DRAFT Minutes of the Norwich Selectboard Meeting of Wednesday, November 13, 2024

This regular meeting was held 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; and Marcia Calloway, who arrived at 6:40 p.m.
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; Craig Layne; Lynwood Andrews; Andy Scherer; Erich Rents; Linda Grey; Stephen True; Don McCabe; Heidi Lockwood.
Numerous other community members including but not limited to: Matt Swett; and members of the Conservation Commission and Solid Waste Committee and Energy Committee.
Meeting was called to order by Smith at 6:31 p.m.

Item 1 Agenda.

- Layton moved to add an agenda item, number 13, to consider whether to authorize the chair to consult Town Counsel regarding an alleged "Open Meeting Law" violation. Second by Vincent. Yes: Arnold, Layton, Smith, Vincent. **Motion Passed.**

Item 2 Chair Report.
A "Chair's Report" was included in the 11/13/2024 meeting packet.

Item 3 Public Comments for Items not on the Agenda
None.

Item 4 Selectboard Handbook – Review: Conservation Commission
By way of preface for Items 4, 5 and 6, Calloway reviewed the purpose of The Handbook i.e. to ensure everyone knows what each group is doing, that all groups are aware of their statutory responsibilities, and to ensure that everyone is working toward fulfillment of Town goals. The review sessions are also intended to hear from groups and underscore the need for communication, make sure everyone is aware of the "housekeeping" details such as the need to communicate with the Town Manager about grants, reimbursements, programs, insurance needs and the like. Discussion underscored the need for more work by the Selectboard and Town Manager to think about things like websites' content and maintenance and programs; and to review and finalize policies such as the Gift Policy.

- Craig Layne, Conservation Commission Chair, confirmed that the charge in The Handbook is correct and he spoke to the need for policies to tackle certain issues and for clarity about what are the town goals. There was discussion about Selectboard interest in hearing recommendations from the Commission in the way of a triage list. Lynnwood Andrews, Member, gave an example of the complex procedures for reimbursement.

Item 5 Selectboard Handbook – Review: Solid Waste Committee

- Andy Scherer spoke for the Solid Waste Committee and confirmed that the charge in The Handbook is correct. The committee is focusing on styrofoam and community volunteering and clothing bins. He discussed the connection with Department of Public Works ("DPW") and confirmed that the overlap lines are understood. Solid Waste Committee submitted a request for budget funding for the next fiscal year which was included in the 11/13/2024 packet.

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

Item 6 Selectboard Handbook – Review: Energy Committee

- Erich Rentz, Chair of the Energy Committee, confirmed that the charge in The Handbook is correct and noted that the committee works with the Town Manager's office as needed for programs. Member Linda Grey noted that the Energy Committee does have a budget in the Town Manager's line. Discussion included the need to check with the Town Manager for new programs and any requirements for insurance or the like. The committee has a member on the TRORC IREC group and there was interest in Energy Committee involvement with Town-related energy issues. The correct number of committee members was also discussed, and it was acknowledged that membership was changed to seven (7) by the Selectboard in approximately 2018.

- Calloway will start a "to do" list for the Selectboard based on what the board hears from, and discusses with, groups. The list will include Selectboard discussion of the "housekeeping" protocols on page 5 of The Handbook; policies to tackle problems which residents do not want to manage; review of a triage list from the Conservation Commission; discussion about what should be a group program versus what should be a function for a Town department, and how might the Town Manager leverage the expertise of groups for Town initiatives; how the Selectboard and Town Manager might ensure that particular groups are invited to Selectboard meetings when items are on agenda which are pertinent to such groups; how do groups become part of the work of the Town.

Item 7 Appoint Zoning Administrator Nominated by Norwich Planning Commission

- Nominee Steven True was introduced by Duffy and Jaan Laaspere, Planning Commission Chair, and indicated his both his interest in being appointed to this position and his particular interest in municipal planning and zoning.
- Layton moved to appoint Steven True as the Norwich Zoning Administrator. Second by Calloway. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 8 Expenditure Request from Norwich Police Chief

- Layton moved to approve the expenditure of $5,345.00 from Fund 11 Police Cruiser Fund for fire extinguishers, flares and other necessary accessories for two new cruisers. Second by Calloway. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 9 Transfer of Funds Request from Norwich Police Chief

- Layton moved to approve the transfer of $2,325.00 received from the sale of the 2013 Ford Taurus Interceptor from the General Fund to Fund 11 Police Cruiser Fund. Second by Calloway. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 10 FY26 Operating Budget Summary

- Duffy introduced the memorandum and spreadsheet from Barrie Rosalinda, Finance Director, pages 9 - 12 of the 11/13/2024 packet, noting that commission/committee budgets and items like Hemlock Road/culverts, Moore Lane Bridge and Tracy Hall, etc., are not included. In that regard, Duffy noted that
  (1) FEMA has advised they will pay 90 percent of the Hemlock Road/culverts expense, after the state portion of funding, the Town should expect to pay 2.3 percent or about $52,000.00, which could come from the existing Operational Performance and Development Fund.

(2) Stantec's report on Moore Lane Bridge may be ready for the next Selectboard meeting. He anticipates we would then hear from the community before the Selectboard decides how to proceed.
(3) The architects' report on Tracy Hall should be available before the end of the year.
Duffy also noted that if the audit is available earlier, the Selectboard could consider potential tax relief. Rosalinda confirmed what comprises the "Operations" budget e.g. wages, employer taxes and benefits.

- The Selectboard discussed how much budget detail should be provided in the packet, whether departments with budget increases over 6 percent would be asked to meet with the Selectboard, and how the capital plan was altered from last year.
- The Selectboard agreed to schedule the following items for the 11/26/2024 agenda: half an hour for operational budget; capital budget discussion; and discussion with departments requesting budgets representing an increase over 6 percent. Specifically, on 11/26/2024: DPW, Public Safety and Police Department; on 12/11/2024: Listers and Town Clerk.

Item 11 Correct Term Expiration on Finance Committee Appointee

- Calloway moved to correct the appointment of Russell North to the Norwich Finance Committee for a three-year term ending June 30, 2027. Second by Layton. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 12 Rescind Sexual Harassment Policy dated October 9, 2019

The newly approved Personnel Policy includes a Sexual Harassment Policy.

- Layton moved to rescind the Sexual Harassment Policy dated October 9, 2019. Second by Calloway. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 13 Alleged "Open Meeting Law" Violation

- Smith requested authorization as chair to contact Town Counsel regarding an alleged "open meeting law" violation. Discussion included Smith's concern about conflict of interest if the Town Manager contacted Town Counsel, and the Town's policy of the Town Manager contacting Town Counsel. There was discussion about the amount of information allowed or required by statute to be disclosed after an executive session.
  - Calloway moved to have the Town Manager contact town counsel about the alleged "open meeting law" violation we have received. Second by Layton. Yes: Arnold, Calloway, Layton. No: Smith, Vincent. **Motion Passed.**
- Town Manager Duffy confirmed that he has been asked to contact Town Counsel as the motion stated regarding the alleged "open meeting law" violation; and, when he receives an answer, either he or Town Counsel will send it to the Selectboard.

Item 14 Receipt of Correspondence

- Don McCabe requests reclassification of privately owned Meetinghouse Road as a Class 4 road and for assistance with expenses. Heidi Lockwood, spoke in support of McCabe's request and cited a document, Norwich Ordinances Book, and the ordinance relating to "Private Highways," approved 12/13/1983. See http://norwich.vt.us/wp-content/uploads/2014/07/NorwichOrdinancesBook1.pdf
  - Discussion revolved around both historical precedent and the expense of setting a new precedent which could potentially involve more roads. Arnold suggested this as a future agenda item to include Norwich's culvert policy.

- Pam Smith email to Town Manager Duffy re property tax, and Duffy's response.
- Development Review Board notice as to public hearing regarding Conditional Use Review of an application by the Norwich School District.
- 10/10/2024 Letter to Dr. Christine Pinello from Police Chief Matthew Romei as provided to the Selectboard by Kris Clement at the 10/23/2024 Selectboard meeting.
- Pam Smith resignation as Town Health Officer effective 11/1/2024.
- Heidi Classon email to Vermont Agency of Human Services dated 10/24/2024 forwarding Selectboard recommendation for Town Health Officer.
- Marcia Calloway email dated 10/25/2024 re Animals in Norwich, Selectboard meeting 10/23/2024.
- Agency of Natural Resources, Department of Environmental Conservation email to Simpson Companies dated 10/28/2024 attaching closure letter for the Corrective Action at 41 McKenna Road, Norwich, Vermont.
- Regarding "capital planning" vis-à-vis a town plan
    - Jaan Laaspere, Planning Commission Chair, email to Selectboard et al dated 11/7/2024 enclosing a request to create a "Capital Planning Subcommittee" under the Selectboard.
    - Marcia Calloway memorandum to Town Manager and Selectboard dated 11/7/2024 re "Capital Budget" Planning citing statutes which delineate the process for a Planning Commission to create a "capital budget" to effect the "capital projects" in an approved town plan.
        - Duffy agreed as to process and will discuss with Laaspere.
- Layton moved to accept all correspondence. Second by Calloway. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 15 Approval of Minutes of October 23, 2024 meeting

- Smith submitted requests to make two corrections to the 10/23/2024 Selectboard minutes; see packet materials for 11/13/2024 meeting.
- Layton moved to approve the October 23, 2024 minutes as amended to incorporate amendments by Selectboard chair as express in her email of 11/7/2024. Second by Calloway. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 16 A/P Warrants

- It was noted that the warrant submitted in the 11/13/2024 packet included the town's education payment to the State of Vermont.
- Layton moved to approve AP Warrant # 1199 in the amount of $1,082,960.42 to be paid from the General Fund. Second by Calloway. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Item 17 Adjournment

- Layton moved to adjourn the meeting. Second by Calloway. Yes: Arnold, Calloway, Layton, Smith, Vincent. **Motion Passed.**

Meeting adjourned at 9:25 p.m.

Respectfully submitted,

Marcia S. Calloway, Selectboard