



**Town of Essex
Selectboard**

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Regular Meeting Agenda

**Monday, February 28, 2022 – 7:30 PM
REMOTE ONLY**

This meeting will be held REMOTELY. Available options to watch or join the meeting:

- **WATCH:** the meeting will be live streamed on [Town Meeting TV](#).
- **JOIN ONLINE:** [Join Zoom meeting](#).
- **JOIN CONFERENCE CALL:** (toll free audio only): (888) 788-0099 | Meeting ID: 987 8569 1140 | Passcode: 032060

1. CALL TO ORDER

7:30 PM

2. WELCOME AND ANNOUNCEMENT

3. PRESENTATION AND DISCUSSION ABOUT ARTICLE I: Shall the Town adopt a budget for the fiscal year July 1, 2022 to June 30, 2023 as recommended by the Selectboard in the amount of \$16,675,241?

4. DISCUSSION ABOUT ARTICLE II: Shall the Town of Essex authorize cannabis retailers and retail portions of integrated licensee establishments in town pursuant to 7 V.S.A. § 863?

5. ANNOUNCEMENT ABOUT ARTICLE III: Election of the following: Moderator, one vacancy (1-year term); Selectboard, three vacancies (two 3-year term and one 1-year term); Champlain Water District Commissioner, one vacancy (3-year term)

6. PUBLIC TO BE HEARD

7. ADJOURN to the following day, March 1, 2022 for the consideration of all articles to be voted on by Australian ballot.


ANNUAL MEETING - Tuesday, March 1, 2022

The legal voters of the Town of Essex may vote on Tuesday, March 1, 2022 between the hours of 7:00 am and 7:00 pm to vote by Australian ballot. Polling places are:

- Essex High School, 2 Educational Drive for all Essex residents residing within the Village of Essex Junction
- Essex Middle School, 60 Founders Road for all Essex residents residing outside the Village of Essex Junction

Mailed ballots and ballots dropped off at the Town offices must be received (not post-marked) no later than February 28, 2022. Ballots may be returned in person at the polling places on Tuesday, March 1, 2022.

This agenda is available in alternative formats upon request. Meetings of the Selectboard, like all programs and activities of the Town of Essex, are accessible to people with disabilities. For information on accessibility or this agenda, call the Town Manager's office at 878-1341.

Certification:  02/25/2022

**TOWN OF ESSEX
INFORMATIONAL MEETING FOR
ANNUAL TOWN MEETING
MONDAY, FEBRUARY 28, 2022**

SELECTBOARD: Andy Watts, Chair; Patrick Murray, Vice Chair; Tracey Delphia, Clerk; Sue Cook; Dawn Hill-Fleury

STAFF PRESENT: Courtney Bushey, Finance Director; Charles Cole, Fire Chief; Caitlin Corless, Essex Free Library Director; Greg Duggan, Town Manager; Tammy Getchell, Assistant to the Manager; Ron Hoague, Police Chief; Sharon Kelley, Zoning Administrator; Marguerite Ladd, Deputy Manager; Karen Lemnah, Assessor; Dennis Lutz, Public Works Director; Aaron Martin, Director of Public Works Operations/Town Engineer; Susan McNamara-Hill, Clerk; Rob Paluba, IT Director; Ally Vile, Parks & Recreation Director

PUBLIC SPEAKERS: Patricia Crocker, Patty Davis, Roger Drury, Zachery Forcier, Adam Goodroe, Ron Lawrence, Meredith Mann, Hubert Norton, Gillian Smith, Andy Suntup, Rep. Tanya Vyhovsky, Sharon Zukowski

OTHERS PRESENT: Chris Bird, Rep. Alyssa Black, Alex Caron, Nicole Clayton, Heidi Clark, Kevin Collins, Annie Cooper, Annie Davis, Erin Dickinson, Betsy Dunn, Rep. Rey Garofano, Maureen Gillard, Gina Halpin Barrett, Maggie Hjort, Maureen Hoague, David Irwin, Adam Kavanaugh, Sam Kwon, Jacob Law, Ethan Lawrence, Rachael Lizotte, Resa Mehren, Linda Myers, Colleen Nesto, Kristin Romick, Michael Ross, Brian Shelden, Ken Signorello, Margaret Smith, Liz Subin, Linda Suntup, Kristina Sweet, Laura Taylor, Carmelle Terborgh, Amber Thibeault, Michael Thorne, Melanie Tupaj, Jessica Quinn, Janet Watts, Kevin Wrenner, Irene Wrenner, Bill, Bob, Carl, Dawg, Deming, Greg, Juan, HolmT, Patrick, Travis

MODERATOR: Steve Eustis

Mr. Eustis introduced himself as Town Moderator at 7:30 PM and introduced Selectboard Chair Watts. Mr. Watts introduced the other members of the Selectboard and recognized staff, the Essex Junction Board of Trustees, and state representatives present. Ms. Delphia read "An Invitation to Civility." Mr. Eustis explained how the informational meeting would run.

Mr. Eustis read Article I:

ARTICLE I. Shall the Town adopt a budget for the fiscal year July 1, 2022 to June 30, 2023 as recommended by the Selectboard in the amount of \$16,675,241?

Mr. Watts shared the Selectboard budget goals, which included funding equity initiatives and mental health support, funding to address climate change, minimizing the financial impact of separation, and addressing the impact of separation by working towards tax equity. He said that a fund balance of \$431,000 will be used to offset the tax rate and highlighted several staffing changes. Mr. Watts detailed currently consolidated services, and what is being done to disentangle each one, if applicable. He said the Town's contribution to Essex Rescue has increased, and that the Fire Department will have an additional 80 hours of paid fire support.

50 The total increase in the budget is \$750,000, which would result in an average estimated tax
51 increase of 4%, or \$59.36. The largest increases are appropriations (Essex Rescue, Green
52 Mountain Transit, etc.), followed by personnel increases, and Village Highway & Stormwater.
53 The largest expenditures are Police, Public Works, and General Government.

54
55 Mr. Eustis opened public discussion of the budgets. Mr. Suntup asked if the Town was
56 receiving COVID relief funds, and if so, what they were used for. He expressed concern with
57 the rapid rise in taxes. Mr. Watts said that much of the \$431,000 in fund balance is a result of
58 COVID funds. Ms. Zukowski expressed concern that an increase in the grand list will result in a
59 larger increase in the services needed for the increased population. Mr. Watts said that some
60 discussions have been had regarding impact fees to mitigate this. Mr. Forcier commended the
61 Selectboard for keeping the budget low, especially considering high inflation.

62
63 Mr. Eustis ended the public discussion on Article I at 8:03 PM.

64
65 Mr. Eustis read Article II:

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67 *ARTICLE II. Shall the Town of Essex authorize cannabis retailers and retail portions of*
68 *integrated licensee establishments in town pursuant to 7 V.S.A. § 863?*

69
70 Mr. Eustis opened public discussion about cannabis retailers and retail portions of integrated
71 licensee establishments in town.

72
73 Mr. Forcier asked if there would be any additional regulatory mechanisms to determine
74 cannabis levels in potentially impaired people and asked if restaurants would be allowed to
75 serve cannabis menu items. Mr. Watts said that impairment would be determined by the police
76 department, and that no on-premises consumption would be allowed. Rep. Vyhovsky said the
77 Cannabis Control Board was still considering on-premises consumption, but that it will not be
78 permitted at this time. She said there is currently not a reliable method for testing cannabis
79 intoxication.

80
81 Ms. Crocker expressed concern that legal cannabis could increase its availability to youth and
82 asked if any additional educational initiatives would be funded. Rep. Vyhovsky said that funds
83 will be set aside for education and prevention. Ms. Davis asked what the legal age for
84 purchase would be. Mr. Watts said 21.

85
86 Mr. Drury said marijuana is still illegal according to federal law and asked if there would be any
87 protections available against potential federal enforcement. He questioned how the Town
88 could justify authorizing the sale of something that is federally illegal. Rep. Vyhovsky said the
89 federal government will have precedent, but typically does not get involved in these cases. Ms.
90 Mann said that, as a cannabis business owner, that the responsibility of legality is something
91 that the individual business will take on. She said that IDs will be checked at the door of all
92 establishments. Mr. Goodroe asked if there was any financial liability on the part of the Town,
93 given that marijuana is federally illegal. Mr. Watts said no.

94
95 Mr. Norton asked for clarification as to what the “retail portion of an integrated licensee” was.
96 Mr. Watts said that an integrated license involves growing, packaging, and retail. The Town is
97 only able to regulate the retail portion of the license. Mr. Norton asked how growing cannabis

98 will be regulated by the Planning Commission. Mr. Duggan said the Planning Commission has
99 begun this discussion, and that cannabis operations must be a certain distance from schools.

100
101 Ms. Crocker asked if the Town has consulted an attorney regarding liabilities, and if the Town's
102 insurance rates would be increased should retail cannabis be permitted. Mr. Watts said he felt
103 that it was in a similar category as alcohol sales, where retailers would not have any liability or
104 control over how cannabis is consumed. Mr. Duggan said the Towns' insurer has not raised
105 this as a concern. Mr. Lawrence asked if the Police Chief has weighed in on this issue. Chief
106 Hoague said he had concerns about cannabis use and impairment, however none of these
107 were specific to retail sales in Essex.

108
109 Mr. Eustis ended discussion on Article II at 8:31 PM.

110
111 Mr. Eustis read and announcement about Article III:

112
113 *ARTICLE III: Election of the following: Moderator, one vacancy (1-year term); Selectboard,*
114 *three vacancies (two 3-year term and one 1-year term); Champlain Water District*
115 *Commissioner, one vacancy (3-year term)*

116
117 Mr. Eustis said ballots have been mailed out, and that in-person voting is available March 1st
118 from 7 AM to 7 PM.

119
120 Mr. Eustis opened the Public to Be Heard portion of the meeting and called for any other public
121 comments on issues not on the agenda.

122
123 Ms. Hill-Fleury thanked Mr. Murray and Ms. Cook for their service to the Town on the
124 Selectboard. Mr. Cole and Ms. Davis thanked Mr. Lutz for his decades of service to the Town
125 of Essex.

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127 Mr. Eustis adjourned the meeting at 8:36 PM.

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130 Respectfully Submitted,
131 Darby Mayville
132 Recording Secretary

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134 Approved this 7th day of March, 2022
135 (See minutes of this day for corrections, if any)

136
137 
138 Tracey Delphia, Clerk, Selectboard