

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

Members present: John Pepper, Chair; Claudette Brochu, Vice Chair (arrived at 6:43); Linda Cook; John Langhus; Mary Layton; Herb Durfee, Town Manager; Miranda Bergmeier, Assistant to the Town Manager.

There were about 10 people in the audience.

Also participating: Stuart Richards, Jeff Goodrich, and Nancy Dean.

1. Approval of Agenda (Action Item). Selectboard (SB) members agreed to proceed with the agenda as drafted.
2. Approval of Minutes (Action Item). Langhus **moved** (2nd Layton) to approve the minutes of the June 27, 2018 and June 28, 2018 Selectboard meetings with amendments put forward tonight by Cook, plus those made by Brochu and Lindberg. **Motion passed 4 to 0 (Brochu absent).**

Brochu joined the meeting at 6:43 pm

3. Correspondence (Discussion/Action Item). Layton **moved** (2nd Langhus) to receive correspondence from VTrans regarding the Church Street and the Safe Routes to School grant program; from the Norwich Planning Commission regarding the Town Plan; from Stuart Richards regarding affordable housing; from Kathy Urffer regarding hydropower relicensing; and from Mary Fowler regarding the 6-28-2018 Selectboard meeting. **Motion passed unanimously.**
4. Public Comments (Discussion Item). Stuart Richards said the Prouty is happening this weekend, and it's a worthwhile cause; John Pepper is participating by riding 200 miles. Richards asked if the Selectboard (SB) can take the previously-authorized \$45,000 out of the general fund to allocate to affordable housing. Langhus and Layton said the Affordable Housing Subcommittee should look in this issue. Jeff Goodrich said that this issue is on the Subcommittee's agenda for their next meeting. Richards asked if it was possible to place the question of \$45,000 for affordable housing on the August town ballot, and he was told that is not possible because the deadline has passed. Linda Cook thanked all the Norwich residents who are participating in the Prouty.
5. Set Tax Rate (Action Item). Durfee reviewed with the SB the process of setting the town's tax rate, using the handout provided in the 7-11-2018 SB meeting packet. Langhus **moved** (2nd Brochu) to set the Town tax rate \$0.4980 and the Local Agreement rate at \$0.0055, for a total Town tax rate of \$0.5035. **Motion passed 4 to 1 (no- Cook).**
6. Review Accounts Payable/Warrants (Discussion/Action Item). Brochu asked about the money being spent on truck parts, and whether it is time to replace some vehicles because they might be too costly to repair. Layton and Cook are working on studying town vehicles and they are developing a complete inventory of DPW equipment. Layton asked if the Transfer Station's C&D (Construction and Demolition) income is offsetting its cost. Cook said she had asked the transfer station attendant about this, and was told that the income is generally keeping pace with the costs.
7. Adopt the Town Plan (Discussion/Action Item). Layton **moved** (2nd Langhus) as follows:

WHEREAS, the June 12, 2018 draft Town Plan of record, as corrected for specified technical deficiencies by the Selectboard at its June 28, 2018 meeting, represents a reasonable comprehensive plan that meets the statutory elements required of a municipal plan;

WHEREAS, related to the statutory terms of “approval” and “confirmation”, the TRORC has provided preliminary review of the June 12, 2018 draft Town Plan of record indicating that the plan contains the elements required of the plan, is consistent with the statewide planning goals, and is compatible with other approved plans in the region as well as the TRORC regional plan;

WHEREAS, the Selectboard most sincerely appreciates all the comments, effort, and participation by all persons expressing an interest in the Town Plan and its preparation; and,

WHEREAS, to ensure the Town is properly enabled to carry out its general purposes and overall goals, the Selectboard finds that, in this case, having a duly adopted plan before July 13, 2018 outweighs not having an adopted plan,

BE IT RESOLVED, pursuant to 24 VSA Section 4385(c), that the Selectboard adopts the 2018 Town Plan, dated June 12, as corrected for specified technical deficiencies by the Selectboard at its June 28, 2018 meeting;

BE IT FURTHER RESOLVED that the Selectboard charges the Planning Commission with reviewing and reasonably considering all comments offered by the public at-large as received by the Selectboard for possible inclusion into a comprehensive re-write of the successor Town Plan ~~(whether as a whole or by amendment, whichever occurs first, but no later than July 1, 2020);~~

BE IT FURTHER RESOLVED, that the Selectboard charges the Planning Commission with the knowledge that the successor Town Plan, including any amendment must be a comprehensive re-write; and,

BE IT FURTHER RESOLVED, pursuant to 24 VSA Section 4350(b)(1), that the Selectboard charges the Planning Commission and the Town Manager with submitting the adopted plan herein to the TRORC for purposes of receiving “approval” of said plan and receiving “confirmation” of the Town’s “continuing planning process.”

SB members discussed the language contained in the motion particularly in the sixth paragraph, and Langhus suggested that the parenthetical phrase at the end of the sixth paragraph be deleted. Thus, Langhus **moved** (2nd Layton) to strike the phrase “(whether as a whole or by amendments, whichever occurs first, but no later than July 1, 2020)” from the earlier motion. **Motion passed unanimously.** Following this vote and further brief discussion, the SB voted on the original motion, with the deletion of the phrase just stricken by motion. The original motion, as amended **passed 4 to 0 (abstained-Cook)**. Cook said that she would like to continue discussion on the Town Plan, and Langhus **moved** (2nd Layton) to reconsider. **Motion passed unanimously.** Cook asked if all of the changes/issues identified by Kevin Geiger at TRORC had been addressed and resolved, and was told that yes, they were. Cook then explained why she could not vote for the Town Plan as presented. Upon the second vote of the original motion, as amended, **motion passed 4 to 1 (no- Cook).**

8. Internal Financial Controls – Interim Status Report (Discussion Item). Layton said that she Cook and Durfee have been using the LVCT checklist to work through this issue and identify best practices in managing town finances. Layton said the current internal controls are in good shape, with some room for improvement. Layton and Cook are working on various measures to make improvements. As an example, Layton said they are looking at possibly eliminating cash at the

transfer station.

9. Personnel Policies Update/Status (Discussion Item). Brochu and Cook are working on this matter. Their work is somewhat constrained by the union contract. Cook and Brochu continue to work on the issue nonetheless. Layton recommended the SB schedule a future work session to discuss personnel policies. Brochu said the prior SB had said they wanted to keep non-union employees with the same benefits as union employees, but the town doesn't have to continue to do that. Langhus said that the personnel policies were too lengthy and should be shortened. Jeff Goodrich and Nancy Dean both said that they would like the DRB and the Planning Commission to have input as to the Planning & Zoning Administrator's evaluation. SB members agreed to find a date for a working session in the future.

10. Approve Contract #2 (Willey Earth) and Contract #3 (L&M Construction) for July 1 Storm Repair (Action Item). Cook **moved** (2nd Langhus) to authorize the Town Manager or his designee to enter into a contract with Willey Earthmoving Corp. to repair damage from the July 1st storm event under Contract No. 2 at an amount up to \$528,195, to enter into a contract with L&M Construction under Contract No. 3 at an amount up to \$470,355, and to authorize the Town Manager to complete and process Notices of Award with Willey Earthmoving Corp. and with L&M Construction. **Motion passed unanimously.**

11. Clarify Dissolution of Finance Committee MOU with School District (Discussion Item). Langhus said there is language in the MOU with the school district that says the finance committee won't actually expire until one year after there is a vote to dissolve. Until that time has elapsed, there will technically be a committee under the MOU, but there is no one sitting on the committee – nor has there been anyone for some time.

12. Re-Appoint Linda Cook, Town Forest Fire Warden (Action Item). Langhus **moved** (2nd Layton) to reappoint Linda Cook to the position of Town Forest Fire Warden for a five-year term ending on June 30, 2023. **Motion passed unanimously.**

13. Appoint Alex Northern, Deputy Town Forest Fire Warden (Action Item). Langhus **moved** (2nd Brochu) to appoint Alex Northern to the position of Deputy Town Forest Fire Warden for a five-year term ending on June 30, 2023. **Motion passed unanimously.**

14. Watershed Land Management Council Vacancy Appointment (Possible Action). Durfee explained there is a question about whether or not there is a vacancy on the Watershed Land Management Council. SB members agreed that Durfee will advertise the position, as necessary.

15. RE: Gurman Appeal of DRB Decision (Zoning Permit 3APP18, 5/30/18) to VT Environmental Court (Action):

- a) Authorize the Town's Entry of Appearance
- b) Appoint the Zoning Administrator (and his legal representation, as necessary) to serve as the Town's representative in the appeal

Langhus **moved** (2nd Brochu) to authorize the Town's entry of appearance and to appoint the Town Zoning Administrator and his legal representation, as necessary, to serve as the Town's representative in the appeal. **Motion passed unanimously.**

16. Town Manager Report (Discussion Item). Durfee said that he submitted a written report, which is included in the SB meeting packet. Durfee is working on drafting a marijuana ordinance and will provide a draft to the SB when possible. Durfee said that the cost of Hartford's dispatch services is going up significantly. SB members discussed the possibility of whether Norwich could use a Norwich Selectboard Minutes – 7/11/2018 Mtg

different dispatch service provider to save money. Langhus asked about the River Road boat ramp condition. Cook said that she has been looking into the matter and will talk to Durfee about it.

17. Review of Next Agendas (Discussion/Action Item). The Selectboard listed the following as possible agenda items for their next meeting on August 8, 2018:

Personnel Policies – Plan/Schedule Work Session

Town Budget FYE 2020 – General Direction

Committee Reports

Appointments to Vacancies

Update Regarding Watershed Land Management Council

At 9:10 pm, Cook **moved** (2nd Langhus) to adjourn. **Motion passed unanimously.**

Meeting adjourned at 9:10 pm.

By Miranda Bergmeier

Approved by the Selectboard on August 8, 2018

John Pepper
Selectboard Chair

Next Meeting – August 8, 2018 – Meeting at 6:30 PM

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