

Minutes of the Selectboard Meeting of Wednesday, October 12, 2011 at 6:30 PM

Members present: Ed Childs, Chair; Roger Blake; Christopher Ashley; Linda Cook; Steve Flanders; Neil Fulton, Interim Town Manager; Nancy Kramer, Assistant to the Town Manager.

There were about 27 people in the audience.

Also participating: Phil Dechert, Daniel Johnson, Creigh Moffatt, Karen Ward and several Hanover High 9th Graders.

Childs opened the meeting at 6:33 pm.

1. Approval of Agenda (Action Item). The Selectboard approved the Agenda by consensus.
2. Public Comments. When asked why so many young people were attending the meeting, the Board was told it was an assignment of the 9th grade Hanover High School Social Studies class to attend a Town meeting.
3. Town Manager's Report (Discussion). The monthly Town Manager's report will include an update of the Town reappraisal. Fulton has met with FEMA and walked through the process including the project person and project reports. A RFP for an engineer to assess condition, alternatives, design replacement and permitting process will be going out for the Norwich Pool Dam. Fulton will meet with the Recreation Council to discuss at their November meeting. Due to Bill Krajewski being on vacation, amendments to the NEMC contract will be on the October 26th agenda. Approved expenses for Irene are at \$375,000 and may need to be increased to \$500,000. Ashley inquired as to the timeframe for replacement of the Norwich Pool. Fulton said middle of the summer of 2012 would be the best case scenario. Road standards adopted in 2002 are adequate for FEMA reimbursement. The new standards call for wide bottomed ditches and Fulton would like more time to discuss this with Hodgdon before bringing before the Selectboard. Cook mentioned that reduced width of the road as a result of new ditching can be a problem.
4. Finance – Board to Sign Accounts Payable/Warrants (Action Item). Ashley asked how the outside audit comes before the Board. Fulton explained that he would work with Roberta Robinson to finalize the Management's Discussion and Analysis and Other Findings and Recommendations from Outside Audit which should be done by early December. Cook disclosed that she has no financial interest in the bill paid to her brother under J & S Yard Service. Afterwards, Ashley **moved** (2nd Blake) to approve Check Warrant Report #12-10 for General Fund for the period from 10/06/11 to 10/12/11 in the amount of \$150,672.67. **Motion passed.** Blake **moved** (2nd Flanders) to approve Check Warrant Report #12-10 for Fire Station Fund for the period from 10/06/11 to 10/12/11 in the amount of \$69.38. **Motion passed.**
5. Moving Responsibility of Affordable Housing Committee to Planning Commission (Discussion/Action Item). Fulton discussed the article before Town Meeting in 2005 appropriating \$45,000 to create a revolving fund to initiate contracts for affordable housing and the follow up article in 2008 doing the same, both have expired. Fulton expects an article on the March, 2012 Town Meeting Warning reappropriating these funds. The Chair of the Affordable Housing Committee has suggested the Committee be put under the jurisdiction of the Planning Commission. Dechert and the Planning Commission are supportive of this move. Both the Chair of the Planning Commission and the Chair of Affordable Housing spoke in favor of this action. Under this plan, the existing Affordable Housing Committee (AHC) would dissolve and

the Planning Commission would appoint a subcommittee to assume the responsibilities that previously resided with the AHC.

After some further discussion, Blake **moved** (2nd Flanders) to rescind the bylaws of the Affordable Housing Committee as approved by the Selectboard on September 24, 2002 and to request that the Planning Commission assume the responsibilities of the Affordable Housing Committee as defined in the Mission section of the September 24, 2002 bylaws. **Motion passed.**

6. Appeals of DRB Decisions (Discussion/Action Item). Fulton said this item has been on pending items for awhile. Fulton has spoken with Lawe who recognizes that the Selectboard is the deciding authority but wants the DRB to provide background information. The Board had a discussion regarding what can be discussed in open session and what needs to be done in Executive Session. One of the Hanover students present asked what the DRB stood for and was told Development Review Board.

Ashley **moved** (2nd Flanders) that when a decision of the DRB is appealed that the Norwich Selectboard, and/or the Case Manager on behalf of the Selectboard, will contact the Chair of the DRB to obtain background and information on the DRB's decision and, when appropriate, consult with the Chair of the DRB during the appeal process. **Motion passed.**

7. Resolution to apply for a FY12 Municipal Planning Grant (Discussion/Action Item). This is Phase II of a continuing project to develop a land use plan and implementation program for the area south and east of the Norwich Village. The plan will conform to Town Plan goals. Maximum amount is \$8,000 with no match required.

After some discussion, Blake **moved** (2nd Flanders) to adopt the Resolution for the FY12 Municipal Planning Grant. **Motion passed.**

8. Adopt Revised Alcohol Ordinance (Discussion/Action Item). Fulton has drafted a revised ordinance and is bringing it before the Board for direction. The key issue is the waiver which is only for Tracy Hall. VLCT has been consulted and insurance costs will not be affected. Flanders asked if the Town could be listed on the caterer's insurance policy if practical. The Selectboard discussed State controls, restrictions and whether the Board has the right to say no. Ward said that other venues cost too much money, that Tracy Hall is the Women's Club home base and that they would like to be able to serve beer as well as wine. Blake is concerned about the precedent being set and can appreciate the Town Clerk's position. A student asked why a waiver for the Women's Club only could not be issued and was told that the Ordinance needed to be amended as it did not allow any alcohol in Tracy Hall. Fulton polled the Board on the four options he heard being discussed and said he will revise the Ordinance accordingly for the Selectboard's October 26th meeting. Childs asked that any current violations be checked up on.

9. Driver Feedback Sign (Discussion). Fulton is looking for input on where to place the sign from the Board. Cook believes Chief Robinson should make the decision. It was suggested that the Chief might want to discuss with the Hybels as the crosswalk by their house is dangerous and light from the sign might effect them.

10. Town Email Policy (Discussion/Action Item). Fulton went over what VLCT has defined as a public record. The Selectboard discussed in some detail the specifics. Afterwards, Cook **moved** (2nd Blake) that it is the policy of the Norwich Selectboard that a copy of all email received by a Selectboard member and all email sent by a Selectboard member that relates to business of the Town of Norwich will be sent to the Assistant to the Town Manager who will maintain an archive

file for compliance with the Vermont Public Records Act, unless the Selectboard member maintains an archive file in compliance with the Vermont Public Records Act. **Motion passed.** A student questioned if this policy would apply to all public bodies and was told that this is a Selectboard policy but that public record requirements applies to all Town boards, etc.

11. Appropriation Request Policy (Discussion/Possible Action Item). Fulton has drafted a policy that follows the language already used in a letter that goes out to outside agencies requesting an appropriation. The template for requesting an appropriation has been developed and was reviewed by the current Board.

After some discussion, Ashley **moved** (2nd Blake) to adopt the Appropriation Request and Disbursement Policy. **Motion passed.**

12. Selectboard Subcommittee to Review Process for Sidewalk Evaluation (Discussion/Action Item). With very little discussion, Flanders **moved** (2nd Cook) to rescind the September 14, 2011 motion to appoint Ashley and Childs as liaisons to review the process for sidewalk evaluation. **Motion passed.**

13. Resolution of Thanks for Participants In Irene Cleanup (Discussion/Action Item). This Resolution has been put together to thank Public Works, Fire and Police employees for their response to Tropical Storm Irene. The Selectboard discussed making sure that all employees who participated get a copy of the Resolution and agreed they would like to personally deliver the Resolution to the individuals. Fulton will schedule meetings after consulting with Hodgdon, Leinoff and Robinson. It was also discussed that the Resolution would be put out on the Town Email List and Norwich Digest after disbursement to recipients.

Flanders **moved** (2nd Ashley) to adopt the Resolution Commending Andy Hodgdon and Public Works, Fire and Police Employees for their extraordinary response to Tropical Storm Irene. **Motion passed.**

14. Police/Fire/Public Works Facilities (Discussion). Fulton is working with Clem and the architect and they have provided preliminary layouts to the Police and Fire Chiefs. A DRB hearing has tentatively been set for November 3rd. Fulton is going to suggest to the Capital Facilities Committee that they schedule a public forum to discuss. Fulton has also had discussions with Moffatt regarding affordable housing at the existing police and fire sites. Fulton went over his outline of actions needed to get to a March, 2012 vote. Fulton does not expect a fixed price until early January. Flanders asked for costs of various options, including that of maintaining the status quo. Flanders further wanted Clem to recognize that there was no expectation that Norwich would acquire the property and, therefore, any money he spent with that prospect in mind might be in vain. There was some discussion of the Capital Facilities Committee makeup and when the Selectboard might get their recommendation. The Board agreed the timing is tight.

15. Selectboard

a) Approval of the Minutes of the 9/27/11 Meeting. After some discussion of changes, Ashley **moved** (2nd Blake) to approve the minutes of the September 27, 2011 Selectboard meeting as amended. **Motion passed.**

b) Appoint Neil Fulton as Alternate to GUVSWD Board (Action Item). Cook **moved** (2nd Flanders) to appoint Neil Fulton as the Alternate to the GUVSWD Board. **Motion passed.**

- c) Capital Facilities & Budget Committee Membership (Discussion/Action Item). Cook does not believe the Town Manager should be a voting member. After some discussion, Ashley **moved** (2nd Blake to retain the Interim Town Manager on the Capital Facilities & Budget Committee as a voting member. **Motion passed 4 to 1** (yes – Childs, Blake, Flanders and Ashley; no - Cook).
- d) Review of Pending Items. Items 1) through 4) will be on the agenda for October 26th. Flanders suggested that developing goals and objectives should be added to the pending list as he would rather start earlier than later in the process. Fulton asked that this be delayed until the budget is dealt with somewhere in the January to March timeframe. Ashley asked that the grievance policy be reviewed as part of the Personnel Policies update and suggested reaching out to VLCT for guidance.
- e) Review of Next Agenda (Discussion/Possible Action Item). Aside from items mentioned above the Alcohol Ordinance will be on the next agenda.
- f) Litigation Appeals of BCA Decisions (Executive Session may be Required). Pursuant to Title 1 VSA § 313(a)(1), Ashley **moved** (2nd Blake) to enter into Executive Session for the purpose of discussing litigation appeals of BCA decisions and to invite Neil Fulton to join the Session. **Motion passed**. The Selectboard moved into Executive Session at 9:10 pm.

At 9:44 pm the Selectboard moved into public session. No action was taken as a result of the Executive Session.

Ashley **moved** (2nd Blake) to adjourn. **Motion passed**. Meeting adjourned at 9:45 pm.

Approved by the Selectboard on October 26, 2011.

By Nancy Kramer
Assistant to the Town Manager

Edwin Childs
Selectboard Chair

Next Regular Meeting – October 26, 2011 at 6:30 PM

Pending Items:

- 1) Amendment to NEMC Reappraisal Contract (10/26/11)
- 2) Review of Town Plan Document (10/26/11)
- 3) State of Vermont PACE Initiative (10/26/11)
- 4) Public Works Department Review Committee Final Report (10/26/11)
- 5) Update Finance Committee Statement of Purpose
- 6) Strategic Planning
- 7) Town Boundaries

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