SELECTBOARD: Elaine Haney, Chair; Max Levy; Patrick Murray; Andy Watts; Annie Cooper (calling in).

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Rick Garey, Police Chief; Travis Sabataso, HR Director; Owiso Makuku, Community Development Director.

OTHERS PRESENT: Beth Cobb; Brian Donahue; Sharon R. Ehret; Chris Kessler; Ken Signorello; Irene Wrenner.

1. CALL TO ORDER/ PLEDGE OF ALLEGIANCE TO THE FLAG
Elaine Haney called the meeting of the Town of Essex Selectboard to order at 7:00 PM and invited all in attendance to rise and join in the “Pledge of Allegiance.”

2. AGENDA ADDITIONS/ CHANGES
Ms. Haney made the following changes to the agenda: to table interview items 5a, 5b, and 5c; move item 5d to the consent agenda as item 6e; move item 5l to the first business item, as 5d.1; accept a liquor license approval process as item 5e.1. Mr. Watts requested that the minutes from March 2, 2020 Town Meeting be pulled from the Consent items to be addressed separately.

3. AGENDA APPROVAL
MAX LEVY made a motion, seconded by PATRICK MURRAY, that the Selectboard approve the agenda as revised. The motion passed 5-0.

4. PUBLIC TO BE HEARD
a. Comments from Public on Items Not on Agenda
There were no comments from the public at this time.

5. BUSINESS ITEMS
a. *Interview for Conservation & Trails Committee: Patty Davis
   This item was tabled.

b. *Interview for Conservation & Trails Committee: Rosy Hill
   This item was tabled.

c. *Interview for Conservation & Trails Committee: Diana Wood
   This item was tabled.

d. *Reappointments to Cemetery Commission
   This item was moved to consent agenda.

d.1 Update and discussion about Coronavirus
   Essex Westford School District (EWSD) Superintendent Beth Cobb and Chief Operating Officer Brian Donahue provided an update about the EWSD’s emergency planning related to the COVID-19 virus. They noted compliance with the Governor’s requirements of Vermont schools. The school closure is scheduled for Wednesday, March 18 through at least April 6. Ms. Cobb talked about mobilizing leadership planning teams and described the efforts of teachers to
ensure continued student education, nutrition and support services during quarantine times. She talked about the flexible, creative strategies teachers plan to use for remote maintenance of student learning and EWSD’s plans to continue supports for physical and social-emotional student health. Mr. Donahue discussed plans to pay full- and part-time employees while the schools are not hosting students. He noted multiple activities that were cancelled and detailed business continuity strategies. He talked about EWSD’s plans for food pickup and drive-through services at three locations. He said EWSD is working on childcare strategies for first responders and medical staff with Essex Junction Recreation and Parks (EJRP), YMCA’s Live Yers, and Essex Parks and Recreation (EPR).

Selectboard members commended the EWSD for being a stabilizing force for the region and for their innovation. Mr. Murray confirmed with Ms. Cobb that teachers and contracted support staff will be paid through April and EWSD is seeking legal guidance about thereafter. Ms. Cobb pointed out that contracted services, like bus companies, are a concern because they will temporarily not be providing services but will still be needed when schools are fully operational again. Mr. Levy talked about the CDC’s quickly decreasing allowable number of people in groups and talked about food distribution quality controls as well as childcare needs.

Mr. Teich and Mr. Duggan provided an overview of municipal planning for the COVID-19 virus. Mr. Teich explained that the recreation departments are surveying childcare needs and strategizing plans to address these. He said 75 Maple street is closed to the public but staff are still working. 81 Main street is open for taxes, early voting, prep for elections and other functions, and 2 Lincoln is also open. The Senior Center is closed but the Senior van is operating for limited trips. Memorial Hall is cancelling reservations. An emergency operations team led by Chief Garey, including municipal leaders and input from department heads, is directing employees to come to work, unless they are sick, while recognizing the unique needs of parents. Mr. Duggan explained Essex’s continuity of operations plan. Other steps include ordering new laptops to accommodate virtual work needs; allowing staff to go into negative sick time so they do not come in if they are sick; prioritization of communications and updates with staff and the public; increased frequency of cleaning and disinfecting efforts; suspension of public meetings, except for essential functions; and consideration of virtual meetings.

Selectboard members discussed the library’s limited “doorstep borrowing” efforts. They talked with Chief Garey and Mr. Teich about reserves and emergency funds available, if needed, to ensure the full capacity of emergency responders. Chief Garey discussed strategies to achieve continuity of services. They talked about the effect bar and restaurant closures may have on the community. Mr. Donahue suggested that the municipality look into whether Howard Mental Health providers, who are usually contracted through the schools, may be able to be reassigned to community mental health.

e. **Appointment to Chittenden County Regional Planning Commission (CCRPC) Planning Advisory Committee: Owiso Makuku**

The Selectboard welcomed Ms. Makuku to her new position as interim Community Development Director and asked her about her work experience. Ms. Makuku talked about her 20 years of working in the field of community development in Burlington, New York City, Detroit, and Cambridge, MA. She described the importance of having a strong team to work toward community goals.

Mr. Duggan noted the established practice for the Community Development Director to serve on the CCRPC Planning Advisory Committee. He requested that the Selectboard appoint Ms. Makuku to this role, based on her new position.
MAX LEVY made a motion, seconded by PATRICK MURRAY, that the Selectboard appoint
the Town Community Development Director, Owiso Makuku, to the Chittenden County
Regional Planning Commission Planning Advisory Committee for the remaining term to
expire June 30, 2020. The motion passed 5-0.

e.1 **Liquor License Renewal process
Mr. Duggan proposed a Liquor License Renewal process that further streamlines approvals
with the Selectboard. With this plan, clerks and the Police Department would continue to
review the application paperwork and applicants. The Police Department would then provide
recommendations to the Selectboard for renewal. Mr. Watts clarified that there would be no
changes to the process for first-time applicants. The Selectboard decided, instead of reading
the names on the spreadsheet into the minutes, in their motions they would refer to the Police
Department’s memo.

f. **New First Class Liquor License: Black Flannel Brewing Company, LLC
Chris Kessler described Black Flannel Brewing Company, LLC. He said his brewery and
distillery will open in the Essex Experience shopping center in May with a restaurant with 150
seats indoor and 45 additional outside seats. A brewery and tasting bar will be next door. The
spirits being distilled will be made from local and natural ingredients including, for example,
strawberry brandy, agave, white beet spirits, and more. Mr. Kessler expects to sell most of his
products on-site. He talked with the Selectboard about his wastewater permits, how he will treat
wastewater prior to drainage and his plans for bio digesting, composting and feeding the grain
waste to pigs. Mr. Kessler clarified for Mr. Levy that he expects to make 1,000 barrels in year
one, 2,000 barrels in year two, and up to 3,000 barrels in year three. He plans to hire 30-40
employees.

ANDY WATTS made a motion, seconded by MAX LEVY, that the Selectboard approve a first
and third class liquor license, with outdoor consumption permit, for Black Flannel Brewing
Company. The motion passed 5-0.

Ms. Haney read the usual admonition for those with new liquor licenses and wished Mr. Kessler
a good year in business.

g. **First Class Liquor License Renewals
The Selectboard members reviewed the Police Department’s memo of all recommended liquor
license renewal applicants. The Selectboard used the new process for renewals for the first
time.

ANDY WATTS made a motion, seconded by MAX LEVY, that the Selectboard, acting as the
Board of Liquor Control Commissioners, approve and sign the First Class Liquor Licenses
as listed in the memo from the Police Department including outdoor consumption permits
for those who have submitted this. The motion passed 5-0.

This motion was then reconsidered and crafted into a new motion found in item 5i.

h. **Second Class Liquor License Renewals

ANDY WATTS made a motion, seconded by PATRICK MURRAY, that the Selectboard, acting
as the Board of Liquor Control Commissioners, approve and sign the Second and Third*
Class Liquor License renewal applications listed in the memo from the Police Department.
*Elaine Haney made a friendly amendment, accepted by Mr. Watts and Mr. Murray, to change
the motion to only include second class liquor license renewals.

The motion passed 5-0.
i. **Third Class Liquor License Renewals**

The Selectboard reviewed the Police Department memo of liquor license renewals and determined that third class license renewals should have been included in the motion made under item 5g, with first class license renewals.

ANDY WATTS made a new motion, seconded by MAX LEVY, that the Selectboard reconsider a previous motion. The motion passed 5-0.

ANDY WATTS made a motion, seconded by MAX LEVY, that the Selectboard, acting as the Board of Liquor Control Commissioners, approve and sign the enclosed First Class renewal applications and outdoor consumption permits and Third Class licenses for those who have applied. Liquor License renewal applications as defined in the Police Chief’s memo. The motion passed 5-0.

**Selectboard will be acting as Board of Liquor Control Commissioners during these agenda items**

j. **Discuss results of Town Meeting proposed charter change for six-member Selectboard**

Ms. Haney discussed the charter change process as per 17 V.S.A. §2645 (charters; adoption, repeal, or amendment; procedure). The Town Clerk sent the proposed charter change to the Secretary of State who will certify the document and deliver it to the Attorney General to go to General Assembly. She pointed out that, at this time, it is out of the municipality’s hands and, when the legislators return from their COVID-19 recess, they could choose to act on it, not act on it or move it into their next session. Mr. Watts talked about concerns that there are long-term questions with this charter which have not yet been answered. Ms. Haney discussed potential complications with having this charter change go to the state, when another one may be there after the merger vote.

k. **Update from Governance Subcommittee**

Mr. Tyler let the Selectboard members know that the Governance Subcommittee approved a memo to be discussed at the next joint meeting of the Selectboard and Trustees. This memo requests that the boards provide guidance, in light of the Charter Amendment vote, to determine a representation model and tax reconciliation strategies for the merger charter. He said the Governance Subcommittee recommendations remain the same, but the boards could decide to accept or change them. He said the boards will also need to review and approve the Transitional Charter language. Mr. Tyler pointed out that the completion of these recommendations and the Transitional Charter language is early, with the goal of providing everything to legal counsel by the end of May.

Ms. Cooper suggested they demonstrate how much a Town and Village separation would cost, so voters could make decisions about whether or not to merge. Mr. Teich said a Q&A from staff would be provided to the Selectboard about the charter at the next joint meeting. He also talked about the governance structures determined for the libraries within the charter language. Ms. Haney expressed hope for at least one more outreach meeting, considering the cancellation of the March 28 event, due to COVID-19 restrictions. The Selectboard members talked about appointing a new person to the Governance Subcommittee to fill the vacancy that will be left by Mr. Levy. Ms. Wrenner suggested a municipal initiative from a few years ago could help inform a new direction for Essex as they forward with planning governance. Mr. Tyler said this research was not as relevant to the current circumstances.

l. **Update and discussion about Coronavirus**

This item was moved to item 5d.1.
m. ***Update on status of public union contract negotiations
   This item was addressed in Executive Session as item 8b.

n. Revise Town Meeting minutes of March 2, 2020
   ANDY WATTS made a motion, seconded by MAX LEVY, to approve the March 2, 2020 Town
   Meeting minutes, with Selectboard member corrections.
   - Line 29: Gary Moreau sang the National Anthem, replace “a gentleman” with his name.
   - Line 28: replace “the Boy Scouts” with “Boy Scouts Troop 635”.
   - Line 97: the name Roz Cotraine will be corrected by staff.
   The motion passed 5-0.

6. CONSENT ITEMS
   MAX LEVY made a motion, seconded by ANDY WATTS, to approve the Consent Agenda,
   with Selectboard comments:

   a. Adopt Local Emergency Management Plan
      Adopt the Local Emergency Management Plan to submit to the appropriate Regional Planning
      Commission by May 1st.
      - Patrick Murray pointed out Max Levy’s name is listed as an alternate in the Emergency
        Management plan but he will no longer be on the Selectboard. Mr. Teich said a new
        selection can be made for this role at the organizational meeting. This person will be trained
        for the position and then the alternate can be amended in the Emergency Management
        plan.

   b. Approve Annual Financial Plan for Town Highways (TA-60) and Certification of
      Compliance for Town Road and Bridge Standards and Network Inventory
      Approve and sign the VTRANS Annual Financial Plan and Certification of Compliance for Road
      and Bridge Standards.

   c. Approve minutes: January 27, 2020; February 18, 2020; March 2, 2020—Town Meeting

   d. Check Warrant #17697—02/21/2020; #17701—02/28/2020; #17703—03/06/2020; #17707—
      03/13/2020

   e. *Reappointments to Cemetery Commission
      Reappoint Frances Kinghorn and Marcus Wilson to the Cemetery Commission for 3 year terms
      beginning April 1, 2020.

   The motion passed 5-0.

7. READING FILE
   a. Selectboard Comments
      - Mr. Watts said the time he spent at the polls was valuable for hearing feedback about the
        proposed merger; people said the Village would need to give something up, for the merger
        to pass.
      - Ms. Haney and the Selectboard members expressed gratitude to Mr. Levy for his 12 years
        of service, as this was his final Selectboard meeting.

   b. Town and Village Staff Meeting with Essex-Westford School District Transportation
      Director—Dennis Lutz
      - Mr. Watts and Ms. Haney expressed thanks for this item being included in the Reading File.

   c. Email from Andrew Brown re: S.54
   d. Email from Elaine Haney re: Please support H.744 and support the PEG Study Bill
   e. Town of Essex List of Posted Roads for Mud Season 2020
   f. Spring Selectboard Institute and Transparency Essentials Trainings
g. **Town Meeting Survey—Andy Watts**
   o Mr. Watts pointed out that 17 people filled out the survey this year. There were compliments on the community dinner and the Selectboard’s info slides prepared by the. The sound system was noted as a challenge again this year.

h. Town Meeting official election results

i. Letter from Ken Signorello and Irene Wrenner re: Decisive Vote in Favor of District Representation Charter Change

j. **Upcoming meeting schedule**
   o Mr. Levy pointed out that the upcoming Joint Meeting on the 24th would exceed the 10 person limit determined by the State of Vermont during the COVID-19 restrictions. Mr. Teich suggested some of the board members may self-select to not attend or may attend by phone or electronic means. He said he would look into different spaces where there can be greater distance between people and consider on-line meeting options. Ms. Cooper asserted that it is not acceptable to put people at risk by coming together at this time.

8. **EXECUTIVE SESSION**

   a. *An executive session may be required for appointment of public officials*
      An executive session was not required.

   b. ***An executive session is anticipated for contracts and labor relations agreements with employees***

      ANDY WATTS made a motion, seconded by MAX LEVY that the Selectboard make the specific finding that premature general public knowledge of the Town’s position concerning ongoing contract negotiations and labor relations agreements with employees would place the Town at a substantial disadvantage. The motion passed 5-0 at 9:27 PM.

      ANDY WATTS made a motion, seconded by MAX LEVY, that the Selectboard enter into executive session to discuss contracts and labor relations agreements with employees pursuant to 1 V.S.A. §313(a)(1)(A) and 1 V.S.A. §313(a)(1)(B), to include the Unified Manager, Deputy Manager, Chief of Police and HR Director. The motion passed 5-0 at 9:27 PM.

9. **ADJOURN**

    MAX LEVY made a motion, seconded PATRICK MURRAY, that the Selectboard exit executive session and adjourn. The motion passed 5-0 at 10:15 PM.

Respectfully Submitted,
Cathy Ainsworth
Recording Secretary

Approved this __________ day of __________, 2020

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

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Patrick Murray, Clerk, Selectboard