

SUBCOMMITTEE ON GOVERNANCE

February 13, 2020

VILLAGE OF ESSEX JUNCTION TRUSTEES  
TOWN OF ESSEX SELECTBOARD  
SUBCOMMITTEE ON GOVERNANCE - SPECIAL MEETING  
February 13, 2020

**SUBCOMMITTEE MEMBERS:** George Tyler, Chair; Raj Chawla; Annie Cooper; Andy Watts.

**ADMINISTRATION:** Evan Teich, Unified Manager; Dennis Lutz, Public Works Director.

**OTHERS PRESENT:** Ken Signorello, Mike Sullivan, Irene Wrenner.

**1. CALL TO ORDER**

George Tyler called the meeting of the Village of Essex Junction Trustees and Town of Essex Selectboard Subcommittee on Governance (hereafter referred to as “Subcommittee on Governance”) to order at 7:00pm.

**2. AGENDA ADDITIONS/CHANGES**

Mr. Tyler provided hard copies of an email he had sent to subcommittee members pertaining to feedback from the legislature as additional information relating to Business Item 5b.

**3. AGENDA APPROVAL**

**RAJ CHAWLA made a motion, and ANDY WATTS seconded, that the Subcommittee on Governance approve the agenda as amended. Motion passed 3-0.**

**4. PUBLIC TO BE HEARD**

Mike Sullivan voiced his concern about the upcoming charter change vote on the ballot for the Town of Essex, stating that it will impact the merger discussion and make it more difficult to have a successful merger. Mr. Tyler noted Mr. Sullivan’s concern, and added that this committee is tasked with developing a merged charter and transition recommendations, and that districting discussions are outside the scope of this subcommittee.

**5. BUSINESS ITEMS**

**a. Discuss and consider approving water-sewer charter transition language recommendation by staff**

Mr. Tyler introduced this item, stating that the merger document needs detail around the water and sewer systems of two independent municipalities and how they would be consolidated in the event of a merger.

Dennis Lutz provided additional detail, stating that the intent would be to merge the two systems into one to avoid two entities with independent control and governing bodies. He noted that the infrastructure is the same for the two current systems but the customer base is different. He additionally noted that it would be relatively easy to develop one universal rate for water, citing lack of debt as one reason for this simplicity. He added that there is some debt attached to the Town’s sewer system, which would need to be addressed through a surcharge to those residents,

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46 should a merging of the water/sewer systems occur. Staff recommend a consolidated system but  
47 with several user classes to address the differing legacy costs for the Town and Village.  
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49 Mr. Tyler asked if hookup fees were considered as part of staff's analysis when developing  
50 recommendations. Mr. Lutz replied that it would be reconciled over time while a legacy cost  
51 system is in place, and that during the transitional phase the governing body will have to  
52 determine what the common user rate should be.  
53

54 Andy Watts asked the group whether rate changes would need to be explicitly detailed, citing  
55 concern that rates are significantly different and could increase for the Town in addition to tax  
56 increases. Raj Chawla replied that the group could state that the rates will most likely equalize  
57 over time, which would be achieved by increasing the Village's rate, not decreasing the Town's  
58 rate. Annie Cooper added that a visible recognition of the change in a specific timeframe could  
59 reassure uneasy residents. Mr. Tyler finally stated that any changes could be modified in future.  
60

### 61 **b. Discuss response from Government Operations Committee**

62 Mr. Tyler stated that he reached out to Town and Village legislative representatives and that  
63 Attorney Dan Richardson contacted the House Committee on Government Operations and  
64 legislative counsel with a proposal to meet and discuss the merger proposal. The chairman of the  
65 Committee on Government Operations was given a synopsis of merger changes, including tax  
66 proposals and representation models, and determined after review with legislative counsel that  
67 they do not need to meet with representatives from this Subcommittee. The Subcommittee  
68 reviewed the responses from the Committee on Government Operations and would like more  
69 clarity on some of the legislature's comments related to contingencies. Evan Teich suggested  
70 asking Attorney Richardson for his interpretation of their comments.  
71

### 72 **c. Soliciting input from Planning Commissions for charter language**

73 Mr. Tyler introduced this agenda item, stating that proposed charter language mentions a  
74 Planning Commission, but input is needed from the existing Planning Commissions in both the  
75 Town and Village. He suggested having the Town and Village Planning Commissions meet  
76 together to discuss what is needed for charter language and develop recommendations and  
77 milestones for content based on that discussion. He noted that he has contacted the Chittenden  
78 County Regional Planning Commission office in Winooski, who would be happy to host this  
79 meeting. Mr. Watts noted that he will have to recuse himself from discussion related to this  
80 topic, if recommendations are brought forward.  
81

### 82 **d. Discuss next steps for draft transition provisions language**

83 Mr. Chawla noted that given the positive feedback from the legislature and with a pre-Town  
84 Meeting overview of merger meeting occurring this weekend, it may be best to hold off on  
85 making additional language changes to the draft transition provisions for now. Other  
86 subcommittee members concurred.  
87

### 88 **e. Set date for next Subcommittee on Governance meeting**

89 The next meeting of the Subcommittee on Governance was set for Thursday, March 5, 2020 with  
90 a backup date of March 19, 2020.  
91

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92 **f. Approval of minutes**

93 *January 23, 2020:*

94 **RAJ CHAWLA made a motion, and ANDY WATTS seconded, to approve the**  
95 **Subcommittee on Governance meeting minutes from January 23, 2020 with the following**  
96 **modifications:**

- 97     • **Line 95: replace “are” with “were”.**

98

99 **Motion passed 4-0.**

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101 **6. ADJOURN:**

102

103 **RAJ CHAWLA made a motion, and ANNIE COOPER seconded, to adjourn the meeting.**

104 **Motion passed 4-0. The meeting adjourned at 8:47pm.**

105

106 Respectfully Submitted,

107 Amy Coonradt

108 Recording Secretary

109

110

111 Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020

112

113 **(see minutes of this day for corrections, if any)**