

Minutes of the Selectboard Meeting of
Wednesday, April 14, 2021 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: Roger Arnold, Chair; Mary Layton, Vice Chair; Claudette Brochu; Marcia Calloway; Robert Gere; Herb Durfee, Town Manager; Miranda Bergmeier, Assistant to the Town Manager.

There were about 43 people in the audience.

Also participating: Stuart Richards, Linda Cook, Cheryl Lindberg, Nicholas Christakis, Fire Chief Alex Northern, Neil Fulton, Robert Stevens, Demosthenes Sofronas, Stuart Richards, Sharon Racusin, Jon Felde, Stephen Flanders, David de Gijssel, Kathleen Shepherd, Heidi Lockwood, Charlotte Metcalf, Zay Gamez, Deborah Hannam, Lena Myers, Liz Blum, Paul Manganiello, Linda Gray, Lynn McCormick, Pam Smith.

1. Approval of Agenda. Layton **moved** (2nd Gere) to approve the agenda. **Motion approved unanimously.**
2. Public Comment. Stuart Richards suggested having a conversation with Chris Katucki regarding his lawsuit to settle the dispute with Katucki. Linda Cook asked about her corrections to the draft SB minutes and read aloud from her suggested corrections, which were included in the Selectboard (SB) meeting packet. Layton said she noticed that a member of the Planning Commission made several written defamatory remarks online against a town employee. Layton wants the SB to develop a code of ethics to address this very disturbing behavior. Layton pointed out that teachers have to be very careful about what they say publicly. Nicholas Christakis cautioned that it is not easy, given 1st Amendment protections, to regulate speech by public officials.
3. Consent Agenda. Layton **moved** (2nd Calloway) to approve the consent agenda, minus the March 24th minutes and the correspondence from Stephen Flanders. **Motion approved unanimously.** Brochu noted some errors on the A/P warrant. Calloway said that she thinks the town should consider Flanders's correspondence to address solar siting. Brochu said an option is to petition to amend the relevant section of the Town Plan. Calloway expressed concern about solar projects being sited in town without restriction. Brochu said a petition would be the most appropriate way to address these concerns. Calloway feels strongly that people should petition if they feel strongly about the issue. Layton **moved** (2nd Calloway) to accept Stephen Flanders's correspondence. **Motion approved unanimously.** Layton **moved** (2nd Calloway) to accept the minutes for March 24, 2021 with corrections as proposed by Calloway. **Motion approved unanimously.**
4. Town Manager Report. Durfee gave some highlights of written report including: Police Chief survey results are in the SB meeting packet; the Police Chief search has closed and we will begin reviewing the submitted applications; the Town has a new police officer on board as of Monday, April 12, 202; we have offered the DPW position to an applicant; the RFP for IT services has been put out for submissions; the Casella contract has been extended for 1 year. Brochu asked about delinquent taxes. Durfee said that Becky is reviewing details in response to Cheryl Lindberg's questions. Durfee said there are more delinquent accounts than usual; Becky is looking to the details. Fire Chief Alex Northern spoke about the Fire Department's materials in the SB packet and said the FD looks forward to discussion the matter in more detail at a future SB meeting. Neil Fulton gave some information about the FD's Forestry truck.

4.1 Public Hearing on Next Police Chief. Durfee noted that SB meetings and comments therein are recorded and posted on YouTube and CATV. Robert Stevens said that he was alarmed by suggestions about cutting back on police staffing, because of dangerous incidents he thinks it's important to have protection for citizens. He wants to maintain police staffing levels as they were before Chief Frank left. Demosthenes Sofronas said that a Norwich Police Department (NPD) report done in prior years is posted on the town's website. Sofronas said that in 2007, community policing was instituted in Norwich; Sofronas read aloud a portion of that year's report. Stuart Richards said he agrees with Robert Stevens that we need at least as many police officers as we currently have allowance for. Richards wants to have a police chief in place to have community discussions, not have those discussions before hiring a chief. Richards wants to be sure we have quick police response times for those who need it. Sharon Racusin said that people of color have been harmed by police and their discretionary power. Racusin wants to now consider what direction we want to take Norwich's policing. Racusin said she wants the SB to come up with an interim solution before hiring a new police chief. Jon Felde is concerned about the powers of the police force. He disagrees that we should hire a chief before public discussion; we should have public discussion before hiring a new chief. Stephen Flanders said it would be unwise to delay hiring a new police chief, because only that person knows how to properly supervise the police officers; it is not a good idea not to have proper supervision of the police officers. David de Gijssel said we are a relatively safe town and we spend a great deal on police. There is a role for police, but de Gijssel wants us to examine what resources we should allocate to social services. De Gijssel said there are other ways to address the community's needs without police. Kathleen Shepherd wants research to be done about the use of body cameras; she thinks we should open the conversation now about what activities should be conducted by police and what we want policing to look like in Norwich before we hire a new chief. Heidi Lockwood said she wants the community to be involved in keeping Norwich's community safe. She wants public involvement in the hiring process for a police chief. Charlotte Metcalf said she understands people's concerns about guns in schools. She said she wants to have public discussions after hiring a new chief. Metcalf described separate incidents needing police intervention, involving break-ins in her house and on her property. Metcalf said we need to restore full staffing of the NPD before further discussion. Zay Gamez talked about deaths due to police; said that there is no statistical support for the notion that increased police spending makes a community safer and spoke in support of the resolution that was submitted as correspondence and included in the SB meeting packet. Deborah Hannam said she experienced a very serious incident at her home and feels strongly that Norwich needs to fully staff the NPD. Nicholas Christakis wants to disconnect the police spending issue from the need for spending on other services. He would rather hire a new police and discuss policing needs and other community needs. Lena Myers read aloud from the resolution (in SB packet); Myers supports delaying the hiring of a new police chief. Liz Blum questioned why we have unmarked police cars; she wants to have community discussion about public safety. Paul Manganiello said we will never get to zero crime and he wants to have a study of what our town's public safety needs are. Linda Gray said she thinks there should be a mechanism for further study of the town's needs. Gray wonders if an interim chief can operate effectively. Lynn McCormick said the town should have a broad discussion before hiring a new police chief. Calloway said we have an obligation to all of the town, including our residents and our employees. Calloway thinks we need to move forward with hiring and also conduct in-depth study of our needs. Brochu said she favors hiring an interim chief or sharing the Police Chief from Theford while Norwich has a data-driven discussion about the future of our police department. Layton favors moving forward with hiring a new police chief and also having in-depth discussion about policing needs. Gere agrees with everyone so far; he thinks it is dangerous not to have active supervision of police officers, and we must impress on police chief applicants that we as a community are discussing the NPD future direction. Gere also said we need to fully and extensively vet any applicants. Arnold referenced recent police killings elsewhere in the US, and said it's appropriate for Norwich to consider the historic

and racial issues in policing. Arnold has heard concerns about the proper role of the police in Norwich. Arnold said it's not the SB's call under the state statute to make or not make a hire; that is the Town Manager's role. Arnold favors an interim hiring. In the context of the SB's ability to request conditions for any future police chief contract, Calloway cited 24 VSA §1233 for the clarification that "in all matters [the Town Manager]... shall be subject to the direction and supervision and shall hold office at the will of such Selectboard..." Durfee said the deadline for NPD Chief applications has passed; he is reviewing the applications and will assemble a group to help with interviews, including SB member(s) and community members. Durfee said he is inclined to hire first, then have the new chief participate in the community's discussions about policing. Brochu said she wants to have a future agenda item for the SB to discuss the chief position.

5. Break

6. Report on Solar Credits. Durfee said he proposes that the town's contracted auditor can do a thorough audit of the solar credits, in order to ensure the town is properly being served under our contract with Solaflect. Calloway wondered if the Town needs an auditor who specializes in energy issues. Durfee said he is confident that Batchelder is capable of conducting the audit. Layton said she approves of Durfee's suggestion. Layton **moved** (2nd Gere) to support the Town Manager's intent to hire Batchelder Associates (the town's independent auditor) for an estimated amount not to exceed \$1,000 to review the solar credit financial information. **Motion approved unanimously.**

7. Revised Net Metering Agreement with Solaflect. Brochu asked what is the term of the revised contract – when does the 20 years start? Durfee said he will have to research that and let the SB know. Calloway expressed some concerns about the contract, including the cost of the electricity and cooperating with financing efforts. Linda Gray said the commissioning date (beginning of contract term) is the original date the solar panels went into use in 2014; they have a 25-year warranty. Gray also said there will be no new financing; it has been completed well before the proposed amendment. Pam Smith said she thinks the commissioning date was prior to 2014. Layton **moved** (2nd Gere) to amend the Net Metering Agreement with Solaflect and to authorize the Town Manger to sign said amended agreement on behalf of the Selectboard. **Motion approved unanimously.**

8. Continued Discussion of '21-22 Work Plan and Goals. SB members agreed to defer detailed discussion on this item until all SB members have submitted written comments for inclusion in a future SB meeting packet. Brochu explained how she structured her written comments and prioritization. Calloway said she wants a better handle on the financials and summarized her input on capital budget issues. Layton said she is thinking out how to prioritize based on condition of infrastructure. Gere said he's thinking about needing to know more about the town's assets.

9. Reauthorization of the Finance Committee MOU. SB members agreed to defer this agenda item to a future meeting.

10. Authorize 2021 Local Emergency Management Plan. Brochu **moved** (2nd Layton) to adopt the Local Emergency Management Plan and the Vermont National Incident Management System, and to authorize the Town Manager and the Selectboard Chair to sign the form attesting to the adoption of said Plan and System. **Motion approved unanimously.**

11. Adjourn. Calloway **moved** (2nd Gere) to adjourn. **Motion approved unanimously.**

Meeting adjourned at 10:08 pm.

By Miranda Bergmeier

Approved by the Selectboard on April 28, 2021

Roger Arnold
Selectboard Chair

Next Meeting – April 28, 2021 – Meeting at 6:30

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