

Minutes of the Selectboard Meeting of
Wednesday, April 11, 2018 at 6:30 pm

Members present: John Pepper, Chair; Claudette Brochu, Vice Chair; Linda Cook; John Langhus; Mary Layton; Herb Durfee, Town Manager; Miranda Bergmeier, Assistant to the Town Manager.

There were about 25 people in the audience.

Also participating: Charlotte Metcalf, Stuart Richards, Kris Clement, Cheryl Lindberg, Tom Candon, Joel Stettenheim, Lisa Henderson, Chris Henderson, Bob Sherwin, Troy McBride, Linda Gray, Robert Gere, and Marcia Calloway.

John Pepper opened the meeting at 6:32 pm.

1. Approval of Agenda (Action Item). Langhus proposed the Selectboard (SB) adopt the procedure of having a "hard stop" for the meeting at 9:00 pm, with the option to extend the meeting past 9:00 pm if a majority of SB members act to do so. SB members agreed to conduct a limited discussion of agenda item #8, because further work needs to be completed before a full discussion can be had.
2. Approval of Minutes (Action Item). Layton **moved** (2nd Langhus) to approve the minutes of the March 28, 2018 and April 5, 2018 Selectboard meetings with edits suggested by John Pepper and Claudette Brochu. **Motion passed unanimously.**
3. Correspondence (Discussion/Action Item). Layton **moved** (2nd Langhus) to receive correspondence from John Farrell regarding Norwich Farm Creamery and from Charlotte Metcalf and Linda Gray regarding Norwich Fire District solar site on Parcel 11-105-000 owned by the Norwich Fire District. **Motion passed unanimously.**
4. Public Comments (Discussion Item). Charlotte Metcalf recommended that a letter be sent to the voters explaining various facets of the proposed solar project. Metcalf submitted a written listing of questions she would like answered [to be included in the 4-25-18 SB correspondence]. Stuart Richards said that Affordable Housing Norwich, Inc. had its kick-off meeting recently, which went well. The meeting was recorded by CATV and is available for viewing. Richards plans to keep the SB updated on the organization's activities. Kris Clement asked if the Town Plan will be discussed in this meeting along with preferred sites for solar. SB members said the preferred site issue is on tonight's agenda, and they may have limited discussion about the Town Plan.
5. Sign Accounts Payable/Warrants (Discussion/Action Item). Layton **moved** (2nd Brochu) to approve check warrant report #550 for Highway Garage Fund in the amount of \$37,870.81; for Public Safety Facility Fund in the amount of \$4,954.91; and for General Fund in the amount of \$204,362.19. Brochu had a question about plowing contracts and Cook asked about mileage reimbursement. Durfee was able to provide some information and said he is happy to meet with any SB member to get further information, as necessary. **Motion passed**

unanimously.

6. Finance Committee (Discussion Item). Langhus explained that there is a proposal to revamp the Finance Committee because no one has wanted to serve on the committee for a while. It would be valuable to have a committee to advise on town finances, so the committee proposals being put forward tonight reflect that. The first part of the proposal is to abolish the current finance committee, second is to establish a new finance committee, and third is to form an audit committee. Documents outlining the proposal are included in the meeting packet. Cheryl Lindberg said that once there are members of a Norwich Finance Committee, then there can be a Dresden Finance Committee. Tom Candon said that he is concerned that a new finance committee could be formed without School Board involvement, given that the current committee was developed in collaboration with the School Board. Candon would like SB to table the idea of abolishing the current finance committee until after the SB collaborates with the School board on revamping and restaffing the finance committee. Langhus said he thinks one reason that no one is on the Norwich Finance Committee now is that there is too much to do, with town and school budgets. Cook said she thinks it is fair to the School Board to involve them before deciding anything about a finance committee. The School Board will meet on the first Wednesday in May, 2018. Pepper doesn't want to lose momentum on this matter, because some people have expressed interest in serving on a new finance committee. Candon said he doesn't want to stall momentum, either, and he will talk to the School Board to get the issue on the next meeting's agenda. Candon is also open to meeting with members of the SB to prepare for the next School Board meeting. Durfee said that he is concerned about blurring the lines of responsibility between the Town Manager (TM) and the SB. Durfee thinks any committee charge needs to clarify the role of the TM, as well. The TM's job is to prepare a proposed budget for the SB. Durfee wants to be sure that a finance committee would not come between the TM's job and relationship to the SB. Durfee is concerned that the committee charge would need to be clear for any future committee members. Cook expressed concern that the town Treasurer should not appoint any member of the committee. Langhus said the town Treasurer's role has been shrunk over the years, so Langhus was looking for ways to expand the Treasurer's involvement in town finances. Pepper suggested that Durfee and Langhus meet to discuss the idea of the finance committee and audit committee. Durfee and Langhus agreed. Cook suggested that the SB move forward with background meetings to work through these issues. Langhus said he thinks a separate committee or body needs to hire the auditor, not the TM. Brochu said that by what she saw in state statute, the TM hires the auditor and is in charge of the audit. Lindberg said that the elected auditors (when they existed) were responsible for hiring the auditor. Lindberg also said she isn't familiar with the statute regarding the TM duties related to the audit. SB members and TM continued to discuss how to work through these issues. Brochu summarized, with SB agreement, that the SB had decided to defer the agenda item #6 issues [which concern finance committee and audit committee] until the May 9, 2018 SB meeting, so that all interested parties can confer in preparation for the May 9 meeting. Cook asked that the working group share their draft documents with the rest of the SB in advance of the May 9 meeting.

7. Energy Committee (Discussion/Action Item). Langhus said that he will recuse himself from discussion of the particular solar project to be addressed in tonight's meeting, because of Langhus's working relationship with Norwich Solar. Langhus said he does not need to recuse

himself from general discussion of energy policy issues, however. SB members agreed that SB members who live in the Fire District do not need to recuse themselves from discussion about the particular solar project. Charlotte Metcalf said she has some general questions about the town's energy plan, and would like to receive written answers to her questions. Brochu suggested that the SB first address the specific question of this particular proposed project, and then move to more general discussion. Langhus then gave some background information about solar siting in general, and why preferred sites are advantageous. Layton said that it seems that various criteria are satisfied in this particular proposal. Cook asked who benefits from a solar project. Langhus said that the owner gets the benefit for producing the solar energy. Layton said she thinks this is a good project and it will benefit the town. Langhus spoke about RECs and how they work and where they go. Brochu said she thinks the SB needs to focus on the specific project. Kris Clement spoke about the history of siting processes; she objects to this site approval because the Town Plan hasn't been approved yet. Clement doesn't want these preferred siting issues settled ad hoc. Langhus said he wants the town to have a policy on siting. At this point, Langhus recused himself from further discussion and left the room. Joel Stettenheim (with Norwich Technologies) said he thinks it makes sense to look at each site individually, even when the town has an overall policy. Lisa Henderson said her driveway is next to the proposed site and she is disappointed that this discussion is being had without sufficient town and neighbor input. She doesn't know if she and her husband, Chris Henderson, support this proposed solar project, because they only heard about the project two days ago. Stettenheim said this solar project couldn't go forward without the preferred site designation. This discussion before the SB is only the start of the approval process; there will be much more opportunity for analysis and comment. Bob Sherwin said he is an abutter to the proposed project. Sherwin said he is supportive in general of this project and has questions about some details of the project. Sherwin wants to be sure various issues and questions are addressed and answered. Troy McBride, with Norwich Technologies, said he will see that the Hendersons are included in future mailings and notices. McBride said this project will be a community array, and many of Sherwin's questions will be addressed as requirements in the permitting process. McBride said the Norwich Fire District owns the land under the proposed array. Linda Gray said she provided written answers to Charlotte Metcalf's questions about the proposed project; these answers are included in the SB meeting packet. Gray would like the SB to approve the proposed letter because the project can't move forward without preferred site status. Brochu and Pepper said they'd like to see better communication within the town about this project and in general. Chris Henderson said he would like to know more about what is the significance of being designated a "preferred site". In answer, Gray read aloud the definition of a preferred site (as was included in the meeting packet). Marcia Calloway asked where is the RFP for this project. Gray said there was no RFP, because the developer approached the Fire District. There was some further discussion about the meaning of "preferred site". Brochu said that, because two of the abutters are present and have questions about the project, she thinks that the SB should put off any vote on the matter until April 25, 2018. Brochu said she is supportive of solar, but doesn't want to vote yes at this time because of a flawed process. Layton **moved** (2nd Pepper) to authorize the signing of a letter to the Public Service Board of Vermont regarding a Certificate of Public Good filed by Norwich Technologies, Inc. expressing support for a proposed solar project. **Motion failed** (yes- Layton, Pepper; no- Brochu, Cook). Brochu **moved** (2nd Pepper) to reconsider the vote at the SB's 4/25/2018 meeting on the letter to the Public Service Board of Vermont regarding a

Certificate of Public Good filed by Norwich Technologies, Inc. expressing support for a proposed solar project. **Motion passed**, 3 to 1 (no- Cook).

**** At this point, the SB chair called for a 10-minute recess. ****

At 9:10 pm, the chair reconvened the meeting. Langhus **moved** to adjourn, asking the remaining agenda items to be taken up at the next SB meeting. The SB agreed to set aside most of the remaining agenda items, with the exception of the Town Manager Report, Review of Next Agendas, and executive session for union contract. After some clarifying discussion, Langhus withdrew his motion. Stuart Richards asked for a brief update on where the Town Plan process stands. Pepper said that he would give Richards a copy of the draft survey, still in process. Pepper said that Cook and Brochu are working on compiling the Town Plan comments/versions, so that the SB can continue to move forward with Town Plan process.

13. Town Manager Report w/Financial Report (Discussion Item). Herb Durfee said he is working on catching up with emails, etc., since his recent return to the office. Durfee reported the following: he is working with the American Legion on replacing the Tracy Hall flag pole and adding a monument and contemplation area; the DPW building ran into a mold issue but is proceeding, the heat is now on in the building to warm up the area in preparation to pour the concrete floor; and the Public Safety Building will be finished soon. Durfee has made an employment offer for the Fire Chief position, and the advisory panel was unanimous in recommending that candidate. The Planning & Zoning Director job listing is out and the town is soliciting applications. If need be, Durfee can get consultant help in the interim before a new director is hired. The Norwich Creamery issue is being worked on by a community group; Durfee supports their efforts to have discussions with all the parties. Durfee is working on getting screening plantings between the Public Safety Building and the Norwich Senior Housing. Durfee said that the DPW needs to replace two trucks (a conventional truck and a Ford 350), per their equipment replacement plan program, and the DPW director went out to bid on the two trucks. Durfee summarized the result of the two additional processes. Cook and Brochu raised questions about buying a used Ford 550; Durfee will gather information about this and follow up with the SB. The SB agreed to go ahead with the conventional truck purchase order. Durfee asked the SB to agree to pay Dechert for the extra work he did as Acting Town Manager while Herb was recovering from his accident. SB members agreed to support this. Cook said that the Town should also pay the acting Fire Chief for his work filling in after the former Fire Chief retired. Durfee said that this was being done.

14. Review of Next Agendas (Discussion/Action Item). The Selectboard agreed to include in their April 25, 2018 agenda the following items, consisting of the April 11 agenda items not addressed for lack of time or other reason:

- Energy Committee - Preferred Site Issue
- Review of Committee Charge
- Update from Committee

Town Plan Update
Committee Communication & Accountability
Open Meeting Law Discussion/Summary
Conflict of Interest

Selectboard Goals Follow-up
Town Manager Report

15. Union Contract (Discussion/Action Item). Layton **moved** (2nd Cook) to find that premature public knowledge would clearly place the public body at a substantial disadvantage. **Motion passed unanimously.** Layton **moved** (2nd Cook) to enter executive session to discuss the negotiated agreement, pursuant to Title 1 VSA § 313(a)(1)(B) and to include the Town Manager. **Motion passed unanimously.**

The SB moved into executive session at 9:54 pm.

Langhus **moved** (2nd Layton) to enter public session. **Motion passed unanimously.** SB moved into public session at 9:59 pm.

At 9:59 pm, Langhus **moved** (2nd Cook) to adjourn. **Motion passed 4 to 1 (no- Brochu).**

Meeting adjourned at 10:00 pm.

By Miranda Bergmeier

Approved by the Selectboard on 4-25-2018

John Pepper
Selectboard Chair

Next Meetings – April 25, 2018 – Meeting at 6:30 PM

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