



VILLAGE OF ESSEX JUNCTION TRUSTEES REGULAR MEETING AGENDA

Online & 2 Lincoln St. Essex Junction, VT 05452 Tuesday, October 26, 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: 868 349 824#
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. BUSINESS ITEMS
a. *Work Session on Essex Junction Independence Initiative
b. Discussion about retail cannabis
c. **Discussion of contracts and the negotiating or securing of real estate purchases for downtown parking - Robin Pierce
d. ***Discussion of personnel
6. CONSENT ITEMS
a. Approve minutes: October 12, 2021
b. Approve Check Warrants: #17273 - 10/15/2021; #17274-10/22/2021
7. READING FILE
a. Board member comments
b. Upcoming meeting schedule
8. 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 negotiation of contracts
c. ***An executive session may be requested to discuss the employment of public employees
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 TTY: 7-1-1 or (800) 253-0191.

Certification: 10/22/2021 [Signature]

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**VILLAGE OF ESSEX JUNCTION
BOARD OF TRUSTEES
MINUTES OF MEETING
October 26, 2021**

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

ADMINISTRATION: Evan Teich, Unified Manager; Marguerite Ladd, Assistant Manager; Brad Luck, Director of Essex Junction Parks & Recreation; Robin Pierce, Community Development Director.

OTHERS PRESENT: Bob Burrows, Kevin Collins, Annie Cooper, Mariah Flynn. Elaine Haney, Deb McAdoo, Lynda Ossola, Roseanne Prestipino, Harlan Smith, Mike Thorne, Irene Wrenner.

1. **CALL TO ORDER**

Andrew Brown called the meeting to order at 6:32 pm.

2. **AGENDA ADDITIONS/CHANGES**

None at this time.

3. **APPROVE AGENDA**

The agenda was not changed, so no approval was needed.

4. **PUBLIC TO BE HEARD**

a. Comments from public on items not on the agenda

Harlan Smith asked for more information about the executive session agenda item around downtown parking and the purchasing of lands.

5. **BUSINESS ITEMS**

a. *Work Session on Essex Junction Independence Initiative

Mr. Luck said that tonight's working session is an opportunity for the Trustees to debrief after their conversation with the Selectboard at their October 25, 2021 Joint meeting.

Mr. Brown opened up the discussion, noting that the next joint meeting is November 22 and the final one is scheduled for December 13. Mr. Brown said it would be helpful to continue having these meetings. He said he is hopeful that prioritizing outstanding contracting issues into Tier 1 and Tier 2 has been a helpful in negotiations with the Selectboard.

Mr. Tyler spoke about the Joint Board meeting, noting that there has been a lot of back-and-forth with contract redlines between the Selectboard and the Trustees and that it has been difficult conducting negotiations with the full Board of Trustees and Selectboard. He said that in hindsight, he would have had a subgroup negotiate the police contract, rather than have both boards do it. He cautioned about adding new redlines. He also noted that at the Joint Board meeting on October 25, Mr. Brown divided the contract items into Tier 1 and Tier 2, but cautioned that the Selectboard may have differing priorities and may categorize Tier 1 and Tier 2 items differently. He suggested confirming with the Selectboard if their priorities align. Mr. Chawla agreed, and asked if it would be possible for the Trustees to meet at some point in the first week of November. He expressed concern that the process may be lagging. He asked whether it would be appropriate for a subgroup to discuss the Tier 2 items.

Elaine Haney provided an update that 2,147 ballots have been returned (30.6% of registered voters). She said that anything the Trustees can do to motivate people to return their ballots would be very important.

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55 b. Discussion about retail cannabis

56 Mr. Pierce began the discussion, noting that in order to have retail cannabis in the Village, they would
57 need to have it placed as an item on a ballot and would need a majority of voters to opt into it. He
58 noted confusion about whether this is the Town's decision or if the Village can hold their own vote and
59 clarified that Act 164 states that "municipalities" can choose to opt in (and that the Village is a
60 municipality). He noted a second cannabis category that would be more integrated (wholesale, retail,
61 manufacturing, etc.), but that this designation is not within the municipality's purview to regulate. He
62 said that the Planning Commission is discussing an overlay district as a mechanism for regulation,
63 which would include cannabis but also tobacco and alcohol. He noted that retail cannabis cannot be
64 located within 500 feet of a school, which makes it difficult for locating anything in the Village. He
65 finally noted that the Chittenden County Regional Planning Commission (CCRPC) will be presenting
66 more information on the topic to the Selectboard on November 1.

67

68 Mr. Chawla asked about the Planning Commission's process and timeline for developing an overlay
69 district. Mr. Pierce replied that the Planning Commission has been discussing overlay districts as part
70 of their Land Development Code update process, and that they have a relatively long runway for this
71 discussion. He noted that retail cannabis establishments will not open until May or June of 2022. Mr.
72 Chawla suggested having more meetings on the retail cannabis topic in order to provide more
73 opportunity for stakeholder engagement. He also noted that distance requirements don't necessarily
74 work for the Village, since many children are walking around the Village and the areas that may qualify
75 for retail cannabis are on school walking routes. Mr. Chawla asked if the Village is bound to a Town
76 decision on retail cannabis, and Mr. Pierce replied that no, each municipality can have its own vote.

76

77 Ms. Thibeault noted that the Village had previously discussed holding an opt in vote in March or April,
78 but that there isn't necessarily a push to hold that vote. Mr. Pierce replied that there is no requirement
79 to hold a vote and that the Village could vote to opt in at any point after that.

79

80 Mr. Brown asked how long it would take the Village to create an overlay district. Mr. Pierce said that
81 the Village would solicit input from schools and residents, and it would depend on how quickly they
82 could get responses. He said the overlay district could be incorporated into the Land Development
83 Code updates that the Planning Commission is currently working on. Mr. Brown said he would
84 advocate for more meetings on this topic. He said that because the retail cannabis option is to opt in, if
85 the Village does not hold a vote to opt in then they are presumed opted out. He also said that he would
86 like the Village to have a local option tax to offset cost for managing cannabis retail at the local level.

86

87 Mr. Chawla asked when the soonest would be that an integrated cannabis license could be issued in
88 Essex. Mariah Flynn who will presenting with CCRPC on November 1st replied that the soonest is
89 October of 2022. Mr. Chawla said that zoning regulations need to be in place by then.

89

90 Ms. Flynn noted that current medical dispensaries can be approved for retail cannabis licenses in May
91 of 2022, but full retail isn't available for all licensees until October 2022. She noted that the CCRPC is
92 researching how communities in other states have tried to minimize substance abuse by youth and
93 high-risk populations.

93

94 Mr. Brown opened the discussion up to the public.

94 Annie Cooper said that it would be good to slow the process down and be deliberate about gathering
95 stakeholder feedback.

96 c. **Discussion of contracts and the negotiating or securing of real estate purchases for downtown
97 parking—Robin Pierce

98 Mr. Teich said that the Board had asked for an update on discussion with a property-owner.
99

100 d. ***Discussion of personnel
101

102 6. **CONSENT ITEMS**

103 a. Approve minutes: October 12, 2021
104 Approve Check Warrants #17273—1-/15/2021; #17274—10/22/2021
105

106 **AMBER THIBEAULT made a motion, and DAN KERIN seconded, to approve the consent
107 agenda as presented. The motion passed 5-0.**
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109 8. **READING FILE**

110 a. Board member comments: Ms. Thibeault said that she looks forward to hearing more about the
111 success of Out and About in Essex. Mr. Teich said that the event went well.

112 b. Upcoming meeting Schedule
113

114 9. **EXECUTIVE SESSION:**

115 * An executive session may be needed to discuss negotiation of contracts and agreements with the
116 Town of Essex

117 ** An executive session may be needed to discuss negotiation of contracts

118 *** An executive session may be requested to discuss the employment of public employees
119

120 **GEORGE TYLER made a motion, and DAN KERIN seconded, that the Trustees make the
121 specific finding that general public knowledge of contracts and confidential attorney-client
122 communications made for the purpose of providing professional legal services to the body
123 would place the Village at a substantial disadvantage. The motion passed 5-0.**
124

125 **GEORGE TYLER made a motion, and DAN KERIN seconded, that the Trustees enter into
126 executive session to discuss contracts and confidential attorney-client communications made
127 for the purpose of providing professional legal services to the body, pursuant to 1 V.S.A.
128 Section 313(a)(1)(A) and (F) to include the Trustees, Village Attorney, Unified Manager,
129 Assistant Manager, and Community Development Director. The motion passed 5-0.**
130

131 **GEORGE TYLER made a motion, and DAN KERIN seconded, that the Trustees enter into
132 executive session to discuss the employment of a public employee in accordance with 1 V.S.A.
133 Section 313(a)(3) to include the Village Attorney, Unified Manager, and Assistant Manager. The
134 motion passed 5-0.**
135

136 **The Trustees entered into executive session at 7:28 PM.**
137

138 **DAN KERIN made a motion, and RAJ CHAWLA seconded, to exit executive session. The
139 motion passed 5-0 at 8:37 PM.**
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141 10. **ADJOURN**
142

143 **RAJ CHAWLA** made a motion, and **AMBER THIBEAULT** seconded, to adjourn the meeting. The
144 **motion passed 5-0 at 8:38 PM.**

145
146 Respectfully Submitted,
147 Amy Coonrad