

DRAFT Minutes of the Selectboard Meeting of

Wednesday, August 9, 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; Lily Trajman, Town Clerk; Christopher Kaufman, Director, Department of Public Works; Jaan Laaspere, Chair, Planning Commission; Cheryl Lindberg, Treasurer; Linda Cook; Hayley DeLugach; John ("Jack") Candon; Alec Orenstein; Barry Rotman; Nicholas Wood; Robert Gere

Note that sections are presented here in the order they were addressed at the meeting, which may occasionally differ from their sequential item numbering.

Welcome. Meeting was called to order by Calloway at 6:35 PM. She reminded anyone wishing to join via Zoom® to present with both first and last names to help prevent unwelcome intrusions, commonly known as "Zoom-bombing."

1. Agenda. Calloway asked to add Item #1A, Minutes. She also asked to add Finance Committee to Item #4. There was consensus in support of these changes. Layton moved, seconded by Arnold, to approve the agenda as amended. Passed Unanimously.

1A. Minutes. There having been no minutes in the meeting's packet, by consensus this item was postponed. Tabled.

2. Correspondence. Layton moved, seconded by Smith, to approve the correspondence as submitted. Passed Unanimously.

3. AP Warrant(s). Layton moved, seconded by Vincent, to approve AP Warrant # 1015 in the amount of \$78,267.54. Passed Unanimously.

- Public Comments for Items not on the Agenda. Linda Cook came to the witness table to ask for an explanation of recent changes in policies for Transfer Station tickets and stickers, wondering specifically what if any differences there are between red and blue stickers. Duffy explained that a new contract with Casella Waste will take effect September 1 and that rates charged the Town are expected to increase then with effects that will trickle down to residents as well.

Hayley DeLugach joined the meeting via Zoom to express concerns about a new parking lot on Turnpike Rd., where she lives. In particular, she thought notice was insufficient and that sightlines were inadequate. Calloway asked her to collect any relevant communications and forward them to Duffy as ITM.

- Hemlock Road Update – Interim Town Manager. Duffy reported that Santec says there is an imminent potential slope failure due to the flooding of July 10. Chris Kaufman has been working with VTRANS and FEMA representatives on short- and long-term solutions, Duffy said. Now that they're past the emergency phase, it will be necessary to ensure compliance with the federal procurement process. He said he'd also been keeping in touch with the owners of affected homes.

Chris Kaufman added via Zoom that the anticipated timeframe extends considerably as they move to the more permanent phase and that there are numerous uncertainties that will apply to any reimbursements, particularly for fixes to the slope. Regardless, it will be necessary at least in the short term to pursue reimbursement through the Town's own procurement process.

Kaufman and Duffy further reported that someone had surreptitiously entered Hemlock Rd. and deposited materials in the area of the endangered slope, which in addition to being illegal may have jeopardized potential FEMA funding.

In response to a question from Vincent, Kaufman also said he expects the current pavement work at the Transfer Station to be completed within a week or two.

- Municipal Leaders letter about housing and homelessness. Duffy reported that Lebanon is asking neighboring communities to sign onto a letter in support of its efforts on housing and homelessness in which it has partnered with a consulting firm. There was consensus support from the Board for Duffy to sign onto the letter in question representing the Town.

4. Applicants for open positions on the Development Review Board, Finance Committee, and Recreation Counsel. Alec Orenstein was interviewed briefly concerning his application to join the DRB. He said he and his wife and child moved to Norwich two years ago and he is looking to get more involved with the community. He felt his background as a lawyer would be relevant, while he also thinks it's important for these types of positions to include people relatively new to Town.

Via Zoom, Jack Candon, who currently serves on the DRB as an alternate member but had also applied for the open position to become a regular member, said he too is an attorney, now retired, and has lived in Norwich since 1977. He said that if Alec were only interested in the full-fledged voting position, he would defer to him as he too thought involving newer residents is a worthwhile objective.

Layton moved, seconded by Arnold, to appoint Alec Orenstein as a member of the Development Review Board for a term expiring April 26, 2026. Layton, Arnold, Smith, Vincent, Yes; Calloway, No. Motion Passed. Calloway explained the only reason she voted No was that she thought after years as an alternate, Jack deserved appointment to full membership.

Barry Rotman appeared in support of his application for the open position as an alternate on the DRB. He said he retired a few years ago from a career in retail and has served as President of the Norwich Public Library Board and as a member of the Norwich Long Range Planning

Committee. Smith moved, seconded by Vincent to appoint Barry Rotman as an Alternate to the Development Review Board for a term ending April 26, 2026. Passed Unanimously.

Nicholas Wood was interviewed regarding his application to join the Finance Committee. He has worked extensively in outdoor education, including as Director of the Hulbert Outdoor Center in Fairlee, and is currently pursuing an MBA. Layton moved, seconded by Smith, to appoint Nicholas Wood to the Finance Committee for a term of three years. Passed Unanimously.

As Steven Hepburn was not in attendance, his application to the Recreation Council was postponed by consensus until the August 23 meeting. Tabled.

5. Town Clerk proposed digitized records contract. Lily Trajman said the previous Town Clerk, Bonnie Munday, had for many years signed all contracts such as the one now up for discussion, which will extend an existing contract at \$290/month for ongoing digitization and uploading of Town records to the company's "cloud" server, with access available on two terminals in the Clerk's offices. Trajman said the cost is already budgeted.

Calloway said that because the current town manager is interim, the Town's counsel had advised that the Board formally approve allowing the Town Clerk to sign the contract on behalf of the Town. She requested that Duffy and Trajman determine what exactly the contract's term will be and report that to the Board.

Arnold moved, seconded by Layton, to authorize the Interim Town Manager to execute the proposed Contract with Cotts/Recordhub Services for a period expiring in 2025. Passed Unanimously.

By consensus, the remaining terms of the motion as preliminarily drafted concerning funding source for the digitization and disbursement of any associated revenue will be taken up during budget deliberations.

6. Selectboard procedure for Hennessey and future solar array projects. Calloway said the proposed procedure would simply empower the Town's counsel to act on its behalf. Vincent expressed concern it might nonetheless constitute micro-managing of affairs best left to the Planning Commission.

Rob Gere said he's concerned the proposed enhanced role for the Selectboard might enable it to interfere at any stage of a proposed project, potentially altering timelines significantly and thus arbitrarily increasing an applicant's costs, which he finds particularly troubling in the context of the move to abandon fossil fuels. Calloway responded that the Board already has such powers, but not full access to the necessary information. Arnold said he would prefer to review the advice of the Town counsel directly.

Vincent moved, seconded by Smith, to direct the Interim Town Manager, through legal counsel, to exercise the municipality's right to intervene in PUC proceedings involving solar siting in Norwich and, with the consent of the Selectboard, to request a hearing and/or take other steps to protect and defend the Town's interests. Calloway, Layton, Smith, Vincent, Yes; Arnold, No. Motion Passed.

7. Listers' Request to Correct Omission from Grand List pursuant to 32 V.S.A. § 4261. Cheryl Lindberg, Treasurer, joined via Zoom, reporting that two corrections needed to be made to the Grand List as specified in this meeting's packet to correct assessed values that had accidentally not been changed since the last year. Smith moved, seconded by Vincent, to approve the Listers' Office correction of omissions from the Grand List as to Parcel ID 70-004.000, owner Vermont Transco LLC; and Parcel ID 70-001.000, owner Green Mountain Power; pursuant to 32 V.S.A. § 4261. Passed Unanimously.

8. Tracy Hall Boiler. Vincent and Smith reported briefly on their progress investigating alternatives to a new oil burner to meet the heating needs of Tracy Hall this winter. Vincent requested a special meeting next week to review their findings and consider next steps. Jaan Laaspere added via Zoom that he supports pellets as at least an interim solution, particularly because he believes the prospects for geothermal at Tracy Hall are not realistic. He also warned that anything with an RFP is guaranteed to take many months. Smith moved, seconded by Vincent, to Table further discussion of the Tracy Hall boiler until a special meeting to be held on August 16. Passed Unanimously.

9. Interim Town Manager review procedure. Layton moved, seconded by Vincent, to enter Executive Session under 1 V.S.A. § 313(a)(3) to discuss the evaluation of a public officer or employee, and to invite the Interim Town Manager as appropriate. Passed Unanimously.

Entered Executive Session: 9:00 PM

Layton moved, seconded by Smith, to enter public session. Passed Unanimously.

Entered Public Session: 9:29 PM.

10. Finance Department personnel contract issues. Vincent moved, seconded by Layton, 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.

Vincent moved, seconded by Layton, to enter Executive Session under 1 V.S.A. § 313(a)(1)(A) to discuss a contract or contracts, and to invite the Interim Town Manager. Passed Unanimously.

Entered Executive Session: 9:35 PM.

Layton moved, seconded by Smith, to enter public session. Passed Unanimously.

Entered Public Session: 9:47 PM.

Adjournment. Layton moved to adjourn, seconded by Vincent. Passed Unanimously.

Meeting Adjourned: 9:47 PM.

Respectfully submitted,

Ralph C. Hybels

Minutes Taker

Approved by the Selectboard on

Marcia Calloway, Selectboard Chair

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