

DRAFT Minutes of the Norwich Selectboard Regular Meeting
held in person at Tracy Hall and via Zoom
Wednesday, June 26, 2024

Attending in Person: Pam Smith, Chair and Priscilla Vincent.

Attending via Zoom: Mary Layton, Vice-Chair; Roger Arnold; and Marcia Calloway.

Not Attending: Roger Arnold

Others Participating in person and via Zoom: Brennan Duffy, Town Manager; Cheryl Lindberg, Chair of the Board of Listers; Lily Trajman, Town Clerk; Peg Merrens; Craig Layne; Lynwood Andrews; Kit Bergen; Matt Hall; and Jaan Laaspere.

The Chair called the meeting to order at 6:30pm.

1. Agenda

Smith requested adding the Opioid Settlement Funds and an update on the KRT amendment on the reappraisal to the agenda. Calloway asked to move the Town Manager's Report to earlier on the agenda. Motion by Vincent to approve the agenda with the requested amendments (2nd Layton). Vote: Yes – Layton, Vincent and Smith; No – Calloway.

2. Chair's Report

Smith did not read the report in the packet, but summarized by saying she attended 3 meetings and referenced the 2 housekeeping items of waiting to be recognized by the Chair to speak and being cognizant of body language.

3. Public Comments

– Kit Bergen of Ladeau Rd said he reached out to the Trails Committee about concerns he had on the Bradley Hill Trail and on Ladeau Rd, which is a Class 4 road maintained by the property owners. He stated that the Trails Committee rented an excavator and made changes without consulting any of the property owners and that their work was not done in a sustainable manner. Matt Hall made the Board aware of his concerns about downed trees and other debris in the brooks that increase the potential for flooding and road washouts. He stated that the crooked quarter mile on New Boston Rd, Turnpike and Tigertown Roads are of particular concern. He has contacted the State and, if contacted by the Town, the State is willing to send a representative to assess the brooks and make recommendations on mitigation.

4. Committee Appointments

Peg Merrens submitted an application to serve a 3-year term on the Conservation Commission. Smith referenced 3 letters that were in the packet from residents who were concerned about a potential conflict of interest due to Merrens being on the

staff of the Upper Valley Land Trust. Merrens assured the Board that she will take every step to avoid even the appearance of a conflict of interest. Lynnwood Andrews and Craig Layne spoke in favor of Merrens appointment to the Conservation Commission. Motion by Vincent (2nd Layton) to appoint Peg Merrens to the Norwich Conservation Commission for a 3-year term ending March 31, 2027. Vote: Yes – Vincent, Layton, Calloway and Smith.

5. Town Manager's Report

Duffy reviewed the topics in his report in the packet. Discussion and additional information was provided on the following: **Olcott Road bridge** replacement is slated to be completed during the week of July 8. **Hemlock Road** design work is nearing completion. An RFP for the work will be delayed until fall when contractors are not as busy. **Moore Lane Bridge:** Clean Harbors will provide a bid for the emergency work needed to stop hazardous materials from entering the stream. By consensus, the Board agreed that it would be appropriate for the Town Manager to authorize the expenditure of funds for the emergency work and prepare an RFQ to seek a permanent solution from a qualified contractor. **Beaver Meadow Road:** The Town Manager is waiting on pricing information for the walkability corridor along Beaver Meadow Road. **VCDP Grant:** The Affordable Housing Subcommittee did not receive a grant for studying the town-owned land adjacent to the Transfer Station. If another location for affordable housing is identified, the Affordable Housing Subcommittee could submit a grant application in a future year. **KRT Amendment:** The amendment was signed today. **Hydrant Rental Fee:** Smith questioned why the Town had not budgeted for the increased costs for fire protection charges as stated in the email from the Fire District received in July 2022. Any increased costs for Hanover ambulance services or dispatch services from Hartford are not disputed. Why is this increase from the Fire District being disputed? Calloway said that she was in favor of increasing the FY24 budget for this line item, however, when the FY24 budget was approved to go to the voters, the increased funding was not included. Layton said she would like to see this invoice paid. Smith said that "hydrant rental" is a misnomer because more services are included in the fire protection charges than just hydrant rental. She encouraged the Town Manager to seek more information from the Fire District to justify paying the invoice dated March 6, 2024 within the 45-day period after June 30 to assure that this invoice is paid from FY24 funds. **Listers Request:** Cheryl Lindberg asked the Town Manager to consider including the Listers in the monthly department head meetings from the standpoint of being beneficial to the Listers and other departments. The Listers work with the Town Clerk, Finance, Zoning and the Town Manager's office so including the Listers in department head meetings seems like a reasonable request to keep everyone informed. Duffy said he hadn't considered

it because the Listers are not a department. Duffy is in favor of more frequent meetings of the Town Manager and Listers to cover the work of the Listers and the reappraisal whether they are included in department head meetings or not.

6. August 13, 2024 Town Ballot & Informational Hearing

The Board discussed the motion proposed by Smith for the Article that will be presented to the voters to decide if the Listers compensation should be changed from a stipend to an hourly wage. Duffy requested that wording regarding the source of funds be stricken from the Article. Some concern was expressed about who would set the hourly wage. Lindberg said that the structure for hourly wages was contained in a request the Listers made in 2022 for the FY24 budget. Calloway suggested that the Article should stipulate that the Listers should “not exceed the budgeted amount”. Smith pointed out that the Listers have a budget of \$107,313 for FY25 and she has every confidence that the Listers will manage their budget and will not overspend the total amount budgeted. Motion by Calloway (2nd Layton) to approve Article 1: Shall the voters of the Town of Norwich approve an immediate change in the method of compensating the Norwich Listers from stipend to an hourly wage not to exceed the amount budgeted. Vote: Yes – Vincent, Layton, Calloway and Smith.

Smith explained the need to hold an Informational Hearing prior to a Town vote. At the request of the Town Clerk, Smith has proposed Sunday, August 11, 2024 at 3pm in Tracy Hall for the Informational Hearing. Town Clerk Trajman stated that she is pleased that the Board is considering a weekend hearing. If this goes well, Trajman is hopeful the Informational Hearing for March 2025 will also be held on the weekend. Motion by Vincent (2nd Layton) to hold an Informational Hearing on Sunday, August 11, 2024, at 3:00pm in Tracy Hall in preparation for voting on Tuesday, August 13, 2024. Vote: Yes – Vincent, Layton, Calloway and Smith.

7. Transfer Station Fees for FY25

The Board discussed the email from Smith regarding additional changes to the Transfer Station Fees for FY25. Duffy requested an increase of \$5 in the “Non-Resident” sticker fee. Smith asked the Board if they wish to reinstitute the half-year fee for stickers purchased after January 1 of any fiscal year. The Board also discussed the meaning of the term “Non-Resident”, which refers to non-profits and small businesses in the Transfer Station policy. Duffy suggested changing the term from “Non-Resident” to “Non-Residential” to offer more clarification that this would not include non-Norwich residents. Motion by Layton (2nd Calloway) to charge \$80 for the “Non-Residential” sticker for the Transfer Station. Vote: Yes – Vincent, Layton, Calloway and Smith.

8. Extension of Zoning Administrator Contract

TRORC has offered a two-month extension of the contract for Zoning Administrator services. Calloway asked if there has been discussion of extending the contract beyond the end of August 2024 if needed. Duffy said there has. Motion by Vincent (2nd Layton) to approve the extension of the contract with TRORC for a part-time Zoning Administrator for 6-8 hours per week with a cost not to exceed \$6,700 for the period of July 1, 2024 to August 31, 2024. Vote: Yes – Vincent, Layton, Calloway and Smith.

9. KRT Amendment

As noted in the Town Manager's Report, the amendment to the reappraisal for a one-year extension was signed today. Smith proposed a press release to inform residents that the reappraisal would not take place this year. Upon request, she read the press release to the Board. Calloway suggested that it would be more appropriate for the release to be signed by the Listers and not the Chair of the Selectboard. Lindberg agreed to send the press release from their office.

10. Listers Professional Services Contract Extension

Smith stated that this contract extension is in the packet at the request of the Town Manager. She reminded the Board members that the original contract proposed at the November 8, 2023, meeting was within the authority of the Town Manager to approve and no action was taken at that meeting. Smith asked if the Board wished to make a motion on this contract extension or take the same action as November 2023. The consensus was that no Board action is needed. The Town Manager should sign the contract extension.

11. Opioid Settlement Funds

Smith referred to a request from Chris Katucki to set aside any funds received from the National Opioid Settlement to be used specifically for addiction treatment and prevention. Smith stated that she believes the authority to create a special purpose fund or a reserve fund is a decision made only by the voters. Smith suggested that the Board consider putting an Article on the March Town Warrant to utilize FY24 surplus funds in an amount equal to the Opioid Settlement funds received to create a reserve fund for addiction treatment and prevention.

12. Legal Opinion on Subcommittees

Smith referred to the letter in the packet from Town Counsel regarding the question of how members should be appointed to subcommittees. After much discussion, it was decided that Calloway would submit a revision of the SB Handbook to incorporate advice of Counsel, the charge for all committees and subcommittees and a complete listing of membership obtained from the Chair of each committee and subcommittee for the July 10, 2024 SB meeting. The consensus was that a special Selectboard

meeting should be held to formally appoint the members. It was also agreed that the Selectboard would waive the requirement to submit an application for appointment and the in-person interview. Jaan Laaspere said that the next Planning Commission meeting is scheduled for July 9 and this topic will be on their agenda. He added that the Affordable Housing Subcommittee is the only Planning Commission subcommittee that has members that are not appointed to the Planning Commission by the Selectboard.

13. New Open Meeting Law Requirements

Smith included a VLCT summary of the changes in the Open Meeting Law that take effect on July 1, 2024. Calloway added that the letter from Town Counsel on subcommittees contains a link to the legislation that amended the Open Meeting Law. Smith stated that a review of the “Policy Governing Reporting of Committees, Commissions, Task Force, or Other Groups/Individuals Appointed by the Selectboard” adopted May 23, 2018 should be reviewed for any necessary changes in the Open Meeting Law. Smith volunteered to review this policy. Smith will attend the VLCT Legal Lunch Hour on June 27 and report any information received on the OML changes.

14. Approval of June 13, 2024 Minutes

Smith noted that Layton’s minutes indicated uncertainty on the spelling of some names. Smith offered to make sure names are correctly spelled in the final minutes. Smith also said that in Item #5, the amount of the KRT contract should be corrected to reflect a total of \$190,000 with approximately \$95,000 spent to date. Calloway said Items #7 and #17 should reflect the actual vote of each SB member. Smith noted that she voted “no” on Item #17. Motion by Vincent (2nd Calloway) to approve the June 13, 2024 minutes as amended above. Vote: Yes: Vincent, Layton, Calloway and Smith. The suggested changes from Lindberg for Item #5 were not included in the first motion. Motion by Vincent (2nd Smith) to amend the June 13, 2024 minutes to incorporate the changes to Item #5 as requested by Lindberg. Vote: Yes – Vincent and Smith; No – Calloway and Layton. Motion failed.

15. Approval of AP Warrants

- Layton moved (2nd Calloway) to approve AP Warrant #1137 in the amount of \$50,049.36 to be paid from the General Fund. Vote: Yes – Vincent, Layton, Calloway and Smith.
- Layton moved (2nd Vincent) to approve AP Warrant #1138 in the amount of \$7,093.16 to be paid from Fund #12 Town Reappraisal Fund. Vote: Yes – Vincent, Layton, Calloway and Smith.
- Layton moved (2nd Calloway) to approve AP Warrant #1139 in the amount of \$4,770.00 to be paid from Fund #21 Police Special Equipment Fund. Vote: Yes – Vincent, Layton, Calloway and Smith.

16. Receipt of Correspondence

Correspondence was received from Kate White, Richard Neugass, Peter Orner and Mary Brownlow expressing concern about the Moore Lane Bridge; the Chair’s Report from June 13, 2024 was included; Smith (as a private citizen) questioned the Recreation Council on adherence to the Open Meeting Law. The exchange with one member of the Rec Council is included; Smith and Duffy were invited to attend the GMEDC Annual Meeting on June 25. Neither was able to attend; Susan Barrett submitted an email regarding Healthcare Committee Meetings and requested Selectboard assistance in getting the word out; Laura Brown, Tom Cochran and Mrs. Cochran submitted emails regarding concerns about the appointment of Peg Merrens to the Conservation Commission. Peg Merrens asked to be recognized to respond to these emails. She asked that these emails be struck from the packet because she felt they were an attempt at character assassination. She asked that the Selectboard consider not including emails in the packet that attack the character of a candidate for appointment, but compel these individuals to attend the Selectboard meeting in-person to share their concerns, and that the policies be reviewed to incorporate these protections for a candidate for appointment; finally, correspondence was received from Cheryl Lindberg asking for a revision to the June 13, 2024 minutes Item #5.

17. Department Head Reports

The packet included reports from the Fire Chief, Recreation Director and the May 2024 financial report. Smith noted that the total expenditures at the end of the 11th period should be 91.33%. The finance report shows 84.95%, which means we should have a small surplus at year-end if we continue on this trajectory.

18. Adjournment

Layton moved (2nd Calloway) to adjourn at 9:26pm. Vote: Yes – Vincent, Layton, Calloway and Smith.

Respectfully submitted,

Pamela T. Smith
Selectboard Chair

Approved _____, 2024