

**TOWN OF ESSEX
SELECTBOARD MEETING MINUTES
Monday, June 21, 2021**

SELECTBOARD: Andy Watts, Chair; Tracey Delphia; Vince Franco; Dawn Hill-Fleury; Patrick Murray

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Aaron Martin, Town Engineer / Utilities Director

OTHERS PRESENT: Dustin Bruso; Bob Burrows; Andrew Brown; Andy Champagne; Kevin Collins; Annie Cooper; Patty Davis; Erin Dickinson; Betsy Dunn; John Egan; Gina Halpin; Tamara Jaques; Rachel Lizotte; Brad Luck; John Mangan; Adam Newhard; Bruce Post; Mary Post; Roseanne Prestipino; Angel Segarra; Brian Shelden; Ken Signorello; Gabrielle Smith; Margaret Smith; George Tyler; Irene Wrenner; Lorraine Zaloom

1. CALL TO ORDER

Mr. Watts called the Essex Selectboard to order at 6:33 PM.

2. AGENDA ADDITIONS/ CHANGES

There were no changes to the agenda.

3. AGENDA APPROVAL

With no changes to the agenda, approval was not required.

4. PUBLIC TO BE HEARD

a. Comments from Public on Items Not on Agenda

Ms. Gabrielle Smith expressed gratitude for the hybrid online/ in-person format of the meeting.

Ms. Margaret Smith wondered if vaccinations are required for in-person municipal meetings. Mr. Duggan said, as per the governor's orders, masks are not required if a person is fully vaccinated.

Ms. Wrenner thanked staff and community members involved with Essex's successful Juneteenth celebration. She requested that the Interim Community Development Director position be made full time and permanent.

5. BUSINESS ITEMS

a. **Consider approval of reappointment of John Mangan to Planning Commission

Mr. Mangan discussed his interest in being reappointed to the Planning Commission. He talked about his previous four years in the position and how his experience would enable him to more fully contribute moving forward. The Selectboard members and Mr. Teich asked Mr. Mangan to describe what is going well with the Planning Commission; his impressions of staff and the Town Plan; and what needs to be changed. Mr. Mangan described good discussions and decisions resulting from the commission members' skills, knowledge, and experiences. He said staff are responsive and willing to incorporate suggestions. He suggested that regulations should change and said this work is in process. Mr. Bruso endorsed Mr. Mangan, describing him as a solid contributor. Mr. Duggan discussed the Planning Commission term with Mr. Mangan. Mr. Bruso talked about positive results of having a Planning Commission alternate. The Selectboard discussed the appointment as item 8a, in Executive Session.

b. Consider approval of Slip Lining of Stormwater Pipes on Sand Hill Road

Mr. Martin proposed that the Selectboard authorize Public Works to contract with Green Mountain Pipeline Services to slip line the stormwater pipes on the lower portion of Sand Hill Road (from

54 Greenbriar Drive down to the intersection with VT Route 117) and utilize any available end-of year
55 funds from the fiscal year (FY) 2021 Public Works Administration, Highway, and Stormwater
56 accounts to assist in offsetting the costs anticipated in FY2022. He said site assessments
57 determined significant deterioration of the stormwater pipes, which had been originally installed in
58 the 1970s and 1980s. He said the corrosion of these pipes causes road sinkholes and the risk of
59 wash-outs. He said that, although the project is pricy at \$109,575, the risks of not doing it would
60 outweigh the cost. Mr. Martin explained that Green Mountain Pipeline Services is a company
61 Essex has contracted with before and they are able to fit the project into their schedule for late
62 summer or fall 2021. Mr. Murray wondered if ARPA (American Rescue Plan Act) funds could be
63 used, but Mr. Teich said the funds are being utilized elsewhere. Mr. Martin requested FY2021
64 funds be allocated to the stormwater accounts and earmarked for this project. Mr. Franco
65 requested clarification of the return on investment and Mr. Martin said the repairs could extend the
66 life of these pipes by another 50 years.
67

68 **DAWN HILL-FLEURY made a motion, seconded by VINCE FRANCO, that the Selectboard**
69 **authorize Public Works to 1) move forward with slip lining the stormwater pipes on the lower**
70 **portion of Sand Hill Road, 2) contract with Green Mountain Pipeline Services to perform the**
71 **services at their earliest available date and 3) approve the assignment of any surplus FY2021**
72 **end of year Public Works General Fund dollars to this project or alternatively assign any of the**
73 **surplus end of year Public Works General Fund dollars to the Stormwater Capital Account for**
74 **this project, if such funds are available as determined by the Finance Director. If such funds**
75 **are not available, the needed funding will come from the available FY2022 Highway Account in**
76 **combination with funds from the Capital Account. The motion passed 5-0.**
77

78 c. ***Discussion and potential action about public forums regarding future of Town governance**
79 **in regards to Village independence effort**

80 Mr. Duggan introduced the discussion and potential action about scheduling public forums on
81 future Town governance regarding the Village independence effort. He proposed the Selectboard
82 reach out to the community for feedback by engaging Jen Knauer to facilitate the public forums.
83 He said they should also ask the public what direction the Town and Village should go in if the
84 separation does not pass and find guidance on what else should be done.
85

86 The Selectboard members discussed the issue. Ms. Hill-Fleury clarified with Mr. Duggan that the
87 funds for this effort would come from the FY2022 Selectboard budget. Mr. Murray expressed
88 concern with how to fit the forums into the timetable, so the Selectboard could also handle a
89 scenario where, if separation passes, they would be able to address the potential loss of 42% of
90 the Town's taxes that currently come from Village residents. Ms. Delphia said the discussions
91 should focus on the future of Essex and how to make it work. She suggested varying meeting
92 times to promote inclusion in the discussions. Mr. Franco agreed with the idea of hosting forums
93 to gain community input into a vision of each of the two potential scenarios: if separation passes,
94 or if the Village remains. Mr. Watts wondered if the Selectboard should continue work on tax
95 equity. Mr. Duggan said the forums would take place outside of the Selectboard meetings and
96 could also include discussions about why merger failed in order to learn how to move forward. Mr.
97 Teich talked with Mr. Watts about the strategy as a way to help to home in on the what the Town
98 should focus on and what the people want. He said Ms. Knauer would design the forums based
99 on Selectboard and staff input, then provide a report to the Selectboard by late August. Mr.
100 Murray suggested that Ms. Knauer also connect with the equity group.
101

102 Mr. Shelden said he was disappointed that these discussions did not seem to be responding to
103 the possibility of Essex Village's potential independence, which he thinks is likely to pass. He said
104 failing to plan for what he described as "this likelihood" is planning to fail.

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106 Mr. Champagne said he thinks there is a power struggle in the Village and the Town of Essex
107 should not be talking to the Village.
108

109 Ms. Dunn said she thinks the Selectboard should move forward with the discussions because the
110 Village is already asking how to move forward. She said she thinks looking forward is a good idea.
111

112 Ms. Dickinson said she hopes the discussions will foster stewardship and confidence. She said
113 she thinks it is important for the Selectboard to listen to the public and not feel rushed.
114

115 Ms. Lizotte said there is a need for positivity moving forward and she hopes the discussions will
116 include time for the public to be heard on why the merger failed.
117

118 Mr. Tyler said the idea of hosting forums is good and should be inclusive of the entire Town,
119 including the Town residents who live in the Village. He suggested that the Selectboard be
120 prepared during these forums, to help the Town residents understand what the services the
121 Village brings to the Town.
122

123 Ms. Post said she loves the idea of the public being heard but worried that the report drafted from
124 the process may not include the voice of the people. She said people are not listened to and she
125 wondered how things would be done differently. She said she hopes the report will not be written
126 by board members.
127

128 Ms. Cooper said she agreed with Mr. Tyler, that the Selectboard should disseminate facts during
129 the forums that directly counter misinformation. She illustrated the importance of this with a couple
130 examples. She said residents should also know that the Town is not deciding whether or not the
131 Village will separate.
132

133 Mr. Watts read Ms. Davis's comments written into the chat function of the meeting and determined
134 they were not relevant to the discussion.
135

136 Mr. Newhard said he thought it would be good to use the forums to look at the future of the Town
137 but said it will be hard to not have a discussion of how the municipality arrived to this place,
138 regardless of separation or not.
139

140 Mr. Brown said he thinks the forums are a good idea and agreed with commenters about the
141 importance of combating misinformation. He also said he does not think the process should delay
142 discussions with the Trustees about Parks and Rec, Policing, and other shared services. He said
143 that, in the Village Independence timeline, community feedback is included at each meeting and
144 feedback will also be generated on the final plan in September.
145

146 Ms. Gabrielle Smith said the forums should be focused on gathering information from the
147 community while being mindful about disseminating accurate information. She said, for example,
148 people should understand at this point that Village residents are also part of the Town.
149

150 Mr. Post suggested that an aspect of the forum should include visioning for what the Town should
151 look like if the Village separates. He said the residents should be thinking ahead to what the
152 remaining community would look like.
153

154 Ms. Wrenner suggested that the Selectboard review past reports, studies, surveys, work sessions,
155 votes, and public records instead of gathering new data through these forums.
156

157 TRACEY DELPHIA made a motion, seconded by DAWN HILL-FLUERY, that the Selectboard
158 authorize staff to organize facilitated public forums this summer to hear from residents on the
159 topics of Village independence and the future of governance in Essex. The motion passed 5-0.
160

161 d. ****Discussion and potential action about Village of Essex Junction's proposed separation
162 from Town of Essex**

163 This took place during executive session as item 8b.
164

165 **6. CONSENT ITEMS**
166

167 VINCE FRANCO made a motion, seconded by DAWN HILL-FLEURY, to approve the Consent
168 Agenda:

- 169 a. **Consider approval of Letter of Intent to participate in the Municipal Roads Grants-in-Aid
170 Program**
- 171 • **To authorize the Public Works Director to sign the Letter of Intent to participate in the
172 Municipal Roads Grants-in-Aid Program.**
- 173 b. ***Consider approval of reappointment of Casey Clark to Conservation and Trails Committee
174 (placeholder)**
- 175 • **To reappoint Casey Clark to the Conservation and Trails Committee for a three year
176 term to expire June 30, 2024.**
- 177 c. **Approve minutes: June 7, 2021, June 15, 2021 - Joint**
- 178 d. **Check Warrants: #17873 – 6/11/21; #17876 – 6/18/21**

179 **The motion passed 5-0.**
180

181 **7. READING FILE**

- 182 a. Board member comments
- 183 • Ms. Hill-Fleury thanked Ms. Hammer and Ms. Wood for their committee service.
 - 184 • Ms. Hill Fleury congratulated Mr. Fleury for his award.
 - 185 • Mr. Murray reminded municipal employees that Spare Time, in Colchester, will offer a free
186 bowling game to all municipal employees on June 29th.
 - 187 • Ms. Delphia said she was impressed by the Juneteenth celebration over the weekend. She
188 and Mr. Teich thanked all who were involved.
- 189 b. Letter from James Jutras re: GMWEA (Green Mountain Water Environment Association) Operator
190 of the Year!
- 191 c. Email from Cristine Hammer re: Resignation from Conservation and Trails Committee
- 192 d. Letter from Diana Wood re: Resignation from Conservation and Trails
- 193 e. Memo from Dennis Lutz et al. re: Chittenden County Regional Planning Commission Fiscal Year
194 2022 Unified Planning Grants
- 195 f. Memo from Susan McNamara-Hill re: Hunting & Fishing Licenses
- 196 g. Emails from Evan Teich and Ally Vile re: Indian Brook Questions
- 197 h. Email from JD Chapple-Sokol re: Human Services Fund award to Steps to End Domestic Violence
- 198 i. Upcoming meeting schedule
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200 **8. EXECUTIVE SESSION**

- 201 a. ***An executive session may be requested to discuss the appointments of public officials**
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203 TRACEY DELPHIA made a motion, seconded by VINCE FRANCO, that the Selectboard enter
204 into executive session to discuss the proposed public official appointment(s) in accordance
205 with 1 V.S.A. Section 313(a)(3) and to include the Unified Manager and the Deputy Manager.
206 The motion passed 5-0 at 8:06 PM.

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b. ****An executive session is anticipated to discuss legal matters**

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, that the Selectboard 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 Unified Manager and Deputy Manager. The motion passed 5-0 at 8:06 PM.

VINCE FRANCO made a motion, seconded by DAWN HILL-FLEURY, that the Selectboard 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 Town at a substantial disadvantage. The motion passed 5-0 at 8:07 PM.

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, to exit executive session. The motion passed 5-0 at 9:45 PM.

PAT MURRAY made a motion, seconded by TRACEY DELPHIA, to appoint John Mangan to the Planning Commission to a term ending June 30, 2025. The motion passed 5-0.

PAT MURRAY made a motion, seconded by VINCE FRANCO, to authorize the chair to communicate to the Trustee President in writing that the Town is open to sharing police in the long-term; and is open to discussing how sharing of Parks & Recreation, Clerk/Treasurer, Finance, and IT may work in the short-term. The Town would also like to share Assessor. The motion passed 5-0.

9. ADJOURN

DAWN HILL-FLEURY made a motion, seconded by TRACEY DELPHIA, to adjourn. The motion passed 5-0 at 9:49 PM.

Respectfully Submitted,
Cathy Ainsworth
Recording Secretary

Approved this _____ day of _____, 2021
(See minutes of this day for corrections, if any)

Tracey Delphia, Clerk, Selectboard