

**Minutes of the Regular Selectboard Meeting  
of Wednesday, September 27, 2023, at 6:30  
pm**

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

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

Also participating: Brennan Duffy, Interim Town Manager; Jaan Laaspere; Stuart (Stu) Richards; Jeffrey (Jeff) Goodrich; Garret Heaton, Energy Committee Vice Chair; Cheryl Lindberg, Treasurer; Kris Clement; Chris Kaufman, Director of Public Works; Israel Maynard, Stantec; Shawn Kelley, Project Director, Sanborn, Head & Associates; Charlotte Metcalf; Wilbert C. (Scooter) Hardy; Ernest (Ernie) Ciccotelli

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 6:32 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.** Vincent moved, seconded by Layton to approve the agenda. Prior to the vote, Smith read a statement objecting to the Chair's intention to add item 1.5 during approval of the agenda at the meeting giving no notice to residents that an employment issue would be voted at this meeting. Calloway, Arnold, Layton, Vincent, Yes; Smith, No. **Motion Passed.**

**1.5. Appointment or employment of an employee.** Layton moved, seconded by Vincent, to enter executive session pursuant to 1 V.S.A. § 313(a)(3) to consider the appointment or employment of an employee. Calloway, Arnold, Layton, Vincent, Yes; Smith, No. **Motion Passed.**

Layton amended the motion to invite Interim Town Manager Duffy into the executive session, which was accepted by Vincent. Calloway, Arnold, Layton, Vincent, Yes; Smith, No. **Motion Passed.**

**Entered Executive Session: 6:41 PM**

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

**Entered Public Session: 6:59 PM.**

Layton moved, seconded by Vincent, to ask the Selectboard to approve an offer of employment to Brennan Duffy to serve as Norwich Town Manager from the date of signing for a term of three years ending in 2026 and to authorize the Chair to sign and execute the agreement. Calloway, Layton, Vincent, Yes; Arnold, Smith, No. **Motion Passed.**

**2. Minutes.** Smith moved, seconded by Vincent, to accept the minutes of September 6 and 20, 2023, with corrections as agreed. **Passed Unanimously.** The minutes of September 21 were tabled until the next meeting.

**3. Correspondence.** Stu Richards, speaking via Zoom as a member of the Planning Commission, asked the Selectboard, if possible, to retrieve for them an editable electronic copy of the Town Plan.

Duffy commented on a memo in this meeting's packet from Jaan Laaspere, Chair of the Planning Commission, that in part summarizes how the Commission may best be involved in the process to be undertaken toward hiring an individual to serve as the primary staff member in its support, including what might be the most appropriate title for the position. Duffy reported that he has had productive conversations with Laaspere regarding these matters and that they had thus far received inquiries from four potential candidates, of whom two appeared well qualified.

Duffy also drew attention to a memo in the packet from Doug Wilberding concerning potential liabilities associated with a program by which the Energy Committee had been lending out E-bikes for the public to consider possible purchase for personal use. Garret Heaton, Vice Chair of the Energy Committee, via Zoom read a brief statement from Erich Rentz, the Committee's chair, saying in part that they have established liability insurance for all parties involved and that any deficiency had been simply due to an "honest oversight."

Smith moved, seconded by Vincent, that the Chair of the Selectboard send a letter on behalf of the Selectboard congratulating Cheryl Lindberg on being named the 2023 Treasurer of the Year by the Vermont Municipal Clerks and Treasurers Association. **Passed Unanimously.**

Layton moved, seconded by Vincent, to accept the correspondence as submitted. **Passed Unanimously.**

**4. AP Warrants.** The Board addressed the status of six AP warrants, including two that the Chair had already signed as per direction of the Board in their absence. Cheryl Lindberg joined the discussion via Zoom, asking Duffy to look into a couple issues, to which he agreed.

Layton moved, seconded by Arnold, to approve AP warrant #1050 in the amount of \$4,275,712.99 from the General Fund; warrant #1051 in the amount of \$3,795.89 from the Town Reappraisal Fund; warrant #1052 in the amount of \$12,964.00 from the Police Special Equipment Fund; and warrant #1053 in the amount of \$19,151.00 from the DPW-Paving Fund. **Passed Unanimously.**

**Public Comments for Items not on the Agenda.** Kris Clement, Jaan Laaspere, Stuart Richards, and Cheryl Lindberg voiced objections regarding the process that led to the appointment of the incumbent Interim Town Manager to a permanent Town Manager position with a three-year contract. They focused especially on the use of emergency sessions and perceived lack of transparency and opportunity for public input. Calloway said they would soon release a public statement regarding the matter and that the concerns expressed were “duly noted.”

**5. Womens’ Club request for alcohol ordinance waiver.** As liaison from the Women’s Club, Lily Trajman requested a permit for their November 4 “Sock Hop” event. Layton moved, seconded by Arnold, to recess as the Selectboard and reconvene as the Liquor Control Board. **Passed Unanimously.** The Board reconvened as the Liquor Control Board at 7:49 PM.

Layton moved, seconded by Arnold, to waive the Alcohol Ordinance to permit The Norwich Women’s Club to hire a licensed caterer to serve wine, beer, and spirits at their event in Tracy Hall on November 4, 2023. **Passed Unanimously.**

Layton moved, seconded by Vincent, to recess as the Liquor Control Board and reconvene as the Selectboard. **Passed Unanimously.** The Selectboard reconvened at 7:51 PM.

**6. Stantec Proposal for Engineering Services for Hemlock Road.** Duffy invited Chris Kaufman to join via Zoom. He was joined by Israel Maynard of Stantec and Shawn Kelley of Sanborn Head. The two firms have agreed to work together, with Sanborn Head meeting the requirements for geotechnical analysis. Calloway and Duffy explained that while Stantec will take the lead, they need the expertise brought to the project by Sanborn Head. Kelley said that “we’re geared up to work with Stantec” and that he’s walked the site and they’ve been in touch with local drillers who also may be brought onto the job.

Duffy reported that there has been additional unauthorized interference on the site, including a suspicious fire, someone throwing signs over the embankment, and illicit grading to make the road appear drivable when it is not yet certifiably safe. He said an “active criminal investigation” is underway. Most importantly, he said the illicit filling and grading has only obscured the underlying conditions, which must be assessed with proper soil drilling.

Calloway asked Kaufman to respond to those, including Charlotte Metcalf, who question why the necessary work cannot be accomplished with more local resources. He said the DPW is not equipped to assess the kind of slope issues faced on Hemlock Rd.

Jeff Goodrich said as an engineer himself he has routinely worked with Shawn Kelley and he believes the Town should contract directly with Sanborn Head but not Stantec. He doesn't think FEMA will fund the project and disagrees with the diagnosis of a toe-cut issue, that in fact there is no sheer-plane failure. Said it's actually a "relatively small watershed" and so evidently not a result of any unprecedented inundation event. He is certain, however, that an assessment by Sanborn Head will resolve any uncertainty.

Scooter Hardy said he's been walking the area for a few weeks and has seen no evidence of erosion, though he advised everyone not to dig into the slope. In his opinion, "the road is fine" and Stantec should be removed from the project completely. He characterized the situation as "a complete farce" and asked rhetorically, "who concocted this thing?" Hardy added that he suspects the Interim Town Manager and the Director of Public Works of bad dealings.

Duffy responded, "You've just accused myself and Mr. Kaufman of being in on it." He and Kaufman agreed they've "been defamed" and asked that Hardy present any evidence he might have. Calloway said everyone should move past conspiracy thinking. Goodrich stood to assure that he doesn't suspect Duffy and Kaufman of nefarious intent.

Ernie Ciccotelli via Zoom asked if there's any guarantee FEMA will actually pay for the proposed work. He suggested an "education event" be staged at which Sanborn Head and Stantec would show the public on-site what the evidence is of a purported dangerous undercut on the slope in question. Calloway cautioned in response that such an event might not be safe. Ciccotelli said he didn't think there was any risk to walking the road or kayaking near the slope and that he would be willing to sign a liability waiver.

Arnold moved, seconded by Layton, to authorize the Interim Town Manager to sign the Stantec contract dated September 20, 2023, for completion of the preliminary engineering work outlined in that contract, to be funded by Unanticipated Emergency Fund for an amount not to exceed \$96,000. Calloway, Arnold, Vincent, Layton, Yes; Smith, Abstain. **Motion Passed.**

**8. DPW bid recommendations for contracts: (a) winter sand and gravel; (b) winter snow plowing.** By consensus, the Board assented to Duffy's request to table the snow plowing topic until a later meeting. Chris Kaufman reported that the two bidders on the sand and gravel work, Pike Industries and Twin State Sand and Gravel, were competitive on the sand but Pike came in much higher on supplying the gravel. He recommended the Board give the contracts for both gravel and sand to Twin State.

Layton moved, seconded by Arnold, to authorize the Interim Town Manager to accept the bids from Twin State Sand and Gravel not to exceed the fiscal year 2024 budgeted amounts for winter sand and gravel. **Passed Unanimously.**

**7. RFP for Tracy Hall Improvement Study.** Duffy reported the Town has received three responses to the RFP for renovations to Tracy Hall. Their cost estimates vary from \$25,000 in Randall T. Mudge & Associates' proposal to a range of \$35,000 to \$65,000 for Energy Efficient Investments. Studio Nexus Architects + Planners scoped out middle ground at \$33,800.

Duffy recommended contracting with Studio Nexus, which is based in White River Junction. He said their proposal was the most thorough and well thought out, explicitly allowing for potentially bringing in complementary specialists as necessary, and that they have completed similar projects and provided two strong references. The Board reviewed the Studio Nexus proposal in some depth, focusing on the scope of work proposed as well as the potential roles specified for additional consultants.

Layton moved, seconded by Arnold, to authorize the Interim Town Manager to accept the proposal from Studio Nexus Architects + Planners in an amount not to exceed \$34,000 for the Tracy Hall Improvement Study, to be funded by the Operation Performance and Development Fund. **Passed Unanimously.**

**9. TRORC contract extension for Kyle Katz, Planning Services.** Layton moved, seconded by Smith, to authorize the Interim Town Manager to execute the contract extension with TRORC for Kyle Katz to provide planning services to the Town of Norwich for the period ending December 31, 2023 in the amount of \$9,500. **Passed Unanimously.**

**Town Manager's Report.** Duffy reported that he and other staff have begun the capital planning process and that he anticipated Joyce Hasbrouck will have completed meetings with the various department heads by the next week. Their focus will then turn to operational budgeting. He hopes to have something for the Board to review at the first meeting in November.

Calloway asked that each member come to the next meeting with a list of what they consider to be "non-negotiable obligations" as a starting point for discussion.

Duffy read a memo from Chief Romei regarding radar speed feedback signs (RSFBs), which said all five of those currently in use will need to be replaced. Direct replacement would take many months according to Green Mountain Power, but since new models are solar powered, GMP need not be involved and hopefully they will all be in place by the end of October. The Chief recommends purchasing a "Speed Tracker Plus," at an approximate cost of \$3,500, which can be easily moved from place to place for additional data collection as well as traffic slowing. Such data may then inform allocation of policing resources for direct enforcement. The idea sparked interest but its discussion led to no particular conclusion.

Duffy noted that Chief Cochran had signed onto an agreement with the Town of Hanover to allow Norwich police to operate as needed in Hanover and vice versa, but that the Selectboard had not given its formal approval as required by statute. He said the decision could be put off until another meeting when it could be put on the formal agenda. Consensus was reached to put relevant documents in the packet for the next meeting.

Duffy said Kaufman meets with FEMA on an approximately weekly basis, though focusing mainly on emergency response rather than the Hemlock Rd. situation.

He also reported that an energy assessment mini-grant has been approved for the Town, whose monies are to be administered by TRORC.

On the heating situation in Tracy Hall, Duffy said the second oil boiler has been brought back to operational condition after approximately \$3,500 worth of repairs.

Smith expressed concern about some details in Hasbrouck's financial report as found in the packet. For example, the line item for Selectboard members' annual stipends should be reported as \$2,500 instead of \$500, which is the amount paid each of the five members. Duffy asked her to put her concerns in writing for him to share with Hasbrouck.

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

**Meeting Adjourned:** 10:32 PM.

Respectfully submitted,  
Ralph C. Hybels  
Minutes Taker

Approved by the Selectboard on

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Marcia Calloway, Selectboard Chair

PLEASE NOTE: JUNCTION ARTS & MEDIA (formerly CATV) POSTS RECORDINGS OF ALL REGULAR MEETINGS OF THE NORWICH SELECTBOARD.