

Minutes of the Selectboard Meeting of  
Wednesday, August 26, 2020 at 6:30 pm

This meeting was conducted via teleconference using ZOOM, in order to maintain appropriate physical distance under COVID-19 precautions. 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 16 people in the audience.

Also participating: Jack Cushman, Stuart Richards, Linda Cook, Larry Wiggins, Rod Francis, Pam Smith, Linda Gray, Paul Manganiello, Charles Lindner.

1. Approval of Agenda. Selectboard (SB) members agreed to proceed with the agenda as drafted.
2. Public Comment. Jack Cushman said he hopes the SB will signal support for the Global Warming Solutions Act, which is currently being considered in the VT legislature. Cushman said the Energy Committee and the Conservation Commission have endorsed the idea of the SB expressing support for the act. Stuart Richards said that the Marion Cross School (MCS) wastewater system seems to be “dead in the water”. Richards is concerned that no action has been taken by the school to remedy the system. Langhus said he supports the idea of a resolution supporting the Global Warming Solutions Act. Cushman said that a SB resolution would be well-timed if acted on as soon as possible.
3. Consent Agenda. Langhus **moved** (2<sup>nd</sup> Layton) to remove correspondence from John Cushman from the consent agenda. **Motion passed unanimously.** Layton said she supports the resolution presented by Cushman and there is a lot of support in town for climate issues. Arnold agreed. Langhus **moved** (2<sup>nd</sup> Layton) to adopt the resolution as drafted by John Cushman in his correspondence in this week’s SB meeting packet. **Motion passed unanimously.** Layton **moved** (2<sup>nd</sup> Langhus) to approve the consent agenda. **Motion passed unanimously.**
4. Appointments – TRORC and Solid Waste Committee. Layton **moved** (2<sup>nd</sup> Langhus) to appoint Jeffrey Lubell as alternate representative to TRORC for a one-year term ending on April 30, 2021. **Motion passed unanimously.** Layton **moved** (2<sup>nd</sup> Brochu) to appoint Alex Thorngren to the Solid Waste Committee for a term to be determined by members of said committee, not to exceed three years. **Motion passed unanimously.**
5. Open Meeting Law. Arnold asked SB members for their input about how to support town committees regarding Vermont’s Open Meeting Law (OML) and how to consult outside authorities when needed. Brochu said the SB should have reached out to VLCT for formal training, especially regarding electronic meetings. Brochu thinks the training should be required for chairpersons, recommended for others. Layton agreed that training should cover technology issues. Layton doesn’t want OML issues and criticism to have a chilling effect on townspeople to make them reluctant to participate for fear of making mistakes. Arnold agreed and said we need to get good advice on OML from experts. Langhus said that the OML was purposely written to not be overly legally technical. Langhus suggested that the SB volunteer to give yearly training to committees. Otherwise, most problems have come from people pushing the envelope regarding OML. Arnold and Langhus agreed that sometimes there can be some nuances, but it is best to err on the side of openness. Layton said OML considerations should involve what is the intent of the group meeting. SB members agreed that they should provide some kind of training. Brochu thinks meeting face to

face implicates OML, whereas passing work back and forth among committee members doesn't. Durfee said he thinks it is a good idea to offer training to committees. Durfee suggested that the town solicit its attorney to draft a formal interpretation of OML to rely on, addressing specific scenarios. Langhus suggested getting an experienced town volunteer to write something up. Linda Cook said that consistency in agenda format would be helpful and agendas should include a contact phone number for trouble shooting. Stuart Richards said he raised this OML issue because of differences of interpretation of OML; he thinks the state's attorney's opinion on OML is clear. Brochu said Durfee sent out to town committees a copy of the SB policy regarding committees.

6. Town-Wide Generator Status & Purchase Request. Larry Wiggins, DPW Director, summarized the research and work he has done on the RFP for generator work. Wiggins recommends hiring Brook Field, per their submitted proposal. Langhus asked about sound-dampening and price. Layton asked if there is a heater on the generator so it will run in very cold weather. Wiggins said yes, there is. Brochu asked if the Public Safety Building (PSB) generator is operational; Wiggins said no. Gere asked how common it is to get only 1 or 2 bids. Wiggins said it depends; the bid climate varies. In this situation, having the electrical design included in the RFP limited firms who could do the work. Langhus encouraged the town to look at purchasing a good used generator. Langhus said he will support a motion if Wiggins and Durfee explore the possibility of purchasing a good used generator. Layton **moved** (2<sup>nd</sup> Gere) to authorize the expenditure of up to \$46,487.00 from the Generator designated fund to Brook Field Service to replace the generator serving the Public Safety Building that houses the Norwich Police and Fire departments. **Motion approved 4 to 1 (no- Brochu).**

7. Grants In Aid Project. Brochu asked if Tilden and Upper Turnpike will get narrower as a result of ditching work proposed. Wiggins said roads will not get narrower. Layton **moved** (2<sup>nd</sup> Brochu) to authorize a not-to-exceed contract sum of \$28,525.00 with K&S Construction for the 2020 Grants In Aid Project, with \$22,820 available for reimbursement from the grant program. **Motion approved unanimously.**

8. Rte. 132 Culvert Replacement. Wiggins gave a summary of his recommendation to use a concrete box culvert, rather than metal. Durfee said the town has sufficient funds for proposed project. Layton supports using concrete rather than metal. Layton asked why there was a difference between the ANR and the engineer's recommendations for culvert size. Layton thanked Wiggins for his answers. Brochu asked Wiggins how much longer concrete will last, and why. Wiggins said that metal will degrade significantly faster than concrete because of corrosion and abrasion resulting from stones in the stream. Layton **moved** (2<sup>nd</sup> Langhus) to authorize the Town Manager to proceed with replacing the Route 132 box culvert with a concrete structure, as recommended by the Town's hired engineer. **Motion approved unanimously.**

9. Town Plan Action Items. Arnold introduced the agenda item. Rod Francis said that if he takes propose4d training, he would be able to inspect properties and issue certificates of occupancy or compliance, if revised zoning regulations add that as a step in the zoning process. SB members discussed action steps in turn and discussed possible approaches. The Town Manager and Planning Director will report to the SB on progress regarding affordable housing as related to town-owned properties; and issues including childcare affordability. Layton agreed to start the work of drafting a childcare affordability committee charge and have Arnold look it over.

10. Capital Budgeting Framing. Arnold walked through his presentation slides, as included in the SB meeting packet. Layton said she thinks the SB needs to get a better handle on what our assets are and look at future needs; Langhus agreed. Durfee said the town department heads have put together lists of assets in their departments. SB members discussed questions on one of Arnold's Norwich Selectboard Minutes – 08/26/2020 Mtg

slides. Layton thinks the SB should have a policy to help look ahead with future expenditure needs. SB members agreed to send to Brochu their ideas for what policies are needed. Pam Smith aside if the capital budget plan is a living document. Durfee said it is updated each year; it's a planning tool and can be adapted as necessary.

11. Facilities Project. Layton said she thinks that Tracy Hall (TH) needs a comprehensive look at renovations. Brochu said she wants to know how much longer existing TH boilers should last. Is it required to replace the fuel oil tank? Brochu wants to know about TH air filtering system and ventilation; what things must be done and when. Durfee said the DPW and PSB lighting controls are approximately \$75,900 projects. Linda Gray said that the facilities proposal had been to advance the town toward fossil fuel reduction. Now that the proposal was voted down, the SB must decide how the required reductions will be accomplished. Paul Manganiello asked if TH has had an energy audit; Arnold said yes. Stuart Richards asked if EEI has billed their allowed \$15,000; Durfee said yes, SB approved the payment. Richards wants to do more reduction than just to TH and PSB and DPW garage.

12. Article 36 (2019) Related to Reducing Town's Fossil Fuel Use. Langhus said the SB should incorporate energy goals into capital planning. Layton appreciated the graduate student's report regarding greenhouse gas emissions. Brochu said the town may not have 5% reduction every year, maybe more or less each year, but average needs to be 5% per year. Langhus said the 5% is a directed from the voters, not a goal or a target. Linda Gray said she would like to see the SB come up with a specific game plan on fossil fuel reduction, just as specific as the SB response to the Town Plan's child care issue. Paul Manganiello said the town should avoid buying fossil fuel using equipment. Pam Smith agreed with Langhus about trying to buy used equipment to save money. Charles Lindner said the SB should designate a point person on this issue. Langhus said that he has committed to writing up suggestions and he will be taking on this issue.

13. TM Financial Report. Langhus asked if FY2020 has been closed out and are we showing that we are under budget. Durfee said yes to both questions. Durfee said he would take questions from SB members about the reports. Langhus said he is grateful to Durfee and his team for their work in coming in under budget, especially in a difficult year. Durfee asked SB members for feedback on the financial reports provided by Durfee.

14. Appoint Town Manager as Delegate to VLCT Annual Meeting. Layton **moved** (2<sup>nd</sup> Brochu) to appoint the Town Manager as delegate to the 2020 VLCT Annual Meeting. **Motion approved unanimously.** Durfee advised the SB that he will be absent from the Sept. 9<sup>th</sup> SB meeting, unless they choose to take a break. Brochu asked fellow SB members for their thoughts on taking off September 9<sup>th</sup> and not meeting until September 23<sup>rd</sup>. SB members agreed to cancel the Sept 9<sup>th</sup> SB meeting. Arnold **moved** (2<sup>nd</sup> Langhus) to authorize the SB Chair or Vice Chair to sign A/P warrants since the SB will not be meeting on September 9, 2020. **Motion approved unanimously.**

15. Adjournment. Layton **moved** (2<sup>nd</sup> Langhus) to adjourn. **Motion approved unanimously.**

Meeting adjourned at 10:37 pm.

By Miranda Bergmeier

Approved by the Selectboard on September 23, 2020

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Claudette Brochu  
Selectboard Chair

Next Meeting – September 23, 2020 – Meeting at 6:30

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NORWICH SELECTBOARD.