverage**
223 **Decrease in Rates**
224 c. **Paving Bid Tabulation – Streets to be paved in Village summer 2021**
225 d. **Letter from James Jutras re: South Burlington Airport Parkway National Pollutant**
226 **Discharge Elimination System (NPDES) discharge permit comments**
227 e. **Chittenden County Regional Planning Commission April Newsletter**
228 f. **Upcoming meeting schedule**
229
230 8. **EXECUTIVE SESSION**
231 a. **An executive session is not anticipated**
232 An executive session did not take place during the meeting.
233
234 9. **ADJOURN**
235
236 **RAJ CHAWLA made a motion, and DAN KERIN seconded, that the Trustees adjourn the**
237 **meeting. The motion passed 5-0 at 8:55 PM.**
238
239
240 Respectfully Submitted,
241 Cathy Ainsworth