

Minutes of the Selectboard Meeting of
Wednesday, August 11, 2021 at 6:30 pm

This meeting was conducted via teleconference using ZOOM and in person in Tracy Hall, in order to comply with Open Meeting Law requirements while providing remote access for attendees. Members present: Roger Arnold, Chair; Mary Layton, Vice Chair; Claudette Brochu; Marcia Calloway; Robert Gere; Herb Durfee, Town Manager; Miranda Bergmeier, Assistant to the Town Manager.

There were about 10 people in the audience.

Also participating: Andy Scherer, Peter Orner, Rod Francis, Neil Fulton, Bram Litvinoff, Frank Wilburton, Troy McBride, Linda Cook, Simon Keeling, Cheryl Lindberg, Brie Swenson.

1. Approval of Agenda. Layton **moved** (2nd Calloway) to approve the agenda with the addition of approval of a catering license for American Crafted Spirits. **Motion approved unanimously.**

2. Public Comment. Andy Scherer spoke about road striping on the village section of Beaver Meadow Road (BMR); he is frustrated that the striping is going ahead per existing plans. Scherer wants the town to do striping other than usual center striping, which will not contribute to traffic calming. Scherer would like the striping on the village of section of BMR to be suspended so they can have a community meeting with town officials about how to paint to calm the traffic. Calloway asked about the road painting and whether we can adjust to react to other residents' concerns about their roads not being painted; can we swap other roads in place of BMR? Durfee said that he will stick with the current plan, which has been bid and approved, for road painting. Brochu asked if the in-town painting contractor might be able to paint fog lines on the BMR walking loop.

3. Consent Agenda. Layton said the July 28th minutes need to state that Linda Cook also participated in that meeting. Calloway and Brochu each also had edits for the July 28th minutes, which they detailed. Layton **moved** (2nd Calloway) to approve the consent agenda, minus the correspondence and meeting minutes. **Motion approved unanimously.** Calloway said she thinks the letters regarding dogs at Huntley warrant a future agenda item. Other SB members agreed. Calloway also suggested the Harry Roberts letter be considered by the Town Manager. Calloway asked if Suzanne Lupien's concerns regarding wildlife have been taken to the Trails Committee. Calloway said she wrote the memo regarding legal concerns about signs and thinks the SB should take those concerns to the town's attorney. Rod Francis, Planning Director, said the town attorney was already consulted about the implication of the Reid case and the Planning Commission is currently working on a rewrite of all zoning regulations, including the sign regulations. Brochu said because the town attorney is already involved, she doesn't support further inquiry with the town attorney. Calloway said she is concerned about the sign regulations issue and that the town not unduly delay addressing that issue. Layton **moved** (2nd Calloway) to accept the correspondence as listed in the meeting agenda and to approve the 7-28-2021 minutes as amended. **Motion approved unanimously.**

3a. SB members agreed to take up the request for Catering License for American Crafted Spirits. Layton **moved** (2nd Gere) to recess as the Selectboard and reconvene as the Norwich Liquor Commission. **Motion approved unanimously.** Layton **moved** (2nd Gere) to approve the application by American Crafted Spirits, Inc. d/b/a SILO Distillery, for a catering license at King Arthur Flour on August 22nd, 28th, and 29th, 2021 and September 3rd and 11th, 2021. **Motion approved unanimously.** Layton **moved** (2nd Gere) to reconvene as the Selectboard. **Motion approved unanimously.**

4. Municipal Solid Waste Agreement Between Lebanon and Norwich. Neil Fulton, Norwich representative to the Greater Upper Valley Solid Waste District, gave a synopsis of the materials and information in the SB meeting packet. Fulton urged the SB to approve the newly amended agreement after deciding from among options, including whether to allow Norwich residents to bring material directly to the Lebanon landfill. Bram Litvinoff said he has been using the Lebanon landfill for his trash for years and it is the most inexpensive option for trash. Frank Wilburton said he prefers going to the Lebanon landfill because it's much cheaper. After brief discussion, Brochu **moved** (2nd Layton) to approve the proposed Municipal Solid Waste Agreement between the City of Lebanon and the Town of Norwich, as contained in the meeting packet, and to authorize the Town Manager to sign said agreement on behalf of the town and to allow Norwich residents to use the Lebanon landfill and to sign up for landfill permits on the online portal. **Motion approved unanimously.**

5. Proposed Solar Generation Project on Upper Loveland Road from Norwich Solar Technologies. Arnold introduced the topic. Calloway asked about wildlife habitat connectivity and said she'd like to have input from the VT Agency of Natural Resources (ANR) on that issue. Calloway also asked who will benefit monetarily from this project. Rod Francis said that the ANR is a party to this application and has an obligation to analyze it and provide comment. Francis said the town lacks jurisdiction to consider habitat and lacks authority to evaluate the project on wildlife habitat grounds. Troy McBride of Norwich Solar spoke about the project and said his company has consulted with experts about environmental concerns. McBride said that Norwich Solar as developer brings federal tax dollars into the state via federal tax credits and provides lower energy costs to individuals, non-profit entities, and local businesses. Calloway expressed further concern about this project's impact on wildlife. Layton said she appreciated the applicant's attention to the ridgeline concerns for the proposed project. Layton **moved** (2nd Gere) to accept the recommendation of the Planning Commission and provide a letter of support, as drafted by the Planning Direct, to Norwich Technologies for their proposed solar generation project on Upper Loveland Road. **Motion approved (4 yes; Calloway- no).**

6. Town Manager Report. Herb Durfee said the IT recommendations were not ready for this meeting's packet, but are ready now so they can be discussed at the next SB meeting. Durfee has sent those recommendations to the SB. Durfee said there are several staff openings. Rod Francis will serve as acting Town Manager until the town finds another solution. Arnold asked about a charge from the Fire District to the Fire Department. Durfee explained that a hydrant was shut off too quickly during an NFD training exercise, resulting in \$9,000 of damage to the water system. This charge was on this meeting's A/P warrants. Durfee said we received 4 applications for the DPW Director position. Durfee said we have not received any viable applications for the temporary full-time police officer. Durfee said he is working on handing off ongoing project to staff before he leaves; he will also provide the Assistant to the Town Manager with all applicable logins and passwords. Durfee said he will also be available to department heads for some time after he is gone.

7. Update on Interim Town Manager (TM) Process. Arnold said he reached out to VLCT regarding interim town managers and VLCT said they may have 1 interim candidate. Arnold has contact MRI (Municipal Resources, Inc.) for an initial contact for this possible interim TM. Calloway said she's not comfortable with Durfee naming Rod Francis as an acting TM. Calloway and Brochu suggested that Cheryl Lindberg might perhaps step in as interim. Fulton and Durfee pointed out that a Town Treasurer is an incompatible office to TM, according to state statute, so that would be impossible. Layton **moved** (2nd Gere) to affirm Durfee's appointment of Rod Francis as Acting Town Manager. After some discussion, Layton and Gere withdrew the motion. Layton **moved** (2nd Gere) to name Rod Francis as Interim Town Manager until another can be hired. **Motion approved (4 yes; Calloway- no).** Brochu **moved** (2nd Gere) to authorize Roger Arnold to contract with VLCT to search for an interim Town Manager. **Motion approved unanimously.** Layton said that a great deal of

thought and effort will need to be put into the long-term Town Manager search. Linda Cook asked about the hiring process for an interim TM. Cook also said that VLCT was very helpful in the search process last time. Calloway **moved** (2nd Brochu) to authorize Roger Arnold to contact the former Town Administrator whose name was given to Arnold regarding the possibility of serving as Interim TM. **Motion approved (4 yes; Layton- no).**

8. Discussion of Policing Study, Reforms, and Process. Layton reviewed the RFP as proposed and looked at section 3 regarding the timeline; she thinks there needs to be a 10% hold-back to guarantee satisfactory completion of the contractor's work. SB members discussed options for RFP language. Brochu said we might have to move out the report deadline to later than November. SB members discussed concerns about gathering as broad data as possible. Layton said we should gather input from the Police Department; Calloway agreed. Simon Keeling, Interim Police Chief, said he thinks it's important to consider and hear views and input of the Police Department (PD). Keeling thanked the SB for inviting police perspective. Keeling suggested the SB ask the hired consultant to be sure to compare equivalent statistics (apples to apples). Arnold commended the town's PD for listening and participating in this town discussion about policing. Brochu **moved** (2nd Calloway) to let the RFP for Policing and Community Safety Consulting Services, as contained in the meeting packet and as amended and agreed to tonight. **Motion approved unanimously.**

9. Amendments to Gift Policy in Master Financial Policies. Brochu said the Recreation Department (Rec) presents some particular challenges related to the gift policy. Brochu would like greater detail and description of the Rec charitable funds and their purposes. SB members discussed annual gift reporting requirements. Durfee talked about the spending requirements and rules governing designated funds. Cheryl Lindberg said we need to be clear about whether various town funds should be managed by the town or by the Trustees of Public Funds. SB members discussed possible language revisions to the draft gift policy. Brie Swenson, Recreation Director, said she is fine with reporting and transparency and she wants to be involved in establishing a policy that directly affects the Rec Department. Arnold said the gift policy does not currently address gifts in kind, such as trails work done by volunteers. SB members agreed to continue work on the gift policy for a future meeting.

10. Amendments to Capital Budget Policy. SB members agreed to defer this agenda item to a future meeting.

11. Adjourn. Brochu **moved** (2nd Calloway) to adjourn. **Motion approved unanimously.**

Meeting adjourned at 10:11 pm.

By Miranda Bergmeier

Approved by the Selectboard on August 25, 2021

Roger Arnold
Selectboard Chair

Next Meeting – August 25, 2021 – Meeting at 6:30

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