VILLAGE OF ESSEX JUNCTION TRUSTEES
TOWN OF ESSEX SELECTBOARD
DRAFT SPECIAL MEETING MINUTES
Tuesday March 24, 2020

SELECTBOARD: Elaine Haney, Chair; Annie Cooper; Max Levy; Andrew Watts; Patrick Murray

TRUSTEES: Andrew Brown, President; Amber Thibeault; Raj Chawla; Dan Kerin; George Tyler

ADMINISTRATION and STAFF: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager, Sarah Macy, Finance Director/Assistant Manager; Dennis Lutz, Public Works Director; Rick Jones, Public Works Superintendent; Jim Jutras, Water Quality Superintendent

OTHERS PRESENT: Ken Signorello

1. CALL TO ORDER
Andrew Brown called the Village of Essex Junction Trustees back to order from recess, and Elaine Haney called the Essex Selectboard to order, to enter into the Special Joint Meeting of the Village of Essex Junction Trustees and the Town of Essex Selectboard at 7:09 PM.

2. STATEMENT ABOUT COVID-19 AND PUBLIC MEETINGS
Ms. Haney made a statement explaining how the meeting would proceed, with changes instituted to adhere to COVID-19/ coronavirus social distancing mandates. She said, even though the meeting location was in the Town of Essex Offices, 81 Main St., Essex Jct., board members would participate remotely via Microsoft Teams. She invited the public to participate remotely using conference call-in information.

3. AGENDA ADDITIONS/ CHANGES
Ms. Haney proposed to change the agenda by addressing 6e as the first business item.

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

DAN KERIN made a motion, and RAJ CHAWLA seconded, that the Trustees approve the agenda as amended. The motion passed 5-0.

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

6. BUSINESS ITEMS
e. COVID 19 Update and discussion of community and local business impact
Mr. Teich provided an update on department planning for COVID-19. This included strategies to keep people separate, who work in the same departments or buildings. He also said only essential personnel are on-site and the business offices are closed to the public, unless by appointment; most business office employees are working from home. Since Mr. Teich’s closures and cancellations update at the last Selectboard meeting, the community’s Senior Van has also been suspended. The Selectboard members encouraged Mr. Teich to consider Town Clerk tasks, such as title searches, as non-essential. Mr. Teich clarified that dog
licenses registered after the April 1 deadline will not have penalties. He encouraged the public
to process these by mail. Ms. Haney noted that the State House is considering legislation to
allow public meetings to be held completely online. Mr. Teich said he would like his office to
host a community support event to help in some way during the COVID-19 pandemic. Mr.
Levy suggested he consider a blood drive, as the Red Cross is in serious need. The board
members praised municipal staff for excellent communications, flexibility and adaptability.

a. Discuss recommendations from Governance Subcommittee memo and draft transition
provisions
Mr. Tyler requested the board members of Village Trustees and the Town of Essex
Selectboard decide what to do with the proposed merger charter’s Representation, Tax Rate
Integration and Transition provisions from the Governance Subcommittee. Ms. Cooper
couraged them to also consider that living through the current pandemic may influence the
governance discussion moving forward.

The board members discussed what representation model should be included in the charter.
The majority of the Selectboard members and Trustees said that the 3-3 model recently
passed by voters should be included, instead of the Governance Committee’s suggested 2-2-
3 model. They discussed some of the challenges inherent with the 3-3 model and their
concerns about tie votes. They agreed that changing a recently passed governance structure
could be confusing for voters. The board members said that submitting a governance
structure for legislature consideration that is similar to the one recently passed by voters, may
make the process smoother. Mr. Watts suggested the representation section of the Merger
Charter not be included, but this was outweighed by other board members. Mr. Brown said if a
municipality charter does not include an agreed upon legislative body, the State of Vermont
requires that it default to a three member board. Mr. Tyler stressed, and Ms. Haney strongly
agreed, that it should be stated in the Charter for the new board to establish a commission to
research whether to implement and move forward with a ward structure. They discussed
whether this commission’s recommendations should be ready in two or five years.

The board members discussed the Tax Rate Integration models suggested by the
Governance Subcommittee. The majority of the board members agreed with the concept of
implementing tax integration models. Most were in favor of a sidewalk district but discussed
whether this could be expanded in future years. Most were also in favor of the Debt
Assessment District and Mr. Levy suggested it be connected to actual payoff timelines. Board
members expressed concerns with the idea of keeping a tax just on businesses in the
Business District, but Ms. Haney suggested they consider a penny on the tax rate kept for
businesses as well as residents. Mr. Watts said the Capital Investment District should be a
shorter timeline based on the Village Capital plan’s five-year clarity. While Mr. Brown and Mr.
Chawla, agreed with the models, they acknowledged their struggle with not having actual
numbers included. Ms. Cooper stressed that without seeing a picture of costs associated with
a complete separation of the Village from and the Town outside the Village, she was not
comfortable supporting the proposed Tax Rate Integration process. She said voters would not
have enough information to make an informed decision without this visual. Staff talked about
the challenge of having to make such a large number of assumptions in order to construct
this. Mr. Watts mentioned he received many comments from residents from the Town outside
the Village that the Village should “give something up” in order to decrease the tax burden of
merger. The Trustees discussed the that there are deep misunderstandings and
unsubstantiated perceptions about the Town and Village tax structures. Ms. Macy said she
would create new excel workbooks to illustrate the topics discussed. Mr. Kerin suggested a
visual be created that illustrates what is paid for together and separately between the Village
and the Town outside the Village.

The board members suggested the following regarding the Charter language:

- Section 105a: provide flexibility to allow for occasional slow times when meetings may not
take place, like in some summer months.
- Section 114: confirm with legal counsel, and make explicit, who needs to vote for what in
order to dissolve the Town and Village charters and approve a new one.
- Section 109e: Ms. Haney clarified with Mr. Teich that separate labor unions for the current
municipalities cannot be dissolved with a charter change, but the employees would be
able to choose one or the other.

b. Discuss Q&A for water/sewer district recommendations and public works
infrastructure

Mr. Jones, Mr. Lutz and Mr. Jutras talked about the Q&A document. This was drafted to help
the public understand how water/sewer districts would be affected by a merger. Pointing to
the Infrastructure Comparison Document, Ms. Haney requested that the last line of the Sewer
Utility and the Water Utility sections be revised to say “Residents not on Municipal Water, who
have their own wells, will pay their personal bills accordingly,” and under sewer, “Residents
not on Municipal Sewer, who have their own septic systems, will pay their personal bills
accordingly.” The board members also discussed whether the document should note hookups
from to the municipal sewer are the responsibility of the homeowners. Mr. Brown suggested
the Q&A have an explicit sentence about how the sewer system may expand in the future. Mr.
Lutz noted that this process is very complicated, but he would try to craft a sentence. Mr.
Watts suggested the document include more about rates and why there is a difference
between the two parts of Essex. Mr. Teich said the cost differences are due mostly to salaries
so having to make assumptions about how departments would be structured after a merger is
challenge. Mr. Signorello said that he pays for septic and water hookups to his septic system
and his well.

c. Discuss future meeting schedule of Governance Subcommittee

The Trustees and Selectboard members acknowledged the extensive research and hard work
of the Governance Subcommittee. They noted that the basic framework for a merger is almost
complete, once modifications are implemented. They discussed whether or not to disband the
subcommittee. The board members decided to allow the subcommittee to remain intact for
possible questions, but they will not assign new tasks at this time.

d. Discuss Strategic Advance and potential new date

Mr. Teich explained that the date planned for this year’s Strategic Advance should be
rescheduled to avoid any COVID-19 restrictions on gatherings. He said he would send out a
doodle to settle on a new date sometime between late May and June. He briefly reviewed the
proposed agenda for the day, which will set goals for the upcoming year, and suggested the board members send him suggestions.

7. CONSENT AGENDA

a. Approve minutes February 3, 2020 – (Trustees only; Selectboard approved 2/18)

GEORGE TYLER made a motion, seconded by DANKERIN, to that the Trustees approve the consent agenda. The motion passed 5-0.

8. READING FILE

a. Board Member Comments

• Mr. Tyler suggested that an upcoming meeting should include an agenda item of planning an exit poll for the merger vote so the reasons behind the vote results are clear.
• Mr. Levy expressed interest in the Strategic Advance agenda item 5 about creating a nonbinding resolution to continue the merger vote effort.
• This was Mr. Levy’s last municipal meeting as a Selectboard member. He thanked everyone for the support, camaraderie, and friendship he experienced. He said this was a great opportunity to do great work together with the staff and leaders of Essex.

9. EXECUTIVE SESSION

a. An executive session is not anticipated

An executive session did not take place.

10. ADJOURN

MAX LEVY made a motion, seconded by PATRICK MURRAY, for the Selectboard to adjourn the meeting. The motion passed 5-0 at 10:14 PM

DAN KERIN made a motion, seconded by RAJ CHAWLA, for the Trustees to adjourn the meeting. The motion passed 5-0 at 10:14 PM.

Respectfully Submitted,
Cathy Ainsworth
Recording Secretary