

Minutes of the Selectboard Meeting of Wednesday, December 16, 2009 at 5:30 PM

Members present: Sarah Nunan, Chair; Ed Childs; Suzanne Lupien; Sharon Racusin; Roger Blake; Pete Webster, Town Manager; Nancy Kramer, Assistant to the Town Manager.

There were about 17 people in the audience.

Also participating: Liz Blum, Phil Dechert, Martha Drake, Jessica Eakin, Steve Flanders, Steve Geller, Lucy Gibson, Alma Gray, Linda Gray, Taylor Gray, Neil Fulton, Jim Harlow, Nelson Kasfir, Dennis Kaufman, Joe Lavin, Cheryl Lindberg, Peggy O'Neil, Joshua Powers, Miriam Richards, Roberta Robinson, Earl Thompson, Gerry Tolman, Dan Weintraub.

Nunan opened the meeting at 5:30 pm.

1. 5:30 pm - Litigation (Executive Session May be Required). Pursuant to Title 1 VSA § 313(a)(1), Blake **moved** (2<sup>nd</sup> Lupien) to enter into Executive Session for the purpose of discussing litigation and to invite Pete Webster and Dennis Kaufman. **Motion passed.** The Selectboard moved into Executive Session at 5:32 pm.

At 5:58 pm the Selectboard moved into public session. By consensus, the Board directs Charles Merriman to enter into settlement discussions with the Norwich Gateway.

2. **6:30 pm** - Approval of Agenda (Action Item). By consensus, the Selectboard approved the Agenda with one addition.

3. Follow Up from Last Meeting - Jim Harlow, American Legion Lyman F. Pell Post #8; Jessica Eakin, Youth-In-action; Martha Drake, Senior Action Council; Steve Geller, SEVCA and Peggy O'Neil, WISE (Discussion/Action Item). All five attended the meeting, explained what they do, in particular what they do for Norwich residents and answered questions. At a later time during budget discussions, Joshua Powers from George D. Aiken Resource Conservation and Development also spoke. As a first time appropriation request, Powers was told that RC& D would need a petition to get on the Town Warning.

4. Public Comments (Discussion). Flanders recommended to the Board that they give the Route 132 and Union Village Road intersection project some breathing time. Weintraub spoke about decreasing credit and deflation. Blake brought up the subject of Foley Park maintenance. Dechert and others are still researching who owns Foley Park. Childs advised his understanding that three members of the Selectboard had met with Stuart Richards after adjournment of the Selectboard meeting on December 2, 2009. He inquired as to what was discussed. In answer to a query from the Chair, he noted his understanding that the Chair, Blake and Racusin were present. The Chair thanked Childs for raising the concern, but no one present remembered the topic(s) discussed. Blake noted that he was conversing with other people in the room. Childs reminded the Board that such discussions could be considered a violation of the open meeting law and encouraged increased care in the future.

5. Town Manager's Report (Discussion). The Greater Upper Valley Solid Waste District is getting closer to making a decision on the landfill. Union contract negotiations are ongoing. The Norwich Energy Committee (NEC) is opening bids this Friday on the prospective solar project at Public Works. Webster attended a half-day session for Delinquent Tax Collectors. The Church Street speed limit will be reduced to 25 mph on a one year trial basis. The lights for the skating rink have been installed and are on from 4-7:30 pm. The Town will be receiving a check for \$4,567 from VLCT for participating in the Leader Program. Webster discussed that last year's Leader check was divided equally among the eight employees who participated. The Public Works Department has had 9 call outs in the last 14 days.

Linda Gray gave a brief update on the solar project and said the detailed final numbers are still being worked on. After some discussion, Gray indicated that the NEC will follow Selectboard input on whether to hold a public hearing.

6. Finance – Board to Sign Accounts Payable/Warrants (Action Item). After discussion of three items, Childs **moved** (2<sup>nd</sup> Lupien) to approve Check Warrant Report #10-12 for the period from 12/10/2009 to 12/16/2009 in the amount of \$59,543.79; of which \$57,951.79 is General Fund and \$1,592.00 is General Administration Fund. **Motion passed.**

7. Update on Possible Landfill in North Hartland (Discussion). Racusin mentioned a two-page story about the landfill in the newspaper and asked for a brief update from the Town Manager. Webster said the project has been ongoing about 20 years and a lot of money has already been spent on purchasing the land and building the bridge. The permit to operate the landfill is expiring next year. The Board asked for specific spreadsheet information. Webster told the Selectboard that this information is privileged at this time. After further discussion, Lupien **moved** (2<sup>nd</sup> Childs) to leave further discussion of the landfill until the Board's January 13<sup>th</sup> meeting. **Motion passed 3 to 2** (yes – Childs, Lupien and Blake; no – Nunan and Racusin).

8. 4<sup>th</sup> Budget Work Session (Discussion/Action Item). Webster briefly went over the budget saying that the numbers have been adjusted based on current information. Webster would like feedback from the Selectboard on which budget they prefer and on his proposed paving plan.

Lavin, on behalf of the Norwich Business Council, asked if the Town would take over the expense of the holiday street lights and related electric bill of around \$500 going forward.

Gibson spoke about the need for continued funding for sidewalks. Both proposed budgets have a provision for \$15,000 for the Sidewalk Designated Fund.

Childs would like to see the proposed -8.08 budget increased to -7.5%. Childs suggested additions to: Professional Services under Town Administration; Tax Mapping, Software Maintenance and Office Equipment under Lister Department; Town Plan, Mapping, Printing and Office Assistant Wage under Planning Department; Summer Program Wage and Designated Fund – Dam under Recreation Department; Crossing Guard Wage under Police Department; and Finance Assistant Wage, Advertising and Printing under Finance Department. He would also like to see a second speed cart for the Police Department.

Other items discussed were: fine tuning the budget, appropriation requests, requesting Hodgdon's written recommendation on the proposed paving program, the fleet and the particulars of paving costs.

Childs **moved** (2<sup>nd</sup> Lupien) that the Board authorize Webster to maintain a 7.5% reduction in the budget. **Motion passed.**

9. Open Meeting Policy (Discussion/Action Item). Richards reviewed her letter to the Selectboard. Racusin reviewed the response from Garrett Baxter of VLCT to her three questions. Electronic minutes and agendas are not part of a Vermont Statute. Meetings should not be set up by emailing committee members without copying the custodian of public record. All minutes must be made available within 5 days of a meeting of a public body.

After considerable discussion, Childs **moved** (2<sup>nd</sup> Lupien) to revise the Town of Norwich Open Meeting Policy for Committees, Boards and Commissions to read: "In addition, the agendas and minutes of these meetings will be electronically distributed within 10 days. **Motion passed 4 to 1** (yes – Childs, Lupien, Racusin and Blake; no – Nunan).

10. Tracy Hall Heating/Cooling Systems (Discussion/Action Item). Webster reviewed the letter from Jody Perkins of ACR on the HVAC systems at Tracy Hall. Webster will look into the actual costs and get back to the Board.

11. Correspondence (Please go to [www.norwich.vt.us](http://www.norwich.vt.us), click on Town Offices bullet in left panel, scroll down to Norwich Selectboard section and click on Recent Selectboard Correspondence to view resident correspondence):

- a) Resident –
  - 1) #11 a), b), c), e and f). Letter from Miriam Richards Re: Open Meeting Law and Selectboard Policy, Email from Dan Weintraub Re: A Message to the Selectboard, Email from Dan Weintraub Re: A Message to the Selectboard – One More Thought, Letter from Jane Sargent Re: Trash Dumping at Junction of Hogback Road and Patterson Road and a Letter from Taylor Gray Re: Walk Signal Concern. Childs **moved** (2<sup>nd</sup> Lupien) to receive a letter from Miriam Richards re: Open Meeting Law and Selectboard policy, an email from Dan Weintraub re: a message to the Selectboard, an email from Dan Weintraub re: a message to the Selectboard – one more thought, a letter from Jane Sargent re: trash dumping at junction of Hogback Road and Patterson Road and a letter from Taylor Gray re: walk signal concern. **Motion passed.** Taylor's letter was read.
- b) Nonresident –
  - 1) #11 d). TRORC 10/28/09 Minutes. Childs **moved** (2<sup>nd</sup> Lupien) to receive TRORC 10/28/09 minutes. **Motion passed.**

13. Selectboard

- a) Approval of the Minutes of the 11/24/09 and 12/2/09 Meetings. Lupien **moved** (2<sup>nd</sup> Racusin) to approve the minutes of the November 24, 2009 and December 2, 2009 Selectboard meetings. **Motion passed.**
- b) Fund for Norwich Residents. Lupien spoke briefly about establishing a fund for Norwich needy residents. Lupien will discuss further with the Finance Officer and the Trustees of Public Funds.
- c) Listening Posts/Bulletin Board at Transfer Station for Outreach. A bulletin board place has been built at the Transfer Station. Racusin asked that this item be put back on pending items until after the budget has been approved.
- d) Review Follow-Up Items. Racusin will summarize and email to the Board.

Blake **moved** (2<sup>nd</sup> Racusin) to adjourn. **Motion passed.** Meeting adjourned at 9:50 pm.

Approved by the Selectboard on February 10, 2010.

By Nancy Kramer  
Assistant to the Town Manager

Sarah Nunan  
Selectboard Chair

Special Selectboard Meeting – January 11, 2010 at 6:30 PM

Next Regular Meeting – January 13, 2010 at 6:30 PM

Pending Items:

- 1) Town Report FY09
- 2) Vehicle Acquisition and Replacement Policy/NORCAP Report/Strategic Planning
- 3) Municipal Enforcement of the VT Fire Prevention and Building Code
- 4) Code of Conduct for Town Officials/Employees
- 5) Listening Posts
- 6) Town Boundaries
- 7) Lister Roundtable
- 8) Ownership of Foley Park

PLEASE NOTE THAT CATV RECORDS ALL REGULAR MEETINGS OF THE NORWICH SELECTBOARD. FOR A MORE DETAILED TRANSCRIPTION PLEASE REFER TO THE DVD. DVDs ARE AVAILABLE ONE WEEK AFTER AIRING AT THE NORWICH PUBLIC LIBRARY.