

Minutes of the Selectboard Meeting of Wednesday, November 8, 2017 at 6:30 pm

Members present: Mary Layton, Chair; Linda Cook; Stephen Flanders; John Langhus; John Pepper (via telephone at 6:45 pm and then in person at 9:15 pm); Herb Durfee, Town Manager; Miranda Bergmeier, Assistant to the Town Manager.

There were about 26 people in the audience.

Also participating: Will Smith, Andy Scherer, Stuart Richards, Pam Smith, Colin Calloway, Corlan Johnson, Bill Hammond, Tracy Hayes, Bill Krajeski (Contract Assessor), Charlotte Metcalfe, Cheryl Lindberg, Marcia Calloway, Frank Manasek, and Kris Clement.

Layton opened the meeting at 6:35 pm.

1. Approval of Agenda (Action Item). Selectboard agreed to move agenda item 8 to a point earlier in the meeting, to facilitate public participation.
2. Public Comments (Discussion Item). Will Smith expressed concern about the quality of striping on New Boston Road. Andy Scherer expressed concern about the siting of a cellular antenna, and said that he would prefer a different location that would benefit a larger area and not be so close to the school. Scherer suggested holding a town wide vote on the matter. Stuart Richards said that he agrees with Scherer, and also asked about the process for the town hiring a consultant regarding the repair of July 1<sup>st</sup> storm-damaged roads. Richards also expressed objection to the content and tone of emails generated by the Planning office. Pam Smith expressed concern about a comment made by Kevin Geiger in one of the documents recently produced for Marcia Calloway. Corlan Johnson said she doesn't think there should be a cell antenna on the town green. Will Smith said an antenna could be put in a better place.
8. Board to Sign Accounts Payable/Warrants (Discussion/Action Item). Linda Cook said that she would abstain from the vote because of a conflict of interest with one item in the General Fund warrant. Flanders **moved** (2<sup>nd</sup> Langhus) to approve Check Warrant Report #18-11 for Highway Garage Fund in the amount of \$101,689.23; for Highway Equipment Fund in the amount of \$48,250.00; for Public Safety Facility Fund in the amount of \$220,099.55; and for General Fund in the amount of \$360,267.34. **Motion passed 4 – 0 (Cook abstained).**
3. Verizon Easement Request (Discussion/Action Item). Layton explained that the representative from Verizon was not at the meeting because he asked the Selectboard to defer decision on Verizon's request until after Verizon had completed conversations with the Norwich school authorities. Layton said that she is not supportive of the easement as drafted, because it is too broad and many people are uncomfortable with it. Flanders said that health risks from the type of antenna being proposed are nonexistent. He also said that the easement is flawed as is, but could be remedied and made suggestions for changing the easement language. Langhus agrees with Flanders's understanding of the health risks, but many people have voiced opposition to putting an antenna on the green and there should be a better site elsewhere in town. Bill Hammond said that the school would like to have better cellular signal and has looked into installing boosters in the school, but they wouldn't need that if an antenna is installed nearby. Hammond also said that the school board has not made any decision about a cell antenna. The Selectboard agreed that they will ask Verizon the question of why this antenna in this location. Tracy Hayes said that she is concerned about the easement document and about the effects that

antenna might have on the community and on schoolchildren.

4. Contract Assessor Discussion (Discussion/Action Item). Bill Krajeski, current Contract Assessor, addressed the Selectboard and said that the supervisory relationship between the Listers and the assessor has changed fundamentally since the beginning of Krajeski's contract. He asked to be allowed to terminate the contract early on this basis. Krajeski is willing to continue support and the use of the Patriot software. Langhus thanked Krajeski for coming to the Selectboard with the issue. Flanders said that the Listers and Krajeski should come up with a joint plan for how to move forward. Krajeski said that the Listers will need training and doing that under the current contract will be impossible, given contracted assessors' hours. Krajeski suggested that the contract be terminated and then the Town can arrange for per diem or other arrangements for Krajeski to supply services needed to prepare the Town to move forward. Cheryl Lindberg said the Listers need more time to come up with a plan to move forward. Lindberg said the Listers want the services of a contracted assessor. After further discussion, Cook **moved** (2<sup>nd</sup> Flanders) to postpone this discussion until the November 29, 2017 Selectboard meeting. **Motion passed 4-1 (no: Langhus).**

5. Town Plan Survey (Discussion/Action Item). Langhus discussed the draft survey that he and Pepper wrote. Langhus said that the survey is a streamlined, high-level read on Norwich residents' opinions – to take a baseline measurement of attitudes. Langhus and Pepper wanted to get away from a lengthy detailed survey. Cook said that it's good to break results down by neighborhood, and thinks this will be a good approach. Flanders asked what is the purpose of this survey and what will the Selectboard do with the answers. Pepper said that this survey is to provide updated information that is needed for the Selectboard to make various decisions. Stuart Richards said that this 7-question survey is insufficient and should be a lot longer. Richards said that the questions aren't meaningful. Frank Manasek said that he is confused by the survey and doesn't know the purpose or goal. Manasek said that he will contact Langhus and Pepper separately to offer his assistance in drafting a revised survey.

6. Open Meeting Law (Discussion/Action Item). Langhus said that he had asked for this item to be on tonight's agenda because the issue needs to be settled. Langhus said that a personnel issue was improperly discussed in a public forum and suggested that a new policy be enacted that employees shall not be name committee clerks. Rather, each public body should name its own clerk, from among its own members, who would be ultimately responsible for posting minutes. Langhus also wants future cures of Open Meeting Law violations to include a statement of how such offenses will be avoided in the future. Flanders agreed that the public body should be responsible, not a public employee, and that the performance of individual employees should not be discussed in public meetings. Cook said that the Selectboard needs to give all committees and their members the information about policies/rules they need to follow. Flanders said that minutes are in danger of not being posted, then the (non-employee) clerk is responsible to step up to issue minimally satisfactory minutes. Stuart Richards said that he wants to talk about three instances from 2016 and is not satisfied that those violations have been properly addressed or cured. Kris Clement said that there is outside training available to assist towns in complying with Open Meeting Law requirements. Cook said that on November 14<sup>th</sup> there is a Jim Condos Transparency Tour event nearby.

7. Budget (Discussion Item). Durfee presented to the Selectboard members each a binder with budget figures. These documents will be scanned and posted online soon, so that members of the public can view them, as well.

9. Selectboard Rules for Conduct (Discussion/Action Item). After brief discussion, Flanders **moved** (2<sup>nd</sup> Langhus) to adopt the Town of Norwich Selectboard Rules for Conduct of Regular and Special Meetings, as presented. **Motion passed 4-1 (no: Cook).**

10. Town Manager Report (Discussion Item). Durfee reported that the Town is holding off on the Grange building repair until Spring 2018. Pavement up to the back of the Grange Hall, bottom courses only, will be done this fall, then the full work will be completed next spring. Jonathan Bynum is resigning, effective December 15<sup>th</sup>, and the Town will miss his excellent work. The Town received a Leahy grant for the purchase of bullet-proof vests. The Vermont Transportation Board has issued a ruling in the Kendall Station Road railroad crossing. Roadwork on Turnpike Road is continuing and is nearing completion. The Department of Public Works worked to clear some 50 trees downed in last week's windstorm.

11. Correspondence (Discussion/Action Item). Flanders **moved** (2<sup>nd</sup> Pepper) to receive correspondence from Lucinda Walker for the Norwich Public Library regarding a thank-you; from Stuart Richards regarding the Open Meeting Law; from Chris Katucki regarding a Verizon Wireless cell antenna; from Marcia Calloway regarding the Town Plan; from ECFiber regarding their annual budget hearing; and from Bill Clauson regarding the proposed Verizon easement. **Motion passed unanimously.** Marcia Calloway expressed concern about the development of the Town Plan, and she'd like to see the topic on a future Selectboard agenda. Colin Calloway said that he's afraid that if the Selectboard "receives" the Town Plan draft, they are implicitly accepting the process by which the draft was prepared.

12. a. Approval of the minutes of the 10/25/2017 Selectboard meeting (Action Item). Flanders **moved** (2<sup>nd</sup> Pepper) to approve the minutes of the October 25, 2017 Selectboard meetings. **Motion passed unanimously.**

b. Review of Next Agendas. The Selectboard agreed on the following items for the November 15, 2017 special Selectboard meeting agenda:

11/15/2017 Codification of Ordinances  
Sidewalks Follow-up

At 10:40 pm, Cook **moved** (2<sup>nd</sup> Langhus) to adjourn. **Motion passed unanimously.**

Meeting adjourned at 10:40 pm.

by Miranda Bergmeier, Assistant to the Town Manager

Approved by the Selectboard on December 6, 2017

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Mary Layton, Selectboard Chair

Next Meeting – November 8, 2017 at 6:30 PM

PLEASE NOTE THAT CATV RECORDS ALL REGULAR MEETINGS OF THE NORWICH SELECTBOARD.