

Town of Norwich

Selectboard Meeting Minutes: May 8, 2024

The meeting was called to order by the Chair at 6:32 pm.

Attending: Selectboard Members Pam Smith and Priscilla Vincent in-person; Marcia Calloway and Mary Layton via Zoom. Roger Arnold was not in attendance.

Others Participating: Town Manager Brennan Duffy. Planning Commission Chair Jaan Laaspere, Lister Cheryl Lindberg, Police Chief Matthew Romei, Rob Gere, Joshua Bohar, Town Clerk Lily Trajman

Item #1 Agenda: Vincent moved, second by Layton to approve the agenda as amended to reflect approval of the April 24, 2024 minutes.

Vote: Yes: Smith, Layton, Vincent. No: Calloway (objects to inclusion of Chair report)

Item #2 Chair's Report: The Chair met with the Planning Commission regarding the Loveland Road solar installation and Capital Planning, also met with the Town Manager and Assistant Town Manager regarding the agenda.

Item #3 Public Comments: The Chair informally polled the SB members on conducting in-person vs. remote-only meetings. Calloway and Layton prefer remote attendance, Vincent prefers in-person attendance. While absent, Smith noted Arnold's remote only attendance since March 6, 2024. Based on this polling, SB meetings will be remote-only until further notice.

Item #4 Selectboard and Town Manager Goals:

Layton moved, second by Calloway to set Selectboard Goals as: appoint a Green Procurement Team and to review and possibly revise the Gift Policy and Purchasing Policy, and other policies as recommended by the Town Manager and Finance Director. Vote: Yes, Unanimous

Layton moved, second by Calloway to accept the 2024 Town Manager Annual Performance Evaluation Form as amended to remove Part II, section 3 pertaining to time management. Vote: Yes: Layton, Calloway, Vincent; No: Smith

Item #5 Committee Appointments:

EC Fiber Governing Board - Alternates

Layton moved, second by Calloway to appoint Rob Gere and Joshua Bohar to the EC Fiber Governing Board as alternates for a 1-year term ending April 30, 2025. Vote: Yes, Unanimous

Recreation Council

Layton moved, second by Vincent to appoint Kristin Fauci to the Recreation Council for a three-year term ending April 30, 2027. Vote: Yes Unanimous

Item #6 Fee Schedule Review for July 1, 2024:

Vincent moved, second by Layton to authorize the Solid Waste Committee to work with Town staff to develop a revised Transfer Station Fee Schedule effective July 1, 2024, and to bring the proposed changes back to the Selectboard on June 12, 2024, for consideration and possible adoption. Vote: Yes, Unanimous

Item #7 Fair & Impartial Policing Policy:

Layton moved, second by Calloway to repeal the Fair & Impartial Policing Policy adopted by the Norwich Selectboard on April 8, 2020. Vote: Yes, Unanimous. A statewide Fair & Impartial policy is mandated. Chief Romei recommended that the Selectboard rescind its town policy for the sake of consistency. He noted that policies coming through from the state are often very complex and difficult to implement in a training context.

Item #8 NPD Request to Purchase Police Department Vehicles:

Layton moved, second by Calloway to authorize the Town Manager to issue a purchase order in an amount not to exceed \$35,000 from the FY 24/25 budget line item and/or fund #11 for the lease of two Ford F150 Responders. Vote: Yes, Unanimous

Item #9 Carpenter & Main Restaurant Liquor License Application:

Vincent moved, second by Layton to recess the meeting of the Selectboard for the purpose of executing the duties of the local liquor control commissioners under authority of 7 V.S.A. § 167 et seq. Vote: Yes, Unanimous. Time recessed: 9:11 pm.

Vincent moved, second by Layton to approve the First-Class Restaurant/Bar License, application number 42994, for L'Elephant Vert, LLC, doing business as the Carpenter & Main Restaurant. Vote: Yes, Unanimous.

Vincent moved, second by Layton to approve the Outside Consumption License, application number 42991, for L'Elephant Vert, LLC, doing business as the Carpenter & Main Restaurant. Yes, Unanimous.

Vincent moved, second by Layton to approve the Third-Class Restaurant/Bar License, application number 42992, for L'Elephant Vert, LLC, doing business as the Carpenter & Main Restaurant. Yes, Unanimous.

Vincent moved, second by Layton to close the Norwich Liquor Commission session and reconvene the Selectboard meeting. Yes, Unanimous. Time reconvened 9:13 pm

Item #10 Selectboard Committee Handbook 2nd Read:

Marcia Calloway presented a draft of the Selectboard Handbook for Appointed Committees, Boards, Commissions. The purpose of the Handbook is to align policy with state statutes, improve communication, ensure consistency, and to be a resource manual to those who serve the Town on a volunteer basis.

The Selectboard decided not to accept the text of the Handbook as presented at this time in order to consider whether revisions are needed. The section “Appointments-Committees, Boards, Commissions, and Subcommittees” was the focus of much of the discussion. The existence of subcommittees that include members not currently part of a committee or commission was discussed. Marcia Calloway stated that statute gives the Selectboard authority to appoint members to a Commission or Committee including subcommittee members. There were differing points of view about whether the Selectboard does by statute have that authority. It was agreed that subcommittee work is valuable, that it encourages participation, and that it may require fewer hours than that of the full committee or commission. Calloway said if the Selectboard does have the authority to appoint subcommittee members it could appoint lots of committee or commission members to do the work. Pam Smith said that if additional members were appointed, the numbers needed for a quorum of the public body would be proportionally larger and would lead to scheduling issues for ongoing meetings.

Planning Commission Chair Jaan Laaspere stated although it was a good and necessary effort to create the Handbook, the tone of the Handbook draft would not be welcoming to residents wanting to serve the town. He stated also that subcommittees were needed to perform research and to enable residents with limited time to donate a few volunteer hours.

The appointment process, status as membership in a public body, and Open Meeting Law requirements intersect with terms of the settlement of the Katucki vs Norwich court case which in part has to do with the definition of a public body and compliance with the Open Meeting Law. Smith said she would like two questions answered before this document is approved: 1) what is the SB’s policy on Town departments and committees that have a non-Town website; and 2) will this document specify how and who will monitor compliance with the Open Meeting Law of all boards, commissions and committees?

Another section of the Handbook draft introduction reviewed was “Selectboard Policy Regarding Governing of Committees, Commissions, Task Force(s) or Other Groups/Individuals Appointed by the Selectboard.” This policy was adopted on May 23, 2018. The purpose was to improve communication between all appointed groups and working groups to “assure that the work of the various groups/individuals is aligned with the overall goals of the Selectboard and the Town, the work continues to be relevant, and the work of the group provides an additional means of sharing information with the public.” In a brief review of this policy, it was noted that quarterly reports were expected, that this had not happened on a regular basis, and that minutes may serve the same purpose although are expressly prohibited by the policy. Pam Smith is concerned that oversight by the Selectboard of compliance with the Open Meeting Law also is an important governing oversight issue that needs to be addressed.

Item #11 Receipt of Correspondence:

Layton moved, second by Calloway to accept all correspondence.

Vote: Yes, Unanimous

Correspondence included: a memorandum from the Listers regarding a discrepancy of the Town Line boundary between Sharon and Norwich. The discussion focused on whether this issue had been resolved at a previous meeting or should be taken up again at a future meeting. The Chair stated that the Listers request to be on a future agenda should be granted.

A memo from Alka Dev, who for health reasons had to resign as Town Health Officer. This opening needs to be added to the list of Open Positions and advertised to seek applicants.

A memo from Sonia Howlett and Alex Gottlieb regarding Vermont's Declaration of Inclusion. It was noted that policy regarding declarations was on this agenda and will be on the May 22nd agenda.

Item #12 Approval of April 24, 2024 Minutes:

Layton moved, second by Calloway to approve the April 24, 2024 minutes as amended to delete the duplicate appointment of Linda Gray to the Development Review Board.

Vote: Yes, Layton, Calloway, Smith. Abstain, Vincent (not present on April 24)

Item #13 Approval of AP Warrant:

Layton moved, second by Vincent to approve AP Warrant number 1121 in the amount of \$78,736.10 to be paid from the General Fund. Vote: Yes, Unanimous

Layton moved, second by Vincent to approve AP Warrant number 1122 in the amount of \$468.00 to be paid from the Police Cruiser Fund #11. Vote: Yes, Unanimous

Layton moved, second by Vincent to approve AP Warrant number 1123 in the amount of \$14,255.86 to be paid from the Town Reappraisal Fund #12.

Vote: Yes, Unanimous

Item #14 Draft Policy – Resolutions and Letters of Support – 2nd Read:

The Selectboard decided by consensus to table a motion to accept this amended policy to the May 22 meeting in order to include the full Selectboard.

Item #15 – Town Manager's Request – Juneteenth Holiday:

Layton moved, second by Calloway to offer Juneteenth as a paid holiday to all qualifying Norwich employees. Vote: Yes: Layton, Calloway, Vincent. No: Smith

Item #16 Adjournment:

Vincent moved, second by Layton to adjourn the meeting at 10:40 pm. Vote: Yes, Unanimous

Minutes taken by Mary Layton

Approved by the Selectboard on: May 22, 2024

Pamela T. Smith, Chair