

**NORWICH PLANNING COMMISSION
DRAFT MINUTES
Thursday October 29, 2020
6:30 PM
SPECIAL MEETING**

Join Zoom Meeting
<https://us02web.zoom.us/j/83480016763>

Meeting ID: 834 8001 6763

Members Present: Melissa Horwitz (C), Brian Loeb, Jaci Allen, Jeff Goodrich, Jeff Lubell, Leah Romano, Ernie Ciccotelli
Public Present: Stuart Richards, Linda Cook, Joe McLean (town legal counsel)
Staff: Rod Francis

1. Approve Agenda
Allen moved and Romano seconded a motion to approve the Agenda. After a roll call vote motion carried 6–0–1.
 2. Meeting Objectives:
 - Discuss possible response to allegations that the 2020 Town Plan is based on actions that violated the Open Meeting Law (OML) made by Commissioner Ciccotelli and Messrs Richards and Wilberding.
 3. Public Comment: Richards asked what was happening about the wastewater study and the Marion Cross School (MCS).
 4. Horwitz moved and Allen seconded a motion to enter into Executive Session with town legal counsel where it is established under 1 VSA §313(a):
 - (1) that premature public knowledge would clearly place the public body or a person involved at a substantial disadvantage:
 - (E) confidential letters, client communications, for the purpose of providing professional legal

AND
service

. § 313(a):
(6) [to consider] records exempt from access to public records provisions of section 316 of [Title 1]; provided, however, that discussion of the exempt record shall not itself permit an extension of the time period in the record itself in which the record may be disclosed.

After a null collimator section, named E-2

The meeting entered into executive session at approximately 6:37pm.

The meeting exited executive session at approximately 8:22pm

5. Any announcement or decision following an Executive Session:
Lubell moved and Loeb seconded a motion to provide a letter with the following text:
Messrs. Richards and Wilbording

Thank you for your letter of October 16, 2020.

On October 22, 2020, the Planning Commission met to consider your concerns and adopted a series of actions intended to reduce confusion and any possibility of a future Open Meeting Law violation. Those actions are described in the minutes from that meeting, which are attached.

As the Planning Commission noted in the October 22, meeting, the concerns you raised do not require the invalidation of the town plan.

Respectfully,

After a roll call vote motion carried 5–2.

6. Public Comment: Richards asked if it was possible to circulate whatever you had agreed on. Horwitz indicated that the letter text was available in the chat function of the Zoom meeting and Lubell advised that a letter was forthcoming.

Richards asked through the Chair if Francis would take ten days to respond to the Public Records Act request. Francis replied that he had acknowledged Richards emailed requests and had no further response.

Cook said that she could not see the chat text because she was joining by phone. Lubell offered to send Richards and Cook the text agreed upon.

7. Meeting adjourned 8:30PM

Respectfully submitted,

Rod Francis