



**CITY OF ESSEX JUNCTION  
CITY COUNCIL  
REGULAR MEETING AGENDA - REVISED**

Online & 2 Lincoln St.  
Essex Junction, VT 05452  
Wednesday, April 24, 2024  
**6:30 PM**

E-mail: [admin@essexjunction.org](mailto:admin@essexjunction.org)

[www.essexjunction.org](http://www.essexjunction.org)

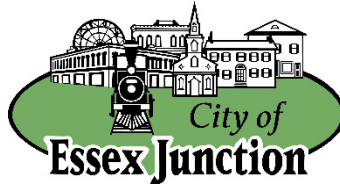
Phone: (802) 878-6944

This meeting will be in-person at 2 Lincoln Street and available remotely. Options to watch or join the meeting remotely:

- **WATCH:** the meeting will be live streamed on [Town Meeting TV](#)
- **JOIN ONLINE:** [Join Zoom Meeting](#)
- **JOIN CALLING:** (toll free audio only): (888) 788-0099 | Meeting ID: 944 6429 7825; Passcode: 635787

1. **CALL TO ORDER** [6:30 PM]
2. **AGENDA ADDITIONS/CHANGES**
3. **APPROVE AGENDA**
4. **PUBLIC TO BE HEARD**
  - a. Comments from Public
5. **RECOGNITION**
  - a. Consider Resolution of Appreciation: Andrew Brown
6. **BUSINESS ITEMS**
  - a. Discussion and Consideration of City Council Meeting Disruptions and Meeting Policy
  - b. Discussion of Budget Process & Improvements
  - c. Discussion and Consideration of Service Agreement with UVM for MS4 Compliance Fellowship
  - d. \*Discussion and Consideration of an Executive Session to discuss a Contract
  - e. \*Discussion and Consideration of an Executive Session to discuss Confidential Attorney-Client Communications
7. **CONSENT ITEMS**
  - a. Approve Meeting Minutes: April 1, April 3, and April 10, 2024
  - b. Acting as the Liquor Control Commission: Liquor License Approvals
  - c. Approve Memorial Day Banner Application
  - d. Approve Memorial Day Parade Road Closure Application
  - e. Approve Award Bid for 2024 Resurfacing Projects
8. **COUNCIL MEMBER COMMENTS & CITY MANAGER REPORT**
9. **READING FILE**
  - a. Warrant #24042 4/19/24
  - b. Annual Meeting Results from 4/9/24
  - c. Capital Review Committee Minutes 4/2/24
  - d. Planning Commission Minutes 4/4/24
10. **EXECUTIVE SESSION**
  - a. \*An Executive Session may be needed to discuss a contract
  - b. \*An Executive Session may be needed to discuss Confidential Attorney-Client Communications
11. **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 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 President. Regarding zoom participants, if individuals interrupt, they will be muted; and if they interrupt a second time they will be removed. This agenda is available in alternative formats upon request. Meetings of the City Council, like all programs and activities of the City of Essex Junction, are accessible to people with disabilities. For information on accessibility or this agenda, call the City Manager's office at 802-878-6944 TTY: 7-1-1 or (800) 253-0191.*



## Memo

To: Essex Junction City Council  
From: Ashley Snellenberger, Communications & Strategic Initiatives Director  
Meeting Date: April 24, 2024  
Agenda Item: City Council Meeting Disruptions and Meeting Policy

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**Issue:** Recently, City Council meetings have been disrupted by Zoom bombers who have used anti-Semitic and racist speech.

**Discussion:** There has been an increase in anti-Semitic harassment and trolling efforts at public forums, such as city and town council meetings in Vermont and across the nation. After the recent disruptions at our City Council meetings, the Council President, Communications Director, and City Manager began researching the best approach to address Zoom bombers and other hate speech during the Public to be Heard section of the meeting. Below is an overview of some of the organizations we have been in contact with and some recommendations from these meetings.

- Town Meeting TV: On March 15, we received an email from Town Meeting TV letting us know that they had submitted to the Anti-Defamation League an incident report of the hate speech that recently occurred in municipal meetings. They also wrote to the Secretary of State's office and the Vermont League of Cities and Towns to explain what is happening in municipal meetings with Zoom participants spreading hate speech.
- Anti-Defamation League (ADL): On March 18, we received an email from ADL New England containing their [Toolkit for Responding to Extremist Disruptions at Public Meetings](#). We also met with them on April 5.
- Municipalities: Winooski and Burlington have been experiencing similar issues, and they have provided information on their process and procedures.
- VLCT: On March 21, we reached out to VLCT concerning this issue. VLCT recently revised its Model Rules and Procedures for Municipal Public Bodies and shared these documents with us.
- City Attorney: On March 29, we met with the City attorney to discuss this issue. They provided guidance for the Meeting Policy and Statement being read at each meeting.

Based on this research and feedback staff finds the City Council can implement content-neutral time, place, and manner restrictions on speech that the "forum" or meeting allows (i.e., speech that falls within the purview of the topics to be discussed on the meeting agenda). However, content-based restrictions should be avoided to protect First Amendment free speech. This concept is summarized in this table:

<b>Time, Place, &amp; Manner Restrictions are OKAY</b>	<b>Content-Based Restrictions are NOT Okay</b>
Limit disruptive or interrupting commentary regardless of what the person is talking about.	May NOT limit commentary because it is hateful toward one group.
An outburst can be muted only if it disrupts the meeting and leads to a lack of order. Participants should only be removed from the meeting if they continue to disrupt it.	For participants who ask to speak during a public comment section of the meeting, even if that speech is hateful, we should not mute or remove the participant from the meeting.
Disorderly speech may be prohibited.	Discourteous speech cannot be prohibited.

*Recommended Changes to Current Practice and Policies:*

1. The City's current Policy Regarding City Council Meetings at §6e and §6f addresses disruptions by stating "the public shall not disturb the peace of the meeting" and allows for people who are disruptive or unruly to be removed from the meeting. Of note, the policy focuses on the manner of the speech and not the content. However, §6e also states (emphasis added), "members of the public are prohibited from making personal, impertinent, or threatening remarks." The City Attorney advises removing "personal" from this list in light of the Massachusetts Supreme Court *Barron v Kolenda* decision<sup>1</sup>. In this case, the MA court found requirements that town meetings be "respectful" and "courteous" were impermissibly broad, and the restriction on speech was content-based.
2. The City Attorney has also recommended that the Council amend the statement that is being read at each meeting. The statement currently reads (emphasis added): "...While it may not always be possible to prevent hate speech from occurring during public comments, the Council will continue to take measures to make it more difficult to express such views." The Council may express its own opinion on hate speech by stating that it does not condone it and supports an inclusive environment free of hate. However, it should not state it is seeking to prevent speech or make it more difficult. Staff has amended the statement for your review:

*In previous City Council meetings, members of the public have made racist and anti-Semitic comments. These comments have disrupted presentations and were made during the public comment period. The City Council does not condone such language and opposes it. Such comments are deeply harmful and are entirely inconsistent with our community's values.*

*While it is not possible to prevent harmful speech during public comments, the Council will continue to condemn such comments publicly.*

3. It is recommended the City move our meetings to webinars, which will keep participants muted unless the host unmutes them. The FY25 proposed budget includes funding to add webinars as an option. However, we have also modified our current Zoom meeting settings by adding a waiting room, muting participants upon entry, allowing participants to chat only with the host and co-host, and adding the show raise hand in the toolbar. These settings may produce a similar effect to a webinar.

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<sup>1</sup> In *Barron v Kolenda*, the MA Supreme Court overturned a MA town's meeting code that required town meetings to be "respectful" and "courteous," as in conflict with free speech protections, where a resident of the town was ejected from a town meeting for calling the town manager "Hitler." The MA court found that requirements that town meetings be respectful and courteous were impermissibly broad beyond the MA state constitution. The court held that there was no compelling government interest here and that the restriction on speech was content-based and not narrowly tailored. The MA court determined it was impermissible to essentially kick out a speaker for these views. The public should not be barred from sharing speech that is personal when it is regarding public actors at these meetings.

*Further Considerations:*

4. VLCT recently revised its Model Rules and Procedures for Municipal Public Bodies and expressed that having a strong meeting policy is important to maintaining order in meetings. While the City Council recently amended its Meeting Policy, the City Council should review VLCT's new policy, which has a strong public participation section. The Communications Director highlighted sections of the VLCT Policy that are similar to the City's policy and included cross-references to the City's policy in the comment boxes. If there are sections of VLCT's Model Rules and Procedures the Council would prefer to incorporate into the City's policy, we can draft those amendments. Or we can start from this Model and edit it for the City's purposes. It is suggested that the Council adopt some, if not all, of the public participation section of VLCT's Policy.
5. VLCT has also created a Model Rules for Public Participation in a Municipal Meeting that they suggest should be made available to the public as they enter our meeting room, and reference should be made to them throughout your meeting as needed. The Model Rules for Public Participation is intended to be used as a one-page reference guide informing members of the public of the basic ground rules for participating in our meetings and should mirror what is in our Meeting Policy. The City Council should review this document and adopt a similar document based on the outcome of the public participation section of our meeting policy.

**Cost:** None

**Recommendation:**

1. Revise the current meeting policy per the City Attorney
2. Revise the meeting statement
3. Consider changing the public participation section of the current meeting policy with VLCT's public participation section and adopting VLCT's Model Rules for Public Participation in a Municipal Meeting.
4. Advise staff on incorporating additional content from VLCT's new Model Rules and Procedures for Municipal Public Bodies.

**Attachments:**

- City of Essex Junction Meeting Policy (current)
- VLCT Model Rules of Procedures for Municipal Public Bodies How To Guide
- VLCT Model Rules of Procedures for Municipal Bodies (with comments)
- VLCT Model Rules for Public Participation at Municipal Meetings
- Anti-Defamation League Toolkit

## **CITY OF ESSEX JUNCTION POLICY REGARDING CITY COUNCIL MEETINGS**

**PURPOSE:** To provide guidance regarding legislative, administrative, and citizen participation at meetings of the City Council.

### **Section 1. Meetings**

All meetings shall be open to the public at all times, except as provided in 1 V.S.A. 313 in regard to executive sessions. In accordance with Section 2.07 of the City Charter, "As soon as possible after the election of the President and Vice President, the Council shall fix the time and place of its regular meetings, and such meetings shall be held at least once a month."

- A. **Regular Meetings:** Regular meetings of the City Council shall be held on the second and fourth Wednesday of every month at 6:30 PM. These meetings will normally be held in the Lincoln Hall conference room, unless another physical location is identified on the agenda, and virtually so that attendees may participate remotely as allowed under state statute. Agendas for regular meetings must be posted at least 48 hours in advance of a regular meeting in accordance with 1 V.S.A. 312 (d)(1)
- B. **Special Meetings:** Special meetings may be held on the call of the President and the City Manager and, whenever practicable, upon no less than 48 hours' notice to each member. In accordance with 1 V.S.A. 312 (c)(2), "The time, place, and purpose of a special meeting subject to this section shall be publicly announced at least 24 hours before the meeting."
- C. **Emergency Meetings:** In accordance with 1 V.S.A. 312 (c)(3), "Emergency meetings may be held without public announcement, without posting of notices and without 24-hour notice to members, provided some public notice thereof is given as soon as possible before any such meeting."

### **Section 2. Agenda**

- A. The agenda for each regular meeting shall be prepared under the direction of the City Council President and City Manager, and it shall contain only such matters of Council business as have been presented, delivered, or requested of the Manager not later than 10 am of the Wednesday preceding the regular meeting. Individuals or parties shall be encouraged to put their request(s) in writing.
- B. The City Council President and City Manager determine whether an item belongs on the Consent Agenda. A Consent Agenda is a practice by which the ministerial action items are organized apart from the rest of the agenda and approved as a group. This includes all of the business items that require formal Council approval but no discussion before taking a vote. Examples include approval of minutes, routine approvals, approval items from past meetings, and other similar matters.

Items may be removed from the Consent Agenda at the request of any Councilor and placed on the regular agenda. Items not removed may be adopted by general consent without debate.

- C. The City Council President and City Manager determine what goes in the Reading File. The reading file contains reports provided for information only and correspondence requiring no action.
- D. No request for an item to be added to the agenda will be unreasonably withheld. However, it is recognized that a requested agenda item will be considered in relation to the Council's priorities and work programs. If the request aligns with the priorities and work program, it will be scheduled for a future meeting. If the request does not align with the current priorities and work program, it may be added to a future considerations list.
- E. When Councilors are contacted directly by a resident either by phone, email, or in person and that resident is making a request for the Council's consideration, the Councilor will specify that they are able to listen to the request and/or concern, but shall not comment or make a commitment to that citizen. Rather, the Councilor(s) shall indicate that the Council works together to resolve issues for residents and will refer that person's request to the City Manager's office for consideration by the City Manager, City Council President, and if necessary, by the other Councilors for placement on the agenda.
- F. Whenever practicable, agendas and meeting packet information will be available on the City's website on the Friday evening before the meeting. The agenda is also posted at the City Office at 2 Lincoln, Brownell Library, and Essex Junction Recreation and Parks Department at 75 Maple Street in accordance with 1 V.S.A. § 312(d). In addition, and in accordance with 1 V.S.A. 312 (d), "A meeting agenda shall be made available to a person prior to the meeting upon specific request."

### **Section 3. Business**

- A. Business shall be taken up for consideration by the Council and addressed in the following order. The Council may reorder agenda items to accommodate schedules, prioritize pressing items, or for other reasons determined necessary by a vote of the Council.
  - I. Call to Order
  - II. Agenda Additions/Changes
  - III. Approve Agenda
  - IV. Public to Be Heard
  - V. Public Hearing (when needed)
  - VI. Business Items
  - VII. Consent Agenda

VIII. Councilor Comments & Concerns/City Manager's Report

IX. Reading File

X. Executive Session

XI. Adjourn

#### **Section 4. Quorum**

- A. A majority of three Councilors shall constitute a quorum. Within twenty (20) minutes of the call for any meeting, if a quorum is not present, any lesser number present shall adjourn the meeting.

#### **Section 5. President, Vice President, & Clerk**

- A. As prescribed by the City Charter, the President of the Council, or in the President's absence, the Vice President, shall preside at all meetings of the Council and shall be recognized as the head of the City government for all ceremonial purposes. The President shall be the parliamentarian of the meetings, and all questions of procedure shall be settled by the parliamentarian using the most recent edition of Robert's Rules of Order.
- B. The Clerk shall keep a register, or roll, of the members and to call the roll when required. This may include when the President calls for a roll call or whenever one or more members attend electronically and voting is not unanimous.

#### **Section 6. Public Participation**

- A. At the beginning of every agenda, a Public to be Heard section is included to provide the opportunity for the public to express its opinion.
- B. For business items, the public shall be given a reasonable opportunity to express its opinion. Any person or party desiring to present evidence, petition the City Council, or make statements for the Council's consideration shall first wait until the agenda item is scheduled to be discussed and seek to be recognized by the President. Upon recognition, the person or party shall state their name(s). All persons addressing the Council shall present their information and material as concisely as possible in accordance with rules established by the President. Once a motion is on the table, it is closed to public comment.
- C. If a large number of residents wish to speak during the Public to Be Heard section or address an agenda item, the President may impose time limits on how long each person may speak to allow enough time for all interested members of the public to speak. The President may also impose additional protocols for public participation as the situation warrants.
- D. Remote public participation: A remote participant/attendee should use the hand raise feature to be recognized by the President for comment. When a remote participant/attendee is unmuted, they should state their name before commenting.

Remote participants/attendees should also verify that their displayed name is accurate when joining a remote meeting.

- E. Order and decorum shall be observed by all persons present at the meeting. Neither members of the body nor members of the public shall delay or interrupt the proceedings or the peace of the meeting or interrupt or disturb any member while speaking. Members of the body and members of the public are prohibited from making personal, impertinent, or threatening remarks.
- F. Members of the body and members of the public shall follow the requests of the President. The President should adhere to the following process to restore order and decorum of a meeting but may bypass any or all steps when they determine in their sole discretion that deviation from the process is warranted:
  - I. Call the meeting to order and remind the members of the applicable rules of procedure.
  - II. Declare a recess or table the issue.
  - III. Adjourn the meeting until a time and date certain.
  - IV. Call the police to remove disorderly person(s) from the meeting.
  - V. Remove a participant attending online from the meeting if their behavior is disrespectful or unruly.

### **Section 7. Motions**

- A. No resolution, rule, regulation, appointment, or formal action shall be considered binding except as taken or made at such open meeting, except as provided under 1 V.S.A. 313 (a) (2) in regard to the negotiating or securing of real estate purchase options. The Councilor who has moved the adoption of any ordinance, resolution, or motion shall be accorded the privilege of being allowed to close the debate on the subject or call for the question.

### **Section 8. Voting**

- A. In accordance with Section 2.09(b) of the City Charter, "The presence of three members shall constitute a quorum. Three affirmative votes shall be necessary to take binding Council action." All members of the City Council, including the President, shall vote upon all items of business unless said voting would cause that Councilor a conflict of interest. The City Manager shall have the right to participate in any and all discussions for debate by the City Council but shall not have any right to vote.

### **Section 9. Minutes**

- A. In accordance with 1 V.S.A. 312 (b) (1), "Minutes shall be taken of all meetings of public bodies. The minutes shall cover all topics and motions that arise at the meeting and give a true indication of the business of the meeting. Minutes shall



include at least the following minimal information:

- I. All members of the public body present;
  - II. All other active participants in the meeting;
  - III. All motions, proposals, and resolutions made, offered, and considered, and what disposition is made of same; and
  - IV. The results of any votes, with a record of the individual vote of each member if a roll call is taken.”
- B. The meeting minutes shall be posted within five calendar days of the meeting on the City’s website in accordance with state statute.
- C. Meeting minutes are a summary of business conducted and not a transcript.

**Adopted by the Village Trustees on September 8, 1998. Amended on 3/11/08 and 10/13/09. Amended by the City Council on December 20, 2023.**

# Model Rules of Procedure for Municipal Public Bodies

Jump to section: [Download Model](#) | [Why Adopt Rules of Procedure?](#) | [Legal Considerations](#) | [First Amendment](#) | [Types of Forums](#) | [Content-Based Restrictions](#) | [Vermont's Open Meeting Law](#) | [How These Rules of Procedure were Developed](#) | [Addressing Civility](#) | [How to Customize & Adopt](#) | [How to Use](#)

## Why Adopt Rules of Procedure?

Rules of procedure are an agreed upon instrument to help turn members' individual judgements into the collective action of their public body. The law governing rules of procedure for municipal public bodies is enabling (i.e., permissive), not mandatory. State law, with few exceptions, does not require meetings of municipal "public bodies" to be held in any particular manner or fashion. Nor is there any legal obligation for those municipal public bodies that do conduct their meetings by rules of procedure to adopt any specific type of rules, such as Robert's Rules of Order. In fact, we've found that Robert's Rules are not particularly well-suited for small public bodies or those unfamiliar with them.

Adopting rules of procedure is considered a best practice for managing meetings and safeguarding rights. We highly recommend public bodies adopt rules of procedure and have developed the following common sense and easy to follow Model Rules of Procedure to help selectboards, committees, commissions, and other municipal public bodies conduct their meetings in a way that balances their need to get their work done with the public's right of participation. A public body is any board, council, commission, committee, or subcommittee of a municipality. 1 V.S.A. § 310(4). This includes bodies that are specifically mentioned in state statute and municipal charter such as selectboards, planning commissions, conservation commissions, cemetery commissions, etc. It also includes committees and subcommittees of those groups. The law does not apply to community justice boards or community justice centers. 24 V.S.A. § 1964(b). (Note: While appropriate municipal panels – development review boards, zoning boards of adjustment, and planning commissions exercising development review authority are the only municipal public bodies are required by

law to adopt rules of procedure, our model rules are not well suited for those public bodies. We recommend they refer to the VT Land Use Education & Training Collaborative's "Rules of Procedure & Ethics Manual" available from the [VT Planning Information Center](#).)

## Legal Considerations

Public meetings, and the rules of procedure that guide them, are governed by the First Amendment to the U.S. Constitution; its State counterpart, Article 13 of the Vermont's Constitution; and Vermont's Open Meeting Law. Compliance with each is essential for both safeguarding the rights of the public and protecting your municipality from liability exposure. (The Vermont Supreme Court has held that Article 13 of the Vermont Constitution is largely coextensive with the First Amendment of the U.S. Constitution. *Shields v. Gerhart*, 163 Vt. 219, 226–27, 658 A.2d 924, 929 (1995))

## First Amendment

### Clash of Freedom of Speech and Order

The First Amendment to the U.S. Constitution prohibits the government from making any law “abridging the freedom of speech...” However, the Supreme Court has recognized that “[t]he First and Fourteenth Amendments have never been treated as absolutes. Freedom of speech or press does not mean that one can talk or distribute where, when and how one chooses. . . . By adjustment of rights, we can have both full liberty of expression and an orderly life.” *Breard v. Alexandira*, 341 U.S. 622, 642 (1951).

**Perhaps nowhere is the clash of these two principles of “freedom” and “order” more apparent than at a meeting of a municipal public body** – where we’ve all likely borne witness to a speaker who has either talked too long, gone woefully off topic, or has let their

passions get the better of them.

### Right to Criticize Government

The U.S. Supreme Court has called our right to criticize our government, its officials, and their actions “[o]ne of the prerogatives of American citizenship.” *Baumgartner v. United States*, 322 U.S. 665, 673 (1944). However, it has also recognized that, “the First Amendment does not guarantee persons the right to communicate their views at all times or in any manner that may be desired.” *Heffron v. International Society for Krishna Consciousness*, 452 U.S. 640, 647 (1981). **As the saying goes, there’s a time and place (and manner) for everything, and rules of procedure are the tools to regulate all three.**

### Public Property and the First Amendment

Contrary to popular belief, **the First Amendment does not give people the right to say whatever they want, wherever or whenever they want.** This especially holds true for speech that occurs on public (government-owned) property. Just because property is “public” does not mean that it is open to the public all the time, for any purpose. The Constitution does not require the government to hold open public properties for the exercise of free speech without regard to the disruption that the speakers’ activities may cause. *Cornelius v. NAACP Legal Defense and Education Fund*, 473 U.S. 788, 800 (1985).

Courts will employ what’s referred to as a “forum analysis”, by looking at where the speech took place to determine whether the government unconstitutionally abridged this freedom.

Like any private property owner, the government also has the power to restrict speech on its property to preserve that property’s dedicated use. The extent to which the government may restrict speech depends on where (i.e., the “forum”) it takes place e.g., nonpublic, public, designated, and limited public forums)

# Types of Forums

## Nonpublic Forum

Public property that has not been opened to expressive activity (e.g. jails, public schools, military bases)

## Public or Open/Quintessential/Traditional Forum

Public property that is open to all Constitutionally protected expression (e.g. parks, streets, sidewalks); places where people have traditionally been able to engage in a free exchange of ideas.

## Designated Public Forum

Public property that's not traditionally open for use as a public forum that the government intentionally opens (i.e. "designates") to public expression (e.g. social media).

## Limited Public Forum

Courts "have generally held that a public meeting of an elected municipal board ... is a limited public forum for purposes of First Amendment analysis." *Malta v. Slagle*, No. 05-CV-342S, 2007 W L 952045, \*3 (W.D.N.Y. Mar. 29, 2007). A "limited public forum" (sometimes referred to as a subset of the "designated public forum") is property that the government has opened for public expression, but "limited" to certain groups or particular subjects. According to the U.S. Supreme Court, "[w]hen the State establishes a limited public forum, the State is not required to, and does not have to allow persons to engage in every type of speech. The State may be justified in reserving its forum for certain groups or for the discussion of certain topics." *Good News Club v. Milford Central Sch.*, 533 U.S. 98, 106, (2001).

# Content-Based Restrictions

In a limited public forum, restrictions based on topic or subject matter (Content-Based Restrictions) are allowed, but viewpoint discrimination is not. In other words, **a public body can limit a speaker to a particular topic, but it cannot limit whether they speak *in favor of or against* it.** The Supreme Court has clearly established that, in a limited public forum, the "government must abstain from regulating speech when the specific motivating ideology or the opinion or perspective of the speaker is the rationale for the restriction." *Rosenberger v. Rector & Visitors of Univ. of Va.*, 515 U.S. 819, 829, (1995). This protection even extends to viewpoints which are offensive or disagreeable; so long as such comments are germane to the topic under discussion, the First Amendment will protect them. "If there is a bedrock principle underlying the First Amendment, it is that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable." *Texas v. Johnson*, 491 U.S. 397, 414, (1989).

Content-based restrictions on speech falling outside the purview of topics to be discussed at a meeting need only be reasonable considering the forum's purpose and viewpoint neutral. A rule is "viewpoint neutral" if it is "based on the manner in which speakers transmit their message to viewers and not upon the message they carry." *Turner Broadcasting Systems, Inc. v. F.C.C.*, 512 U.S. 622, 645, (1994). "Reasonableness" is "not a particularly high hurdle." *Del Gallo v. Parent*, 557 F.3d 58, 72 (1st Cir. 2009). It represents a sensible basis for making a distinction. A rule also doesn't have to be the *most* reasonable restriction or the *only* reasonable limitation available. *Cornelius v. NAACP Legal Defense and Educational Fund, Inc.*, 473 U.S. 788, 808 (1985). A body must, however, be able to articulate a sensible reason for the restrictions it imposes.

Once the government has opened a forum to certain speech, it is limited as to what further restrictions it may impose. Governments may implement content-neutral time, place, and manner restrictions on that speech which the "forum" or meeting allows (i.e., speech that falls within the purview of the topics to be discussed on the meeting agenda). Such restrictions must be "narrowly tailored to serve a significant government interest and leave open ample alternative channels of communications." *Make the Rd. by Walking*, 378 F.3d 133, 142 (2<sup>nd</sup> Cir. 2004). **Courts have generally recognized that conducting orderly, efficient meetings of public bodies constitutes a significant governmental interest.** See *Davis v. Colerain Twp.*, 119CV00455, 2021 WL 3271792 (S.D. Ohio July 30, 2021), *Harris v. City of Valdosta*, 616 F. Supp. 2d 1310 (M.D. Ga. 2009), and *Rowe v. City of*

*Cocoa, Fla.*, 358 F.3d 800, 803 (11th Cir. 2004).

## Examples of Viewpoint-Neutral Rules

### Time Restrictions

An example of a reasonable, viewpoint-neutral “time restriction” includes limiting the time provided for public comment. Our model rules provide that, “No member of the public may speak longer than [*number*] minutes without the consent of the body.” The law doesn’t set forth a specific timeframe for public comment, so the standard is one of reasonableness. Our model rules leave this provision blank to provide public bodies with the flexibility to determine this standard, as the needs of the body and expectations of the community dictate.?

### Place Restrictions

An example of a reasonable, viewpoint neutral “place restriction” includes limiting speech to specific parts of a meeting agenda. Our model rules provide that, “At the [*beginning of/end of/conclusion of/discussion of*] each agenda item, but before any action is taken by the public body at each meeting, there may be [*number*] minutes afforded for open public comment. By [*unanimous/two-thirds/majority*] vote, the body may increase the time for open public comment and its place on the agenda.” This section leaves it up to the public body to determine for itself where on the agenda public comment will be allowed.??

### Manner-Based Restrictions

An example of a reasonable, viewpoint neutral “manner-based restriction” includes any rule related to preserving the orderly conduct of the business of the public body. One such example from our model rules provides that, “[s]peakers must refrain from repetitious speech or speech that is irrelevant to the business of the body.”

# Vermont’s Open Meeting Law

Hardly a secondary consideration, municipal public bodies must also be ever mindful of running afoul of [Vermont's Open Meeting Law](#).

The Open Meeting Law clearly emphasizes the openness of and accessibility to government. It declares that “[a]ll meetings of a public body are declared to be open to the public at all times, except as provided in section 313 of this title [on executive sessions].” 1 V.S.A. § 312(a). The Open Meeting Law and its requirements are meant to empower the public to play an effective role, not only as an active participant in local government but as a check on it, as well.

Just as with the First Amendment, the Open Meeting Law's rights to public participation at government meetings are not absolute. **While the law clearly establishes a right of public participation, that right itself has limits.** The public is only entitled to the *reasonable opportunity* to express their opinions, and that reasonable opportunity can be limited to those *matters considered by the public body* during the meeting and is permitted only to the extent that *order is maintained*.

#### **“Reasonable Opportunity” to Comment**

The Open Meeting Law does not set forth a specific timeframe requirement for public comment, so the standard is one of reasonableness. The time that must be allowed for public comment is likely a function of whether there is ample opportunity for someone to make their point or express their opinion on an agenda item. This means that the standard will also necessarily be a function of how many people would like to comment.

Providing the public with a “reasonable opportunity” to comment does not mean that everyone in attendance must be given a chance to speak. Specifying how much time will be dedicated to public comment on a particular topic beforehand in the rules of procedure will be helpful in managing both the public's expectations and the length of meetings.

#### **Business of the Public Body**



The Open Meeting Law only gives the public the right to comment on matters “considered” by the public body during its meeting. Which comments can be made will depend on what items are up for discussion or action on the meeting agenda.

Public bodies are encouraged to allow more opportunity for public comment on topics beyond just those appearing on their agendas. Those public bodies allowing for more open-ended comments, should temper the public’s expectations that any comment can be made by specifying in their rules that they must be limited to the business of the public body. The law defines the “business of the public body” as its “governmental functions, including any matter over which the public body has supervision, control, jurisdiction, or advisory power.” 1 V.S.A. § 310(1). The meetings of public bodies, after all, are technically meetings “in” the public, not meetings “for” or “of” the public.

These meetings represent opportunities for public bodies to discuss and do their work. While public bodies must allow the public to comment on their business, they don’t have to allow people to engage in whatever type of speech they want, whenever, or for however long they want.

## Summary

The Open Meeting Law recognizes the importance of order by allowing public bodies to impose reasonable rules upon the public. 1 V.S.A. § 312(h). This represents a compromise between the need for public comment with the need for public bodies to do their work. Public bodies may impose restrictions on public comment, so long as those restrictions are reasonable, viewpoint-neutral, and applied equally to everyone. Public bodies should use their rules of procedure to balance encouraging public comment and promoting efficient meetings by managing time, ensuring proper decorum, and maintaining order. These model rules endeavor to achieve that delicate balance.

# How These Rules of Procedure Were Developed

These rules were developed with several objectives in mind, namely to:

- withstand legal scrutiny;
- be easy to understand and implement; and
- provide as much choice and flexibility as possible, while still retaining broad enough appeal to be used by almost every type of municipal public body around the State.

## Legal Uncertainty

One major obstacle to achieving these objectives is legal uncertainty. Not every legal question related to the development of these rules and their application has been answered by a court of law and, even when courts have provided answers, they don't always necessarily agree.

In this model, when a question remains as to whether a rule should be included or not, we've erred on the side of caution and left it out. In those instances, however, we do note the possibility of its inclusion, provide case law and reasons for and against, and leave it to you to make an informed decision, ideally after first consulting with your town attorney.

## Customization

Customization presents another challenge, because not every public body or community is the same. Some public bodies will seek to prioritize order over participation. For others, the opposite will hold true. We believe in the importance, as the U.S. Supreme Court has characterized it, of "uninhibited, robust, and wide-open" debate on public issues" so these rules tend to incorporate that value. (*Frisby v. Schultz*, 487 U.S. at 479 (quoting *New York*

*Times Co. v. Sullivan*, 376 U.S. 254, 270, 11 L. Ed. 2d [\*\*17] 686, 84 S. Ct. 710 (1964))

## Addressing Civility

We also recognize the virtue – and dangers – of civility as represented by rules of decorum. Civility doesn't mean the same thing to all people. For some, such as the commentator Van Jones, civility represents more than just the rules of engagement, it's "the key to civilization." (Jeffrey, Clara. "[Van Jones: 'Hope for the Best, Expect and Prepare for the Worst.'](#)" Mother Jones, November 14, 2016 For others, it has long been seen as a means of repression, an intentional barrier to progress used to distract from inequality and to delegitimize and neutralize opposition. According to Professor Alex Zamalin in his book, "Against Civility: The Hidden Racism In Our Obsession With Civility", "(c)ivility ... has been a tool for silencing dissent, repressing political participation, enforcing economic inequality, and justifying violence upon people of color... [R]eal political change happens through direct struggle, without obligation to decorum or propriety." Civility can, and has, been both those things. Civility is what we make of it.

While civility can just be a set of rules for politely transmitting information, it can also represent a mode of communication ethics (deep listening, relationality, respect) which enables cooperation and collaboration with those who hold opposing views. "Civility, understood as a communication practice, is not just a matter of being nice for the sake of preserving social harmony. Instead, we see it as a commitment to the hard work of connecting with strangers under the conditions of often deep moral disagreement." William Keith & Robert Danisch, *Beyond Civility: The Competing Obligations of Citizenship* 165 (2020). Civility, viewed in this light, is a foundational element of any social democracy.

While public bodies are no doubt already aware of the real and practical difficulties they face while trying to hold efficient and orderly meetings in a time of seemingly unprecedented hyper-partisanship in American discourse, they may be less aware of civility's application for uniting people. Civility is about more than just letting someone have their say, it's about fostering authentic engagement. This requires more than just a set of rules for being nice, it requires a set of interpersonal tools for maintaining relationships in the face of conflict.

These rules attempt to codify elements of civility while also striving for a healthy balance between order and public participation. Public bodies are free to adjust the elements of this equation to make them as open, egalitarian, and inclusive to both their members and the public as they see fit, so long as they do so within the parameters of the law.

As the U.S. Supreme Court noted, “we can have both full liberty of expression and an orderly life.” *Beard v. Alexandria*, 341 U.S. 622, 642 (1951). It’s up to you as a public body to find the right balance between the two for your community. And while rules of procedure can help manage that balance, it needs to be recognized that they’re not a panacea for all of society’s ills. Rules are just a tool to help better manage meetings. How you put them into practice is up to you.

## How to Customize and Adopt these Model Rules of Procedure

### Customize

While these model rules do not closely adhere to Robert’s Rules of Order, they do recognize its utility by incorporating the more familiar and easier to follow elements that we believe best enable public bodies to conduct their business in an orderly fashion. We’ve also built some flexibility into these rules to allow members to make any type of motion (e.g., motion to amend, table, reconsider, object to consideration of the question, etc.) they want so long as they’re aware of their consequences.

We invite public bodies to customize these rules to suit their community’s needs, being sure to give careful consideration to each of its elements in light of their municipality’s resources and community’s expectations. Opportunities for editing these rules are designated with [brackets] and/or “Optional” italicized text. Public bodies must remove, replace, or accept the customizable language before adopting the rules.

Please note, however, that **not all sections are customizable**. Some highlighted sections (e.g., Section II. Agendas; Section III. Meetings; and Section VII. Minutes) mirror State law and are only included to remind public bodies of their legal obligations and therefore must be left unchanged.

### Adopt

These rules are administrative in nature, rather than regulatory, which means they're relatively simple to adopt. Generally, all that is required for adoption is a majority vote by a public body at a duly warned public meeting. The rules can take effect as soon as they're adopted, or at a later date as specified by the body. Since the rules only apply to those bodies that adopt them, no other body is precluded from adopting their own rules of procedure. Keep in mind that elected public bodies have the independent authority to adopt their own rules of procedure, appointed ones may be directed to adopt those rules favored by their governing authority.

## How To Use These Model Rules Of Procedure

Rules of procedure can be challenged in court both “on their face” (i.e., as written) and “as applied” (i.e., as implemented). While we've taken every effort to carefully craft these rules to avoid the former, we cannot guarantee that result, and it is up to you to avoid the latter.

**Rules of procedure only work as well as they're followed, which requires applying them fairly and consistently without distinction between who the speaker is or what their position is and regardless of whether they attend in-person or via remote means.**

This responsibility largely falls on the shoulders of the presiding officer or “chair” of the public body administering the rules. Presiding over a meeting involves a mix of judgement and assertiveness. Some say that you either have it or you don't; in reality, presiding and

leading are very much learned skills which are accessible to all. The Vermont Institute for Government's publication, "[Born To Chair: An Introduction to the Science and Art of Chairing a Board Meeting](#)" is great resource for new and seasoned presiding officers alike to help hone those skills.

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**Disclaimer:** This resource is only intended to provide information and it does **NOT** constitute legal advice. Readers with specific legal questions are encouraged to contact an attorney. The use or downloading of this resource does **NOT** create an attorney-client relationship and will not be treated in a confidential manner.

If you have additional questions please use the ask a question button to submit them.

Ask a Question

Publication Date  
03/22/2024

# MODEL RULES OF PROCEDURE FOR MUNICIPAL PUBLIC BODIES

## HOW TO CUSTOMIZE AND ADOPT THESE MODEL RULES OF PROCEDURE

### CUSTOMIZE

While these model rules do not closely adhere to Robert’s Rules of Order, they do recognize its utility by incorporating the more familiar and easier to follow elements that we believe best enable public bodies to conduct their business in an orderly fashion. We’ve also built some flexibility into these rules to allow members to make any type of motion (e.g., motion to amend, table, reconsider, object to consideration of the question, etc.) they want so long as they’re aware of their consequences.

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For individual assistance, please contact the Municipal Assistance Center at [vlct.org/AskVLCT](http://vlct.org/AskVLCT), emailing [info@vlct.org](mailto:info@vlct.org), or calling 1-800-649-7915.

**Please copy below the dotted line and paste into a new document**

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**[Name of Public Body] Rules of Procedure for Meetings**  
**[Municipality Name]**

**PURPOSE.** The [board, council, committee, commission, etc.] of [municipality] is required by law to conduct its meetings following the Vermont Open Meeting Law. 1 V.S.A. §§ 310-314. A "meeting" is defined as a gathering of a quorum of the members of a public body for the purpose of discussing the business of the public body or for the purpose of taking action. 1 V.S.A. § 310(3)(A). Meetings of the [board, council, committee, commission, etc.] of [municipality] must always be open to the public, except as provided in 1 V.S.A. § 313 for executive session. The purpose of these meetings is to conduct

**Commented [RM1]:** The yellow highlighted sections below are similar to the existing language in the City's Meeting Policy; and the comment boxes include cross references to the location of these sections in the City's Meeting Policy. This was done to help you identify if there are any non-highlighted sections that you'd like incorporated into the City's policy; and/or if the wording in this policy is preferred either in whole or part.

**Commented [AS2]:** Section 1. Meetings



the business of the public body efficiently and effectively, while still allowing a reasonable opportunity for public comment.

**APPLICATION.** This policy setting forth rules of procedure applies to the [board, council, committee, commission, etc.] of the [municipality], referred to below as “the body.” These rules apply to all regular, special, and emergency meetings of the body. These rules do not apply to municipal quasi-judicial proceedings. The [board, council, committee, commission, etc.] of [municipality] adopts these rules to further its significant interest in conducting its meetings in an efficient and orderly fashion. To this end, the following rules are established for the conduct of all persons, including board members, staff members, and members of the public attending the body’s meeting.

### I. ORGANIZATION.

1. The body must annually elect a chair and a vice-chair, who will serve until the body’s next annual meeting, unless otherwise removed. Vacancies in the offices of chair or vice-chair will be filled by majority vote of the body.
2. The body may vote to remove the chair or vice-chair at any time and elect a new chair or vice-chair by [unanimous/two-thirds/majority] vote.
3. The chair of the body or, in the chair’s absence, the vice-chair will preside over all meetings (i.e., presiding officer). If both the chair and the vice-chair are absent, a member selected by the body will act as presiding officer for that meeting.
4. A majority of the total membership of the body constitutes a quorum. If a quorum of the members of the body is not present at a meeting, no meeting will take place.
5. No single member of the body has the authority to represent or act on behalf of the body unless either by statute or by majority vote, the body has delegated such authority as recorded in its meeting minutes.
6. All members, including the chair and vice-chair of the body, are entitled to full participation in its proceedings, including the right to attend, speak, make motions, and vote.
7. Meetings of the body may be recessed (i.e., a brief break), or adjourned (i.e., postponed) and continued at a later date, time, and place certain. A motion stating the time and place that a meeting is either recessed or adjourned to must be made in public before the meeting is recessed or adjourned and such motion recorded in the meeting minutes.
8. These rules may be amended by [unanimous/two thirds/majority] vote of the body and must be readopted annually.

### II. AGENDAS.

**Commented [AS3]:** We have a section similar to this in our policy, but it is specific to the Charter. (Section 1. Meetings)

**Commented [AS4]:** Section 5. President, Vice President, & Clerk (A)

**Commented [AS5]:** Section 4. Quorum

1. Each regular and special meeting of the body must have an agenda with time allotted for each item of business to be considered by the body. The [chair/municipal manager/municipal administrator/municipal clerk/other] will create and manage the body's agenda. Notwithstanding the [chair's/municipal manager's/municipal administrator's/municipal clerk's/other's] authority over the agenda, the body, in its discretion, may amend the final content of the agenda before or, to some extent, during the body's next meeting. Those who wish to add an item(s) to the meeting agenda need to contact the [chair/municipal manager/municipal administrator/municipal clerk/other] to request its inclusion on the agenda. All requests for additional agenda items must be provided at least [at minimum 60/at most 72] hours in advance of a regular and [at minimum 36/at most 48] hours in advance of a special meeting to be considered.

Commented [AS6]: Section 2. Agenda (A)

Commented [AS7]: This is similar but not exact. Section 2. Agenda (A)

2. At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda must be posted in or near the municipal office and at the following designated public places in the municipality: [include the location of at least two public places in municipality]. [IF THE PUBLIC BODY/MUNICIPALITY HAS A DESIGNATED/MAINTAINED WEBSITE, INSERT THE FOLLOWING: "At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda must be posted on [identify the website and its URL]." ] The agenda must also be made available to any person who requests it prior to the meeting.

Commented [AS8]: Section 1. Meetings (A & B)

Commented [AS9]: Section 2. Agenda (F)

3. All business will be conducted in the same order as it appears on the noticed agenda, unless voted otherwise, except that any addition to or deletion from the noticed agenda may be made as the first act of business at the meeting. No additions to or deletions from the agenda will be considered once the first act of business at the meeting has commenced. Any other adjustment to the noticed agenda, for example, changing the order of business, or postponing or tabling actions, may be made by [unanimous/two-thirds/majority] vote of the body.

4. No binding action can be taken on matters not appearing on the agenda, unless when necessary to respond to an unforeseen occurrence or condition requiring immediate attention by the body. Nor can the agenda item entitled "other business" be used for taking binding action.

### III. MEETINGS.

Commented [AS10]: 9, 10, and 11 highlights under Section 1. Meetings (A, B, C)

9. Regular meetings will take place on [day and time, for example, the first and third Tuesday of the month at 7 p.m.] at [include a location accessible to the public].

10. Special meetings must be publicly announced at least 24 hours in advance by giving notice to: all members of the body, either orally or in writing, unless previously waived; an editor, publisher or news director, or radio station serving the area; and any person who has requested notice of such meetings. In addition, notices must be posted in the municipal clerk's office and at the following designated places in the municipality: [include the location of at least two public places in municipality].

11. Emergency meetings may be held without public announcement, without posting notice, and without 24-hour notice to members, provided some public notice thereof is given as soon as possible before any such meeting. Emergency meetings may be held only when necessary to respond to an unforeseen occurrence or a condition requiring immediate attention by the body.
12. A member of the body may attend a regular, special, or emergency meeting by electronic or other means without being physically present at a designated meeting location, so long as the member identifies themselves when the meeting is convened and is able to hear and be heard throughout the meeting. Whenever one or more members attend a meeting electronically, voting by the body that is not unanimous must be done by roll call. If a quorum or more of the body attend a meeting without being physically present at a designated meeting location, the agenda for the meeting must designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the body, or at least one staff or designee of the body, must be physically present at each designated meeting location.
13. There is no allowance for voting by proxy. A member must be either physically present or, if applicable, present using electronic or other means in order to vote.

#### **IV. MOTIONS AND VOTING.**

1. Any member of the body may make a motion.
2. A member of the body may speak or make a motion [*only after/without*] being recognized by the presiding officer.
3. Members of the body are not limited by the type of motions they may make (e.g., motion to amend, table, reconsider, object to consideration of the question, etc.), though all members should be aware of the consequences of the motion they make and/or approve.
4. Motions made by members of the body [*do/do not*] require a second to proceed with discussion and/or action, if any.
5. The maker of a motion has the right to speak first in debate once the motion has been [*seconded*], restated by the presiding officer, and the member is recognized by the presiding officer.
6. Members must limit their comments and motions to the meeting agenda item under consideration.
7. All motions must be phrased in the affirmative.
8. All motions must be restated by the presiding officer prior to a vote.
9. Responses to voice votes, when provided, must be expressed as either "yes" or "no." Members may also abstain or recuse themselves from voting.

10. All motions require the approval of the majority of the total membership of the body to pass, unless the threshold has been increased by the body, or as otherwise modified by state law.

**Commented [AS11]:** Similar but ours uses Charter language. Sectin 8. Voting

11. A member may change their vote up until such time as the vote is announced by the presiding officer.

12. Any member of the body may request a roll call vote. Whenever one or more members attend a meeting electronically, a roll call vote is required for votes that are not unanimous.

13. The presiding officer must announce the result of all votes and what action, if any, the body has taken.

14. [OPTIONAL: *The collective silent acquiescence of the body in response to a motion will signify its unanimous consent.*]

15. Motions to end or limit debate [*will/will not*] be entertained. [IF REQUIRED, INSERT THE FOLLOWING: *"A motion to end or limit debate may be made at any time after a member has been recognized by the presiding officer. Motions to end or limit debate require a [two-thirds/majority] vote of the total membership of the body."*]

16. No member can speak more than once on any agenda item or motion until every other member choosing to speak thereon has been given the opportunity to do so.

17. A member of the body may call a point of order at any time, without being recognized, to bring attention to a potential rule violation. A point of order does not require [*a second or*] a vote.

18. The presiding officer will rule on all points of order and state their justification.

19. Any member may appeal the presiding officer's ruling on a point of order, without being recognized. An appeal [*does/does not*] require a second. If appealed, the ruling of the presiding officer may be overruled by a majority of the total membership of the body.

20. The failure of the body to strictly adhere to any provision of this section will not invalidate any action taken, unless such action was taken by less than a majority of the total membership of the body or some other standard as specified by state law.

#### **V. PUBLIC PARTICIPATION.**

14. All meetings of the body are conducted in the public; they are not meetings of the public.

15. All meetings of the body are open to the public.

16. Meetings of the body are a limited public forum.

17. Members of the public will be afforded a reasonable opportunity to express their opinions about matters considered by the body, so long as order is maintained according to these rules.
18. Public comment is open to all members of the general public, not just residents of *[municipality]*.
19. At the *[beginning/end/conclusion/discussion]* of each agenda item, but before any action is taken by the public body at each meeting, there may be *[number]* minutes afforded for open public comment. By *[unanimous/two-thirds/majority]* vote, the body may increase the time for open public comment and its place on the *[agenda]*.
20. No member of the public may speak longer than *[number]* minutes without the consent of the presiding officer.
21. Speakers will be taken on a first-come, first-served basis, though the presiding officer may suspend this rule to protect against repetitive or irrelevant comments and to ensure that varied, especially opposing viewpoints, are heard.
22. Speakers may be asked, but not compelled, to state their name and/or address.
23. Members of the public must be acknowledged by the presiding officer before speaking.
24. Members of the public must wait their turn to speak and may not interrupt others.
25. Public comment must be germane to an item on the agenda.
26. A member of the public can only speak more than once on the same agenda item, time permitting, with the consent of the presiding officer and only after every other member of the public has been given an opportunity to speak.
27. The balance of time not used by a speaker will expire and cannot be reserved or yielded to another.
28. Members of the public do not have the right to vote on meeting agenda items.
29. Public comment under “other business” is limited to the business of the body (i.e., the public body’s governmental functions, including any matter over which the body has supervision, control, jurisdiction, or advisory power).
30. Meetings may be recorded by any member of the public unless doing so constitutes an actual disruption to the proceedings of the meeting. *[OPTIONAL, ONLY AFTER CONSULTING WITH TOWN ATTORNEY: Meetings may not be recorded by any member of the public.]*

## VI. ORDER.

31. Order must be observed by all persons attending the meeting, whether in-person or electronically.
32. The presiding officer will preserve order in the meeting and regulate its proceedings by applying these rules and by making determinations about all questions of order or procedure.

**Commented [AS12]:** Similar, but not exact. Section 6. Public Participation (B)

**Commented [AS13]:** Section 6 Public Participation (E)

33. [OPTIONAL: No signs or posters are permitted inside the meeting room.]
34. All electronic devices used by members of the body, the public, and others present must be silenced (i.e., turned off or put on "vibrate") during meetings.
35. All comments must be addressed to the presiding officer.
36. No person may disrupt, disturb, or otherwise impede (except for a point of order) the orderly conduct of the meeting or interrupt any person while they're speaking.
37. The only people who may interrupt another from speaking are 1) a member of the body for a point of order directed towards the presiding officer, or 2) the presiding officer themselves, to enforce a rule.
38. Speakers must refrain from repetitious speech or speech that is irrelevant to the business of the body.
39. Members of the body should be addressed by their official title (e.g., selectperson, commissioner, committee member, etc.) followed by their last name. Members of the public should likewise be addressed as either "the Speaker" or by some similar title of respect (e.g. Mr., Ms., Sir, Madam, Mx., etc.).
40. Members of both the body and the public must obey all orders and rulings of the presiding officer. The presiding officer should adhere to the following process to address any disruption to a meeting and as needed to restore order, but may bypass any or all steps when they determine, in their sole discretion, that deviation from the process is warranted:
- a. Call the meeting to order and remind the member of the body or the public of the applicable rules of procedure.
  - b. Declare a recess or table the issue under consideration.
  - c. Adjourn (i.e., postpone) and continue the meeting until a place and time certain or close (end) the meeting.
  - d. Ask disorderly person(s) to leave the meeting room for the remainder of that meeting.
  - e. Request law enforcement assistance in removing a disorderly person(s) from the meeting, when their conduct substantially impairs the effective conduct of the meeting, for the remainder of that meeting.

**Commented [AS14]:** Similar to ours. Section 6. Public Participation (E)

**Commented [AS15]:** Section 6 Public Participation (F)

## VII. MEETING MINUTES.

1. Minutes must be taken of every meeting of the body.

**Commented [AS16]:** Section 9. Minutes (A & B)

2. Minutes must give a "true indication of the business of the meeting," which may require supplementing the following statutorily required elements: members present; active participants at the meeting; motions, proposals, and resolutions made, offered, and considered and what disposition is made of the same; the result of any votes taken; and a record of individual votes if a roll call is taken.
3. Minutes must be available for inspection five calendar days after the meeting.
4. Minutes must be posted no later than five calendar days after the meeting to an official website, if one exists, that is maintained or has been designated as the official website of the body.
5. [OPTIONAL: Minutes must be approved by a majority of the total membership of the body.]
6. [IF THE PUBLIC BODY APPROVES MINUTES, INSERT THE FOLLOWING: "Minutes can be amended by concurrence of a majority of the total membership of the body."]

**VIII. EFFECTIVE DATE.** This policy will become effective immediately upon its adoption by the [*name of municipal legislative body*].

**Adopted (Date):** \_\_\_\_\_

**Signatures:**

_____	_____
_____	_____
_____	

# VLCT MODEL RULES FOR PUBLIC PARTICIPATION AT MUNICIPAL MEETINGS

## VLCT MODEL RULES FOR PUBLIC PARTICIPATION AT MUNICIPAL MEETINGS

### HOW TO USE THIS MODEL

Rules are necessary for keeping order at meetings of local public bodies because they ensure that everyone has the same expectations for how they're run.

This model is intended to be used as a one-page reference guide informing members of the public of the basic ground rules for participating in your meetings. These rules represent a distillation of our more comprehensive [Model Rules of Procedure for Meetings of Municipal Public Bodies](#), so if you've already adopted those in their entirety, there's no need to amend this abridged version. If, however, you've modified the section of the Model Rules addressing public participation in any way, then you'll need to amend these rules in kind to ensure they're consistent with one another prior to adoption.

Commented [GB1]: Provide link to once posted.

It's important to note that these rules are not to be used for quasi-judicial proceedings (i.e. hearings). These are situations wherein a public body (e.g. selectboard, development review board, etc.) acts like a judge or jury by taking, examining, and weighing evidence prior to issuing a decision. 1 V.S.A. § 310(6). Examples include tax appeal hearings before the board of civil authority or vicious dog hearings before the selectboard. The Open Meeting Law mandates that, "(a)t an open meeting, the public shall be given a reasonable opportunity to express its opinion on matters considered by the public body during the meeting..." 1 V.S.A. § 312(h), but this right does not extend to quasi-judicial proceedings. The Open Meeting Law affords members of the public the right to attend quasi-judicial hearings, but not the right to participate (i.e. comment) in them, so adopting rules of public participation for hearings is unnecessary.

Once these rules are finalized and adopted, copies should be made available to the public as they enter your meeting room, and reference should be made to them throughout your meeting as needed. These quick reference rules, after all, were developed with the understanding that if people know your rules, then they'll follow them, thereby making your meetings easier for you to manage and for the public to participate in.

Keep in mind that any changes to these rules should mirror those made to the section governing public participation in your public body's rules of procedure.

VLCT has developed these rules to help selectboards, councils, committees, commissions, and other public bodies. While every effort is made to provide members with the most accurate information possible, these documents do not constitute legal advice.

*VLCT Model Rules for Public Participation at Municipal Meetings*



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Contact the Municipal Assistance Center at [info@vlct.org](mailto:info@vlct.org) or 1-800-649-7915 for individual assistance.

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Please copy below the dotted line and paste into a new document.

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**[Name of Board, Council, Committee, or Commission] Rules for Public Participation**

**[Municipality]**

Vermont's Open Meeting Law protects the public's right to attend and participate in meetings of local public bodies, but the purpose and function of these meetings is for the public body to do the work of the public, they are not meetings of the public (i.e. public forums). Consequently, these rules are necessary to manage the public's participation to ensure an environment in which the public feels safe to express their views on matters considered by the public body while minimizing disruptions so that the public body can get its work done.

1. Please raise your hand to speak.
2. You may only speak after you have been recognized by the chair.
3. Before speaking, please state your name and address for the record.
4. All remarks must be addressed to the chair.
5. Comments must be germane to the agenda item being addressed.
6. Comments under "other business" must pertain to the business of the public body.
7. Repetitive and irrelevant comments are not allowed.
8. Please wait your turn; do not interrupt others.
9. Each person will be limited to \_\_\_\_\_ minutes of comment. This time may be extended only by permission of the chair. The balance of time not used by each person will expire and cannot be reserved or yielded to another.
10. Each person may only speak once on the same agenda item, time permitting, with the consent of the chair.

11. Those yet to be heard will be given priority over those who have already spoken.
12. You do not have the right to vote on agenda items.
13. Please obey orders and rulings of the chair.
14. Keep your cool. Disruptive people will be asked to leave and removed, if necessary.
15. Listen well, pay attention, and participate.

# Toolkit for Responding to Extremist Disruptions at Public Meetings



**The ADL Center on Extremism is tracking an increase in antisemitic harassment and trolling efforts at public forums such as city and town council meetings. Below are recommended steps that public officials and community members can take in the wake of these alarming trends.**

**\*\*It is imperative that cities, towns, and counties consult with legal counsel to understand the parameters of their state's open public meeting laws, any existing rules that already regulate public comment, and any other relevant state statutory or constitutional parameters, before considering adoption of any of the below recommendations. This toolkit is not intended to and does not provide legal advice or guidance.\*\***

## Town/City Council Members

Governing bodies of cities, towns, and counties have an important interest in ensuring that meetings are conducted in an open, transparent, and equitable way, and in a manner that safeguards the free speech rights of those in attendance, including by preventing and countering threatening, harassing, or violent activities by extremists who may seek to disrupt such meetings.

### Consider Viewpoint Neutral Time, Place and Manner Restrictions

Many city and town councils have adopted formal rules of procedure (sometimes pursuant to or consistent with state open meeting laws) to govern the conduct of their meetings. Review your city or town's existing rules, particularly as they pertain to how members of the public can address the council and share their views.

Because public meetings of such governing bodies are considered "limited public forums," the government can under many circumstances regulate the time, place and manner of speech permitted during such meetings so long as the time/place/manner restriction(s) do not discriminate based on the viewpoint being expressed and are evenly enforced regardless of the viewpoint being expressed.

Below is a non-exhaustive list of certain types of viewpoint-neutral time, place and manner restrictions that could help cities, towns, and counties across the country counter significant disruptions by extremists who seek to threaten, harass or intimidate others during these meetings.

- **Sign-in and Identification Requirements:** Consider procedures that would require individuals to sign a "sign-in sheet" online in advance or in-person at the meeting if they would like to share their views during the public comment portion(s) of the meeting. Each person could also be asked to identify themselves by their name and city of residence at the beginning of their remarks. Establish and communicate a neutral order of speaking (e.g., first, those who registered in advance, then those who signed in to speak, etc.).
- **Time Restrictions:** Consider time limitations for public remarks — for example, 2 or 3 minutes per person, unless a longer period is permitted by the council. Communicate how much total time is allotted for public comment (e.g., 30 minutes) and how much time each individual person can speak (e.g., 3 minutes). Use a timer consistently for every speaker, to ensure equal speaking time.
- **Written Comments:** Encourage members of the public to submit written comments to the council on matters of public interest or concern.

## • **Threatening, Violent, or Intentionally Disruptive**

**Conduct:** Consider rules that would require the removal of any individual who engages in any truly threatening or violent conduct or who, after a clear warning from the chair or other member of the city/town council, continues to engage in other intentionally disruptive conduct that substantially interferes with, or prevents, the conduct of the meeting.

## **Ensure Adequate Preparation for Meetings**

Preparation for council meetings will help the meeting run more smoothly and aid in preventing harassing or violent behavior. As a city or town council, it is important to discuss how you will address hate speech in the moment, and to be prepared to highlight and reaffirm your community's values when biased and hateful speech is expressed. It is also wise to prepare for hot-button issues, especially those that are currently taking place in your community. Familiarize yourself with those issues by building background knowledge and talking with relevant stakeholders. You may also want to review the code phrases, [symbols, and signs](#) of extremist groups if you anticipate extremist activity.

## **Respond in the Moment to Counter the Hate**

Although most hate speech is protected under the First Amendment, with some exceptions (e.g., true threats, incitement to violence), your own words and actions as government leaders can play a critically important role in countering such hate. If, during the meeting, hate speech does take place, it is essential to call it out in the moment — i.e., as soon as that person has concluded their remarks. For example, if someone says something racist or antisemitic, or expresses anti-LGBTQ+ bias, you can say, "Comments like those are deeply problematic and harmful, and wholly inconsistent with our community's values."

One of the most important steps that elected officials and community leaders can take to combat hate is to exercise your own free speech rights to make clear that such rhetoric is unacceptable and antithetical to your community's values of inclusivity and equity. In the event that violent, threatening, harassing or intentionally and

repetitively disruptive behavior does take place during a meeting, make sure that appropriate protocols and procedures are followed before taking steps to remove the individual or group. If at any time you believe that yourself or others are in danger of physical harm, contact law enforcement immediately.

## **Communicate, Heal and Educate**

When hateful language or extremist group activity occurs at a city/town council meeting, there could be residual and long-term impacts. It is important to communicate, heal and learn from the experience. Here are some important steps to take:

Issue a public statement denouncing the hateful language or incident in unequivocal terms. Use as clear, specific and intentional language as possible. To avoid reinforcing the harm that has already been caused, summarize it rather than repeating it verbatim (i.e., do not repeat a racial slur if one was used but do "name the hate" — i.e., call it an antisemitic [or racist, or anti-LGBTQ+, for example] incident if that is what it was). This is another opportunity to re-state your community's values, especially around diversity, equity and inclusion. Use a variety of strategies for communicating (i.e., digital, print, in-person/verbal, etc.).

- Be mindful not to give undue attention to the instigators or extremists. If a hate or extremist group whose goal is publicity is involved, consider ways you can provide important information that will make the community feel knowledgeable without publicly highlighting the particular hate or extremist group.
- Be sensitive to the needs and asks of individuals or identity groups who may have been targeted or negatively impacted during the meeting. Provide time and space to discuss what happened and identify what steps they might recommend. Address individual harm or trauma as necessary.
- Continue to educate the community about the issues that arose from the meeting. This can include both short- and long-term commitments to anti-bias education, educating about extremism, social and emotional learning, or other topics.



# Town/City Community Members

At a time of rising hate and extremism across the country, including at school board and city/town council meetings, it is important that residents and community members show up and make their positive messages of inclusion heard. Consider signing up in advance to testify at your next city or town council meeting. If you hear biased language or themes during the meeting, make sure to counter it in your own remarks. If you cannot attend in person, consider submitting written testimony on topics of concern. If you learn about a hateful incident at a meeting in your city/town, consider writing an op-ed to counter it, or hosting a community forum or gathering to reaffirm your city/town's values.

**ADL is the leading anti-hate organization in the world. Founded in 1913, its timeless mission is “to stop the defamation of the Jewish people and to secure justice and fair treatment to all.” Today, ADL continues to fight all forms of antisemitism and bias, using innovation and partnerships to drive impact. A global leader in combating antisemitism, countering extremism and battling bigotry wherever and whenever it happens, ADL works to protect democracy and ensure a just and inclusive society for all.**





adl.org


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(212) 885.7700

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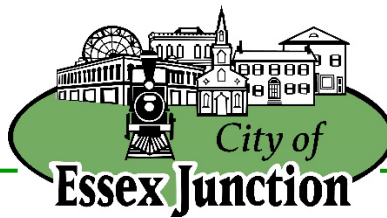
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## MEMORANDUM

**To:** Essex Junction City Council

**From:** Regina Mahony, City Manager

**Meeting Date:** April 18, 2024

**Subject:** Discussion of Budget Process & Improvements

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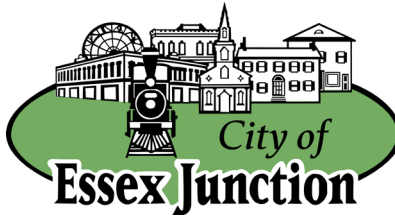
**Issue:** The FY25 budget was approved by the voters on 4/9/24; this is an opportunity for the City Council to discuss possible improvements to the process for development of the FY26 budget.

**Discussion:** While staff is not yet preparing the FY26 budget, it is a useful time to reflect on improvements that can be made to the process. The FY26 budget will be the third city budget, so we will benefit from 1.5 years of actual budget information. There are also a few efforts underway that will aid the development of the budget from the staff perspective, namely the strategic plan and the association contract. Staff will also be investigating performance budgeting, as described in this short article: <https://john-mercer.com/local-government>.

This is an opportunity for the City Council to discuss possible improvements to the process for development of the FY26 budget from the Council's perspective.

**Cost:** N/A at this time

**Recommendation:** This is just for discussion purposes only.



## **MEMORANDUM**

TO: City Council

FROM: Chelsea Mandigo, Water Quality Superintendent

MEETING DATE: April 24, 2024

SUBJECT: Fellowship Research Project - Regional MS4 Compliance Case Study-Service Agreement

**Issue:** Sign service agreement with UVM to participate in sponsoring a fellowship through the Lake Champlain Sea Grant program.

**Discussion:** Six municipalities including the City will be sponsoring a fellow through the Lake Champlain Sea Grant program who will be looking into what benefits and drawbacks exist to taking a regional approach to MS4 permit compliance. The fellowship project was discussed in more detail in a memo for the October 11, 2023, City Council meeting.

The past few months the six municipalities have been working together to determine the scope of the work, deliverables, who would function as the hiring agent, interview, and selection of candidate. It was determined UVM would be the best entity to house this position and collect the funds from the municipalities. Interviews were conducted in February and March. Andrew Brown was selected. He will take on this role at the end of April after his term on the council ends.

Attached you will find the services agreement between UVM and the City for this fellowship.

**Costs:** Project total: \$60,000 for 1 year

Sea grant portion: \$30,000

Partner Communities: \$30,000 this is being split evenly between the six communities.

City's committed match: \$5,000 from stormwater matching grant account (goes to \$30,000 partner community total)

**Recommendation:**

Staff recommends that the Council approve this service agreement with UVM and authorize the City Manager to sign it.

**SERVICES AGREEMENT**  
**Between the University of Vermont and State Agricultural College**  
**and**  
**City of Essex Junction, Vermont**

**Contact Information**

Chelsea Mandigo  
2 Lincoln St  
Essex Junction, VT 05452

**Email:** chelsea@essexjunction.org

**Time period (“Term”)**

April 1, 2024-March 31, 2025

**Services to be Performed/Products to be Delivered.**

The University of Vermont (“Provider”) agrees to provide the following services and/or products (“Work”) to The City of Essex Junction, Vermont (“Community Partner”) and Provider each a “Party” and collectively, the “Parties”):

**Background**

The City of Essex Junction, Vermont, Lake Champlain Sea Grant (LCSG), and City of South Burlington, City of Burlington, Town of Essex, Town of Colchester, and Town of Shelburne, Vermont, share a common goal: to better understand the benefits and the drawbacks that may exist to taking a regional approach to compliance requirements of communities covered under the Municipal Separate Storm Sewer System (MS4) permit. Given this organizational alignment, the City of Essex Junction, Vermont, Lake Champlain Sea Grant and City of South Burlington, Town of Essex, City of Burlington, Town of Colchester, and Town of Shelburne, Vermont, are jointly sponsoring a research fellow who will be asked to answer what efficiencies, cost savings, or other benefits or challenges may be found in a single regional entity performing some or all of these tasks, instead of 12 communities running concurrent programs.

**Purpose**

Over a one-year period, the stormwater regional utility research fellow will conduct research that identifies benefits and drawbacks to communities of operating regionally (rather than individually) to implement Municipal Separate Stormwater Sewer System (MS4) Permit minimum measures that relate to discharge of stormwater to public waters. The research to be conducted is intended to achieve four primary objectives that relate to how appropriate and efficient a regional approach might be. These are:

- Objective 1: Identify minimum measures and specific municipal operations that are most appropriate for a regional compliance approach.
- Objective 2: Understand whether there are communities that stand to benefit (financially or otherwise) more than others from regionalization.
- Objective 3: Identify the impacts on program delivery costs would result from a regional compliance approach.



- Objective 4: Assess the level of regionalization that is the most appropriate (full regionalization, partial regionalization, etc.)

## **Activities**

To accomplish the above objectives, at a minimum, the fellow will:

- Review and become familiar with:
  - Vermont's MS4 Permit requirements;
  - Stormwater Management Plans (SWMP) from each of the six community partners;
  - The history of an existing regional compliance effort for MS4 Minimum Measures 1 & 2 that all six community partners currently participate in, including identifying past barriers to regionalization efforts;
- Meet with each of the six community partners to understand 1) how each program is designed, resourced, and approaches compliance; and 2) what other work is funded through each community's stormwater program.
- Conduct research to identify and summarize key components of successful regional MS4 compliance approaches around the country, as well as other regional utilities that may serve as a model for providing municipal services across multiple local jurisdictions;
- Evaluate what components of successful programs may work best and in what communities;
- Conduct quarterly meetings with the partner communities and LCSG to share research updates;
- Prepare a draft report that explores each of the four objectives in depth and summarizes (a) the past barriers of the six communities to regionalizing stormwater utilities; (b) the design, resources, and compliance activities of each of the six communities' existing stormwater utility; (c) other funded work of each community's stormwater program; (d) how other efforts around the country to regionally comply with the MS4 were successful; (e) recommendations for a successful program in Chittenden County and roles each community might play.
- Share draft report with all project partners for review and input;
- Prepare a final report, incorporating input received from all partners;
- Host an in-person, virtual and/or hybrid workshop to share findings with project partners and others interested in understanding opportunities for and challenges that may be faced to regionalize stormwater utilities; and
- Complete LCSG annual reporting (usually in November and May) and any reporting requirements of municipal partners.

## **Deliverables**

During the project, the fellow will carry out the activities described above to prepare the following deliverables:

1. A draft report (as described above) with Lake Champlain Sea Grant and all participating municipalities for review and input.
2. A final report.
3. A workshop, for which an agenda, presentation file, evaluation summary, and participant list from the workshop will serve as deliverables for this event.
4. Files of key research documents not included in the report (e.g., stormwater management plans of each community).

## **Branding and Acknowledgments**

Where possible and appropriate, research and outreach will include all participating institutions' logos and this acknowledgment text, "This product was developed as part of a research fellowship collaboratively funded by City of Burlington, City of Essex Junction, Town of Essex, City of South Burlington, Town of Colchester, and Town of Shelburne, Vermont, and Lake Champlain Sea Grant."

**Duration**

The current agreement is for the period April 1, 2024 – March 31, 2025.

**Budget**

For the period of one year, the costs of the collaborative research fellow will be split evenly with a \$5,000 contribution from each of the following six communities: City of Burlington, Town of Colchester, City of Essex Junction, Town of Essex, Town of Shelburne, and the City of South Burlington, Vermont. \$30,000 of support will be provided by Lake Champlain Sea Grant.

Expenses from the six communities must be from non-federal funds. The Community Partner agrees that these non-federal funds may be used as match by Lake Champlain Sea Grant (UVM award AWD00000860).

Eligible expenses include salary and fringe benefits of the fellow at the University of Vermont. The line-item budget per year is:

<b>Expense Category</b>	<b>Year 1 [Community Partner]</b>	<b>Year 1 LCSG</b>	<b>Year 1 Other Community Partners</b>	<b>Total</b>
Salary	\$4,578.83	\$27,473	\$22,894.17	\$54,946
Fringe	\$421.17	\$2,527	\$2,105.83	\$5,054
Total	\$5,000	\$30,000	\$25,000	\$60,000

Provider retains sole and complete discretion over (i) the manner and means of carrying out the Work; and (ii) its activities with third parties as long as such activities do not conflict with Community Partner's rights pursuant to this Agreement.

**Terms of Payment**

Community Partner will pay Provider a flat fee of \$5,000.00.

Reimbursed Expenses (*if applicable*): There are no reimbursable expenses associated with this agreement.

The *total value of the contract*, including any/all reimbursable expenses, is not to exceed \$5,000.00.

**Independent Contractor Relationship**

Provider's relationship with Community Partner is that of an independent contractor, and nothing in this Agreement is intended to, or should be construed to, create a partnership, agency, joint venture or employment relationship. Provider is not authorized to make any representation, contract or commitment on behalf of Community Partner unless specifically requested or authorized in writing.

### **Limitation of Liability**

Both Parties will carry commercially reasonable insurance. Except to the extent covered by insurance, neither Party shall be liable to the other Party or third parties for any incidental, special, indirect, punitive, exemplary or consequential damages, including but not limited to loss of time, profit or goodwill, or economic loss, as a result of either Party's actions or omissions related to its performance of this Agreement, even if either Party has been advised of or is aware of the likelihood of such damages. Provider and Community Partner's total liability under or in connection with this Agreement shall not in aggregate exceed the fees and expenses paid by Community Partner.

### **Termination**

This Agreement will expire on March 31, 2025, the "Termination Date", and may thereafter be renewed only upon mutual agreement of the Parties in writing. Either Party may terminate the Agreement for convenience upon thirty (30) days prior written notice to the other Party. The Agreement may be terminated immediately for material breach upon written notice to the breaching Party. Upon any expiration or termination, the Parties shall promptly, as applicable: remit all amounts due and payable.

### **Force Majeure**

Neither party shall be liable for delays or any failure to perform due to causes beyond its control, including but not limited to acts of God, storm, fire, flood, earthquake, damage or destruction to facilities, health and/or public safety hazards, disease (including but not limited to any declared or undeclared quarantine, outbreak, epidemic or pandemic), travel or other restrictions (or restrictions based on UVM protocol, directive or policy), labour disturbance, war, civil commotion, shortage or unavailability of labour, governmental law, ordinance, order or regulation, or for any other cause pursuant to UVM policy, and shall have the right to terminate this Agreement on such basis.

### **Assignment**

Neither Party may assign or subcontract this Agreement without the prior written consent of the other.

### **Non-Discrimination**

Provider shall abide by all applicable federal, state, and local laws respecting non-discrimination in employment and non-segregation of facilities, including the requirements set out at 41 CFR §§ 60-1.4, 60-300.5(a), and 60-741.5(a), which equal opportunity clauses are hereby incorporated by reference. The latter two regulations prohibit discrimination against qualified protected veterans and qualified individuals on the basis of disability. These regulations also require affirmative action by covered vendors to employ and advance in employment qualified protected veterans and qualified individuals with disabilities. Additionally, Provider will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant.

### **Governing Law**

All matters arising out of or relating to this Agreement shall be governed by and construed in accordance with the laws of the State of Vermont, without regard to the choice of law provisions of any jurisdiction. The Parties consent to the exclusive jurisdiction and venue of the state and federal courts located in Chittenden County, Vermont.

### **Survival**

Any provision herein which contemplates performance or observance subsequent to any termination or expiration of this Agreement, or which by its nature should survive, shall survive any such termination or expiration and continue in full force and effect.

**Entire Agreement**

This Agreement constitutes the entire understanding between the Parties relating to this subject matter and supersedes all prior or contemporaneous oral or written agreements concerning such subject matter. This Agreement may only be modified by mutual agreement of the Parties in writing.

**Counterparts**

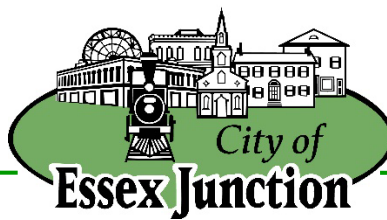
This Agreement may be executed in one or more counterparts and, if executed in more than one counterpart, the executed counterparts shall each be deemed to be an original but all such counterparts shall together constitute one and the same instrument.

AS AGREED BY THE PARTIES:

\_\_\_\_\_  
Name:  
Title:  
Date:

For University of Vermont:

\_\_\_\_\_  
Name:  
Title:  
Date:



## MEMORANDUM

**To:** Essex Junction City Council  
**From:** Regina Mahony, City Manager  
**Meeting Date:** April 24, 2024  
**Subject:** Executive session for a contract

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**Issue:** The issue is whether the City Council will enter executive session to discuss a contract.

**Discussion:** To have a complete and thorough discussion about this topic, an executive session may be necessary because the premature disclosure of the information may put the City Council and the City at a substantial disadvantage. Contracts can be a protected discussion.

**Cost:** N/A at this time

### **Recommendation:**

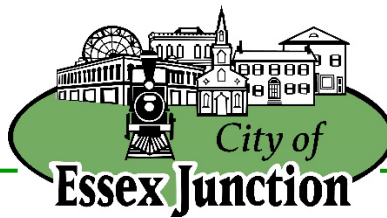
If the City Council wishes to enter executive session, the following motions are recommended:

#### Motion #1

"I move that the City Council make the specific finding that premature disclosure of the contractual matters would place the city at a substantial disadvantage."

#### Motion #2

"I move that the City Council enter into executive session to discuss a contract, pursuant to 1 V.S.A. § 313(a)(1)(A) to include the City Council and City Manager."



## MEMORANDUM

**To:** Essex Junction City Council

**From:** Regina Mahony, City Manager

**Meeting Date:** April 24, 2024

**Subject:** Executive session for Confidential Attorney-Client Communications

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**Issue:** The issue is whether the City Council will enter executive session to discuss confidential attorney-client communications.

**Discussion:** To have a complete and thorough discussion about this topic, an executive session may be necessary because the premature disclosure of the information may put the City Council and the City at a substantial disadvantage. Confidential attorney-client communications made for the purpose of providing professional legal services to the body can be a protected discussion.

**Cost:** N/A at this time

### **Recommendation:**

If the City Council wishes to enter executive session, the following motions are recommended:

#### Motion #1

"I move that the City Council make the specific finding that general public knowledge of confidential attorney-client communications made for the purpose of providing professional legal services to the body would place the City at a substantial disadvantage."

#### Motion #2

"I move that the City Council enter into executive session to discuss confidential attorney-client communications made for the purpose of providing professional legal services to the body, pursuant to 1 V.S.A. § 313(a)(1)(F) to include the City Council, City Manager and City Attorney."

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**CITY OF ESSEX JUNCTION  
CITY COUNCIL  
INFORMATIONAL HEARING  
MINUTES OF MEETING  
April 1, 2024**

**COUNCILORS PRESENT:** Raj Chawla, President; Amber Thibeault, Vice President; Marcus Certa, Clerk; Elaine Haney.

**ADMINISTRATION:** Regina Mahony, City Manager; Steven Eustis, Moderator; Wendy Hysko, Library Director; Ricky Jones, Public Works Director; Brad Luck, EJRP Director; Susan McNamara-Hill, Clerk; Chelsea Mandigo, Water Quality Superintendent; Jess Morris, Financial Director; Ashley Snellenberger, Director of Communications & Strategic Initiatives; Chris Yuen, Community Development Director.

**OTHERS PRESENT:** Colleen Ballard, Michael Blood, Tam Case, Colleen D., MJ Engel, Sherry French, Karen Lemnah, Andy Suntup, James Waite.

1. **CALL TO ORDER**

Moderator Eustis called the meeting to order at 6:00 P.M. He began by noting that the City Council has had several meetings that were disrupted by anti-Semitic and racist hate speech, and that this type of speech is not tolerated and is condemned by the Council. He said that while it may not always be possible to prevent hate speech from occurring during public comments, the City Council will take measures to make it more difficult to express such views.

2. **WELCOME, INTRODUCTIONS, AND PROCEDURES OVERVIEW**

Mr. Eustis introduced Raj Chawla, the President of the City Council. Councilor Chawla introduced Councilors Brown, Certa, Haney, and Thibeault. He also introduced City Manager Mahony and department heads including HR Director Dwyer, Fire Chief Gaboriault, Police Chief Hoague, Library Director Hysko, Public Works Director Jones, Assessor Lemnah, EJRP Director Luck, Water Quality Superintendent Mandigo, Clerk McNamara-Hill, Finance Director Morris, Communications & Strategic Initiatives Director Snellenberger, and Community Development Director Yuen.

3. **PRESENTATION AND DISCUSSION ABOUT ARTICLE 1:** Shall the voters approve an annual General Fund budget in the amount of \$12,004,124 for Fiscal Year 2024, to June 30, 2025, \$11,110,346 of which is to be levied in taxes against the City Grand List?

Councilor Chawla noted that the FY25 proposed budget is only the City's second budget, and that the City is currently only 9 months into its first budget. He noted that primary expense increases in this proposed budget include salary and health insurance increases, Act 76 Childcare Tax, a movement from part-time to full-time for a Finance Billing Coordinator position, an increase in general liability, property, and casualty insurance, an increase to IT services, and a stormwater utility creation. He noted that it is a 5% increase over the FY24 budget, translating to an increase of \$170 per year in taxes on a \$280,000 value property. He noted that property tax revenue makes up 91% of the City's general fund revenues. He noted that Global Foundries contributes 6% of this total, the businesses in the City contribute 11%, and residential property taxes contribute 74%. He then provided a summary of the City's general fund expenditures for FY25, noting that large drivers include health and human services (primary Essex Rescue and Essex Police), which make up 25% of expenditures, streets, which makes up 13%, the recreation department, which makes up 9%, and Brownell Library, which makes up 8%.

4. **PRESENTATION AND DISCUSSION ABOUT ARTICLE 2:** Shall the voters of the City of Essex Junction set the property tax exemption for disabled veterans at Forty Thousand Dollars

(\$40,000.00) as allowed by 32 § 3802(11)(C), said exemption to remain in effect for future taxable years until amended or repealed by the voters?

Councilor Chawla noted that this exemption was in place when the Junction was part of the Town, and that it had been set at \$40,000. He said that with separation, voters need to approve raising this exemption from the State’s base of \$10,000 to \$40,000 once again. He said that this discount is a reduction in the assessed value, not on a tax bill. He said that veterans would need to apply for this program, and that it is an exemption that the community has been participating in for some time.

5. **PRESENTATION AND DISCUSSION ABOUT ARTICLE 3:** Shall the voters approve extending the one cent Capital Improvement tax (also known as Economic Development Tax), as established in 2016, to be reconsidered at annual meeting in 2027?

Councilor Chawla said that this was originally approved in 2016, and if extended, would be imposed through Fiscal Year 2026. He said that in the past, the fund has been used for public parking improvements, and that the City is currently planning on using funds as local match for train station improvements and Crescent Connector project amenities. He said that the impact on a \$280,000 home of this tax is \$28 per year.

6. **PRESENTATION AND DISCUSSION ABOUT ARTICLE 4:** Shall the voters approve holding the 2025 Annual Meeting on Tuesday, April 8, 2025, at which time the voters shall vote by Australian ballot for the election of officers, the voting on the City budget, and any other business included in the warning for the meeting?

Councilor Chawla noted that this is voted on every year. He said that that last year, the voters approved four charter changes, which included items related to City meetings and elections and that the City Council would set election dates for future years. He said that because these charter changes were approved after the warning of this ballot, voters will still need to decide on the date for voting for the 2025 Annual Meeting.

7. **PRESENTATION AND DISCUSSION ABOUT ARTICLE 5:** To elect City officers required by law including: Moderator (one-year term), two City Council members (three-year term), and two Library Trustees (one five-year term and one three-year term)?

Moderator Eustis noted that this is conducted by Australian Ballot, and that all residents on the voter rolls should have received a ballot in the mail, which they can return to the Clerk’s office or polling location, or via mail. He said that voters may also vote in person, which will occur on Tuesday, April 9, from 7:00 AM to 7:00 PM at the Champlain Valley Exposition space.

He noted that the options for moderator include himself or a write-in option, options for City Council’s two open positions include Jeetan Khadka, Timothy Miller, Jason Struthers, Amber Thibeault, and a write-in option, and options for Library Trustee positions include Karen Hergesheimer (three year term) or a write-in option, and a write-in option for the five year term position.

Communications & Strategic Director Snellenberger provided a brief update on the City’s strategic planning efforts and public engagement. She said that the second stakeholder survey is currently live and will be open until April 12 on the City’s website. She said that the final report will be presented to the City Council in late May.

Councilor Chawla recognized Councilor Brown’s years of service as a Village Trustee and City Councilor, and spoke about his achievements during his public service for Essex Junction. He expressed appreciation for Councilor Brown’s support and mentorship throughout his tenure, and said that he will be missed.



103 8. **PUBLIC TO BE HEARD**

104 Andy Suntup asked whether live informational meetings could begin again, given that they foster a sense  
105 of community on some of its most important issues and decisions. Councilor Chawla agreed, saying that  
106 the informational meeting occurred on January 10<sup>th</sup> and included a community brunch and presentation  
107 on the draft Fiscal Year 2025 budget. He said that this provided an opportunity to receive feedback on  
108 the budget from the public early on in the process and incorporate that feedback into the budget  
109 development process. He said that the City is still trying to figure out how to offer these in-person  
110 community opportunities to engagement and make improvements for future meetings.

111  
112 9. **READING FILE**

- 113 a. Annual Report Newsletter
- 114 b. Annual Report
- 115 c. Budget Discussion Video Memo

116  
117 10. **ADJOURN**

118  
119 **Councilor Thibeault made a motion, seconded by Councilor Chawla, to adjourn the meeting. The**  
120 **motion passed 4-0 at 6:28 P.M.**

121  
122 Respectfully Submitted,  
123 Amy Coonradt

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**CITY OF ESSEX JUNCTION  
CITY COUNCIL  
SPECIAL MEETING  
MINUTES OF MEETING  
April 3, 2024**

**COUNCILORS PRESENT:** Raj Chawla, President; Amber Thibeault; Vice President; Marcus Certa, Clerk;

**ADMINISTRATION:** Regina Mahony, City Manager; Robert Kissinger, Essex Police Lieutenant; Elle Lenzini, Animal Control Officer; Joanne Nichols, Animal Control Officer.

**OTHERS PRESENT:** Jim Adkisson, Kevin Collins, Ethan Forskann, Tim Miller, Scott, 8435136014 (later identified as Jeremy Herrera).

1. **CALL TO ORDER**

Councilor Chawla called the meeting to order at 6:30 P.M.

2. **AGENDA ADDITIONS/CHANGES**

None.

3. **APPROVE AGENDA**

None needed.

4. **PUBLIC TO BE HEARD**

a. Comments from public on items not on the agenda

None.

5. **VICIOUS DOG HEARING**

Councilor Chawla began by noting that this is related to a dog incident on March 28, with a dog and a person attacked and injuries sustained. He said that this occurred at roughly 9:29 PM and that officers at the Essex Police Department responded to an incident in Essex Junction related to an animal bite. He said that they determined that the dog involved in the incident was a pit bull, Dozer, owned by Jamie Blake. He said that Dozer attacked Mei Mei, a dog owned by Jeremy Herrera, and that Mr. Herrera also sustained minor hand lacerations and Mei Mei sustained puncture wounds to her left leg area. He said that both Mr. Herrera and his dog required medical attention. He noted that this is the second incident with Dozer, who was also the subject of a vicious dog hearing in January 2024.

Councilor Chawla noted that the owner of Dozer is not present tonight and that the Essex Police Department made several attempts via phone, text, and in-person to reach the owner of the dog, though they were unsuccessful.

Lieutenant Kissinger and Jeremy Herrera were sworn in by Councilor Chawla prior to giving testimony.

Mr. Herrera described the incident. He said that he was walking his dog around the yard and pool area of the Autumn Pond apartment complex at around 9:30 P.M. on the night in question, and that a dog suddenly ran toward him and his dog. He said that this dog then attacked Mei Mei unprovoked. He said that he jumped on the dog to try and pull it off his own dog, and that he was bitten on his left hand during this attempt. He said that he restrained the attacking dog until it let go of his own dog, at which time other individuals approached to try and assist. He said that the owner of the attacking dog was not present during the attack. He said that one of the bystanders held the attacking dog and called the police while he himself gathered his own dog and made arrangements to have Mei Mei taken back to his apartment while he dealt with Dozer. He said that while he sustained injuries, he did not need to go to

54 the hospital because the police confirmed that the attacking dog was up-to-date on its rabies  
55 vaccinations. He said that his hand was bruised and swollen but did not require medical attention. He  
56 said that his dog, Mei Mei, required medical attention because she sustained a significant bite wound to  
57 her left rear leg, and that she was sedated, cleaned up, and given antibiotics.

58  
59 City Manager Mahony asked whether the owner of Dozer arrived on the scene. Mr. Herrera replied that  
60 the dog owner was not present and that the police took Dozer into custody. He said that he still has not  
61 had contact with the owner.

62  
63 Lieutenant Kissinger provided a summary of the police response to the incident. He noted that police  
64 responded to a dog bite incident at 341 Autumn Pond at approximately 9:30 P.M. on March 28<sup>th</sup>. He  
65 said that Mr. Herrera was walking his dog, who was attacked by Dozer, and that he physically separated  
66 the dogs to prevent further attack. He said that officers recognized that Mr. Herrera had two small  
67 lacerations on his right hand and Mei Mei sustained a puncture wound to her left hip area. He said that  
68 Mr. Herrera was treated that night and Mei Mei received treatment the following day. He said that Dozer  
69 also sustained injuries to his face. He said that Dozer was brought back to the Police Department, where  
70 other officers recognized the dog from previous attacks and identified the owner as Jamie Blake. He  
71 noted that Ms. Blake arrived at the Police Department at midnight to pick up Dozer and that she placed  
72 Dozer in quarantine on March 29<sup>th</sup>, which will end on April 7<sup>th</sup>. He noted that the first incident involving  
73 Dozer occurred on January 9<sup>th</sup> at 52 Old Colchester Road, where Dozer attacked Daisy, a dog who was  
74 leashed and being walked by her owner. He said that as a result of the January 9<sup>th</sup> dog bite, the Council  
75 held a dog bite hearing and found that Dozer engaged in an unprovoked attack on Daisy and that Daisy  
76 and her owner both sustained injuries and that Dozer was found to be a potentially vicious dog. He said  
77 that the Council ruled that Dozer's property was required to have fencing sufficient to secure the dog  
78 (which it does), and that Dozer must be on a leash and muzzled when outside of the property, must  
79 undergo a training to address aggressive behavior within 60 days, and that documentation of such was  
80 required to be submitted. He said that because of this incident, the owner has violated the rulings of this  
81 Council (the requirements that Dozer be leashed and that Dozer undergo certified training within 60  
82 days of the January hearing's ruling). He said that this would be the second violation for Dozer and Ms.  
83 Blake.

84  
85 Councilor Certa asked whether there is any information about what transpired at Ms. Blake's property  
86 that allowed Dozer to get out. Lieutenant Kissinger replied that they don't have a full narrative, but his  
87 understanding from the officer that took statements was that Dozer was let out and got free from a  
88 fenced-in area on the property. He said that is likely that the dog escaped through a door rather than  
89 jumping over a fence. City Manager Mahony asked for a description of how the Police Department  
90 attempted to reach out and make contact with Ms. Blake prior to this hearing. Lieutenant Kissinger  
91 replied that they contacted the phone number on file for Ms. Blake but that she was unreachable on her  
92 cell phone and a message could not be left. He also noted that an officer visited Ms. Blake's property  
93 multiple times but was unable to reach her, and that they left the agenda for tonight's meeting at her  
94 property and sent her the information regarding tonight's agenda and dog hearing via text message. He  
95 said that they have not received a reply from Ms. Blake.

96  
97 Councilor Thibeault asked about the disposition of Dozer when he was taken into custody after the  
98 incident and brought back to the Police Department. Lieutenant Kissinger replied that Dozer is friendly  
99 away from other domestic animals, but displays aggression when he is around other animals.

100  
101 **Councilor Thibeault made a motion, seconded by Councilor Certa, to close the public hearing.**  
102 **The motion passed 4-0.**

103

104 Councilor Certa asked why Dozer was released back into Ms. Blake’s custody for quarantining prior to  
105 this hearing, knowing that the dog and its owner had violated previous Council rulings by getting free  
106 and not being muzzled or leashed. Lieutenant Kissinger replied that the officer on duty followed  
107 procedure for an initial dog bite violation, and that the officer likely did not realize that this was a second  
108 offense. He noted that there had been some difficulties boarding Dozer when he had previously been  
109 impounded, as the police facilities are not necessarily suited for this type of situation.

110  
111 **Councilor Thibeault made a motion, seconded by Councilor Haney, to enter into a deliberative**  
112 **session regarding this dog bite hearing. The motion passed 4-0.**

113  
114  
115 **6. ADJOURN**

116  
117 **Councilor Chawla made a motion, seconded by Councilor Thibeault, to adjourn the meeting. The**  
118 **motion passed 4-0 at 7:30 P.M.**

119  
120 Respectfully Submitted,  
121 Amy Coonradt



## CITY COUNCIL ORDER

To: Jamie Blake  
[REDACTED]  
Essex Junction, VT 05452

This Order is issued after a hearing held in the City of Essex Junction on April 3, 2024, pursuant to Chapter 5 of the City of Essex Junction Municipal Code ("Code") and the provisions of Title 20 Section 3546, Vermont Statutes Annotated. Notice of the hearing was provided to Jamie Blake, an individual residing at [REDACTED], Essex Junction, Vermont, by voicemail, text messages on two numbers listed, and by hand at the property. Jamie Blake did not attend the hearing on April 3, 2024. The Council heard testimony from Jeremy Herrera, owner of MeiMei, and also from Lieutenant Kissinger of the Essex Police Department. Based upon evidence and testimony presented at the hearing, the City of Essex Junction City Council makes the following findings and rulings:

### A. Findings.

1. Dozer is a dog owned, upon information and belief, by Jamie Blake (hereinafter also "Owner"), a resident of the City of Essex Junction.
2. Dozer was registered by Jamie Blake on January 19, 2024.
3. On January 9, 2024, Dozer engaged in an unprovoked dog attack of another dog owned by Amanda Sayles. at [REDACTED] in Essex Jct, VT.
4. During that attack, Dozer bit Daisy who sustained injuries.
5. Amanda Sayles sustained minor injuries for which she sought and received medical attention.
6. On January 24, 2024 the Essex Junction City Council issued an Order associated with the January 9, 2024 unprovoked dog bite incident, where Dozer was found to be a potentially vicious dog, as defined in Section 503(F) of the Code.
7. On March 28, 2024 at approximately 9:49pm, Dozer engaged in an unprovoked dog attack of another dog owned by Jeremy Herrera at [REDACTED] in Essex Jct., VT.
8. During the attack, Dozer bit MeiMei who sustained injuries.
9. Jeremy Herrera sustained minor injuries, but did not seek medical attention.
10. Jamie Blake is found to be in violation of the Order dated January 24, 2024, that related to Dozer as Dozer was outside of the fence, off leash and unmuzzled. The City also never received verification of training, and there is no evidence of Dozer being trained.
11. The Council finds Dozer to be a vicious dog, as defined in Section 503(G) of the Code because Amanda Sayles sustained minor injuries for which she sought and received medical attention and two unprovoked attacks on domestic pets, Daisy and MeiMei.

**B. Rulings.**

1. It is necessary for the protection of persons in the City of Essex Junction for the Council to impose the following conditions upon Dozer:
  - a. Dozer shall be surrendered to the Essex Police Department to be rehomed by the Humane Society.
  - b. Dozer shall be rehomed outside of the City of Essex Junction.
  - c. A fine of \$500 for violating Section 510 - Running at Large and Section 508 – Dog Bites on the date of this incident.
  - d. The above listed requirements shall be completed within forty-eight hours of the issuance of this order. If two attempts at personal service have been unsuccessful, service may be deemed effective if made by tack at [REDACTED] Essex Junction, Vermont, the last known address of Jamie Blake or first class mail.
  - e. If Dozer is not surrendered to the Essex Police Department within 48 hours of service, the Municipal Official as defined in Chapter 5 City of Essex Junction Municipal Code, Section 503C, may seek a warrant pursuant to 20 V.S.A. §3551.
  - f. Any boarding fees incurred by the City of Essex Junction during the appeal period of this Order shall be paid by the Owner in accordance with Chapter 5, Section 514(B), of the City of Essex Junction Municipal Code.

Should this Order be violated, Owner is subject to the penalties provided in Section 519 of the Code and Title 20 Section 3550, Vermont Statutes Annotated.

Owner is advised of the right to appeal this Order, pursuant to Chapter 5, Section 521, of the City of Essex Junction Municipal Code, to the Vermont Superior Court, Chittenden Civil Division, 175 Main Street, Burlington, Vermont within thirty (30) days from the issuance of this Order. A copy of any notice of appeal must also be sent to the City of Essex Junction. If no appeal is taken, this Order shall become final.

*Raj Chawla*  
Raj Chawla (Apr 5, 2024 10:33 EDT)  
Raj Chawla, City Council President

04/05/24  
Date

*A. Thibeault*  
Amber Thibeault (Apr 5, 2024 08:55 EDT)  
Amber Thibeault, Vice President

04/05/24  
Date

*M. Certa*  
Marcus Certa (Apr 5, 2024 10:30 EDT)  
Marcus Certa

04/05/24  
Date

*Elaine Haney*  
Elaine Haney

04/05/24  
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**CITY OF ESSEX JUNCTION  
CITY COUNCIL  
REGULAR MEETING  
MINUTES OF MEETING  
April 10, 2024**

**COUNCILORS PRESENT:** Amber Thibeault; Vice President; Marcus Certa, Clerk; Andrew Brown, Elaine Haney.

**ADMINISTRATION:** Regina Mahony, City Manager; Ricky Jones, Public Works Director; Brad Luck, EJRP Director; Chelsea Mandigo, Water Quality Superintendent; Jess Morris, Finance Director;

**OTHERS PRESENT:** Alise Certa, Resa, Sarah Reeves, Dennis Thibeault

1. **CALL TO ORDER**

Councilor Thibeault called the meeting to order at 6:30 P.M. She began by noting that the City Council has had several meetings that were disrupted by anti-Semitic and racist hate speech, and that this type of speech is not tolerated and is condemned by the Council. She said that while it may not always be possible to prevent hate speech from occurring during public comments, the City Council will take measures to make it more difficult to express such views.

2. **AGENDA ADDITIONS/CHANGES**

None.

3. **APPROVE AGENDA**

None needed.

4. **PUBLIC TO BE HEARD**

a. Comments from public on items not on the agenda  
None.

5. **BUSINESS ITEMS**

a. Discussion & Consideration of FY25 Chittenden Solid Waste District (CSWD) Budget  
Councilor Certa noted that his wife is an employee of CSWD and as such, feels that it presents a conflict of interest for him, and he said that he will recuse himself from tonight's discussion.

CSWD Executive Director Reeves provided an overview of the FY25 budget for the Council's review and consideration. She began by noting the three main sources of CSWD's revenue, which are user fees, material and product sales, and solid waste management fees, adding that they do not receive revenue from local sales or property taxes. She spoke about CSWD's projected FY25 income of \$15.9 million, anticipated to come from solid waste management fees, tipping fees, the sale of materials, and, to a lesser degree, from product stewardship and reimburseables, grant revenue, and interest and dividends. She spoke about CSWD's projected FY25 expenses of \$16.08 million, the bulk of which are related to payroll expenses (38%) and materials management (43%), with other contributing costs associated with property management, promotion and education, community support, travel and training, administrative costs, and professional fees. She said that based on this, they are projecting a budget shortfall of approximately \$287,000. She spoke about FY25 compared to FY24's budget, noting that while revenue is projected to increase by 3.6%, expenses are anticipated to increase by 11.7%. She said that much of the expense increase is related to equipment and fleet increased costs, related to CSWD's aging infrastructure. She said that this shortfall would be covered by drawing approximately \$287,000 from CSWD's reserve fund. She noted that CSWD's board approved a solid waste management fee increase (the first in 12 years) from \$27 per ton to \$30 per ton, which will impact

54 households by an approximately \$0.28 per month increase. She noted that this charge is only on waste,  
55 not compost, recycling, or scrap. She said that they also approved an increase in the tip fee in the  
56 recycling facility to \$90 per ton, which helps cover equipment expenses for the aging facility, and also  
57 budgeted \$250,000 in operating expenses to cover equipment repair and replacement. She noted that  
58 there was no increase in tip fees for the organics recycling facility, nor increases in fees at drop off  
59 centers. She spoke briefly about upcoming capital projects and fund equity.

60  
61 Councilor Brown asked about the contamination policy for compost and organics, and Executive Director  
62 Reeves said that the goal of this policy is to be able to work with haulers and identify areas where  
63 contamination is a problem and conduct education with clients so that contamination is mitigated. She  
64 said that the fine associated with contamination is designed to incentivize them to work with clients to  
65 decrease contamination.

66  
67 Executive Director Reeves noted revenue around the community cleanup fund and that each community  
68 has access to this funding to conduct cleanup activities in their communities.

69  
70 **Councilor Brown made a motion, seconded by Councilor Haney, to approve the Chittenden Solid**  
71 **Waste District FY25 budget as presented. The motion passed 3-0.**

72  
73 b. Discussion & Consideration of FY25 Enterprise Fund Operating and Capital Budgets for Water,  
74 Wastewater, Sanitation, and EJRP Program Fund; and Warn Public Hearing for Utility Rates  
75 Finance Director Morris noted that this is the second presentation of enterprise budgets for FY25 for the  
76 City. She noted that the original estimated combined utility rate increase was approximately 6.5% and  
77 that this estimate has been revised to a 2.67% increase (or \$17.52 per year on an average bill). She  
78 noted that this change was driven by smaller increases in the water and wastewater budgets than  
79 originally projected. She noted that the sanitation fund's capital transfer increased by \$55,000 from the  
80 original budget presentation, resulting in an increase of 3.89% (rather than the original 1.94% increase).  
81 She noted that this transfer was the result of an underfunded reserve and some upcoming work needed  
82 on capital projects that would put the capital reserve fund into negative territory.

83  
84 Councilor Thibeault asked whether there is any way of transferring funding to the sanitation fund's capital  
85 reserves to ensure a positive balance. Finance Director Morris replied that if the City were to increase  
86 the capital funds transfer in FY25 by another \$22,000 (for a total transfer of \$172,000), and increase by  
87 \$50,000 more in transfers over the next five years, it would then put the fund into the positive. She said  
88 that this would in turn increase rates by 6.53% or \$10.36 per year.

89  
90 Councilor Certa asked about estimated revenues in wastewater, noting that they were developed with  
91 FY23 data and asked if there is more recent data. Finance Director Morris noted that the preliminary  
92 budgets were developed using the most recent FY24 data to date, which was through January at the  
93 time. She noted that there have been issues with flow meters for Williston and the Town of Essex,  
94 resulting in inaccurate flow data for the last three months of FY24, as well as several significant storm  
95 events that have also impacted recent flow data. She said that due to this, they decided to produce an  
96 estimate for FY25 based on past average utilization. Councilor Certa expressed concerns that other  
97 municipalities are not metering everything that should be metered, and that the City should work to more  
98 accurately meter its own flows to ensure it has the most accurate data. Councilor Brown asked who is  
99 responsible for the cost of metering other towns' pump stations, and Water Quality Superintendent  
100 Mandigo replied that other municipalities would bear the costs for installing flow meters. She noted that  
101 once the Town installs a flow meter at the Susie Wilson jug-handle in the next year, it will allow the City  
102 to know how much is the Town's flow and how much is the City's flow.

103



Councilor Thibeault expressed support for increasing the capital transfer to the sanitation budget. Other Councilors concurred.

**Councilor Certa made a motion, seconded by Councilor Brown, to approve the FY25 Enterprise Fund operating and capital budgets for Water, Wastewater, Sanitation, and EJRP Program Fund as presented, including the modification to the sanitation fund presented by Finance Director Morris. The motion passed 4-0.**

**Councilor Certa made a motion, seconded by Councilor Brown, to warn a public hearing on May 22, 2024 for FY25 rate setting for the Water, Wastewater and Sanitation funds. The motion passed 4-0.**

**6. CONSENT ITEMS**

- a. Approve Meeting Minutes: March 27, 2024
- b. Acting as Liquor Control Commission: Liquor License Approvals
- c. Approve Letter of Intent to Participate in Grants in Aid Program
- d. Approve Clarification of Tree Farm Management Group Board Composition
- e. Approve Tree Farm Management Group Management Agreement Amendments
- f. Approve July 4<sup>th</sup> Fireworks Display Permit – EJRP

**Councilor Brown made a motion, seconded by Councilor Certa, to approve the consent agenda as presented. The motion passed 4-0.**

**7. COUNCILOR COMMENTS & CITY MANAGER REPORT**

City Manager Mahony noted that there is an Amtrak platform project occurring currently, which would create a raised platform 8 inches above the track level. She noted that it started on April 3 and is anticipated to take approximately one year. She noted that there may be changes to the passenger waiting area and parking occasionally throughout the life of the construction project. She also noted that contractors have resumed work on the Crescent Connector project. She said that there will be signage indicating road/parking access and closures. She further noted that the City's Tree City USA application was approved for this year. She noted that Public Works has begun work to fix lawns damaged as a result of snow removal.

Councilor Haney asked whether the report on the Senior Center has been shared with the seniors, and City Manager Mahony replied that it has. Councilor Haney asked for an update on the Community Advisory Board position activities with the Police Department. City Manager Mahony replied that there is still a vacant position on that board, and that they are conducting broad recruitment activities for vacancies on volunteer boards later this spring. Councilor Haney congratulated Councilor Thibeault on her re-election, Councilor-elect Miller on his election, and thanked Councilor Brown for his years of service on the City Council and Village Trustees.

**8. READING FILE**

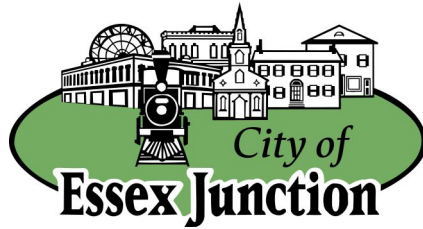
- a. Check Warrant #24041, 04/05/2024
- b. March Financial Reports
- c. Senior Programming Update
- d. Five-year Stormwater Management Plan
- e. Anaerobic Digester – WWTF Budget Supplement
- f. Feedback for VTrans on Susie Wilson Road Scoping Study and Rt 15 Paving Request
- g. DRB Meeting Minutes – 3/21/2024
- h. PCAB Meeting Minutes - 3/19/2024

154 i. TAC Meeting Minutes – 9/19/2024

155  
156 9. **ADJOURN**

157  
158 **Councilor Brown made a motion, seconded by Councilor Certa, to adjourn the meeting. The**  
159 **motion passed 4-0 at 7:23 P.M.**

160  
161 Respectfully Submitted,  
162 Amy Coonradt



## **Memorandum**

**To:** City Council, Regina Mahony, City Manager  
**CC:** Ron Hoague, Police Chief  
**From:** Susan McNamara-Hill, Clerk  
**Re:** Liquor and Tobacco license applications  
**Date:** April 24, 2024

---

### **Issue**

The issue is whether the Council will approve the Liquor License applications for businesses in the City of Essex Junction listed in the April 19, 2024 memorandum from Police Chief Ron Hoague re: "Liquor License Applications."

### **Discussion**

The following applications have been reviewed by the police department and are recommended for approval.

1<sup>st</sup> class (serves beer & wine on premises):

- FRG Essex, LLC - The Scale Essex, 137 Pearl Street, Suite 3, includes outside consumption

1<sup>st</sup> and 3<sup>rd</sup> class (serves beer, wine & spirits on premises):

- Hornet's Nest Pub, LLC – Hornet's Nest Pub, 12 Railroad Avenue, includes outside consumption

### **Recommendation**

Staff recommends that the Council approve the Liquor License applications for businesses listed in the April 19, 2024 memorandum re: "Liquor License Applications".

# DEPARTMENTAL MEMORANDUM



Date: April 19, 2024

---

**To:** Regina Mahony  
City Manager

**From:** Ron Hoague  
Chief of Police

**Subject:** Liquor License Applications

The police department conducted records review of the following first class liquor license applicants. There was nothing of concern found:

Hornet's Nest Pub, LLC  
*Includes 3<sup>rd</sup> class and outside consumption*

DBA: Hornet's Nest Pub, LLC  
12 Railroad Avenue  
Essex Junction, VT 05452

FRG Essex, LLC  
New Application  
*Includes outside consumption*

DBA: The Scale Essex  
137 Pearl Street, Suite 3  
Essex Junction, VT 05452

APPLICATION TO HANG STREET BANNERS, GAS LAMP BANNERS OR EVENT  
FLAGS IN THE VILLAGE OF ESSEX JUNCTION

Please Print

Applicant's Name: Brad Luck

Organization: EJRP

Tax Exempt #: \_\_\_\_\_ Non-Profit:  Yes  No

Address: 75 Maple St.

Phone: 802-310-4067 Email: blucke@ejrp.org

Application for: Street Banner  Gas Lamp Banners  Event Flags

Message and dimensions: over dam + at 2 Lincoln

Essex Memorial Day Parade, Saturday, May 25, 10am

Locations you would like the event flags displayed: \_\_\_\_\_

Banners going up: 5/13 / coming down anytime after parade.

I certify that the above-described banner(s) or event flags have been constructed in accordance with the specifications noted.

Signed: BL Date: 4/9/24

Please return completed application to the Manager, Village of Essex Junction,  
2 Lincoln Street, Essex Junction, VT 05452.

OFFICE USE ONLY

Insurance Certificate received:  Yes  No  
Liability Waiver received:  Yes  No Waiver signed: Yes  No   
\$250 fee received:  Yes  No  
Application complete:  Yes  No

Trustees= approval (date): \_\_\_\_\_

**VILLAGE OF ESSEX JUNCTION  
APPLICATION TO CLOSE OR OBSTRUCT A STREET  
FOR A COMMUNITY EVENT**

I/we do hereby make application, as required by the Village of Essex Junction, VT, to close or obstruct a Village street.

**CONDITIONS:**

1. Provide a detailed site plan and/or aerial view of the street(s) to be closed or obstructed. Return the site plan with your completed application sixty (60) days in advance of the event to the Village Office, 2 Lincoln Street, Essex Junction, VT 05452 or admin@essexjunction.org. It requires final approval from the Village Trustees.
2. Obtain pre-approval from the Essex Police Department (878-8331) and Essex Junction Fire Department (878-6958) regarding the plans which must include provision for emergency access. Work with the Essex Junction Public Works Department (878-6942 or 878-6944) to obtain road signs to warn drivers of road closing.
3. Maintain a twelve (12) foot clear road in the center of the street in case of emergency.
4. Remove any obstructions immediately if emergency vehicles need to use the street.

Street(s) to be closed:

Lincoln St. (St. James to 5 Corners) + Pearl St. (5 corners to CVE entrance)

Purpose: Essex Memorial Day Parade

Date(s): Saturday, May 25

Hours: from 9:30a to 11:15a  
(including set up and tear down)

Brad Luck  
Name of Organizer (please print)

EJRP  
Organization/Event Name

75 Maple St.  
Address

Phone: Home \_\_\_\_\_ Work \_\_\_\_\_

Cell 802-310-4047 (required on site)

BL  
Signature

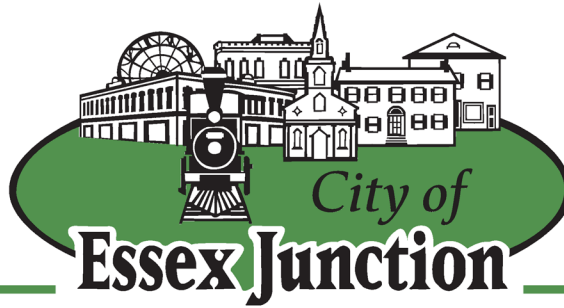
## FOR COMPLETION BY VILLAGE STAFF

**Public Works** Date approved 04/16/24 Approved by *R.V.G.*  
Comment: \_\_\_\_\_  
Bick Jones (Apr 16, 2024 06:36 EDT)

**Police Dept.** Date approved 04/15/24 Approved by: *Ron Hoagwa*  
Comment: \_\_\_\_\_

**Fire Dept.** Date approved 04/15/24 Approved by: *Chris Gaboriault*  
Comment: \_\_\_\_\_  
Chris Gaboriault (Apr 15, 2024 20:28 EDT)

**Municipal Manager:** \_\_\_\_\_ Date approved \_\_\_\_\_



## MEMORANDUM

**To:** City Council  
**From:** Regina Mahony, City Manager  
**CC:** Rick Jones, Public Works Superintendent  
**Meeting Date:** April 24, 2024  
**Subject:** 2024 Resurfacing Projects – Bid Award

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**Issue:** Bids have been advertised and received for the 2024 Resurfacing Projects.

**Discussion:** The resurfacing project for this year includes a portion of the following streets: Abnaki Avenue, Cherry Street, Prospect Street, Cherokee Avenue, Cree Avenue, Iroquois Avenue, and West Hillcrest Road. Sealed bids were received from four bidders; FW Whitcomb Construction Corp., Hungerford Construction, LLC, Engineers Construction, Inc., and Pike Industries, Inc.

**Cost:** The general fund includes \$300,000 for resurfacing projects in the FY25 budget. Following a review of the bids by the City Engineer, Engineers Construction, Inc. was determined to be the lowest qualified bidder with a total base bid of \$223,955.00.

**Recommendation:** It is recommended that the City Council award the bid for the 2024 Resurfacing Projects to Engineers Construction, Inc. for \$223,955.00.

**Recommended Motion:** Should the Council decide to move forward with the recommendation, below is a recommended motion:

*"I move that the City Council award the bid for the 2024 Resurfacing Projects to Engineers Construction, Inc. for \$223,955.00 and authorize the City Manager to sign the contract."*

**Attachments:**

City Engineer Recommendation of Award letter, dated 04/16/2024  
Bid Tabulation



DONALD L. HAMLIN  
CONSULTING ENGINEERS, INC.  
ENGINEERS AND LAND SURVEYORS

Please reply to:

P.O. Box 9  
Essex Junction  
Vermont 05453

136 Pearl Street  
Essex Junction, Vermont

Tel. (802) 878-3956  
Fax (802) 878-2679  
www.dlhce.com

April 16, 2024

Ms. Regina Mahony  
City of Essex Junction  
2 Lincoln Street  
Essex Junction, VT 05452

Re: 2024 Resurfacing Projects  
Recommendation of Award

Dear Ms. Mahony:

Please find enclosed a copy of the bid tabulation for the 2024 Resurfacing Projects. We have reviewed all the bids submitted and determined that the apparent low bidder, Engineers Construction, Inc., is in fact the low bidder with a total base bid of \$223,955.00 per the selection basis contained in the contract documents.

We have spoken with James McNall from Engineers Construction, Inc. and he has assured us that they wish to complete the project. Accordingly, we recommend that Engineers Construction, Inc. be awarded the contract for this project.

Please do not hesitate to contact me with any questions or if we may be of further service.

Respectfully,



Jeffrey P. Kershner, P.E.  
President

Enc.

Cc: Rick Jones, Public Works Superintendent

BID TABULATION

CITY OF ESSEX JUNCTION  
2024 ROADWAY RESURFACING PROJECT

DLHCE

Engineers Construction, Inc.

Hungerford Construction, LLC

Pike Industries, Inc.

FW Whitcomb Construction Corp.

Abnaki Avenue

ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1) Type IV Bituminous Concrete Pavement, 1-1/2" Overlay	125	tons	\$ 110.00	\$ 13,750.00
2) Cold Plane Pavement Up to 1-1/2" Thick	55	sy	\$ 20.00	\$ 1,100.00
3) Grind Asphalt Fillet at Driveways	65	sy	\$ 30.00	\$ 1,950.00
4) Remove & Reset Existing Frame and Cover/Grate	4	each	\$ 1,000.00	\$ 4,000.00
5) Traffic Control	1	ls	\$ 6,000.00	\$ 6,000.00
Total				\$ 26,800.00

UNIT PRICE	TOTAL PRICE
\$ 110.00	\$ 13,750.00
\$ 45.00	\$ 2,475.00
\$ 19.00	\$ 1,235.00
\$ 1,350.00	\$ 5,400.00
\$ 2,500.00	\$ 2,500.00
Total \$ 25,360.00	

UNIT PRICE	TOTAL PRICE
\$ 99.80	\$ 12,475.00
\$ 9.00	\$ 495.00
\$ 9.00	\$ 585.00
\$ 2,000.00	\$ 8,000.00
\$ 3,600.00	\$ 3,600.00
Total \$ 25,155.00	

UNIT PRICE	TOTAL PRICE
\$ 129.50	\$ 16,187.50
\$ 25.00	\$ 1,375.00
\$ 15.00	\$ 975.00
\$ 1,885.00	\$ 7,540.00
\$ 1,059.25	\$ 1,059.25
Total \$ 27,136.75	

UNIT PRICE	TOTAL PRICE
\$ 130.00	\$ 16,250.00
\$ 20.00	\$ 1,100.00
\$ 25.00	\$ 1,625.00
\$ 2,500.00	\$ 10,000.00
\$ 8,000.00	\$ 8,000.00
Total \$ 36,975.00	

Cherry Street

ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1) Type IV Bituminous Concrete Pavement, 1-1/2" Overlay	50	tons	\$ 110.00	\$ 5,500.00
2) Cold Plane Pavement, tp to 1-1/2" thick	55	sy	\$ 20.00	\$ 1,100.00
3) Grind the Existing Asphalt Fillets at Driveways	25	sy	\$ 30.00	\$ 750.00
4) Traffic Control	1	ls	\$ 3,000.00	\$ 3,000.00
Total				\$ 10,350.00

UNIT PRICE	TOTAL PRICE
\$ 110.00	\$ 5,500.00
\$ 45.00	\$ 2,475.00
\$ 19.00	\$ 475.00
\$ 1,250.00	\$ 1,250.00
Total \$ 9,700.00	

UNIT PRICE	TOTAL PRICE
\$ 99.80	\$ 4,990.00
\$ 9.00	\$ 495.00
\$ 9.00	\$ 225.00
\$ 1,200.00	\$ 1,200.00
Total \$ 6,910.00	

UNIT PRICE	TOTAL PRICE
\$ 129.50	\$ 6,475.00
\$ 25.00	\$ 1,375.00
\$ 15.00	\$ 375.00
\$ 334.50	\$ 334.50
Total \$ 8,559.50	

UNIT PRICE	TOTAL PRICE
\$ 130.00	\$ 6,500.00
\$ 20.00	\$ 1,100.00
\$ 25.00	\$ 625.00
\$ 4,000.00	\$ 4,000.00
Total \$ 12,225.00	

Prospect Street

ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1) Mill Existing Pavement, 1-1/2" Deep	1,950	sy	\$ 20.00	\$ 39,000.00
2) Type IV Bituminous Concrete Pavement, 1-1/2" Overlay	330	tons	\$ 110.00	\$ 36,300.00
3) Cold Plane Pavement Up to 1-1/2" Thick	50	sy	\$ 20.00	\$ 1,000.00
4) Grind Asphalt Fillets at Driveways	105	sy	\$ 30.00	\$ 3,150.00
5) Remove and Reset Existing Frame and Cover/Grate	17	each	\$ 1,000.00	\$ 17,000.00
6) Traffic Control	1	ls	\$ 6,000.00	\$ 6,000.00
Total				\$ 102,450.00

UNIT PRICE	TOTAL PRICE
\$ 4.50	\$ 8,775.00
\$ 110.00	\$ 36,300.00
\$ 45.00	\$ 2,250.00
\$ 19.00	\$ 1,995.00
\$ 1,350.00	\$ 22,950.00
\$ 7,500.00	\$ 7,500.00
Total \$ 79,770.00	

UNIT PRICE	TOTAL PRICE
\$ 9.00	\$ 17,550.00
\$ 99.80	\$ 32,934.00
\$ 9.00	\$ 450.00
\$ 9.00	\$ 945.00
\$ 2,000.00	\$ 34,000.00
\$ 15,000.00	\$ 15,000.00
Total \$ 100,879.00	

UNIT PRICE	TOTAL PRICE
\$ 7.00	\$ 13,650.00
\$ 129.50	\$ 42,735.00
\$ 25.00	\$ 1,250.00
\$ 15.00	\$ 1,575.00
\$ 1,885.00	\$ 32,045.00
\$ 3,705.00	\$ 3,705.00
Total \$ 94,960.00	

UNIT PRICE	TOTAL PRICE
\$ 5.00	\$ 9,750.00
\$ 130.00	\$ 42,900.00
\$ 20.00	\$ 1,000.00
\$ 25.00	\$ 2,625.00
\$ 2,500.00	\$ 42,500.00
\$ 13,000.00	\$ 13,000.00
Total \$ 111,775.00	

Cherokee Ave and Cree Ave

ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1) Type IV Bituminous Concrete Pavement, 1-1/2" Overlay	300	tons	\$ 110.00	\$ 33,000.00
2) Cold Plane Pavement Up to 1-1/2" Thick	50	sy	\$ 20.00	\$ 1,000.00
3) Grind Asphalt Fillets at Driveways	145	sy	\$ 30.00	\$ 4,350.00
4) Remove and Reset Existing Frame and Cover/Grate	7	each	\$ 1,000.00	\$ 7,000.00
5) Traffic Control	1	ls	\$ 6,000.00	\$ 6,000.00
Total				\$ 51,350.00

UNIT PRICE	TOTAL PRICE
\$ 110.00	\$ 33,000.00
\$ 45.00	\$ 2,250.00
\$ 19.00	\$ 2,755.00
\$ 1,350.00	\$ 9,450.00
\$ 7,500.00	\$ 7,500.00
Total \$ 54,955.00	

UNIT PRICE	TOTAL PRICE
\$ 99.80	\$ 29,940.00
\$ 9.00	\$ 450.00
\$ 9.00	\$ 1,305.00
\$ 2,000.00	\$ 14,000.00
\$ 4,400.00	\$ 4,400.00
Total \$ 50,095.00	

UNIT PRICE	TOTAL PRICE
\$ 129.50	\$ 38,850.00
\$ 25.00	\$ 1,250.00
\$ 15.00	\$ 2,175.00
\$ 1,885.00	\$ 13,195.00
\$ 2,251.50	\$ 2,251.50
Total \$ 57,721.50	

UNIT PRICE	TOTAL PRICE
\$ 130.00	\$ 39,000.00
\$ 20.00	\$ 1,000.00
\$ 25.00	\$ 3,625.00
\$ 2,500.00	\$ 17,500.00
\$ 18,000.00	\$ 18,000.00
Total \$ 79,125.00	

**BID TABULATION**

**CITY OF ESSEX JUNCTION  
2024 ROADWAY RESURFACING PROJECT**

DLHCE

Engineers Construction, Inc.

Hungerford Construction, LLC

Pike Industries, Inc.

FW Whitcomb Construction Corp.

**Iroquois Avenue**

ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1) Type IV Bituminous Concrete Pavement, 1-1/2" Overlay	180	tons	\$ 110.00	\$ 19,800.00
2) Cold Plane Pavement Up to 1-1/2" Thick	70	sy	\$ 20.00	\$ 1,400.00
3) Grind Asphalt Fillets at Driveways	80	sy	\$ 30.00	\$ 2,400.00
4) Remove and Reset Existing Frame and Cover/Grate	4	each	\$ 1,000.00	\$ 4,000.00
6) Traffic Control	1	ls	\$ 6,000.00	\$ 6,000.00
<b>Total</b>			\$ 33,600.00	

UNIT PRICE	TOTAL PRICE
\$ 110.00	\$ 19,800.00
\$ 45.00	\$ 3,150.00
\$ 19.00	\$ 1,520.00
\$ 1,350.00	\$ 5,400.00
\$ 3,750.00	\$ 3,750.00
<b>Total</b>	\$ 33,620.00

UNIT PRICE	TOTAL PRICE
\$ 99.80	\$ 17,964.00
\$ 9.00	\$ 630.00
\$ 9.00	\$ 720.00
\$ 2,000.00	\$ 8,000.00
\$ 4,200.00	\$ 4,200.00
<b>Total</b>	\$ 31,514.00

UNIT PRICE	TOTAL PRICE
\$ 129.50	\$ 23,310.00
\$ 25.00	\$ 1,750.00
\$ 15.00	\$ 1,200.00
\$ 1,885.00	\$ 7,540.00
\$ 1,372.75	\$ 1,372.75
<b>Total</b>	\$ 35,172.75

UNIT PRICE	TOTAL PRICE
\$ 130.00	\$ 23,400.00
\$ 20.00	\$ 1,400.00
\$ 25.00	\$ 2,000.00
\$ 2,500.00	\$ 10,000.00
\$ 8,000.00	\$ 8,000.00
<b>Total</b>	\$ 44,800.00

**West Hillcrest Road**

ITEM	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1) Type IV Bituminous Concrete Pavement, 1-1/2" Overlay	110	tons	\$ 110.00	\$ 12,100.00
2) Cold Plane Pavement Up to 1-1/2" Thick	60	sy	\$ 20.00	\$ 1,200.00
3) Grind Asphalt Fillets at Driveways	100	sy	\$ 30.00	\$ 3,000.00
4) Remove and Reset Existing Frame and Cover/Grate	1	each	\$ 1,000.00	\$ 1,000.00
5) Traffic Control	1	ls	\$ 6,000.00	\$ 6,000.00
<b>Total</b>			\$ 23,300.00	
<b>Base Bid Total</b>			\$ 247,850.00	

UNIT PRICE	TOTAL PRICE
\$ 110.00	\$ 12,100.00
\$ 45.00	\$ 2,700.00
\$ 19.00	\$ 1,900.00
\$ 1,350.00	\$ 1,350.00
\$ 2,500.00	\$ 2,500.00
<b>Total</b>	\$ 20,550.00
<b>Base Bid Total</b>	\$ 223,955.00

UNIT PRICE	TOTAL PRICE
\$ 99.80	\$ 10,978.00
\$ 9.00	\$ 540.00
\$ 9.00	\$ 900.00
\$ 2,000.00	\$ 2,000.00
\$ 2,400.00	\$ 2,400.00
<b>Total</b>	\$ 16,818.00
<b>Base Bid Total</b>	\$ 231,371.00

UNIT PRICE	TOTAL PRICE
\$ 129.50	\$ 14,245.00
\$ 25.00	\$ 1,500.00
\$ 15.00	\$ 1,500.00
\$ 1,885.00	\$ 1,885.00
\$ 777.00	\$ 777.00
<b>Total</b>	\$ 19,907.00
<b>Base Bid Total</b>	\$ 243,457.50

UNIT PRICE	TOTAL PRICE
\$ 130.00	\$ 14,300.00
\$ 20.00	\$ 1,200.00
\$ 25.00	\$ 2,500.00
\$ 2,500.00	\$ 2,500.00
\$ 5,000.00	\$ 5,000.00
<b>Total</b>	\$ 25,500.00
<b>Base Bid Total</b>	\$ 310,400.00

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
07305	04/02/24	AIRGAS USA LLC 8141782978 MIL287815 1 EA 9148496958	210-5-40-12-610.000 General Supplies	165.84	52184	04/19/24
28555	04/04/24	ALLEGIANCE TRUCKS DEF2.5, FLEETRITE DEF, 2.5 X12202888001	210-5-40-12-626.000 Gasoline	119.92	52186	04/19/24
19815	04/06/24	AMAZON CAPITAL SERVICES BL AColl-Sup-AProg APR24 1DX1LTPrf6H7	210-5-35-10-610.000 General Supplies	83.07	52188	04/19/24
19815	04/06/24	AMAZON CAPITAL SERVICES BL AColl-Sup-AProg APR24 1DX1LTPrf6H7	210-5-35-10-640.201 Adult Collection	285.10	52188	04/19/24
19815	04/06/24	AMAZON CAPITAL SERVICES BL AColl-Sup-AProg APR24 1DX1LTPrf6H7	210-5-90-00-640.201 Adult Collection replacem	25.40	52188	04/19/24
19815	04/06/24	AMAZON CAPITAL SERVICES BL AColl-Sup-AProg APR24 1DX1LTPrf6H7	210-5-35-10-840.201 Adult Programs	16.58	52188	04/19/24
19815	04/09/24	AMAZON CAPITAL SERVICES Senior Center Supplies 1HXFTHFK3Q3D	210-5-30-13-610.000 General Supplies	54.80	52188	04/19/24
19815	04/05/24	AMAZON CAPITAL SERVICES BL JColl APR24 1MD9WHNG77PW	210-5-35-10-640.202 Juvenile Collection	289.65	52188	04/19/24
19815	04/12/24	AMAZON CAPITAL SERVICES Vacuum Bags 1WTJWGMKPCW	210-5-30-12-610.000 General Supplies	62.94	52188	04/19/24
02420	03/28/24	AUTOZONE shop tools 3236457261	210-5-40-12-610.000 General Supplies	32.04	52192	04/19/24
02420	04/03/24	AUTOZONE Cleaner 3236460094	210-5-25-10-430.000 R&M Vehicles & Equipment	29.31	52192	04/19/24
02420	04/03/24	AUTOZONE 1 I 2PC A STYLE MALE Vape 3236460104	210-5-25-10-430.000 R&M Vehicles & Equipment	3.59	52192	04/19/24
02420	04/10/24	AUTOZONE paint for plow #7 3236462929	210-5-40-12-430.000 R&M Vehicles & Equipment	57.18	52192	04/19/24
02420	04/10/24	AUTOZONE Paint for plows Truck #7 3236462984	210-5-40-12-430.000 R&M Vehicles & Equipment	38.63	52192	04/19/24
02420	04/12/24	AUTOZONE sand paper 3236463762	210-5-40-12-610.000 General Supplies	62.04	52192	04/19/24
02420	04/15/24	AUTOZONE DEF 3236465610	210-5-25-10-430.000 R&M Vehicles & Equipment	21.33	52192	04/19/24
80061	04/01/24	BASSICK, LINDA BL JProg APR24 005	210-5-35-10-840.202 Childrens Programs	100.00	52193	04/19/24
00530	04/03/24	BRODART CO BL JColl APR24 B6770236	210-5-35-10-610.000 General Supplies	10.10	52194	04/19/24
00530	04/03/24	BRODART CO BL JColl APR24 B6770236	210-5-35-10-640.202 Juvenile Collection	142.42	52194	04/19/24
00530	04/03/24	BRODART CO BL JColl-Supplies APR24 B6770237	210-5-35-10-640.202 Juvenile Collection	59.45	52194	04/19/24
00530	04/03/24	BRODART CO BL JColl-Supplies APR24 B6770237	210-5-35-10-610.000 General Supplies	5.05	52194	04/19/24
22670	04/15/24	CAPITAL ONE CREDIT CARD - EJRP Credit Card April 65080424	210-5-41-20-431.000 R&M Buildings & Grounds	158.40	52195	04/19/24
22670	04/15/24	CAPITAL ONE CREDIT CARD - EJRP Credit Card April 65080424	210-5-30-13-610.000 General Supplies	50.13	52195	04/19/24
22670	04/15/24	CAPITAL ONE CREDIT CARD - EJRP Credit Card April 65080424	210-5-17-10-850.000 Community Events and Cele	4.99	52195	04/19/24
22670	04/15/24	CAPITAL ONE CREDIT CARD - EJRP Credit Card April 65080424	210-5-30-10-330.000 Professional Services	190.00	52195	04/19/24

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
22670	CAPITAL ONE CREDIT CARD -	04/15/24	EJRP Credit Card April 65080424	210-5-30-12-610.000 General Supplies	97.06	52195	04/19/24
03000	CARGILL SALT EASTERN INC	03/21/24	DEICER SALT ICE CNTRL BLK 2909346034	210-5-40-12-600.000 Salt, Sand and Gravel	1963.28	52196	04/19/24
03000	CARGILL SALT EASTERN INC	03/22/24	DEICER SALT ICE CNTRL BLK 2909350283	210-5-40-12-600.000 Salt, Sand and Gravel	2838.88	52196	04/19/24
03000	CARGILL SALT EASTERN INC	03/25/24	DEICER SALT ICE CNTRL BLK 2909357231	210-5-40-12-600.000 Salt, Sand and Gravel	10219.44	52196	04/19/24
03000	CARGILL SALT EASTERN INC	04/12/24	DEICER SALT ICE CNTRL BLK 2909423557	210-5-40-12-600.000 Salt, Sand and Gravel	3836.80	52196	04/19/24
V10617	CHADWICK-BAROSS	04/12/24	sidewalk machines C89840	210-5-40-12-430.000 R&M Vehicles & Equipment	1941.68	52199	04/19/24
V10617	CHADWICK-BAROSS	03/15/24	Sidewalk plow TRACKS ARE G60649	210-5-40-12-430.000 R&M Vehicles & Equipment	10356.11	52199	04/19/24
21120	CHAMPLAIN MEDICAL URGENT	03/30/24	Physicals EJFD 00066581-00	210-5-25-10-330.000 Professional Services	392.00	52200	04/19/24
21210	CINTAS LOC # 68M 71 M	04/11/24	SM SHOP TWL-RED- 4189243115	210-5-40-12-610.000 General Supplies	156.30	52203	04/19/24
21210	CINTAS LOC # 68M 71 M	04/04/24	CUP-HOT PAPER 80Z,W HT 50 5205264723	210-5-40-12-610.000 General Supplies	71.69	52203	04/19/24
21210	CINTAS LOC # 68M 71 M	04/01/24	WATERBREAK COOLER LEASE 9265926394	210-5-40-12-610.000 General Supplies	50.00	52203	04/19/24
06955	CLEMENS DIANE	04/09/24	PRESIDING OFFICER 240409 - DC	210-5-12-10-120.000 Part Time Salaries	635.00	52204	04/19/24
27330	COLLABORATIVE SUMMER LIBR	02/10/24	BL LibDonSRP FEB24 W00297514	210-5-90-00-991.000 Library Donation Expense	256.40	52206	04/19/24
04940	COMCAST	04/03/24	Cable TV 02077220424	210-5-25-10-530.000 Communications	21.43	52207	04/19/24
17025	COONRADT AMY	04/05/24	Recording Secretary CC 4/ 0169	210-5-11-10-330.000 Professtional Services	79.94	52208	04/19/24
17025	COONRADT AMY	04/16/24	Recording Secretary CC 04 0171	210-5-11-10-330.000 Professtional Services	45.68	52208	04/19/24
11870	CVC PAGING	03/08/24	1 APOLLO XL2000 - NEW SPA 10400046	210-5-40-12-442.000 Rental Vehicles/Equip	86.95	52209	04/19/24
31275	DON WESTON EXCAVATING INC	12/29/23	Maplewood Lane repair cul 10886	210-5-40-13-575.000 Storm Sewer Maintenance	4021.05	52211	04/19/24
31275	DON WESTON EXCAVATING INC	04/08/24	Snow removal 10936	210-5-40-12-422.000 Snow Removal	6820.00	52211	04/19/24
25715	DONALD L. HAMLIN CONSULT	03/28/24	EJ-Utility Map Update 238180324	210-5-40-12-330.000 Professional Services	1870.00	52212	04/19/24
25715	DONALD L. HAMLIN CONSULT	03/28/24	City of Essex Junction re 248040324	210-5-40-12-451.000 Summer Construction Servi	5143.75	52212	04/19/24
25715	DONALD L. HAMLIN CONSULT	03/28/24	meeting with RVJ about 1 248060324	210-5-13-10-990.000 Default AP	185.00	52212	04/19/24
25715	DONALD L. HAMLIN CONSULT	03/28/24	EJ-Assistance RVJ 2/1 to 248160324	210-5-40-12-330.000 Professional Services	618.75	52212	04/19/24
25715	DONALD L. HAMLIN CONSULT	03/28/24	SW engineering assistance 248170324	210-5-30-13-330.000 Professional Services	3195.77	52212	04/19/24
25715	DONALD L. HAMLIN CONSULT	03/27/24	Provide capital project e 24823032724	210-5-40-12-330.000 Professional Services	292.50	52212	04/19/24

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
V0795	04/02/24	qtrly assess/PD/debt pmt 040224-0220	210-5-95-00-900.000 Transfer Between Town/Cit	50800.74	52219	04/19/24
V0795	04/02/24	qtrly assess/PD/debt pmt 040224-0220	210-5-15-10-900.000 Transfer between Town/Cit	19452.45	52219	04/19/24
V0795	04/02/24	qtrly assess/PD/debt pmt 040224-0220	210-5-18-10-800.108 Essex Police Dept	690778.16	52219	04/19/24
29510	04/09/24	ELECTION WORKER 240409 - SE	210-5-12-10-120.000 Part Time Salaries	18.75	52220	04/19/24
80021	03/20/24	Job Ad- Comm Dev #7832964165	210-5-10-10-540.000 Advertising	118.30	52222	04/19/24
80021	04/04/24	Morris membership 040424	210-5-13-10-500.000 Training, Conf, Dues	160.00	52222	04/19/24
80021	03/23/24	Clothes Hangers Fire Marc 0613838	210-5-25-10-610.000 General Supplies	31.98	52222	04/19/24
80021	04/01/24	HRIS April 2024 136790	210-5-10-10-340.000 Technical Services	657.80	52222	04/19/24
80021	03/22/24	Laminating Sheets Fire Ma 2053867	210-5-25-10-610.000 General Supplies	35.00	52222	04/19/24
80021	03/15/24	Dewalt Tire Inflator 2365000	210-5-25-10-750.000 Machinery & Equipment	121.54	52222	04/19/24
80021	03/27/24	Fire Dept. Supplies March 2484202	210-5-25-10-500.000 Training, Conf, Dues	229.04	52222	04/19/24
80021	04/02/24	job ad older adult ejrp 271024	210-5-10-10-540.000 Advertising	216.00	52222	04/19/24
80021	03/22/24	Whiteboard Cleaner Fire M 3261841	210-5-25-10-610.000 General Supplies	21.87	52222	04/19/24
80021	03/21/24	Planner job description a 3446099	210-5-10-10-540.000 Advertising	395.00	52222	04/19/24
80021	03/22/24	Orange Tape Fire March 24 3856266	210-5-25-10-610.000 General Supplies	65.88	52222	04/19/24
80021	03/14/24	time tracking March 423721	210-5-10-10-340.000 Technical Services	180.00	52222	04/19/24
80021	04/04/24	March time tracking 425852	210-5-10-10-340.000 Technical Services	180.00	52222	04/19/24
80021	03/21/24	Job Ad-Comm Dev PLNZ-7157	210-5-10-10-540.000 Advertising	99.95	52222	04/19/24
80021	03/15/24	HR membership renewal 24 S02966272	210-5-10-10-500.000 Training, Conf, Dues	264.00	52222	04/19/24
80021	03/21/24	labor law posters cs2204234	210-5-10-10-505.000 Tech. Subs, Licenses	262.85	52222	04/19/24
80021	03/19/24	HP 952 XL BLACK/ XL suppl staples31924	210-5-40-12-610.000 General Supplies	239.99	52222	04/19/24
19005	04/01/24	2 Lincoln Phones March 20 16864651	210-5-41-20-530.000 Communications	987.06	52225	04/19/24
19005	04/01/24	communication 16864700	210-5-40-12-530.000 Communications	104.38	52226	04/19/24
19005	04/01/24	Telephone 16864702	210-5-41-20-530.000 Communications	343.78	52227	04/19/24
19005	04/01/24	MSP Internet April 16865157	210-5-41-26-530.000 Communications	360.00	52228	04/19/24

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
16000	04/01/24	FISHER AUTO PARTS 'WD-40 chemical 293457903	210-5-40-12-610.000 General Supplies	35.22	52229	04/19/24
10705	03/19/24	GARDENERS SUPPLY CO INC SPADE ALL STEEL LONG 32297	210-5-40-12-810.112 Tree Advisory Committee	239.98	52230	04/19/24
34895	04/01/24	GAUTHIER TRUCKING, INC. 2YD CONTAINER recycle 1784523	210-5-40-12-425.000 Trash Removal	143.94	52231	04/19/24
34895	04/01/24	GAUTHIER TRUCKING, INC. BARREL SERVICE Railroad A 1784525	210-5-40-12-425.000 Trash Removal	585.53	52231	04/19/24
34895	04/01/24	GAUTHIER TRUCKING, INC. WEEKLY SERVICE Beech St 1784691	210-5-40-12-425.000 Trash Removal	83.28	52231	04/19/24
34895	04/03/24	GAUTHIER TRUCKING, INC. RECYCLE WOOD EAB grant 1787152	210-5-40-12-890.834 Emerald Ash Borer	345.00	52231	04/19/24
04035	04/17/24	GOT THAT RENTAL & SALES I GRINDER, STUMP VERMEER 125077	210-5-40-12-890.834 Emerald Ash Borer	550.00	52232	04/19/24
04035	04/17/24	GOT THAT RENTAL & SALES I RAKE 125203	210-5-40-12-610.000 General Supplies	59.98	52232	04/19/24
80042	04/15/24	GOV OS INC April Land Records 1NV5671	210-5-12-10-505.000 Tech. Subs Licenses	350.00	52233	04/19/24
07010	04/09/24	GREEN MOUNTAIN POWER CORP GMP multi Solar accts 3/8 04092024D	210-5-40-12-622.000 Electricity	338.66	52235	04/19/24
07010	04/09/24	GREEN MOUNTAIN POWER CORP GMP multi Solar accts 3/8 04092024D	210-5-41-21-622.000 Electricity	480.80	52235	04/19/24
07010	04/09/24	GREEN MOUNTAIN POWER CORP GMP multi Solar accts 3/8 04092024D	210-5-41-20-622.000 Electricity	325.68	52235	04/19/24
07010	04/09/24	GREEN MOUNTAIN POWER CORP GMP multi Solar accts 3/8 04092024D	210-5-40-12-622.000 Electricity	210.03	52235	04/19/24
07010	04/09/24	GREEN MOUNTAIN POWER CORP GMP multi Solar accts 3/8 04092024D	210-5-41-23-622.000 Electricity	50.67	52235	04/19/24
07010	04/09/24	GREEN MOUNTAIN POWER CORP GMP multi Solar accts 3/8 04092024D	210-5-41-22-622.000 Electricity	325.69	52235	04/19/24
07010	04/09/24	GREEN MOUNTAIN POWER CORP MSP Power April 0424 75MAPLE	210-5-41-26-622.000 Electricity	59.30	52236	04/19/24
07010	04/09/24	GREEN MOUNTAIN POWER CORP MSP Power April 0424 MAPLE	210-5-41-26-622.000 Electricity	315.07	52237	04/19/24
11710	04/01/24	INVEST EAP EAP EJFD 04012024	210-5-25-10-290.000 Other Employee Benefits	216.00	52238	04/19/24
15145	04/08/24	JOBTARGET LLC JOB AD PW Indeed 29580593	210-5-10-10-540.000 Advertising	455.00	52239	04/19/24
80087	04/10/24	KONICA MINOLTA PREMIER FI Copier Lease April 2024 526800966	210-5-35-10-442.000 Rental Vehicles/Equip	328.00	52242	04/19/24
80087	04/10/24	KONICA MINOLTA PREMIER FI Copier Lease April 2024 526800966	210-5-10-10-442.000 Rental Vehicles/Equip	165.54	52242	04/19/24
80087	04/10/24	KONICA MINOLTA PREMIER FI Copier Lease April 2024 526800966	210-5-30-10-442.000 Rental Vehicles/Equip	149.40	52242	04/19/24
80087	04/10/24	KONICA MINOLTA PREMIER FI Copier Lease April 2024 526800966	210-5-40-12-442.000 Rental Vehicles/Equip	70.40	52242	04/19/24
25625	04/02/24	LOWE'S - 1080 EJRP Lowes April 41910800424	210-5-41-20-431.000 R&M Buildings & Grounds	250.28	52243	04/19/24
27840	04/17/24	MADISON NATIONAL LIFE INS Life Ins May 2024 1619159	210-5-30-12-210.000 Group Insurance	73.20	52244	04/19/24

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27840	04/17/24	MADISON NATIONAL LIFE INS Life Ins May 2024 1619159	210-5-30-10-210.000 Group Insurance	183.00	52244	04/19/24
27840	04/17/24	MADISON NATIONAL LIFE INS Life Ins May 2024 1619159	210-5-40-12-210.000 Group Insurance	123.42	52244	04/19/24
27840	04/17/24	MADISON NATIONAL LIFE INS Life Ins May 2024 1619159	210-5-35-10-210.000 Group Insurance	256.20	52244	04/19/24
27840	04/17/24	MADISON NATIONAL LIFE INS Life Ins May 2024 1619159	210-5-16-10-210.000 Group Insurance	30.65	52244	04/19/24
27840	04/17/24	MADISON NATIONAL LIFE INS Life Ins May 2024 1619159	210-5-10-10-210.000 Group Insurance	204.47	52244	04/19/24
27840	04/17/24	MADISON NATIONAL LIFE INS Life Ins May 2024 1619159	210-5-13-10-210.000 Group Insurance	109.80	52244	04/19/24
27840	04/17/24	MADISON NATIONAL LIFE INS Life Ins May 2024 1619159	210-5-40-13-210.000 Group Insurance	12.08	52244	04/19/24
80012	03/31/24	MECHLER THOMAS BL CProg MAR24 MAR2024	210-5-35-10-840.202 Childrens Programs	150.00	52245	04/19/24
V10462	03/31/24	MONAGHAN SAFAR DUCHAM PL March legal March 2024	210-5-16-10-320.000 Legal Services	1252.50	52246	04/19/24
V10462	03/31/24	MONAGHAN SAFAR DUCHAM PL March legal March 2024	210-5-10-10-320.000 Legal Services	3715.50	52246	04/19/24
29675	04/09/24	MURRAY PATRICK ELECTION WORKER 240904 - PM	210-5-12-10-120.000 Part Time Salaries	75.00	52248	04/19/24
28475	03/14/24	NEWSBANK INC BL AColl APR24 RN1140130	210-5-35-10-640.201 Adult Collection	2065.00	52249	04/19/24
24960	04/15/24	NORTHEAST DELTA DENTAL Dental May 2024 041524 6197	210-5-30-12-210.000 Group Insurance	104.53	52250	04/19/24
24960	04/15/24	NORTHEAST DELTA DENTAL Dental May 2024 041524 6197	210-5-10-10-210.000 Group Insurance	431.96	52250	04/19/24
24960	04/15/24	NORTHEAST DELTA DENTAL Dental May 2024 041524 6197	210-5-30-10-210.000 Group Insurance	647.20	52250	04/19/24
24960	04/15/24	NORTHEAST DELTA DENTAL Dental May 2024 041524 6197	210-5-13-10-210.000 Group Insurance	233.97	52250	04/19/24
24960	04/15/24	NORTHEAST DELTA DENTAL Dental May 2024 041524 6197	210-5-16-10-210.000 Group Insurance	68.55	52250	04/19/24
24960	04/15/24	NORTHEAST DELTA DENTAL Dental May 2024 041524 6197	210-5-40-12-210.000 Group Insurance	440.10	52250	04/19/24
24960	04/15/24	NORTHEAST DELTA DENTAL Dental May 2024 041524 6197	210-5-40-13-210.000 Group Insurance	22.62	52250	04/19/24
24960	04/15/24	NORTHEAST DELTA DENTAL Dental May 2024 041524 6197	210-5-35-10-210.000 Group Insurance	443.03	52250	04/19/24
19325	02/29/24	OPEN APPROACH INC hard drive disposal fee 22407	210-5-14-10-735.000 Tech Hardware, Software,	30.00	52251	04/19/24
19325	04/01/24	OPEN APPROACH INC IT Managed Services April 22465	210-5-14-10-505.000 Tech. Subs, Licenses	5192.42	52251	04/19/24
19325	04/01/24	OPEN APPROACH INC IT Managed Services April 22465	210-5-14-10-330.000 Professional Services	8970.00	52251	04/19/24
V10729	04/09/24	OVERDRIVE INC BL JColl APR24 01459DA24110	210-5-35-10-640.202 Juvenile Collection	915.03	52252	04/19/24
V10729	04/11/24	OVERDRIVE INC BL AColl APR24 01459MG24112	210-5-35-10-640.201 Adult Collection	2000.00	52252	04/19/24



Vendor	Invoice Date	Invoice Description	Invoice Number	Account	Amount Paid	Check Number	Check Date
V10729	03/31/24	OVERDRIVE INC	BL AColl MAR24 01459SV24099	210-5-35-10-640.201 Adult Collection	2.99	52252	04/19/24
29425	04/02/24	PERFORMANCE FOOD SERVICE	PAPER TOWEL 147742	210-5-40-12-610.000 General Supplies	737.72	52254	04/19/24
05380	04/05/24	PURCHASE POWER	2 Lincoln Postage April 2 0405244061	210-5-10-10-560.000 Postage	1008.50	52256	04/19/24
18010	04/03/24	REYNOLDS & SON, INC.	FXR TURNOUT COAT 3438399	210-5-25-10-612.000 Uniforms	4569.27	52259	04/19/24
23500	04/09/24	ROUSSELLE BRENDA	ELECTION WORKER 240409 - BR	210-5-12-10-120.000 Part Time Salaries	97.50	52260	04/19/24
00275	03/30/24	SB SIGNS INC	contour cut logo decals f 30499	210-5-40-12-430.000 R&M Vehicles & Equipment	156.00	52262	04/19/24
29835	04/10/24	SHERWIN-WILLIAMS	paint supply for plow 60863	210-5-40-12-610.000 General Supplies	19.60	52264	04/19/24
29835	04/11/24	SHERWIN-WILLIAMS	paint supply for plow 64906	210-5-40-12-610.000 General Supplies	27.07	52264	04/19/24
05590	04/09/24	STONE ENVIRONMENTAL INC	Essex Junction PCP Updat 16427	210-5-40-13-330.000 Professional Services	6491.25	52268	04/19/24
20865	04/09/24	TOWLE ANN	ELECTION WORKER 240904 - AT	210-5-12-10-120.000 Part Time Salaries	63.75	52270	04/19/24
21000	04/10/24	UNIFIRST CORPORATION	BL CONTRACT-MATS APR24 1080206544	210-5-41-21-400.000 Contracted Services	65.78	52271	04/19/24
19350	04/01/24	VERIZON CONNECT FLEET USA	vehicle tracking 310000049948	210-5-40-12-442.000 Rental Vehicles/Equip	151.60	52274	04/19/24
25315	04/05/24	VESPA'S PIZZA PASTA & DEL	City Friday Pizza 040524D	210-5-30-10-610.000 General Supplies	124.00	52275	04/19/24
11935	03/26/24	VIKING-CIVES USA	Description: MAXXIMA 3-PI 4533189	210-5-40-12-430.000 R&M Vehicles & Equipment	26.42	52276	04/19/24
11935	04/04/24	VIKING-CIVES USA	plow blades 4533300	210-5-40-12-610.000 General Supplies	12444.60	52276	04/19/24
11935	04/04/24	VIKING-CIVES USA	BACK UP ALARM 97 DB 4533329	210-5-40-12-430.000 R&M Vehicles & Equipment	183.59	52276	04/19/24
11935	04/10/24	VIKING-CIVES USA	Description: HEAVY DUTY C 4533538	210-5-40-12-610.000 General Supplies	560.00	52276	04/19/24
80083	04/09/24	VILLA, ELIZABETH	ELECTION WORKER 240409 - EV	210-5-12-10-120.000 Part Time Salaries	37.50	52277	04/19/24
23395	03/29/24	VILLAGE HARDWARE - WILLIS	NUTS-BOLTS-SCREWS 517984	210-5-40-12-610.000 General Supplies	4.00	52278	04/19/24
23395	04/01/24	VILLAGE HARDWARE - WILLIS	NUTS-BOLTS-SCREWS 517990	210-5-40-12-610.000 General Supplies	14.16	52278	04/19/24
23395	04/09/24	VILLAGE HARDWARE - WILLIS	SEED-SOIL CONSERVATION MI 518019	210-5-40-12-605.000 Summer Construction Suppl	655.26	52278	04/19/24
V2380	04/01/24	VLCT PACIF	endorsement 2 PW truck INT195040124	210-5-13-10-520.000 Workers Comp Insurance	458.00	52279	04/19/24
07565	03/04/24	W B MASON CO INC	Brownell Library Trash Li 244982209	210-5-41-21-431.000 R&M Buildings & Grounds	51.99	52280	04/19/24
07565	03/29/24	W B MASON CO INC	MSP Maint Supplies 245574051	210-5-30-12-610.000 General Supplies	399.73	52280	04/19/24
07565	03/29/24	W B MASON CO INC	PS Maint Supplies 245574101	210-5-30-12-610.000 General Supplies	254.46	52280	04/19/24

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07565	04/01/24	MSP Toilet Paper 245597804	210-5-30-12-610.000 General Supplies	82.58	52280	04/19/24
07565	04/05/24	Brownell Library Cleaner 245711141	210-5-41-21-431.000 R&M Buildings & Grounds	31.99	52280	04/19/24
25715	03/27/24	the Crescent Connector Pr 22822032724	230-5-16-10-890.824 Cres. Connector	23194.67	52212	04/19/24
V10462	03/31/24	March legal March 2024	230-5-16-10-890.824 Cres. Connector	1151.00	52246	04/19/24
20365	03/25/24	PW Red Chevy 2024 Truck 032524D	231-5-40-12-751.007 4Wd Pickup Trk #4	42453.00	52240	04/19/24
20365	04/24/24	INSTALL SWITCH HOOKUPS 475256	231-5-40-12-751.007 4Wd Pickup Trk #4	644.84	52240	04/19/24
23435	03/31/24	Water Mar 2024 033124	254-5-54-70-411.400 CWD Water Purchase - Glob	280115.94	52201	04/19/24
23435	03/31/24	Water Mar 2024 033124	254-5-54-20-411.000 CWD Water Purchase	1018.60	52201	04/19/24
23435	03/31/24	Water Mar 2024 033124	254-5-54-20-411.000 CWD Water Purchase	55635.93	52201	04/19/24
23435	03/31/24	Water Mar 2024 033124	254-5-54-70-411.400 CWD Water Purchase - Glob	5128.45	52201	04/19/24
25715	03/28/24	CEJ-Main Street Waterline 218060324	254-5-54-70-723.004 Main St Water Line	5655.95	52212	04/19/24
03280	03/29/24	EJ Main Street Waterline 7308	254-5-54-70-723.004 Main St Water Line	110284.35	52217	04/19/24
27840	04/17/24	Life Ins May 2024 1619159	254-5-54-20-210.000 Group Insurance	14.64	52244	04/19/24
80059	03/28/24	Project 1461-001 ESSEX JU 16619	254-5-54-70-723.006 Service Line Inventoy	26715.68	52247	04/19/24
24960	04/15/24	Dental May 2024 041524 6197	254-5-54-20-210.000 Group Insurance	181.22	52250	04/19/24
23855	04/03/24	Window-Front back hoe 3203452	254-5-54-20-430.000 R&M Vehicles & Equipment	786.69	52266	04/19/24
V2227	03/27/24	Neptune R900i Register Ad 0168654	254-5-54-70-750.001 Meter Replacement Program	85.47	52269	04/19/24
V2227	03/22/24	Neptune Tricon E3 Install RTN0010530	254-5-54-70-750.001 Meter Replacement Program	-25.88	52269	04/19/24
00710	02/14/24	Return water meter head t 021424D	254-5-54-20-614.000 Meters and Parts	13.24	52272	04/19/24
42625	04/01/24	Professional Services fro 82116	255-5-55-70-730.003 10 Year Engineer Evaluati	2390.00	52185	04/19/24
14685	03/29/24	Service call for bad rela 072411	255-5-55-30-570.000 Other Purchased Services	434.28	52187	04/19/24
V10735	04/03/24	filter build sensor 1041589	255-5-55-30-570.000 Other Purchased Services	799.51	52190	04/19/24
11375	04/01/24	3/31/24 2YD FL SERVICE MS 3553404	255-5-55-30-421.000 Grit Disposal	1260.81	52197	04/19/24
26290	04/04/24	Erratic temp on digester 4551	255-5-55-30-570.000 Other Purchased Services	921.90	52202	04/19/24
21210	04/04/24	WWTF First Aid cabinet or 5205264742	255-5-55-30-610.000 General Supplies	142.74	52203	04/19/24

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V10347	04/03/24	PEST CONTROL MAINTENANCE	59587205	255-5-55-30-330.000 Professional Services	87.11	52214	04/19/24
V10734	03/20/24	Fixed Monthly Payment ( 2	2403	255-5-55-30-622.000 Electricity	2969.11	52215	04/19/24
06870	04/03/24	Fecal Coliform for spring	483645	255-5-55-30-567.000 Biosolids Land Applicatio	680.00	52216	04/19/24
06870	04/05/24	Twincraft zinc greywater	483853	255-5-55-30-340.001 Lab Testing	35.00	52216	04/19/24
19005	04/01/24	communication	16864650	255-5-55-30-530.000 Communications	542.70	52224	04/19/24
24785	03/29/24	LIQUID FLOW SWITCH, SPDT, 1	9070220596	255-5-55-30-570.000 Other Purchased Services	337.06	52234	04/19/24
80087	04/10/24	Copier Lease April 2024	526800966	255-5-55-30-442.000 Rental Vehicles/Equip	158.45	52242	04/19/24
27840	04/17/24	Life Ins May 2024	1619159	255-5-55-30-210.000 Group Insurance	244.12	52244	04/19/24
24960	04/15/24	Dental May 2024	041524 6197	255-5-55-30-210.000 Group Insurance	387.84	52250	04/19/24
03160	04/02/24	POLYMER FOR DEWATERING	20908	255-5-55-30-568.000 Biosolids Subcontractor	9108.00	52253	04/19/24
V2093	04/05/24	3,502 G Caustic 50% 6/30/	468559	255-5-55-30-619.000 Chemicals	16232.70	52265	04/19/24
V2124	03/30/24	supplies-binder tabs and	6000891594	255-5-55-30-610.000 General Supplies	135.39	52267	04/19/24
80093	03/27/24	Digester issue & teaching	45463	255-5-55-30-330.000 Professional Services	6500.00	52273	04/19/24
07565	04/04/24	DISTILLED WATER, PURE LIFE	245699218	255-5-55-30-618.000 Laboratory Supplies	89.94	52280	04/19/24
26290	04/11/24	HSPS pump seal	4560	256-5-56-40-433.000 R&M Infrastructure	2143.72	52202	04/19/24
25715	03/28/24	EJ-Sewer Study Phase 1 2/	238080324	256-5-56-70-722.006 Collection Sys Capacity S	2046.00	52212	04/19/24
25715	03/28/24	EJ-41 Lincoln Street	248000324	256-5-56-40-433.000 R&M Infrastructure	2969.56	52212	04/19/24
07010	04/09/24	GMP multi Solar accts 3/8	04092024D	256-5-56-40-622.000 Electricity	585.20	52235	04/19/24
07010	04/09/24	GMP multi Solar accts 3/8	04092024D	256-5-56-40-434.002 West Street PS Costs	448.27	52235	04/19/24
07010	04/09/24	GMP multi Solar accts 3/8	04092024D	256-5-56-40-434.001 Susie Wilson PS Costs	335.01	52235	04/19/24
27840	04/17/24	Life Ins May 2024	1619159	256-5-56-40-210.000 Group Insurance	80.52	52244	04/19/24
V10462	03/31/24	March legal		256-5-56-40-330.000 Professional Services	1449.50	52246	04/19/24
24960	04/15/24	Dental May 2024	041524 6197	256-5-56-40-210.000 Group Insurance	162.99	52250	04/19/24
11555	04/05/24	PS Maintenance Roscoe Ca	245898	256-5-56-40-433.000 R&M Infrastructure	91.23	52261	04/19/24
V2227	03/27/24	Neptune R900i Register Ad	0168654	256-5-56-70-750.001 Meter Replacement Program	170.94	52269	04/19/24

Vendor	Invoice Date	Invoice Description	Account	Amount Paid	Check Number	Check Date
V2227	03/22/24	Neptune Tricon E3 Install RTN0010530	256-5-56-70-750.001 Meter Replacement Program	-51.76	52269	04/19/24
80069	04/11/24	SW utility formation Marc 33107	257-5-57-50-330.000 Professional Services	7611.25	52257	04/19/24
19815	04/06/24	RK Westford Supplies 13GQG9XGFGVL	259-5-30-15-610.000 General Supplies	28.07	52188	04/19/24
19815	04/09/24	RK Fleming Supplies 14WM743JYK16	259-5-30-15-610.000 General Supplies	32.98	52188	04/19/24
19815	04/16/24	Program Supplies 16Q1XDRKD1T1	259-5-30-14-610.000 General Supplies	12.99	52188	04/19/24
19815	04/17/24	RK Staff Appreciation 16Q1XDRKLY33	259-5-30-15-610.000 General Supplies	191.92	52188	04/19/24
19815	04/03/24	RK EES Supplies 19TNWQN99PN7	259-5-30-15-610.000 General Supplies	80.99	52188	04/19/24
19815	04/08/24	RK Fleming Supplies 1CCXTQF7TXMH	259-5-30-15-610.000 General Supplies	239.43	52188	04/19/24
19815	04/14/24	RK MSP Supplies 1F7QH4QQV7NG	259-5-30-15-610.000 General Supplies	44.56	52188	04/19/24
19815	04/06/24	RK Westford Supplies 1FJF19D4FJCX	259-5-30-15-610.000 General Supplies	42.35	52188	04/19/24
19815	04/07/24	Vac Camp Supplies 1GYCNFTMJHM3	259-5-30-15-610.000 General Supplies	48.03	52188	04/19/24
19815	04/03/24	RK Office Supplies 1HNJWGRR9WTJ	259-5-30-15-610.000 General Supplies	29.86	52188	04/19/24
19815	04/05/24	RK FMS Supplies 1J61W9439W4N	259-5-30-15-610.000 General Supplies	191.99	52188	04/19/24
19815	04/02/24	RK MSP Supplies 1KFC7FPC14CQ	259-5-30-15-610.000 General Supplies	90.04	52188	04/19/24
19815	04/15/24	RK Summit Supplies 1KV1MJTX6D4W	259-5-30-15-610.000 General Supplies	62.23	52188	04/19/24
19815	04/13/24	RK MSP Supplies 1RN4TR3QQV1H	259-5-30-15-610.000 General Supplies	200.59	52188	04/19/24
19815	04/06/24	RK Hiawatha Supplies 1TRXQQMCDT7H	259-5-30-15-610.000 General Supplies	34.80	52188	04/19/24
19815	04/11/24	Community Garden Supplies 1WTJWGMDNX1	259-5-30-14-610.000 General Supplies	58.90	52188	04/19/24
19815	04/02/24	RK EES Supplies 1XHVLCF6CKFM	259-5-30-15-610.000 General Supplies	64.40	52188	04/19/24
19815	04/13/24	PS Supplies 1YC3GJQFNNLJ	259-5-30-16-610.000 General Supplies	81.35	52188	04/19/24
25955	03/27/24	RecKids Cell Phones April 8730181 0324	259-5-30-15-530.000 Communications	810.62	52191	04/19/24
22670	04/15/24	EJRP Credit Card April 65080424	259-5-30-14-610.000 General Supplies	81.12	52195	04/19/24
22670	04/15/24	EJRP Credit Card April 65080424	259-5-30-10-505.000 Tech. Subs, Licenses	629.09	52195	04/19/24
22670	04/15/24	EJRP Credit Card April 65080424	259-5-30-16-610.000 General Supplies	53.18	52195	04/19/24
22670	04/15/24	EJRP Credit Card April 65080424	259-5-30-15-500.000 Training, Conf, Dues	5767.78	52195	04/19/24

Vendor	Invoice Date	Invoice Description	Invoice Number	Account	Amount Paid	Check Number	Check Date
22670	04/15/24	CAPITAL ONE CREDIT CARD -	EJRP Credit Card April 65080424	259-5-30-15-580.000 Travel	256.18	52195	04/19/24
22670	04/15/24	CAPITAL ONE CREDIT CARD -	EJRP Credit Card April 65080424	259-5-30-15-610.000 General Supplies	398.85	52195	04/19/24
22670	04/15/24	CAPITAL ONE CREDIT CARD -	EJRP Credit Card April 65080424	259-5-30-14-330.000 Professional Services	1151.96	52195	04/19/24
01930	04/15/24	CENTER FOR TECHNOLOGY	Meadow Terr. Garden Tilli 041524D	259-5-30-14-330.000 Professional Services	400.00	52198	04/19/24
25120	04/04/24	CLICKTIME.COM	EJRP ClickTime March 425469	259-5-30-10-505.000 Tech. Subs, Licenses	1072.00	52205	04/19/24
27810	04/04/24	DOCNETWORK INC	Camp Doc Annual Fee 2413368	259-5-30-15-330.000 Professional Services	6360.00	52210	04/19/24
27810	04/15/24	DOCNETWORK INC	CampDoc Overage April 2413497	259-5-30-15-330.000 Professional Services	16.00	52210	04/19/24
80025	04/17/24	EATON, CATHY-JO	RK/Camp RefundEaton \$1007 184048	259-4-30-15-020.313 Childcare - AS	422.00	52213	04/19/24
80025	04/17/24	EATON, CATHY-JO	RK/Camp RefundEaton \$1007 184048	259-4-30-17-020.313 Childcare - DC	585.00	52213	04/19/24
19285	04/12/24	ESSEX JUNCTION LITTLE LEA	EJLL Registrations 041224D	259-5-30-14-330.000 Professional Services	11530.00	52218	04/19/24
04330	04/05/24	EWSD CHILD NUTRITION	Vac Camp Meals Feb 3191	259-5-30-15-610.000 General Supplies	3447.00	52221	04/19/24
04035	04/03/24	GOT THAT RENTAL & SALES I	West St Garden Stakes 124764	259-5-30-14-610.000 General Supplies	57.00	52232	04/19/24
V1248	02/23/24	KITCHEN WORLD, INC	PS/Park St Project 75327	259-5-30-16-431.000 R&M Buildings & Grounds	1219.00	52241	04/19/24
80087	04/10/24	KONICA MINOLTA PREMIER FI	Copier Lease April 2024 526800966	259-5-30-10-442.000 Rental Vehicles/Equip	165.50	52242	04/19/24
80087	04/10/24	KONICA MINOLTA PREMIER FI	Copier Lease April 2024 526800966	259-5-30-16-442.000 Rental Vehicles/Equip	149.40	52242	04/19/24
25625	04/02/24	LOWE'S - 1080	EJRP Lowes April 41910800424	259-5-30-11-431.000 R&M Buildings & Grounds	3765.84	52243	04/19/24
25625	04/02/24	LOWE'S - 1080	EJRP Lowes April 41910800424	259-5-30-16-431.000 R&M Buildings & Grounds	300.33	52243	04/19/24
27840	04/17/24	MADISON NATIONAL LIFE INS	Life Ins May 2024 1619159	259-5-30-16-210.000 Group Insurance	180.96	52244	04/19/24
27840	04/17/24	MADISON NATIONAL LIFE INS	Life Ins May 2024 1619159	259-5-30-15-210.000 Group Insurance	328.89	52244	04/19/24
24960	04/15/24	NORTHEAST DELTA DENTAL	Dental May 2024 041524 6197	259-5-30-16-210.000 Group Insurance	395.97	52250	04/19/24
24960	04/15/24	NORTHEAST DELTA DENTAL	Dental May 2024 041524 6197	259-5-30-15-210.000 Group Insurance	248.45	52250	04/19/24
29425	04/03/24	PERFORMANCE FOOD SERVICE	RK Hiawatha Snack 148030	259-5-30-15-610.000 General Supplies	80.42	52254	04/19/24
29425	04/04/24	PERFORMANCE FOOD SERVICE	RK Westford Snack 149586	259-5-30-15-610.000 General Supplies	173.67	52254	04/19/24
29425	04/04/24	PERFORMANCE FOOD SERVICE	RK FMS Snack 149945	259-5-30-15-610.000 General Supplies	211.31	52254	04/19/24
29425	04/09/24	PERFORMANCE FOOD SERVICE	RK MSP Snack 151035	259-5-30-15-610.000 General Supplies	72.28	52254	04/19/24

Vendor		Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
29425	PERFORMANCE FOOD SERVICE	04/10/24	RK Hiawatha Snack 152141	259-5-30-15-610.000 General Supplies	217.35	52254	04/19/24
29425	PERFORMANCE FOOD SERVICE	04/10/24	RK Fleming Snack 152606	259-5-30-15-610.000 General Supplies	183.54	52254	04/19/24
29425	PERFORMANCE FOOD SERVICE	04/15/24	RK Westford Snack 154659	259-5-30-15-610.000 General Supplies	56.00	52254	04/19/24
29425	PERFORMANCE FOOD SERVICE	04/15/24	RK EES Snack 154721	259-5-30-15-610.000 General Supplies	214.37	52254	04/19/24
29425	PERFORMANCE FOOD SERVICE	04/15/24	RK MSP Snack 154725	259-5-30-15-610.000 General Supplies	118.62	52254	04/19/24
29425	PERFORMANCE FOOD SERVICE	04/16/24	RK FMS Snack 155210	259-5-30-15-610.000 General Supplies	192.28	52254	04/19/24
29425	PERFORMANCE FOOD SERVICE	04/17/24	RK Summit Snack 155955	259-5-30-15-610.000 General Supplies	339.68	52254	04/19/24
20620	RASCO LAURA	04/09/24	Preschool Playgroup March 040924D	259-5-30-14-330.000 Professional Services	210.00	52258	04/19/24
80025	SHEA-CLIFFORD, PENNY	04/03/24	Camp Refund - Shea-Cliffo 183239	259-4-30-17-020.313 Childcare - DC	627.00	52263	04/19/24
80025	WIEST, ELYSHA	04/09/24	Refund - Wiest \$35 183417	259-4-30-14-020.312 Adult Programs	35.00	52281	04/19/24
Report Total					----- 1544602.93 =====		

To the Treasurer of City of Essex Junction, We Hereby certify  
that there is due to the several persons whose names are  
listed hereon the sum against each name and that there  
are good and sufficient vouchers supporting the payments  
aggregating \$ \*1,544,602.93  
Let this be your order for the payments of these amounts.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CITY OF ESSEX JUNCTION  
OFFICIAL RESULTS  
ANNUAL MEETING  
APRIL 09, 2024**

Number of Voters on Checklist	8,008
Number of Early/Absentee Ballots	1,994
Number of Voters checked in on Checklist	2,378
Number of defective ballots	1
Total Number of Voted Ballots (includes early/Absentee)	2,377

**ARTICLE 1.** Shall the voters approve an annual General Fund Budget in the amount of \$12,004,124 for fiscal year July 1, 2024 to June 30, 2025, \$11,110,346 which is to be levied in taxes against the City Grand list?

Yes: 1293                      No: 958      Blank Votes: 126

**ARTICLE 2.** Shall the voters of the City of Essex Junction set the property tax exemption for disabled veterans at Forty Thousand Dollars (\$40,000.00), as allowed by 32 § 3802(11)(C), said exemption to remain in effect for future taxable years until amended or repealed by the voters?

Yes: 1931                      No: 327      Blank Votes: 119

**ARTICLE 3.** Shall the voters approve extending the one cent Capital Improvement tax (also known as Economic Development tax), as established in 2016, to be reconsidered at annual meeting in 2027.

Yes: 1617                      No: 642      Blank Votes: 118

**ARTICLE 4.** Shall the voters approve holding the 2025 Annual Meeting on Tuesday, April 8, 2025, at which time the voters shall vote by Australian ballot for the election of officers, the voting on the City budget, and any other business included in the warning for the meeting?

Yes: 1939                      No: 301      Blank Votes: 137

**ARTICLE 5.** To elect City officers required by law including: Moderator (one-year term); two City Council members (three-year terms); two Library Trustee (one three-year term and one five-year term)?

Moderator	1 one-year term	Steven Eustis	1883*
		Write-ins	30
		Blank Votes	464
City Council	2 Three-year terms	Jeetan Khadka	805
		Timothy Miller	1010*
		Jason Struthers	426
		Amber Thibeault	1488*
		Write-ins	25
		Blank Votes	1000
Library Trustee	1 three-year term	Karen Hergesheimer	1879*
		Write-ins	33
		Blank Votes	465
Library Trustee	1 five-year term	Beth Custer (write-in)	70*
		Write-ins	152
		Blank Votes	2155
*Elected			

Attest:   
Susan McNamara-Hill, City Clerk

**VILLAGE OF ESSEX JUNCTION  
CAPITAL PROGRAM REVIEW COMMITTEE MEETING  
MINUTES OF MEETING  
APRIL 2, 2024**

**COMMITTEE:** Amber Thibeault, Chair; Kevin Collins; Scott McCormick; Mike Plageman; Justin Rabidoux

**ADMINISTRATION:** Rick Hamlin, City Engineer; Ricky Jones, Public Works Superintendent; Jess Morris, Finance Director

**OTHERS PRESENT:** None

**1. CALL TO ORDER**

Ms. Thibeault called the meeting to order at 6 PM.

**2. AGENDA ADDITIONS/ CHANGES**

None.

**3. PUBLIC COMMENTS**

There were no comments from the public.

**4. DISCUSSION ITEMS**

**a. Review of updates to Capital Project Ranking File**

Ms. Morris noted the following changes:

- The cost estimates for project VVV have been updated based on the engineers estimates.
- The highlighting on the Project Total, Water Fund, Sanitation Fund, and General Fund lines at the bottom have been changed to lighter colors for ease of reading.
- A line, Projected Fiscal Year of Project, has been added at the very bottom to show the fiscal year(s) each project is projected to happen in.
- Comments have been made in project name cells as needed to retain a history of changes and important project notes for future reference.

Ms. Morris said that the Railroad Ave waterline and Iroquois Ave. road and waterline rebuild are scheduled for next year. Sufficient funds are available for both.

**b. Re-rank projects UU and VVV due to updates in project scopes**

Ms. Morris said that this project needs to be reranked because smaller projects have been consolidated into two larger projects. Some of the work from these projects have already been completed.

UUU: Main Street Pedestrian Bridge and Sidewalk: There were no changes to the following ranking criteria: safety & health, remaining service life, community support, financing source, timing & linkages, positive economic development, efficiencies, service improvements or other. The mandates and cost of deferral criteria were reduced. The alignment with City priorities criteria was increased. These changes have reduced the overall ranking of this project.

VVV: Main Street Indian Brook Bridge Replacement: Not discussed. Mr. Jones will research bridge inspection information for the next meeting.



**5. REVIEW AND APPROVE MINUTES:**

**a. Approve Minutes: February 6, 2024**

**SCOTT MCCORMICK made a motion, seconded MIKE PLAGEMAN by to approve the minutes of February 6, 2024. Motion passed 5-0.**

**6. READING FILE**

None.

**7. ADJOURN**

**KEVIN COLLINS made a motion, seconded by MIKE PLAGEMAN, to adjourn the meeting. Motion passed 5-0; the meeting adjourned at 6:53 PM.**

Respectfully Submitted,  
Darby Mayville  
Recording Secretary

**CITY OF ESSEX JUNCTION  
PLANNING COMMISSION  
PUBLIC HEARING  
MINUTES OF MEETING  
April 4, 2024  
DRAFT**

**MEMBERS PRESENT:** Phil Batalion, Chair; Patrick Scheld, Vice Chair; Diane Clemens, Scott McCormick, Elijah Massey.

**ADMINISTRATION:** Chris Yuen, Community Development Director.

**OTHERS PRESENT:** None.

**1. CALL TO ORDER**

Phil Batalion called the meeting to order at 6:35 PM.

**2. AGENDA ADDITIONS/CHANGES**

Director Yuen requested the addition of sub-item #5(a)(vii) to discuss accessory apartment amendments in the Land Development Code.

**3. PUBLIC TO BE HEARD**

a. Comments from Public on Items Not on Agenda  
None.

**4. MINUTES**

a. March 7, 2024

**MOTION by SCOTT McCORMICK, SECOND by ELIJAH MASSEY, to approve the minutes of March 7, 2024 as presented. VOTING: unanimous (5-0); motion carries.**

**5. BUSINESS ITEMS**

a. Land Development Code amendments, including discussion on the following topics:  
i. Sign Regulations

Director Yuen said that the approach for amendments related to sign regulations was to use Burlington's existing regulations but tailor them to Essex Junction. He said that this draft version of the amendments is also based on discussion held at the March 7, 2024 Planning Commission meeting. He spoke briefly about several noteworthy changes. These included a revised set of definitions, where definitions were removed from them body of the text to avoid duplication and conflict. Commissioner Batalion pointed out an inconsistency with the allowed dimensions of directional signs, and Director Yuen flagged this for further revision and set the limit at 4 feet. Other changes include referencing the approval procedure for activities requiring review in Section 714 rather than spelling out the procedure in Section 502.H, to avoid duplication, technical fixes to Section 714, adding a content-neutral allowance for flags on flagpoles on residential and commercial properties, adding a permit requirement for neon window signs, adding back in the existing allowance for an additional freestanding sign on large lots and increasing the allowable size for the second sign to 30 feet from 20 feet, adding back in an existing allowance for a menu sign at drive-thru facilities, adding a requirement that marquee signs in the Design Review Overlay District be reviewed by the Development Review Board, adding a requirement that sandwich

boards be allowed within 15 feet of the front door of a business or within 15 feet of a vehicular or pedestrian entrance to the property on which the business is located (and continue to require the boards to be removed outside of business hours), modifying the wall sign size limit to 80 square feet for signs within 50 linear feet of the nearest public road, and adding in sign type example photographs (this has not yet been done but will be prior to the final review of the amendments). Director Yuen also spoke about a specific sign example related to the VFW, which has an un-permitted changeable message sign placed on the neighboring Northfield Savings Bank property. He noted that it is unclear whether the VFW has permission from the bank property to have the sign there, and that the additional sign wouldn't be permissible under either the existing LDC or under these draft amendments. Commissioner Batalion asked whether having a sandwich board there would be permissible instead, and Director Yuen replied that it would. Commissioner Scheld asked whether they could approach the owner of the strip mall and ask them to include the VFW sign on a second freestanding sign, and Director Yuen said that this is a viable solution as well.

ii. Electric Vehicle (EV) Charging Requirements

Director Yuen provided an update on EV charging requirements, saying that he does not think it would be a good idea to try and implement municipal regulations at this time. He suggested waiting until after South Burlington implements its regulations and seeing how they fare. Commissioner Clemens said that they can continue to remind developers and applicants to follow State Statute, which now requires developments to be built to have EV charging capabilities.

iii. Approval of Temporary Uses – Food Trucks and Trailers

Director Yuen said that in the past, food trucks and trailers on private commercial property have been issued temporary use zoning permits for a period of up to six months in a one-year period. He said that the previous administration was not strict in enforcing this, especially during Covid. He asked whether it makes sense to allow food trucks and trailers to operate year-round, noting that the City's Technical Review Committee recommended that if the Planning Commission wants to make year-round food trucks permissible, a viable approach would be to continue to treat these establishments as temporary uses but allow them to apply for a consecutive new permit every six months. Planning Commissioners agreed with this approach.

iv. Tandem Parking Spaces

Director Yuen said that tandem parking would allow for compact and creative site plan layouts for multi-family housing developments, and suggested that the Planning Commission consider explicitly allowing it. He provided draft language taken from Williston's Form Based Code. Planning Commissioners were not opposed to allowing tandem parking, and Director Yuen said he would get more details about the dimensions within the draft language from Williston.

v. Planned Unit Development (PUD) Open Spaces

Director Yuen noted that one requirement of PUDs (to provide private outdoor open space) makes it impossible to apply towards multi-story residential buildings. He outlined draft language that would grant more flexibility for multi-story residential buildings, by requiring no less than 750 square feet of private outdoor space per unit if every residential unit is on the ground floor, but also adding a requirement for PUDs with residential units on the ground floor and upper stories, where ground floor residential units have a private outdoor space of no less than 100 square feet, and upper stories have a private outdoor space (balcony, deck, etc) of no less than 40 square feet. Commissioner Batalion

expressed support for increasing flexibility for multi-story developments, but said that PUDs are meant to encourage creativity, and this language would require each unit to have a balcony or deck. He suggested allowing additional flexibility on the part of the developer to be creative in how it meets open space requirements for public and private open spaces. Commissioner McCormick expressed concern about balcony or deck requirements increasing the cost of developments. Commissioner Scheld expressed support for the proposed language as written. Other Commissioners concurred.

vi. Other changes for consistency with State Statute

Director Yuen noted several amendments that were necessary for ensuring consistency with State Statute. He said that the Multi-Family-3 (MF-3) zone's density limits need to be increased to 4 to meet requirements of the Home Act (Act 47) of 2023. He also said that certain uses, such as hospitals and emergency shelters, are required by statute to be permitted uses in all districts. He said that these changes will be included in the next version of the draft amendments for the Planning Commission's consideration.

vii. Accessory Apartments \*new sub-item\*

Director Yuen began by noting that accessible apartments are intended to increase density in areas where the vast majority of housing is single-family. He noted that based on the common definition of accessory dwelling units, they don't need to be accessible to just single-family homes, but that the Essex Junction LDC limits accessory dwelling units to single-family homes. He outlined an example where someone is seeking to build an accessory dwelling unit on the same property as a duplex, which isn't permissible under current LDC regulations. He said that they could allow accessory apartments for buildings other than single-family, or they could allow multiple buildings per lot. The Planning Commission discussed this, and said that allowing multiple buildings per lot is a big change. Director Yuen agreed, but said that they could approach it similarly to Burlington in its Neighborhood Code ordinance, which allows multiple buildings per lot with up to four units in each. Commissioner Batalion said that if they decide to pursue allowing multiple buildings per lot, they should involve the City Council in this discussion. Other Commissioners agreed. Director Yuen said that he would put together a draft amendment to allow multiple buildings per lot, for the Planning Commission and City Council's consideration.

## **6. COMMISSIONER UPDATES**

a. Mural Grant

Commissioner Scheld said that the mural grant isn't moving forward, unfortunately, but that he met with the homeowner, who was very enthusiastic about some kind of public art being placed on the concrete wall in question. He said that he will continue to explore other avenues for funding.

b. Vision & Strategic Planning

Commissioner McCormick said that the online survey is live and open for the next several weeks. He said that results will be presented to the City Council later this month. Director Yuen noted that staff and the Council will also work to prioritize the work that comes out of the vision and strategic planning process itself.

Commissioner McCormick also added that he was appointed to the Vermont Climate Council's Subcommittee on Rural Resilience and Adaptation, saying that he will keep the Planning Commission apprised of any developments that come out of that subcommittee.

**7. STAFF UPDATES**

a. Staffing changes

Director Yuen noted that the City Planner position is now vacant and the City is currently accepting applications to fill the position.

**8. ADJOURNMENT**

**MOTION by PATRICK SCHELD, SECOND by SCOTT McCORMICK, to adjourn the meeting.**

**VOTING: unanimous (5-0); motion carries.**

The meeting was adjourned at 8:33 P.M.

*RScty: AACoonradt*