

Minutes of the Selectboard Meeting of Wednesday, April 14, 2010 at 5:30 PM

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

There were about 24 people in the audience.

Also participating: Linda Cook, Phil Dechert, Steve Flanders, Neil Fulton, Linda Gray, Andy Hodgdon, Nancy Hoggson, Nelson Kasfir, Dennis Kaufman, Cheryl Lindberg, Charles Merriman, Keith Moran, Harry Roberts, Roberta Robinson, Demo Sofronas, Irv Thomae.

Blake opened the meeting at 5:31 pm.

1. 5:30 pm - Litigation (Executive Session May be Required). Pursuant to Title 1 VSA § 313(a)(1), Childs **moved** (2nd Lupien) to enter into Executive Session for the purpose of discussing litigation and to invite Pete Webster, Charles Merriman, Richard Blacklow, Steve Wheelock and Dennis Kaufman to join the Session. **Motion passed.** The Selectboard moved into Executive Session at 5:32 pm.

At 6:40 pm the Selectboard moved into public session. No action was taken as a result of the Executive Session.

2. **6:30 pm** - Approval of Agenda (Action Item). Racusin **moved** (2nd Childs) to approve the Agenda. **Motion passed.**

3. Appeal of Common Level of Appraisal (CLA) (Discussion/Possible Action Item). Kaufman would like the Board to hire Merriman to further pursue the appeal of the CLA. The Town's CLA has dropped from 97.07% to 91.40%. This adversely affects all Norwich taxpayers. There was some discussion regarding the new bill H.783 which changes the values for home deductions for income sensitivity taxpayers. Thomae spoke briefly about how a lower CLA increases the school tax rate. Thomae encouraged the Selectboard to engage Merriman. Merriman talked about the decision by the Property Valuation and Review Division (PV&R) to use prior year numbers versus current year. Merriman is unwilling to set a cap but said the appeal process would probably require 4-6 hours of his time at \$150 an hour. After some further discussion, Childs **moved** (2nd Lupien) to hire Merriman to represent the Town in an appeal of the CLA to the PV&R. **Motion passed.**

7. **7:00 pm** - Appointment of Applicants to the Norwich Historic Preservation Commission (Discussion/Action Item). Childs and Lupien both spoke about re-advertising for applicants and delaying the appointment process. Racusin, Blake and Bagnato saw no reason to delay. After some discussion, Childs **moved** (2nd Lupien) to defer interviews for a period of 30 days. **Motion failed 2 to 3** (yes – Childs and Lupien; no – Bagnato, Blake and Racusin). There was some discussion regarding Dechert's memo to the Board about criteria for membership after which Racusin **moved** (2nd Bagnato) to appoint William Aldrich, Roger Blake, Peter Brink and Nancy Hoggson to the Norwich Historic Preservation Commission. **Motion passed 3 to 2** (yes – Racusin, Bagnato and Blake; no – Lupien and Childs).

4. Follow Up from Last Meeting (Discussion/Action Item). The Selectboard agreed by consensus going forward that follow up items would be listed on the agenda or this item would be dropped because there were no follow up items.

5. Public Comments (Discussion). Blake thanked the new members of the Historic Preservation Commission. Bagnato spoke briefly about a training session he had been to that pointed out that Vermont population age is the second oldest in the United States and that Vermont has the highest number of second home residents. Blake said the Selectboard Retreat had been a positive experience and very constructive. Blake was asked to draft a letter of thanks to Julia Griffin and Brian Walsh for their contribution to the Retreat. Dechert passed out hard copies of the April 2010 Draft Town Plan. There will be a Planning Commission Workshop for the 2010 Draft Town Plan on April 29th in the Tracy Hall multipurpose room from 7-9 pm. Lindberg reminded townspeople that the spring Nearly New Sale will take place April 30th – May 2nd and the pre-consignment is taking place now. Lindberg passed out hard copies of Management's Discussion and Analysis and Other Findings and Recommendations from the 2009 outside audit. Review of this item will be on the April 28th agenda. Roberts encouraged the use of Dan & Whit's by the Town. Kaufman once again reminded townspeople to file their HS-122.

6. Town Manager's Report (Discussion). Webster has gone forward with getting a professional commercial appraisal done for the parsonage next door to Tracy Hall. There was some discussion that this does not mean the Board has agreed to recommend the purchase of the parsonage to the Town. Robinson's budget status report as of March 31, 2010 shows no issues. Webster met with Hodgdon and two representatives from Green Mountain Power to discuss Town ownership of street lights and converting to LED lighting. Hodgdon has asked the Town Manager to review two High Risk Rural Roads grants he has received from VTrans for safety upgrades on Turnpike Road and from Main Street to New Boston Road and Beaver Meadow Road in the Chapel Hill area. The signed documents need to be in to the State of Vermont no later than April 22nd. These safety improvements are fully funded, no match money is required. Two long-time residents of the areas have been consulted and are supportive of the proposed safety improvements. After much discussion of the timing, it was agreed that a request for comments from residents would go out on the Town Email List and the Norwich Digest. There is a vacancy on the Board of Listers as Chapdelaine has resigned. Lupien will write a letter of thanks for his years of service to the Town for the Selectboard to sign. Webster has applied for an energy audit of Tracy Hall through TRORC. The solar project will be re-bid mainly due to the "Buy American" stipulations attached to the grant.

8. Liquor License (Renewal) (Action Item). Lupien **moved** (2nd Childs) that the Selectboard convene as the Norwich Liquor Commission. **Motion passed.**

Childs **moved** (2nd Lupien) to approve the liquor license application for Norwich Wines & Spirits. **Motion passed.**

Bagnato **moved** (2nd Racusin) to close the Norwich Liquor Commission session and reconvene as the Selectboard meeting. **Motion passed.**

9. Tree Fund (Discussion/Possible Action Item). Webster would love to see a fund established for tree replacements. The Town has just received an insurance reimbursement of \$9,050 for a tree that was taken out by a car accident at Foley Park. Blum would like to be able to use the \$9,050 for tree replacement. Fulton explained that the insurance reimbursement could only be used to replace the one tree. In order to use the rest of the monies a designated fund would need to be established at Town Meeting. After some further discussion, Racusin **moved** (2nd Lupien) to put an article on the next Town Meeting warning to establish a Tree Replacement Designated Fund. **Motion passed.**

10. Tax Collection Policy (Discussion/Possible Action Item). Webster worked with Robinson to update this policy and clearly define the steps. Lindberg would encourage a time frame on tax sale and dropping first person in the Delinquent Tax Collection Policy. There was some discussion regarding where the discretion went on charging the 8% collection/penalty fee. Lupien asked Webster to do some research on this.

11. Selectboard Policy Regarding Town Email List (Discussion/Possible Action Item). Racusin feels the Town Email List has been used inappropriately on at least one occasion. She would like to see "The Town Email should not be used by individuals for personal reasons." added to the end of the policy. Lupien does not agree with Racusin. After much discussion, the Board agreed by consensus that Racusin would do a revised version for their April 28th meeting.

12. Road Reclassification (Discussion/Possible Action Item). Webster said that Jim Masland has informed him that the Senate may require the Town to take all three sections or nothing. There followed considerable discussion regarding not losing the ability to reclassify Church Street and that a majority of the Selectboard did not want to reclassify River Road to a Class 1 highway at this time. By consensus, the Board agreed to stand by their March 24th vote and asked the Town Manager to contact our representatives and ask them to keep the Town informed as to the Senate's final decision. If the Senate sticks with the all or nothing decision, the Selectboard will hold an emergency meeting to further discuss.

13. Correspondence (Please go to 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) #13 a), b), c), d), e) and f). Email from Watt Alexander Re: Moderator's Announcement at Town Meeting, Email from Cheryl Lindberg Re: Town Manager's Report and Outside Audit RFPs, Letter from Geoffrey Vitt Re: Bragg Hill Litigation Requested Documents, Email from Dan Weintraub Re: Resignation from Finance Committee, Email from Stuart Richards Re: Listers' Lawsuits and Email from Steve Flanders Re: Thoughts on Bragg Hill Suit. Racusin **moved** (2nd Bagnato) to receive an email from Watt Alexander re: Moderator's announcement at Town Meeting, an email from Cheryl Lindberg re: Town Manager's Report and outside audit RFPs, a letter from Geoffrey Vitt re: Bragg Hill litigation requested documents, an email from Dan Weintraub re: resignation from Finance Committee, an email from Stuart Richards re: Listers' lawsuits and an email from Steve Flanders re: thoughts on Bragg Hill suit. **Motion passed.** On behalf of the Board, Webster will send a letter of thanks to Weintraub. Alexander's request will be an agenda item for the April 28th meeting.

14. Selectboard

- a) Approval of the Minutes of the 3/24/10 and 4/2/10 Meetings. Childs **moved** (2nd Lupien) to approve the minutes of the March 24, 2010 and April 2, 2010 Selectboard meetings. **Motion passed.**
- b) Approval of Town Manager Delegations for Norwich Basic Emergency Operations Plan (Action Item). Childs **moved** (2nd Lupien) to approve the Town Manager delegations for the Norwich Basic Emergency Operations Plan and authorize the Chair to sign. **Motion passed.**
- c) Review Follow-Up Items. Racusin will email her list.

Bagnato **moved** (2nd Racusin) to adjourn. **Motion passed.** Meeting adjourned at 9:32 pm.

Approved by the Selectboard on April 28, 2010.

By Nancy Kramer
Assistant to the Town Manager

Roger Blake
Selectboard Chair

Next Regular Meeting – April 28, 2010 at 6:30 PM

Pending Items:

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

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.