TOWN OF ESSEX
SELECTBOARD MEETING
April 6, 2020

SELECTBOARD: Elaine Haney, Chair; Patrick Murray, Vice Chair; Vince Franco, Clerk;
Annie Cooper; Andrew Watts.

ADMINISTRATION: Evan Teich, Unified Manager; Greg Duggan, Deputy Manager; Sarah
Macy, Finance Director/Assistant Manager; Rick Garey, Police Chief; Karen Lemnah, Assessor;
Travis Sabataso, HR Director.

OTHERS PRESENT: Lisa LaBerge, Max Levy, Ken Signorello, Irene Wrenner.

Elaine Haney outlined the process for accessing and participating in an online public meeting,
noting that this public body has been authorized to meet electronically for the duration of the
State of Emergency due to the novel coronavirus (COVID-19). She added that public access has
been provided via telephone, video, and Channel 17 YouTube link, and that all votes taken
during this meeting that are not unanimous will be called by roll.

1. CALL TO ORDER
Evan Teich called the meeting of the Town of Essex Selectboard to order at 7:04 PM.

2. REORGANIZATION
a. Election of Chair, Vice Chair
Mr. Teich requested nominations for Chair of the Town of Essex Selectboard.

PATRICK MURRAY nominated ELAINE HANEY for Chair of the Town of Essex
Selectboard and ANNIE COOPER seconded the nomination.

There were no other nominations.

The nomination passed 5-0.

Ms. Haney called for nominations for Vice Chair of the Town of Essex Selectboard.

ANNIE COOPER nominated PATRICK MURRAY for Vice Chair of the Town of Essex
Selectboard and ELAINE HANEY seconded the nomination.

There were no other nominations.

The nomination passed 5-0.

ELAINE HANEY nominated VINCE FRANCO for Clerk of the Town of Essex
Selectboard and ANNIE COOPER seconded the nomination.

There were no other nominations.
The nomination passed 5-0.

3. AGENDA ADDITIONS/CHANGES
Greg Duggan noted an update to reading file item #8c, which now includes the full email communication from Susan McNamara-Hill.

Andy Watts asked that a discussion take place regarding check warrants and how to address signing them when not physically present. This item was removed from the consent agenda and made item of business #6f.

4. AGENDA APPROVAL
ANDY WATTS made a motion, and ANNIE COOPER seconded, that the Selectboard approve the agenda as amended. The motion passed 5-0.

5. PUBLIC TO BE HEARD
a. Comments from public on items not on agenda
Irene Wrenner asked when the March 5, 2020 Governance Subcommittee meeting minutes would be approved and by whom. Mr. Duggan replied that they will be approved at an upcoming Joint Selectboard/Trustees meeting.

6. BUSINESS ITEMS
a. Approval of Rules and Regulations for Orderly Conduct of Business
Mr. Duggan introduced this item, which outlines the rules of conduct at Selectboard meetings and gives structure and guidelines for running the meetings. He noted that no changes have been made to this policy since 2018.

ANDY WATTS made a motion, and PATRICK MURRAY seconded, that the Selectboard approve the Rules and Regulations for Orderly Conduct of Business. The motion passed 5-0.

b. Approval of Conflict of Interest Policy
Mr. Duggan introduced this item, which outlines the guidelines for determining conflict of interest and when member recusal is appropriate.

ANDY WATTS made a motion, and PATRICK MURRAY seconded, that the Selectboard approve the Conflict of Interest Policy. The motion passed 5-0.

c. Approval of Communications Policy
Mr. Duggan introduced this item, which outlines how board members should speak in public as both board members and citizens, outlines requirements for speaking to other board members outside of public meetings, and provides detail on Vermont’s open meeting law.

ANDY WATTS made a motion, and VINCE FRANCO seconded, that the Selectboard approve the Communications Policy. The motion passed 5-0.
d. Reaffirm commitment to the farm and open land program

Sarah Macy and Karen Lemnah discussed this agenda item. Ms. Macy stated that the Town has a number of farm and open lands contracts from a law created in 1994, that 10 of them are still active today, and that three are currently up for renewal. She asked the Selectboard to affirm support for the contracts before staff moves forward to renew them.

Mr. Teich noted that these contracts are a mechanism whereby the Town of Essex can protect its open spaces by giving tax breaks to properties that keep land undeveloped. The contracts also give the Town the right of first refusal for these properties when they are sold.

Mr. Watts noted that in the past, property owners with these contracts have tried to sell their property and then found out that they’re required to offer it to the Town for first consideration. He suggested that renewal letters for these contracts add language around the Town’s right of first refusal, and also that if property owners leave the program they may owe taxes that had previously been relieved.

Mr. Murray asked for a list of the contracts that are still active in this program. Staff will provide this information to the Selectboard.

ANDY WATTS made a motion, and PATRICK MURRAY seconded, to reaffirm the Selectboard’s commitment to the Farm and Open Lands Contracts program. The motion passed 5-0.

e. Update on mold at the Essex Fire Department

Mr. Teich and Mr. Duggan discussed this agenda item. Mr. Teich noted that the Essex Fire Department discovered mold on a wall behind oxygen tanks when the tanks were being switched out. The remainder of the building has since been reviewed, and it was discovered that mold is present in other areas. He added that staff are researching the process for mold remediation in the building. Mr. Duggan added that staff are acting out of an abundance of caution for health reasons and attempting to remediate as soon as possible. He added that equipment will need to be moved and stored elsewhere while remediation is occurring.

f. Check warrant approvals

Mr. Watts noted that check warrants cannot be signed unless Selectboard members are physically present to sign them, and recommended that the Selectboard designate a member to sign them for a predetermined period of time.

Ms. Macy noted that staff will look into software in order to e-sign the documents, but also added that check warrants are approved as part of the consent agenda and do not need to be signed in order for funds to flow. Mr. Watts agreed that approving them in the consent agenda would be adequate documentation for approval, and that they can be signed at some point in the future.

ANDY WATTS made a motion, and ANNIE COOPER seconded, to approve check warrants #17711—03/20/2020; #17713—03/27/2020; #17716—04/03/2020.
g. *Discussion and possible action to execute the Essex Police Department union contract for 2019-2022.

Elaine Haney proposed tabling this item until after the joint meeting between Town Selectboard and Village Trustees.

7. CONSENT ITEMS

ANDY WATTS made a motion, and PATRICK MURRAY seconded, to approve the consent agenda:

a. Approve minutes: March 16, 2020
b. Check Warrants #17711—03/20/2020; #17713—03/27/2020; #17716—04/03/2020
   (moved to deliberative agenda)

The motion passed 5-0.

8. READING FILE:

   a. Selectboard Comments
   b. Email and attachment from Nick Foss re: FY21 Green Mountain Transit Member Assessment Letter
   c. Email from Susan McNamara-Hill re: liquor licenses extended
   d. Memo from Josh Hanford re: April 2, 2020 Community Development Board Meeting (Essex)

Elaine Haney recessed the Selectboard at 8:03 PM and the joint meeting between the Town Selectboard and Village Trustees was called to order. Ms. Haney called the Selectboard back to order at 10:11 PM.

9. EXECUTIVE SESSION:

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

ANDY WATTS made a motion, and PATRICK MURRAY seconded, 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. VOTING: unanimous (5-0); motion carried.

ANDY WATTS made a motion, and PATRICK MURRAY seconded, that the Selectboard enter into executive session to discuss contracts and labor relations agreements with employees pursuant to 1 V.S.A. Section 313(a)(1)(A) and 1 V.S.A. Section 313(a)(1)(B), to include the Unified Manager, the Deputy Manager, Chief of Police, and Director of Human Resources. The motion passed 5-0 and the Selectboard entered into an executive session at 10:12 PM.
ANDY WATTS made a motion, and ANNIE COOPER seconded, to exit executive session. The motion passed 5-0 at 10:17 PM.

ANDY WATTS made a motion, and PATRICK MURRAY seconded, to authorize the Unified Manager to ratify a contract with the Essex Police Employees Association for 2019-2022. The motion passed 5-0.

ANDY WATTS made a motion, and ANNIE COOPER seconded, to reconsider the previous motion. The motion passed 5-0.

ANDY WATTS made a motion, and PATRICK MURRAY seconded, to authorize the Unified Manager to ratify a contract with the Essex Police Employees Association and the New England Police Benevolent Association for 2019-2022. The motion passed 5-0.

10. ADJOURN:
ANNE COOPER made a motion, and VINCE FRANCO seconded, to adjourn the meeting. The motion passed 5-0 at 10:23 PM.

Respectfully Submitted,
Amy Coonradt
Recording Secretary

Approved this______day of_______, 2020
(see minutes of this day for corrections, if any)