



VILLAGE OF ESSEX JUNCTION TRUSTEES
TOWN OF ESSEX SELECTBOARD
Subcommittee on Governance
Special Meeting Agenda

Location: 2 Lincoln St.
Essex Junction, VT 05452
Thurs., March 5, 2020
7:00 PM

E-mail: manager@essex.org

www.essexjunction.org
www.essex.org

Phone: (802) 878-1341

The Governance Subcommittee consists of two members of the Essex Junction Board of Trustees and two members of the Essex Selectboard. The members will not discuss or take action on any issue outside of the scope of the subcommittee and shall not act as the Town Selectboard or Village Board of Trustees at the meeting.

- 1. CALL TO ORDER [7:00 PM]
2. AGENDA ADDITIONS/CHANGES
3. APPROVE AGENDA
4. PUBLIC TO BE HEARD
5. BUSINESS ITEMS
a. Discuss and Consider Approving Q&A for Water Sewer Transition Language
b. Discuss Library Proposal
c. Review and Approve Subcommittee Memo to Joint Boards
d. Prepare Draft Transition Provisions Language for Attorney Review
e. Set Date for Next Governance Subcommittee Meeting
f. Approve minutes: February 13, 2020
6. READING FILE
a. Attorney Response to Question Regarding the Legislative Directive to Have No Contingencies in the Merger Plan
7. ADJOURN

Members of the public are encouraged to speak during the Public to Be Heard agenda item, during a Public Hearing, or, when recognized by the Chair or President, during consideration of a specific agenda item. The public will not be permitted to participate when a motion is being discussed except when specifically requested by the Chair or President. This agenda is available in alternative formats upon request. Meetings, like all programs and activities of the Village of Essex Junction and the Town of Essex, are accessible to people with disabilities. For information on accessibility or this agenda, call the Unified Manager's office at 878-1341.

Certification: 02-28-20 Ann Janda

SUBCOMMITTEE ON GOVERNANCE

March 5, 2020

**VILLAGE OF ESSEX JUNCTION TRUSTEES
TOWN OF ESSEX SELECTBOARD
SUBCOMMITTEE ON GOVERNANCE - SPECIAL MEETING
March 5, 2020**

SUBCOMMITTEE MEMBERS: George Tyler, Chair; Raj Chawla; Max Levy; Annie Cooper.

ADMINISTRATION: Evan Teich, Unified Manager; Greg Duggan, Deputy Town Manager.

OTHERS PRESENT: Irene Wrenner, Ken Signorello, Harlan Smith, Christine Packard, Bonnie Doble, Caitlin Corless, Margaret Smith, Bruce Post, Brian Shelden.

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 7:02pm.

2. AGENDA ADDITIONS/CHANGES

Mr. Tyler suggested changing the order of the agenda so that Business Item 5b would be discussed first and Business Item 5a would be discussed second. Other subcommittee members agreed and the order of the agenda was changed.

3. AGENDA APPROVAL

GEORGE TYLER made a motion, and MAX LEVY seconded, that the Subcommittee on Governance approve the agenda as amended. Motion passed 3-0 [Annie Cooper not present for vote].

4. PUBLIC TO BE HEARD

George Tyler noted that the charter change will be discussed during Item 5c.

5. BUSINESS ITEMS

a. Discuss and consider approving Q&A for water/sewer transition language:

Mr. Tyler noted that Andy Watts had had questions about water/sewer transition language and messaging around changes in tax rates. Mr. Teich clarified that the current proposal is that the Town and Village would both have their separate legacy systems for water and sewer, with their own rates and any associated debt. In the future, the systems could decide (with voter approval) to take on new debt, which would be shared between the two systems, and rates would eventually equalize. He further emphasized that only residents who are connected to the systems would pay for services from those systems.

Mr. Chawla suggested including language in the Q&A that explicitly states that only people who pay for water/sewer pay for the infrastructure and the services associated with them.

Ms. Cooper emphasized the importance of transparency and clear messaging to residents on the topic of the merger.

47 **b. Discuss library proposal:**

48 Christine Packard, Chair of Brownell Library Trustees, Bonnie Doble, Chair of the Essex Free
49 Library Trustees, and Caitlin Corless, Director of the Essex Free Library were present to describe
50 the roles of their respective Boards of Trustees and how a merger could impact them. They asked
51 to remain un-merged.

52
53 Ms. Packard stated that the Brownell Library Trust requires a Board of Trustees made up of
54 permanent and elected members, which oversees library policy creation, fundraising, and budget
55 oversight. Mr. Tyler noted that dissolving this board would require legal action, and that it has
56 remained intact due to conditions in the library's bequest.

57
58 Ms. Doble noted that the Essex Free Library is a municipal library, which is a town department
59 and is bound by requirements in state statute. She added that the Trustees are appointed by the
60 Selectboard for 3-year terms and generally have the same duties as the Brownell Library
61 Trustees, in terms of policy-setting and fundraising.

62
63 Mr. Tyler noted that because of the board requirements for both libraries, keeping the libraries
64 separate, a merger would pose no changes to the board structures of either entity and have
65 relatively little impact on them.

66
67 Ms. Packard noted that the libraries have proposed to align applicable procedures and staff
68 compensation where possible, to continue to realize cost savings.

69
70 **c. Review and approve Subcommittee memo to Joint Boards:**

71 Mr. Tyler outlined the recommendations for the merger proposal that would be given to the joint
72 boards for their final approval, which included recommendations on a representation model, tax
73 rate integration and reconciliation, and other transition language in the draft charter.

74
75 The subgroup discussed how the March 3 vote to approve the Town's charter change to allow an
76 even-number of Board seats split between the Town and Village would impact the
77 recommendation within the proposal for a board with two Village, two Town, and three at-large
78 seats. Mr. Tyler proposed putting this recommendation on hold pending a decision from the
79 House Committee on Government Operations about whether an even-numbered representational
80 board is feasible. Mr. Levy proposed that if the Government Operations Committee allows an
81 even-numbered Board, the current recommendation should be modified to reflect an even-
82 numbered board. Mr. Levy also cited concern that the legislature does not have a deadline for
83 making that determination.

84
85 Mr. Tyler noted that the tax reconciliation section is still pending input from staff on which of
86 the tax reconciliation models and associated financial figures should be included. He also noted
87 that the section around community development and planning is still pending while the two
88 planning commissions meet to discuss proposed language.

89
90 Ms. Cooper expressed concern about the amount of misunderstanding and confusion around the
91 merger in both the Town and the Village, and strongly urged the Subcommittee to issue clear
92 communication both on the merger proposal but also on what a separation scenario and

SUBCOMMITTEE ON GOVERNANCE

March 5, 2020

93 associated costs could look like. Mr. Tyler suggested that that topic may be out of the purview of
94 this subcommittee and that it may be more appropriate for the joint boards to discuss.

95

96 Ms. Wrenner wished specifically to see costs for a separate-and-share option. She also urged the
97 administration to listen to voters and consider all proposals, including those not touting the
98 position of the establishment.

99

100 Mr. Sheldon, Ms. Wrenner, and Mr. Tyler discussed whether there was voter confusion at the
101 polls. Mr. Tyler noted that there was some confusion about the charter change ballot question in
102 the Village, but whether confusion impacted ballot results is speculation at this juncture.

103

104 **d. Prepare draft transition provisions language for attorney review:**

105 This item was discussed in Business Item 5c.

106

107 **e. Set date for next Subcommittee on Governance meeting:**

108 The next Subcommittee on Governance meeting date was tentatively set for March 26, 2020 at
109 7:00pm.

110

111 **f. Approval of minutes**

112 *February 13, 2020:*

113 **RAJ CHAWLA made a motion, and ANNIE COOPER seconded, to approve the**
114 **Subcommittee on Governance meeting minutes from February 13, 2020 with the following**
115 **modifications:**

- 116 • **Line 51: replace “relied” with “replied”.**

117

118 **Motion passed 4-0.**

119

120 **Reading file:**

121 **Mr. Watts had questions about the process for dissolving charters as the result of a merger**
122 **vote. Other subcommittee members reached out to legislative counsel and were provided**
123 **with clarification.**

124

125 **6. ADJOURN:**

126

127 **MAX LEVY made a motion, and RAJ CHAWLA seconded, to adjourn the meeting.**

128 **Motion passed 4-0. The meeting adjourned at 8:17pm.**

129

130 Respectfully Submitted,

131 Amy Coonrad

132 Recording Secretary

133

134

135 Approved this 28th day of April, 2020 during the Joint Meeting of the Town of
136 Essex Selectboard and Village Board of Trustees.

137

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