

Minutes of the Selectboard Meeting of Wednesday, March 13, 2013 at 6:30 PM

Members present: Stephen Flanders, Chair; Christopher Ashley; Ed Childs; Linda Cook; Keith Moran; Neil Fulton, Town Manager; Nancy Kramer, Assistant to the Town Manager.

There were about 32 people in the audience.

Also participating: Watt Alexander, Nancy Dean, Cheryl Lindberg, Alison May, Norm Miller, Robin Shield.

Flanders opened the meeting at 6:30 pm.

1. Approval of Agenda (Action Item). After very little discussion, Childs **moved** (2<sup>nd</sup> Moran) to approve the agenda with the addition of an Executive Session for Litigation at the end of the meeting. **Motion passed.**
2. Public Comments. Flanders asked that public comments be limited to 3 minutes and to please state your name and address. Dean asked that all Selectboard members speak more clearly and loudly. Shields asked the Board to act expeditiously to build the tower.
3. Town Manager's Report (Discussion). Fulton said mud season is upon us so watch out for the typical potholes. Hodgdon is staying on top of. A meeting is being scheduled for next week with the Commissioners of DEC and Fish and Wildlife of ANR regarding the Norwich Pool. The Town has responded to concerns brought forth by the agencies. The new vehicle for the Fire Chief is in partial service. The new police cars should be in service next week. The second payment of taxes was due in February. The schools receive most of the money. Delinquent taxes as of the end of February were \$262,489 which compares to \$213,069 last year at that time. Delinquencies are being looked at and long-term ones may be more aggressively pursued. Cook asked if a policy for use of the wood lot had been done yet and Fulton replied that he has a working draft from Hodgdon.
4. Finance – Board to Sign Accounts Payable/Warrants (Action Item). After a couple of questions, Childs **moved** (2<sup>nd</sup> Ashley) to approve Check Warrant Report #13-29 for General Fund in the amount of \$58,736.43, for Police Cruiser Fund in the amount of \$714.01, for Town Reappraisal Fund in the amount of \$8,130.60 and for General Administration Fund in the amount of \$2,000 for the period from 2/28/13 to 3/13/13. **Motion passed.** Ashley **moved** (2<sup>nd</sup> Childs) to approve Accounts Payable Warrant #13-28 dated February, 2013 in the amount of \$4,111.08. **Motion passed.**
5. Liquor Licenses (Renewals) (Action Item). Cook **moved** (2<sup>nd</sup> Ashley) that the Selectboard convene as the Norwich Liquor Commission. **Motion passed.** Ashley **moved** (2<sup>nd</sup> Childs) to approve the liquor license applications for Norwich Inn (2), Dan & Whit's General Store and Carpenter and Main Restaurant. **Motion passed.** Cook asked Flanders to briefly review the applications before them and he did with help from Alexander. Childs **moved** (2<sup>nd</sup> Ashley) to close the Norwich Liquor Commission session and reconvene as the Selectboard meeting. **Motion passed.**

6. Communications Systems Upgrades Including Tower (Discussion/Possible Action Item). Fulton reviewed the proposed Fire/EMS analog simulcast system, the police digital simulcast system and the Public Works analog upgrade. Town Meeting voted to approve a \$275,000 bond. Right now Fulton's best guess at total costs is \$375,000 to \$400,000. In order to not lose the AFG and HSGP grants, Fulton is suggesting installing a short tower attached to the Public Works building and installing radio antennas on the temporary tower. He is also recommending that the communications shelter be put next to the building with communications equipment installed. The shelter would be moved to the new tower location once the new tower was completed and antennas installed. This would cost approximately \$30,000. The temporary tower would need to be operational by July 31<sup>st</sup>. Alexander said that this seemed to be a sensible way to hold on to the grants. Alexander also said that he recognized the site location for the tower argument is done and asked that the NIMBY designation cease. May spoke about focusing on the need for the tower and getting it built as soon as possible. Ashley asked about the timeline for the temporary tower and Fulton said that it needed to be operational by the end of July. He will come back to the Selectboard with costs and timeline for the temporary tower at their next meeting if the Board approves item #7. Moran suggested the Selectboard rescind its decision on the Letter of Intent (LOI) with VTel and move forward. Fulton pointed out that the Board does not have the authority to rescind the LOI and that it is history. The document before the Selectboard now is the Definitive Agreement. Ashley asked if the decision for a second bond vote could wait for the next meeting and Fulton indicated it could. Moran wondered where the options for a lease/purchase agreement went. Fulton said the Town had received three proposals and selected Lake Sunapee. In further discussion with Lake Sunapee, it was determined that they were not willing to have a non-appropriation clause in the agreement which is required by Statute. Cook and Moran suggested using Undesignated Funds and other sources from the budget to make up the difference needed. Ashley asked about the timeline to complete the tower now and Fulton replied December of 2014. Fulton suggested that another option would be to fast track through a sole source design/build and not use the typical process. There followed a discussion of: drawings needed to proceed with the Public Service Board process, the application process, bond vs. bank financing and buying material already done from VTel. Fulton said his goal is to get the tower built. The monies in reserve funds are allocated for specific purposes and cannot be reassigned except by action of Town Meeting. The use of monies in the Undesignated Fund requires an appropriation by Town Meeting. Fulton also pointed out that Town Meeting approved the budget as written and submitted. Having the 2<sup>nd</sup> bond vote would simplify the process. Fulton is looking for direction and wants the Board to focus on the target. It was the consensus of 4 out of the 5 Selectboard members that Fulton pursue the temporary tower, look into fast tracking and go forward with the 2<sup>nd</sup> bond vote. Cook said she needed more information to make a decision. Leasing out space on the tower was also discussed and Fulton said there would need to be an allocation of private activity bonds in order to lease out space on the tower.

7. Approval of Burlington Communications Service Center (BCS) Purchase Order for Communications Systems Upgrades (Discussion/Possible Action Item). Proposals were received December 7, 2012. The Norwich portion is for upgrading the Norwich Police and Public Works communications systems. Based on the criteria detailed in his memo BCS was chosen to do the project. The estimated cost for the system upgrades is \$206,073. This will be partially offset by the HSGP grant of \$92,370, leaving the total cost for Norwich at \$113,703 after reimbursement. After some discussion of the reimbursement process, Childs **moved** (2<sup>nd</sup> Ashley) to authorize the Town Manager to retain Burlington Communications Service Center to upgrade the police and public works communications systems with an estimated cost of \$206,073. **Motion passed.**

8. Approval of Revised Highway Standards (Discussion/Action Item). Fulton said that it is important to adopt the new 2013 standards in order to meet FEMA requirements for receiving funds to upgrade to current codes and standards. The major change is from the Q25 standard for bridge and culvert hydraulic capacity to referencing the VTrans hydraulic manual. The Town of Norwich has been designing to a higher standard than Q25 already. This will save money on structures and paving grants. This U-shaped ditch requirement will only apply to new or major reconstruction of ditches and roads and is in the standards adopted in April of 2012. After some discussion, Ashley **moved** (2<sup>nd</sup> Childs) to adopt the proposed 2013 Road and Bridge Standards for Norwich and authorize the Town Manager to sign. **Motion passed.**

9. 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) #9 a). Email from Rick Otto Re: Open Letter to Selectboard. Childs **moved** (2<sup>nd</sup> Ashley) to receive an email from Rick Otto re: open letter to Selectboard. **Motion passed.**

10. Selectboard

- a) Certificate Honoring Lloyd “Sonny” Tebbetts for 50 years of Service to the Fire Department (Discussion/Action Item). Fulton said the Fire Department had their annual meeting last Friday and Cook presented and read the Certificate. Fulton working with Cook will have the document “prettied up” and framed and then the Board will sign. Ashley **moved** (2<sup>nd</sup> Cook) to approve a Certificate Honoring Lloyd “Sonny” Tebbetts for 50 years of service to the Fire Department. **Motion passed.**
- b) Approval of the Minutes of the 1/25/13 and 2/13/13 Meetings. After some discussion of changes the Board reached agreement by consensus to delay voting on the February 13, 2013 minutes, Childs **moved** (2<sup>nd</sup> Ashley) to approve the minutes of the January 25, 2013 Selectboard meeting. **Motion passed.**
- c) Review of Next Agenda (Discussion/Possible Action Item). Fulton will do a report on the temporary tower and funding. Other items on the agenda will be: a discussion of fast tracking, a meeting with the Planning Commission, proposed changes to the Town of Norwich Subdivision Regulations, a review of the Procedure for Receipt of Correspondence and appointments.
- d) VTel Contract and Litigation (Executive Session May be Required). Pursuant to Title 1 VSA § 313(a)(1), Ashley **moved** (2<sup>nd</sup> Childs) to enter into Executive Session for the purpose of discussing the VTel Contract where premature general public knowledge of the discussion would clearly place the municipality at a substantial disadvantage and Litigation and to invite Neil Fulton to join the Session. **Motion passed.** The Selectboard moved into Executive Session at 8:38 pm.

At 8:57 pm the Selectboard moved into public session. Ashley **moved** (2<sup>nd</sup> Childs) to authorize the Town Manager to be the Case Manager for Christopher and Margaret Katucki vs. Town of Norwich. **Motion passed.**

Cook **moved** (2<sup>nd</sup> Moran) to adjourn. **Motion passed.** Meeting adjourned at 9:01 pm.

Approved by the Selectboard on March 27, 2013.

By Nancy Kramer  
Assistant to the Town Manager

Stephen N. Flanders  
Selectboard Chair

Next Regular Meeting – March 27, 2013 at 6:30 PM

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.