



VILLAGE OF ESSEX JUNCTION TRUSTEES REGULAR MEETING AGENDA

Online & 2 Lincoln St. Essex Junction, VT 05452 Tuesday, October 12, 2021 6:30 PM

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This meeting will be held both remotely and in person. Available options to watch or join the meeting:

- WATCH: the meeting will be live streamed on Town Meeting TV.
JOIN ONLINE: Join Microsoft Teams Meeting. Depending on your browser, you may need to call in for audio (below).
JOIN CALLING: Join via conference call (audio only): (802) 377-3784 | Conference ID: 569 923 271#
PROVIDE FULL NAME: For minutes, please provide your full name whenever prompted.
CHAT DURING MEETING: Please use "Chat" to request to speak, only. Please do not use for comments.
RAISE YOUR HAND: Click on the hand in Teams to speak or use the "Chat" feature to request to speak.
MUTE YOUR MIC/TURN OFF VIDEO: When not speaking, please mute your microphone on your computer/phone.

- 1. CALL TO ORDER [6:30 PM]
2. AGENDA ADDITIONS/CHANGES
3. APPROVE AGENDA
4. PUBLIC TO BE HEARD
a. Comments from Public on Items Not on Agenda
5. PUBLIC HEARING
a. Public hearing on the charter for the City of Essex Junction
6. BUSINESS ITEMS
a. *Work Session on Essex Junction Independence Initiative
b. Consider charter revisions for the City of Essex Junction
c. Chittenden County Regional Planning Commission (CCRPC) Annual Report
d. Consider approval of Winter Operations Plan for 2021-2022
e. **Discussion and potential action on tentative agreements about shared services between Town of Essex and independent City of Essex Junction and potential discussion of personnel
7. CONSENT ITEMS
a. Consider approval of revisions of the Village of Essex Junction General Rules and Personnel Regulations to change paygrade for part-time staff at Brownell Library
b. Consider approval of Fireworks for October 22, 2021
c. Approve minutes: September 28, 2021
d. Approve Check Warrants: #17270 - 9/24/21; #17271 - 10/1/21, #17272 - 10/8/21
8. READING FILE
a. Board member comments
b. Memo from Robin Pierce re: Village Center Development Update
c. Memo from Rick Jones re: Pleasant Street Traffic Calming
d. Stipend Option Form
e. Village status report - finance
f. List of Boards/Committees/Commission openings
g. Upcoming meeting schedule
9. EXECUTIVE SESSION
a. *An executive session may be needed to discuss negotiation of contracts and agreements with the Town of Essex
b. ** An executive session may be needed to discuss negotiations of contracts and agreements between the Town of Essex and Village/City of Essex Junction and to discuss the employment of public employees.
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 TTY: 7-1-1 or (800) 253-0191.

Certification: 10/8/2021

[Signature]

VILLAGE OF ESSEX JUNCTION
TRUSTEE MEETING MINUTES
TUESDAY, OCTOBER 12, 2021

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

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Marguerite Ladd, Assistant Manager; Dennis Lutz, Public Works Director; Brad Luck, Recreation & Parks Director; Claudine Safar, Village Attorney; Kristen Shamis, Village Attorney.

OTHERS PRESENT: Charlie Baker (Chittenden County Regional Planning Commission), Annie Cooper, Elaine Haney, Irene Wrenner

1. CALL TO ORDER

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

2. AGENDA ADDITIONS/ CHANGES

Ms. Ladd said that minutes from September 20 and September 27 have been added to the Consent Agenda. Mr. Chawla requested that the minutes from September 27 be removed from the Consent Agenda and included as a Business Item.

3. APPROVE AGENDA

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

4. PUBLIC TO BE HEARD

None.

5. PUBLIC HEARING

a. Public hearing on the charter for the City of Essex Junction

Mr. Brown said that this document would transform Essex Junction into an independent city that would no longer be a part of Essex. He outlined why the vote is occurring, noting that Villagers had recently voted to merge with the Town, and the Town voted not to merge. He said in April, there was a non-binding article about separation, which passed overwhelmingly, and so the Junction has been looking into becoming a City. He outlined what would stay the same (a 5-member governing board, an annual budget voted by Australian ballot, maintenance of municipal services, and a high quality of life and Junction identity). He outlined what would be different (the Junction would have full control of its future, tax dollars would be invested only in the City, and the Junction would be an equal municipality). He outlined the process up until the present, noting that this is the second and final public hearing on the charter. He outlined the timeline for what would happen if the vote passes, noting that the City could potentially be formed by July of 2022 and have a transition year to prepare for full operation, with a fully operational City by 2023 (all of this would be subject to timely legislative approval of the charter). He then outlined the estimated financial impacts of becoming a City. He walked through Fiscal Year 2022 budget revenues and expenditures for the Village, the Town, and estimated figures for a City. He said the taxes needed to support municipal operations in a City would decrease, the overall amount of property taxes would decrease. General Fund municipal spending would decrease, the tax rate would decrease by 7.25%, and the

49 savings on a Village/City home of an assessed value of \$300,000 would be approximately \$195 per year.
50 The City will cost approximately \$800,000 less than the current governmental structure. He outlined the
51 departments with the most significant cost savings, and the departments with the most significant cost
52 increases. He addressed a number of Frequently Asked Questions, noting the following: Selectboard and
53 Trustees will contract for shared police services, the Village has the means and assets to become a City,
54 there will be 4 new FTEs that will need to be hired, due to state guidelines a Village must become a City,
55 not a town, the City would grow its Grand List by reinvesting in itself, and the Trustees are committed to
56 continuing the Senior Center at 2 Lincoln Street. Ballots have been mailed to all registered voters, and
57 voting will also occur in-person on November 2. Mr. Brown opened the discussion up to the public. Ms.
58 Wrenner asked if the cost of rebranding has been incorporated into the budget, and if the City plans to
59 include human services funding to area nonprofits in their budget. Mr. Brown said that rebranding is not
60 included, and that the City Council would decide on human services funding. Ms. Cooper indicated her
61 support for the Trustees and their work on independence.

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63 **6. BUSINESS ITEMS**

64 **a. Work Session on Essex Junction Independence Initiative**

65 Mr. Brown asked for public comment regarding the two issues that would be discussed tonight: proposals
66 and contracts with the Essex Selectboard and get out the vote initiatives. None was given. Mr. Luck
67 provided the Trustees with the most recent proposals and contracts, noting that they still need additional
68 review by legal counsel. Ms. Thibeault expressed concern with the six-month timing listed in the Right of
69 First Refusal document (for 81 Main Street, the current Town Offices). Mr. Brown agreed that more than
70 six months is needed for a decision like this and suggested changing it to two years. All agreed, however
71 Mr. Kerin and Mr. Tyler said that this document should not be a deal-breaker. Mr. Kerin said that the
72 property may be better suited for private use. Regarding the Stormwater Agreement, Mr. Luck said that
73 projects that have been funded jointly will be continued, however future projects will be planned and
74 funded separately. Regarding the Shared Financial Services Agreement, Ms. Thibeault asked a question
75 regarding the funding structure for this agreement and stated that she had additional questions that would
76 be addressed during Executive Session. All agreed with entering Executive Session for this purpose.
77 Regarding the IT Agreement, Mr. Luck said that this document outlines what is needed in order to untangle
78 the Town and Village IT. Regarding the Delinquent Tax Agreement, Mr. Brown said that the Selectboard
79 has asked if the City would be amenable to having the Town collect delinquent taxes for City properties.
80 No objections were expressed. Mr. Luck said that new edits to these documents will be shared with the
81 Trustees sometime this week. Regarding get out the vote initiatives, Ms. Thibeault asked when the mailer
82 can be expected to arrive. Mr. Luck said that this should be within the next week. Ms. Thibeault asked if
83 the Board was interested in putting up a banner at the Five Corners. All agreed. Mr. Teich said that a
84 banner would be put up in front of the Village Offices, as well as a sandwich board sign in front of the
85 Town Offices. Mr. Brown thanked volunteers from Our Village Our Voices for canvassing and informing
86 residents. Mr. Luck said that a sign could be put in front of the Essex Junction Recreation & Parks
87 Department on Maple Street. Mr. Brown encouraged staff to do whatever is within the budget to help
88 spread the message. Ms. Haney, volunteer with Our Village Our Voices, provided an update on the
89 group's efforts. She said that CVE had declined to put a message on their video sign, due to the
90 controversial nature of the vote. Over 2,200 households in Essex Junction have been contacted by the
91 group, and social media has been used extensively. Mr. Brown said that the Trustees would now enter into
92 an Executive Session to further discuss this topic. After exiting Executive Session, Mr. Brown said that the
93 Trustees have agreed not to make any changes to the Shared Financial Services document.

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95 **9. EXECUTIVE SESSION**

96 **a. An executive session may be needed to discuss negotiation of contracts and agreements with the**
97 **Town of Essex**

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AMBER THIBEAULT made a motion, seconded by RAJ CHAWLA that the Trustees make the specific finding that premature general public knowledge of the Village’s position concerning the proposed contract discussion would place the Village at a substantial disadvantage. Motion passed 5-0 at 7:35 PM.

b. An executive session may be needed to discuss negotiations of contracts and agreements between the Town of Essex and Village/City of Essex Junction and to discuss the employment of public employees.

AMBER THIBEAULT made a motion, seconded by Dan KERIN that the Trustees enter into executive session to discuss potential contracts and the employment of public employees pursuant to 1 V.S.A. section 313(a)(1)(a) and section 313(a)(3), to include the Trustees, Village Attorneys, Unified Manager, Assistant Manager and Recreation Director. Motion passed 5-0 at 7:35 PM.

RAJ CHAWLA made a motion, seconded by DAN KERIN, to exit executive session at 7:54 PM. Motion passed 5-0.

6. BUSINESS ITEMS

b. Consider charter revisions for the City of Essex Junction

Mr. Luck said that this is the final opportunity for the Trustees to make changes to this document. Minor changes from legal counsel were incorporated.

AMBER THIBEAULT made a motion, seconded by GEORGE TYLER that the Trustees make the following revisions to the Charter for the City of Essex Junction that was approved on September 14: Amending Section 107 so that the first sentence shall read: “The City Council shall employ a City Manager.” The motion passed 5-0.

Mr. Brown thanked the Trustees, staff, and community members for their hard work on this document.

c. Chittenden County Regional Planning Commission (CCRPC) Annual Report

Mr. Baker, Executive Director of the CCRPC, said that this is his yearly check-in with the Village. He explained the annual report section-by-section, noting that the CCRPC has worked on the Village Land Development Code, brownfields, and stormwater initiatives in the past year. He noted that the CCRPC provides legislative forums, communications, racial equity work, economic development initiatives, and the Building Homes Initiative. The CCRPC is holding an equity forum on November 6, and all Trustees are invited. Mr. Brown said that he would like to see the CCRPC work towards making homeownership more accessible. Mr. Baker said that most of the homes build in the Building Homes Initiative have been owner-occupied. He said that the CCRPC has staff capacity to complete energy projects. The Trustees thanked Mr. Baker for his work for the Village.

d. Consider approval of Winter Operations Plan for 2021-2022

Mr. Lutz said that he believes that this is a worthwhile document for both the Town and Village and would be easy to divide should separation occur. The plan helps to link Board members to the public works staff, and to provide complete information to the general public. Mr. Lutz said that the Selectboard has decided to increase the cost for replacing a mailbox to \$75 and encouraged the Trustees to do the same. He highlighted COVID protocols and said that availability and cost information for salt is not yet available. Mr. Tyler thanked Mr. Lutz for his hard work.

147 **GEORGE TYLER made a motion seconded by RAJ CHAWLA that Trustees approve the Winter**
148 **Operations Plan for 2020-2021, after hearing any public input, and to include the amendment to the**
149 **mailbox policy. Motion passed 5-0.**

151 **f. Approve minutes: September 27, 2021**

152 Mr. Chawla requested the following change, so that lines 139-140 would read: “Mr. Chawla said most of
153 these should be complete easily and suggested that the Tree Farm agreement be removed from the list of
154 agreements included in the MOU document as the Tree Farm relationship between the village and town
155 will continue regardless of village separation and incorporation into a city.”

157 **RAJ CHAWLA made a motion, seconded by GEORGE TYLER to accept the minutes as amended.**
158 **Motion passed 4-0-1, with DAN KERIN abstaining.**

160 **7. CONSENT ITEMS**

161 **Motion by GEORGE TYLER, second by AMBER THIBEAULT to approve the consent agenda.**
162 **Motion passed 5-0.**

163 **a. Consider approval of revisions of the Village of Essex Junction General Rules and Personnel**
164 **Regulations to change paygrade for part-time staff at Brownell Library**

165 **b. Consider approval of Fireworks for October 22, 2021**

166 **c. Approve minutes: September 20, 2021 and September 28, 2021**

167 **d. Approve Check Warrants: #17270 – 9/24/21; #17271 – 10/1/21, #17272 – 10/8/21**

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169 **8. READING FILE**

170 **a. Board member comments:** Ms. Thibeault asked when the Public Nuisance Ordinance would be in
171 effect. Ms. Ladd said that there is a sixty-day appeal period. Ms. Thibeault asked if there is a plan to
172 communicate this to garbage haulers once it goes in effect. Mr. Teich said that Development Director Mr.
173 Pierce would be sending a reminder. Mr. Brown said there has been some questions as to ownership of the
174 Town Offices and Police Department. He said that both the land and the departments are owned by the
175 Town of Essex. Mr. Kerin drew a comparison to the City of Burlington owning the airport in South
176 Burlington.

177 **b. Memo from Robin Pierce re: Village Center Development Update**

178 **c. Memo from Rick Jones re: Pleasant Street Traffic Calming**

179 **d. Stipend Option Form**

180 **e. Village status report - finance**

181 **f. List of Boards/Committees/Commission openings**

182 **g. Upcoming meeting schedule**

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184 **6. BUSINESS ITEMS**

185 **e. Discussion and potential action on tentative agreements about shared services between Town of**
186 **Essex and independent City of Essex Junction and potential discussion of personnel**

187 This item was discussed during Executive Session.

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192 **9. EXECUTIVE SESSION**

193 **b. An executive session may be needed to discuss negotiations of contracts and agreements between**
194 **the Town of Essex and Village/City of Essex Junction and to discuss the employment of public**
195 **employees.**

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197 **ANDREW BROWN** made a motion, seconded by **RAJ CHAWLA** that the Trustees enter into
198 executive session to discuss potential contracts and the employment of public employees pursuant to
199 1 V.S.A. section 313(a)(1)(a) and section 313(a)(3), to include the Trustees. Motion passed 5-0 at 8:35
200 PM.

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202 **RAJ CHAWLA** made a motion, seconded by **DAN KERIN**, to exit executive session at 9:22 PM.
203 Motion passed 5-0.

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205 **10. ADJOURN**

206 **DAN KERIN** made a motion, seconded by **RAJ CHAWLA**, to adjourn. Motion passed 5-0 at 9:23
207 PM.

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209 Respectfully Submitted,
210 Darby Mayville
211 Recording Secretary
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