

VILLAGE OF ESSEX JUNCTION  
TRUSTEE MEETING MINUTES  
TUESDAY, SEPTEMBER 14, 2021

**TRUSTEES:** Andrew Brown, President; Raj Chawla, Vice-President; Dan Kerin; Amber Thibeault; George Tyler.

**ADMINISTRATION and STAFF:** Evan Teich, Unified Manager; Marguerite Ladd, Assistant Manager; Brad Luck, Recreation & Parks Director; Claudine Safar, Village Attorney.

**OTHERS PRESENT:** Annie Cooper; Christopher Kline.

**1. CALL TO ORDER**

Mr. Brown called the meeting of the Village Trustees to order at 6:30 PM.

**2. AGENDA ADDITIONS/ CHANGES**

Ms. Ladd requested that additional handouts be included in Item 5a, “Work Session on Essex Junction Independence Initiative.”

**3. APPROVE AGENDA**

**DAN KERIN made a motion, seconded by GEORGE TYLER to approve the agenda as amended. The motion passed 5-0.**

**4. PUBLIC TO BE HEARD**

None.

**5. BUSINESS ITEMS**

**a. Work Session on Essex Junction Independence Initiative**

Mr. Luck said that the following would be discussed tonight: a review of the proposals and contracts being discussed with the Essex Selectboard, content of the independence mailer, FY2023 budget, plans for 2 Lincoln Street, and the future organizational chart.

**Proposals & Contracts:** Mr. Luck said the Selectboard discussed the MOU (Memorandum of Understanding), the Police Contract, the First Right of Refusal, and the Appraisal Contract at their meeting last night. Mr. Brown asked the Board if they had any concerns they would like to address and said that he had e-mailed Selectboard Chair Mr. Watts who offered two comments on the proposals. Mr. Watts requested that the word “shall” be changed to the word “may” in Section 5 of the Police MOU. Mr. Chawla said that the change from “shall” to “may” would make the statement regarding the Police Chief, Town Manager, and City Manager meeting at least once every six months irrelevant. Mr. Brown suggested changing the statement to say that the Police Chief, Town Manager, and City Manager would meet periodically. All agreed. Mr. Brown said that Mr. Watts has requested that, should separation occur prior to the conclusion of the reappraisal, the City shall pay half of the costs of the Assessor’s office. With regards to policing, Mr. Luck said the Trustees paid a portion of costs on a per capita basis. However, the costs for each department should be reviewed individually. The Village represents approximately 42% of the population, and about 43% of the Grand List. Mr. Chawla said he would be happy to cover this cost at 50%, so long as all other issues are easily resolved. The rest of the Board agreed. Mr. Tyler said, in response to Mr. Watts’s other comments, there is currently a stormwater plan for the Village and Town.

49 Mr. Brown said planning would continue to be done jointly and funding would be the only element to be  
50 changed. Mr. Tyler expressed support for continuing to work together on this issue.

51  
52 Mr. Tyler also said the Trustees are under a time constraint to have the Police Contract completed by the  
53 end of September, however the Selectboard is not under the same time constraint. He suggested including  
54 something in the charter stating that it will not go into effect until the city has police coverage. Mr. Kerin  
55 agreed, stating that, should agreements with the Selectboard not come to fruition, the city would provide  
56 some other type of police services. Mr. Brown expressed concern about putting language in the charter that  
57 could prevent separation, as this could prevent the legislature from approving the change. Mr. Tyler said it  
58 is important to have some type of backup plan, should an agreement with the Selectboard not be achieved.  
59 This would provide assurance to the voters that there would be continuing police coverage. Mr. Teich  
60 suggested including language stating that the city would have “substantially similar” police coverage. All  
61 agreed.

62  
63 **Independence Mailer:** Mr. Luck said this is proposed to be sent to all Village homes. It is anticipated to  
64 be presented to the Trustees on 9/28 and then printed/mailed immediately after. It will arrive close to the  
65 time that the ballots are delivered. This will be a short, glossy 11”x17” document. Mr. Tyler suggested  
66 that more information be included regarding why independence is being pursued. All agreed that  
67 information regarding the 75% of voters who approved this proposal last spring be included.

68  
69 **FY2023 Budget:** Mr. Luck said that the Trustees will have their Budget Workshop Day for FY2023 two  
70 days after the vote. He suggested that the Trustees have some conversation on the budget and MOUs,  
71 should the charter not make it through legislative approval in time. Mr. Brown said it is important for the  
72 Village to have a Village manager regardless of legislative approval of independence. He feels that MOU  
73 review should also be prioritized. Mr. Tyler said it would be impossible for the Trustees and Selectboard  
74 to come up with two different budgets. He believes that the MOUs in place would stay in place as they  
75 have a six-month cancelation clause. Mr. Luck said that the original MOU for the Unified Manager has not  
76 been updated since it went into effect eight years ago. He said all the Village departments are currently  
77 supervised by Town employees. Should a Village Manager be hired, they would presumably manage these  
78 departments which would influence the MOU. Mr. Tyler wanted to clarify that the Village pays for the  
79 Unified Manager with two separate funding streams, through both Village and Town taxes. He also said  
80 that the Unified Manager is serving as the Village Manager when he is supervising Village staff. Mr.  
81 Brown said that these budget items would be further discussed on Budget Workshop Day.

82  
83 **2 Lincoln Street:** Mr. Luck said that this space could house a full city government, however the current  
84 setup is not optimal for safety, health, or wellness. This will be discussed further at a later meeting.

85  
86 **Organizational Chart:** Mr. Luck said that moving to being an independent city would involve hiring three  
87 or four new employees. Two would need to be hired in the first year. An IT managed services contract  
88 would also need to be initiated.

89  
90 **b. Approve City of Essex Junction Charter**

91 Mr. Luck said that, should the Board wish to approve the Charter tonight, they will have up to October 13<sup>th</sup>  
92 to amend it prior to the vote. Two public hearings will be scheduled for input on September 28<sup>th</sup> and  
93 October 12<sup>th</sup>. Mr. Brown said that the Board has been reviewing this document since the end of April. Mr.  
94 Brown requested public input on this item, none was received. He thanked Mr. Luck for his work on  
95 creating this document.

96

97 **RAJ CHAWLA made a motion, seconded by DAN KERIN that the Trustees approve the proposed**  
98 **charter for the city of Essex Junction dated September 14, 2021. The motion passed 5-0.**  
99

100 **c. Discuss updating Trustees' Policy regarding Trustees' Meetings**

101 Mr. Brown said that, due to a recent incident during Public to be Heard, he wanted to bring this request to  
102 the Board. However, after thinking about the issue more, he suggested that this be tabled due to  
103 independence efforts. Mr. Tyler said that the Board has an obligation to hear the public, however they do  
104 not have a responsibility to respond. Mr. Brown said that these are Board of Trustees meeting, not general  
105 meetings of the Village. We do not need to answer every question asked of us and it is important for the  
106 Board to not make a knee-jerk response without enough knowledge. Mr. Kerin said that the right of one  
107 person to speak does not trump the right of other members of the public to do so and if someone speaks for  
108 a long time it could take away from the time for others. Mr. Chawla suggested providing opportunities for  
109 engagement that are not during a meeting. No public input was requested for this item.  
110

111 **d. Interview and potential appointment: Christopher Kline, Bike/Walk Advisory Committee**

112 Mr. Brown asked Mr. Kline if he would like to have the conversation in Executive Session. Mr.  
113 Klinedeclined. Mr. Brown asked Mr. Kline to discuss why he was interested in volunteering and what he  
114 felt he could offer to the committee. Mr. Kline said he is looking for ways to get involved and has a long-  
115 time interest in cycling. He has volunteered for other bicycling groups. Mr. Kline would like to have the  
116 Bicycling and Pedestrian plan updated and has an interest in school safety programs. Mr. Chawla said that  
117 he appreciated Mr. Kline stepping forward to volunteer. Mr. Brown thanked Mr. Kline for his volunteer  
118 service at the Cycle de Mayo event. Mr. Kline applauded the Trustees for the work that they have been  
119 doing on independence.  
120

121 **DAN KERIN made a motion, seconded by RAJ CHAWLA to appoint Christopher Kline to the**  
122 **vacant position on the Bike/Walk Advisory Committee, with a term ending June 30<sup>th</sup>, 2023. The**  
123 **motion passed 5-0.**  
124

125 **e. Discussion of Personnel**

126 This item was discussed during Executive Session.  
127

128 **6. CONSENT ITEMS**

129 **Motion by DAN KERIN, second by GEORGE TYLER to approve the consent agenda. Motion**  
130 **passed 5-0.**

131 **a. Consider approval of Public Nuisance Ordinance**

132 **b. Consider retroactively the approved Street Closure Application McGregor**

133 **c. Approve minutes: August 23, 2021 – Joint, August 24, 2021**

134 **d. Approve Check Warrant #17265 – 8/23/21; #17266 – 8/27/21; #17267 – 9/3/21; #17268 – 9/10/21**  
135

136 **7. READING FILE**

137 **a. Board member comments:** Mr. Brown wanted to note that the two developments recently built in the  
138 Village Center are both fully rented. There is significant demand for housing and he is thankful that we  
139 have these developments in our downtown. Mr. Teich said that Amtrak received a large grant from the  
140 federal government to update the platform and the area around it to be compliant with the Americans with  
141 Disabilities Act (ADA). The Village is still in the running for their funding request to update the outside of  
142 the station. The Amtrak ADA work will also include bathrooms, sidewalks, and an indoor waiting area.  
143 Mr. Tyler said he would like to recommend putting money in the upcoming budget to fund a committee  
144 and have them propose a plan to improve Stevens Park. Mr. Tyler estimated \$3,000 for this work. Ms.

145 Thibeault said the work on Densmore Drive looks great and thanked everyone for their hard work. A  
146 ribbon-cutting ceremony was not held due to COVID. Mr. Chawla thanked Mr. Matanzo for his service on  
147 the Bike/Walk Advisory Committee. Mr. Teich said the second annual Out & About celebration is coming  
148 up on October 2<sup>nd</sup> and 3<sup>rd</sup>. This event has musical entertainment and will provide Village and Town  
149 residents vouchers to spend at participating businesses. This was very successful last year for both  
150 businesses and residents. More information can be found on both municipal websites. Ms. Cooper said that  
151 she believes that the Recreation Department and Tree Advisory Committee should be involved in the  
152 Stevens Park issue. She is on the Out & About Committee and wanted to provide additional information  
153 on the event. \$15 vouchers will be available for each household, and 32 businesses have already signed up.

154 **b. Howard Center Community Outreach FY2020-2021 Comparison Report and Community  
155 Outreach Q4 Report**

156 **c. List of Boards/Committees/Commission openings**

157 **d. Village Center Development update**

158 **e. Information regarding potentially instituting Building Inspections or potentially updating  
159 ordinance**

160 **f. Email from Ramón Matanzo re: Leaving BWAC**

161 **g. Upcoming meeting schedule**

162

163 **8. EXECUTIVE SESSION**

164 ~~a. \*An executive session may be needed to discuss negotiation of contracts and agreements with the  
165 Town of Essex~~

166 ~~b. \*\* An executive session may be requested to discuss the appointments of public officials~~

167 ~~c. \*\*\* An executive session is anticipated to discuss the employment of public officials~~

168

169 **ANDREW BROWN** made a motion, seconded by **GEORGE TYLER** that the Trustees enter into  
170 executive session to discuss the employment of a public employee in accordance with 1 V.S.A. Section  
171 313(a)(3) and to include the Village Attorney. The motion passed 5-0.

172

173 **RAJ CHAWLA** made a motion, seconded by **DAN KERIN**, to exit executive session. Motion passed  
174 5-0.

175

176 **9. ADJOURN**

177 **RAJ CHAWLA** made a motion, seconded by **AMBER THIBEAULT**, to adjourn. Motion passed 5-0  
178 at 9:16 p.m.

179

180 Respectfully Submitted,

181

182 Darby Mayville

183 Recording Secretary

184

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