

Minutes of the Selectboard Meeting of
Wednesday, March 11, 2020 at 6:30 pm

Members present: Claudette Brochu, Chair; Roger Arnold, Vice Chair; Robert Gere; John Langhus; Mary Layton; Herb Durfee, Town Manager; Miranda Bergmeier, Assistant to the Town Manager.

There were about 6 people in the audience.

Also participating: Linda Cook, Craig Layne, Peg Merrens, Troy McBride, Cheryl Lindberg, Joel Stettenheim, Brie Swenson.

1. Approval of Agenda. Selectboard (SB) members agreed to proceed with the agenda as drafted.
2. Public Comment. No public comment was offered.
3. Selectboard Comment. No SB comment was offered.
4. Consent Agenda. Arnold moved (2nd Langhus) to approve the consent agenda, minus the correspondence from Kris Clement. **Motion passed unanimously.** Langhus **moved** (2nd Gere) to regretfully accept Kris Clement's resignation from the Board of Listers, effective immediately. **Motion passed unanimously.** The SB will seek applicants for appointment to fill the resulting vacancy on the Board of Listers. Linda Cook asked if the Lion's Club request for an increase in funds was for fiscal year 2022. SB members said that yes, the request will be part of the 2021 Town Meeting ballot for fiscal year 2022.
5. A. Conservation Commission Request re: Woody Adams Tract. Craig Layne spoke regarding a pending conservation of forest tract. The transaction will cost \$300,000 and the Conservation Commission (CC) is seeking to use \$150,000 from the Conservation Commission Fund for matching funds to complete the purchase. This would provide continuity of forest. Layne gave an overview of the materials included in the SB packet regarding this matter, including maps showing the Woody Adams Tract as related to surrounding land. Peg Merrens with the Upper Valley Land Trust (UVLT) read aloud the statute governing town-conserved property conveyances; the town must give public notice of intent to conserve land at least 30 days prior to the proposed conveyance. Durfee told the SB they can take up this matter for action at their March 25, 2020 meeting. Merrens said another benefit is that this area being undeveloped will help with the protection of downstream property.
5. B. Preliminary Discussion on Preferred Solar Site Designation. Brochu explained that, while the SB no longer has jurisdiction over preferred sites, they want to hear information about them. Troy McBride, of Norwich Technologies, said they are looking to get a letter from the SB and Planning Commission (PC) saying that the proposed site is a preferred site according to the newly-adopted Town Plan. Langhus explained that a letter is no longer necessary. McBride said the Public Utilities Commission (PUC) would still appreciate a letter from the SB and PC because that's what the PUC is used to seeing. Arnold asked what the procedure would be for such projects. Francis said the Town would ask applicants to submit proposals to the Planning Office for review. Linda Cook asked about potential wetlands issue on the Turnpike Road project. Cheryl Lindberg asked about the decommissioning process. Langhus and Francis explained that those questions (wetlands and decommissioning) are within the purview of the State PUC, not the SB. Joel Stettenheim said a solar array is conducive to other agricultural activity, in addition to conserving prime agricultural land. Fencing is sometimes used at 8 feed, sometimes no fencing is used except for electrically sensitive areas. McBride said that no fencing is used in any of their Norwich projects. SB members agreed

that the TM and Planning Director will sign a letter notifying the PUC that the site is consistent with preferred site criteria.

5. C. MCS/Recreation MOU. Durfee said in the past the Town would pay a fee to the school and vice versa for the use of facilities. Instead of charging each other back and forth, the Town and school have agreed to an MOU. Now that the town budget has passed, including sufficient staff for DPW, this MOU is a formalization of practices in the past. Brie Swenson said the MOU is for \$15,000. This work scope has been reviewed by the DPW Director and is doable. Langhus said the MOU is a very creative solution to the situation. Brochu said would not support DPW buying additional equipment to complete work covered or required by the MOU. Langhus **moved** (2nd Layton) to authorize the Town Manager to sign the Memorandum of Understanding, as recommended by the Recreation Director, and as presented in the Selectboard meeting packet. **Motion passed unanimously.**

5. D. A/P Warrants. Langhus asked if the town is squared away with school payments. Durfee said yes, for this year, and we are working on developing a plan for the next fiscal year. Langhus asked Lindberg if she, as school Treasurer, concurs that the school is agreement with the payment plan for FY2020. Lindberg said yes, and the school is talking to the town regarding arrangements for FY2021. Langhus **moved** (2nd Layton) to approve check warrant #20-18 for General Fund in the amount of \$2,269,479.85. **Motion passed unanimously.**

5. E. Langhus **moved** (2nd Layton) to amend the Town of Norwich Master Financial Policy, by replacing the prior Fraud Policy with the amended Fraud Policy as adopted by the Selectboard on January 15, 2020 and also inserting the Whistleblower Protection Policy. **Motion passed unanimously.**

5. F. Appointments to Town Committees. Langhus **moved** (2nd Layton) to approve the advertisement of open positions, including appointments required by 24 VSA §871 and those appointments with terms expiring on March 30, 2019. **Motion passed unanimously.** Brochu asked SB members whether they want applicants to come in to the SB meeting. SB members agreed that yes, they would like people to appear before the SB. If necessary, another person can appear on an applicant's behalf. Craig Layne asked if there is a minimum age to serve on a committee. SB members said no, there is not.

6. Town Manager Report. Durfee told the SB they may need to find someone to serve as Norwich's representative to a group to address the Regional Energy Coordinator position. Durfee attended a regional meeting regarding homelessness; they talked about planning for a facility to address the issue. Durfee has been researching Fair & Impartial Policing Policy (FIPP) (Article 32) and its effect on the town's insurance coverage. Durfee learned from VLCT (the town's insurer) that PACIF coverage will extend to police officers taking actions (or not) according to the FIPP. The Fire Department is applying for a grant to cover the purchase of fire equipment. Tracy Hall renovation project had its kick-off meeting; the basic timeline would start now with the kick-off meeting, with construction from May through November. Aaron Lamperti is working with the Durfee and the DPW Director to serve as a Clerk of the Works. The plan is to keep Tracy Hall as empty as possible during construction phase limiting any activities in Tracy Hall beyond essential functions; no social events, no building rentals, Recreation programming will be elsewhere, etc. Employees only in the building during construction. Brochu asked about what will happen if the vote is reversed regarding the renovations. Langhus said if the Town abandons the project, then we will have to pay EEI for its works to date – not more than \$15,000. Hazard Mitigation Plan proposals are being evaluated and will be decided soon. RFPs are out for bid on attorney services and the Beaver Meadow Sidewalk Scoping Study. FEMA funding update – according to the Vermont FEMA office, they should be

releasing the final funds in 2 – 3 weeks. The Town Plan should be going to the regional planning agency on April 12 for hopeful approval. On April 22nd at 5:45 pm, there will be a meeting with VTrans regarding the I-91 overpass repair work. Durfee said the Huntley Meadow former bridge is hopefully going to be replaced. The bridge will be on public land and/or land over which the town has an easement. There is an effort underway to raise private funds to finance the bridge. The DPW is working on job descriptions and postings for additional 1.5 FTE's. Regarding COVID-19, Durfee has been publicizing the VT Health Department's resources. The Vermont governor has activated the state emergency operations center. At this time, there is no immediate plan to open a local emergency operations center. Brochu suggested posting signs on Tracy Hall doors reminding people to not enter the building if they have cough and fever. Durfee has been monitoring communications from the CDC and the Vermont Dept. of Health. Tracy Hall could be used as an inoculation center, for example, but not as a gathering place for large groups of people. Tracy Hall will need to be used for essential town functions. Arnold asked how town functions are being set up to be performed remotely. Langhus said we should plan and institute redundancy wherever possible so we are prepared for sick employees. Also, we need to know how time off from work for employees will be handled – sick leave, short term disability, other? Linda Cook said Dan & Whit's is working on a delivery service so isolated people can get needed supplies. Langhus asked Durfee to provide a "normalized" budget, taking out extenuating circumstances.

7. B. Open Meeting Law (OML) Handout. SB members agreed to defer this agenda item to a future meeting. Layton said she is thinking we should distribute her one-page summary of OML as a primer, plus VLCT's FAQ's regarding OML.

7. C. Reappoint Roger Arnold to Vital Communities Four Core group. Langhus **moved** (2nd Layton) to reappoint Roger Arnold as Selectboard representative to the Vital Communities Four Core group. **Motion passed unanimously.**

7. D. Finance Office Re-Organization. Durfee said he'd like to hire 2 full-time people in the Finance Office. Brochu asked Durfee to provide documentation to the SB showing the budgetary impact of 2 full-time employees. Langhus suggested we consider hiring a trailing spouse who is highly qualified, if only for 3 years. SB members agreed that Durfee will advertise for an additional Finance Office person.

10. A. Executive Session – Town Manager Contract & Improvement Plan. Langhus **moved** (2nd Layton) to enter executive session under 1 VSA § 313(a)(1)(A) to discuss Town Manager contract issues and expecting to include the Town Manager for at least part of the session. **Motion passed unanimously.**

The SB entered executive session at 10:17 pm.

Layton **moved** (2nd Langhus) to enter public session. **Motion passed unanimously.**

The SB entered public session at 11:04 pm.

Brochu said the SB will forward to Durfee a contract proposal for 15 months and a performance improvement plan for Durfee's review and comment. Durfee said he appreciates the extension. SB members agreed that Brochu is authorized to sign the contract on the SB's behalf.

8. Adjournment. Arnold **moved** (2nd Gere) to adjourn. **Motion passed unanimously.**

Meeting adjourned at 11:07 pm.

By Miranda Bergmeier

Approved by the Selectboard on April 8, 2020

Claudette Brochu
Selectboard Chair

Next Meeting – March 25, 2020 – Meeting at 6:30

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