DRAFT Minutes of the Norwich Selectboard Meeting of Wednesday, October 9, 2024

This regular meeting was held by in person in Tracy Hall and via Zoom with JAM broadcasting on You-Tube.
All members of the public body present in Tracy Hall[1]: Pam Smith, Chair; Mary Layton, Vice Chair; Priscilla Vincent; Marcia Calloway
All members of the public body present via Zoom: Roger Arnold.
All other active participants in the meeting[2]: Brennan T.M. Duffy, Town Manager; Jaan Laaspere; Russell North; Matthew Hall; Matt Swett.
Meeting was called to order by Smith at 6:30 p.m.

Item 1 Agenda.

- Layton moved to approve the agenda as amended to include the motion to appoint tree deputy wardens. Second by Vincent. Yes: Arnold, Layton, Smith, Vincent: No: Calloway, as to Item #2. **Motion Passed.**

Item 2 Chair Report.
Smith reported she talked with the Town Manager and Town Counsel.

Item 3 Public Comments for Items not on the Agenda
Jaan Laaspere re MERP grant application and specific choices listed therein.

Item 4 Committee Appointments

- Russell North application for Finance Committee. Discussion included the need to update the committee charge to comply with statutory duties of the Selectboard; the need to re-examine what the Finance Committee should do; and confusion about whether there are other existing appointments. Agreement to review as part of The Handbook process.
  - Layton moved to appoint Russell North to the Finance Committee for a 3-year term ending June 30, 2025. Second Vincent. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

- Tree Warden Matthew Hall requested to appoint two Deputy Tree Wardens. Discussion included the scope of work presented by the Emerald Ash Borer threat to public safety, and the need for more information about trees in the highway right-of-way.
  - Layton moved to appoint Chris Rimmer as Deputy Tree Warden for a term ending March 2025. Second Vincent. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**
  - Layton moved to appoint Doug Hardy as Deputy Tree Warden for a term ending March 2025. Second Vincent. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 5 Fire Department Request to Transfer Funds

- Vincent moved to authorize the transfer of $45,000 from the sale of Engine #2 from the General Fund to Fund #6 Fire Apparatus Fund. Second Layton. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

[1] **1 V.S.A. § 312(b)(1)(A)**
[2] **1 V.S.A. § 312(b)(1)(B)**

Item 6 Recreation Department Request to Spend Scholarship Funds
Discussion involved the need for a new process to request Reserve Fund spending with minimal disclosure of case-specific details, the goal being to protect the privacy of applicants and still comply with funding authorization requirements.

- Vincent moved to authorize the expenditure of $495.00 from Fund #40 Recreation Scholarship to pay a child's registration fees as requested in the September 19, 2024 memo from the Recreation Director. Second Layton. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 7 Dept. of Public Works FY25 Salt Bids
Discussion included whether the Selectboard is over-budgeting on some items.

- Layton moved to accept the bid from American Rock Salt Company of $86.10 per ton, including delivery. Second Vincent. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 8 Town Manager Annual Performance Review

- Layton moved to enter Executive Session under 1 V.S.A. § 313(a)(3) to discuss the evaluation of any employee, it being the Town Manager's Annual Performance Review, and to invite the Town Manager as appropriate. Second Calloway. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.** **Time entered Executive Session: 7:12 p.m.**
- Layton moved to enter public session. Second Vincent. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.** **Time entered Public Session: 7:30 p.m.**

Item 9 Town Manager Contract Amendment

- Layton moved 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). Second Vincent. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**
- Layton moved to enter Executive Session under 1 V.S.A. § 313(a)(1)(A) to discuss the Town Manager's Contract and to invite Town Counsel and the Town Manager as may be necessary. Second Vincent. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.** **Time entered Executive Session: 7:31 p.m.**

- Layton moved to enter public session. Second Vincent. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.** **Time entered Public Session: 8:17 p.m.**

- Calloway moved to direct Town Counsel to provide the Town Manager with the draft of "Amendment #1 to that certain Employment Agreement for the Town Manager," as provided in Executive Session. Second Layton. Yes: Arnold, Calloway, Layton, Vincent; No: Smith. **Motion Passed.**

Item 10 FY26 Budget Guidance
Town Manager Duffy reviewed the estimated expenses for other than "operational" costs including

- $166,000 being the Town's 12.5 percent required share for the approximately $1.3 million cost for Hemlock Road;
- $160,000 being the approximate cost of the Town's share of three large culvert projects;
- $250,000 to $300,000 possible cost for the Tracy Hall ADA-compliant elevator which is at end of life;

- as yet unknown estimate for Moore Lane bridge mitigation;
- as yet unknown estimate to plan ahead for mitigation of infested ash trees;
- as yet unknown expenses for Tracy Hall repairs.

Duffy indicated that a 7 to 8 percent increase in the budget would be lean but possible to cover operational costs. Finance Director Rosalinda prepared a memo explaining the potential FY24 Budget Surplus. Discussion included the amount and sources of surplus, concerns about "over budgeting," acknowledgement that some budgeted positions are still unfilled, recognition of the ways surplus is returned to the next budget, the amount of increase individual Selectboard members believe could be required, and the reality that services would be affected or eliminated if budgeting was too low. Matt Swett spoke to the savings, expenses and return on certificate of deposit, and concluded it is reasonable to ask for a percentage bump considering the cost of things go up.

- Vincent moved to set a target increase of zero percent in the FY26 operational budget. Second Smith. Yes: Smith, Vincent; No: Arnold, Calloway, Layton. **Motion Failed.**
- Calloway moved to set a maximum increase of 6 percent in the FY26 operational budget. Second Layton. Yes: Arnold, Calloway, Layton; No: Smith, Vincent. **Motion Passed.**

Item 11 Selectboard Handbook Update

Calloway referenced the 10/03/2024 memorandum in the packet explaining among other things: the need for a naming convention for groups; and, the Town Manager's Office needs to know the terms and membership of groups in order to maintain their internal list of vacant and filled positions and expiration of terms, as well as for an extracted report for the Town website. Accordingly, the Town Manager's Office amended the form which all groups will be required to submit, in the packet and titled "Subcommittee Creation/Appointments." Calloway noted the organic nature of The Handbook, that more updates are ready to be added, that Planning Commission information has not been received, but the Selectboard might consider scheduling meetings with the groups which are ready for review prioritizing those with budgetary needs. Selectboard consensus was to schedule Conservation Commission and Emerald Ash Borer Subcommittee for the 10/23/2024 agenda; and, Energy Commission and Solid Waste Committee for the 11/13/2024 agenda. Discussion involved how budgets for committees should be administered.

- Layton moved to have the word "Subcommittee" in the name of all current and future Subcommittees. Second Vincent. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 12 Receipt of Correspondence

- Peter Orner, two emails, re speeding on Turnpike/in town, pedestrian safety and walkability;
- MERP Implementation Grant Application by TRORC IREC coordinator Harry Falconer;
- Matthew Hall re appointment of two Deputy Tree Wardens;
- Linda Mulley, Tracey Kawecki, Lee Steppacher (separate emails) re concerns about the Town budget/tax burden;
- Barry Rotman re cell phone reception, suggesting a Verizon panel on the cell tower. The Town Manager's Office has looked for old documentation and will review in the new year;
- John Farrell re cutting fireworks display costs from the Town budget;
- Kris Clement re her call to VOSHA about the Norwich Transfer Station;
- Fire District Chair re Lister approval of tax-exempt status and request to dissolve the Land Management Council and terminate the Town's deeded development and recreation rights. The Selectboard will invite the Prudential Committee to a future Selectboard meeting, and Town Counsel may be consulted;

- Chris Katucki re the 2024 Draft Personnel Policy;
- Lily Trajman re Town Clerk's proposed MOU Revision. The Selectboard will schedule this for the 10/23/2024 agenda with Town Counsel available for that meeting to discuss both the MOU/Draft Personnel Policy Exhibit "B" and the need for a separate sexual harassment policy apart from that contained in the Draft Personnel Policy, which the Selectboard has not yet approved.
    - Layton moved to accept all correspondence. Second by Calloway. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 13 Approval of September 25, 2024 Minutes

Smith offered a minor correction under budget guidance, mid-paragraph, page 4 should say "… surplus of the FY24 budget."

- Layton moved to approve the September 25, 2024 minutes as amended. Second Calloway. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 14 A/P Warrants

- Layton moved to approve AP Warrant #1186 in the amount of $411,257.99 to be paid from the General Fund. Second Vincent. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**
- Layton moved to approve AP Warrant #1188 in the amount of $45.00 to be paid from the General Fund. Second Vincent. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 15 Great River Hydro Wilder Dam Relicensing

Town Manager Duffy spoke to the joint comment by the Towns of Hartford, Norwich, Hanover, and the City of Lebanon, and suggested that the proposed expenditure be authorized up to $3,000.00 in the event additional issues arise.

- Layton moved to authorize the Town Manager to sign the "Engagement Agreement for Legal Services for FERC Relicensing of Wilder Dam and Great River Hydro Projects," as proposed by Monaghan Safar, PLLC, and to commit to the expenditure of up to $3,000.00 as the Town of Norwich share of the legal fees. Second Vincent. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 16 Adjournment

- Layton moved to adjourn the meeting. Second Calloway. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.** **Meeting adjourned at 9:31 p.m.**

Respectfully submitted,

Marcia S. Calloway, Selectboard