

Minutes of the Selectboard Meeting of
Wednesday, May 25, 2022, at 6:30 pm

This meeting was conducted via teleconference using ZOOM according to Open Meeting Law requirements. Members present: Roger Arnold, Chair; Mary Layton, Vice Chair; Claudette Brochu; Marcia Calloway; Robert Gere; Rod Francis, Town Manager; Miranda Bergmeier, Assistant to the Town Manager.

Also participating: Peter Orner, Andy Scherer, Linda Cook, Fielding Essensa, Cheryl Lindberg.

1. Approval of Agenda. Layton **moved** (2nd Brochu) to approve the agenda with the addition of the Wastewater Advisory Committee composition for consideration and possible vote. **Motion approved unanimously.**
2. Public & Selectboard Comment. Peter Orner spoke about the Moore Lane Bridge and how it is leaking chemicals into the stream below it. Orner said that he is concerned and the tarp that has been installed has not been working. Andy Scherer said he is interested in hearing more about the organics collection at the transfer station. Calloway said that she thinks all memos submitted to the Selectboard (SB) regarding agenda setting should be included in the meeting packet.
3. Consent Agenda. Brochu had a question about the financial dashboard. Fielding Essensa said that he included May's to-date numbers in the dashboard data. Essensa said that, as of now, the town is on track to be slightly under budget for this fiscal year (FY2022). Layton **moved** (2nd Gere) to approve the consent agenda. **Motion approved unanimously.**
4. Request for Extension to File the Grand List Abstract. Layton **moved** (2nd Gere) to approve the Board of Listers' 30-day extension request under 32 VSA §4342 to be filed with the Vermont Department of Taxes, as contained in the Selectboard meeting packet. **Motion approved unanimously.**
5. Town Manager Report. Francis said a major focus of the DPW's work over the last week has been on the Moore Lane Bridge. Francis said the tarp has not been working to catch the material leaking into the water running below. Francis said the town is working closely with state officials to remedy the situation. Ultimately, the bridge deck may need to be replaced. Francis said he received a proposal from a firm late today to do an analysis of the material leaking from the bridge to determine what it is. The work would be to take 6 samples (2 from the water, 2 from the bridge deck, and 2 from the bridge abutment) and analyze them. The town received a \$7,748.40 cost estimate from Murray & Masterson Environmental Services of Bristol, VT to perform this work. Essensa said we could possibly use operating funds for FY2022 or use the Bridge Maintenance reserve fund. After some discussion, Brochu **moved** (2nd Layton) to authorize the Town Manager to enter into an agreement with Murray & Masterson Environmental Services in an amount not to exceed \$7,800.00 to be paid from the FY2022 operating budget. **Motion approved unanimously.** Francis addressed Scherer's earlier comment to say that Francis is still communicating with Casella to come up with solutions regarding organic waste. Calloway asked about the Fire District's long-range planning meeting. Francis said the Fire District members had asked about the possibility of merging the Town with the Fire District. Francis said he talked to the town's attorney about this matter and the attorney said there is no clear process set out by Vermont statute, aside from doing so via a charter process. This would be a very complicated process. The Fire District determined that merger was not a viable plan for the next 5-year time span.

6. RFP for Legal Services, Labor Agreement and Human Resources. Francis said that in FY2023, legal expenses would be paid for out of the professional services – legal services budget line [currently they are paid from the professional services budget line]. SB members agreed to put out an RFP to seek legal counsel for personnel matters.

6.1 [added agenda item] Wastewater Study Committee. Francis recommended putting together a wastewater study committee, as discussed in his memo included in the SB meeting packet addendum. The advisory group would help guide the hired consultants in their work of obtaining wide public input and gathering expert assessments. SB members discussed composition of the committee. Brochu **moved** (2nd Calloway) to request the Town Manager to issue a call for applicants to serve on a Wastewater Feasibility Steering Committee: one representative from the Selectboard, one from the Planning Commission, one from the Conservation Commission, one from the Fire District, one from Marion Cross School, one from the downtown business owners, one resident of the village, and one resident from outside of the village. **Motion approved unanimously.**

7. Meeting Calendar. Francis talked about Tracy Hall's office space issues, including HVAC. Francis said one approach is to hire consultants to analyze the physical plant of the town, including Tracy Hall, the transfer station and the DPW garage. Some of the issues and options to be considered: replacing the boilers in Tracy Hall; hiring consultants for space analysis; moving some town office functions out of Tracy Hall; Tracy Hall air quality analysis; RFPs for Tracy Hall boilers and fire suppression system. SB members discussed bringing to the next meeting a list of available rental spaces in Norwich. SB members agreed that Calloway will provide a memo framing the animal ordinance for future work.

9. Reciprocal License Agreement with SAU70. Layton **moved** (2nd Gere) to find that premature general public knowledge about a proposed agreement would clearly place the Town at a substantial disadvantage. **Motion approved (4-yes; Calloway-no).** Layton **moved** (2nd Brochu) to enter executive session, pursuant to 1 VSA §313(a)(1)(A), and to include the Town Manager. **Motion approved (4-yes; Calloway-no).**

The Selectboard entered executive session at 8:33 PM.

Layton **moved** (2nd Calloway) to enter public session. **Motion approved unanimously.** The SB entered public session at 9:08 PM.

10. Attorney-Client Communication. 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. **Motion approved unanimously.** Layton **moved** (2nd Brochu) to enter executive session, pursuant to 1 VSA §313(a)(1)(F), for the purpose of considering confidential attorney-client advice. **Motion approved unanimously.**

The Selectboard entered executive session at 9:10 PM.

Layton **moved** (2nd Calloway) to enter public session. **Motion approved unanimously.** The SB entered public session at 9:25 PM.

11. Adjourn. Brochu **moved** (2nd Layton) to adjourn. **Motion approved unanimously.** Meeting adjourned at 9:27 pm.

By Miranda Bergmeier

Approved by the Selectboard on June 8, 2022

Roger Arnold, Selectboard Chair

Next Meeting – June 8, 2022 – Meeting at 6:30

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