

Minutes of the Selectboard Meeting of
Wednesday, June 23, 2021 at 6:30 pm

This meeting was conducted via teleconference using ZOOM and in person in Tracy Hall, in order to comply with Open Meeting Law requirements while providing remote access for attendees. 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 10 people in the audience.

Also participating: Charlotte Metcalf, Cheryl Lindberg, Linda Cook, Linda Gray, Rod Francis (Planning Director), Elisa Close, Pam Smith, Matt Swett, Sonny Lewellyn.

1. Approval of Agenda. Layton **moved** (2nd Calloway) to approve the agenda. **Motion approved unanimously.**
2. Public Comment. Cheryl Lindberg said the Listers have issued grievance letter and they will lodge the grand list next Wednesday. Linda Cook asked if the SB will continue with Zoom for the future. Arnold said the SB hasn't discussed it yet. Cook thanked the SB for continuing with Zoom thus far. Brochu thanked John Carroll for his work for the town and wished him a happy retirement.
3. Consent Agenda. Layton **moved** (2nd Calloway) to approve the consent agenda and to pull the Stringer correspondence. **Motion approved unanimously.** Lindberg asked about the recreation officials payments and why didn't they go through payroll. Durfee said he will look into that. Right now the payments are stipends; Durfee said he will pull the payments, if necessary. Layton **moved** (2nd Calloway) to accept correspondence from Amy Stringer. **Motion approved unanimously.** SB members agreed to develop an answer to Stringer's letter. Arnold said he mistakenly cited a recent survey as the source of his statement about a Norwich police officer mis-gendering a resident repeatedly. Arnold apologized for his error.
4. Appointment to Development Review Board (DRB). Linda Gray spoke in support of her application for appointment to the DRB. Brochu asked how many vacancies are on the DRB. Calloway said she thinks there could be a conflict of interest for Gray if she sits on the DRB, because of her work for the Energy Committee. Gere said it is possible to abstain from voting as a DRB member if an issue come before the DRB that involves the Energy Committee. Gere said that such issues are rare at the DRB. Layton agreed that Gray could recuse herself if necessary. Arnold agreed and stated that he doesn't see a problem with Gray's appointment. Rod Francis said that solar panel projects of a certain size are within the jurisdiction of the T Public Utilities Commission, not the DRB, so it is very rare for the DRB to have jurisdiction over a solar project. Layton **moved** (2nd Gere) to appoint Linda Gray to the Development Review Board for a three-year term ending April 30, 2024. **Motion approved 4 to 1 (no- Calloway).**
5. Wastewater Study. Arnold said the Rod Francis memo in the packet outlines the issue. Rod Francis gave a synopsis of his memo. The state funding source can be used to help fund systems of varying sizes, including small wastewater systems. A study would determine if there is a problem; if so, what is the problem; and what are the options to address the problem. Calloway expressed concern that the town is not authorized to spend money on a wastewater study. Layton said she is intrigued about Francis's mention of the possibility for smaller wastewater systems. Durfee addressed Calloway's concern about spending authorization by saying there is allowance in the budget for professional services. Durfee said the school is using a temporary solution for their wastewater. Gere asked if the school has done any of their own studies. Francis said any studies

conducted have been posted on the school district's website. Layton said she thinks a study would be valuable for the town. Brochu said she's inclined to support conducting a study. Calloway said she doesn't want to spend money on a study without specific authorization from the voters; she wants to put a warrant article before the voters. Elisa Close said she agreed with Calloway about not spending without voter approval; she thinks the SB should let the school get on with solving their own septic issues. Pam Smith said in the current fiscal year, the town has overspent the professional services budget line. Layton **moved** (2nd Brochu) to authorize the Town Manager to draft and release a Request for Qualifications (RFQ) and submit an application to the Department of Environmental Conservation Clean Water State Revolving Loan Fund program in support of undertaking a wastewater study for Norwich Village and adjacent areas. **Motion approved 4 to 1 (no- Calloway).**

6. Discussion of Policing... Brochu said in the best case scenario, the SB would approve an RFP at their next meeting in July. Brochu gave a synopsis of how she developed the RFP from Brattleboro's example. Calloway talked about her reasoning in developing the FRP. Calloway thinks the police should be included in the process. Layton said she likes the balance in the RFP document. Gere said his objection to a facilitator is in general; the facilitator envisioned in the RFP is more focused and also provides research for the process. Arnold said he thinks we want input from the public and a facilitator would help to encourage that participation. Arnold sees a need for a consultant to provide information to assist in the process; Arnold want a publicly available report as a product/result of the RFP work. Layton expressed concern about how to fund any work solicited by the RFP. Brochu said she would like to have SB members and Durfee submit to Brochu and Calloway their suggestions for edits to the RFP. Charlotte Metcalf said she would like to know more about the history of how this policing discussion arose. Metcalf want clarification on how many hours of policing are being provided to the community.

7. Board Statement On Policing... Arnold said he has not yet drafted a public statement. SB members agreed not to release a public statement until after they have developed and finalized the RFP. SB members agreed to proceed to agenda item #11 (Executive Session) next, then return to agenda item #9.

11. Executive Session re: Personnel (part 1 of 2). Layton **moved** (2nd Brochu) to enter executive session under 1 VSA §313(a)(3) to discuss the Town Manager improvement plan and annual evaluation, and to invite the Town Manager to join said executive session. **Motion approved unanimously.** SB moved into executive session at 8:41 pm. Layton **moved** (2nd Gere) to enter into public session. **Motion approved unanimously.** At 9:01 pm the Selectboard moved into public session.

9. Town Manager Report. Durfee introduced John Casey, who has been serving temporarily in the Finance Office, and has produced a revised financial dashboard document to highlight relevant information about the town's budget status. This dashboard is included in the SB meeting packet. Durfee reviewed and summarized the document and asked SB members if they like this new dashboard format. Calloway said the dashboard is better, and she'd also like to see the designated funds broken out and included in the dashboard document. Layton said she likes the way it's laid out. Arnold said this dashboard is a very improved tool that's helpful. Durfee said this round of interviews for Finance Director has resulted in a job offer to a candidate. Brochu asked about the status of the IT RFP. Durfee said the RFP review team has narrowed the proposals down to 4 firms, which will be asked to interview with the team. Gere said progress is definitely being made; Gere helped with the review process.

8. Repairs to Fire Engine #1. Matt Swett, Deputy Chief of the Fire Department, said the department's original plan was to refurbish Engine #1 at a future time, but that plan has changed

because there are significant engine repairs that are necessary now. The FD proposes that, while the engine cylinders are being replaced, the other planned engine work should be done – soon than originally planned. Layton said it seems clear the proposed repairs should be completed. Sonny Lewellyn, mechanic at the Norwich DPW, explained the status of repairs for Engine #1. Lewellyn said he doesn't know how much the extra work will cost; he has requested an estimate from the shop but hasn't received that yet. Swett and SB members thanked Lewellyn for his excellent work at DPW and as a mechanic. Brochu **moved** (2nd Layton) to authorized the Fire Department to overhaul Engine #1's engine up to \$30,000 and to fund such repairs from the Designated Fund – Fire Apparatus.

Motion approved unanimously.

10. Operational Plan for '21-'22. Calloway mentioned final edits to her proposed Operational Plan document. Calloway said she will clean up the document with final edits and then send it out to SB members. Brochu **moved** (2nd Gere) to accept the Operational Plan with Through Lines as submitted by Calloway in the 6/23/2021 Selectboard meeting packet and to affirm the through lines section in said document. **Motion approved 4 to 1 (no- Layton).**

11. Executive Session: Personnel (part 2 of 2). Layton **moved** (2nd Brochu) to find that premature general public knowledge of attorney client communications between the Selectboard and Town Attorney as to matters for which legal advice is sought would clearly place the Town at a substantial disadvantage by disclosing privileged communications and waiving attorney-client privilege. **Motion approved unanimously.** Layton **moved** (2nd Calloway) to find that premature general public knowledge of the Selectboard's discussion of an agreement with a town employee would clearly place the Town at a substantial disadvantage because of the potential for disclosing the Selectboard's internal exchange of ideas as to what the agreement may allow or require. **Motion approved unanimously.** Layton **moved** (2nd Calloway) to enter executive session for the purposes of considering attorney-client advice that has been shared with the Chair and for discussion of an employment agreement with a Town employee. **Motion approved unanimously.** SB moved into executive session at 10:01 pm.

Layton **moved** (2nd Gere) to enter public session. **Motion approved unanimously.** SB moved into public session at 11:00 pm.

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

Meeting adjourned at 11:01 pm.

By Miranda Bergmeier

Approved by the Selectboard on July 14, 2021

Roger Arnold
Selectboard Chair

Next Meeting – June 30, 2021 – Meeting at 6:30

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