

1 MERGER TASK FORCE
2 MEETING MINUTES
3 SEPTEMBER 7, 2005
4

5 MEMBERS PRESENT: George Boucher, Deb Billado, Hugh Sweeney, Alan Overton,
6 Han Mertens, Rene Blanchard, Irene Wrenner, Linda Myers, Alan Nye. Member John
7 Lajza absent.
8

9 STAFF PRESENT: Patrick Scheidel, Town Manager, Charles Safford, Village Manager,
10 Todd Odit, Assistant Town Manager.
11

12 OTHERS PRESENT: Bob Marcotte, Chuck Barry, Bernie Lemieux, Rep. Tim Jerman,
13 Chuck Lloyd, Howard Rice, Essex Town Fire Chief, Chris Gaboriault, Essex Junction
14 Fire Chief.
15

16 Chair, Mr. Sweeney called the meeting to order at 7:00 p.m.
17

18 **PUBLIC INPUT ON AGENDA ITEMS.**

19 Mr. Scheidel noted the information that was requested from the last meeting is included
20 with their information packet. The Libraries updated organizational charts and the legal
21 opinion from the Village/Town attorneys regarding disposal of municipal property.
22

23 **APPROVE MINUTES OF AUGUST 31, 2005.**

24 Motion by Mr. Nye, seconded by Ms. Myers to postpone approving the minutes until
25 everyone had read them.

26 **MOTION CARRIED 9-0.**
27

28 **JOINT DISCUSSION WITH ESSEX JUNCTION AND ESSEX TOWN FIRE**
29 **CHIEFS.**

30 Howard Rice, Essex Town Fire Chief, and Chris Gaboriault, Village Fire Chief gave their
31 presentation for the committee.
32

33 Chief Gaboriault said the presentation is the result of a joint effort by the two
34 departments to answer the questions that was presented to them by the Merger Task
35 Force.
36

37 **Question # 1: Appoint or elect the Fire Chief?**

38 Chief Gaboriault said that both Chiefs are in agreement that the community provides the
39 services and should be accountable for the Fire Department's actions, therefore they feel
40 the Fire Chief should be an appointed position.
41

42 Mr. Mertens asked if it was correct that currently one chief is elected and the other
43 appointed.
44

45 Mr. Gaboriault said the Village Fire Chief is elected and the Town Fire Chief is
46 appointed.

47 Chair, Mr. Sweeney asked if the Fire Chief of the Village was the only officer elected.

48

49 Chief Gaboriault said the other elected officers are the First and Second assistant
50 Engineers.

51

52 Chair, Mr. Sweeney asked the Chief if he would recommend the other positions be
53 appointed.

54

55 Chief Gaboriault said the appointed Fire Chief would be the one to appoint all other
56 officers.

57

58 Ms. Myers asked if the Essex Town Fire Chief now appoints his officers.

59

60 Chief Rice said that he does appoint his officers.

61

62 **Question # 2: What is the vision of the organizational structure?**

63 Chief Gaboriault presented the committee with three different organizational charts. One
64 that shows the current structure of the Essex Junction Fire Department, one of the current
65 structure of the Essex Town Fire Department, and the last is the Chiefs' vision of a
66 merged fire department.

67

68 Chief Rice said their vision is to keep the same type of structure with the following
69 numbers:

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Chief	1
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Assistant Chiefs	5
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Captains/Lieutenants	10-12
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73

Firefighters/EMT's	40-50
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74

Fire Police	4-8
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75

Safety Officers	3-6
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76

Dispatchers	3-6
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77

Tech/Admin	3-5
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78

79 Mr. Boucher asked what is the need of five Assistant Chiefs.

80

81 Chief Rice said that now in the Town and Village departments there is one assistant that
82 covers the fire side of it, one handles EMS, and one handles the administrative tasks and
83 one in charge of training. Chief Rice based on the services to be provided it could
84 fluctuate between three and five. Chief Rice said based on a department of this size of 80-
85 90 people there is going to be a need for a personnel officer which should be at the level
86 of Assistant Chief.

87

88 Chief Gaboriault went over the current organizational structure of the Village Fire
89 Department and noted that the two departments are very similar. An Assistant Chief is in
90 charge of fire operations another in charge of EMS operations and there are Captains and
91 Lieutenants to support them.

92

93 Chair, Mr. Sweeney asked if in the terms of management structure, does the elected Chief
94 report to the Village Manager.

95
96 Mr. Safford said the fire department Chief is accountable directly to the voters because he
97 is elected. He said in terms of the charter, it does state, they shall follow the terms of the
98 personnel and financial policies of the Village. Mr. Safford said the Fire Chief does
99 submit the fire department's budget to him and he presents it to the Trustees.

100
101 Chair, Mr. Sweeney asked the Chiefs if their recommendation of being appointed also
102 assumes that they would report and be accountable like all other departments to the new
103 community's Manager.

104
105 Both Chiefs agreed with Mr. Sweeney's statement.

106
107 Chief, Rice stated that the organizational chart of the Essex Town Fire Department is
108 slightly different but along the same lines. The Town Fire Department has a Deputy
109 Chief that is similar to the Assistant Chief but is slightly elevated in terms of helping the
110 Chief manage the Assistant Chiefs and Captains. He said with forty-seven members he
111 felt there is a need for a Deputy Chief. He said due to the size of the department, there are
112 five Lieutenants and each one is responsible for seven to eight firefighters which reports
113 directly to them and it seems to be working well.

114
115 Mr. Mertens asked if there are any paid positions now.

116
117 Chief Rice said the departments are paid volunteers and are paid only on a per call basis
118 and training of two hours a week.

119
120 Chief Gaboriault said their pay structure is a little different in that they get paid for calls
121 of a two hour minimum but not paid for training.

122
123 **Question # 3: Station Location.**

124 Chief Gaboriault said they feel both stations are located efficiently to serve a merged
125 community.

126
127 Ms. Billado asked if the Essex Junction Chief felt the location or the dynamics of the
128 Five Corners in terms of traffic has outgrown the desirability of that location.

129
130 Chief Gaboriault said he had thought about that and it seems the department still works
131 well in that location. Demographics will show about 50% of the department comes from
132 the Pearl Street side so that half of the members do not have to deal with the Five
133 Corners. He said the department has been very aware of safety at the Five Corners,
134 encouraging firefighters to get good sirens and red lights and have not had any accidents
135 in that area. He said as far as emergency vehicles, the department has traffic control from
136 their radios, when the vehicles leave the station they can click the radio microphones and
137 that keeps the Pearl Street light green and all others red.

138

139 Mr. Blanchard asked if the trains ever cause a problem for the fire fighters.
140
141 Chief Gaboriault said trains have not been a problem, the tracks are automatically
142 switched so that they move right through and has cut the waiting time in half.
143
144 Chief Gaboriault said he can not think of any emergencies that held them up due to the
145 train.
146
147 Ms. Billado asked the Chiefs if under a merged community they see Essex Rescue
148 coming under their umbrella.
149
150 Chief Rice said that would be an issue they would recommend the new community to
151 look at in the future.
152
153 Chief Rice noted on the first response issue, when an emergency tone comes out for the
154 Essex Town or Essex Junction area they have thirty people who will automatically
155 respond with a medical kit and radio and arrive anywhere from three minutes to twenty
156 minutes ahead of the ambulance. He said the goal there is to provide the early care and
157 provide the rescue with information as to what they are coming to and seems to work
158 well.
159
160 Ms. Billado asked if there are any elements of the Fire Departments missions that are not
161 being fulfilled, such as jobs or budgetary restraints that are not being met.
162
163 Chief Gaboriault said that issue will come up in the remainder of the presentation.
164 He said they have listed a number of topics for the committee to consider.
165
166 **Question # 4: Elimination of the Essex Junction station location.**
167 Chief Gaboriault said the Fire Departments talked about the possibility of closing both
168 stations and building one central station that would cover the whole community and
169 decided the obvious location for that would be around Route 15/I-289 interchange. It is a
170 location that is easily accessible to all points of the community. The second option is to
171 relocate the Village station and the best place would probably be somewhere close to the
172 I-289 corridor either on Route 2A or the Route 117 area.
173
174 Chief Rice said if the thought is to relocate the Village Fire station, they would
175 recommend a study be done to find out where the call volume is and location of the
176 where the volunteers live, ISO consideration, target hazards, and pin point all the major
177 issues.
178
179 Mr. Blanchard asked about the term ISO and insurance.
180
181 Chief Rice said the ISO rating for each community effects commercial insurance rates.
182
183 Mr. Blanchard said he believes there is a relationship between the location of the fire
184 station and insurance rates.

185
186 Mr. Mertens asked if there has been a study to find out where the major incidences have
187 occurred.
188
189 Chief Rice said that had been done a few years ago on some issues but not in terms of
190 moving the fire station.
191
192 Mr. Mertens said the community has changed and he feels a study should be done before
193 any determination is made about the locations of the fire stations.
194
195 Mr. Nye said the new community might want to look at having more than two fire
196 stations in order to decrease the response time.
197
198 Chief Rice said that in the past couple of years the two departments have been very
199 proactive in working with their neighbors, for example; any call at the fort or the
200 Woodside facility, the Colchester Fire Department is dispatched at the same time as the
201 Town Fire Department because Colchester has an Engine located within the fort.
202
203 Mr. Mertens asked the Fire Chiefs if they are contemplating a single dispatch in a merged
204 community.
205
206 Chief Rice said for the past year Essex Town and Village fire departments are toned out
207 automatically to calls other than some of the smaller incidents. Chief Rice said the two
208 departments have been working together on all levels.
209
210 Chief Gaboriault said that both departments are dispatched on the same radio frequency
211 so that all volunteers from both departments hear the call.
212
213 Mr. Mertens said it sounds as though the fire departments are already very effective.
214
215 Chief Rice said the departments take the same classes and train together.
216
217 Chief Gaboriault said they also work together when making purchases so that each
218 department will have the same equipment.
219
220 **Question # 5: Service needs in a merged community.**
221 Hydrant based fire suppression
222 Rural fire suppression
223 Aerial Operations
224 Vehicle Rescue
225 ALS Medical First Response
226 Hazardous Material Response
227 Water Rescue Operations
228 Ice Rescue
229 Off Road Rescue Operations
230 Fire Prevention programs

231 Incident Preplanning
232 Rapid Intervention Team
233 Mobile Cascade Unit
234 Low Angle Rescue
235 Search & Rescue
236 Traffic Control

237

238 Chief Rice noted this list represents the services that the Essex Town and Village Fire
239 Departments are currently providing.

240

241 **Question # 6: Equipment needs in a merged community.**

242 Chief Gaboriault said both Fire Chiefs agree the current equipment is sufficient to meet
243 the needs of a merged community. He noted that future building growth within the
244 community will impact future replacement needs.

245

246 Chief Rice said that both departments have built in replacement schedules within their
247 budgets.

248

249 Chief Gaboriault went over a list of facts the Chiefs had put together for the committee.

250

- Combined operating budgets total only \$365,000.
- Both departments are comprised of paid volunteers.
- Combined membership totals approximately 90 members.
- Combined call volume totals approximately 1,500 calls for 2004.
- Rolling stock estimated value over \$2,000,000.
- Combined grant awards over \$500,000 since 2003.
- Merged community will be second largest in the state.
- Automatic mutual aid has been in place for over a year for all major incidents in the community.

259

260 Mr. Blanchard asked if the mutual aid spans other communities.

261

262 Chief Rice stated it did.

263

264 Ms. Wrenner asked if there is a certain threshold you would reach in terms of size when
265 there would be a need to go to career firemen.

266

267 Chief Rice said that issue is mentioned in the next part of their presentation. He said the
268 Chiefs put together a list of considerations for the committee.

269

- A capital plan should be maintained through the merger evaluation and transition period for both departments.
- We do not anticipate any savings in a merged department.
- Community growth will drive future department costs.
 - Staffing – combination volunteer paid and full-time paid.
 - Equipment – larger buildings require specialized equipment.
 - EMS Service – private or municipal.

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275

- 276 • Public requests far outweigh the available time for volunteer personnel to meet
277 with commercial and residential property owners and schools on adequate fire
278 prevention measures.
279 • We believe a merged community will require a full-time Chief position.
280

281 Mr. Mertens asked the Fire Chiefs to speak to the committee regarding transition.
282

283 Chief Gaboriault said his best guess it would take two to three months. Decisions as to
284 the Chiefs position and what structure the new department would take. He feels that both
285 departments would want to sit down and take a look at best practices, there are some
286 things that both departments do but maybe slightly different.
287

288 Mr. Mertens said one of the objectives of the Merger Task Force is to come up with a
289 very useable administrative center for government and it might involve creating a campus
290 setting. He asked the Chiefs to assume that the Village fire station near Five Corners is
291 needed in a merged community for the government center. Mr. Mertens asked them how
292 difficult it would be for them to do a traffic study to determine the correct locations for a
293 new fire station.
294

295 The Fire Chiefs thought they could research this issue.
296

297 Mr. Overton stated that he is very pleased with the presentation of the Fire Departments
298 and feels that the transition of functioning is in place now. He said that he agreed there
299 would be some transitioning of the structure as to the chief, etc.
300

301 Mr. Overton noted what he heard from the Village Fire Chief, is that the department
302 functions well at its present location and unless the space is needed for the new offices,
303 sees no need to relocate it.
304

305 Chief Gaboriault said Mr. Overton's statement is correct.
306

307 Chair, Mr. Sweeney thanked the Fire Department Chiefs for their work and the
308 presentation.
309

310 Mr. Mertens said his request for the traffic study for the Village Fire Station is based on
311 the fact that numerous people have strong feelings about the government center and
312 having adequate facilities at the Lincoln Hall is important and if the fire department
313 determines there is a problem relocating the fire station, the committee needs to know
314 this as soon as possible.
315

316 Mr. Nye said he feels the fire department has given the board an answer regarding the
317 relocation of the fire station. He said the Chiefs have looked the locations and gave it
318 some consideration and decided somewhere near either of the I-289 exits would be good
319 locations. He said that he is comfortable that they have analyzed it and said that they
320 could move the fire station location.
321

322 Mr. Overton said he feels the issue of locations of the fire departments is not within the
323 purview of this committee.

324
325 Mr. Blanchard and Mr. Boucher voiced their concern regarding insurance rates and the
326 possibility of increases due to relocation of the fire station.

327
328 Ms. Myers said the insurance rate and relocations of the fire station has to be a decision
329 that is made by the new community.

330
331 Mr. Boucher said if the merger causes insurance rates to go up, the people should be
332 aware of it.

333
334 Chair, Mr. Sweeney said that the only item for follow-up with the fire department is the
335 issue of transition.

336
337 Ms. Billado said the fire departments destiny hinges on the decisions that are made
338 regarding the location of the future government at the five corners. Ms. Billado said the
339 location of the fire department is not an issue at this point because they have said they
340 could stay at the present location or move.

341
342 **REVIEW OF DRAFT QUESTIONS FOR PARKS AND RECREATION**
343 **DEPARTMENTS.**

344 Chair, Mr. Sweeney said the Park & Recreation departments will be meeting with the
345 committee on 9/28/05. He asked the committee to look at the proposed questions and
346 make changes if needed.

347
348 Mr. Mertens said he would propose to add one more question.
349 # 6 – Assuming the voters approve the merger, describe how the transition would work.

350
351 The board reworked question # 5 to read: Please explain your vision for providing park
352 and recreation services in a merged community and the budgetary needs for fulfilling that
353 vision and your recommendation to administer your department through the schools or
354 the municipality.

355
356 Mr. Nye suggested that the directors of the Parks and Recreation departments put
357 together a presentation similar to the fire departments for the merger task force.

358
359 **APPROVE MINUTES OF AUGUST 31, 2005.**

360 **MOTION BY Mr. BLANCHARD SECONDED BY MR. BOUCHER TO**
361 **APPROVE THE MINUTES WITH THE FOLLOWING CHANGES:** Line 184:
362 Change ‘perpetuated’ to ‘perpetual’. Line 415 and 416: Delete in its entirety. Add ‘Ms.
363 Billado agreed with Mr. Overton and suggested inviting the Village Trustees and
364 Selectboard’. Line 453: After ‘boards’ insert ‘,’ add, ‘but’ add ‘again’ after ‘committee’
365 delete entire sentence. After ‘committee’ add ‘and hold a public hearing at mid-point and
366 invite Trustees and Selectboard’. Line 475: Delete ‘yes,’ delete ‘committee’, after ‘the’
367 insert ‘Trustees and Selectboard’ Line 494: After ‘done’ insert ‘months ago’. Line 47:

368 Delete 'Their' Add 'They are'. Line 55: After the word 'originally' add 'designed'. Line
369 298: Capitalize 'Town'. Line 353: 'others' should be 'other's'. Line 501: Delete 'is'.

370

371 **Motion passed 7-0-2. (Two abstentions- Myers & Nye)**

372

373 **DISCUSSION OF FUTURE AGENDA ITEMS.**

374 At a previous meeting there was Selectboard concurrence with respect for Facilities and
375 the charge of the Ad Hoc Committee.

376

377 Chair, Mr. Sweeney noted that he would be absent for the next two meetings after the
378 9/14/05 meeting.

379

380 Mr. Mertens advised the committee that he will be absent for the next two meetings.

381

382 Ms. Wrenner gave the committee a copy of the proposed calendar item for the paper. She
383 said she is looking to expand the press coverage of the Merger Task Force Committee in
384 the community calendars. Ms. Wrenner said she would take the responsibility to submit
385 the committee's calendar on a weekly basis to the Seven Days newspaper. Ms. Wrenner
386 has also set up an e-mail box at Mergertalk@aol.com.

387

388 Ms. Wrenner also presented a poster to the committee that she proposed be posted in the
389 general area that lists the dates and topics the committee will be discussing.

390

391 **PUBLIC INPUT – GENERAL COMMENTS.**

392 Chuck Barry said he would like to commend the Fire Chiefs for their fine presentation.

393 He asked the committee to recommend a rolling stock fund for the new community as the
394 Village does now. Mr. Barry said his vision for the fire department is to move just to the
395 left of the walk-in gate at the Fairgrounds and his reasoning for that is, if a five bay
396 station is built it would take care of the community both east and west of the Town and
397 also the upper portion. He said he felt if a large civic center is built at the fairgrounds the
398 location of the station would be very important.

399

400 Mr. Nye said regarding the rolling stock fund, the philosophy of the Town is to not take
401 the taxpayers money until it is needed rather than taking their money and holding it. He
402 said the decision will probably be made by the new governmental board.

403

404 Mr. Scheidel said the Town does have a five-year capital improvement plan and within
405 that plan is a financing strategy.

406

407 Mr. Nye noted the Village also has a Land Acquisition Fund that will have to be
408 discussed at some point and time as how to get that money back to the residents of the
409 Village.

410

411 Mr. Lemieux asked if the future location of the governmental office is an agenda item.

412

413 Chair, Mr. Sweeney said it has been discussed as a future agenda item when all members
414 of the committee are present. Mr. Sweeney said the first discussion will be whether this
415 issue is part of the charge the committee was given.

416
417 Mr. Marcotte said he was impressed with the presentation of the fire departments
418

419 Ms. Billado said the committee has a specific task list that given to them but however, it
420 is not the end all to what the committee is working on. Ms. Billado referenced back to the
421 minutes between the Trustees and Selectboard, the list is not inclusive and the committee
422 can expand the list of items to be worked on.

423
424 The committee briefly discussed the transition period.
425

426 **ADJOURNMENT.**

427 **Motion by Mr. Nye, seconded by Mr. Overton to adjourn the meeting.**

428
429 **Motion passed 9-0**

430 The meeting adjourned at 9:05 p.m.

431

432

433 Catherine Jones

434 Minutes respectively submitted by Catherine Jones

435

436 **THESE MINUTES ARE SUBJECT TO CORRECTION BY THE TASK FORCE**
437 **COMMITTEE. CHANGES, IF ANY, WILL BE RECORDED IN SUBESQUENT**
438 **MEETING MINUTES.**

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**MERGER TASK FORCE
ESSEX/ESSEX JUNCTION
MEETING MINUTES
SEPTEMBER 14, 2005**

6 **MEMBERS PRESENT:** Hans Mertens, Chairperson; George Boucher, Deb Billado,
7 Alan Overton, Hugh Sweeney Chair, Rene Blanchard, Irene Wrenner, John Lajza, Linda
8 Myers, Alan Nye.

9 **STAFF PRESENT:** Patrick Scheidel, Town Manager; Charles Safford, Village
10 Manager; Todd Odit, Assistant Town Manager.

11 **OTHERS PRESENT:** Chuck Lloyd, Bob Marcotte, Jeff Harton, Dan Overton, Kent
12 Booraem, Darcy Brouillette, Martha Heath, Ray Proulx, Peter Selikowitz, Tim Jerman,
13 Chris Halpin, Bernie Lemieux, Joyce Stannard, John Floyd.

15 **1. CALL TO ORDER**

16 Chair Mertens called the meeting to order at 7:00 p.m.

18 **2. PUBLIC INPUT ON AGENDA ITEMS**

19 None.

21 **3. APPROVAL OF MINUTES OF SEPTEMBER 7**

22 **MOTION by Mr. Overton, seconded by Mr. Nye, to approve the Merger Task Force**
23 **minutes of 07/09/05 with the following corrections/additions:**

24 **Line 83, change to read: “Chief Rice said based...”;**

25 **Line 290, add the words “near Five Corners” after the word “setting”; delete**
26 **the word “building” after the word “station”;**

27 **Line 288-294 insert the words “for the government center.” after the words**
28 **“merged community”; Change the next sentence to read: “Mr. Mertens**
29 **asked them how difficult it would be for them to do a traffic study to**
30 **determine the correct locations for a new fire station.” Delete the rest of the**
31 **sentence.**

32 **Line 296, change the word “though” with the word “thought”;**

33 **Line 373, add “At a previous meeting there was Selectboard concurrence**
34 **with respect for Facilities and the charge of the Ad hoc Committee.”**

35 **Line 378, change to “...noted that he would be absent for the next two**
36 **meetings after the 09/14/05 meeting.”**

37 **Line 383, add after the sentence: “Ms. Wrenner has also set up an e-mail box**
38 **at Mergertalk@aol.com.”**

39 **VOTE: 9 ayes, 1 abstention (Mr. Lajza); motion carried.**

41 **4. JOINT DISCUSSION WITH THE TOWN/VILLAGE SCHOOL BOARD**
42 **CHAIRS, UNIFICATION COMMITTEE CHAIR AND**
43 **SUPERINTENDENTS REGARDING RECREATION**

44 Mr. Mertens welcomed the Town and Village School Board Chairs, Unification
45 Committee Chair, and CCSU Superintendents to the meeting. There would be no formal
46 presentation. Introductions were made.

47

48 Mr. Booraem, Unification Committee Chair, explained the committee has been hard at
49 work since January 6th. By statute there are 12 Articles that have to be agreed to before
50 bringing the issue of unification to the voters. The recreation issue falls under Article XII.
51 Early in the process Dan Overton pointed out that the Junction recreation structure was
52 different from the Town of Essex and Westford. The difference has posed a challenge.
53 The Westford and Essex programs are administered by municipalities and are successful.
54 The Junction recreation program is administered by the school. Research was done. All
55 three programs are successful. It is unclear what to do and the Unification Committee
56 was looking to the Essex Junction representatives to return to the committee with
57 suggestions/solutions.

58

59 Mr. Mertens asked for clarification on where the committee was on the issue, and if the
60 Village has responded. Mr. Booraem replied no, we just met last Thursday. Ms.
61 Brouillette explained that the unification committee, has decided that the recreation
62 departments need to be one way or the other. The Junction needs to do more work with
63 the School Board to see how the change would work for them. Ms Brouillette said that as
64 an Essex Town School District member, the school has a very good open relationship and
65 positive communication back and forth between the schools and recreation department,
66 which works very well. And she added that as a community member, I benefit from the
67 Essex Junction Recreation Department and I think their department runs very well. In
68 terms of a unified union school merger, it needs to be focused the same way. Mr. Mertens
69 said so you have not analyzed what that best “one way” is. Mr. (Dan) Overton pointed
70 out their committee was exploring school unification and the committee has not gotten
71 that far in the discussion.

72

73 Ms. Brouillette, as Essex Town School Board Chairperson, said she has talked with Pat
74 Scheidel, Mark Barry and administrators of the school district. Mr. Barry has other
75 responsibilities that include cemeteries, town parks, and senior centers. She cannot see
76 the school doing as good a job as they do in administering those programs. Mr. (Al)
77 Overton said the Merger Committee has to take a stand on the recreation issue. It would
78 be easy to say the recreation departments would be run by the municipality. There could
79 be some recommendations from the Unification Committee on how the change would
80 transition. The municipality does a good job and he was around when recreation was
81 bounced back and forth between the Prudential Committee and the Village. When the
82 idea of a transition comes up, he would be interested in how to continue the relationship
83 with the schools. We need to hear from you, he said.

84

85 Mr. (Dan) Overton explained he has met with and received some perspectives from the
86 Prudential Committee. If unification gets voted down, but there is a merger of the
87 communities, then the question would get directed to his board and the board would say
88 it should stay as is. This discussion is premature. He understands that the Recreation
89 Department directors will present to the Merger Task Force on 09/28/05. They may have
90 a model that would work. The educational recreation programs deal with kids. The
91 schools are concerned that if the municipality takes over recreation then there will be a
92 disconnect between the school and municipality. The boss of the Recreational

93 Department director is the Superintendent of the schools in the village. The Town
94 Manager is not in the business of educating kids or developing programs. The unification
95 committee does not want to be rushed. In a few weeks there may be a better answer. We
96 don't want the recreation question to be what breaks down unification. Everyone has to
97 give up something in a compromise. In the proposed charter that the Merger Task Force
98 is drafting, the school wants some protection for schools; specifically, to continue to vote
99 separately on recreation programs, a separate recreation budget, and form an Advisory
100 Committee with one or two school board members on the committee.

101

102 Mr. Sweeney summarized that the Prudential Committee recommendation is to stay as a
103 Village recreation that reports to the school, and the Town recreation department reports
104 to the Town Manager if a merged community happens without unification of the schools.
105 Mr. (Dan) Overton replied correct. The village recreation director reports to the
106 Superintendent. Peter Selikowitz has worked with the Burlington City Recreation
107 Department prior to the Village and as contained within the school district, it is his
108 opinion the department is better with the school.

109

110 Mr. Mertens said we asked questions, but didn't ask for recommendations. This Task
111 Force is comfortable having you come back on your schedule. That said, that is an issue
112 where maybe all four recreation groups should be structured the same way. To clarify: if
113 you had a clean sheet how would you design it, or if you didn't have a clean sheet are
114 there benefits by instituting changes. We are looking for a big picture solution.

115

116 Ms. Heath said in Westford recreation by choice is a municipal function run by a
117 committee funded through the town budget. The department is not as elaborate as the
118 Essex Town or Village. Westford residents take advantage of the Essex Town and Essex
119 Junction Village recreation at a higher cost.

120

121 Ms. Brouillette said that Dan Overton and I are on the same page in the business of
122 educating kids. We see our role with recreation as collaboration, open and positive. It
123 works well with the municipality. Some collaboration could happen with the Village.

124

125 Mr. Lajza said in regard to the focus on question #3: does the recreation component add
126 or detract from the School Board operation. Does it enhance, or detract, from education.
127 Mr. (Dan) Overton explained that is not a core program, but is contributory and
128 complementary to education. For example, after school daycare programs are funded
129 through the recreation budget.

130

131 Mr. Nye asked what the financial gain was for having a recreation budget associated with
132 the school budget. Is the current funding program enhanced with federal or state money
133 coming to school system, Mr Overton (Dan) stated no. Ms. Brouillette replied that under
134 Act 68, money does not go under the per pupil spending. Mr. (Dan) Overton explained
135 that the separate budget is an advantage. The School Board controls the budgets and we
136 can decide if we want to increase the recreational budget, or not. For example, we
137 decided to level fund recreation this budget year. We are getting more money and the
138 recreation director came in with suggestions for programs. The rec dept

139 Purchased a John Deere for \$7500. We can match expenses against the school budget, so
140 there is a connection there.

141

142 Ms. Myers asked if the School District has any input with the Town Recreation
143 Department to mesh programs. Ms. Brouillette said in the past there have been some after
144 school programs. However, this last budget year this didn't happen. Our extended school
145 programs used to be under the schools. We asked the Recreation Department to take over
146 and they are doing a great job. It is a collaboration between teachers, recreation personnel
147 and administration. Ms. Heath said there is a similar experience in Westford. The school
148 couldn't support the sports teams. There is now a recreation department in town that
149 serves the school and there is team support, particularly for the 7th and 8th grades. It is
150 also about other community activities in town as well.

151

152 Ms. Myers pointed out that adult and senior programs are a small portion that is served
153 by recreation and should not be served by the schools. It is a disconnect there, which is an
154 opinion of mine, by having the school district which serves children also provide
155 programs for adults.

156

157 Mr. Mertens stated that we are fortunate that we have two working models. Ms. Billado
158 asked if the committee has gone through the process of separating recreation from the
159 school to see the impact. Mr. (Dan) Overton explained the committee time frame: if the
160 process was completed by this fall, then the soonest that unification would occur would be
161 by June 2007. The issue would go for a vote April 2006, and then we would suggest to
162 look at recreation. I think there would be opinions/suggestions of what to do with
163 recreation, but there wouldn't be a plan. Mr. Mertens asked are you going to have the
164 answer pre-vote. Dan Overton said yes we will.

165

166 It was asked if it could be possible for the Village to own the recreation assets, but
167 managed by school district. Mr. (Dan) Overton replied yes. It was asked if the draft
168 agreement between the Village and school was signed. Mr. (Dan) Overton explained the
169 current agreement expired in June this year. There is a new draft agreement with added
170 comments, including a brief history. The Village was sent the draft, it is not known if the
171 Trustees have signed it or not. The Village or Prudential Committee could mutually
172 decide to null the agreement. Whatever the Merger Task Force decides wouldn't affect
173 the agreement. Mr. Safford said that the one-year contract with the School Board would
174 expire June 30, 2006. He has not received comments back regarding the draft from the
175 School Board at this time. Mr. (Dan) Overton said the comments included items such as
176 the continued care of parks, etc, until the Prudential Committee or Village changes.

177

178 Mr (Al) Overton asked if it is possible for the Prudential Committee to address the issue
179 within a couple of months. If the Merger Committee decides that the department should
180 be run by a municipality, what are your suggestions on what connections should be kept.
181 Ms. Myers asked why the Prudential Committee runs the Recreation Department and the
182 municipality does not. Mr. (Dan) Overton explained that he has reviewed Village minutes
183 about how services were conducted in 1970. In 1971 the first recreation budget appears in
184 the school budget. Mr. Mertens asked for a briefing to educate this group on the history

185 of why it is done this way. The Unification Committee should provide some answers. Mr.
186 Mertens asked the committee to add the question to their agenda. Ms. Billado recalled
187 that in the 1980s the Police Department was transferred to the Town. In the 1970s
188 recreation was transferred to the school dept. via a letter stating that it could be
189 transferred back by request. Marla Durham encouraged the committees to contact David
190 Neil, the former recreation director for information. She explained that when the
191 Recreation Department had a change in programs he had to go before the Trustees, then
192 before the School Board, which caused delays. The transfer was to speed up the process.

193
194 Mr. Mertens said 1970 probably is not as important as what we can forecast in the future.
195 Mr. Mertens asked the Unification Committee to add a discussion on the recreation issue
196 to their agenda.

197
198 Mr. Blanchard asked if the School charged the Recreation Department fees for use of the
199 School. Mr. Booraem replied that the School District didn't charge for the use of the
200 school facilities other than for custodial services. There is a weekend fee charged. Mr
201 Nye said the town has to pay custodial costs for facilities.

202
203 There was further discussion about what a unified school district would look like and if it
204 was not unified, and if Question #6 was sufficiently discussed. Ms. Myers asked, in
205 relation to #6, did the State Board of Education look at the Essex and CCSU unification
206 plan. If the communities merged do you anticipate that the State Board of Education
207 would place some other hoop for you to go through, or remove something from the list in
208 order to achieve a unified school district. Mr. Proulx replied from a legal standing, the
209 proposal was gone over to make sure that language currently matched Act 68. (Mr.
210 Proulx) seldom gets involved with the specifics under Article XII related to recreation
211 other than to gain an understanding. Ms. Myers asked if the State Board would look at the
212 school district any differently if the municipalities merged. Mr. Proulx said it is a State
213 Board decision. Currently the state treated school districts separately from municipalities.
214 I can't answer the question, said Mr. Proulx. Mr. Sweeney asked if there were any
215 merged communities that could be reviewed. Mr. Proulx replied no, any recent (school)
216 unions/unifications have been in rural areas with the exception of Barre City and Barre
217 Town. The high school merged, but the towns are still separate. Mr. Booraem said that if
218 the unification Committee didn't complete their task and the committee was dissolved,
219 and the communities merged, then that would be a strong catalyst to revisit the recreation
220 question.

221
222 Mr. Mertens asked if the Merger Task Force made recommendations for a vote in April
223 and you have not made a decision, would that impact your deliberations. Ms. Brouillette
224 replied that the district did not operate in a vacuum. The school boards were Union 46,
225 Essex Town, Essex Junction, Westford, and part CCSU through the high school. Ms.
226 Heath said that Westford was not a part of Union 46, but the town sent at least 75 percent
227 of its students to the high school, and the Westford School was part of the CCSU.

228
229 Mr. Nye asked for clarification regarding the role of the Task Force. The Task Force
230 makes recommendations to the Trustees and Selectboard, and part of the charge is

231 recreation. The Recreation departments would review the final product before going to
232 the voters. Mr. Nye asked what the school would think if the new government did not
233 allow the Prudential Committee to manage the recreation programs, or if there was a
234 merged community, but not a merged school. Then what do you think. Or if there is a
235 merged school, what do you think. Mr. (Dan) Overton said it is possible the Task Force
236 would get a different answer from the Unification Committee than from Recreation
237 departments. Mr. Mertens said they would take that into consideration. The goal is to
238 maintain or enhance (recreation) service if possible.

239

240 Mr. Sweeney asked the Unification Committee what their target was for discussion. Mr.
241 (Dan) Overton replied that the Task Force meeting scheduled for 09/28/05 was not a
242 good night. There is a major CCSU Planning Session that night and it is expected that the
243 Recreation Director will attend.

244

245 Following a discussion regarding a time to meet with the Recreation Directors, it was
246 decided that the Town Manager and Village Manager would contact Pete Selikowitz and
247 Mr. Barry to finalize a meeting date.

248

249 Mr. (Dan) Overton suggested that another issue was the opportunity to coordinate Town,
250 Village, and school space. The Unification Committee was discussing a unified school
251 campus plan. The Task Force could identify all school and public buildings for future
252 needs. Mr. Mertens said that a joint meeting would be helpful regarding space planning.

253

254 Ms. Heath noted that if unification doesn't happen then the rented space that houses
255 CCSU might not be available much longer. A space inventory is necessary and there
256 should be discussion. Mr. Mertens asked if the school had surplus space. Mr. (Dan)
257 Overton stressed that there are issues coming up. There was no surplus space. A vision
258 was needed, and Tyler Scott's done work for the school district and the Town and may
259 have a lot of information. Mr. Mertens said the topic would be placed on the agenda.

260

261 The Task Force thanked the Unification Committee for coming.

262

263 ***ACTION ITEMS:***

264

- A better understanding of the proposed draft contract between the Trustees and the School Board regarding the Recreation Department was needed. Village Staff would provide a copy of the expired contract and proposed draft contract with modifications, if any.

266

267

268

269

- Space Planning and Inventory – should include joint recommendations and/or options.
- Regarding Question #2, the Town Manager would work with the Unification Committee to schedule a follow up date to be held within one month. If the Unification Committee needed to hold a community forum to gather input that should be held by the end of October and a report forwarded to the Task Force.

271

272

273

274

275

276

It was noted that Michael Deweese and the Recreation Director would need to coordinate with the Village Manager regarding a meeting date and time, potentially 10/05/05.

277

278 A Task Force discussion regarding Space Planning was tabled for a future meeting.

279

280 Mr. (Al) Overton stated he would like to revisit the question of a name for a merged
281 municipality and possible locations of a government center. There were both Trustees
282 and Selectboard members in attendance for a discussion on the topic. Mr. Overton noted
283 that a letter was received from Joyce Stannard regarding a location.

284

285 Mr. Overton addressed a deep concern of the locations of the government offices as well
286 as the name of the community.

287

288 Mr. Mertens said that language in the revised Charter stated the "City of Essex Junction"
289 and asked for consensus of the Task Force members. Mr. Sweeney inquired about the
290 legal requirements of being a city or a town.

291

292 Mr. Sweeney said that there was no legal requirement that the name should be a city or a
293 town. It was his personal opinion that the name of Essex Junction was an important part
294 of both municipalities. Just about everyone has Essex Junction as a mailing address, Mr.
295 Sweeney said I live out by the Jericho town line and my address is Essex Junction. Mr.
296 Sweeney said his preference was the Town of Essex Junction.

297

298 Ms. Billado stated that there is only one Essex Junction in the world. There are a lot of
299 Communities with the name Essex and it is rather common.

300

301 Mr. Nye noted that the 1999 Charter was an appeasement document and the City of Essex
302 Junction was chosen to garner votes with the community. Mr. Nye said he did not think
303 that it was in the purview of this committee to make name recommendations to the two
304 Boards. Our recommendation to this committee from the Selectboard should be to bring
305 the question to a vote to the entire community. Plurality wins, stated Mr. Nye.

306

307 Ms. Billado suggested bringing as complete a package to the voters as possible. Mr. Nye
308 said he could tell you that you won't get a consensus from the Selectboard regarding a
309 city or town. The Selectboard would tell you that the committee should not vote on a
310 name. However, this committee isn't the be-all end result. Ms Billado stated that those
311 kinds of suggestions from Mr. Nye binds the hands of this committee and that is not in
312 the best interest of the merger process. The selectboard and the trustees should not be
313 giving directions to this committee as stated by Mr. Nye.

314

315 Mr. Mertenes asked for a quick survey.

316

317 Ms. Wrenner suggested that the public votie separately on a name. She did have a
318 preference for the Town of whatever.

319

320 Mr. Blanchard said the railroad goes through the junction, which is a railroad center. The
321 City of Essex Junction was preferred.

322

323 Ms. Billado said that Essex Junction was a preference, but city or town could be either. A
324 city has a council and a town has a Selectboard.

325

326 Mr. Boucher said that Essex Junction was a unique name. The railroad made the
327 community. Essex Junction has been on the maps forever, but you don't see the Town of
328 Essex on any maps. His preference is the City of Essex Junction. The Village people have
329 paid for 75 percent of all assets in the Village and Town. There has to be a give and take
330 on both sides.

331

332 Mr. Nye said he didn't have a concern if it was Essex or Essex Junction.

333

334 Mr. Lajza said he shared the opinion of a lot of the comments regarding town or city.
335 Essex Junction is "branded". The Lang Farm advertises as being in Essex Junction, Susie
336 Wilson businesses advertise as being in Essex Junction. And businesses in the Village
337 advertise the same. We need to retain that branded value.

338

339 Ms. Myers said her preference was the Town of Essex, which has the original Charter. In
340 order to maintain the history of the Town there should be a way to combine Essex or
341 Essex Junction. She could be convinced to agree to the Town of Essex Junction. The U.S.
342 Post Office made the decision to have Essex Junction addresses in the rural areas. The
343 box numbers at the Post Office have an Essex address, pointed out Ms. Myers. An option
344 presented to the voters.

345

346 Mr. Sweeney said he agreed that the Post Office defined the addresses, but it is a big
347 expense to residents and businesses to change phone numbers, addresses, etc.

348

349 Mr. Mertens related that he came from out of state and lived in a town called Essex. The
350 charm of the words "Essex Junction" was one attraction that made him settle in the
351 Village. The direction of the Merger Task Force was the important question:

352

- 353 1. What is the Merger Task Force supposed to do – step up and make the hard
354 decisions, or what? delay the decision, and consider it at the next meeting of the
355 Task Force.

356

- 357 2. The signs on all the highways leading to the community say Essex Jet.

358

359 There was further discussion regarding the authority of the Task Force to make
360 recommendations to the Selectboard and Trustees, or to bring the question before the
361 voters. Mr. Boucher said that the issue of the City of Essex Junction has been on a Town
362 and Village ballot three times in the past, and is in the 1999 Charter as the City of Essex
363 Junction. That should be the name. Mr. Mertens suggested gathering public input and
364 then making a decision the next time that all ten Task Force members are present.

365

366 Deb Billado summarized the members verbal votes as four (4) wanted town or city of
367 Essex Jet.. two (2) wanted the city of Essex Jet, two (2) wanted the town of Essex Jet and
368 One (1) wanted people to vote on the name.

369

370 5. FUTURE AGENDA ITEMS - discussion

369 ***NEXT MEETING AGENDA ITEMS:***

- 370 • Charter
- 371 • Follow up legal issue regarding Recreation Department contract between the
- 372 Village and the Prudential Committee by Village staff
- 373

374 **6. PUBLIC INPUT – GENERAL COMMENTS**

375 Joyce Stannard, resident, stated that a public hearing should be held regarding the

376 question of a city or town. She would like this committee to stand firm and make a

377 decision. She liked the City of Essex Junction personally. A question is what constitutes a

378 quorum of the committee, asked Ms. Stannard. Mr. Mertens replied that the Task Force

379 was striving for a 10-0 vote on issues that mattered. That is the most healing way to

380 approach sensitive issues. In a general sense, there was no need to have 10 members at

381 every meeting. Ms. Stannard said that having a ten-member committee tended to promote

382 delay of action of items. There can't always be ten members at a meeting. The committee

383 should establish a quorum at each meeting.

384

385 Mr. Sweeney noted that the committee has identified two questions where a full

386 committee was expected to participate – the name and the location. All other issues have

387 not needed a full committee to make a decision. Mr. Overton pointed out that each

388 meeting should have at least one Selectboard and one Trustee in attendance as a liaison to

389 their respective boards.

390

391 Ms. Stannard asked if the location of the new government was on an upcoming agenda. It

392 is a big issue with most people. You know how I feel, and the Trustees and Selectboard

393 have expressed their views, but what this committee feels is not known, said Ms.

394 Stannard. Mr. Mertens said the issue is on the agenda. The committee is in receipt of your

395 memo.

396

397 Mr. Mertens noted that Ms. Wrenner submits information to the weekly newspaper.

398 There will be plenty of notice when the issue is taken up next. It is hoped that the

399 residents will appear at that meeting.

400

401 Mr. Nye stated that there were two issues, the design of facilities and location of

402 facilities. The two issues (plan or space) should not be confused, stated Mr. Nye. Mr.

403 Overton said it may be in the committee charge to consider where the seat of government

404 would locate, but it may be more within the transition piece. Mr. Lajza asked for a

405 definition of "transition". Ms. Stannard stated that the seat should be within the Five

406 Corners and that this committee should recommend Lincoln Hall for the key portions of

407 the government location. Mr. Mertens stated that this is vital.

408

409 Chuck Floyd, Essex Junction resident, suggested keeping the name of Essex Junction.

410 That way the Post Office, road signs and maps would not need to be changed. It would be

411 cheaper and easier to change the few Town of Essex signs. You don't need to waste your

412 time writing the "City of" on your mail when you can just write Essex Junction. Essex

413 Junction is historical.

414

415 **7. ADJOURNMENT**
416 **MOTION by Ms. Billado, seconded by Mr. Overton, to adjourn the meeting.**
417 **VOTE: unanimous; motion carried.**
418
419 The meeting was adjourned at 9:07 p.m.
420
421 Minutes transcribed from audio tape and respectfully submitted by Kathlyn Furr,
422 Recording Secretary.

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**MERGER TASK FORCE
ESSEX/ESSEX JUNCTION
MEETING MINUTES
SEPTEMBER 21, 2005**

MEMBERS PRESENT: Hugh Sweeney, Chairperson; George Boucher, Deb Billado, Alan Overton, Rene Blanchard, Irene Wrenner, John Lajza and Linda Myers.

STAFF PRESENT: Patrick Scheidel, Town Manager; Charles Safford, Village Manager; Todd Odit, Assistant Town Manager.

OTHERS PRESENT: Bob Marcotte, Bernie Lemieux, Chuck Lloyd, Dave Willey, Chris Halpin and Tim Jerman.

Mr. Sweeney called the meeting to order at 7:00 p.m.

BUSINESS AGENDA

Public Input on Agenda Items

No one from the Public spoke.

Minutes of September 14, 2005

ALAN OVERTON MOVED AND JOHN LAJZA SECONDED A MOTION TO APPROVE THE MINUTES OF SEPTEMBER 14, 2005 WITH THE FOLLOWING CHANGES:

LINE 109: Replace 'Mr. Sweeney' with 'Mr. Mertens'. **Line 130:** Replace 'Mr. Mertens' with 'Mr. Nye'. **Line 132:** Replace 'Mr. Mertens' with 'Mr. Nye. Mr. Overton said no.' **Line 137:** 'The recreation department purchased a John Deer Tractor for \$7,500. We can match expenses'. **Line 150:** delete 'that is not well'. **Line 151:** after 'there,' insert 'by having schools which serves children also provide programs to adults.' **Line 155:** After 'school' insert 'to see the impact'. **Line 160, 162 and 163 and 170:** replace 'Mr. (Al) Overton' with 'It was asked'. **Line 180:** Replace 'Mr. Sweeney' with 'Mr. Mertens'. **Line 184:** delete 'high'. After 'school' insert 'department'. **Line 191:** replace 'Mr. Sweeney' with 'Mr. Mertens'. **Line 195:** replace 'Mr. Mertens' with 'Mr. Blanchard'. **Line 198:** insert 'Mr. Nye said the Town has to pay custodial costs for facilities.' **Line 233:** replace 'Mr. Sweeney' with 'Mr. Mertens'. **Line 236:** replace 'Mr. Mertens' with 'Mr. Sweeney'. **Line 252:** replace 'Mr. Sweeney' with 'Mr. Mertens'. **Line 264:** Unclear and needs revision. **Line 280:** insert, 'Mr. Overton addressed a deep concern of the relocation. Also the name of the community.' **Line 281:** replace 'Mr. Sweeney' with 'Mr. Mertens'. **Line 283:** insert 'Mr. Hughes asked about legal requirements being called City or Town'. **Line 284:** replace 'Mr. Blanchard' with 'Mr. Sweeney'. **Line 287:** replace 'Mr. Blanchard' with 'Mr. Sweeney'. **Line 296:** after "Our recommendation to' insert 'this committee from'. **Line 304:** replace 'Mr. Sweeney' with 'Mr. Mertens'. **Line 335:** after 'Ms. Myers' insert 'an option to the voters should be the Town of Essex Junction.' **Line 337:** replace 'Mr. Mertens' with 'Mr. Sweeney'. **Line 340:** replace 'Mr. Sweeney' with 'Mr. Mertens'. **Line 344:** after 'or' insert 'what?' **Line 345:** replace sentence with '2. The signs on the highways say Essex Junction.' **Line 353:** insert 'Ms.

49 **Billado summarized the vote for Town or City of Essex Junction: 2-City of Essex Junction, 2-**
50 **Town of Essex Junction, 1-other. Line 362: after ‘firm’ insert ‘and make the decision.’ Line**
51 **364: replace ‘Mr. Sweeney’ with ‘Mr. Mertens’. Line 371: replace ‘Mr. Mertens’ with ‘Mr.**
52 **Sweeney’. Line 383: Replace ‘Mr. Sweeney’ with ‘Mr. Mertens’. Line 391: after ‘Corners’**
53 **insert ‘and that this committee should recommend Lincoln Hall for the key portion of the**
54 **government. Mr. Mertens stated it is vital.’**
55

56 Mr. Overton recommended that these minutes not be accepted because of all the errors and that it
57 be seen that they are printed properly. He asked what happened to the person that was taking the
58 minutes. Mr. Scheidel responded that she had quit. Mr. Overton asked if there was someone that
59 could be brought in. Mr. Scheidel felt there was but that they would need to be contracted, and
60 with such short notice it may not be right away. He stated that the committee should announce their
61 names when speaking when there is no one present transcribing. Ms. Billado felt that the minutes
62 should be done by someone who knows the committee members. Mr. Sweeney asked if Mr.
63 Scheidel might have someone next week. Mr. Scheidel stated he couldn't guarantee it because he
64 has been searching for someone. He would see what he could do. The major problem was that the
65 person who had the job committed to the job for the entire duration of the committee. That person
66 did not live up to their commitment and walked away. Now they are left scrambling for someone.
67 It's not easy to find someone to do minutes. They are not easy to do and you can't just bring
68 someone in and say do minutes. They have interviewing on a steady diet of people to find
69 someone. The Town also has no one to do minutes for the Selectboard Meetings. Mr. Overton felt
70 the way they are done most efficiently is when a stenographer takes it in shorthand as well as
71 having a backup tape and produces a product. There are also court reporters that could do the job
72 and he would get the names to Mr. Scheidel. Ms. Billado felt she had someone on staff that could
73 do it until someone came on board. Mr. Scheidel stated he might have someone there as early as
74 next week but he wasn't sure they could be at the meeting. Mr. Overton stated that a court reporter
75 could do the job quickly but someone would to do some editing.
76

77 Mr. Sweeney had further corrections to the minutes. **Line 6: replace ‘Hugh Sweeney,**
78 **Chairperson’ with ‘Hans Mertens, Chairperson’. Line 7: insert ‘Hugh Sweeney’. Line 16:**
79 **replace ‘Chair Sweeney’ with ‘Chair Mertens’. Line 44: replace ‘Mr. Sweeney’ with ‘Mr.**
80 **Mertens’. Line 59: replace ‘Mr. Sweeney’ with ‘Mr. Mertens’. Line 68: replace ‘Mr.**
81 **Sweeney’ with ‘Mr. Mertens’. Line 101: replace ‘Mr. Mertens’ with ‘Mr. Sweeney’. Line**
82 **218: replace ‘Mr. Sweeney’ with ‘Mr. Mertens’. Lines 248, 252 and 255: replace ‘Mr.**
83 **Mertens’ with ‘Mr. Sweeney’.**
84

85 Ms. Myers stated she was uncomfortable with the minutes as they were because there were so many
86 errors. She had one correction to make: **Line 86: replace ‘pre-mature’ with ‘premature’.**
87

88 **ALAN OVERTON WITHDREW HIS MOTION TO ACCEPT THE MINUTES OF**
89 **SEPTEMBER 14, AS CORRECT AND JOHN LAZJA WITHDREW HIS SECOND OF THE**
90 **MOTION.**
91

92 Mr. Overton noted that the committee had minutes unapproved as of now. He felt the notations
93 should be retyped so the committee can look at them again. Mr. Scheidel explained again that it

94 was the person’s first effort at these minutes and not being able to attend the meeting it was difficult
95 to decipher who was speaking because members did not disclose whom they were, as asked to do.

96
97 Ms. Billado offered to clean this set of minutes up. She asked for other written corrections other
98 members had.

99
100 **Charter Review – Continue Charter Review by Section Using Updated 1999 Charter**

101
102 Mr. Sweeney suggested that the committee start with the document sent on August 31, which
103 contained all the changes the committee made up until that time. Starting at the beginning on line
104 101, Mr. Sweeney stated that subsection C about the schools was deleted.

105
106 Regarding Section 103, Mr. Sweeney remembered there was a discussion about acquiring property
107 so the existing B was deleted and a new B was inserted. Mr. Safford reminded the members that
108 they had received a memorandum from Todd Odit stating that State law allows the legislative body
109 to sell property unless petitioned by the voters with 30 days notice. Mr. Sweeney asked if it stated
110 anything about acquiring property. Mr. Safford stated that municipalities always have the power to
111 acquire property; it’s just selling that requires the approval of the voters. What the document now
112 states is that the municipality will automatically make selling property needing approval by the
113 voters unless it’s a boundary line adjustment or easement.

114
115 Regarding Section 105, Mr. Sweeney noted a change had been made eliminating ‘Grand Juror’.

116
117 Mr. Sweeney reported there were no changes in Sections 106-108.

118
119 Regarding Section 109, Mr. Sweeney noted that ‘within forty-four days’ was deleted regarding the
120 decision of ordinances and they added language in subsection B “The question in subsection A
121 shall not be presented for reconsideration within the succeeding twelve months except with the
122 approval of the legislative body. He believed that was done to cover the forty-four day comment.

123
124 Regarding Section 110, Mr. Sweeney noted there were no changes in this section.

125
126 Going to Subchapter 2 – Officers, Mr. Sweeney referred to paragraph two ‘The City Council’s
127 number of terms of office and election.’ There would be seven members with three-year terms with
128 no more than three shall be elected at any one time.

129
130 Mr. Sweeney then went to Section D which talks about changes to elections within districts where
131 it reads, ‘Voters of the City residing within the limits of each district shall elect three of its residents
132 as members of the City Council. The seventh member of the City Council shall be elected at-large
133 by all members of the city. Ms. Myers asked if this was cast in stone or if this was just suggested
134 changes. Mr. Sweeney replied it was not cast in stone. Ms. Myers stated that she was questioning
135 the districts and that she had an issue with two districts because she still feels that if there is a
136 Village District and a Town District it will perpetuate the Village/Town problem. She believed that
137 the committee should come up with a different way to do the districts such as making three or four
138 districts, or that there be no districts at all, and all of the Council be elected at large. If there is a

MERGER TASK FORCE

September 21, 2005

139 Village District and a Town District there would still be that thing out there that perpetuates a Town
140 and Village. Mr. Lajza stated he couldn't support the notion of all members being elected at-large
141 because you could have all the residents of one street being elected. He felt there needed to be a
142 broad representation of the people. Ms. Myers suggested that there be three districts, with two
143 elected from each district and one elected at-large. She also recommended that someone familiar
144 with setting up districts could come in and not necessarily use the village/town boundaries that now
145 exist.

146
147 Mr. Overton stated that staff had given the committee a map that showed the district boundaries
148 essentially as they were with the exception of the Village incorporating a large piece of Pinewood
149 Manor. The discussion was that it would make sense to have districts that roughly resembles the
150 boundaries of the Village and the Town so the committee went with two districts. He believed they
151 need to do something and that the make-up of the voting districts is something that could be
152 revisited at a time certain after the enactment of the Charter. At the time of the initial enactment, in
153 good faith, the committee has to go with the two districts, which is naturally there. It may well be
154 that down the road the population would agree that there be more or smaller districts. He didn't
155 believe that needed to be planned by the committee. If the committee felt it was appropriate they
156 could bring in a population districting expert and put in four or five districts but he felt that was
157 silly.

158
159 Mr. Blanchard agreed with Ms. Myers in that the sooner the committee gets rid of the Town/Village
160 boundary lines, the quicker they would sell the idea of merging. He would like to see that happen.
161 Mr. Overton stated that the two communities had developed the way they had naturally because
162 there was a Village and Town. He felt the two districts could be divided in any way they wanted,
163 but it would be a lot of work for nothing. Ms. Billado felt going away from the two districts would
164 complicate the matter, and she supported everything Mr. Overton had said. Being that everything
165 in the Charter was stating 'City', that terminology alone was getting rid of the 'Village/Town'. Ms.
166 Myers stated that 'City' was only used for ease of terminology and hadn't been decided upon. For
167 simplification purposes, Ms. Billado didn't understand why they didn't continue down the path
168 with the two areas and when the redistricting occurs in five to seven years they could go through
169 the process again.

170
171 Mr. Overton stated that the people in the Town and Village understand the boundaries of the two
172 communities. The committee asked that they get two districts where the votes are roughly equal. If
173 the committee was going to put a Charter out there for vote, and they chose four districts, it would
174 complicate the issue and confuse people on where they need to vote, which is an unimportant issue.
175 If they voted into the Charter a sensible way to study the districts over the course of four to five
176 years, that might be a solution. He believed they should move forward with what's easier. Mr.
177 Blanchard understood that with Mr. Overton's comments, he just extended the transition period
178 from one year to five years.

179
180 Mr. Sweeney checked the Merger Task Force minutes of July 27, 2005 and there was a Motion
181 approved to form two districts in the beginning, with three representatives from each district, and
182 one at-large, for the transition period of four to six years. That didn't mean they couldn't revisit it.
183

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184 Mr. Overton stated that the committee had been asked to draft a Charter and propose a transition
185 process. Nowhere did it say that a transition process had to last one-year. For instance he felt the
186 seat of government should be set forth in a transition part of the Charter that says initially for a
187 period of four to five years, the Town offices will be located in Essex Junction. The issue of
188 whether the Municipal Office should be built someplace else and how the districts should be broken
189 down are very complicated issues that require a much longer study than the committee has been
190 asked to put into the process. He believed it should be kept simple and moved forward. He was all
191 for revisiting the district issues but he didn't think this committee should do that. It should be left
192 up to the governing body when elected.

193
194 Ms. Myers stated she understood what Mr. Overton was saying but he hadn't changed her opinion.

195
196 Mr. Boucher felt that if the committee did a good job and the community made the choice, they
197 would be okay with it.

198
199 Mr. Overton felt if the committee sets up hurdles such as making more than two districts and
200 mandate items, they would have more people with reasons to defeat the Charter. Ms. Myers felt
201 that the community members were more intelligent than that, and could make smart choices and
202 understand such changes. Ms. Myers stated her preference was to have seven seats at-large with no
203 districts. That would allow anyone to serve on the Selectboard whether they live in the Town
204 outside the Village, or in the Village.

205
206 Mr. Lazja stated that right now as part of the Village Community he feels he has no representation
207 and he hasn't had any for 5-6 years. Ms. Myers stated it wasn't the Selectboard's fault that they
208 hadn't had people from the Village run for Town Selectboard. Mr. Blanchard stated he didn't
209 believe that one person can represent an entire community because they won't understand every
210 little area. Each area has its own sets of concerns.

211
212 After hearing Mr. Blanchard's concern, Ms. Myers stated her preference would be to have two
213 districts and one at-large, configuring the districts in a way that doesn't perpetuate the
214 Town/Village line.

215
216 Mr. Boucher felt that if the people of the Village and the Town at a meeting a year from now vote
217 to adopt a Charter and to accept a transition plan, he predicted the issue of Town/Village would be
218 gone once the vote passed favorably. Ms. Billado didn't see why the issue couldn't be deferred
219 until 2010 when a new census is done and the legislative representation for districting will need to
220 be done.

221
222 Ms. Wrenner felt keeping it simple was a good approach and having only one district would be her
223 vote. If a neighborhood felt they needed representation then they would supply a candidate. That
224 would give the communities the merger feel right away. Mr. Sweeney didn't feel the Charter
225 would pass with that approach. The reason he supported two districts, Town/Village was because
226 there could be a sunset plan. A sunset plan would line up with the next census. The people in both
227 the Town and Village deserve assurance that they will be protected for some period of time. If the
228 communities start as one district, we may or may not get people from one area of Town which

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229 might result with some unfair decisions being made. He would like to prevent that from occurring
230 by design. Ms. Wrenner stated that even with two districts they could still have three
231 representatives from one street, as the Board of Trustees does now.

232
233 Mr. Overton believed that if there was just one district vote, there would be the worst Town/Village
234 donnybrook we've ever seen. The people in the Village and the Town have to feel comfortable the
235 first time out. After citizens vote and see how the community works together as one, the
236 Village/Town animosity will disappear. Ms. Myers stated that if this committee made the decision
237 to have one district with seven at-large seats, and the committee backs that and they go out to
238 community and both legislative bodies backed the decision of this committee, with no people
239 behind the scenes saying it should be different, then the people will support it.

240
241 Ms. Billado believed that there wasn't a consensus in the room right now for that concept. She felt
242 it was at 5-3 right now. If the concept couldn't be supported by this committee, then in her opinion
243 the Trustees and the Selectboard also wouldn't have consensus. Mr. Overton felt there was a 7-2
244 vote now. He believed Ms. Myers was one of the Selectboard that the committee needed to
245 persuade because she might undo what the committee does by going back to her Selectboard and
246 state that it should be one at-large.

247
248 Mr. Scheidel wondered if there wouldn't be a small version of the donnybrook with the at-large
249 elected official. Mr. Overton didn't feel the one at-large would have any more power than anyone
250 else. Ms. Billado felt that at least with the 3-3-1 concept there would be relatively equal
251 representation from all communities. Five years later when the community is looking at new
252 census numbers and redistricting legislative representatives, then we can redistrict into wards or
253 boroughs. She felt there would be a large work load for management to dovetail all of the
254 committees. To compound that with several districts would be a lot for the community to think
255 about.

256
257 Mr. Boucher felt that the Village people were giving up a lot in this merger and if it wasn't done
258 fair and correctly, it wasn't going to fly. This has been going on for forty to fifty years now and if
259 this committee does it fair with an open mind, it will pass. There needs to be give some give and
260 take and the Village has given a lot in this merger.

261
262 Mr. Sweeney asked Ms. Myers what she wanted to do since she brought up the topic of districts.
263 Ms. Myers stated she just wanted the opportunity to express her opinion since she wasn't there for
264 the vote, and she had done that. Mr. Overton felt the committee could re-vote the issue.

265
266 Mr. Overton stated he was in favor of at least two districts and probably more. The only concept he
267 was really against was the idea of one big district. What was in the proposed Charter currently was
268 that there would be two districts, which shall elect three each to the Council with the seventh
269 member being at-large.

270
271 **ALAN OVERTON MOVED AND JOHN LAJZA SECONDED A MOTION THAT THE**
272 **COMMITTEE ACCEPT THE LANGUAGE AS WRITTEN IN SECTION 202D.**

273

274 Mr. Sweeney asked if the Motion carried a sunset provision along with it. Mr. Overton stated that
275 he couldn't give him an answer since they weren't in that section of the Charter. He felt that after
276 in a parenthetical clause it could be noted that the issue of districts should be revisited within a
277 stated period of time following the adoption of the Charter.

278
279 **ALAN OVERTON ADDED TO THE ORIGINAL MOTION THE PROVISION THAT**
280 **THERE BE A SUNSET PROVISION IN THE TRANSITION THAT REQUIRES THE**
281 **COUNCIL TO REVIEW THE DISTRICTS WITHIN FOUR YEARS. DEB BILLADO**
282 **SECONDED THE MOTION.**

283
284 Mr. Lajza wondered if they could craft the 3-3-1 representative language to represent the number of
285 districts regardless of the way they were. Mr. Blanchard felt it needed to be clear when sent to the
286 Legislature. Mr. Overton would like to see a Charter that ends up as a Charter and at the end have
287 transition information that will disappear over years. He would like to see the Zoning and Planning
288 of the two communities work together to come up with an overall plan and zoning ordinance. That
289 may take more than one year but it disappears once it's done. Ms. Billado stated that activity was
290 in the Plan of Merger. The Plan of Merger is the document that gets implemented. In it will be
291 broad instructions of how they are going to implement the merger. Mr. Overton felt some of that
292 transition would be left up to the new elected officials. He felt the question of districting belongs to
293 the new community's elected officials. Ms. Billado felt that charge will be in the Plan of Merger as
294 well as the charge to dovetail the two planning departments, fire departments and library. She
295 believed that dovetailing would be given to management, but the redistricting should be a charge
296 for the elected Council.

297
298 Mr. Overton stated he looked over the transition piece as it was drafted and it didn't seem all that
299 bad but it would need some tinkering. He believed the new council would appoint the people to
300 dovetail the planning departments.

301
302 Mr. Safford stated there were processes for creating districts in other Charters and he and Todd
303 could provide the Board examples of that. He felt it might help to put in a clause that stated 'using
304 the 2010 census in 2012, the community shall redistrict'. Then they could stipulate the process
305 which they shall go about redistricting without prejudging how many districts. Ms. Myers didn't
306 feel that should go in the Charter because that would give a date certain. Mr. Safford replied that
307 some communities have it in their charter and at every census they stipulate that's when they will
308 redistrict. That way there is a benchmark for the legislative bodies to get together and establish the
309 districts based on the population at that time.

310
311 Mr. Odit clarified that there was the Charter, and the transitional provision that was Session Law.
312 The Charter becomes codified in the green book. The Session Law says how you are going to deal
313 with zoning and other issues which could contain a sunset clause repealing a portion of the Charter
314 that is not codified. There would be two items going to the Legislature, but not everything is
315 codified in the Charter. There are transitional provisions that are Session Law.

316
317 Ms. Wrenner thought that when the committee discussed this issue before, the only reason they
318 weren't going to one district immediately was because they thought they could help the people

319 make the transition to a merger by saying there were two districts up front and to revert to one
320 district two or so years down the road.

321
322 Mr. Overton wanted this Charter to be adopted by the Village and Town and in order to make the
323 people in the Village and the Town comfortable, it would have to be done the way it was on the
324 table. If the committee wanted to torpedo the process they should go directly to one large
325 community. The only alternative that made sense to him now was the five or six districts but he
326 didn't want to do that now because it needed a lot more study than the committee should do.

327
328 **MR. OVERTON REPEATED THE MOTION THAT THE COMMITTEE ACCEPT THE**
329 **LANGUAGE AS PRINTED AND REVISED IN SECTION 202D, WITH A**
330 **PARENTHETICAL PIECE OF THE MOTION THAT THEY WILL PLACE IN THE**
331 **SESSION TRANSITION PLAN PIECE A SUNSET WITH REGARD TO A PERIOD OF**
332 **TIME FOR THE NEW COMMUNITY COUNCIL TO CONSIDER REDISTRICTING**
333 **WITHIN FOUR YEARS.**

334
335 Mr. Lajza asked if the committee needed to alter the wording as it was written because they defined
336 two districts. Mr. Overton believed that if the Selectboard sits down over the course of three or
337 four years and decides the proper number of districts is five, then it's a simple thing to decide how
338 many would be needed from each district. The Charter would need to be amended at that time.

339
340 Ms. Billado asked for clarification on the parenthetical clause. Mr. Overton stated he was adding it
341 to the Motion and he was suggesting that they should vote to put in the Plan of Merger a process to
342 revisit the districting after proper study. Mr. Odit clarified that a sunset would typically repeal
343 section 202D at a certain time. Mr. Overton stated he wanted to give the new council a certain
344 amount of time to study the idea of districts and that within four years they should re-establish the
345 districts to what makes sense at the time.

346
347 Mr. Lajza believed that Burlington redistricted after each census and wondered what was in their
348 Charter. Mr. Sweeney felt there could be words in their Charter that coincided with the census.

349
350 Mr. Overton pointed out that there was a Charter in the model, Section 6.02 that refers to council
351 districts and adjustments of the districts.

352
353 Mr. Lajza just wanted a way to change the districts without needing to go to the Legislature. Mr.
354 Safford stated he could copy Charters from other districts for the committee so they could take a
355 closer look.

356
357 **THE MOTION PASSED: 6 - 2 (Myers and Wrenner opposed.)**

358
359 Mr. Sweeney referred to item paragraph E 202 which the committee added, "Council Members
360 shall be limited to 'X' consecutive terms after which they shall not be eligible for election to the
361 City Council until three years have elapsed commencing with the end of the last term served."

362
363 Mr. Overton believed the committee had discussed two or three terms and then sitting out a term.

364 Ms. Myers asked why it was set up that way. Mr. Lajza stated he felt that name recognition was
365 very important and it was difficult for anyone to run against someone with that recognition, so no
366 one runs against the incumbent. That limits the number of people that run. Ms. Myers asked if
367 there were any other communities in the State that had term limits. Mr. Odit and Mr. Scheidel
368 didn't know of any. Mr. Lajza believed there should be a leader. Ms. Myers didn't believe it was
369 always good to be the first. If there are people willing to serve, they should not be penalized
370 because they are willing to serve. Mr. Lajza didn't believe they were being penalized but were just
371 given the opportunity to rest. There were many other things they could do to serve the community.
372 Ms. Billado stated that in the last two elections in the Village and Town for the Selectboard and
373 Trustee seats, the incumbents had no opposition. For a community with 20,000 people that said
374 something. Ms. Myers felt that it also said something when a community of 20,000 can't get full
375 Boards and Commissions because there aren't enough volunteers. She felt if someone wanted to
376 run they should be allowed to. Those that run for a long time have valuable institutional memory
377 that can be relied on. Ms. Billado believed the intent was to open the doors to other people who
378 feel there is no opportunity. Ms. Myers could see that a person out of office for the three years
379 might choose to go back to the Selectboard and then they would be running against someone that
380 might be perfectly good Selectboard member.

381
382 Mr. Boucher responded that Vermont seems to be first in many things and he felt name recognition
383 was an asset for an incumbent. He felt many schoolteachers had the advantage of name
384 recognition. Ms. Myers felt name recognition was not an argument. If the person was a good
385 legislator then why shouldn't they able to continue doing the job. Mr. Overton remembered boards
386 he served on that he had to leave after he served his eight years and it was painful because he was at
387 the top of his game, but since he's learned that new blood on the committees and boards is a good
388 thing. He also felt there was some argument for losing institutional memory. He could go either
389 way on the issue.

390
391 Mr. Blanchard believed that if someone comes back after the three years, they would come back at
392 a disadvantage no matter how long they were there before. The person that replaced them could be
393 doing a good job and the person coming back would be placed on the back burner for the rest of
394 their life. He was in favor of a limited term however because he looks at holding office as one of
395 the greatest parts of our democracy and not enough people get a chance to hold office.

396
397 Ms. Billado felt there was another argument for term limits and that was if a member was on the
398 committee for a long time, they begin to serve their own agenda instead of the community's agenda
399 and she wasn't sure that was a healthy thing for a community. Ms. Myers disagreed stating that if
400 the person was living their own agenda and not the community's agenda, then it was the
401 community's responsibility to remove the person from that spot.

402
403 Mr. Sweeney reminded the committee that they needed to replace the 'X' with something. Mr.
404 Scheidel recalled that when he first came into his position as Manager, John Bartlett was Chair of
405 the Selectboard and he didn't run after a term or two stating it was his practice to run for a couple
406 of terms and do something else. Mr. Scheidel wondered why the term couldn't be self-regulated
407 with the new Council and that once they stepped down they would be appointed to another
408 community board. Ms. Billado stated that the politics of running is to move up the ladder.

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JOHN LAJZA MOVED AND GEORGE BOUCHER SECONDED A MOTION THAT PARAGRAPH E 202 READ “COUNCIL MEMBERS SHALL BE LIMITED TO THREE CONSECUTIVE TERMS AFTER WHICH THEY SHALL NOT BE ELIGIBLE FOR ELECTION TO THE CITY COUNCIL UNTIL THREE YEARS HAVE ELAPSED COMMENCING WITH THE END OF THE LAST TERM SERVED.” THE MOTION PASSED 7-1 (Myers opposed).

Mr. Sweeney referred to Sections 203, 204 and 205 and asked if there were any comments. There were none.

Referring to Section 206A, Mr. Safford recommended the word “Board” should be changed to “Boards, Committee’s, Commissions and positions.”

In Section 206B, Mr. Overton recommended that it read, “The City Council may appoint such additional Boards, Committees, Commissions and positions.” Mr. Scheidel felt that if the word positions was left too vague there might be some dispute as to who appoints a Community Development Director because that’s a position presumably set by Charter. Mr. Safford reported that later in the document it states that “The manager shall appoint several department heads with the approval of the City Council.” That may conflict with the language carried over from the Village Charter, which said “The Board shall not dictate the appointment or removal of any administrative officers or employees.” After some discussion, Mr. Overton suggested that the word positions be taken out. He believed the manager would be in charge of appointing all positions except those reserved in the Charter such as city attorney and city manager. Mr. Safford felt that the word ‘additional’ was pretty open-ended. Mr. Overton felt the statement should read “The City Council shall appoint such additional Boards, Committees and Commissions”

Mr. Sweeney pointed out that there were other positions such as the CCTA representative, etc. Mr. Odit suggested language to cover those reading “and any other elected or appointed officers authorized by statute, charter, special legislation or rules.” That would cover CCTA, the PRC, etc.

Mr. Safford recapped what he believed Section 206B would say: “The City Council may appoint such additional Boards, Committees, and Commissions as they feel would be in the best interest of the City and any other elected or appointed officers authorized by Statute, Charter, special legislation.

Mr. Sweeney asked if they would need to add any other commissions since they were having discussion with the recreation departments and libraries. Mr. Scheidel responded that when the committee gets to a recommendation in the final Charter they will have to make a decision on whether or not to include the recreation department and library in the Municipal Charter or not. Mr. Sweeney asked why the Planning and Zoning Commission were listed and the library not. Mr. Safford stated that short of something being in the Charter, general State law is followed and general State law is clear in regards to library boards and if it’s not in the Charter to the contrary they are appointed. He didn’t know why the Planning Commission and Zoning Board were specifically mentioned.

454
455 Mr. Lajza felt that the committee needed to place a question mark on Section 206. Mr. Odit noticed
456 that Section 206B read “the City Council can create a commission.” Section 209B2 of the original
457 Charter reads “They can appoint the members of those commissions created.”

458
459 Mr. Sweeney suggested the committee move onto the next agenda item since 9:00 was approaching.
460

461 **Discussion of Future Agenda Items**

462
463 Mr. Sweeney asked if there were any suggestions for future agenda items. Mr. Scheidel reported
464 that on the October 12th meeting the recreation departments would have representatives from the
465 Town and Village to answer the questions sent to the recreation directors. Speaking for the school
466 district will be Brian Donohue, the first line supervisor of the Parks and Recreation Director for the
467 Village.

468
469 Mr. Overton suggested that the first item on the September 28th meeting should be the Charter
470 Review. Mr. Blanchard felt that the name for the new community could also be placed on the
471 agenda. Ms. Myers recalled that the committee wanted everyone there to vote on that issue and Mr.
472 Safford reported that Mr. Mertens would not be there the next meeting. Ms. Billado stated she had
473 Mr. Mertens vote in writing if needed. Mr. Overton wanted to hear what Mr. Mertens had to say in
474 person. Mr. Sweeney remembered that the committee wanted to have the school administration
475 back by the end of October.

476
477 **Public Input – General Comments**

478
479 Bob Marcotte of Essex reminded the committee how the issue got to where it is today. It was based
480 on the fact that they would have a new Charter that would insure in a merged community and that
481 the people in the Village would be sure of having representation. That was the reason for the talk of
482 having six districts. He felt it was an easy process by having an appraiser count the people in the
483 area. Then there would be one elected from each district. If there are three representatives from the
484 Village and three from the Town, the people will not feel there has been a merger and all of the
485 effort will be for nothing. Mr. Overton asked how many districts Mr. Marcotte was recommending.
486 Mr. Marcotte replied six with the seventh representative at-large. Mr. Overton asked Mr. Marcotte
487 if he believed that the village wouldn't be properly represented if there were two districts – one that
488 encompassed the Village with the section of Pinewood Manor and the other the Town. Mr.
489 Marcotte replied that the three votes from the Village and three from the Town would make a
490 divided community. Ms. Myers reported that the way the committee had written it in the Charter
491 was with two districts and it did not say one from the Town and one from the Village. Mr. Overton
492 understood that initially people had to be comfortable with the districts up front and asked Mr.
493 Marcotte again if he felt the Village would not have equal representation with two districts. Mr.
494 Marcotte wanted to defer the question until he had a chance to talk to people. Mr. Marcotte stated
495 that he believed the committee should create a Charter that would look out 20-30 years and felt
496 there were some stipulations that could be put in. Mr. Marcotte passed around a ‘Citizen’s Draft’
497 for the committee to refer to and stated that the first people they need to sell to is the citizens.
498

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499 Mr. Overton asked Mr. Marcotte how he felt about having one district and if it would create a
500 donnybrook. Mr. Marcotte replied that one district may get representatives from only one area. He
501 believed that the Village might not feel fairly represented in that case.

502
503 Chuck Lloyd reminded everyone that there were four informational meetings that were conducted
504 by the Village and Town - when the Village voted twice to become a City and the Village and
505 Town together rejected a Charter that was quite similar to the one being written now. It was turned
506 down overall. He doubted most people have changed their minds in that context. He believed the
507 probability of passing it as one district would not fly. Two districts, as a starting point, might or
508 might not pass. He felt it made sense though.

509
510 Bernie Lemieux felt a good compromise would be multiple districts right away. Three districts
511 might be a compromise. He didn't feel it would be that much more work to make three districts.

512
513 Tim Jerman stated that as one of the Legislators he believes the committee might have a hard time
514 reaching consensus on what all the departments are going to look like and then it has to go to the
515 Selectboard and Trustees, and then the people. He believes that when it goes to the Legislature as a
516 last stop, that hopefully it will shoot right through. His concern was that if the committee starts
517 loading the Charter up with bold actions such as term limits, these actions will be noticed because
518 the legislators would be creating the second largest municipality in the State. He recommended that
519 the committee keep this in mind when creating the Charter because it could be held up for one or
520 two years in the Legislature if there are all the bells and whistles.

521
522 Chris Halpin of School Street stated that this Country has had term limits for presidents since
523 Franklin Roosevelt and he hasn't seen that the United States has gotten any better Presidents from
524 that. There are also many congress members in different states that are limited to how many terms
525 they can serve by State law. He believed that if they made Essex one district with it being the
526 second largest community in the State, it would be one expensive election. It would be difficult to
527 gain access to this government. What the committee was doing here was setting status quo and that
528 status quo would last for some time and the inertia would build. He also didn't think the committee
529 should try so hard to complete the work by Town Meeting because the Town Meeting doesn't get
530 nearly the participation from voters as the general election. He urged the committee not to rush
531 because what they were doing temporarily could be permanent because inertia is difficult to move.

532
533 Dave Willey stated he believed the number of districts should be three. If there were two districts
534 there would still be the Village/Town situation. If there were three districts, it dispels the whole
535 thing and there would be a much better chance of it passing. He also didn't think there should be
536 any more than three districts.

537
538 Mr. Marcotte stated that the 'Citizen's Draft' that was being passed around stated that the set-up of
539 seven Council members was only for a period of four years. It could then be reduced if necessary.

540
541 **AT 9:07 P.M. GEORGE BOUCHER MOVED AND RENE BLANCHARD SECONDED A**
542 **MOTION TO ADJOURN. THE MOTION PASSED 8-0.**

543

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544

545 **Respectfully submitted,**

546 *June M. Campbell*

547

548 *June M. Campbell*

549 Recording Secretary

550

551

552

553 (THESE MINUTES ARE SUBJECT TO CHANGE AT THE NEXT MERGER TASK FORCE
554 MEETING)

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**MERGER TASK FORCE
ESSEX/ESSEX JUNCTION
MEETING MINUTES
SEPTEMBER 28, 2005**

MEMBERS PRESENT: Hugh Sweeney, Chairperson; George Boucher, Deb Billado, Alan Overton, Irene Wrenner, John Lajza, Alan Nye and Linda Myers.

STAFF PRESENT: Patrick Scheidel, Town Manager; Charles Safford, Village Manager; Todd Odit, Assistant Town Manager.

OTHERS PRESENT: Bob Marcotte, Bernie Lemieux, Chuck Lloyd, Dave Willey and Jeff Harten.

Mr. Sweeney called the meeting to order at 7:05 p.m.

BUSINESS AGENDA

Public Input on Agenda Items

Mr. Marcotte drew attention to copies of an Essex and Essex Junction Voting District map he distributed to the members. Mr. Sweeney asked whether he was referring to the agenda or to the hand out. Mr. Marcotte explained that he wanted to clarify a mistake on the Essex and Essex Junction Voting District map, that a line near the Brickyard on the map should be removed as part of District #3. Mr. Sweeney stated that his comment should be discussed at the end of the meeting in the Public Input and that this item was for comments on the agenda only. Mr. Marcotte replied that this issue is regarding merger and the six districts. Mr. Sweeney agreed to hear Mr. Marcotte's input at this time, but stated that it was really to discuss the agenda since the committee is working on the Charter tonight.

Mr. Marcotte stated that there are three major items that should be addressed very soon by the committee; one being the name of the community, the other two being the location of the offices and the district voting. He stated that since the public voted on the merger on April 8, it has been five months, and there has not been resolution on any of these three items. He commented that there should be a unanimous or majority vote or consensus to resolve these items before moving forward on any other items.

Mr. Sweeney announced that they had to move the Recreation discussion to a different meeting due to scheduling conflicts.

Minutes of September 14, 2005

LINDA MYERS MOVED AND DEB BILLADO SECONDED A MOTION TO APPROVE THE MINUTES OF SEPTEMBER 14, 2005 WITH THE FOLLOWING CHANGES:

48 Mr. Overton thanked Ms. Billado for editing the minutes.
49

50 **Line 94: Replace 'Inification' with Unification. Line 117: After 'elaborate' insert 'as the**
51 **Essex Town or Village.'** **Line 152: Delete 'not well'. Line 154: Replace 'mine.' with**
52 **'mine,'. Replace 'B' with 'b'. Replace 'servies' with serves. Line 289: Replace 'Hughes'**
53 **with 'Sweeney'. Line 292: Replace 'Overton' with 'Sweeney'. Line 294: Replace**
54 **'address.' with address,'. After 'address,' insert 'Mr. Sweeney said.' Before 'I live' insert**
55 **'Mr. Sweeney said,'. Line 309: Replace 'should vote' with 'should not vote'. Line 317:**
56 **Replace 'voting' with 'that the public vote'. Line 320 and 321: Delete. Line 388: Replace**
57 **'Sweeny' with 'Sweeney'. Line 404: Replace 'asked if this committee was charged with the**
58 **design of the new offices' with ' stated there were two issues; design of the facilities and**
59 **location of facilities.'**

60
61 **MOTION PASSED 7-0.**

62
63 **Minutes of September 21, 2005**

64
65 **LINDA MYERS MOVED AND GEORGE BOUCHER SECONDED A MOTION TO**
66 **APPROVE THE MINUTES OF SEPTEMBER 21, 2005:**

67
68 Ms. Billado stated that in light of all the corrections of September 14th minutes, she felt
69 reluctant to approve any other minutes without further editing them. The errors she found in
70 the September 14 minutes were due to the fact that she viewed the videotaping of the meeting
71 and read the minutes at the same time. She was astounded at how many corrections were
72 required even after the 30-40 corrections they did that night. She stated she was
73 uncomfortable with the approval of the minutes. Mr. Sweeney asked whether Ms. Billado
74 found many corrections as he did not find any for the minutes of September 21. Ms. Billado
75 said she did not because she did not watch the videotape of this last meeting so she is unsure
76 what there is for errors.

77
78 Ms. Myers stated she did not find that many errors in the September 21 minutes but she found
79 many in the original minutes of September 14 without watching the video. She felt that the
80 minutes of September 21 were considerably better than the original minutes of September 14th.
81 Ms. Billado stated that she went to retrieve the video that afternoon but it was still not on file at
82 the library. Mr. Scheidel stated that June Campbell completed the minutes and that she
83 watched the video when she typed the minutes. With this information, Ms. Billado felt more
84 comfortable about this issue and with proceeding with the current item.

85
86 **Line 206: Replace 'Blanchard' with 'Lajza'. Line 216: Replace 'One committee member'**
87 **with 'Mr. Boucher'. Line 231: Replace 'street.' with 'street,'. After 'street,' insert 'as the**
88 **Board of Trustees does now.'** **Line 364: Replace 'Ms. asked' with 'Ms. Myers asked'.**
89 **Line 366: Replace 'Ms. Nye' with 'Ms. Myers'. Line 388: Replace 'loosing' with 'losing'.**
90 **Line 404: Replace 'Barlow' with 'Bartlett'. Line 489: Replace 'Ms. Nye' with 'Ms.**
91 **Myers'. Line 494: Replace 'created' with 'create'.**

92
93 **MOTION PASSED 7-0.**

94
95 Ms. Billado asked Mr. Scheidel if they could expect this level of editing in the future. Mr.
96 Scheidel replied that with the exception of those names at the last meeting, they are attempting
97 to provide better minutes and the minutes of the 14th were an aberration and not necessarily a
98 prediction of the future.
99

100 **Charter Review – Continue Charter Review by Section Using Updated 1999 Charter**

101
102 Mr. Sweeney stated that even though the committee had progressed to Section 207
103 Prohibitions, they did get some input in the packet. He asked whether there should be
104 discussion on the input, which is regarding the process of establishing districts in existing
105 Vermont communities. There are four examples from Barre, Montpelier, Rutland and
106 Burlington of Charter language that allows adjustments of voting districts without Charter
107 changes.
108

109 Mr. Overton commented that it was not appropriate to suggest which of the options they should
110 adopt. He felt that Barre and Montpelier were very well drafted methods to change boundaries
111 of districts. He stated that the current issue to be addressed is whether or not there will be
112 districts and if so, where. He thanked Mr. Stafford and staff for gathering and providing this
113 information.
114

115 Mr. Sweeney felt that the Montpelier language was better. In the Charter for the City of Barre,
116 it states “the boundaries of the wards shall be fixed from time to time by the Board of Civil
117 Authority subject to the approval of the City Council.” In the Charter for the City of
118 Montpelier, it states, “The City Council is empowered to designate or eliminate the boundaries
119 of voting districts. The City Council may make changes from time to time in the number and
120 boundaries of districts as it may deem proper, having regard, so far as practicable and
121 convenient, to an equal division of population among them. Such changes shall not be made
122 more frequently than once in five years. Such districts shall be described by ordinance. Such
123 changes shall be approved by the legal voters of the city at an annual or special meeting of the
124 city and shall become effective immediately upon approval.” Mr. Sweeney supported the
125 language in either Charter and particularly the language in the Montpelier Charter that states “
126 Such changes shall not be made more frequently than once in five years. Mr. Sweeney liked
127 the idea of the new City Council or Board of Selectman being able to make those adjustments
128 and subject to the voter's approval, which is a good step.
129

130 Mr. Overton suggested that the committee continue with the Charter. He felt they all agreed
131 the district item should be inserted. Mr. Sweeney stated that the two of them have spoken but
132 they have not heard from anyone else. Mr. Overton replied that last meeting there was
133 agreement on inserting some language for this issue. Mr. Sweeney responded that the
134 committee asked for input at the last meeting but they did not decide on anything. Mr. Overton
135 stated that he was more concerned with where to insert the language into the Charter.
136

137 Mr. Safford suggested putting the Montpelier language, if the committee choose, right after 202
138 D as a new paragraph and perhaps change Section 202 E. Mr. Safford stated that if the
139 committee liked the language in the Montpelier Charter, he suggested inserting the language for

140 the next meeting. Mr. Overton agreed because they would then have a starting place to
141 continue the work.

142
143 Mr. Sweeney asked to hear from other members. Ms. Myers clarified that the discussion at
144 hand was how the districts would be changed at some time. Mr. Sweeney expressed his
145 opinion that districts should be established, regardless of the number, and that he liked the
146 language that allows the new city council every five years to make adjustments subject to voter
147 approval. Mr. Sweeney asked Mr. Safford to insert the language from Montpelier after Section
148 202D in the Charter.

149
150 Mr. Sweeney, read Section 207A “Except where authorized by law, no council member shall
151 hold any other elected public office during the term for which the member was elected to the
152 council.” Ms. Myers expressed the need to reiterate what Rep. Jerman told them at the last
153 meeting, which is if the committee is crafting a Charter that they expect the legislature to
154 approve, the committee would hope not to send them any language that may be a “stopper”.
155 Ms. Myers felt that this sentence, boldface and underlined would be a “stopper” both for the
156 local government committee and for the legislature in general. Ms. Myers stated that currently,
157 there are 38 sitting legislators who hold elected positions either in their town boards, school
158 boards, moderator position or in towns that have elected clerk treasurers and that at least ten of
159 those still sitting, at one point during their tenure in the legislature, also held statewide town
160 positions. According to the Secretary of State's office, the way the language reads they don't
161 consider that it would stand up if challenged. Mr. Overton asked which office made the
162 statement. Ms. Myers replied it was the Election's office of the Secretary of State's office and
163 that it was their opinion. Ms. Myers stated that she has had some discussions with some
164 members of the local government committee who are going to look at this language and they
165 see red flags. She expressed her concern for this issue and reiterated that Rep. Jerman talked
166 about this issue at the end of the last meeting. She continued to state that she and Rep. Jerman
167 are sitting legislators and sitting on local legislative boards. If both she and Rep. Jerman who
168 are going to go back to Montpelier know how we would fare on this kind of issue, then perhaps
169 the committee should reconsider.

170
171 In regards to Section 207A, Mr. Overton suggested leaving A and deleting the bold and
172 underline first, second and third line and continue at “No council member shall hold any other
173 city office”, which is from the old Charter. Mr. Overton questioned the next paragraph that
174 began “This prohibition should not preclude a former member of the legislative body from
175 accepting appointment to the Planning or Zoning Board.” Mr. Overton concluded that this
176 language should be deleted. In regards to Section 207A, Ms. Myers stated that she would delete
177 the first sentence. Mr. Overton continued to state that then the paragraph beginning “This
178 prohibition” would be deleted as well and Ms. Myers agreed. Mr. Sweeney suggested the next
179 paragraph in 207A should be deleted as well. Ms. Myers stated not necessarily because they
180 would be elected by the governing body to represent on regional intergovernmental boards. Mr.
181 Sweeney stated that they added that in response to the first sentence above to clarify that for
182 intergovernmental agencies it would not apply. Mr. Overton added that if they remove the first
183 sentence, then they can remove the two last added sentences because they are not necessary
184 anymore.

185

186 Ms. Billado reminded the committee that Mr. Blanchard who was a former legislative
187 representative of our community; a former trustee, etc. submitted this language into the Charter.
188 She suggested tabling this item until next meeting when Mr. Blanchard is present. Ms. Myers
189 stated that it would be fine. Mr. Nye disagreed in that the committee did not wait for him to
190 return to discuss Term Limits and that when Mr. Mertens was present; they talked about
191 moving through the Charter in an orderly fashion. Ms. Billado asked Ms. Myers whether she
192 wanted to vote on this issue tonight. Ms. Myers stated that the issue will be voted on several
193 times, but wanted to reiterate what Rep. Jerman talked about at the last meeting and felt it was a
194 very logical point of view. She also stated that knowing the issues that they went through
195 concerning the Burlington City Charter, this past year, this language is a flag, and if it is a
196 concern for the members of the local government, it will not reach the floor of the legislature,
197 which is their goal. Ms. Myers reminded the committee that Rep. Jerman stated last week that
198 if this language becomes the “deal stopper”, the Charter could be held up for several years.
199

200 Mr. Overton felt he may agree with Ms. Myers, but he also suggested that since a member who
201 proposed this language was not present that the committee wait until he returns so he can
202 defend his position. Mr. Overton also suggested Ms. Myers have a discussion with Mr.
203 Blanchard before the next meeting to provide him with the information. Mr. Overton disagreed
204 with Mr. Nye and stated that the committee specifically deferred action on a number of matters
205 until Mr. Nye returned. Mr. Overton asked Mr. Safford what was decided about Term Limits
206 the last time they voted. Mr. Safford replied that they voted on them the last time. Ms. Billado
207 stated the vote was 7-1. Ms. Myers added that it was for three 3-year terms. Mr. Nye
208 commented that in regards to Section 207A, Mr. Blanchard would not be present and would be
209 only one vote. Mr. Overton stated that if anyone had an issue that they thought was important
210 enough to revisit, such as the Term Limits, then they should revisit it. Mr. Nye responded that
211 it appears the committee decided at one point to do it one way and then decided to do it a
212 different way another time. Mr. Overton felt that they have been even handed in general and
213 that the committee might have missed one but they have tried to wait on major issues until the
214 right people were here as they have done several times. Mr. Sweeney stated that if an issue
215 needed to be revisited, then they would revisit it at some point.
216

217 Ms. Myers stated that she was willing to wait until Mr. Blanchard returned and requested no
218 further discussion until that time. Mr. Scheidel asked whether it was Mr. Blanchard's issue or
219 whether it was Mr. Blanchard commenting as a former legislative member.
220

221 Ms. Billado replied that Mr. Blanchard wanted that language inserted into the Charter. She
222 suggested that since it was his suggestion, they defer it until he is present and he can respond. It
223 would be fine with Ms. Billado however, if they wanted to move ahead. Ms. Myers replied that
224 she believed the language was a “stopper” and that the committee should wait to hear the
225 comments from Mr. Blanchard when he is present, but that they should leave section 207A off
226 the table and continue with 207B.

227 Mr. Lajza commented that if the Secretary of State's attorney says it is not legal then it is not
228 legal and there is nothing to discuss. Ms. Myers clarified that the Secretary of State said that it
229 won't stand up if challenged.

230 Mr. Overton stated that, generally speaking, if the Charter says something that is different than
231 the Statute, the Charters are deemed to rule. Mr. Overton concluded however that the present

232 issue is whether the committee should table this discussion.

233
234 Mr. Sweeney stated that they do have a legal opinion on 08/29/05 from the Village attorney
235 that states key points. One key point is there is no statute authorizing the municipality to adopt
236 these restrictions. Another key point is that the attorney found no issue with the Vermont
237 constitution and the attorney was not aware of any case that has been upheld in the country
238 regarding a provision like this case.

239
240 Mr. Lajza believed that the issue of late since 1983, is that the legislature has been extremely
241 meddlesome in local control and it sounded like they wanted to continue to be meddlesome,
242 and he found that to be very disappointing. Mr. Sweeney concluded that they would continue
243 the discussion when Mr. Blanchard returned next meeting.

244
245 In regards to Section 207B and C, Mr. Sweeney summarized that b) had to do with
246 appointments and removals and that c) had to do with interference with administration. Mr.
247 Overton remarked that Section 207 was an amendment early on in the process. Mr. Safford
248 clarified that Section 207 originated from the Village Charter. Mr. Safford pointed out that 207
249 states “Neither the legislative body nor any of its members shall in any manner dictate the
250 appointment or removal of any municipal administrative officers or employees”. Mr. Safford
251 believed that Section 207B may conflict with Section 602 of the Charter. He summarized
252 Section 602B as saying the manager's appointment shall be approved by the legislative body.
253 He stated that one could argue that the power to approve is the power to dictate and may need
254 reconciliation.

255
256 Mr. Sweeney confirmed with Mr. Scheidel that B and C were added to the Charter and that
257 adding B may have brought in a conflict with Section 602.

258
259 Mr. Overton noted that in Section 602 it states, “The city manager shall appoint with the
260 approval of the city council.” Mr. Safford suggested replacing 'approval' with 'advice' to make
261 it consistent with Section 207B and C. Mr. Overton referred to Section 206 where it lists the
262 appointments made by the legislative body.

263
264 Mr. Safford explained that the language suggested that positions such as public works director
265 or police chief must be approved by City Council and that the ability to approve is the ability to
266 dictate to the manager. If the manager has to get approved appointments then the legislative
267 body can in fact dictate that appointment. Mr. Sweeney asked how the process currently
268 worked in the Village. Mr. Safford explained that right now, the employees are appointed by
269 the Manager without the approval of the Trustees. Mr. Safford said that he attends the
270 Executive Session to receive feedback from the Trustees and then uses the feedback to make
271 informed decisions. He stated that the process is fundamental to the Council-Manager form of
272 government as the basis and origin of it is to have the Executive appoint without interference.
273 Mr. Safford checked with other Council-Manager governments in Chittenden County and
274 found it typical for the Manager to appoint without legislative approval. He told the committee
275 that there are some positions that were historically elected such as the Clerk/Treasurer, which
276 will be approved by the legislative body. In some cases, the Manager appointed the
277 Clerk/Treasurer and in some cases it was elected and some cases, it was appointed by the

278 Manager with the approval of the legislative body.

279

280 Mr. Overton asked Mr. Safford if he suggests deleting “with the approval of the city council”.

281 Mr. Safford responded that the committee could delete those words or replace 'approval' with
282 'advice'.

283

284 Mr. Sweeney asked Mr. Scheidel what the process was for the Town in regards to the first
285 sentence of Section 602. Mr. Scheidel stated that the Town acts in almost the same way as the
286 Village. He stated that for example, he would announce to the Selectboard that a vacancy
287 existed then follow the protocol of recruit, select, appoint, hire, sign on the dotted line and then
288 inform the Selectboard of the decision afterwards. Regardless Mr. Scheidel explained, the
289 Selectboard always has the ability the next budget year to put a zero in a salary line item.

290

291 Mr. Sweeney stated that it seemed from both explanations, that there is no approval from the
292 legislative body. Mr. Scheidel stated that the inconsistency is with the language and if they
293 leave 602 as is, arguments could be raised on the recruitment and selection process.

294

295 Mr. Overton asked members who sit as trustees or selectman whether they felt comfortable
296 with the Council-Manager form of government. Mr. Sweeney confirmed in Section 602 to
297 replace 'approval' with 'advice'. Mr. Scheidel added that the Selectboard could offer good
298 advice to any new managers and that there needs to be good communication.

299

300 Mr. Overton clarified that the language would read, “The city manager shall appoint with the
301 advice from the legislative body”. Mr. Overton confirmed that by using the language in
302 Section 602, if the Selectboard advised against an appointment by the manager, that the
303 manager could still decide to continue with his decision. Ms. Myers added that she felt most of
304 the legislative bodies have the utmost confidence in their town/city manager and therefore,
305 would support the action by the manager. Ms. Myers continued by saying that if the legislative
306 body had an issue with an appointment, that they would express it and expect the manager to
307 accept the advice and supervise that employee closely.

308

309 Mr. Lajza suggested that the language 'consultation' be used instead of 'advice'. Ms. Myers
310 disagreed because she believed that 'consultation' means that the manager needs to seek
311 approval before making an appointment. Mr. Lajza yielded to that argument. Mr. Sweeney
312 clarified that they would change 'approval' to 'advice.' Mr. Sweeney asked the members if
313 everyone was in agreement. There was no objection.

314

315 Mr. Sweeney opened discussion on Section 208A that states “Compensation paid to the city
316 councilors as reimbursement for expenses shall be set by the voters at the annual meeting, with
317 a minimum of \$500.00 a year each.” Mr. Sweeney asked whether it was \$1000.00 for the
318 Town and Mr. Scheidel responded that it was, but that \$500 was just a minimum. Mr. Safford
319 confirmed that the members in the village receive \$500.00. Ms. Billado stated that she in favor
320 of taxpayers and was interested in reducing the number to zero.

321

322 Mr. Overton referred to the Charter stating that the councilor salary “must be set forth as a
323 separate item in their annual budget” and asked whether the Charter says that there can be a

324 line item objection to the budget.

325

326 Mr. Safford stated that he and Mr. Scheidel recommended the committee discuss the authority
327 of the voters versus the legislative body. Mr. Scheidel and Mr. Safford drafted language for the
328 committee's consideration that would spell out the role of voters in the budget process. Mr.
329 Safford explained that the language could say something to the effect that "the voters would
330 approve the overall budget amount but may not amend line items or departmental budgets,
331 however they may make recommendations in that regard."

332 Mr. Nye commented that currently, it was a separate line item called Selectman Salaries, and
333 there is a dollar amount. Over the past number of years, there have been additions and
334 withdrawals from the budget and when there have been recommendations at Town Meeting
335 even though there isn't a line item approval at Town Meeting, the Selectboard has moved
336 forward with reductions to the budget that are suggested at Town Meeting. Mr. Sweeney
337 asked if there were any objections to Section 208A. Ms. Myers said she had no objections and
338 supported leaving the decision to the new council and the voters.

339

340 Mr. Nye raised a concern about whether there was any language in Section 208B "The City
341 Council shall fix the compensation of all officers and employees, except as otherwise provided
342 in this charter" concerning contracts. Mr. Safford replied that the issue is usually taken care of
343 through a purchasing policy and that he has not seen language of approval of contracts because
344 there could be a variety of contracts. Mr. Sweeney stated the language is referring to personnel
345 salaries and that the manager is responsible for contracts, not the legislative body. Mr.
346 Scheidel added with the exception of the manager's contract. Mr. Sweeney clarified what they
347 were talking about is Public Works employees. Mr. Nye asked whether there is something in
348 the Charter that states that there can, will, should be a Public Works agreement or otherwise the
349 City Council is setting their pay raise. Mr. Scheidel stated the government board authorizes the
350 chair to execute a contract. Mr. Safford asked whether the committee wanted to approve the
351 contracts and members said no.

352

353 Mr. Sweeney asked if the language was acceptable. Ms. Billado asked Mr. Safford what
354 employees are being referred to in section 208(b). Mr. Safford responded that he did not
355 know. Mr. Scheidel gave an example that the Town has a part-time Social Services Officer and
356 the salary is determined by the Selectboard for that service. If there were any other appointed
357 positions of the Selectboard for which the salary would be required, then they have authority by
358 this language to set it. Mr. Sweeney asked Mr. Scheidel whether the language "all officers and
359 employees" was consistent with contracts. Mr. Overton believed that this language was
360 acceptable and consistent with practice and that the legislative body only determines one
361 salary, which is the manager's, and then the other salaries should be the manager's decision and
362 use the advice of the legislative body. Mr. Overton did not see a problem with Section 208A
363 and B Mr. Sweeney and Mr. Scheidel also agreed that this language should remain the same.

364

365 From the suggestion of Assistant Manager Todd Odit, Mr. Scheidel confirmed that Section
366 902A and B helps solve the issue because it gives the power to the Selectboard on all matters of
367 personnel through their policy setting powers. Therefore, personnel rules and regulations, rates
368 of pay, pay ranges, and salaries are already covered in Section 902.

369

370 Referring to Section 209A, Mr. Sweeney stated that it says “all the powers and authority given
371 to, and perform all duties required of, town legislative bodies or Selectboards under the laws of
372 the State of ‘Vermont’. Mr. Overton remarked that this language was pro-forma language in
373 the 1999 Charter and Mr. Lajza suggested to add after 'Vermont' 'or this Charter.'

374 Mr. Scheidel asked Mr. Lajza to clarify his question. Mr. Lajza stated he would like the
375 Charter to supersede state law.

376
377 Mr. Sweeney then referred the committee to Section 209B where he summarized the additional
378 powers of the legislative body. He stated the language of 209A that states, “shall have all the
379 powers” under the State of Vermont and that there are also the powers under 209B. Then Mr.
380 Sweeney referred to 209B 1) “the commissions or departments established by this charter.”
381 Mr. Overton believed that Mr. Lajza's point was that the Selectboard or Council, whichever it
382 will be called, shall have all the powers granted by the statute in regard to these kinds of
383 officers, and he would like to add 'or this charter' at the end of Section 209A. Mr. Overton and
384 other members agreed. Mr. Safford recommended language that makes it clear that this Charter
385 will supersede general state law by the time the revisions are finished. Mr. Sweeney asked Mr.
386 Overton and Mr. Lazja what changes would be made in 209B 1) through 5). Mr. Lajza stated
387 that the current language limits authority to under state statutes and limits the powers of the
388 Charter. Mr. Safford felt it would be fine to add 'or this Charter' and asked if anyone else had a
389 problem with it.

390 Mr. Sweeney asked whether this would be another “silver bullet” that would keep the Charter
391 from moving forward in the legislature but Mr. Nye and Mr. Overton felt it would not. Mr.
392 Scheidel responded that the legislature expects the Charter to have these powers and it would
393 not hurt to make it clear. Mr. Overton referred to 5) Exercise every other power which is not
394 specifically set forth herein, but which is granted to selectboards or legislative bodies by the
395 statutes of the state of Vermont.” Mr. Overton stated that the source of the Board’s power is
396 the state statutes and this Charter. Mr. Safford asked Mr. Overton if he is suggesting to add 'or
397 this Charter' to 209A and it is suggested by Mr. Safford to say 'and/or this Charter.’ Mr. Lazja
398 stated he prefers 'or' and members agreed.

399
400 Mr. Sweeney asked the members to make any comments of Section 209B 1) though 5).
401 Referring to 3) Mr. Nye raised a question whether there is a conflict with the manager hiring of
402 the auditor. Mr. Safford asked a public member and he confirmed that it is important to make
403 sure the protection is there and that the auditor is checking up on the manager and his staff.

404
405 Mr. Sweeney asked whether there were any additional comments for Section 209 1) through 5).
406 Mr. Overton commented that 209B 4) talks about the board can “inquire into the conduct of
407 any officer, commission or department, and investigate any and all municipal affairs.” and that
408 this is covered under Section 207C when it states “Interference with Administration. Except for
409 the purpose of inquiries” under 209B 4), so they are consistent.

410
411 Regarding Section 301, Mr. Sweeney noted there were no changes in this section.

412
413 In regards to Section 302, Mr. Safford suggested the members consider the following
414 information. He stated that the state law has changed to give the voters options. At the last
415 Village annual meeting, the voters voted for a different process of distributing the village

416 report. It used to be required that they had to mail out the annual report to everybody so many
417 days in advance of the meeting. He commented on the various ways to notify the public and
418 that the annual reports are available at the Village Office or municipal offices for public review.
419 The committee is under no obligation to include this section and can just follow state law and
420 options provided. The article that was approved by the Village voters was “should the voters
421 authorize public notice in lieu of mailing or otherwise distributing the auditor's report to the
422 voters by posting a notice in or near the Village Clerk's office at least thirty days before the
423 annual meeting” with an amendment that states “and mail a copy of the annual report upon
424 request.” The Village has saved over \$6,000.00 and is posting the financial statements on their
425 website.

426
427 Mr. Nye remarked that the Town Selectboard reviewed this option but still felt it was their duty
428 to get this information out in a mailing. Mr. Safford stated that you could still choose to
429 continue with mailings but they may not want to bind themselves to this language in this
430 Charter. Mr. Safford stated that you have to mail it unless you warn a vote and the voter's
431 approve it otherwise.

432
433 Mr. Boucher asked Mr. Safford how many newsletters are sent home a year. Mr. Safford
434 replied that they send out three newsletters a year to every mailing address in Essex Junction.
435 Mr. Boucher asked whether there were any complaints. Mr. Safford said that there was a
436 debate at the meeting but it was resolved by the end of the meeting.

437
438 Ms. Myers raised concerns about agreeing not to send the annual report to the individual
439 households. She stated that due to her experience working for a local newspaper for 17 years
440 that no matter how much you think you are letting the population know, there are still those that
441 will say I did not hear anything or know anything about it. If it is sent to the homes, there is
442 no argument other than the voters chose not to read it. She raised other concerns that she has
443 heard from some people that they do not have a computer to get the information off the
444 website. She felt the committee could be shortchanging the citizens of the community.

445
446 Mr. Safford wanted to let the committee know that this option was available if they choose to
447 exercise it. Assistant Manager Mr. Odit suggested that if the committee wanted to leave the
448 status quo but not shut the door at the end of the first sentence it could read “or as otherwise
449 approved by the legal voters at an annual meeting or special meeting.” Mr. Boucher stated that
450 the voters should decide and that there are other ways to get the information. Ms. Myers asked
451 Assistant Manager, Mr. Odit to clarify, and Mr. Odit stated that if they want to keep status quo
452 but not close the door to changing it in the future, you may be able to put at the end of the first
453 sentence “or as otherwise approved by the legal voters at the annual or special meeting.”
454 Committee members felt this was a good solution.

455
456 In regards to 303B Ms. Myers mentioned she thought the hours were traditionally 7:00 a.m. or
457 7:00 p.m and it states in 303B “between 6:00 a.m. and 10:00 p.m.”. Mr. Sweeney responded it
458 was still a minimum of nine hours within these specific times.

459
460 Mr. Lajza commented on Section 303 that he liked the Australian ballot method but also liked
461 Town Meetings where it gives the voter population an opportunity to speak. He asked whether

462 there was any potential for having the budgetary meetings in March where the public gets the
463 chance to provide input and talk about it, have a preliminary approval by voice vote and then
464 30 days later, have it voted on and approved by Australian ballot. Mr. Sweeney remarked that
465 the Selectboard already has a public hearing prior to voting. Mr. Lajza asked whether there was
466 a vote during this hearing and Mr. Sweeney responded no, it was just input.

467
468 Mr. Nye commented that what he liked about the current system in place today is when the
469 meeting is over, you have a budget and you can move forward with it. Mr. Nye also
470 commented on the number of people that turn out to vote runs about 30% more than the number
471 of people that were at Town Meeting so there is not a significant difference. With Town
472 Meeting, there are changes to the budget but after the meeting is over, the local government has
473 a number to work with for the next year.

474
475 Mr. Sweeney added that he feels there is more flexibility as a voter at Town Meeting where the
476 voter has an opportunity to make an argument and then have it voted on versus in the school
477 district where it is all or nothing. There is no option to argue your point of view or make an
478 adjustment and even though there may be less people, he supported the Town Meeting method.

479
480 Ms. Myers added that with the Australian vote method in the school budgets, there is no input
481 from the School Board if it is voted down, they have to just cut the budget. Then the School
482 Board is in limbo trying to figure out why the voters may be voting against the budget. She also
483 stated that even though we have had good luck with the school budget votes in Essex and Essex
484 Junction, that is not to say that is going to continue. Ms. Myers agreed with Mr. Nye's and Mr.
485 Sweeney's opinion about supporting the Town Meeting method and gave an example of a time
486 when she spoke up at Town Meeting to find out what a cut meant and the voters were able to
487 assess whether they wanted to still make a cut or not.

488
489 Mr. Lajza responded that he does not advocate eliminating the Town Meeting, but only how to
490 involve more voters. Ms. Billado believed that one could argue either case or both cases have
491 success stories. She stated that if the school budgets, and this is not under order for discussion,
492 are failing, then there is something wrong perhaps with the process, but that is not the case with
493 us.

494
495 Mr. Sweeney commented that there may be a thousand voters for the school budget but only six
496 that attend the informational meeting. He agreed that they are not hearing from a lot of people
497 and he agreed with Mr. Lazja that a lot of the time, you just don't know.

498
499 Ms. Myers explained that the Essex Town School Board, a week before the budget vote, they
500 have a budget information meeting to explain the budget to everybody and on at least four
501 occasions, I was the only person in the audience and I had to be there because that was my job.
502 So there was not one person who came to listen to what the Board was presenting. Mr.
503 Boucher confirmed that school boards have an information meeting and advertise it ahead of
504 time. A lot of people see the budget go up a million dollars every year, and that most 80% or
505 better is contracts, teacher contracts that you can't do anything about. Ms. Myers suggested we
506 end that discussion. Members agreed.

507

508 Mr. Sweeney asked whether Mr. Lajza was okay with proceeding and Mr. Lajza said yes.

509
510 In regards to Section 304. Budgetary, Mr. Safford stated that this is where staff discussed
511 wanting to clarify the role of the legislative body versus the voters and potentially insert
512 language that the voters will approve the bottom line but may not amend line items or
513 departmental appropriations, however they may make recommendations. He believed that this
514 warranted debate and it would be nice to make it clear as to the delineation of roles. Mr.
515 Sweeney asked Mr. Safford whether this is spelled out in State law and Mr. Safford replied no
516 so it becomes a source of debate. He believed it is better to have clear roles so there is no
517 confusion and hard feelings. The Board may want to hear from voters on recommendations
518 but may not want to make adjustments that may have repercussions that may not be fully
519 appreciated or talked though at that moment in time. Mr. Scheidel added safety issues for
520 instance and Mr. Safford concurred. Mr. Sweeney asked whether staff made a recommendation
521 and Mr. Scheidel had some rough language to use.

522
523 Ms. Myers asked Mr. Safford whether he was talking about taking anything away from the
524 Charter. Mr. Safford and Mr. Scheidel said they were talking about adding to the first sentence.
525 Members agreed to hear it now. Mr. Scheidel recommended inserting the following language
526 after the first sentence, it would read, “ The voters shall have the authority to approve the total
527 dollar amount of the annual General Fund Budget, but may not adjust individual line items or
528 departmental appropriations. However, recommendations in regard to line items and
529 departmental appropriations may be offered.”

530
531 Mr. Overton liked the language but wanted the reason or genesis for the last sentence in Section
532 304 which reads “ No specific explanation need be given for any normal annual operating
533 expense in any office, department or agency which may be increased over the budget amount
534 by not more than ten percent of the office's department's or agency's budget.” Mr. Scheidel
535 explained that basically this means that in any given fiscal year, the budget can exceed the
536 bottom line by up to 10%, by making an emergency expenditure. Mr. Overton added without
537 needing to get voter approval for it.

538
539 Mr. Overton asked if Mr. Safford and Mr. Scheidel would put in the amended line and then
540 when the committee could see it in print, they could go back and revisit it. Mr. Safford
541 suggested that the committee call it the General Fund Budget at the top and then replace 'annual
542 budget' with 'The annual general fund budget' since the voters do not vote on the enterprise
543 fund budget just to be clear. Mr. Overton noted the change from 'annual budget' to 'annual
544 general fund budget' and the heading for Section 304 would read “The Annual General Fund
545 Budget”. Mr. Sweeney asked if there were any other comments on that section of the budget
546 before moving on.

547
548 In reference to Subchapter 4. Planning and Zoning section 401 and 402, Mr. Sweeney
549 described this section as establishing a Planning Commission and a Zoning Board. He stated
550 that it looked standard to him with the exception of a DRB. He asked whether there were any
551 comments from members regarding Section 401. Ms. Myers stated no not now and Mr.
552 Overton stated they had the discussion and he believed they had concluded that the new board
553 would be the right group to make the decision of transition to a DRB.

554
555 Mr. Safford thought as is, the new board would have to amend the charter if they wanted a
556 DRB. Mr. Safford stated that there does not have to be mention of planning and zoning
557 because they are authorized by state law and and doing so would leave the Board the flexibility
558 to do what it wanted. Mr. Overton suggested that Mr. Safford look into whether we should
559 have zoning and planning section, as they have. Mr. Overton wanted to know what the
560 committee needs to do so that the Council can consider at least if they want to, a DRB. Mr.
561 Safford suggested saying that the committee along with the new council would arrive to some
562 language where a city council may establish a planning commission, zoning board or DRB. Mr.
563 Sweeney added in conformance to state law. Ms. Myers asked whether Williston went to a
564 DRB and Mr. Safford stated yes. Ms. Myers asked whether Williston went through a Charter
565 change and Mr. Safford replied no and Williston did not have a Charter until recently. Mr. Nye
566 said the committee could agree on a DRB with the current discussion or the committee could
567 agree on a DRB without changing the Charter based on the current verbage.

568
569 Mr. Sweeney suggested using the language from the state law which is in the Charter that says
570 the town can have a planning and zoning or a DRB. Mr. Overton questioned the use of 'or' and
571 felt that Mr. Scheidel and Mr. Safford need to check. Mr. Odit suggested changing the heading
572 to 'Planning Commission Or Development Review Board Shall Be Established'. Mr. Sweeney
573 stated that he did not want to make a decision and would prefer allowing the new Board to
574 make that decision without changing the Charter. Mr. Overton asked Mr. Safford and Mr.
575 Scheidel if they could create language that enables this to happen. Mr. Scheidel agreed and Mr.
576 Sweeney with agreement from Mr. Overton noted there would be no changes from this section
577 tonight.

578
579 In reference to Section 501, Mr. Scheidel suggested changing 'approval' to 'advice' at the end of
580 the sentence. There were no objections.

581
582 Mr. Sweeney charged on with discussion on Section 502, 203, 504, and 505. Mr. Overton
583 questioned whether to delete "all business personal property acquired by a taxpayer after
584 September 30, 1995 shall be exempt from tax." Mr. Nye commented that it is phased out in
585 both towns but one contract, IBM. Mr. Safford recommended keeping the language in the
586 Charter until it is expired. Mr. Overton asked Mr. Safford and Mr. Scheidel to inquire about
587 this before their Council if the committee still needs that.

588
589 In regards to Section 601, Ms. Myers stated she did not see anything wrong with this section
590 Mr. Sweeney and Mr. Overton agreed.

591
592 Mr. Sweeney noted that Section 602 was already changed. Ms. Myers commented that the Fire
593 Chief was missing from this Section and that since the city manager would appoint this
594 position, she felt it should be added. Mr. Safford suggested adding Librarian and Parks and
595 Recreation Head as well. Mr. Sweeney asked whether it would be called the Library Director
596 or the Librarian. There was consensus from members that it would be called the Librarian.

597
598 Mr. Sweeney suggested leaving out the Recreation Department until after that discussion. Mr.
599 Scheidel stated the next point refers to what Mr. Lajza mentioned previously about potential

600 positions to delete. Mr. Overton suggested that the language is clear enough when it says “and
601 if needed, the city manager may appoint”. Mr. Scheidel and Ms. Myers agreed. Ms. Billado
602 asked to confirm that the health officer is not the same as the animal control officer.
603 This was confirmed by committee members.
604

605 Mr. Safford asked if there was any reason for a constable if there was a certified law
606 department. He noted that constables have been notorious around the state for getting ahead of
607 themselves. Mr. Safford explained that as long as they understand their role and as long as they
608 are appointed by the manager and can be discharged by the manager then there is a safety
609 check. Ms. Myers agreed. Mr. Sweeney asked whether we should add the language and Ms.
610 Myers said yes, third line, right after 'city clerk'. Members confirmed the language 'fire chief,
611 librarian and possible recreation.'
612

613 Mr. Sweeney asked how members felt about Section 701 Fiscal Year. Mr. Sweeney continued
614 on to 702. Preparation and Submission A) “The city manager, at least 50 days before the annual
615 city meeting, or as such previous time as the city manager may be directed by the city council,
616 shall submit to the city council a budget containing:” Mr. Sweeney reviewed 702A 1) to 5) and
617 asked for comments.
618

619 Mr. Sweeney asked if there were any comments about the Budget section. Mr. Overton felt 701
620 was good, and there was no need to change anything in 703, 704, 705. Mr. Sweeney asked
621 whether there were any comments on 703, 704 or 705. There were no comments.
622

623 In regards to 801, Taxation, Mr. Sweeney recapped this section as it says two payments on
624 September 15th and March 15th each fiscal year. Mr. Lajza asked if the committee could alter
625 the number of payments set by the Board without a Charter change. Mr. Scheidel responded
626 sure and the language could read 'these tax are due and payable as the Selectboard shall
627 designate'. It was mentioned that Colchester has three payments and Essex has two. One
628 member stated Williston has three. Ms. Billado believed Burlington has four.
629

630 Mr. Nye, in reference to Mr. Scheidel's remark about cash flow, expressed concern about cash
631 flow and having more of the money there at September 15th as opposed to a quarter of it. Mr.
632 Boucher commented that lower payments throughout the year helps taxpayers. Mr. Sweeney
633 said the other way to look at it is that you get a quarter of the money earlier. Ms. Billado stated
634 that either system works, that it is just the first transition year that pinches. Mr. Scheidel stated
635 that \$0.85 of every tax dollar goes to the school. It is not disrespecting the taxpayer, it is a
636 matter of having the money to do business.
637

638 Mr. Lajza suggested changing the first payment to July 15th and then September 15th and there
639 would be half of the money available. Mr. Scheidel explained that people are on vacation
640 during July and August and need that money. Mr. Overton believed that it should not be
641 changed but that could add ' or as such other schedule as the Selectboard may designate.' Mr.
642 Lajza stated that he did not suggest it be changed but wanted to allow for if the committee
643 wanted to change it. Mr. Overton supported paying earlier and getting a discount. Ms. Myers
644 asked whether there should be an option of a date in between to pay in full. Mr. Overton stated
645 that an individual can always pay in advance. Mr. Sweeney suggested tabling this decision for

646 the future governing board. Mr. Safford reiterated the language as reading 'or as such other tax
647 selection schedule as the city council may design.' Members agreed.

648
649 In regards to Section 802 Penalty, Mr. Safford said it should remain because the statutes can be
650 vague.

651
652 In regards to Section 803, Ms. Myers felt it was good. In regards to Section 804, Ms. Myers
653 stated good. Mr. Sweeney said they have an open meeting next time and if there were no other
654 comments in regards to Section 803 and 804 that the committee stop at this point and move on
655 to the next agenda item.

656
657 **Discussion of Future Agenda Items**

658
659 Mr. Sweeney asked if there were any suggestions for future agenda items for the next meeting
660 aside from the standard agenda, which is to continue going through the Charter and perhaps
661 discussion of Transitional Provisions. Ms. Billado asked whether there was any organization
662 on the agenda for next week. Mr. Sweeney responded no, the next meeting was an open
663 meeting. Mr. Overton asked if everyone was expected to be present next week. Everybody felt
664 they would be there. Mr. Sweeney stated that if we have a full board we could discuss the
665 name of the community.

666
667 **Public Input-General Comments**

668
669 Mr. Lloyd of Essex Junction commented that he supported the option of a single payment
670 halfway through the year for annual taxes versus twice a year. He said he would appreciate that
671 being up for discussion in the next meeting.

672
673 Mr. Lemieux, in regards to the penalty for late taxes, he stated that the 8% for one late day is
674 way too high. He spoke that this happened one year to him. Mr. Overton responded that the
675 penalty is a statutory provision at 8%. He has thought about it many times because he has had
676 people coming into his office with tears rolling down their cheeks with reasons why it
677 happened. If you are going to change this, the place to do it is to give the Board of Abatement
678 more power to abate people who have legitimate reasons. Mr. Lemieux stated that if the 8% is
679 by statute could the Charter override it. Mr. Overton stated that the Charter can, but he would
680 be concerned about taking away the statutory percent. Mr. Odit explained that the Section of
681 law was changed a few years ago and now the town by vote of the people can vote to eliminate
682 the penalty. Mr. Lemieux stated that the amount seems unreasonable. Ms. Myers commented
683 that it becomes a huge problem as to where do you actually draw the line. Everyone has a
684 legitimate reason. Mr. Lemieux suggested charging 2% up to two days and then increase it as
685 the days increase, but that 8% for just one day late is pretty rigid, plus they charge interest. Mr.
686 Sheidel stated that he thought the reason the penalty is 8% is because the people who pay on
687 time have to underwrite the people who don't and he thought that was fair to the majority of
688 people who paid on time.

689
690 Mr. Safford questioned the definition of what is late in the Charter, whether it is late the close
691 of business day, or midnight. Mr. Scheidel explained the way the Town defines it is that they

692 collect taxes at midnight, at plus one minute, we have a person from the Finance Office open up
693 the drop box, collect everything out of the drop box in the presence of the police officer and
694 then anything that arrives after that is officially late. Mr. Sweeney also suggested that they
695 accept postmark on that day and Mr. Scheidel confirmed Mr. Lajza remarked on “post marked”
696 as being a potential disaster if the post office gets it there two days late. Mr. Sweeney
697 remarked that it is the same as the IRS that there is an 8% penalty if you are one minute late
698 and they accept a post mark, which is why the Burlington Post Office is opened until midnight
699 on April 15. Mr. Scheidel commented on Mr. Sweeney's point because if you put your letter in
700 the mail after you get home from work on September 15 and it is the post office in the Town or
701 the Junction, and it is 5:30 p.m. or 6:00 p.m., it is going to get the next day's stamp. You are
702 going to have paid on time, but you won't get credit for it from the post office, which is why we
703 have a drop box. Mr. Scheidel cautioned using the word “postmarked”.

704 Mr. Lemieux raised another issue about paper ballots being offered at Town Meeting for those
705 people who do not like to raise their hand or voice. Mr. Sweeney offered that he thought there
706 was a statute defining paper ballots. Ms. Myers explained that asking for a paper ballot is is
707 just like asking for a roll call. Ms. Myers said she had an issue with making things in
708 government too easy for the citizenry. She stated she believes that if you want to be involved
709 in the government and in the running of your community, you should be able to attend the
710 meeting, and stand up and vote and express your opinion. Ms. Myers stated that she realizes
711 that some people are intimidated. Mr. Lemieux said it does not bother him but he finds it
712 bothers others. Ms. Myers said she thinks that at some time, you need to take a stand. Mr.
713 Billado stated that she suspects that that is the majority of the people that are intimidated by
714 crowds. She also stated that there are pros and cons to both systems. The Town Meeting
715 methodology gives people a very small window of opportunity to participate, only a couple
716 hours and being in the evening when people work all day and have children so they probably
717 aren't going to a meeting that night. Voting gives them the opportunity to go all day. Mr.
718 Lemieux expressed he supports the paper ballot at Town Meeting. Mr. Sweeney responded that
719 there is a provision, which provides for paper balloting at Town Meeting. He stated that he
720 believes it is seven people who need to request it. Mr. Nye stated that in recent years, there has
721 been a motion in the beginning to prevent paper ballots, which must have the support of the
722 majority to pass. Mr. Lemieux agreed that that was what occurred. . Mr. Lemieux felt that
723 it was not right and asked if the committee would consider allowing paper ballots.

724
725 Mr. Sweeney appreciated his input and asked if anyone else would like to speak.

726
727 Mr. Willey questioned that his checks in the past have taken time to clear. Mr. Scheidel stated
728 that as long it is in one of those offices, we consider it paid on time. Mr. Sweeney asked Mr.
729 Safford if there was a box in the Village for the Town taxpayers. He said that there is a box in
730 the Village and they have a slot out on the building. They do not stay up until midnight but if it
731 is in the box when we arrive in the morning, we consider it paid.

732
733 Mr. Marcotte reiterated what he said in the beginning of the meeting that the committee needs
734 to deal with the three issues and get them resolved so the Charter will pass. He stated that he
735 does not understand the delay in setting up the name of the Charter and the location of
736 administration and also the districts. He believed that these are three criteria of the merger that
737 the public wants to see and if they do not agree, then the committee will know it and will

738 change it or proceed. Mr. Overton stated that Mr. Marcotte has been to all of the meetings
739 where they have discussed these issues in depth. He explained that they just are not through
740 with discussing all three of those issues because they are important. He stated that when they
741 are done with the Charter, he thinks they will review it until they are all feel comfortable with
742 it. Mr. Nye added that then there is another process when the Trustees take it to the Village
743 and the Selectboard takes it to the Town. Mr. Sweeney agreed that he does not see the urgency
744 of addressing those until all the people are present to discuss them. He stated that the
745 committee is continuing to make progress and does not feel it is urgent to do this in a certain
746 week and that they are working very well together and making progress. Ms. Myers added that
747 we are not working on a deadline and there is not a time certain that this process is going to be
748 done and that the committee is going to work it out until is gets worked out.

749
750 Mr. Overton commented that he asked a lot of people this week about districts and the
751 argument for one large district versus multiple districts and he heard at least four sound ideas
752 that are very different. The only one he has not heard about yet is the one large district. He
753 stated that he thinks this is such an important issue that they are absolutely going to revisit the
754 issue of districts again and wanted to suggest focusing on a night just to discuss districts and
755 invite all the Selectman and Trustees to get their input on this issue. Mr. Overton stated that
756 there are two goals; one to have a sensible Charter and two, to get it passed. Mr. Boucher
757 commented that both towns will review the new Charter and then the voters need to approve it.
758

759 Mr. Lemieux commented on C-Span today they had the election committee and it is a proven
760 fact that the smaller the precinct, the better voter participation you get. Mr. Overton stated that
761 it was an argument that he had heard as well this week.

762
763 **AT 9:04 P.M. ALAN NYE MOVED AND ALAN OVERTON SECONDED A MOTION**
764 **TO ADJOURN. THE MOTION PASSED 7-0.**

765
766
767
768
769
770

Respectfully submitted,

771

SARAMICHELLE STULTZ

772

Saramichelle Stultz
Recording Secretary

773

774

775

776

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778

779

(THESE MINUTES ARE SUBJECT TO CHANGE AT THE NEXT MERGER TASK FORCE MEETING)

780