



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

2 Lincoln Street
Essex Junction, VT 05452
Tues., Nov. 19, 2019
7 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 Taxation Proposal and Consider Recommendation to Boards
6. **READING FILE/BINDER ADDITION**
 - a. Memo from Susan McNamara-Hill, Clerk Regarding Timeline for Merger Plan Public Hearings/Certification
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: 11/15/2019 

Memorandum

To: Governance Subcommittee; Evan Teich, Unified Manager

CC: Greg Duggan, Deputy Manager, Sarah Macy, Finance Director and Assistant Manager

From: Ann Janda, Project Manager

Re: Discuss Taxation Proposal and Consider Recommendation to Boards

Date: November 19, 2019

Issue

The issue is developing a taxation proposal for the Village Board of Trustees and the Town Selectboard to consider including in a merger plan for voter consideration November 2020.

Discussion

According to the quantitative survey: “Two-thirds of the community would support a single tax rate. However, there are clear, predictable divisions within the community. Village residents in 8-2 are overwhelmingly in favor, with 41% of them indicating it would result in their taxes going down. That wasn’t the top reason they support a single tax rate, however. Across all districts, residents that support a single tax rate (N = 561) say they feel it is fair because everyone is an Essex resident — 80.39% of those in favor of a single tax rate said this, making it the top-cited reason. The other top reason is the belief that a single tax rate would help ensure the quality of municipal services, and that access to those services would be maintained throughout all of Essex — 73.26% of those in favor of a single tax rate selected this answer choice. Half of those in favor said a single tax rate would make it feel like a more unified community. A third of the community, however, does not support a single tax rate (N = 287), with the strongest opposition coming from 8-3. The top reason for not wanting a single tax rate, cited by 76.31% of those not in favor, is the belief that not everyone benefits equally from municipal services and shouldn’t have to pay based on the same rate. One comment noted that some services are more convenient for Village residents. Additionally, half of those that don’t support a single tax rate say so because they believe it would mean taxes increasing.”

Q. Merger that results in a single municipal tax rate may cause property taxes to increase for some residents. If a single tax rate for all residents in the community were to be achieved after a period of time of gradually evening-out tax rates, what would be the ideal time frame?

	TOTAL N = 844	Essex should have a single tax rate	
		Agree N = 558	Disagree N = 286
Immediately	16.23%	17.74%	13.29%
No more than 3 yrs.	18.60%	26.88%	2.45%
No more than 5 yrs.	25.12%	34.05%	7.69%
No more than 7 yrs.	5.21%	5.73%	4.20%
No more than 10 yrs.	12.09%	11.11%	13.99%
No more than 12 yrs.	22.75%	4.48%	58.99%

In the listening sessions, we touched on the topic of phasing in a tax increase, should a merger be put up for a vote. We asked the above question in the interest of gauging public sentiment on the ideal time frame, should a single tax rate come into effect.

While the survey was in the field, we received feedback that this question forced respondents who are not in favor of a single tax rate to make a choice without giving them an option to indicate they wouldn’t support it, and we agree with that feedback. That could in part explain why the majority of those that would disagree with having a single tax rate would want to push it out as far as possible.

Cost

NA

Recommendation

Staff recommends that the Governance Subcommittee develop a taxation proposal to recommend to the Village Board of Trustees and the Town Selectboard at the next joint meeting.

MEMO

To: Evan Teich, Unified Manager
From: Susan McNamara-Hill, Clerk
Date: November 13, 2019
Re: Plan of Merger

According to VSA Title 24, Chapter 49, Merger of Municipalities, the two legislative bodies must approve a Plan of Merger before the proposed merger is publicized.

If the vote were to occur during the next Presidential vote November 3, 2020, we would want to have the question ready to send to the state to have it printed on the state ballot. This will save time and the expense of having to print separate ballots (although the village will still have a separate ballot). In addition, by having the ballots ready when the state ballots are ready, we can include the early/absentee ballots at the same time and will not have to do another mailing. State ballots will need to be ready to send to overseas and military voters by September 18, 2020. In order to meet this deadline the state asks that any local questions be sent to them no later than August 31st.

It should be made clear that each municipality votes separately on the merger. This means that voters in the Village of Essex Junction vote twice; once as town residents and once as village residents.

Below is the schedule that would need to be followed for a merger vote on November 3, 2020:

Before any of the following can start, the Plan of Merger must be approved by a majority of each legislative body (VSA Title 24 §1482).

- August 10, 2020: Last chance for Town Selectboard to pass a plan of merger and warn public hearings.
- August 11, 2020: Last chance for Village Trustees to pass a plan of merger and warn public hearings
- August 21, 2020: Get wording to Sec. of State for printing on ballot (TOWN)
- August 24, 2020: Order ballots for Village vote (VILLAGE)
- August 28, 2020: Deadline to post copies of Plan of Merger in 3 or more public places in each municipality (VSA Title 24 §1484) Must be done at least 10 days before first public hearing.

Each municipality has their 1st public hearing at least two weeks before the second public hearing – I have suggested two separate dates, but they could probably do it on the same date (different times).

September 14, 2020: First Public hearing (TOWN) (24 VSA §1484 and 17 VSA §2645)

September 15, 2020: First Public hearing (VILLAGE) (24 VSA §1484 and 17 VSA §2645)

August 27, Sept 3, 10, 2020: Notice of Public hearings published in Essex Reporter (§1484 Notice and hearing)

Each municipality has their 2nd public hearing no less than five days before the vote – I have suggested two separate dates, but they could probably do it on the same date (different times).

October 5 or 12, 2020: Second Public hearing (TOWN) (VSA Title 24 §1484)

October 13, 2020: Second Public hearing (VILLAGE) (VSA Title 24 §1484)

November 3, 2020: Vote on Plan of Merger (TOWN & VILLAGE)

November 13, 2020: Clerk of each municipality to notify Secretary of State by this date (§1486)

January 2021: Merger plan as new charter goes to the General Assembly under 17 VSA. § 2645.

Please see below for a summary of Title 24, Chapter 49 regarding Merger of Municipalities:

UNDER MERGER OF MUNICIPALITIES

TITLE 24, CHAPTER 49

1. PREPARE PRELIMINARY PLAN OF MERGER APPROVED BY MAJORITY OF TRUSTEES AND SELECTBOARD
 - a. CONTENTS
 - i. Provisions relating to structure, organization, functions, operation, finance, property,
 - ii. Could contain special provisions contained in existing charters;
 - iii. Special services not common to all could be provided and taxed to those receiving the services
2. FINAL PLAN OF MERGER TO BE POSTED NO LESS THAN 30 DAYS BEFORE VOTE
3. TWO PUBLIC HEARINGS TO BE HELD IN EACH AREA AT LEAST TWO WEEKS APART – LAST HEARING TO BE NO LESS THAN FIVE DAYS BEFORE THE VOTE
4. HEARING NOTICES IN NEWSPAPER FOR THREE WEEKS PRIOR TO PUBLIC HEARINGS, LAST PUBLICATION NO LESS THAN 3 DAYS BEFORE FINAL PUBLIC HEARING
5. CLERK OF MUNICIPALITIES NOTIFIES SECRETARY OF STATE WITHIN TEN DAYS FOLLOWING VOTE
6. AFTER APPROVAL BY GENERAL ASSEMBLY, FINAL PLAN OF MERGER BECOMES NEW CHARTER