

TOWN OF ESSEX  
SELECTBOARD MEETING MINUTES  
Tuesday, February 1, 2021

**SELECTBOARD:** Elaine Haney, Chair; Patrick Murray, Vice Chair; Vince Franco; Dawn Hill-Fleury; Andy Watts.

**ADMINISTRATION and STAFF:** Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Tammy Getchell, Assistant to the Manager; Dennis Lutz, Public Works Director; Sarah Macy, Finance Director.

**OTHERS PRESENT:** Gilman Allen, Marcus Certa, Raj Chawla, Kevin Collins, Annie Cooper, Dirk D., Renee Dall, Patty Davis, Tracey Delphia, Erin Dickinson, Karen Dolan, Betsy Dunn, Matt Gilbert, Lori Houghton, Daniel Kerin, Toni M., Susan McCormack, Timothy Miller, Scott Moore, Roseanne Prestipino, Marybeth Redmond, Brian Sheldon, Ken Signorello, Harlan Smith, Gabrielle Smith, Margaret Smith, Michael Smith, Andrew Snyder, Sara Stultz, Liz Subin, Mike Sullivan, Mike Thorne, Bethany Wolfson, Irene Wrenner, Sharon Zukowski, LJ \_\_\_\_\_, Margaret \_\_\_\_\_, Matt \_\_\_\_\_ Phyllis \_\_\_\_\_, Rose \_\_\_\_\_.

**1. CALL TO ORDER**

Elaine Haney called the meeting of the Town of Essex Selectboard to order at 6:31 PM.

**2. AGENDA ADDITIONS/ CHANGES**

Ms. Haney requested an additional item for 3a: *Invocation of Civility*.

**3. APPROVE AGENDA**

**DAWN HILL-FLEURY made a motion, seconded by VINCE FRANCO, to approve the agenda as amended. The motion passed 5-0.**

**a. Invocation of Civility**

Vince Franco read the following Invocation of Civility: "We are gathered together in civil assembly. We gather as a community, in the oldest sense of the word. We gather to come together and try to make decisions; about what is right, about what is wrong. Let us advocate for our positions, but not at the expense of others. Let us remember that there is an immense gap between saying, 'I am right' and saying, 'I believe I am right.' And that our neighbors with whom we might disagree are good people 'with hopes and dreams as true and high as ours.' And let us always remember that, in the end, caring for each other, in this community, is far greater than any difference of opinion we might have. Thank you for being here this evening."

**4. PUBLIC TO BE HEARD**

Ms. Haney outlined the rules for public participation this evening, namely that each participant can only speak once and for a two-minute time period. Microphones and cameras must be off when not speaking.

Annie Cooper noted her support for the Selectboard and said that she feels that they are morally sound. Margaret Smith said that she continues to have difficulty navigating the Town website and finding links to access the meeting. Patty Davis expressed her thanks for Public Works Director Dennis Lutz and his hard work.

**5. PUBLIC HEARING**

**a. Fiscal Year 2022 – 2026 Capital Budget and Five-Year Plan**

Ms. Haney opened the Public Hearing on Fiscal Year 2022 – 2026 Capital Budget and Five-Year Plan at 6:40 pm. Dennis Lutz, Public Works Director, began with a presentation. Mr. Lutz said that the Capital

53 Fund is a way for the Town to save for large projects while preventing large changes in the General Fund  
54 budget. The Town also supplements this fund with grant money. Some examples of Capital Projects  
55 include: paving, stormwater, and building repairs. The public is encouraged to submit project ideas as  
56 well. Mr. Lutz described state mandated stormwater projects and said that the Town needs to complete a  
57 flow restoration project in the Essex Way/Sydney Drive area.

58

59 Ms. Haney said that she had received a text message from a member of the public asking if structural  
60 issues at Memorial Hall have been looked at yet. Mr. Lutz said that they have not and that a structural  
61 engineer would need to be contacted to do so.

62

63 **DAWN HILL-FLEURY made a motion, seconded by PATRICK MURRAY, to close the public hearing**  
64 **on the Fiscal Year 2022 – 2026 Capital Budget and Five-Year Plan at 6:57 pm. The motion passed**  
65 **5-0.**

66

67 **b. First of two public hearings to consider the Plan of Merger of the Town of Essex and the Village**  
68 **of Essex Junction dated January 11, 2021 and the proposed Charter for the merged communities**

69 Ms. Haney, Mr. Franco, and Mr. Murray began with a presentation that included a history of merger and  
70 the reasons for looking at merger. Reasons included: more organized and consistent planning, a  
71 reduction in the number of elections, and equitable distribution of costs. Merger would generally result in  
72 a decrease in taxes for those in the Town Inside the Village (TIV), and an increase for those in the Town  
73 Outside the Village (TOV.) The change in taxation would be phased in over a twelve-year period, after  
74 which the TIV and TOV would pay the same rate. The Village would be responsible for repaying all of the  
75 debt that it incurred prior to merger. This plan is intended to honor current community identity and high  
76 quality of service. There would be five separate districts within the community. The community would be  
77 divided into two wards, which would reflect the current TIV/TOV boundaries, although these could be  
78 changed later. The new Selectboard would contain three members from each ward.

79

80 Ms. Haney said that another public hearing will be held on February 16<sup>th</sup>. Ballots will be mailed to all  
81 active voters in early February. Town Meeting on Monday March 1<sup>st</sup> is for informational purposes only.

82

83 Public Comments:

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- 85 • Ms. Gabrielle Smith said that the status quo is untenable and that a “no” vote keeps the community  
86 in an unresolved situation. She expressed a desire to move forward and work together.
- 87 • Mr. Snyder asked if grant money will be lost in the case of a merger and, if so, what the cost of this  
88 would be. He suggested holding a debate on the issue of merger.
- 89 • Ms. Delphia expressed concern about the two-minute public comment limit instituted by the  
90 Selectboard, as she believes it stifles discussion. She suggested advertising phone numbers for  
91 staff and Selectboard members as a way for those who do not have internet access to learn about  
92 the issue.
- 93 • Ms. Margaret Smith asked why numbers from FY2020 were used in this document. She asked if  
94 limiting public comment was allowable under Robert’s Rules of Order.
- 95 • Ms. Cooper said that the board chose to limit discussion to two minutes so that they can allow  
96 more people to speak.
- 97 • Ms. Davis said that the TOV has always been good at saving for capital expenses but that she is  
98 concerned that the TIV is not as good at saving. She is concerned that the TOV would have an  
99 increased liability in case of a merger.
- 100 • Mr. Signorello questioned the math in taxation calculations.
- 101 • Mr. Shelden expressed support for the charter as written. He said that the political will for  
102 separation is growing in the Village and that he would rather have a slow tax increase from merger  
103 than the large increase that separation would cause.

- Mr. Harlan Smith expressed concern that a future Selectboard could cancel all the districts created in the charter. He also suggested advertising the time limit on public input in future meeting notifications.
- Mr. Allen said that a merger would bring forth equity and fairness and get rid of the ongoing debate about the issue.
- Ms. Dunn asked what would be done about the two conflicting charters from the TIV and TOV and said that she is concerned about the equitable distribution of representatives on the ten-person transitional Selectboard for the merged community.
- Ms. Wrenner suggested that the PowerPoint document be updated with current financial figures. She expressed concern that the TIV is not taking proper care of its infrastructure.
- Mr. Michael Smith said that, as a resident of the TIV, he has been paying a financial penalty since merger was defeated in 2006.
- Ms. Stultz said that she is looking forward to being one community, but that concerns expressed by members of the public should be addressed going forward.

**DAWN HILL-FLEURY made a motion, seconded by VINCE FRANCO, to close the public hearing on merger at 7:58 pm. The motion passed 5-0.**

Ms. Haney thanked everyone for questions and comments. Selectboard and staff answered the questions that were brought up in the public hearing.

- Regarding the loss of grant funds in a merger, Mr. Teich said that the amount the communities receive each year varies. He is unsure how the state will handle grant funding should the communities merge.
- Ms. Haney said that she does not plan to engage in a debate.
- Ms. Haney said that phone numbers for staff and Selectboard members would be advertised and thanked Ms. Delphia for her suggestion.
- Ms. Haney said that time limits are put on public input when many people are expected to want to speak. It will be advertised in future meeting materials.
- Mr. Teich said that updated financial numbers will be presented at the next meeting.
- Mr. Teich said that debt districts cannot be canceled based on the advice of a neutral attorney hired for advice on mergers.
- Ms. Haney said that she understands concerns about the transitional board but that it is intended for this board to only last a few months until the next election cycle.
- Mr. Teich said that the Village also budgets for Capital Projects. Roughly \$400,000 per year is put away for this purpose. Mr. Murray noted that TIV residents also pay into the Town Capital Fund as well.

Mr. Watts registered a concern that minority positions in the Selectboard are not being represented in public informational sessions. Ms. Haney said that Mr. Watts is entitled to participate in conversations using whatever information that he sees fit.

## **6. BUSINESS ITEMS**

### **a. Consider approval of Fiscal Year 2022-2026 Capital Budget and Five-Year Plan**

**Motion by DAWN HILL-FLEURY, seconded by ANDY WATTS to accept the Fiscal Year 2022-2026 Capital Budget and Five-Year Plan. Mr. Watts clarified that the board is adopting, not accepting this document. The motion passed 5-0.**

### **b. Preparation for Town Annual Meeting – Tammy Getchell**

Assistant to the Manager Tammy Getchell said that this year's preparation will be a little different due to COVID. If the board is interested, staff can set up meetings where up to two board members can meet with residents about Town Meeting items. Mr. Teich said that staff considered holding an in-person

156 Informational Town Meeting, however, due to the ban on inter-household gatherings, this was impossible.  
157 A ballot box will be outside of 81 Main Street. Ms. Hill-Fleury said that the Board of Civil Authority would  
158 be working to prepare ballots for mailing and encouraged the Selectboard and Trustees to help if they are  
159 available.  
160

161 In public comments, Harlan Smith said that more needs to be done to inform residents that Town Meeting  
162 is for informational purposes only. Ms. Cooper said that she is happy with Ms. Getchell's dedication to  
163 customer service.  
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165 **7. CONSENT ITEMS**

166 **PATRICK MURRAY made a motion, seconded by VINCE FRANCO to approve the Consent Agenda:**

167 a. Check Warrant: #17821 – 1/29/21

168 **The motion passed 5-0.**  
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170 **8. READING FILE**

171 a. Board member comments

- 172 • Mr. Murray said that, based on recent news reports, it does not look like there will be a large  
173 increase in Vermont school taxes, as was previously predicted.
- 174 • Mr. Teich said that the Town Public Works Department is now operating at "yellow" status due to  
175 COVID. He said that the Senior Van will be taking residents outside of the normal service area to  
176 get COVID vaccinations. The Senior Center has established a vaccination hotline to assist seniors  
177 in scheduling these appointments.

178 b. Email from Andy Watts re: FW: Selectboard Meeting Comments/Questions Part 3, January 19, 2021

179 c. Upcoming meeting schedule  
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181 **9. EXECUTIVE SESSION**

182 a. **\*An executive session is not expected.**

183 An executive session did not take place.  
184

185 **10. ADJOURN**

186 **DAWN HILL-FLEURY made a motion, seconded by VINCE FRANCO, to adjourn the meeting. The**  
187 **motion passed 5-0 at 8:48 p.m.**  
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189 Respectfully Submitted,  
190 Darby Mayville  
191 Recording Secretary  
192

193 **Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2021**

194 **(See minutes of this day for corrections, if any)**  
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198 \_\_\_\_\_  
199 **Vince Franco, Clerk, Selectboard**  
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