

Minutes of the Selectboard Meeting of
Wednesday, April 26, 2023, at 6:30 pm

This hybrid meeting was held in the Multipurpose Room in Tracy Hall.

Members present: Marcia Calloway, Chair; Mary Layton, Vice Chair; Roger Arnold; Pamela Smith; Priscilla Vincent

Also participating: Brennan Duffy, Interim Town Manager; Cheryl Lindberg, Treasurer; Peter Orner; Jacqueline Allen; Linda Gray; Stuart Richards; Irving Thomae; Brian Loeb; Linda Cook; Robert Gere; Emily Myers; Jack Candon; Nancy Osgood; Anna Connolly; Jordan Mueller

1. Welcome. Technical difficulties with the Zoom system delayed the start. Calloway brought the meeting to order at **6:49 PM**.

2. Agenda Review. In response to a request from Calloway, the Board determined to add an informational item (#6.5) she said was recommended by the Town Treasurer, to be addressed between the Finance Report and the Town Manager Report. Layton moved, seconded by Smith, to approve the Agenda as amended.

Vincent expressed concern that the current agenda did not address police department issues. Duffy responded that they will be on the next meeting's agenda. Motion **passed** (4 Yes; Vincent abstained).

3. Minutes. Layton moved, seconded by Arnold, to approve the minutes of April 12, 2023, with amendments specifically requested by Vincent and Lindberg as shown in the packet for the present meeting. **Passed** unanimously.

4. Correspondence. Vincent moved, seconded by Layton, to accept correspondence as included in Selectboard meeting packet. **Passed** unanimously.

5. AP Warrant. Layton moved, seconded by Arnold, to approve AP Warrant #990 in the amount of \$68,343.76. **Passed** unanimously.

5.5. Additional Public Comment. The Chair solicited comments from the public on issues not appearing on this meeting's agenda. Orner rose to urge the Board to include in future agendas the issues of pedestrian safety and walkability, particularly in light of the passage of Ballot Measure 10, by which the Town voted to allocate \$50,000 toward

their study. He emphasized that that vote was for a binding, not advisory measure. Allen reminded the Board that the Planning Commission had already submitted for the previous Board's approval a plan to form a subcommittee to address these issues, but it had not been moved forward.

Thomae spoke to the need to better ensure functioning links to these meetings on Zoom and to provide proper and timely advertising thereof.

Richards, via Zoom, spoke in support of expeditiously addressing the question of adding a fifth police officer. Calloway assured that it will be on an agenda soon.

Gray said she hopes the Board will incorporate energy-related issues at Tracy Hall soon on agendas for future meetings.

6. Finance Report and New Audit Preparation/Consistency. Calloway said that since the interim Finance Director was currently not available, relevant questions might best be addressed to the interim Town Manager.

Richards asked why the COLA bonuses still had not been distributed. Duffy responded that the reason continues to be that that will entail an agreement with the union involved, which has yet to be reached.

6.5 Lindberg reported she has solicited information from local banks on what short-term investment options might offer better yields than the Town currently achieves on accounts with substantial positive balances. She said she will deliver a memo soon to the Board in this regard.

7. Interim Town Manager Report. Duffy reported that the current interim Finance Director's last day will be April 28 and that they have some good potential candidates to take her place. He also noted that the purchase of a new police cruiser is complete and its use awaits only the car's full equipment "fit-up." He further reported that they have identified a suitable interested candidate for the buildings and grounds position that has been open for the last six months and that the necessary field work at Huntley Meadows is already underway. They now think the tennis courts may be ready to open again this summer.

Duffy said he has filed the opioid settlement claim on behalf of the Town, as well as the "mini-grant" application discussed at the last meeting. He also said they will be soliciting volunteers for bridge and trail work.

He said TRROC and VLCT have approved the Town's potential transfer of some of the ARPA monies to other funds that would provide greater flexibility, as has already been done by other communities. He would like Two Rivers to appear before the Board at its

next meeting, May 10, to discuss the process involved. Calloway said she has already extended the invitation.

8. IREC (Intermunicipal Regional Energy Coordinator). Duffy said this report has been submitted.

9. Fire Department. Duffy said the Fire Department's report will include important information regarding dangers associated with Lithium-based batteries.

10. Committee Appointments.

Arnold moved, seconded by Vincent, to appoint Emily Myers and Richard Stucker to the Development Review Board for a term expiring on April 30, 2026. **Passed** unanimously.

Arnold moved, seconded by Vincent, to appoint Jack Candon as an Alternate Representative on the Development Review Board for a term expiring on April 30, 2026. **Passed** unanimously.

Vincent moved, seconded by Smith, to appoint Irv Thomae as the Norwich representative on the EC Fiber Governing Board for a term expiring on April 30, 2024. **Passed** unanimously.

Smith moved, seconded by Vincent, to appoint Robert Gere as the alternate Norwich representative on the EC Fiber Governing Board for a term expiring on April 30, 2024. **Passed** unanimously.

Smith moved, seconded by Layton, to appoint Erich Rentz to the Energy Committee for a term expiring on March 31, 2026. **Passed** unanimously.

Arnold moved, seconded by Smith, to appoint Robert Gere to the Energy Committee for a term expiring on March 31, 2024. **Passed** unanimously.

Smith moved, seconded by Vincent, to appoint Linda Cook to the Historic Preservation Commission for a term expiring on April 30, 2026. **Passed** unanimously.

Osgood spoke on behalf of Jess Phelps, who was unable to attend. Arnold moved, seconded by Layton, to appoint Jess Phelps to the Historic Preservation Commission for a term expiring on April 30, 2026. **Passed** unanimously.

Loeb, a current member of the Planning Commission, phoned in to recommend the Board not make any decision precipitously on an appointment to the Commission since

that could result in stalemates on the Commission due to no longer having an odd number of members if only one were to be appointed at this time. He said the fact there had been just one applicant likely was attributable to the Board's not having directed sufficient public attention to the Commission's two current openings.

Smith moved, seconded by Vincent, to appoint Stuart Richards to the Planning Commission for a term expiring on April 30, 2027. **Passed** (Calloway, Smith, Vincent, Yes; Arnold, Layton, No).

Vincent moved, seconded by Smith, to appoint Anna Connolly to the Norwich Recreation Council for a term expiring on March 31, 2026. **Passed** unanimously.

Arnold moved, seconded by Smith, to appoint Bram Litvinoff to the Solid Waste Committee for a term expiring on April 30, 2026. **Passed** unanimously.

Smith moved, seconded by Vincent, to appoint Jordan Mueller to the Solid Waste Committee for a term expiring on April 30, 2026. **Passed** unanimously.

Layton moved, seconded by Arnold, to appoint Brian Loeb as Two Rivers-Ottawaquechee Regional Commission representative for a term expiring on April 30, 2024. **Passed** unanimously.

Layton moved, seconded by Vincent, to appoint Jacqueline Allen as Two Rivers-Ottawaquechee Regional Commission alternate representative for a term expiring on April 30, 2024. **Passed** unanimously.

11. Approval to contract for paving of culverts on New Boston road. Duffy reported that the estimate from Blaktop for this work is for approximately \$12,000 but that much of that will be recouped from grant monies. He said they had hoped for two bids but as a sign of the times had received only the one from Blaktop.

Arnold moved, seconded by Layton, to approve the contract dated April 7, 2023, with Blaktop, Inc. for paving in connection with culvert work on New Boston Road, to be paid with monies from the paving fund. **Passed** (four Yes; Smith No).

12. Certification of Compliance for Roads & Bridges. Following general discussion, Layton moved, seconded by Arnold, to approve for Selectboard signature the Certification of Compliance for Town Road and Bridge Standards and Network Inventory as well as the Annual Financial Plan – Town Highways, both documents being included in the Selectboard meeting packet. **Passed** (Layton, Arnold, Calloway Yes; Smith, Vincent No).

13. Update on Building and Grounds position and Recreation needs. Brennan provided an update on recruitment progress. There was general discussion of the need for better job descriptions, particularly for the Recreation Director and the associated new administrative assistant position.

No further action was taken at this time.

14. Interim Town Manager Contract. Layton moved, seconded by Smith, to find that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage pursuant to 1 V.S.A. § 313(a)(1) because it would compromise the Town's bargaining position with the candidate. **Passed** unanimously.

Executive Session. Layton moved, seconded by Vincent, to **enter** Executive Session pursuant to 1 V.S.A. § 313(a)(1)(A) to consider the contract of the Interim Town Manager and to possibly invite the interim Town Manager. **Passed** unanimously. The Board **entered** Executive Session at **9:25 PM**.

Public Session. Layton moved, seconded by Smith, to **enter** public session. **Passed** unanimously. The Board **entered** Public Session at **10:10 PM**.

15. Town Manager Search. Calloway said they will not try to make a definite plan for the Town Manager search, but will be guided by advice from Mary Gorman, an expert on recruitment. Arnold volunteered to write an RFQ document for consideration at the May 24 meeting. No further action taken.

16. Personnel Policies. Layton said they likely will need to scrap the current language concerning "employment at will" contracts. She also said town counsel had quoted a flat fee of \$2,000 for developing a new personnel policy. Smith said she has begun "redlining" the current policy. It was agreed that all members will go through a similar exercise using the "track changes" function in Microsoft Word and each provide Layton with a report on their recommendations, including a summary of their main points.

No further action taken.

17. Personnel Matters and Hires. As to contracts, Layton moved, seconded by Smith, to find that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage pursuant to 1 V.S.A. § 313(a)(1). **Passed** unanimously.

Layton moved, seconded by Vincent to enter into Executive Session pursuant to 1 V.S.A. § 313(a)(1)(A) and 1 V.S.A. § 313(a)(3) to consider a contract or contracts, and the appointment of an employee or employees, and to invite the interim Town Manager. **Passed** unanimously.

The board **entered** Executive Session at **10:37 PM**.

At its conclusion, Layton moved, seconded by Vincent, to enter public session. **Passed** unanimously. The Board **entered** public session at **11:30 PM**.

At this point, the board took the following actions.

- Layton moved, seconded by Smith, to authorize the Interim Town Manager to hire a Building and Grounds employee. **Passed** unanimously.
- Layton moved, seconded by Vincent to authorize the Interim Town Manager to offer the position of Administrative Assistant to the Town Manager/Department of Public Works offices, contingent upon satisfactory background and reference checks. **Passed** unanimously.
- Layton moved, seconded by Smith to authorize the Interim Town Manager to offer the position of Finance Director, contingent upon satisfactory background and reference checks, to a qualified candidate. **Passed** unanimously.
- Layton moved, seconded by Vincent, to authorize the Interim Town Manager to negotiate a contract with Robert Half for projects and training as determined by the Interim Town Manager and Selectboard. **Passed** unanimously.

18. Financial Policies & Procedures, Task 2 report. **Tabled** due to the lateness of the hour.

19. Outside Human Resources assistance and scope. **Tabled** due to the lateness of the hour.

Adjournment. Layton moved to adjourn, seconded by Smith. **Passed** unanimously. Meeting **concluded** at **11:45 PM**.

Respectfully submitted,

Ralph C. Hybels, Minutes Taker

Approved by the Selectboard on May 10, 2023

Marcia Calloway, Selectboard Chair

Next meeting on May 10, 2023 at 6:30pm

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SELECTBOARD