

TOWN OF ESSEX
SELECTBOARD MINUTES
March 21, 2016

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5 **SELECTBOARD:** Max Levy, Chair (via Skype Audio); Irene Wrenner, Vice Chair; Michael
6 Plageman; Andrew Watts; Sue Cook

7
8 **OTHERS PRESENT:** Patrick Scheidel, Town Manager; Brad LaRose, Police Chief; Ally Vile,
9 Director of Parks and Recreation; Rick Garey, MIS Director; Greg Duggan, Assistant Town
10 Manager/Town Planner; Darren Schibler, Recording Secretary; Jody Landon, Cemetery
11 Commission; Greg Morgan, Economic Development Commission; Kevin Cody, Cody’s Irish
12 Pub; Steve Vespa, Vespa’s Pizza, Pasta & Deli; Ron Lawrence; John Lang, Links at Lang Farm;
13 Lisa Anger; Christine Packard, Betzi Bilodeau; Theresa Fletcher; Todd Odit; Scott LeCours, On
14 Tap Bar and Grill; Denise Miller, Pearl Street Pub; Diana Hoppe; Barry Hoppe; Rob Lesney;
15 David Brault; Deborah Brault; Scott LaPlant; Karen LaPlant; Steve Schultz; Deborah Keel

16
17 Ms. Wrenner called the meeting to order at 7:32 p.m. She noted that all votes at this meeting
18 would be taken by roll call, since Mr. Levy was again present via Skype from France.

19
20 **PLEDGE OF ALLEGIANCE**

21
22 Ms. Wrenner invited those present to join her in reciting the “Pledge of Allegiance.”

23
24 **APPOINTMENT OF INTERIM SELECTBOARD MEMBER**

25
26 Ms. Wrenner introduced the question of appointing Susan (Sue) Cook, who had been elected by
27 Essex voters for a term starting in April, for a 1-week interim term so that she could participate
28 in this meeting.

29
30 **MICHAEL PLAGEMAN MADE A MOTION SECONDED BY MAX LEVY TO**
31 **APPOINT SUE COOK FOR AN INTERIM TERM OF 1 WEEK. THE MOTION**
32 **PASSED 4-0.**

33
34 **PUBLIC TO BE HEARD**

35 Ms. Diana Hoppe asked the SB to discuss the issue of firearms and public safety at Indian Brook.
36 She said that it is a public place to enjoy the outdoors, but she and her husband often hear
37 gunshots while walking there. She noted that with the Town’s increasing population, she did not
38 want to see it lose another person like John Reiss, and that the fault for such accidents falls not
39 only on the shooter, but also on the Town. In talking with other residents at Indian Brook, she
40 has heard that many are afraid to use the park, especially kayakers, who feel they must leave at
41 the first sound of gunshots for fear of their safety. The SB heard Ms. Hoppe’s concern and
42 resolved to address the issue at a meeting in the near future.

43
44 Mr. Plageman requested that the SB set up a joint meeting with the Village Board of Trustees
45 (BoT) in regards to the legalization of marijuana use and the regulation of associated businesses,
46 which is currently under debate in the state Legislature. He noted that while the law currently

47 forbids such activities, the SB and BoT should consider the issue sooner rather than later to be
48 prepared for eventual changes in state law. Mr. Scheidel asked if Mr. Plageman thought that a
49 full meeting should be dedicated to the issue, and Mr. Plageman felt there was enough to discuss
50 that it would.

51
52 Ms. Wrenner introduced an issue brought to her by a town resident who called her around 11:00
53 pm the previous weekend saying they thought they had heard gunfire near their home on Weed
54 Rd., but it turned out to be fireworks. Ms. Wrenner requested that the SB revisit the Town policy
55 on fireworks.

56
57 Ms. Wrenner also wished to discuss any calendar constraints on the SB’s meeting schedule for
58 the upcoming year with Mr. Scheidel in advance, rather than having him present a calendar only
59 to have the SB revise it due to constraints.

60
61

62 **AGENDA ADDITIONS/CHANGES**

63
64 Mr. Scheidel provided the following additions to the Agenda:

- 65
66 1) An e-mail memorandum from Cemetery Commissioner Jody Landon regarding proposed
67 fee increases for internments;
68 2) A resolution celebrating 50 years of service by the Essex Rotary Club for the SB to
69 approve;
70 3) A letter from Mr. Cody regarding the change in ownership of Cody’s Irish Pub;
71 4) A letter from Theresa Fletcher applying for appointment to the new Recreation
72 Governance Committee (RGC)
73 5) A letter from Betzi Bilodeau applying for appointment to the RGC;
74 6) An article in 7 Days news magazine titled “Medical interpreters speak for New American
75 patients.”

76
77 **MICHAEL PLAGEMAN MADE A MOTION SECONDED BY ANDREW WATTS TO**
78 **ADD THE ABOVE ITEMS TO THE AGENDA. THE MOTION PASSED 5-0.**

79
80 **APPROVAL OF AGENDA**

81
82 **MICHAEL PLAGEMAN MADE A MOTION SECONDED BY ANDREW WATTS TO**
83 **APPROVE THE AMENDED AGENDA. THE MOTION PASSED 5-0.**

84
85

86 **BUSINESS**

87
88 **Interview (Ad Hoc Governance Committee)**

89
90 **Ron Lawrence**

91 Ms. Wrenner explained that the Ad Hoc Governance Committee (GC) will address the issue of
92 when and how Essex residents vote and she asked Mr. Ron Lawrence to explain his interest in

93 serving on the GC. Mr. Lawrence responded that he had been involved with the Essex
94 Governance Group (EGG) after working with the Budget to Ballot folks, which had discussed
95 moving the budget approval to Australian ballot. He said Budget to Ballot was a diverse group,
96 and he prides himself on being able to speak with a wide variety of people. He noted that
97 working with Heart & Soul of Essex (HSE) helped bring the Budget to Ballot issue into the
98 formal EGG. Mr. Levy asked if Mr. Lawrence regularly attended Town Meeting, and he said that
99 he has for many years. Mr. Levy then asked for Mr. Lawrence's thoughts on the Australian
100 ballot, and Mr. Lawrence said he prefers it because voting by voice at Town Meeting can be
101 intimidating if you don't fully support the motion. He noted that good discussions often arise at
102 Town Meeting; for example, the fire truck transfer and issues with the dog park. At the same
103 time, he felt that it doesn't really represent the whole community because so few people attend
104 Town Meeting. Mr. Levy asked if Mr. Lawrence would therefore support changing the budget
105 vote to Australian ballot, and Mr. Lawrence responded yes, but that he still liked having Town
106 Meeting and didn't think that should go away. Mr. Plageman asked Mr. Lawrence if he had a
107 sense of the timetable of the final decision of the Governance Committee (GC) as well as how
108 far he would like to see the committee go and what they would like to accomplish. Mr. Lawrence
109 responded that he didn't see it as a fixed timeline, and noted that there is already frustration that
110 this process has already taken a couple of years, and wondered how long it should take before the
111 community addresses the meat of the issue. However, he felt that as long as the discussions were
112 productive, no timeline was needed. Mr. Plageman asked what Mr. Lawrence felt should be the
113 best accomplishments of the GC, and he said he felt good about the recommendations of the
114 EGG. He noted that the EGG did not comment on the Town Meeting process because it was not
115 in their purview. In closing, Mr. Lawrence said he sees the GC as an opportunity to build
116 community, and he would like to see a budget that is fully supported by the Town. Ms. Wrenner
117 thanked Mr. Lawrence for his interest, and said that the SB would vote on the candidates and call
118 him with an answer tomorrow.

119

120 **Interviews (Recreation Governance Study Committee)**

121

122 **Christine Packard**

123 Ms. Wrenner asked Ms. Packard to start by speaking about her interest in the Recreation
124 Governance Study Committee (RGC), and she said that she has lived in the Village for nine
125 years, then in the town for eleven years, having raised two kids in that time. She is an active
126 recreation user, and walks her dogs at Indian Brook daily. She currently serves as the chair of the
127 Brownell Library Board of Trustees, which as a facility provides a lot of recreation opportunities
128 to the community, and in applying for the RGC, she hopes to provide insight on how the library
129 fits into the recreation mix, given all the recreational and cultural opportunities it offers. Mr.
130 Plageman said he was intrigued by the library's part in this, and asked Ms. Packard how she sees
131 that happening. Would there be events sponsored by or located at the library under the auspices
132 of the Parks and Rec department? Ms. Packard said it's a possibility, but she hasn't fully thought
133 it through, and she has no agenda or plan for how that would happen, but she feels the library
134 should be represented in this discussion. Ms. Wrenner thanked Ms. Packard for applying and
135 said she would hear from the SB tomorrow.

136

137 **Theresa Fletcher**

138 Ms. Wrenner asked Ms. Fletcher to introduce herself, and she said that she has lived at
139 Discovery Rd. near Indian Brook for 4 years with her husband and child. When they moved to
140 town, she immediately looked for ways to get involved in the community and started organizing
141 the Five Corners Farmers' Market, focusing on its Facebook outreach. She recently found out
142 about the RGC through Front Porch Forum, and hoped that she could join and help make the
143 community a happy and healthy place for families. Mr. Plageman asked about Ms. Fletcher's
144 experience with event planning, given her role in the Farmers' Market. She responded that
145 through the Farmer's Market she has helped organize the Pumpkin Fest. She also said she was a
146 member of the Thoughtful Growth in Action working group, and she has recently participated in
147 Zumba classes through the Parks and Recreation department. Mr. Watts commented that he
148 looked forward to seeing Ms. Fletcher's enthusiasm on the RGC.
149

150 **Todd Odit**

151 Mr. Odit said that he has been part of the community for 10-11 years, having worked for the
152 Town for five of those years, and lived the Village for seven years, and for the last seven years
153 has been the Town Administrator for Jericho. He said he has always looked for ways to give
154 back to the place he lived, but long-term commitments are difficult given his work schedule. He
155 said that he has a 6-year-old and 8-year-old who take advantage of the fantastic recreation
156 programs, which he felt form the fabric of the community, and it's how we all get to know each
157 other. He felt that there is nothing broken about it and that there are great facilities, but there are
158 always ways to make it better. He said that Jericho residents see Essex's programs as very
159 desirable. He said that he can contribute his experience in governance and his knowledge of the
160 structure of the town to the committee, and he is excited to be on the other side of the table. Mr.
161 Watts asked if Mr. Odit missed the SB/the Town of Essex, Mr. Levy said it was nice to see Mr.
162 Odit, and Mr. Plageman said he couldn't believe he had been gone for seven years. The SB then
163 thanked Mr. Odit for applying.
164

165 **Betzi Bilodeau**

166 Ms. Bilodeau said that she lives on Chelsea Rd., which is near Indian Brook, and has three
167 daughters, each three years apart and each in different levels of school. Their whole family is
168 avid recreation consumers in the Village and the Town, and she takes pride in the great
169 recreation departments. She mentioned that she grew up in Essex and now that her three siblings
170 have moved away (one to the Boston area, one to Middlebury), they lament that their children do
171 not have the same opportunities as hers in Essex. She mentioned that after schools, recreation is
172 one of the main reasons she and her husband have decided to stay in Essex, despite struggling to
173 afford a house here. She noted that one of the six core community values identified by Heart and
174 Soul of Essex (HSE) is health and recreation, and that during the transition of school
175 consolidation; she wants to be a voice to maintain the opportunities currently provided. She
176 suggested that her daughters participate in programs at the Essex Free Library, Girl Scouts, and
177 4-H club and hoped to grow those programs. She also raised the consideration of including
178 Westford as part of the recreation equation, in light of the school merger discussion. Mr.
179 Plageman commented that there must be a special place in heaven for Ms. Bilodeau for having
180 three daughters in three different schools. He hoped Ms. Bilodeau would not take his question
181 the wrong way, and that family always comes first, but asked if she anticipated any conflicts with
182 regular attendance at RGC meetings. Ms. Bilodeau responded that she didn't, and found it an odd
183 question and was somewhat offended by it. She said that she is a full-time marketing director,

184 but assumed that any meetings would take place after work hours. Mr. Plageman apologized and
185 reiterated that he meant no offense in the question. Ms. Cook asked if Ms. Bilodeau, in her active
186 participation in recreation programs, had experience with both the Village and the Town's
187 respective programs. She responded that she did, specifically that her younger two daughters
188 participated on the swim team in the Town of Essex, which is more competitive, and her older
189 daughter did Swim with Annie in the Junction, which is less competitive. She expressed a wish
190 that Town residents outside the Village could sign up for Village programs at the same time as
191 Village residents, since there is often a waiting list for the latter. Mr. Watts noted that Ms.
192 Bilodeau formerly served on the school board, and asked if that would bring any experience to
193 the committee. She noted that her term on the U46 board was a long time ago (from 1998 to
194 2000), but now that her children are older and she has settled into her job, she thought her
195 experience would come right back. The SB thanked Ms. Bilodeau for applying and said they
196 would follow up with her the following day.

197

198 **Lisa Anger**

199 Ms. Anger introduced herself by saying she has lived on Windridge Rd. for nine years with her
200 husband two boys (6 years old and 8 years old). She has worked as a litigation auditor for fifteen
201 years, and serves on the PTO board, and is looking for another role in the community. She has a
202 special interest in Parks and Rec because it is very important to the community and she is
203 interested to see where it is going. Ms. Cook asked if Ms. Anger had any thoughts going in about
204 where the process should go, and she said she did not yet, but that she hopes to learn more from
205 the background information about where things are and where they are going.

206

207

208 **First Class Liquor License Renewals**

209 Ms. Wrenner started by taking attendance of the applicants present. The SB then went through
210 each application, noting several mistakes on various applications. Ms. Cook noted that
211 Dependes, Inc./Pearl Street Pub did not mark whether they were filing the application on behalf
212 of another party, and Mr. Plageman noted the same for the Links at Lang Farm, LLC, and Ms.
213 Wrenner noted the same for Backstage, LLC. Ms. Wrenner also noted that Dependes, Inc. had
214 not included a date above the signature on p. 2, and that the principals' residence of "Hagan Dr."
215 was still misspelled as "Hagam Dr" for the Links at Lang Farm. Ms. Wrenner noted that there
216 was nothing marked for the question on criminal or motor vehicle offenses on the application for
217 Backstage, LLC, and that the zip code for the address of the principal (Vincent Dober) at 82
218 Heineberg Rd., Burlington, VT 05401 should read "05408." She also noted that the VFW Post's
219 application listed "82 Hinesburg Rd., Burlington, VT" as Mr. Dober's address, when it should be
220 "82 Heineberg Rd., Burlington, VT" and should include a zip code of "05408." On the Kanz
221 Corporation's application (On Tap Bar and Grill), Ms. Wrenner noted that neither the criminal
222 offense nor the appointed office question were marked; Ms. Cook noted that the last enforcement
223 seminar was out-of-date, but Mr. Watts provided an updated date of 12/3/2015. Lastly, on the
224 application for Cody's Irish Pub and Grille, Mr. Scheidel referred the SB to the letter detailing
225 the business' change in ownership.

226

227

228 **ANDREW WATTS MADE A MOTION SECONDED BY SUE COOK TO APPROVE**
229 **THE APPLICATIONS FOR THE FOLLOWING FIRST CLASS LIQUOR LICENSE**
230 **RENEWALS:**

231
232 **Dependes, Inc. (d/b/a Pearl Street Pub), with Outside Consumption Permit**
233 **Links at Lang Farm (d/b/a Links at Lang Farm), with Outside Consumption Permit**
234 **Backstage, LLC (d/b/a Backstage), with Outside Consumption Permit**
235 **Kanz Corporation (d/b/a On Tap Bar and Grill), with Outside Consumption Permit**
236 **Vespa Foods, Inc. (d/b/a Vespa's Pizza Pasta & Deli)**
237 **Cody's Irish Pub and Grille, with Outside Consumption Permit**

238
239 **THE MOTION PASSED 5-0.**

240
241 Ms. Wrenner asked applicants to make any necessary corrections, and gave the usual admonition
242 that establishments not serve minors or anyone who was obviously inebriated.

243
244 **Second Class Liquor License Renewals**

245
246 **ANDREW WATTS MADE A MOTION SECONDED BY SUE COOK TO APPROVE**
247 **THE APPLICATION BY E.D.B. (D/B/A ESSEX DISCOUNT BEVERAGE) FOR A**
248 **SECOND CLASS LIQUOR LICENSE RENEWAL. THE MOTION PASSED 5-0.**

249
250 **GBIC Update: Curt Carter**

251 Mr. Curt Carter distributed a handout providing background on GBIC, its work in Chittenden
252 County, and specific projects and updates for Essex. He started his presentation by noting that he
253 is the Vice President of the Greater Burlington Investment Corporation. GBIC, which is funded
254 in part by the state as the primary development entity in the region, has been active in the region
255 and Essex for a long time (one of its first acts was to develop the IBM campus). He stated that
256 the organization's focus is on supporting existing businesses that provide value-added dollar
257 input businesses—i.e., those that sell goods and services out the region, state, or country, but
258 bring those dollars to this area, such as Global Foundries and other service-oriented companies.
259 GBIC doesn't work as much with businesses that circulate money once it gets to the region. Mr.
260 Carter brought the SB's attention to the back of his handout, which detailed activities in Essex,
261 and noted that there is a lot of manufacturing in town—the most of any town in the state (the
262 Village and Town are lumped together in this report). Examples of GBIC's work include
263 collaborating with the Shumlin administration on a Vermont Enterprise Fund incentive grant of
264 \$1 million to Global Foundries, as well as a \$178,000 from the Vermont Training Program to
265 support maintenance technician training at the company. Blodgett, Twincraft, and several other
266 Essex companies received a Vermont Employment Growth Incentive (VEGI) grant, which
267 encourages companies to complete projects in the Vermont region versus outside of it. The
268 amount of the grant is calculated based on the potential increase in payroll tax revenue coming to
269 the state from added jobs, and it is only paid out after the jobs have been created. Mr. Carter said
270 that GBIC is also focusing on retaining jobs at existing companies, including IBM/Global
271 Foundries, Keurig, Autumn Harp, Haematologic Technologies, Flex-a-Seal, and Revision
272 Military. He emphasized the fact that there is not much undeveloped industrial land left in
273 Chittenden County, and that the Saxon Hill project represents a significant interest, as does

274 Global Foundries' 10-acre parking lot, which mostly sits empty and would be a great opportunity
275 for infill development. Mr. Carter mentioned that he regularly attends the Essex Economic
276 Development Commission (EDC) meetings, working closely with Greg Morgan to keep in touch
277 and exchange feedback. Lastly, Mr. Carter mentioned that he had a good visit recently with the
278 House Economic Development Committee.

279
280 Mr. Levy asked if GBIC has a policy for information sharing when it comes to businesses that
281 are considering coming to or leaving Essex. Mr. Carter responded that he wanted to discuss such
282 details with the SB, but there is some degree of confidentiality when working with area
283 businesses. However, if he hears of any businesses considering moving in, he will work to
284 coordinate with the Town. For existing businesses that may be leaving, it's up to them about how
285 widely they want to share that information. Mr. Levy felt it was very important to the SB to
286 know about those situations so they can try to work with the businesses to keep them in Town,
287 and he asked Mr. Carter to keep the SB in the loop. Mr. Carter noted that recently, Flex-a-Seal
288 was considering moving out of Essex to Plattsburgh or other parts of Chittenden County because
289 there was a lack of adequate parking, but GBIC was able to coordinate with the Village to
290 acquire sufficient parking for the business. Mr. Carter said it would be helpful to establish a key
291 contact person, perhaps the Town Manager, to facilitate communication. Mr. Levy asked if
292 GBIC had a board, and if there could be a representative from Essex on that board. Mr. Carter
293 said that GBIC already has a board that is composed of about fifteen to twenty representatives
294 from various parts of Chittenden County (though it has a separate Executive Board). Mr. Levy
295 said he was not aware of who from Essex was on that board, and Mr. Carter said it was
296 comprised mostly of business owners, but he could not recall which one was from Essex, and he
297 promised to follow up with the SB on that.

298
299 Mr. Greg Morgan, chair of the EDC, commented that Mr. Carter has been a great help at their
300 meetings, which he regularly attends, for the last several years, despite the EDC's progress being
301 up and down. He helps fill in the blanks on questions that EDC has, and noted that GBIC can be
302 a great partner in upcoming projects, including Saxon Hill, the Back 60, and Bob Miller's
303 property. The SB thanked Mr. Carter for his time, and said they look forward to hearing from
304 him again.

305
306 **Report from Essex Cemetery Commissioner Jody Landon**

307 Ms. Landon started by saying that she and the other three Cemetery Commissioners (CC) have
308 been discussing raising the fees for burial plots at the Mountain View Cemetery. She noted that
309 for many years, the fee for burial has stayed steady at \$250 for one casket or for two urns, which
310 is well below the "market value" and rates charged by nearby towns. The CC has proposed
311 raising these rates incrementally by \$100 every year on May 1st for the next three years, bringing
312 the fee up to the average rate of \$550 by 2018, which will help Essex keep abreast of other towns
313 and offset future maintenance costs.

314
315 Mr. Watts asked Ms. Landon if there is a difference in fees for residents versus non-residents,
316 and she responded that Essex has never had such a fee structure. She noted that Essex's is more
317 of a "country cemetery," and since people generally choose Essex because of some connection to
318 the town, rather than comparing prices among towns for the cheapest rate, the CC has decided to
319 continue with a single-tier fee. Ms. Wrenner asked Ms. Landon if she had a sense of the current

320 availability of plots in the cemetery – how many are filled versus available. Ms. Landon did not
321 have specific numbers because the back portion of the land had not yet been surveyed for plots,
322 but she said that about two thirds of the land has been used, and one third is available. She noted
323 that there are no new burials in the old Town Center cemetery on Rte. 15, and when Ms.
324 Wrenner asked if there were any other locations the CC uses or considers, Ms. Landon
325 responded no. At Mr. Plageman’s request, Ms. Landon said she will follow up with the SB about
326 the exact number of plots available after the survey is complete. Ms. Landon then discussed the
327 option of a columbarium that could store up to 50 units (urns), three of which have already been
328 sold, that provides a less expensive option than traditional plots, and are ideal for those who do
329 not care if the cremated remains are buried or not. Ms. Landon also mentioned that there are
330 plans for a landscaping project in the spring to make the cemetery more attractive, using a
331 consultant from the UVM Landscape Design program.
332

333 Mr. Levy asked Ms. Landon when the last fee increase was, and Ms. Landon said it had not been
334 raised in her twelve years of being on the commission, and could possibly have been up to 15
335 years ago. Mr. Levy asked if the CC would consider undertaking an evaluation of market prices
336 every year, and Ms. Landon responded that if the SB accepts the proposal she brought to them,
337 that prices would be at market rate, and that the CC could re-evaluate after the increase schedule
338 ends in 2018. She noted that members of the CC were divided on whether to refrain from
339 aggressive price increases versus staying within the market value. Mr. Levy felt that the best
340 course of action would be to keep any rate increases steady over time, and Ms. Landon said she
341 thought that was a good idea and would take it back to the CC.
342

343 Ms. Wrenner asked the SB if they wished to make a motion adopting the CC’s recommendation
344 tonight. Mr. Plageman asked if such an action was in the purview of the SB, and Mr. Scheidel
345 responded yes, that the SB sets all prices for town-related fees. Mr. Scheidel noted that the CC is
346 taking the lead by analyzing their fee structure, which is something that should be done town-
347 wide. He said he could draft a staff report analyzing the CC’s proposal, but he would recommend
348 it anyway. He noted that when a cemetery is filled, the cost of maintaining it falls to the town, so
349 it would be wise to set aside money now for its future. Finally, he apologized for his slow
350 communication of this issue to the SB.
351

352 Ms. Landon responded to Mr. Scheidel’s comments by re-iterating that the purpose of the
353 columbarium is to stretch the available space in the cemetery, since it is unlikely that the CC
354 would be able to purchase more land or have any donated. Ms. Cook asked how the cemetery
355 fees are currently allocated when they are collected, specifically if there was any part of it set
356 aside for maintenance. Ms. Landon responded that she did not know the specifics, but that all the
357 money goes directly to the cemetery fund operated by the town offices, and Mr. Scheidel did not
358 have any information on that. Ms. Landon said it was her understanding that a portion of the
359 fund is dedicated to maintenance, but that individual fee revenues were not necessarily divided in
360 that way. Ms. Wrenner noted that there was a recent article in the Burlington Free Press about
361 green burials (which do not involve vaults, embalming, or caskets), and asked Ms. Landon if the
362 CC has considered setting aside any land for such burials. Ms. Landon said she has done some
363 research on it and found that the state allows municipalities to determine burial standards, so
364 green burials would be allowable in Essex, but current municipal code requires a vault (either a
365 12-gauge steel or concrete one) for burial of a casket. This is not required for urns, though Ms.

366 Landon noted that there is a current movement in the embalming industry to start using vaults for
367 urns as well. She also said that there is a religious exemption that allows for direct or quick
368 burial without a vault. She said that if the SB wished to provide a green burial option for the
369 town, that the CC could set aside some land in the existing cemetery for that purpose. She also
370 noted that embalming is required if the corpse is moved by rail or air unless it is to the
371 crematorium, and that there is no requirement for a specific container for such transport by the
372 state or town, so in short, green burials are feasible in Essex, especially if the columbarium is
373 used.

374

375 **MICHAEL PLAGEMAN MADE A MOTION, SECONDED BY ANDREW WATTS, TO**
376 **APPROVE THE SERIES OF RAISES PROPOSED BY THE CEMETERY**
377 **COMMISSION – TO WIT, A \$100 RAISE FROM \$250 TO \$350 ON 1ST MAY, 2015, AND**
378 **ADDITIONAL RAISES OF \$100 PER YEAR ON 1ST MAY 2017 AND 2018.**

379

380 Ms. Wrenner asked Mr. Watts to comment on whether the SB should pass any motions not
381 properly warned in the agenda, and whether this one was specific enough, but Mr. Watts was
382 satisfied in this case. Ms. Cook noted that there was plenty of time before the price increases
383 took effect for the public to make an appeal of the decision.

384

385 **THE MOTION PASSED 5-0.**

386

387 Ms. Wrenner asked Ms. Landon if this change, as well as other elements of the fee structure,
388 should be mentioned on the Town website. Ms. Landon said that other communities had great
389 information about the process, fee structure, and other resources for burials on their websites,
390 and she felt that it would be to Essex's advantage to do the same. She noted that the Town and
391 CC were not in the marketing business in regards to the cemetery, but she felt that it would be
392 better to offer more information about the various options available to residents. Currently, the
393 process is handled entirely by the Town Clerk, Cheryl Moomey, and that she provides a lot of
394 good information to applicants, including a tri-fold pamphlet about the columbarium, but there is
395 still a lot of paper. Ms. Landon also said that people often purchase plots at a time of stress, so it
396 would be helpful to have such information on the website, especially for those who are planning
397 ahead. Ms. Wrenner asked Mr. Scheidel for his thoughts on the matter, and Mr. Scheidel was
398 told by Rick Garey that it could be done. Ms. Landon noted that Williston had an excellent
399 presence on their website for the cemetery to use as a model. Finally, Mr. Schibler, chair of the
400 Conservation Committee, said that he would be happy to follow up with Ms. Landon about
401 acquiring land for the Cemetery Commission, and she would follow up with him once she had
402 spoken to the other commissioners.

403

404 **No-Shooting Zone – Town Property: Police Chief Brad LaRose**

405 Ms. Wrenner introduced the discussion of expanding the Town's no-shooting zone, and Mr.
406 LaRose presented several maps to the SB for reference. He said that that last month, he received
407 a letter from the president of the Deer Crossing at Saxon Hill Homeowner's Association looking
408 for direction as to how the no-shoot zone could be expanded further out from the development
409 due to the discovery of a rifle round in the interior of a resident's living room wall. Mr. LaRose
410 noted that there was some confusion as to whether there was any Town-owned property nearby
411 the development from which the shot could have been fired, but after discussion and research

412 Mr. LaRose determined that the town property in question lies to the north of the development.
413 Mr. LaRose presented the SB with two options to respond to this concern: 1) declare all Town-
414 owned property as a safety zone under state law; and 2) expand the firearms ordinance to
415 encompass a greater area for the no-shooting zone. Ms. Wrenner asked to clarify that the town
416 did not own the land from which the shot was fired, which Mr. LaRose confirmed – the town-
417 owned property in question was to the north and is a declared safe zone. Mr. LaRose also
418 suggested revisiting the Firearms Discharge Ordinance Task Force (FDOTF) report of 2009 as a
419 way to respond to this incident. Mr. LaRose then said he would like the SB to hear directly from
420 residents about this issue. Dr. Robert Lesny, the homeowner who found the rifle round in his
421 house, gave his account of the incident. Ms. Wrenner asked exactly where on Deer Crossing
422 Lane his home is on the maps that he provided, and he noted that it is one of the last roads that
423 turn off Rte. 15 going into Jericho. Mr. Lesny said that he lives at 15 Deer Crossing Lane with
424 his wife and three children, and that their property is posted for no trespassing. He described
425 finding the bullet in his drywall on Dec. 20th, 2015 while preparing for holiday guests, so he
426 called the police, who launched a full investigation. The bullet appeared to be a .308 caliber
427 bullet or a 30-06, both of which are used in high-powered deer rifles. He described a series of
428 pictures that he provided the SB: the first showed the wall where the bullet was found, which is
429 about four feet away from where Dr. Lesny's son Max works on his Lego project; the second and
430 third photos show the entry hole on the southwest-facing wall of the house; the third photo, taken
431 from the back yard, shows the family's hot tub, patio, and sun room, any of which could have
432 been struck if the bullet's trajectory been slightly different, and that his family spends a lot of
433 time in these areas. He said during hunting season, he and his family are very cautious outside by
434 avoiding going for walks and not playing in their back yard, but that it seemed outrageous to fear
435 for their safety inside their own home. He recalled that on September 24th, 2008, a stray bullet
436 entered the home of Essex resident John Reiss, killing him, and Mr. Lesny said that the Town
437 needed to do something to avoid another such unnecessary tragedy.

438
439 Ms. Debbie Brault, president of the Deer Crossing at Saxon Hill Homeowners' Association,
440 spoke next, reiterating what Mr. Lesny said. She said she now understands that the town does not
441 own the nearby property from which the bullet may have been fired. She asked the SB to extend
442 the no-shooting zone beyond the Deer Crossing development's common land, and she noted that
443 since that the nearby Villeneuve property would soon have new homes going in, they would
444 probably want the no-shooting zone extended there as well. Ms. Brault said she, too, wished to
445 avoid another accident, and felt that the Lesnys were very lucky this time, and she asked the SB
446 to look into the issue for everybody's safety. She said that she has considered posting the
447 development's common land, but that area is small compared to the potential range of the bullets
448 fired from hunting rifles, and though posting will keep the honest hunters from trespassing,
449 bullets don't stop at signage, so she felt it is necessary to push back the no-shooting zone for
450 safety reasons. She felt that residents have a right to use their own yard without fearing for their
451 safety. Ms. Wrenner asked if Ms. Brault and the other residents have heard shots fired outside of
452 hunting season, and Ms. Brault responded yes, sometimes close, sometimes further away, but
453 they are certainly not the big guns at the Ethan Allen Firing Range, and she had heard complaints
454 from as recent as last Friday. She thanked the SB for hearing residents' concerns on this issue,
455 and requested that they not take too long to respond.
456

457 Speaking next was Mr. Scott LaPlant, who lives at 1 Deer Crossing Lane, reiterated that shots
458 are heard year-round, and that he and his family are hesitant to go too far away from their house
459 as a result.

460

461 Mr. Steve Schultz of 16 Deer Crossing Lane said he lives on the opposite side of the street from
462 the Lesnys, but he feels no safer because of that. He said that these homes are not in the middle
463 of the forest, noting that there is farmland, Route 15, and a small patch of woods nearby, and
464 therefore residents could reasonably expect to be safe in their own yards, and requested that the
465 SB do what they can to expand a no-shooting zone to keep the neighborhood safe.

466

467 Ms. Deborah Keel, who lives at 11 Deer Crossing Lane with 2 grandchildren and their parents,
468 said that she is terrified for herself and her grandchildren to use her gardens and the play area
469 nearby. She said they wear blaze orange clothing and hats when going outside during hunting
470 season, but that they hear gunshots any time of the day, and that hunters will often park in the
471 vacant lot at the end of the development, trespassing on posted land to reach their destination.
472 She asked the SB to use any power they have to protect the safety of children and adults in this
473 neighborhood. She understands that hunters have no intent to hurt any people, but that stray
474 bullets can travel for miles. Mr. Plageman noted that all of the residents who had spoken so far
475 mentioned hearing shooting “year-round,” and asked to clarify if that indeed meant January
476 through December, which Ms. Keel confirmed. He speculated that if so, the shots fired might be
477 for target practice if they are outside of hunting season. Ms. Keel said she has heard roughly one
478 shot per month since 1997, and she can’t quite tell from which side of the hill it comes.

479 However, she can definitely tell that it is closer than the Ethan Allen Firing Range, and it is often
480 random and after dark, sometimes after school, and she wonders if whoever it is would be
481 spotlighting deer. Ms. Keel said that when she was a young, a stray bullet from a hunter missed
482 her father by a few feet inside his home, and these shots in her neighborhood bring that terror
483 right back. She said she wished that the hunters would go elsewhere, as there are many good
484 places in the state. Mr. Plageman reiterated his speculation that if the shots were being heard
485 year-round, that it was likely recreational shooting or target practice that was occurring.

486

487 Andrew Watts asked to see detailed maps of the area, and Mr. LaRose obliged while Mr. Lesny
488 showed that there is no buffer between a wooded area popular for hunting and his back yard,
489 where the no-shooting zone ends. Ms. Cook asked if there is normally a buffer around the no-
490 shooting zone in other areas, and Ms. Wrenner responded that there is not. Ms. Wrenner
491 wondered if Jericho has a no-shooting zone on their side of this area. She noted that she and Mr.
492 Levy were on the 2009 SB, and that after putting the reports with on the shelf, she had resolved
493 to revisit them and the 19 recommendations for firearm safety once the Reiss trial was over, but
494 the SB has not yet. Ms. Wrenner promised to set this discussion on the SB agenda in the near
495 future. Ms. Cook noted that this would also address the concern of Ms. Diana Hoppe regarding
496 gunshots at Indian Brook. Ms. Wrenner noted that Indian Brook does have a small buffer, but
497 that it shares the same concern of far-traveling bullets as the Deer Crossing at Saxon Hill area.
498 Ms. Cook asked if police do get calls about gunshots year-round, and Mr. Plageman asked Mr.
499 LaRose if he could confirm that off-season gunshots were linked to target practicing. Mr. LaRose
500 said that the police do not trace every bullet that gets reported to them, but he has had reports of
501 out-of-season gunshots taking place for target practice. Ms. Wrenner said that this is a sensitive
502 issue, and that the last time it came before the FDOTF and SB, hunters came in large numbers to

503 protest it, but supporters of firearms control did not. She encouraged those who had raised
504 concerns tonight to stay tuned for future discussions and decisions on the issue. Mr. Scheidel
505 asked Mr. LaRose how far a 30-06 bullet could travel, and Mr. LaRose said it could go over a
506 mile. Mr. Plageman said that he understood why people are justifiably concerned for their safety,
507 and asked what the timeline for addressing this issue would be. Mr. Scheidel said he would look
508 into it, but it would probably involve changing the firearms ordinance, which would require
509 several warned meetings and discussion. He said that ultimately, the person who pulls the trigger
510 on any gun holds responsibility for where the bullet goes, but where it goes once it leaves the
511 barrel is subject to chance—for example, if a bullet were to ricochet off a rock. Mr. Scheidel felt
512 that the heart of the discussion would concern deciding on a safe distance for a buffer zone or no-
513 shooting zone. Mr. LaRose noted that the FTF report listed seven proposals for the SB to review,
514 all of which were approved in 2009. Beyond the report, there were roughly twenty discussion
515 points presented to the SB on 12/1/2009. Mr. Scheidel recalled that part of the reason those
516 proposals were not acted upon was because the Reiss trial ongoing at the time might have
517 influenced any ordinances that would have been drafted. Mr. LaRose took a minute to review the
518 timeline of the Reiss trial, which took place in May of 2009, and that the defendant was
519 sentenced to two years in July of 2010, there was an appeal, and the Supreme Court upheld the
520 decision. Ms. Wrenner then read several of the recommendations that were presented in 2009: 1)
521 increase public safety, 2) respect individual rights, 3) affirm the Town's commitment to firearm
522 safety, 4) raise the public's awareness of firearm issues, including but not limited to: where
523 shooting is and is not permitted, safety with firearms, and firearms training. Mr. Levy thought it
524 would be prudent to revisit the entire task force discussion, and Ms. Wrenner agreed, saying that
525 Heart and Soul of Essex had found that one of the six core values of the community was health
526 and safety, and that the discussion should start with firearms. Mr. Plageman asked if the FTF
527 paperwork could be assembled for the SB to review, and Mr. Scheidel said he would do that and
528 set the discussion on the April 4th meeting agenda. Ms. Wrenner said she had received a
529 suggestion from a resident recently asking if the Town could post its designated safe zones on
530 Google Maps so hunters from out of town could easily familiarize themselves with local
531 ordinances. Ms. Wrenner then thanked all those who had expressed their concerns for coming.
532

Kids for Parks Day Resolution: Ally Vile

534 Ally Vile, Director of the Parks and Recreation Department, presented the SB with a resolution
535 declaring Kids for Parks Day in Essex as May 21st, and asked the board to approve it. It is very
536 similar to the resolution made last year in that the wording is provided by the National Park Trust
537 (NPT), and it is part of a nationwide effort to recognize the day and encourage youth to use parks
538 for the betterment of their health. Ms. Cook asked how the resolution went over last year, and
539 Ms. Vile said that the timing was a little off because the NPT got back to the Town a little late.
540 However, she said that the timing is good for this year because it is set to coincide with the
541 spring brochure, events like Green Up Day (May 7th) and Memorial Day, and the opening of the
542 new recreation building in Essex Center. Ms. Vile said that people are itching to get outside with
543 the arrival of spring weather, and that she has already seen people at Sand Hill Park.
544

545 Ms. Wrenner said she had a few suggestions for changes from last year's resolution, specifically
546 to say in paragraph four: "encourage a healthy and active lifestyle" and keep the message
547 positive, rather than listing a host of adverse health effects or diseases. Ms. Vile agreed that it
548 sounded a little technical and that Parks and Rec and the SB are not physicians prescribing

549 exercise, but that it was important to stay consistent with the NPT's message, and that using
550 technical terms gets readers' attention and raises awareness of the issues. She spoke about a
551 national movement to encourage 8-80 parks – facilitating opportunities and activities for people
552 ages 8 and up to 80, given the trend of grandparents taking on child care responsibilities, so the
553 language is geared towards an older audience as well. Ms. Wrenner said she understood that, but
554 that there is still a need to make communication simple and engaging, even for an older
555 audience. Ms. Vile said that the SB can still change the resolution if they feel strongly about it,
556 but that the original language is provided by the NPT, and that it's more a question of showing
557 municipal support for the organization and its efforts than trying to craft a message directed from
558 the Town or SB. Ms. Wrenner asked if the language is going to be in any Parks and Rec
559 publications, like the spring brochure, and Ms. Vile said it would not, that the department would
560 simply advertise that the SB had endorsed the movement. Mr. Scheidel commented that if the SB
561 did not like the language of the resolution, they could change it or draft their own, but he
562 reiterated that this was more about supporting the Parks and Rec department and the National
563 Park Trust, without necessarily adopting everything that the organization says and does. He said
564 that this is all for the kids that the message is targeting, and he pointed out that they probably
565 aren't going to read the full language. Ms. Cook asked Ms. Vile to clarify that the language was
566 coming from the National Park Trust, not the Parks and Rec department, which Ms. Vile
567 confirmed. Ms. Wrenner said if municipalities are partnering with the NPT on this, she would
568 like to give some feedback to the organization about their language, to show that the SB is
569 thinking about it beyond just rubber-stamping the resolution. She argued for making the
570 resolution easily understood by the common citizen, and Ms. Vile said that she would send that
571 feedback to the NPT. Mr. Watts said that he was okay with the wording as it stood, and asked the
572 rest of the SB how they felt, and Mr. Plageman and Mr. Levy agreed. Mr. Watts read the
573 resolution and made the following motion:

574
575 **ANDREW WATTS MADE A MOTION, SECONDED BY SUE COOK, TO APPROVE**
576 **AND SIGN THE KIDS TO PARKS DAY PROCLAMATION, AS READ BY MR.**
577 **WATTS. THE MOTION PASSED 5-0.**
578

579 **Resolution Celebrating 50 Years of Service by the Essex Rotary Club**

580 Mr. Scheidel described the resolution commemorating the founding of the Essex Rotary Club,
581 which will be celebrating its 50-year anniversary at an upcoming gala dinner on April 13th. Mr.
582 Scheidel asked if Mr. Levy would be able to attend the dinner to present the proclamation. Mr.
583 Levy said he was planning on it, even though it is his wife's birthday, but he did not have a copy
584 of the proclamation in front of him, so Mr. Plageman, who will also attend the dinner, offered to
585 present the proclamation. Mr. Watts read the resolution.
586

587 **ANDREW WATTS MADE A MOTION, SECONDED BY MICHAEL PLAGEMAN, TO**
588 **APPROVE AND SIGN THE RESOLUTION CELEBRATING 50 YEARS OF SERVICE**
589 **BY THE ESSEX ROTARY CLUB.**
590

591 Mr. Levy noted that he did in fact have a copy of the resolution before him, and asked whether
592 all of the events that Essex Rotary sponsors, or if that paragraph should be more generic. Mr.
593 Watts also had some initial concerns about that section, but he researched all the organizations
594 listed and was satisfied including them.

595

596 **THE MOTION PASSED 5-0.**

597

598 Mr. Scheidel noted that the Village Board of Trustees had the resolution on their agenda for the
599 following day, March 22nd, and planned to sign it that on night.

600

601 **Town Meeting Reflection**

602 Mr. Levy started by reviewing the results of the survey (thanks to Mr. Watts for summarizing
603 them) asking about what residents thought about Town Meeting. He thought it was a good idea
604 to keep it simple and ask only three questions, and noted that there were 38 responses. His sense
605 was that folks liked the presentations and discussion, the dinner, the glossary of terms listed in
606 the back of the report, and the invocation. Mr. Watts said he got a lot of positive verbal feedback
607 about the invocation. Mr. Levy asked what the SB thought about the start time of 6:30pm as
608 opposed to 6:00pm the previous year. Mr. Plageman said that the meeting had started late
609 (around 7:40). He thought that since the dinner started later, perhaps that meant people did not
610 get into the auditorium until later, but Mr. Levy explained that there was a delay at the check-in
611 tables because the signs filtering people into different parts of the alphabet were at the tables, not
612 in front of the doors, so there was a traffic jam right in front of the doors. He did note that the
613 movement from the cafeteria to the auditorium was delayed because people weren't watching the
614 time, and suggested that next year the SB dim the lights like a theater, or have a town crier or
615 bell-ringer to tell folks when to start going into the auditorium. He didn't think that starting at
616 6:00pm would be a good idea, since there was a lot of dead time when they did that the previous
617 year. Mr. Levy summarized the changes so far: moving the signs for check-in over the doors,
618 announcing the start of the meeting, and keeping the same time as last year. Ms. Cook asked how
619 the alphabet should be broken up, since the lines seemed to be fairly skewed, and Ms. Wrenner
620 agreed that they should try for a better distribution, both at Town Meeting and any time there is a
621 vote, and she wondered if there were information available about how the general population is
622 broken up across the alphabet. Mr. Watts noted that at first, only one of the doors to the
623 auditorium was open, which slowed down the flow until someone opened the others. Mr.
624 Scheidel asked if there were the same number of poll workers/check in staff as last year, and Mr.
625 Watts said that yes, there were four. Mr. Watts asked how many people attended Town Meeting,
626 and Mr. Levy said it was 252, which was down from about 320 for 2015. Mr. Scheidel said that
627 2015 had been the biggest turnout in a while. Mr. Levy asked Mr. Scheidel to follow up with the
628 Town Clerk about getting a better alphabetic distribution for check-in.

629

630 Returning to the survey results, Mr. Levy said that most respondents said they would not change
631 anything about the meeting, but eight stated they wanted the budget to be voted on by Australian
632 ballot. He noted that the Ad-Hoc Governance Committee would be investigating that. Five said
633 that the check-in process could have been better, and three said that the SB and Town Manager
634 talked too much. Mr. Watts said he couldn't remember if that respondent had simply said "Town
635 staff" or specifically said "Town Manager," but noted that Mr. Scheidel was the only staff who
636 spoke, and he barely spoke at all.

637

638 Ms. Cook said she was puzzled when someone asked her if anybody was selling cookies this
639 year, and Mr. Scheidel said that a high school group used to sell them. Mr. Watts said he heard
640 that some liked having microphones for attendees to use, but some didn't like them. Mr. Levy

641 noted that one respondent said they wanted to vote on the budget before discussing it, which he
642 found strange, but Mr. Watts said they probably just wanted to be able to vote on the budget first,
643 and those who did not want to discuss it could just go home without having to listen through the
644 rest of the meeting.

645
646 Mr. Levy said that the Town Moderator (Steve Eustis) should not answer questions at Town
647 Meeting beyond those regarding the meeting rules, even if he knows the correct answer. Mr.
648 Levy said that Mr. Eustis also did not explain about the first right to speak (that everybody gets a
649 chance to speak once before someone speaks twice), but Mr. Watts noted that he did interrupt
650 someone when they started to speak again. Mr. Levy agreed, but said that Mr. Eustis should have
651 explained it at the beginning. Mr. Levy also said that Mr. Eustis did not say “the ayes appear to
652 have it,” giving someone the chance to ask for a division of the assembly. Mr. Levy said he
653 didn’t think it was polite to call Mr. Eustis on his mistakes during the meeting, but he did speak
654 to him afterward regarding these three items, and Mr. Eustis said he would try harder next year.
655 Mr. Scheidel said he had also spoken to him, saying Mr. Eustis knew these things, but simply
656 blurted out when he knew the answer to a question. Ms. Wrenner said she appreciated Mr. Eustis
657 shutting down someone who tried to interrupt the proceedings. Ms. Cook asked how common it
658 was for a meeting attendee to call a question as opposed to the moderator. Mr. Scheidel
659 responded that usually the moderator will let the conversation has gone on too long, and usually
660 someone from the audience will ask for a vote during a pregnant pause. Ms. Cook said that in the
661 glossary of terms, it said that it was not necessary for attendees to call the question, since the
662 moderator will decide that. Mr. Levy said that Mr. Eustis likes to err on the side of too much
663 discussion, rather than cutting it short.

664
665 Mr. Levy said that he heard that the veggies served for dinner were too spongy, and that the
666 Village should investigate that and try to make them crunchier because there was not much else
667 for gluten-free people to eat.

668
669 Mr. Levy asked about the outreach work that the SB did, noting that they did fewer events than
670 the year before. Mr. Scheidel felt that the outreach was about as effective as last year. He said
671 that in light of the criticism that the SB “doesn’t communicate where the people are,” this is
672 proof that they do in fact try to interact with the community and provide information without
673 acting as salespeople. Mr. Watts noted that at the three events he attended, people were very
674 appreciative of him and said “thank you,” and some even stopped at his door to talk. Mr.
675 Scheidel said that everybody did a lot of good work, and that it was a good investment. Mr. Levy
676 agreed, and also felt that the Q&A put together by staff was also helpful and worthwhile, even if
677 it meant that there was less discussion because people knew the answers to their questions up-
678 front. Mr. Scheidel agreed that the Q&A helped keep the meeting focused on the issues and on
679 the public to be heard. Ms. Wrenner said that people love the public to be heard. She also
680 appreciated that the information about the meeting and how to get in touch with the SB was put
681 out early. Mr. Levy also thanked the staff for making all the requested photocopies.

682
683 Mr. Watts said that he felt that the explanation of budget savings did not go very well, and some
684 people didn’t believe that the savings were real. Mr. Scheidel responded that he had said early on
685 not to look for a dollar savings in that regard, but that the value would come at the end, and that
686 the savings was in reducing duplicated efforts between the Town and Village. He stated that

687 government is not like business in that one person does not do one single thing. He suggested
688 presenting a 2 or 3-year assessment of costs for next year's Town Meeting, showing that the
689 Town was saving citizens money by not taxing them. Mr. Watts reiterated that even if citizens
690 are not spending less money, they are getting a better value for their dollar. Mr. Scheidel said
691 that going forward, perhaps the SB and staff should think in terms of how they are doing more
692 with less, which leads to savings. For instance, the Police Department is the biggest expense, but
693 the few officers it staffs accomplish a lot. He noted that there will be savings in better scheduling
694 of staff and in consolidating the financial analyses for the department, and nobody can say when
695 that task will be finished, but we are getting closer.

696
697 Ms. Wrenner said someone complained on Facebook that the meeting didn't really start until
698 8:05pm, and she suggested that the meeting start at 7:00pm so that those with children are not
699 out very late. Mr. Watts noted that to change the time of the Town Meeting would require a
700 charter change. Mr. Levy was confused by the statement that the meeting didn't start until 8:05,
701 and Ms. Wrenner explained that the major items warned on the agenda (i.e., the budget) were not
702 discussed until then. Mr. Levy asked if this person's understanding was that the meeting didn't
703 start until the budget was discussed, and Ms. Wrenner said she did not want to put words in
704 someone else's mouth, but suggested moving the "extra" agenda items (including the reports of
705 the officers, recognitions, and general fanfare). Ms. Cook noted that those items were not
706 warned, so perhaps people did not recognize them as part of the meeting, but Mr. Levy said that
707 they were warned in the schedule of the meeting published in the Town Report. Ms. Wrenner
708 said that such things were legally allowed, but that it may give the wrong impression. Ms. Cook
709 also noted that only the voted issues were published in the Essex Reporter, and Ms. Wrenner
710 noted that the term "Reports of the Officers" may be confusing as well, and suggested it be
711 altered to say "The Town Report," or perhaps change the title of the report to read "Reports of
712 the Officers." Mr. Scheidel noted that it could be legally required in the charter to use the term
713 "Reports of the Officers," and that the reports of the department heads are always included in the
714 report. Mr. Levy noted that even if the voters don't approve the Report of the Officers, it doesn't
715 change them or their content. Mr. Scheidel agreed, except in the small case where many years
716 ago, the Town had printed the report with a smaller font to save paper, and a resident who
717 couldn't read it moved not to accept the report and to never change the format, and it passed.
718 Returning to the discussion of the meeting schedule, Ms. Wrenner said that anything the SB can
719 do to streamline the process, such as moving the budget up in the agenda and simply asking folks
720 to stick around later for any recognition or honors, would be appreciated. Mr. Levy responded
721 that perhaps such recognitions would be better in the public to be heard section.

722
723 Mr. Watts commented on the statement made at the meeting during public to be heard that the
724 senior van was not available for Town Meeting, even though it was on the front page of the
725 report. However, he noted that it did not specifically say that the van was available for Town
726 Meeting, and suggested that it say the van is available on weekdays "from 9am-4pm AND for
727 Town Meeting."

728
729 Ms. Wrenner raised several issues relating to actual Town Meeting Day (Tuesday, March 1st).
730 First, the signs encouraging people to vote were not out. She also noted that people mentioned
731 they missed the question on the ballot to approve the 2016 town plan, and she suggested moving
732 one-line items to the top of the ballot to make sure it is read. She also said that several people

733 asked to review a copy of the Town Plan at the polls. Mr. Watts said that it is illegal to have
734 campaign materials at the polls. Mr. Wrenner protested that the plan doesn't say anything about
735 voting yes or no on it, but Mr. Watts responded that it would still be illegal for him to have his
736 biography available if he were running for office. Mr. Scheidel noted that it was available at
737 Town Meeting Night the night before, but that those who wanted a copy at the polls probably
738 didn't go to the meeting. Mr. Levy suggested posting the plan on Front Porch Forum ahead of
739 time, and Mr. Duggan noted that Town staff did post the plan there. Mr. Plageman noted that he
740 had gotten stopped for taking a copy of the Essex Reporter into the polls. Ms. Wrenner asked if
741 the plan could be available in a booth outside the building so that people can be informed about
742 the question on which they are voting, and Mr. Watts said that it could, but it could not be taken
743 into the building, so it would probably have to be tied down, and that might give the wrong
744 impression and do more harm than good. Ms. Wrenner recognized that it is a tricky issue and
745 that the SB should continue to discuss it, and asked if they could consult the Town Attorney
746 about this issue, and Mr. Levy suggested that they review the issue in the fall or at the end of
747 January. Ms. Wrenner noted that there were many people who live in the part of the Village that
748 votes with the Town were frustrated at showing up at the wrong polling place for an historic
749 election, and she felt that with the state of technology and same-day registration, there had to be
750 an easier way to help these people vote rather than hindering them. She asked if it were possible
751 to improve this, possibly by sending those ballots to the other polling place. Ms. Wrenner also
752 asked if it were possible to post the election results on the same night, ideally on the EssexVT
753 Facebook page. She recognized that the Town Clerk Cheryl was up late into the night counting
754 ballots, but there were residents asking about it on the Facebook page. She also noted that the
755 official final results were still not available, perhaps because Cheryl had not signed off on it. She
756 said that the results she received said "preliminary" and that there was a typo on it, so she hoped
757 that they could improve on the process for next year. Mr. Watts noted that the results did not
758 have to be counted if a race was uncontested and there were fewer than thirty write-in
759 candidates, which may have been part of the problem of having preliminary results. Ms. Wrenner
760 asked if there could still be preliminary results posted, since all the ballots are machine-counted.
761 Ms. Cook noted that the issue of people showing up at the wrong polling place was purely an
762 issue within Essex Junction, and that nobody showed up at the polling place for the Town
763 outside the Village place who were at the wrong place. Mr. Scheidel thought this might be due to
764 the fact that the residents' address says Essex Junction (which is true for the entire Town outside
765 the Village), but Ms. Wrenner clarified that it is due to a part of Pearl St. that is gerrymandered
766 into a different state district. Ms. Cook noted that some people showed up right as the polls were
767 closing and were unable to get to the other location in time. Mr. Watts asked about Ms.
768 Wrenner's mention of a website called essexvt.com, and Ms. Wrenner clarified that it is the
769 EssexVT Facebook page, and the rest of the SB should take a look. Mr. Scheidel noted that staff
770 do a venerable job considering the pressure they are under, and Ms. Wrenner noted that the new
771 state computer system was a big wrinkle. Mr. Levy agreed, and said that every year they have to
772 "check and adjust."

773

774 CONSENT AGENDA

775

776 MICHAEL PLAGEMAN MADE A MOTION, SECONDED BY SUE COOK, TO**777 APPROVE THE CONSENT AGENDA WITH SELECTBOARD MEMBER****778 COMMENTS.**

779

780 In regards to the e-mail from Kerry Jung resigning from the Essex Free Library, Mr. Watts noted
781 that the SB has no jurisdiction over the Friends of the Essex Free Library.

782

783 Ms. Wrenner commented briefly on the article regarding New Americans in the Burlington area,
784 as it mentioned the most popular languages in which translation was needed, in case the SB
785 wished to provide communications in a language other than English.

786

787 CONSENT AGENDA

788 Check Warrants: February 26th and March 11th, 2016.

789

790 Letters

791 1) To the Town of Essex and the Village of Essex Junction from the Humane Society of
792 Chittenden County re: Donation in Memory of Glenn Morrisseau

793 2) To Elaine Strunk from Patrick Scheidel re: Appointment to the Cemetery Commission

794

795 Memos

796 1) FYE 2015 Audit Report

797 2) E-mail from Kerry Jung re: Resignation from the Essex Free Library and Friends of the
798 Essex Free Library Boards.

799

800 **THE MOTION PASSED 5-0.**

801

802 Mr. Scheidel explained why the SB was about to enter executive session, saying that they were
803 about to discuss Town personnel, and since they are considered part of the private citizenry and
804 the meeting is broadcast, anything negative said during the meeting could be used to sue the
805 Town for defamation, which places the community at a disadvantage.

806

807 While the SB searched for the appropriate language to use to enter executive session, Mr. Garey
808 noted that there are some good maps on the police department website showing the no-shooting
809 zone boundaries for the whole town.

810

811 **AT 10:39PM, MR. PLAGEMAN MADE A MOTION, SECONDED BY ANDREW**
812 **WATTS, TO ENTER EXECUTIVE SESSION TO DISCUSS PERSONNEL PURSUANT**
813 **TO VERMONT STATUTE TITLE 1 SECTION 313 A1-B AND THE APPOINTMENT**
814 **OR EVALUATION OF A PUBLIC OFFICER PURSUANT TO TITLE 1, SECTION 313**
815 **A3 TO INCLUDE THE TOWN MANAGER AND THE TOWN PLANNER. THE**
816 **MOTION PASSED 5-0.**

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818 **ANDREW WATTS MADE A MOTION, SECONDED BY SUE COOK, TO EXIT**
819 **EXECUTIVE SESSION AT 11:16PM. THE MOTION PASSED 5-0.**

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821 **ANDREW WATTS MADE A MOTION, SECONDED BY SUE COOK, TO APPOINT**
822 **THERESA FLETCHER, CHRISTINE PACKARD, AND BETZI BILODEAU TO THE**
823 **RECREATION GOVERNANCE STUDY COMMITTEE. THE MOTION PASSED 5-0.**

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825 **ANDREW WATTS MADE A MOTION, SECONDED BY MICHAEL PLAGEMAN, TO**
826 **APPOINT RON LAWRENCE TO THE AD HOC GOVERNANCE COMMITTEE. THE**
827 **MOTION PASSED 5-0.**

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829 **MAX LEVY MADE A MOTION, SECONDED BY MICHAEL PLAGEMAN, TO**
830 **ADJOURN. THE MOTION PASSED 5-0 AND THE MEETING ADJOURNED AT**
831 **11:19PM.**

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835 **Respectfully submitted,**

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837 Darren Schibler
838 Recording Secretary

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840 Approved this 4th day of April 2016.

841
842 (See minutes of this date for corrections, if any).

843
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845 _____
846 Susan E. Cook, Clerk, Selectboard

847 (THESE MINUTES ARE SUBJECT TO CHANGE AT THE NEXT SELECTBOARD MEETING)