

**David Ormiston**

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**From:** Stuart Richards <srichards@globalrescue.com>  
**Sent:** Thursday, December 15, 2016 12:35 PM  
**To:** Jeff Goodrich; Linda Cook; Phil Dechert; David Ormiston; Miranda Bergmeier; dean.j.seibert@dartmouth.edu; brian.elaine@comcast.net  
**Cc:** Scott McGee; Dan Goulet; jjtwwister@gmail.com; psmith4203@gmail.com; cbrochu30@gmail.com; jonathanvinc@gmail.com; kclemwp6@gmail.com; David.R.Sargent@valley.net; ernieiccotelli@gmail.com; nhdean@comcast.net; subtextvt@gmail.com; johnskerr2@gmail.com; jphillips729@earthlink.net; gtolman@att.net; jimcgold@aol.com  
**Subject:** Open Meeting Law Violations

Dear Norwich Selectboard Members, Planning Commission Members and Development Review Board Members,

This email is formal notice that Phil Dechert, the Planning Commission and Development Review board have on numerous occasions violated the Open Meeting Law cited below:

<http://vlct.org/assets/MAC/Open%20Meeting%20Law/Open%20Meeting%20Law%20Statute%20As%20Amended%202016.pdf>

The violations consist of failing to provide the public with agendas for the Planning Commission and Development Review Board **at least 48 hours in advance** of regular Planning Commission and Development Review Board Meetings and failure to distribute minutes of Planning Commission meetings **within five calendar days after the meeting**. Two recent examples which are by no means the only examples are the distribution of minutes of the Planning Commission meeting of November 10, 2016 and the Agenda for the meeting of December 8, 2016, both of which were distributed the day of the the meeting on December 8. Being "too busy" is no excuse for Mr. Dechert's flouting of the law which he knows quite well. In addition, in Mr. Dechert's minutes for the Planning Commission of 12/8/16 he "acknowledged the problem and the corrective measures being taken." Unfortunately he has not corrected the problem. As the Clerk for the Development Review Board, Mr. Dechert continues to flout the law by issuing an Agenda for the DRB for a meeting on 12/15/16 less than 48 hours in advance.

**1 V.S.A. § 314. Penalty and enforcement** requires that the Planning Commission and the Development Review Board and its Clerk, Phil Dechert, respond within 10 calendar days as provided in the Statute. Failure to respond and to cure the violations can subject all those who have been put on notice to a \$500 fine and being guilty of a misdemeanor. Moreover should legal action be necessary those responsible for the violations will be responsible for legal costs as per the statute. I look forward to a timely response as required by the Statute from Phil Dechert, the Planning Commission and the Development Review Board.

It will be much appreciated if Phil Dechert transmits this official notice to all Planning Commission and Development Review Board members and if Town Manager Dave Ormiston transmits this email to the Selectboard so that this notice becomes a part of the permanent record of each body.

Stuart L. Richards