

TOWN OF NORWICH
P.O. Box 376
NORWICH, VERMONT 05055-0376
TEL. (802) 649-1419 Ext. 101 or 102

Agenda for the Selectboard Meeting of Wednesday, June 22, 2016 at 6:30 PM
(Times Are Approximate)

- 1) Approval of Agenda (Action Item) 2 minutes
- 2) Meeting with Abby Friedman from VLCT Re: Town Manager Search Process (Discussion/Possible Action Item) 30 minutes
- 3) Public Comments (Discussion) 5 minutes
- 4) Interim Town Manager's Report (Discussion) 10 minutes
- 5) Finance – Board to Sign Accounts Payable/Warrants (Action Item) 5 minutes
- 6) Public Safety Facilities Drawings Comments and Update (Discussion/Possible Action Item) 20 minutes
- 7) Interviews/Appointments Committee to Identify Community Pool Options (Discussion/Action Item) 10 minutes
Applicants:
 Mark Lilienthal
 Tom Sterling
- 8) Tax Rate Setting Process Refresher (Discussion) 15 minutes
- 9) Correspondence (Discussion/Possible Action Item) 5 minutes
 - a) Email from Stuart Richards Re: Planning Commission Appointment
 - b) Email from Stuart Richards Re: Wasted Tax Money – The Road to Nowhere
- 10) Selectboard
 - a) Approval of Bill from DesMeules, Olmsted & Ostler (Discussion/Action Item) 5 minutes
 - b) Approval of the Minutes of the 6/1/16 and 6/8/16 Selectboard Meetings (Action Item) 5 minutes
 - c) Review of Next Agendas (Discussion/Possible Action Item) 5 minutes
 - d) Interim Town Manager Hiring Process (Executive Session May be Required) (Discussion/Possible Action Item)

Next Regular Meeting – July 11, 2016 at 6:30 PM

To receive email notices of Selectboard meetings and hearings, agendas, minutes and other notices, send an email to manager-assistant@norwich.vt.us requesting to be placed on the Town Email List.

Nancy Kramer

From: Linda Cook <lcook2825@gmail.com>
Sent: Friday, June 17, 2016 11:40 AM
To: Nancy Kramer
Subject: Fwd: Norwich Town Manager Search information
Attachments: Timeline Norwich TM 6 17 16.docx; Title 24 Chap 37.docx; Compare Norwich TM JD with 24 VSA 1236.docx; Sample Ads & Descriptions TM.pdf

----- Forwarded message -----

From: "Abigail Friedman" <afriedman@vlct.org>
Date: Jun 17, 2016 11:17 AM
Subject: Norwich Town Manager Search information
To: "lcook2825@gmail.com" <lcook2825@gmail.com>
Cc: "Heather Law" <hlaw@vlct.org>

Dear Linda,

This email includes responses to questions emailed to me on behalf of the Norwich Selectboard. The questions are listed in bold, and the responses appear below them. Several documents are attached with file names highlighted. Also attached is a draft timeline for the search.

1. What are the differences between statute and the written job description the town presently has?

Please refer to the attached copy of Chapter 37 of Title 24 – Word document "Title 24 Chap 37". Section 1235 states the general authority of the town manager and Section 1236 lists the statutory duties of the town manager. Also attached is a comparison of Section 1236 with the Norwich Town Manager Job Description (TM JD) Section 3 Specific Duties and Responsibility which shows the differences between the two. Attached Word document "Compare Norwich TM JD with 24 VSA 1236" The Norwich TM JD includes all of the statutory duties with wording changes acceptable for readability. There are additional sections in the TM JD not included in statute, which is not uncommon.

Section 3.2 states that in the case of differences between the town personnel or financial policies, town manager's contract provisions will "take preference." This is typically understood when there is an employment contract, but I haven't seen it stated in the job descriptions I've worked with. Usually an employment contract details terms of employment while the job description details job duties and qualifications, and similar to union contracts, the contract terms override the personnel policies.

2. Section 10 (Minimum Qualifications), is this adequate? Should it be strengthened? Should it be more defined?

I would recommend the Selectboard review the job descriptions provided in our proposal packet for additional/alternate language. See attached PDF file "Sample Ads & Descriptions TM." The packet includes the job descriptions and employment ads for the towns of: Killington, Northfield and Weathersfield. We paired these, so you can see how the details of the job descriptions are translated into the employment ads.

3. Section 4.1 (Supervisory Controls), says None? Should this be the selectboard? Should it be deleted?

I am not familiar with the background on this section or what it means or if this is a standard section in town job descriptions. For reference 24 VSA Section 1233 states:

Such a manager shall be selected with special reference to his education, training and experience to perform the duties of such office and without reference to his political belief. *In all matters he shall be subject to the direction and supervision and shall hold office at the will of such selectmen, who, by majority vote, may remove him at any time for cause.*

Please see the attached PDF file "Sample Ads & Descriptions TM" for examples of how other TM JDs refer to the town manager serving at the direction of the selectboard.

4. Section 9.1 (Supervisory and Mgt. Responsibility), Manager's role on assessors? Manager's role on assessors if they are contracted employees?

My understanding of 24 VSA Section 1235 is that the manager oversees all employees. As stated in the Norwich TM JD Section 3.1.2.10 "the manager shall not ... enter into contracts on behalf of the Town." It appears to me the selectboard approves all contracts, and the town manager is responsible for carrying out the terms of the contract.

5. Review the job description for updates. Anything new that should be added? Perhaps, new legislation that would affect the job description and should be added.

There have not been any legislative changes to 24 VSA Chapter 37. However, the office of Town Service Officer was eliminated during the legislature this year, so section 3.21.2 should be deleted.

We follow the lead of the Selectboard, so once you have reviewed other TM JDs and identified any changes you'd like to make to the Norwich TM JD, we can revise it and review it for any additional recommendations.

6. They also are looking for advice on the sub-committee. General advice on what the committee will do and what is a good size. It sounded like they wanted to get a good cross section of the town's population.

There are no magic formulas for town manager search committees. The best starting place is what the Selectboard would like the committee to do, and what types of representatives it would like to include. Selectboards may appoint committees to ensure representation beyond the board members themselves and to

help share the workload of the initial review of applications. Some towns have not appointed committees at all, some have had committees that include the entire selectboard in addition to community members, and others have committees of community members with one selectboard member. A direct connection to the selectboard is critical for continuity in the process. The selectboard will hire the town manager and needs to be part of the process.

There is still time to explore options in Norwich. I proposed to you that VLCT can gather information from other towns that have used search committees to learn more in depth about their experiences and lessons learned.

I'm looking forward to meeting with the you and the Selectboard next week.

Sincerely,

- Abby

Abigail Friedman

Director, Municipal Assistance Center

Vermont League of Cities and Towns

89 Main Street, Suite 4

Montpelier, VT 05602

800-649-7915

T: 802-229-9111 ext. 1926

F: 802-229-2211

The information contained in this transmission may contain privileged and confidential information. It is intended only for the use of the person(s) to whom it is addressed above. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this communication is prohibited. If you are not the intended recipient, please contact the sender by reply email or telephone and destroy all copies of the original message. Thank you.

Title 24: Municipal And County Government
Chapter 37: Town, City, Or Village Managers

§ 1231. "Town" construed; officers

The word "town" as used in this chapter may be construed to include a city or an incorporated village. Where powers are given to or duties imposed upon selectmen with reference to a town, the trustees of a village and mayor and board of aldermen of a city shall have the same powers and perform like duties in relation to their respective village or city.

§ 1232. Appointment; union of towns

The selectmen of towns adopting the provisions of this chapter shall forthwith appoint a general town manager, who may or may not be a resident of the town for which he is appointed. Two or more towns may vote to form a union to employ the same manager.

§ 1233. Qualifications; authority of selectboard

Such a manager shall be selected with special reference to his education, training and experience to perform the duties of such office and without reference to his political belief. In all matters he shall be subject to the direction and supervision and shall hold office at the will of such selectmen, who, by majority vote, may remove him at any time for cause.

§ 1234. Oath; bond

Before entering upon his duties, such manager shall be sworn to the faithful performance of his duties and shall give a bond to the town in such amount and with such sureties as the selectmen may require.

§ 1235. General authority

Subject to the requirements of this chapter, he shall have general supervision of the affairs of the town, be the administrative head of all departments of the town government and shall be responsible for the efficient administration thereof.

§ 1236. Powers and duties in particular

The manager shall have authority and it shall be his or her duty:

- (1) To cause duties required of towns and town school districts and not committed to the care of any particular officer, to be duly performed and executed.
- (2) To perform all duties now conferred by law upon the selectboard, except that he or she shall not prepare tax bills, sign orders on the general fund of the town, call special or annual town meetings, lay out highways, establish and lay out public parks, make assessments, award damages, act as member of the board of civil authority, nor make appointments to fill vacancies which the selectboard is now authorized by law to fill; but he or she shall, in all matters herein excepted, render the selectboard such assistance as it shall require.
- (3) To be the general purchasing agent of the town and purchase all supplies for every department thereof; but purchases of supplies for departments over which such manager is not given control, and of the town school district shall be made according to requisition therefor by such departments or school directors.

- (4) To have charge and supervision of all public town buildings, repairs thereon, and repairs of buildings of the town school district upon requisition of the school directors; and all building done by the town or town school district, unless otherwise specially voted, shall be done under his or her charge and supervision.
- (5) To perform all the duties now conferred by law upon the road commissioner of the town, including the signing of orders; provided, however, that when an incorporated village lies within the territorial limits of a town which is operating under a town manager, and such village fails to pay to such town for expenditure on the roads of the town outside the village, at least 15 percent of the last highway tax levied in such village, the legal voters residing in such town, outside such village, may elect one or two road commissioners who shall have and exercise all powers of road commissioner within that part of such town as lies outside such village.
- (6) Repealed.]
- (7) To do all the accounting for all of the departments of the town and of the town school districts when the board of school directors so request.
- (8) To supervise and expend all special appropriations of the town, as if the same were a separate department of the town, unless otherwise voted by the town.
- (9) To have charge, control, and supervision of the following matters:
 - (A) the police department, if any, and shall appoint and may remove the officers thereof and shall fix their salaries;
 - (B) The fire department, if any, and shall appoint, fix the compensation of, and may remove all officers and employees thereof;
 - (C) the system of licenses, if any, not otherwise regulated by law;
 - (D) the system of sewers and drainage, if any, except the making of assessments therefor;
 - (E) the lighting of streets, highways, and bridges;
 - (F) the sprinkling of streets and highways and laying of dust, except the making of assessments therefor;
 - (G) the maintenance of parks and playgrounds.
- (10) To collect all taxes due the town and to perform all the duties now conferred by law upon the collector of taxes, if the town so votes. Such manager shall continue so to do until the town votes otherwise at a meeting duly warned for the purpose of voting on such question. For the collection of taxes, a town manager may charge and collect the same fees as a collector of taxes, and the fees so collected shall be paid into the treasury of the town. (Amended 1967, No. 147, § 53(b), eff. Oct. 1, 1968; 2011, No. 155 (Adj. Sess.), § 9.)

§ 1237. Examination of Departments

The selectmen may cause the affairs of any town office or the conduct of any officer or employee thereof to be examined. They may compel the attendance of witnesses, the

production of books, papers and other evidence. The manager shall have access to all town books and papers for information necessary for the proper performance of his duties.

§ 1238. Additional duties

The powers, duties and liabilities imposed upon any other departments of the town inconsistent with the provisions of this chapter shall be suspended and shall be conferred and imposed upon the manager.

§ 1239. Compensation, how fixed

The manager shall receive such pay as may be fixed by the selectmen, unless otherwise specifically voted by the town.

§ 1240. Operation of chapter

The provisions of this chapter shall not become operative in a town unless the same are approved and adopted by a majority of the legal voters of such a town present and voting at an annual or special meeting as hereinafter provided.

§ 1241. Petition; warning

When voters, in number equal to five percent of the legal voters in town, petition the selectmen therefor in writing, the warning for the annual or special meeting which shall be called upon such petition shall contain an article in substantially the following form: "To see if the town will vote to take advantage of the provisions of chapter 37 of Title 24 of the Vermont Statutes Annotated and authorize the selectmen to employ a town manager." (Amended 1985, No. 196 (Adj. Sess.), § 13.)

§ 1242. Revocation

A town that has adopted the provisions of this chapter may reject the same by a majority vote of the legal voters present and voting at a special or an annual meeting, provided a proper article therefor is inserted in the warning of such meeting. If approved, such a vote shall become effective 30 days after the date of its adoption. (Amended 1985, No. 198 (Adj. Sess.), § 1.)

§ 1243. Method of voting

When the question of the adoption or rejection of the provisions of this chapter is submitted to a meeting wherein the Australian ballot system is used for the election of officers, there shall be printed upon the ballots below the list of candidates the following question:

""Will the town vote to take advantage of the provisions of chapter 37 of Title 24 of the Vermont Statutes Annotated, and authorize the selectmen to employ a town manager?"

Yes No

And the voter shall make a cross or X in the blank space against the answer he desires to give concerning such question. The ballots shall be counted forthwith by the board of civil authority and the result announced by the presiding officer.

Comparison of Norwich Town Manager Job Description Section 3. Specific Duties and Responsibility (**red font**) with

Title 24, Chapter 37, Section 1236 Powers and duties in Particular (black font)

3. SPECIFIC DUTIES AND RESPONSIBILITY:

3.1). ~~_____~~ **The manager shall have authority and have the duty:**

3.1.1. ~~_____~~ To cause duties required of ~~towns and town school districts and~~**the Town**, not committed to the care of any particular officer, to be duly performed and executed.

~~**3.1.2).** _____~~ To perform all duties now conferred by law upon the ~~selectboard~~**Selectboard**, except that ~~he or she~~**the manager** shall not-:

3.1.2.1. _____ prepare tax bills,

3.1.2.2. _____ sign orders on ~~the general fundany funds~~ of the ~~town,~~ **Town**,

3.1.2.3. _____ call special or annual ~~town~~**Town** meetings,

3.1.2.4. _____ lay out, ~~alter or discontinue~~ highways,

3.1.2.5. _____ establish and lay out public parks,

3.1.2.6. _____ make assessments,

3.1.2.7. _____ award damages,

3.1.2.8. _____ ~~make regulations under Title 23,~~

3.1.2.9. _____ ~~adopt ordinances under Title 24,~~

3.1.2.10. _____ ~~enter into contracts on behalf of the Town,~~

3.1.2.11. _____ ~~act as member of the board of civil authority, nor~~

3.1.2.12. _____ ~~act as a member of the liquor control commission, nor~~

3.1.2.13. _____ ~~make appointments to fill vacancies which the selectboard~~**for elected or appointed boards or commissions that the Selectboard** is now authorized by law to fill; ~~but he or she shall, in all matters herein excepted, render the selectboard such assistance as it shall require.~~

~~(3) To be the general purchasing agent of the town and purchase all supplies for every department thereof; but purchases of supplies for departments over which such manager is not given control, and of the town school district shall be made according to requisition therefor by such departments or school directors.~~

~~(4) To have charge and supervision of all public town buildings, repairs thereon, and repairs of buildings of the town school district upon requisition of the school directors; and all building done by the town or town school district, unless otherwise specially voted, shall be done under his or her charge and supervision.~~

~~(5)~~ 3.2. To work within the Personnel and Financial Policies of the Selectboard except when in conflict with the Town Manager's contract, in which case the contract shall take preference.

3.3. To perform all the duties now conferred by law upon the road commissioner of the ~~town~~ Town, including the signing of orders; ~~provided, however, that when an incorporated village lies within the territorial limits of a town which is operating under a town manager,~~

3.4. To be the general purchasing agent of the Town and purchase all supplies for every department thereof.

3.5. To have charge and supervision of all public Town buildings, and repairs thereon; and all building done by the Town shall be done under the manager's charge and supervision.

3.6. To perform all the duties now conferred by law upon the Selectboard of the Town under 19 VSA 303 and 304, to control ~~and such village fails to pay to such town for expenditure on the roads of the town outside the village, at least 15 percent of the last highway tax levied in such village, the legal voters residing~~ maintain the Town highways, except as limited in such town, outside such village, may elect one or two road commissioners who shall have and exercise all powers of road commissioner within that part of such town as lies outside such village. Section 3.1.2 above;

~~(6) Repealed.]~~

~~(3.7).~~ 3.7. To do all the accounting for all of the departments of the ~~town and of the town school districts when the board of school directors so request.~~ Town.

~~(3.8).~~ 3.8. To supervise and expend all special appropriations of the ~~town,~~ Town, as if the same were a separate department of the ~~town, unless otherwise voted by the town.~~ Town.

~~(3.9).~~ 3.9. To have charge, control, and supervision of the following matters:

~~(A) the police department, if any,~~ 3.9.1. The Police Department and shall appoint and may remove the officers and employees thereof and shall fix their salaries;

~~(B)~~ 3.9.2. The fire department, if any, Fire Department and shall appoint, fix the compensation of, and may remove all officers and employees thereof;

~~(C) the~~ 3.9.3. The system of licenses, if any, not otherwise regulated by law;

~~(D) the~~ 3.9.4. The system of sewers and drainage, if any, except the making of assessments ~~therefor;~~ therefore.

~~(E) the~~ 3.9.5. The lighting of streets, highways, and bridges;

~~(F) the~~ 3.9.6. The sprinkling of streets and highways and laying of dust, except the making of assessments therefor; therefore.

~~(G) the~~ 3.9.7. The maintenance of parks and playgrounds.

~~(10)~~ 3.10. To be the Director of Emergency Management

3.11. To collect all taxes due the townTown and to perform all the duties now conferred by law upon the collector of taxes, if the town so votes. Such and collector of delinquent taxes.

3.12. The manager shall continue so, in all matters herein excepted, render the Selectboard such assistance, as they shall require.

3.13. Recruits, hires, evaluates, directs, and, if necessary, disciplines and fires Town employees.

3.14. Carries out work program of the Town approved by the Selectboard.

3.15. Develops new program directions and needs, identifies resources to accomplish programs, and recommends action to the Selectboard.

3.16. Develops systems and procedures to do until the town votes otherwise atimplement policy decisions of the Selectboard and executes its decisions.

3.17. Staffs the Selectboard and its meetings and facilitates the development of and carries out their policy and service decisions.

3.18. Assists the Selectboard to develop, update and execute a long-range, strategic plan.

3.19. Prepares a meeting duly warned draft Town budget for the Selectboard to review, change if it deems necessary and present to the voters for the purpose of votingapproval.

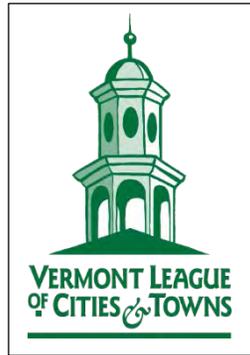
3.20. Assists the Selectboard in negotiations of collective bargaining contracts with bargaining units recognized by the Vermont Labor Relations Board. Shall act as the designated representative of the Selectboard in the negotiations and recommend Selectboard action on such question. For the collection of taxes, a town manager may charge and collect the same fees as a collector of taxes, and the fees so collected shall be paid into the treasury of the town. (Amended 1967, No. 147, § 53(b), eff. Oct. 1, 1968; 2011, No. 155 (Adj. Sess.), § 9.)the contract proposal presented to them for approval.

3.21. Other duties as assigned by the Selectboard. This could include, but is not limited to being designated and performing the functions as set forth in the statutes of the following:

3.21.1. Town service officer

3.21.2. Town health officer

SAMPLE ADVERTISEMENTS & JOB DESCRIPTIONS: TOWN MANAGER



MUNICIPAL ASSISTANCE CENTER



Town Manager
Killington, Vermont

The Town of Killington, Vermont, seeks an engaging, collaborative, dynamic, and experienced leader to be its Town Manager. Home to Killington/Pico Ski Resort Partners, the Town has a small year round population (est. 811), over 2,500 second homeowners, and, on a busy day, hosts over 15,000 visitors for skiing or special events. The Town seeks a leader who can support its goal of becoming Vermont's premier resort community, offering residents a high quality of life and tourists a memorable mountain adventure.

The Town Manager reports to Killington's three-member selectboard and is responsible for the Town's daily operations. The manager directly supervises 104 full- and part-time employees, administers a \$15 million budget, and oversees all financial, public works, public safety, personnel, economic development, recreation, and community relations matters for the Town. A detailed job description is posted at <http://www.killingtontown.com>.

Salary range is \$75,000 to \$95,000, commensurate with experience and education, and includes an excellent benefits package.

Requirements include a Bachelor's degree in a relevant field, three to five years of management experience, preferably in municipal government, and substantial knowledge of municipal government operations, the duties of municipal officials, and state and federal law provisions affecting municipalities.

To apply in confidence, please email a cover letter, resume, and contact information with three references by Monday, November 30th to municipal.recruitment@vlct.org with "Killington" as subject. Alternatively, you may send the application materials to:

Killington Town Manager Search
c/o VLCT
89 Main Street
Montpelier, VT 05602-2948.

The Town of Killington is an equal opportunity employer.



Town Manager Job Description

Pursuant to the powers set forth in Chapter 37 of Title 24 of the Vermont Statutes Annotated, the Town Manager shall have general supervision of the affairs of the Town; be the administrative head of all departments and shall be responsible for the efficient administration thereof.

The Town Manager's work is performed independently within general policies established by the Board of Selectmen and in accordance with state law.

The Town Manager has broad responsibility in the following areas: developing and managing the Town budget, employee supervision, care and maintenance of Town roads and facilities, economic development, planning and zoning, recreation, community relations, grant writing, and intergovernmental relations.

The Town Manager's work is performed independently within general policies established by the Board of Selectmen and in accordance with state law.

Examples of Duties and Responsibilities

The Town Manager shall perform the following list of duties which may be amended by the Board as circumstances require:

- Serve as the chief executive officer of the Town of Killington and be directly responsible to the Board of Selectmen for all affairs placed in his/her charge by state law and/or by the Board.
- Develop, present and manage the Town budget including the monitoring of revenues and expenses, performing cost control activities; overseeing bookkeeping, accounts payable, and auditing; writing grants and administering the capital budget program. Serve as the general purchasing agent of the Town.
- Supervise the care, maintenance and construction of Town roads and bridges, golf course, public lighting, sewer, equipment and have charge and supervision of all public Town buildings, parks and playgrounds, including any repairs.
- Serve as the Tax Collector and Delinquent Tax Collector, ensuring the Town collects timely payments of taxes, delinquent taxes, sewer fees, delinquent sewer fees, and any other fees the Town elects to collect.
- Oversee the Police and Fire Departments, ensuring they provide dependable, efficient and effective public safety support, services and emergency response. For the Police Department,

the Manager shall have the specific power to appoint and may remove the officers and employees thereof and shall fix their salaries.

- Ensure the Town effectively pursues its mission to support the development of a year round tourism economy by generating increased tourism and revenue as well as job opportunities.
- Prepare the agenda and related materials for all Board of Selectmen meetings; attend all meetings; provide all necessary administrative support to the Board; ensure the timely preparation of the Town Meeting warning and Town Report.
- Regularly inform the Board of Selectmen of the general affairs of the Town, including financial condition, departmental actions, activities of other boards and commissions, emerging policy issues, administrative actions, and short and long range needs.
- Manage municipal personnel and employee benefits. Recruit, hire, evaluate, supervise, and, if necessary, discipline and terminate Town employees.
- Serve as the principal representative of the Town in all matters, including contact with the town attorney, elected and appointed Town Officials, and Town boards and commissions.
- Serve as the Town's primary representative to county, regional, state and federal officials.
- Ensure the regular dissemination of information to the public regarding municipal meetings and operations assuring compliance with state and local statutes and regulations. Respond to requests for information from citizens and the media (or designate another appropriate spokesperson). Manage information technology to support inter-office and public communications.

Education, Training, Experience and Skills

- Bachelor's degree in relevant field
- Three-five years management experience, preferably in municipal government.
- Substantial knowledge of municipal government operations, the duties of municipal officials, and State and federal law provisions affecting municipalities.
- Substantial management skills to direct the work of professional and non-professional subordinates.
- Knowledge of generally accepted accounting practices, preferably that of municipal government.
- Knowledge of municipal property taxation practices, regulations and laws.
- Experience in Resort Communities, with Economic Development, and progressive planning a plus

- Commitment to Town's purposes and objectives, as determined by the voters and its boards and commissions.
- Ability to communicate effectively both orally and in writing with the Board, Town Officers and employees, the media and the public
- Ability to direct, supervise, evaluate and motivate staff
- Ability to inspire innovation and assumption of personal responsibility by staff.
- Ability to resolve conflict
- Ability to analyze alternatives and offer recommendations
- Ability to establish and maintain effective working relationships with internal and external partners
- Ability to develop & negotiate contracts
- Ability to work as part of a team
- Possession of public relations skills and publication knowledge
- Willingness and ability to attend nightly meetings
- Ability to listen and accept criticism
- Ability to organize and use time effectively, and handle several significant responsibilities simultaneously
- Possession of a valid driver's license
- Knowledge of computers and standard office equipment

Adopted by:

Patricia McGrath

Ken Lee

J. Christopher Bianchi

**SELECTBOARD
TOWN OF KILLINGTON**

October 15, 2015

Town Manager
Northfield, Vermont

The Town of Northfield, Vermont (pop. 6,200) seeks an experienced leader with excellent communication and collaboration skills to be its town manager. Located in central Vermont, Northfield includes a vibrant village and Norwich University surrounded by wooded hills and recreational opportunities. Montpelier, the state capitol, and ski resorts in the Mad River Valley are nearby. The City of Burlington and other destinations are easily accessible via Interstate 89.

The town manager reports to the Selectboard and is responsible for the daily operations of the town. The town manager directly supervises six department heads, administers approximately \$10 million in general operating and other funds, and oversees all personnel, financial, local roads, municipal water, wastewater and electric utilities, public safety, and community relations matters. The town employs 35 full and part-time employees. A detailed job description and link to the town's governance charter is available at <http://www.northfield-vt.gov> under Current Notices.

Salary range is \$70,000-\$80,000, plus an excellent benefits package. A Bachelor's degree is required (Master's degree preferred) in public administration, business administration, or a relevant field. Five years' previous experience in municipal government or finance is preferred; experience as a town manager is a plus.

To apply, please send a cover letter, resume, and three references to:

Northfield Town Manager Search
c/o VLCT
89 Main Street
Montpelier, VT 05602

You may also email your application to municipal.recruitment@vlct.org with Northfield in the subject line. The deadline to apply is Monday, March 24, 2014.

The Town of Northfield is an equal opportunity employer.

TOWN OF NORTHFIELD, VERMONT

TOWN MANAGER

Job Description

General Statement of Duties:

The town manager shall serve as the chief administrator for all the town departments and personnel. The town manager reports to the Selectboard and is employed by the Town of Northfield. The incumbent holds responsibility for policy development, program planning, fiscal management, administration, and operational direction of the town, municipal enterprise funds and public utilities including, water, sewer, and electric departments. The town manager provides expert recommendations and professional assistance to the town Selectboard.

As of July 1, 2014, the Village of Northfield is merging with the Town of Northfield, and the Selectboard will consist of nine members from July 1, 2014 to March 3, 2015 (Town Meeting Day) when it will revert to a five-member Selectboard on a permanent basis.

The Selectboard will formally evaluate the performance of the town manager on a regular basis based on this job description.

I. Qualifications:

1. A four-year degree in Public Administration, Business Administration, or related field is required; Master's degree in Public Administration is preferred.
2. Knowledge of the laws, ordinances and other requirements governing local governments and utilities is required. Previous experience in municipal government and managing electric, water, and wastewater departments is preferred. Knowledge of and experience with the Vermont Public Service board is a plus.
3. General management skills are required, including the ability to:
 - a. Organize, direct and coordinate the activities of the several departments of the Town of Northfield.
 - b. Effectively delegate responsibility.
 - c. Effectively evaluate the work of town employees.
 - d. Establish and maintain amicable and effective working relationships with municipal officials, employees, and citizens of Northfield.
 - e. Express plans, proposals, and ideas effectively, both orally and in writing.

4. Understand and effectively communicate the content and the meaning of budgets and financial statements. Additional experience or credentials in government financial management is a plus.
5. Effectively implement municipal initiatives.

II. Duties and Responsibilities:

A. General:

1. The town manager shall serve as provided in Chapter 37, Title 24, of Vermont Statutes Annotated and the Northfield Town Charter and perform such other lawful duties as may be assigned from time to time by the town Selectboard.
2. In all matters the Town Manager shall be subject to the direction and supervision and shall hold office at the will of the town Selectboard.

B. Responsibilities:

1. General Administration:

- a. Preparation of the Annual Town Reports.
- b. Supervision of the highway, police, fire, ambulance, water, wastewater, electric and other departments of the town.
- c. Purchasing agent for major purchases.
- d. Risk manager for the municipality.
- e. Completing applications for, and securing various Federal and State Funds for which the municipalities may be eligible.
- f. Negotiation of various contracts with federal, state and private corporations, including tax contracts and contracts for services in lieu of taxes.
- g. Maintenance and repair of municipal property.
- h. Coordination of information between the municipal treasurers, clerks, other agencies and the town Selectboard.
- i. Representing the Town of Northfield in meetings with state, federal and other agencies including, but not limited to, the Public Service Board.

2. Board Administration:

- a. Preparation of the agenda and related materials for all meetings of the town Selectboard.
- b. Presentation of a bi-monthly progress report on various town projects, along with recommendations for proposed action and alternatives, as necessary.
- c. Correspondence for the town Selectboard, as authorized.
- d. Assisting in promulgating and enforcing Board policy, as directed.
- e. Providing all necessary administrative support for the utility commissions. Either the manager or the manager's designee shall attend all commission meetings.

3. Finance:

- a. Preparation of the annual town budget for approval by the town Selectboard.
- b. Preparation, implementation and maintenance of the five-year capital improvement programs.
- c. Quarterly fiscal analysis of the various budgets.
- d. Controlling expenditures within the budgets.
- e. Assisting the Treasurer in carrying out his or her duties.

4. Personnel:

- a. Supervision of all town personnel through appropriate department heads.
- b. Negotiation, in cooperation with the town Selectboard, of collective bargaining agreements.
- c. Formal evaluations of all personnel directly reporting to the manager.
- d. Training of personnel.
- e. Hiring and dismissal of personnel, with prior notification to the Selectboard.
- f. Preparation and implementation of a personnel plan for all non-union personnel.
- g. Maintenance of personnel records.

5. Community Relations and Development:

- a. Public and timely notice of any municipal business that might be of interest to the general public.
- b. Participation in community activities. Representation of the community at public functions where appropriate.
- c. Courteous and timely response to public inquiries.
- d. Coordination and administrative support for community development activities as authorized and directed by the town Selectboard.

Municipal Manager, Weathersfield, Vermont

The Town of Weathersfield, Vermont (pop. 2,810) seeks a collaborative and dynamic Municipal Manager to serve as chief administrative officer. This historic town, on the Connecticut River in southeastern Vermont, maintains a strong tradition of civic engagement. Its covered bridges and abundant outdoor recreational opportunities reflect quintessential Vermont living, yet are not far from Boston, New York, and Montreal.

The manager reports to a five-member Select Board and is responsible for day-to-day operations of the Town, including the management of the local water utility. The manager supervises 10 full-time and 20 part-time employees, administers a \$2.6 million operating budget, and oversees all personnel, finances, and public works. A detailed job description is available at www.weathersfieldvt.org.

A Bachelor's degree in public administration or business management is preferred; Master's degree desired. Previous experience in municipal government is also preferred. The hiring range is \$65,000-\$75,000 with excellent benefits provided. The manager is encouraged, but not required, to reside in town.

To apply in confidence, please email cover letter, resume and contact information for three references by Thursday, September 24th to: municipal.recruitment@vlct.org with "Weathersfield" as subject.

Municipal Manager, Weathersfield, Vermont

The Town of Weathersfield, Vermont (pop. 2,810) seeks a collaborative and dynamic Municipal Manager to serve as chief administrative officer. This historic town, on the Connecticut River in southeastern Vermont, maintains a strong tradition of civic engagement. Its covered bridges and abundant outdoor recreational opportunities reflect quintessential Vermont living, yet are not far from Boston, New York, and Montreal.

The manager reports to a five-member Select Board and is responsible for day-to-day operations of the Town, including the management of the local water utility. The manager supervises 10 full-time and 20 part-time employees, administers a \$2.6 million operating budget, and oversees all personnel, finances, and public works. A detailed job description is available at www.weathersfieldvt.org.

A Bachelors degree in public administration or business management is preferred; Masters degree desired. Previous experience in municipal government is also preferred. The hiring range is \$65,000-\$75,000 with excellent benefits provided. The manager is encouraged, but not required, to reside in town.

To apply in confidence, please email cover letter, resume and contact information for three references by Thursday, September 24th to: municipal.recruitment@vlct.org with "Weathersfield" as subject.

Town of Weathersfield, Vermont
Municipal Manager
Job Description
(Approved 7/20/15)

Nature and Scope of Position:

This is a responsible, administrative position that manages the affairs and serves the people of the Town of Weathersfield, Vermont, under the direction of the Select Board. Pursuant to the powers set forth in Title 24, Chapter 37, of the *Vermont Statutes Annotated*, the Municipal Manager shall have general supervision of the affairs of the Town, be the administrative head of all departments of the Town government, and be responsible for the efficient administration and operations of all departments. (24 V.S.A. Section 1235)

The Municipal Manager directs and supervises three supervisors and the municipal office staff, including all full-time and part-time employees. The Municipal Manager does not supervise elected officials or Weathersfield Proctor Library employees.

Major Duties and Responsibilities:

The Municipal Manager shall have the authority and have the duty to:

General:

- Perform duties required of the Town not allocated to the care of any particular officer.
- Provide assistance to the Select Board as required.
- Perform other duties as assigned by the Select Board.
- Assist elected officials when requested and deemed appropriate.

Personnel:

- Recruit, hire, evaluate, direct, and if necessary discipline and terminate Town employees subject to the personnel policy approved by the Select Board as authorized by 24 V.S.A. Section 1121. The Town Manager may request the assistance of the Select Board in evaluating and interviewing candidates for Department Head positions.
- Develop techniques among municipal employees, to disseminate information and to promote team building.

Operations:

- Perform all the duties conferred by law upon the road commissioner.
- Have charge, control, and supervision of the following matters as listed in 24 V.S.A. Section 1236 (4), (9):

- all public buildings and repairs as necessary; as well as all construction done by the Town, unless otherwise specially voted by the Town Meeting.
- The maintenance of parks and playgrounds.
- Assist in the preparation and ensure the accuracy of the annual Town Report.
- Collect all current and delinquent taxes due the Town of Weathersfield, Village of Perkinsville, and Ascutney Fire District No. 2, and to perform all the duties now conferred by law upon the tax collector and collector of delinquent taxes.
- Sign all Town contracts as authorized in the Town's Purchasing Policy.
- Plan and oversee all phases of various Town projects.
- Perform the duties of the Manager of Ascutney Fire District #2.

Finance:

- Act as general purchasing agent of the Town, purchasing all supplies for every department.
- Oversee all accounting.
- Supervise the expenditure of all special appropriations of the Town, unless otherwise voted by the Town.
- Prepare a draft Town budget for the Select Board to review and amend as it deems necessary.
- Seek and procure funding sources, including grant opportunities, and prepare applications for grants for Select Board approval.
- Shall not issue orders upon the Town.

Planning:

- Assist the Select Board to develop, update, and implement long-range strategic plans and capital improvement programs, including plans and budgets.
- Develop new program needs and directions, identify resources to accomplish programs, and recommend actions to the Select Board.
- Develop systems and procedures to implement the policy decisions of the Select Board.
- Attend or staff the Select Board meetings and other meetings as needed.
- Develop long-term solutions for specific Town needs.
- Ensure that standard operating procedures and best practices are in place and followed by all departments.

Knowledge, Skills and Abilities:

- General knowledge of the operations of Vermont municipal government, and State and Federal laws affecting municipalities.
- Working knowledge of municipal management and community problems and potential solutions.
- Working knowledge of municipal, State, and Federal programs and decision-making processes.

- Working knowledge of financial administration and the design of financial accounting and reporting systems.
- Working knowledge of the theory and practice of public personnel administration.
- Working knowledge of administrative organization.
- Working knowledge and skill in municipal management, processes and techniques.
- Ability to communicate effectively, orally and in writing, with the Select Board, Town officers, employees, the media, and the public.
- Ability to motivate and encourage innovation and the assumption of appropriate responsibility and decision-making by staff.
- Ability to resolve conflict.
- Ability to be creative and analytical.
- Ability to direct, supervise, and evaluate employees.
- Possession of public relations skills.
- Ability to work effectively with the Select Board, other Town boards and commissions, community groups, legislators, etc.
- Ability to organize and use time effectively and to handle several significant responsibilities simultaneously.
- Ability to listen to and accept criticism.
- Knowledge of computerized accounting, communications, and other applications.
- Working knowledge of Generally Accepted Accounting Principles (GAAP) and Government Accounting Standards Board (GASB) rules and standards.
- While not a requirement, it is hoped that the Municipal Manager will take an active interest in and attend a variety of Town functions outside the direct scope of the duties of the position.

Education, Experience and Training Preferences:

- A Bachelor's degree is preferred, and a Master's degree is desired, in public administration or business management.
- Five years prior experience in governmental operations at a supervisory level, or higher, with preference given to prior municipal or government experience.
- Equivalent additional experience in municipal management may be substituted for the degree.
- Town residency is encouraged. The Municipal Manager should reside no more than thirty minutes travel under normal highway conditions from the Town offices.

Conditions of Employment:

- Possession of a valid driver's license and a personal vehicle to use when traveling on Town business.
- This is a regular, full time, salaried position. By virtue of the nature of the job, the Municipal Manager is always on call. This position may often require working hours beyond what is considered an average work day/week. The position requires attendance at evening meetings.



Draft Norwich Town Manager Search Timeline as of: 6/17/16

- April 15** **VLCT:** Proposal Submitted (mailed hard copies for Selectboard and Interim Manager), included:
- Proposal Letter
 - Sample Employment Ads
 - Sample Job Descriptions
 - Town Manager Search Guidance
 - Agreement
- May 11** **Selectboard Meeting with VLCT:**
- Review Search Process
- June 22** **Selectboard Meeting with VLCT:** Planning meeting at Norwich Town Offices:
- Review responses to Selectboard questions
 - Review Timeline
 - Review Advertising Strategy
 - Selectboard representative appointed to coordinate with VLCT
 - Service Agreement signed
- July 6** **Selectboard:** Review, finalize and send to VLCT:
- Employment Ad
 - Advertising list
- July 7** **VLCT:** Post ads in all publications both print and electronic (Run for 4-6 weeks)
- Number applications upon receipt
- August 8-12** **VLCT:** Following Application Deadline: 8/08/16
- Applications reviewed; summary sheet completed with years of experience for each criteria
 - Applications bundled, printed and copied
 - Application packets, including interview guidance and sample 1st round questions mailed to Selectboard.
- August 15-20** **Selectboard**
- Review applications and select candidates for 1st round interviews (10-12, and 2-3 alternates)

- August 18** ***Selectboard Meeting with VLCT***
- Selectboard provides list of 1st round interviewees and alternates
 - 1st round interview schedule established (generally 30 minutes per interview, 15 minutes for discussion)
 - Interview format identified: phone conference / Webcam (Skype, Facetime, etc.) / in person
 - Sample questions and interview guidance discussed
- August 19-20** ***VLCT***
- Schedules interviews and coordinates with candidates
 - Provides Selectboard with interview schedule and candidate information
- August 22-26** ***Selectboard:***
- 1st round interviews conducted.
- August 26** ***Selectboard Meeting with VLCT:*** At meeting, following final interview
- Selectboard provides list of 2nd round interview candidates (4-6 and 1-2 alternates).
 - Discuss interview method and schedule (Generally 1 hour per, and 15 minutes for discussion). If this will be the final round, consider tour of town office and town.
 - Discuss interview questions
 - Discuss travel costs for candidates out of state.
- August 28-31** ***VLCT***
- VLCT compiles 2nd round interview itineraries including: duration, locations, meetings with staff and elected officials, and other logistics.
 - Schedules interviews with 2nd round candidates
 - Applicants not interviewed notified
- September 6** ***Selectboard***
- 2nd round interviews conducted.
- September 10** ***Selectboard Meeting with VLCT:*** At meeting following final interview
- Selectboard provides VLCT with finalist candidates (1-2) for background and reference checks.
 - Next steps in process reviewed
- September 12-26** ***VLCT:*** Initiates civil and criminal background checks and conducts reference checks, and reports findings to Selectboard
- Selectboard: Enters Employment/Contract Negotiation with Finalist***

October 3-10 **Selectboard:** Offers employment contract at duly warned meeting.

Possible start date, September 6, 2016 - dependent on how much notice finalist needs to give or if relocation is required.

**Town of Norwich
Office of the Selectboard
P.O. Box 376, Norwich, VT 05055-0376
(802) 649-0127**

Charge for the Advisory Town Manager Search Committee

The role of the committee is to assist in the review of all resumes presented by the Vermont League of Cities and Towns for the position of Town Manager. This committee will rank the candidates and make a recommendation to the board of the top five (5) best suited for the position. Confidentiality must be maintained at all times during this process.

The committee will also participate in the finalist interview process and follow-up discussions with the Selectboard, who will make the final decision.

Confidentiality must be maintained at all times during this process.

Town of Norwich

The Municipal Manager Form of Government

**Garrett Baxter, Senior Staff Attorney
Municipal Assistance Center**



June 2015

AGENDA

- VLCT Municipal Assistance Center Introduction
- Statutory forms of local government
- Performance evaluations
- Nelson v. Town of St. Johnsbury case



The Structure of Vermont Local Government

Vermont is a Dillon's Rule state.

- “A municipality has only those powers and functions specifically authorized by the Legislature, and such additional functions as may be incident, subordinate or necessary to the exercise thereof.”

Hunters, Anglers and Trappers Ass'n of Vermont, Inc. v. Winooski Valley, 913 A.2d 391, 2006 VT 82 (2006).



The Basic Statutory Form of Vermont Local Government

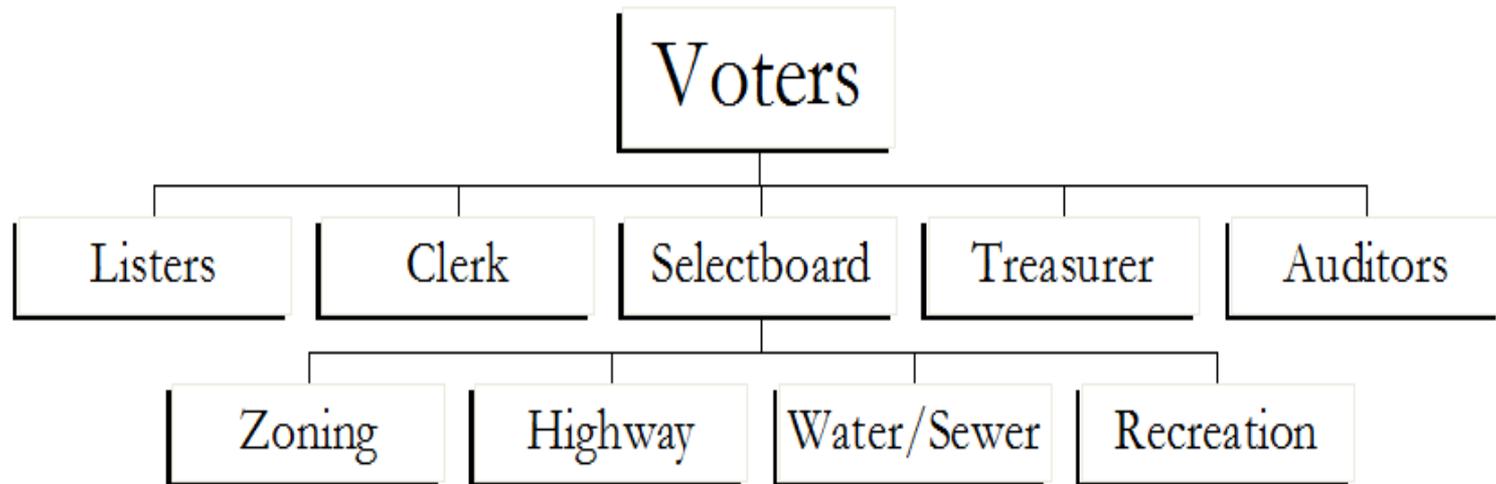
The **basic statutory model** of Vermont local government is the **town**.

Under this statutory form different **town officers** are responsible for different areas of the town's operation:

- Selectboard
- Clerk
- Treasurer
- Constable
- Town Agent
- Listers
- Auditors
- Grand Juror
- Moderator
- Others]



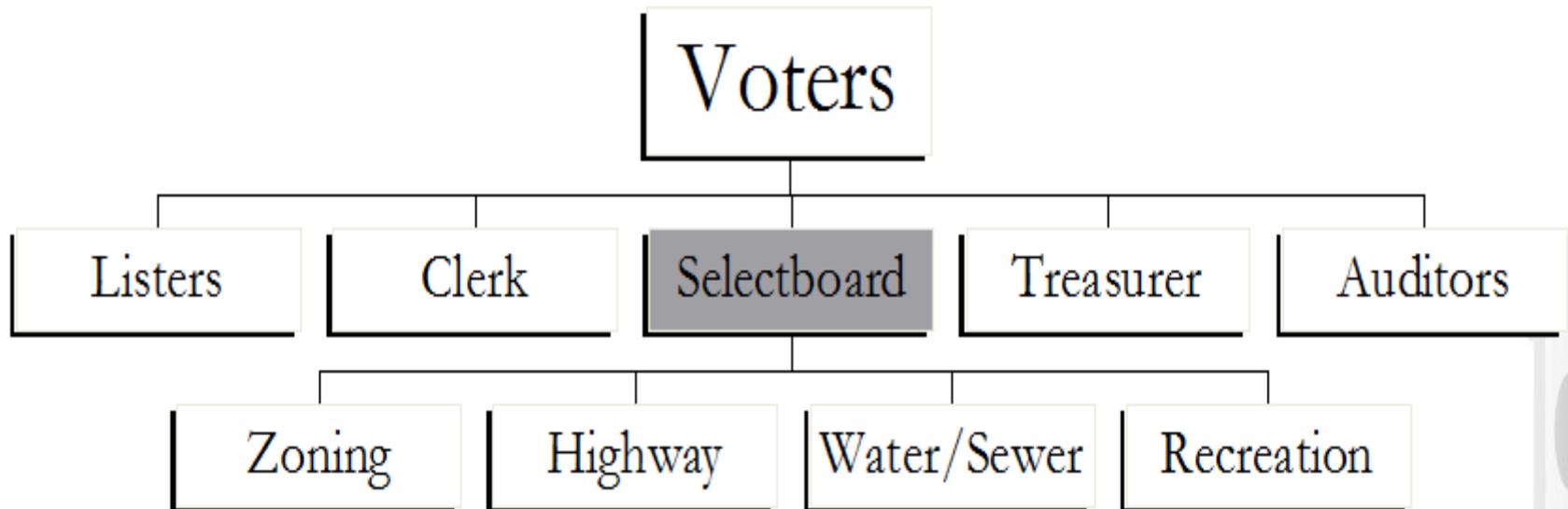
The Basic Statutory Form of Vermont Local Government



None of these elected town officers is directly **accountable** to the others in the performance of his/her statutory duties.

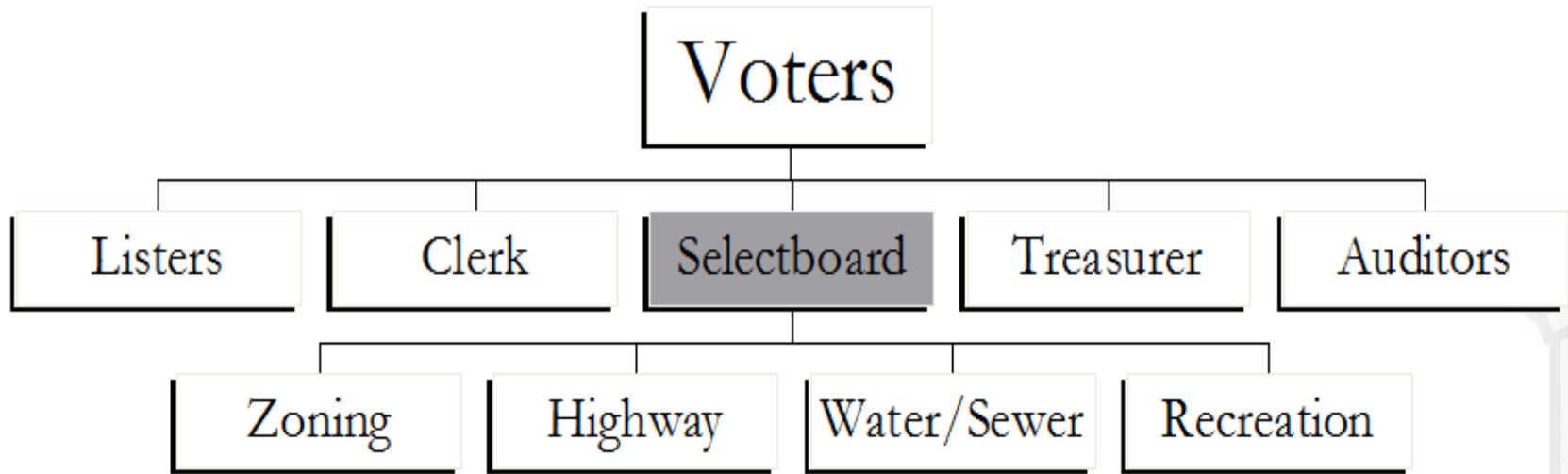
Town of Bennington v. Booth,
101 Vt. 24 (1928).

The Basic Statutory Form of Vermont Local Government



In the statutory form of town government, the selectboard performs almost all of the executive, legislative, and quasi-judicial functions of local government.

The Basic Statutory Form of Vermont Local Government



The selectboard does this as a 3-5 member volunteer board meeting typically once or twice a month. Their authority is vested in the group, not any individual member and any actions or decisions require a concurrence of a majority of the members of the board.

The Municipal Manager Form of Local Government

- The most common variation from the basic statutory model is the municipal manager form of government.
- 24 V.S.A Chapter 37 authorizes municipalities to adopt the municipal manger form of government through a local vote.
- Some municipalities have adopted the manager form of government through a municipal governance charter.



The Municipal Manager Form of Local Government

1. Killington Town	802	15. West Rutland Town	2,283
2. Orleans Village	802	16. Swanton Village	2,387
3. Ludlow Village	805	17. Vergennes City	2,584
4. Woodstock Village	891	18. Fair Haven Town	2,693
5. Enosburg Falls Village	1,323	19. Putney Town	2,700
6. Cavendish Town	1,363	20. Weathersfield Town	2,810
7. Johnson Village	1,459	21. Pittsford Town	2,943
8. Poultney Village	1,595	22. Hardwick Town	2,968
9. Waterbury Village	1,796	23. Woodstock Town	3,012
10. Wilmington Town	1,853	24. Chester Town	3,116
11. Ludlow Town	1,945	25. Westminster Town	3,132
12. Dorset Town	2,008	26. Hartland Town	3,385
13. Bethel Town	2,020	27. Poultney Town	3,387
14. Northfield Village	2,086	28. Norwich Town	3,393



The Municipal Manager Form of Local Government

29. Williamstown Town	3,394	43. Northfield Town	6,185
30. Johnson Town	3,495	44. St. Albans City	6,894
31. Windsor Town	3,498	45. Winooski City	7,239
32. Bellows Falls Village	3,500	46. Shelburne Town	7,449
33. Brandon Town	3,919	47. St. Johnsbury Town	7,591
34. Richmond Town	4,093	48. Montpelier City	7,787
35. Manchester Town	4,339	49. Barre Town	7,933
36. Stowe Town	4,390	50. Middlebury Town	8,477
37. Newport City	4,530	51. Williston Town	8,962
38. Castleton Town	4,665	52. Barre City	8,967
39. Randolph Town	4,762	53. Springfield Town	9,284
40. Waterbury Town	5,102	54. Essex Junction Village	9,498
41. Rockingham Town	5,190	55. Hartford Town	9,838
42. St. Albans Town	6,136	56. Milton Town	10,526



The Municipal Manager Form of Local Government

57. Brattleboro Town	11,848
58. Bennington Town	15,555
59. Colchester Town	17,245
South Burlington	
60. City	18,400
61. Essex Town	20,057



The Municipal Manager Form of Local Government

- In total, 61 Vermont municipalities operate under the manager form of government.
- Range in population from 802 to 20,057
- Approximately half of all Vermonters live in a municipality with a municipal manager.



The Municipal Manager Form of Local Government

- The municipal manager form vests most of the **administrative and management** functions in a professional manager who reports to the selectboard.



The Municipal Manager Form of Local Government

- The selectboard retains the **leadership and policy functions** and responsibility to ensure that the **management and administrative functions are being carried out** by the manager to the community's satisfaction.



The Municipal Manager Form of Local Government

- Allows selectboard to hold one person **accountable** for the efficient and effective delivery of municipal services.
- Removes selectboard from operational decisions and allows it to **focus on policy issues** facing the municipality.



What is Management?

What is Policy?

- **Policy setting activities** can be described in four general processes:
 1. Establishing goals and priorities.
 2. Deliberating and choosing from a list of alternatives.
 3. Establishing protocols that govern future behavior.
 4. Advocating for values and perspectives.

What is Management?

What is Policy?

- The list of **policy issues** that face Vermont communities is endless:
 - Should the police department use Tasers?
 - Are there opportunities to diversify our municipal revenue stream?
 - Can we share services or equipment with nearby towns?
 - Do we need a new firehouse?
 - Are conflicts of interest being managed appropriately?



What is Management?

What is Policy?

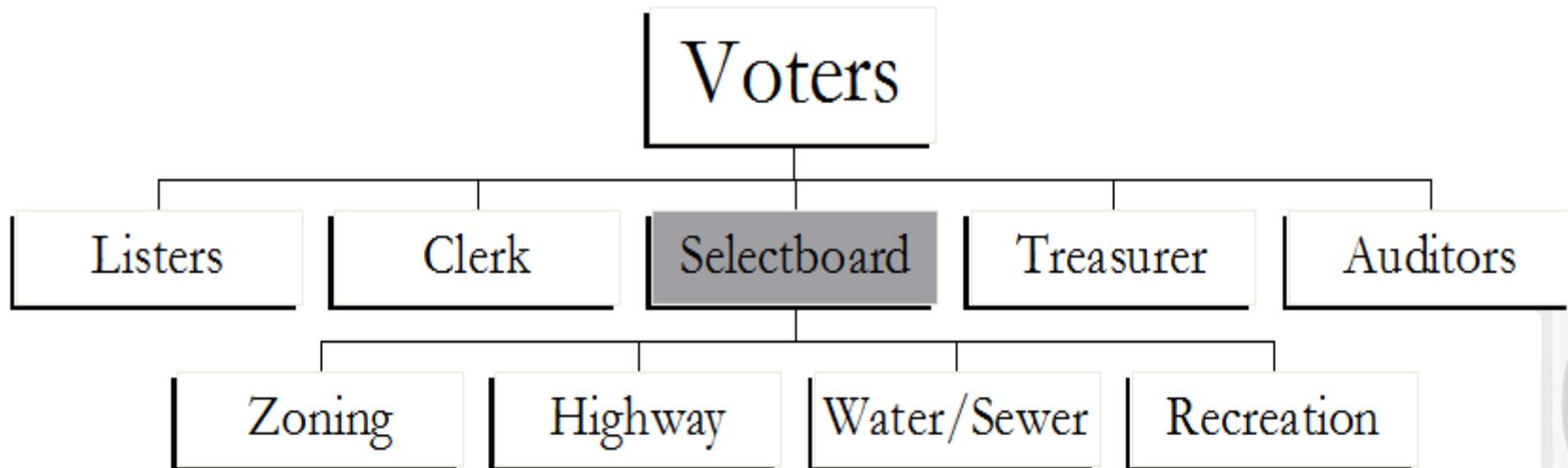
- **Managerial activities** can be described as four core functions:
 1. Directing and coordinating the activity of others.
 2. Accounting for the performance of others.
 3. Obtaining, analyzing, and presenting information to others.
 4. Making operational decisions that reflect established policy priorities.

The Municipal Manager Form of Local Government

- The adoption of the municipal manager form of government substantially alters the role of the selectboard in Vermont local government.

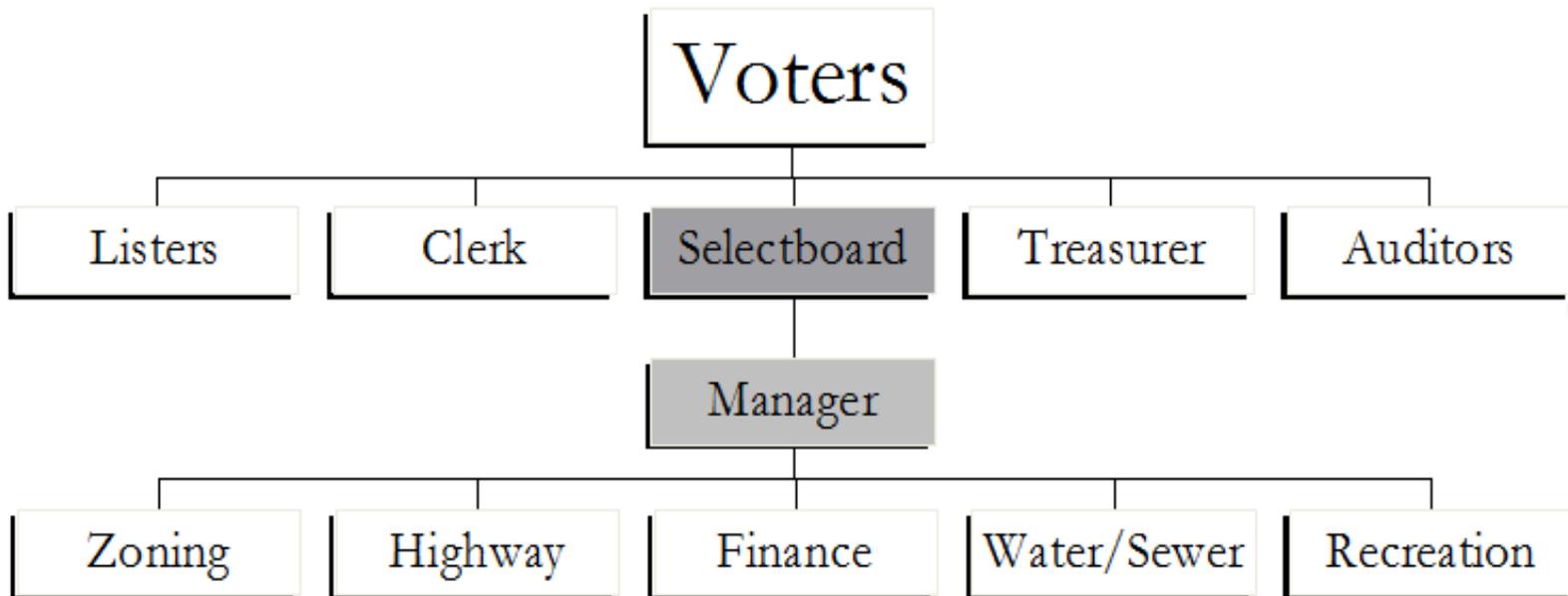


The Basic Statutory Form of Vermont Local Government



BASIC STATUTORY FORM OF VERMONT LOCAL GOVERNMENT

The Municipal Manager Form of Local Government



MUNICIPAL MANAGER FORM OF VERMONT LOCAL GOVERNMENT

BEFORE and AFTER

Selectboard

The selectmen shall have the general supervision of the affairs of the town and shall cause to be performed all duties required of towns and town school districts not committed by law to the care of any particular officer.

24 V.S.A. § 872



Town Manager

Subject to the requirements of this chapter, he shall have general supervision of the affairs of the town, be the administrative head of all departments of the town government and shall be responsible for the efficient administration thereof.

24 V.S.A. § 1235

BEFORE and AFTER

Selectboard

The selectmen shall have the general supervision of the affairs of the town and shall cause to be performed all duties required of towns and town school districts not committed by law to the care of any particular officer.

24 V.S.A. § 872



Municipal Manager

Subject to the requirements of this chapter, he shall have general supervision of the affairs of the town, be the administrative head of all departments of the town government and shall be responsible for the efficient administration thereof.

24 V.S.A. § 1235

BEFORE and AFTER

Selectboard

The selectmen shall have the general supervision of the affairs of the town and shall **cause to be performed all duties required of towns and town school districts not committed by law to the care of any particular officer.**

24 V.S.A. § 872



Municipal Manager

The manager shall have authority and it shall be his duty:

To cause duties required of towns and town school districts and not committed to the care of any particular officer, to be duly performed and executed.

24 V.S.A. § 1236(1)

June 2015

BEFORE and AFTER

Selectboard

The selectmen shall have the general supervision of the affairs of the town and shall cause to be performed all duties required of towns and town school districts not committed by law to the care of any particular officer.

24 V.S.A. § 872



Municipal Manager

The manager shall have authority and it shall be his duty:

To cause duties required of towns and town school districts and not committed to the care of any particular officer, to be duly performed and executed.

24 V.S.A. § 1236(1)

BEFORE and AFTER

The manager shall have authority and it shall be his duty:

To have charge and supervision of all public town buildings, repairs thereon and repairs of buildings of the town school district upon requisition of the school directors; and all building done by the town or town school district, unless otherwise specially voted, shall be done under his charge and supervision.

24 V.S.A. § 1236(4)



BEFORE and AFTER

The manager shall have authority and it shall be his duty:

To have charge and supervision of all public town buildings, repairs thereon and repairs of buildings of the town school district upon requisition of the school directors; **and all building done by the town or town school district, unless otherwise specially voted, shall be done under his charge and supervision.**



24 V.S.A. § 1236(4)

June 2015

BEFORE and AFTER

The manager shall have authority and it shall be his duty:

To perform all the duties now conferred by law upon the road commissioner of the town, including the signing of orders; provided, however, that when an incorporated village lies within the territorial limits of a town which is operating under a town manager, and such village fails to pay to such town for expenditure on the roads of the town outside the village, at least fifteen percent of the last highway tax levied in such village, the legal voters residing in such town, outside such village, may elect one or two road commissioners who shall have and exercise all powers of road commissioner within that part of such town as lies outside such village.

24 V.S.A. § 1236(5)



June 2015

BEFORE and AFTER

The manager shall have authority and it shall be his duty:

To do all the accounting for all of the departments of the town and of the town school districts when the board of school directors so request.

24 V.S.A. § 1236(7)



BEFORE and AFTER

The manager shall have authority and it shall be his duty:

To have charge, control and supervision of the following matters:

- (A) The police department, if any, and shall appoint and may remove the officers thereof and shall fix their salaries;
- (B) The fire department, if any, and shall appoint, fix the compensation of and may remove all officers and employees thereof;
- (C) The system of licenses, if any, not otherwise regulated by law;
- (D) The system of sewers and drainage, if any, except the making of assessments therefor;
- (E) The lighting of streets, highways and bridges;
- (F) The sprinkling of streets and highways and laying of dust, except the making of assessments therefor;
- (G) The maintenance of parks and playgrounds

24 V.S.A. § 1236(9)



June 2015

BEFORE and AFTER

- **The manager shall have authority and it shall be his duty:**
- **To perform all duties now conferred by law upon the selectmen,** except that he shall not prepare tax bills, sign orders on the general fund of the town, other than orders for poor relief, call special or annual town meetings, lay out highways, establish and lay out public parks, make assessments, award damages, act as member of the board of civil authority, nor make appointments to fill vacancies which the selectmen are now authorized by law to fill; but he shall, in all matters herein excepted, render the selectmen such assistance as they shall require.

24 V.S.A. § 1236(2)



BEFORE and AFTER

- The manager shall have authority and it shall be his duty:
- To perform all duties now conferred by law upon the selectmen, except that he shall not prepare tax bills, sign orders on the general fund of the town, other than orders for poor relief, call special or annual town meetings, lay out highways, establish and lay out public parks, make assessments, award damages, act as member of the board of civil authority, nor make appointments to fill vacancies which the selectmen are now authorized by law to fill; but he shall, in all matters herein excepted, render the selectmen such assistance as they shall require.

24 V.S.A. § 1236(2)



Municipal Manager

- **The manager shall have authority and it shall be his duty:**
- To perform all duties now conferred by law upon the selectmen, except that he shall not prepare tax bills, sign orders on the general fund of the town, other than orders for poor relief, call special or annual town meetings, lay out highways, establish and lay out public parks, make assessments, award damages, act as member of the board of civil authority, nor make appointments to fill vacancies which the selectmen are now authorized by law to fill; **but he shall, in all matters herein excepted, render the selectmen such assistance as they shall require.**

24 V.S.A. § 1236(2)



BEFORE and AFTER

- **The powers, duties and liabilities imposed upon any other departments of the town inconsistent with the provisions of this chapter shall be suspended and shall be conferred and imposed upon the manager.**

24 V.S.A. § 1238



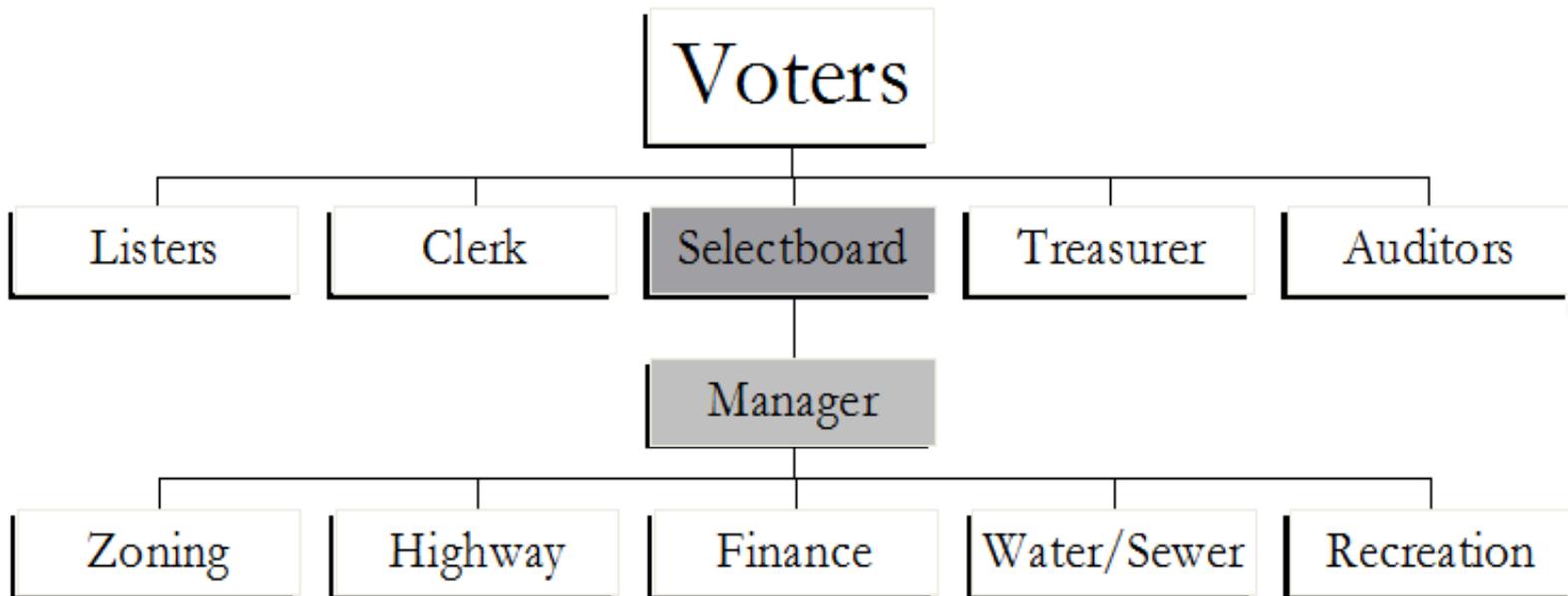
BEFORE and AFTER

- Such a manager shall be selected with special reference to his education, training and experience to perform the duties of such office and without reference to his political belief. **In all matters he shall be subject to the direction and supervision and shall hold office at the will of such selectmen, who, by majority vote, may remove him at any time for cause.**

24 V.S.A. § 1239



The Municipal Manager Form of Local Government



The selectboard retains the **leadership and policy functions** and responsibility to ensure that the **management and administrative functions** are being carried out by the manager to the their satisfaction .

The Municipal Manager Form of Local Government

- The selectboard should strive to be strategically engaged but operationally distant.
- The selectboard should step back from the day-to-day operations and management of staff.
- Honor your organizational structure and the chain of command. Discourage end runs around the municipal manager.



Questions



Performance Evaluation Policy

- The selectboard's role is to communicate its goals and objectives to the manager and evaluate whether those goals and objectives are being achieved.
- Develop a job description that reflects the selectboard's expectations and an annual work plan that reflects its policy priorities.
- Perform regular (at least annual) performance evaluations of the municipal manager.



What is a Performance Evaluation Policy?

- A system of evaluating an employee's performance which involves evaluating and giving feedback of actual performance based on key competencies that support the achievement of the overall organizational mission.



Why Implement a Performance Evaluation Policy?

- **Harmonizes expectations:** The employer's and employee's expectations of the employee's performance and the standards that he/she will be held to.
- **Performance Measurement/Improvement.** Regular evaluation helps employees improve performance and align their goals with the organization.
- **Retention.** Career growth, learning, and professional development are the things employees value most. Kaye and Jordan-Evans, Love 'Em or Lose 'Em: Getting Good People to Stay, 1999.



Why Implement a Performance Evaluation Policy?

- **Avoiding Litigation.** A performance evaluation policy allows employers the opportunity to make a complete record of the reasons for their actions, making it easier to defend any lawsuit that may result from employee termination.
 - If a performance evaluation policy is in place, it must be followed consistently.
 - Failure to follow it can give rise to an inference that termination was arbitrary or unlawful.

Performance Evaluation Policy: The Requirement

- If a PE policy is adopted, the employer must document that it has been followed.
 - From the jury's perspective, if an evaluation wasn't documented, it probably never happened.
 - Lack of documentation allows a terminated employee to exploit the inference that termination was for some other (unlawful) reason.
 - "Three week documentation" can be worse than no documentation at all.



Nelson v. Town of St. Johnsbury, LaMotte, Oddy, Ruggles, Rust, Timson, 2015 VT 5

- **Facts of the case:**

- St. Johnsbury hired Ralph Nelson (plaintiff) as town manager in September 2010;
- No contract;
- Alleged issues with performance:
 - Misrepresentations regarding renovation and leasing the Town's Pomerleau Building;
 - Allegations of sexually harassing employees, creating a hostile work environment, attempting to influence a school board member and lying.

Nelson v. Town of St. Johnsbury, LaMotte, Oddy, Ruggles, Rust, Timson, 2015 VT 5

- **Facts of the case:**

- March 16, 2012: Selectboard member James Rust sends a letter to Nelson informing him that the selectboard had concerns about his performance and would be conducting an inquiry.
- April 2, 2012: Rust informed Nelson that the Selectboard would be meeting to discuss his job, requested that he hand in his keys and laptop and go home.
- April 3, 2012: Rust called Nelson to tell him that the Selectboard would be meeting, but that Nelson was not obligated to attend. Nelson attended.



Nelson v. Town of St. Johnsbury, LaMotte, Oddy, Ruggles, Rust, Timson, 2015 VT 5

- **Facts of the case:**

- April 3, 2012: Selectboard met and entered executive session, to which it later asked Nelson to join them. In executive session they discussed the proposed Pomerleau Building.
- Selectboard asked Nelson to resign. He declined.
- Selectboard returned to public session and passed a vote of “no confidence.”
- April 4, 2012: Selectboard issued a press release announcing Nelson’s termination.



Nelson v. Town of St. Johnsbury, *LaMotte, Oddy, Ruggles, Rust, Timson*, 2015 VT 5

- Nelson brought suit against the Town of St. Johnsbury in Caledonia County Superior Court alleging:
 - He was wrongfully terminated and that the Selectboard deprived him of his right to due process of law.
 - Central to this case was the issue of whether Nelson was an **at-will** or for **cause** employee.
- **Superior Court held:**
 - Nelson had no legal interest in his employment because he was an at-will employee.



Nelson v. Town of St. Johnsbury, LaMotte, Oddy, Ruggles, Rust, Timson, 2015 VT 5

- “[A]n employment contract for an indefinite term is an ‘at-will’ agreement, terminable at any time, for any reason or for none at all.”

Ross v. Times Mirror, Inc.,
164 Vt. 13 (1995)

Nelson v. Town of St. Johnsbury, LaMotte, Oddy, Ruggles, Rust, Timson, 2015 VT 5

- “(S)ome substantial shortcoming detrimental to the employer’s interests, which the law and a sound public opinion recognize as a good cause for his dismissal.”

In re Brooks,
135 Vt. 563 (1977)

Nelson v. Town of St. Johnsbury LaMotte, Oddy, Ruggles, Rust, Timson, 2015 VT 5

- **Nelson appealed to the Vermont Supreme Court;**
- **The Vermont Supreme Court reversed:**
 - Superior Court's ruling on claim of wrongful termination:
 - "In all matters he shall be subject to the direction and supervision and shall hold office **at the will** of such selectmen, who, by majority vote, may remove him at any time for **cause**."
24 V.S.A. § 1233.
 - VT Supreme Court interpreted "**at-will**" as meaning that only the Selectboard may terminate the town manager's employment and "**cause**" as a limitation on the exercise of the selectboard's discretionary authority to terminate the manager."



Cause Termination

14th Amendment of the U.S. Constitution (Due Process Claim)

- The Due Process Clause (14th Amendment of the U.S. Constitution) governs the termination of an employee with a property interest in continued employment.
 - “[N]or shall any state deprive any person of life, liberty, or property, without due process of law...”



Cause Termination

- “Public employees who can only be discharged for cause have a constitutionally protected property interest in their tenure and cannot be fired without affording them due process.”

Gilbert v. Homar, 520 U.S. 924 (1997)

- “An essential principle of due process is that a deprivation of ...property ‘be preceded by notice and opportunity to be heard...’ This principle requires ‘some kind of hearing’ prior to the discharge of an employee who has a constitutionally protected property interest in his employment.”

Loudermill v. Cleveland Bd. Of Ed.,
470 U.S. 532, (1985)



Cause Termination

- **Cause Termination:**
 - Termination for **misconduct** or **performance** that results in a substantial detriment to the employer's interest.
 - The standard is one of reasonableness: Did the employee have notice that the misconduct or performance deficiency would be considered grounds for termination and were the grounds for the termination reasonable?

Dulude v. Fletcher Allen Health Care, Inc.
174 Vt., 74 (2002)



What Process is Due?

- **“Due Process”** governs the process for terminating a for cause employee.
- “Once it is determined that Due Process applies ‘the question remains what process is due.’”

Cleveland Bd. Of Ed. v. Loudermill,
470 U.S. 532 (1985)



What Process is Due?

- To determine what process is due, courts will balance the interests at stake (Mathews balancing test):
 - The private interest (the employee's interest in keeping his/her job);
 - The employer's interest in removing unsatisfactory employees and avoiding administrative burdens; and
 - Preventing mistakes (the risk of erroneous deprivation of property) through the likely value of additional procedures.

Mathews v. Eldridge,
424 U.S. 319 (1976)



What Process is Due?

- The U.S. Supreme Court has recognized three procedures that protect Due Process in the context of public employees terminable for cause. The one to use depends on the weight of the interests:
 - **Limited pre-termination hearing coupled with a more comprehensive post-termination hearing.** *Cleveland Bd. Of Ed. v. Loudermill*, 470 U.S. 532 (1985);
 - **Suspension with pay.** *Cleveland Bd. Of Ed. v. Loudermill*, 470 U.S. 532 (1985);
 - **Suspension without pay.** *Gilbert v. Homar*, 520 U.S. 924 (1997).

Questions



06/17/16
12:01 pm

Town of Norwich Accounts Payable
Check Warrant Report # 16-28 Current Prior Next FY Invoices For Fund (General)
All Invoices For Check Acct 01(General) 06/09/16 To 06/22/16

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
ADVANCE	ADVANCE AUTO PARTS	04/19/16	HWY--EQUIPMENT CLEANER 084611004407	01-5-703403.00 PARTS & SUPPLIES	86.86		
ADVANCE	ADVANCE AUTO PARTS	04/19/16	HWY--SANDPAPER 084611062806	01-5-703403.00 PARTS & SUPPLIES	69.95		
ADVANCE	ADVANCE AUTO PARTS	04/20/16	HWY--REDUCER 084611104446	01-5-703403.00 PARTS & SUPPLIES	38.27		
ADVANCE	ADVANCE AUTO PARTS	04/27/16	HWY--PAINT 084611804803	01-5-703403.00 PARTS & SUPPLIES	150.86		
ADVANCE	ADVANCE AUTO PARTS	05/05/16	B&G--FILTERS, PLUGS 084612663331	01-5-704403.00 PARTS & SUPPLIES	43.49		
ADVANCE	ADVANCE AUTO PARTS	05/17/16	HWY--HOSES 084613863714	01-5-703403.00 PARTS & SUPPLIES	122.26		
ADVANCE	ADVANCE AUTO PARTS	06/02/16	HWY--FILTER 084615464069	01-5-703403.00 PARTS & SUPPLIES	3.00		
ADVANCE	ADVANCE AUTO PARTS	06/02/16	HWY--FILTER 084615464071	01-5-703403.00 PARTS & SUPPLIES	3.00		
ADVANCE	ADVANCE AUTO PARTS	06/03/16	FD--LAMP, PIGTAIL 084615564161	01-5-555528.00 FIRE TRK R & M	14.76		
ADVANCE	ADVANCE AUTO PARTS	06/03/16	FD--EXHAUST PARTS 084615583518	01-5-555528.00 FIRE TRK R & M	142.48		
ADVANCE	ADVANCE AUTO PARTS	06/06/16	FD--CLAMPS, ELBOWS 084615806683	01-5-555528.00 FIRE TRK R & M	251.79		
ADVANCE	ADVANCE AUTO PARTS	06/08/16	HWY--EQUIPMENT CLEANER 084616006809	01-5-703403.00 PARTS & SUPPLIES	53.29		
APD	ALICE PECK DAY MEMORIAL H	06/08/16	FD--PRE-EMPLOY PHYSICAL 1700	01-5-555636.00 OSHA COMPLIANCE	121.00	3328	06/22/16
AT&T	AT&T MOBILITY	06/09/16	FD-DPW-CELL PHONES APRIL-MAY 16	01-5-703505.00 TELEPHONE	49.96	3329	06/22/16
AT&T	AT&T MOBILITY	06/09/16	FD-DPW-CELL PHONES APRIL-MAY 16	01-5-550235.00 TELEPHONE & INTERNET	26.58	3329	06/22/16
EVERY'S	EVERY'S SWEEPING LLC	06/03/16	DPW-ROAD SWEEPING 890	01-5-703303.00 ROAD SWEEPING	1040.00	3330	06/22/16
BAYSTATE	BAY STATE ELEVATOR CO.	06/01/16	TH-JUNE 2016 ELEVATOR 418818	01-5-706107.00 ELEVATOR MAINTENANCE	236.65		
BENS	BEN'S UNIFORMS	06/06/16	PD-A INGRAHAM BOOTS 68073	01-5-500582.00 UNIFORMS	115.00		
BOUNDTREE	BOUND TREE MEDICAL LLC	05/26/16	FD-EMS EQUIPMENT 82160129	01-5-555424.00 EMS TOOLS/ EQUIP	55.56	3331	06/22/16
BOUNDTREE	BOUND TREE MEDICAL LLC	06/08/16	FD-EMT SCISSORS 82174586	01-5-555424.00 EMS TOOLS/ EQUIP	19.40	3331	06/22/16
BUSINESS	BUSINESS CARD	05/31/16	TOWN ADMIN-WASTE TONER AMAZ 5/31/16	01-5-005610.00 OFFICE SUPPLIES	46.44	3332	06/22/16
CASELLA	CASELLA WASTE SERVICES	06/01/16	SW-MAY RECYCLING 0257871	01-5-705305.00 RECYCLING	4631.69		
CASELLA	CASELLA WASTE SERVICES	06/01/16	SW-MAY MUNICIPAL WASTE 0257872	01-5-705303.00 MUNICIPAL SOLID WASTE	3334.22		
CED	CONSOLIDATED ELECTRICAL D	06/03/16	FD-FLOOD LIGHT 9433-724621	01-5-550330.00 REPAIR & MAINTENANCE EXPN	183.75		
CHAPPELL	B-B CHAIN	06/08/16	DPW-RAKE 9881	01-5-703513.00 TOOLS	25.00	3333	06/22/16

Vendor	Invoice Description	Invoice Date	Invoice Number	Account	Amount Paid	Check Number	Check Date
CHILDCARE	CHILD CARE CENTER IN NORW	06/16/16	2016 APPROPRIATION 6/16/2016	01-5-800324.00 NORWICH CHILD CARE SCHOLA	1082.00	-----	--/--/--
CHILDSUPP	OFFICE OF CHILD SUPPORT	06/06/16	CHILD SUPP PEND 6-4-16 PEND6-4-16	01-2-001115.00 CHILD SUPPORT PAYABLE	244.92	3326	06/09/16
CHILDSUPP	OFFICE OF CHILD SUPPORT	06/17/16	PP ENDING 6-18-16 PPEND6-18-16	01-2-001115.00 CHILD SUPPORT PAYABLE	359.66	3334	06/22/16
COMCAST	COMCAST	06/06/16	TH-FIXED IP 6/6/2016	01-5-275632.00 SERVER MAINTENANCE	19.95	3335	06/22/16
COMCAST	COMCAST	06/06/16	FD-FIXED IP & INTERNET 6/6/2016#2	01-5-550235.00 TELEPHONE & INTERNET	34.90	3335	06/22/16
D&W	DAN & WHIT'S GENERAL STOR	05/02/16	HWY--SPRAY PAINT 4734923	01-5-703403.00 PARTS & SUPPLIES	5.49	3336	06/22/16
D&W	DAN & WHIT'S GENERAL STOR	05/03/16	REC--FOOD 4736526	01-5-425220.00 SPECIAL EVENTS /SUPPLIES	14.30	3336	06/22/16
D&W	DAN & WHIT'S GENERAL STOR	05/04/16	REC--THANK YOU CARDS 4737407	01-5-425182.00 OFFICE SUPPLIES	5.25	3336	06/22/16
D&W	DAN & WHIT'S GENERAL STOR	05/20/16	CEMCOM--GAS 4754336	01-5-675430.00 REPAIRS & MAINT.	30.00	3336	06/22/16
D&W	DAN & WHIT'S GENERAL STOR	05/30/16	CEMCOM--PADLOCKS 4755020	01-5-675301.00 SUPPLIES	19.18	3336	06/22/16
D&W	DAN & WHIT'S GENERAL STOR	05/25/16	REC--SUPPLIES 4759344	01-5-425220.00 SPECIAL EVENTS /SUPPLIES	27.71	3336	06/22/16
D&W	DAN & WHIT'S GENERAL STOR	05/25/16	REC--ICED TEA MIX 4759466	01-5-425220.00 SPECIAL EVENTS /SUPPLIES	5.19	3336	06/22/16
DIMMICK	DIMMICK WASTEWATER SERVIC	05/26/16	TS-PORTA POTTY 2 MONTHS 25804	01-5-705500.00 PURCHASED SERVICES	180.00	3337	06/22/16
DINGEE	DINGEE MACHINE COMPANY	06/13/16	FD-TANKER PUMP 7966	01-5-555528.00 FIRE TRK R & M	415.16	3338	06/22/16
EARTHLINK	EARTHLINK BUSINESS	06/10/16	MAY TELEPHONE BILL 6/10/2016	01-5-550235.00 TELEPHONE & INTERNET	33.99	3339	06/22/16
EARTHLINK	EARTHLINK BUSINESS	06/10/16	MAY TELEPHONE BILL 6/10/2016	01-5-475238.00 ADMIN TELEPHONE	213.24	3339	06/22/16
EARTHLINK	EARTHLINK BUSINESS	06/10/16	MAY TELEPHONE BILL 6/10/2016	01-5-425127.00 TELEPHONE	37.33	3339	06/22/16
EARTHLINK	EARTHLINK BUSINESS	06/10/16	MAY TELEPHONE BILL 6/10/2016	01-5-705505.00 TELEPHONE	35.13	3339	06/22/16
EARTHLINK	EARTHLINK BUSINESS	06/10/16	MAY TELEPHONE BILL 6/10/2016	01-5-703505.00 TELEPHONE	42.65	3339	06/22/16
EARTHLINK	EARTHLINK BUSINESS	06/10/16	MAY TELEPHONE BILL 6/10/2016	01-5-005531.00 ADMIN TELEPHONE	37.32	3339	06/22/16
EARTHLINK	EARTHLINK BUSINESS	06/10/16	MAY TELEPHONE BILL 6/10/2016	01-5-350531.00 TELEPHONE	37.33	3339	06/22/16
EARTHLINK	EARTHLINK BUSINESS	06/10/16	MAY TELEPHONE BILL 6/10/2016	01-5-100531.00 TELEPHONE	37.32	3339	06/22/16
EARTHLINK	EARTHLINK BUSINESS	06/10/16	MAY TELEPHONE BILL 6/10/2016	01-5-300531.00 TELEPHONE	37.33	3339	06/22/16
EARTHLINK	EARTHLINK BUSINESS	06/10/16	MAY TELEPHONE BILL 6/10/2016	01-5-200531.00 TELEPHONE	37.32	3339	06/22/16
EARTHLINK	EARTHLINK BUSINESS	06/10/16	MAY TELEPHONE BILL 6/10/2016	01-5-275531.00 TELEPHONE	60.79	3339	06/22/16

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
EVANSMOTO	06/01/16	EVANS GROUP, INC. DPW-516 GALLON BIO DIESEL 586480	01-5-703405.00 PETROLEUM PRODUCTS	910.13	-----	--/--/--
EYEMED	06/01/16	COMBINED INSURANCE CO OF EYE INSURANCE JUNE 2016 2036333	01-2-001126.00 VISION SERV PLAN-PAYROLL	165.54	3340	06/22/16
FASTENAL	05/18/16	FASTENAL HWY--FASTENERS NHWES62711	01-5-703403.00 PARTS & SUPPLIES	4.50	-----	--/--/--
FERGUSON	05/27/16	FERGUSON WATERWORKS DPW-CULVERTS 0402368-1	01-5-703209.00 CULVERTS & ROAD SUPPLIES	525.60	-----	--/--/--
FIFIELD	06/05/16	FIFIELD ELEC.FIRE SYSTEMS TH-ELEVATOR WORK 1736	01-5-706107.00 ELEVATOR MAINTENANCE	175.20	3341	06/22/16
FOGGS	05/16/16	FOGG'S HARDWARE AND BUILD STATEMENT CREDIT 5/16/16	01-5-500501.00 ADMINISTRATION	-0.06	3342	06/22/16
FOGGS	05/28/16	FOGG'S HARDWARE AND BUILD SW--MARKERS, SIGN 772031	01-5-705403.00 PARTS & SUPPLIES	7.06	3342	06/22/16
FOGGS	06/02/16	FOGG'S HARDWARE AND BUILD HWY--WAX, BRUSHES 772286	01-5-703403.00 PARTS & SUPPLIES	15.48	3342	06/22/16
FOGGS	06/03/16	FOGG'S HARDWARE AND BUILD B&G--SHIMS 772396	01-5-704201.00 GARDEN SUPPLIES & PLANTS	3.98	3342	06/22/16
FOGGS	06/07/16	FOGG'S HARDWARE AND BUILD B&G--STAKES, ROPE 772669	01-5-704201.00 GARDEN SUPPLIES & PLANTS	34.48	3342	06/22/16
FOGGS	06/07/16	FOGG'S HARDWARE AND BUILD SW--INSECT SPRAY 772692	01-5-705403.00 PARTS & SUPPLIES	9.98	3342	06/22/16
GMPC	05/27/16	GREEN MOUNTAIN POWER CORP DPW=MAY STREETLIGHTS 24926MAY16	01-5-703307.00 STREETLIGHTS	885.98	3343	06/22/16
GMPC	05/31/16	GREEN MOUNTAIN POWER CORP PD-BEAVER MEADOW SIGN 24966JUNE16	01-5-500204.00 SPEED SIGNS	2.60	3343	06/22/16
GURMAN	06/09/16	GLENN GURMAN REC-WINTER KUNG FU 6/9/2016	01-5-425200.00 INSTRUCTOR FEE	882.00	3344	06/22/16
HAUN	06/01/16	HAUN WELDING SUPPLY, INC. DPW-MAYCYLINDER RENTAL N880855	01-5-703401.00 OUTSIDE REPAIRS	15.58	-----	--/--/--
IMAGING	06/01/16	VALLEY IMAGING & AWARDS TS- WINDOW STICKERS 20427	01-5-705515.00 ADMINISTRATION	535.60	3347	06/22/16
INTERTIRE	06/02/16	INTERSTATE TIRE, LLC DPW-TIRE ROTATION RAM3500 99578	01-5-703401.00 OUTSIDE REPAIRS	30.00	3348	06/22/16
JOESEQUIP	05/20/16	JOE'S EQUIPMENT SEV. INC. CEMCOM--OIL 2-102730	01-5-675430.00 REPAIRS & MAINT.	10.95	-----	--/--/--
JPCHEMICAL	06/04/16	JP PEST SERVICES, INC PD-INSECTICIDE TREATMENT 1641966	01-5-475302.00 REPAIRS & MAINT	237.00	-----	--/--/--
MCNEIL	06/09/16	MCNEIL, LEDDY & SHEAHAN, TOWN ADMIN-UNION LEGAL 26992	01-5-005300.00 PROFESS SERV	649.18	3349	06/22/16
MIS1	06/09/16	HEATHER CARLEY REC-LACROSSE OFFICIATING 6/9/16	01-5-425214.00 REFERREE/UMPIRE	520.00	3350	06/22/16
MIS2	06/09/16	ADAM PHILIE REC-LACROSSE OFFICIATING 6/9/2016	01-5-425214.00 REFERREE/UMPIRE	30.00	3351	06/22/16
MIS3	06/09/16	SARAH CARLEY REC-LACROSSE OFFICIATING 6/9/2016	01-5-425214.00 REFERREE/UMPIRE	70.00	3352	06/22/16
MIS4	06/09/16	ALEX HOEHN REC-LACROSSE OFFICIATING 6/9/2016	01-5-425214.00 REFERREE/UMPIRE	120.00	3353	06/22/16
MIS5	06/09/16	GEORGE CALVER REC-LACROSSE OFFICIATING 06/09/2016	01-5-425214.00 REFERREE/UMPIRE	250.00	3354	06/22/16

Vendor	Invoice Date	Invoice Description	Invoice Number	Account	Amount Paid	Check Number	Check Date
MIS6	06/14/16	CON COMM-WILDFLOWER WALK	6/6/2016	01-5-650635.00 MILT FRYE NATURE AREA	50.00	3355	06/22/16
MOMAR	05/31/16	REC-DOGGIE BAGS	PSI127434	01-5-425322.00 REC FIELD CARE	441.00	-----	--/--/--
NETTC	05/13/16	DPW-MOUNT GRADER TIRES	024148-07	01-5-703401.00 OUTSIDE REPAIRS	870.00	3356	06/22/16
NICOM	05/31/16	DPW-CRACKFILL CONTRACT	15421	01-5-703317.00 CRACK SEALING	6250.00	3357	06/22/16
NORCEMET	06/15/16	15-16 CEMETERY APPROPRIAT	15-16 APPROP	01-5-800316.00 NORWICH CEMETERY ASSOCATN	15000.00	3358	06/22/16
NORNURSE	06/07/16	REC-PERENNIALS	062200007699	01-5-425345.00 SITE WORK	52.50	3359	06/22/16
NORNURSE	06/07/16	DPW-B&G-COMPOST	062200007700	01-5-704201.00 GARDEN SUPPLIES & PLANTS	200.00	3359	06/22/16
NORSCHOOL	06/09/16	FINAL TAX TO SCHOOL	16 FINAL TAX	01-2-001123.00 SCHOOL DISTRICT TAX	80255.58	3360	06/22/16
PETESTIRE	06/01/16	PD-TIRE FOR PD3	244746	01-5-500306.00 CRUISER MAINT	154.14	3361	06/22/16
PETTY	06/14/16	PD--PETTY CASH	PD--6/14/16	01-5-500501.00 ADMINISTRATION	76.04	3362	06/22/16
PIKE	05/27/16	DPW-21.24 TON RECY ASPHAL	865796	01-5-703207.00 GRAVEL & STONE	267.63	-----	--/--/--
PIKE	05/31/16	DPW-8.68 TON RECY ASPHALT	866053	01-5-703207.00 GRAVEL & STONE	109.37	-----	--/--/--
PIKE	06/03/16	DPW-19.61 TON RECY ASPH	866978	01-5-703211.00 ASPHALT PRODUCTS	247.09	-----	--/--/--
PIKE	06/07/16	DPW-21.07 TON RECY ASPH	867736	01-5-703211.00 ASPHALT PRODUCTS	265.48	-----	--/--/--
PLACE	06/03/16	PLAN-MIXED USE	536	01-5-350320.00 PLANNING SERVICES	632.40	3363	06/22/16
RICHARDSO	06/05/16	GEN ADMIN-SERVER MAINT.	1226	01-5-275632.00 SERVER MAINTENANCE	168.75	-----	--/--/--
ROGERSFAB	05/31/16	PD-UNIFORM CLEANING	MAY 2016	01-5-500583.00 UNIFORMS CLEANING	78.00	-----	--/--/--
ROTMAN	06/16/16	BCA & ELECTIONS	BCA & ELECT	01-5-050110.00 POLLWORKERS WAGE	26.25	3364	06/22/16
ROTMAN	06/16/16	BCA & ELECTIONS	BCA & ELECT	01-5-010110.00 JUSTICES WAGE	8.75	3364	06/22/16
SABIL	05/26/16	DPW- SUPPLIES	27343	01-5-703403.00 PARTS & SUPPLIES	35.89	3365	06/22/16
SABIL	06/07/16	DPW-BRAKE DRUM #8	27413	01-5-703403.00 PARTS & SUPPLIES	130.91	3365	06/22/16
SCRUGGS	05/31/16	PD-BOOTS	05/31/16	01-5-500582.00 UNIFORMS	200.00	3366	06/22/16
STAPLELNK	05/28/16	FIN/ASSESS--SUPPLIES	8039442121	01-5-200610.00 OFFICE SUPPLIES	36.70	3367	06/22/16
STAPLELNK	05/28/16	FIN/ASSESS--SUPPLIES	8039442121	01-5-300610.00 OFFICE SUPPLIES	20.05	3367	06/22/16
STAPLES.	05/27/16	PD/FD--COPY PAPER	3673184001	01-5-500501.00 ADMINISTRATION	11.99	3368	06/22/16

All Invoices For Check Acct 01(General) 06/09/16 To 06/22/16

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
STAPLES.	05/27/16	PD/FD--COPY PAPER 3673184001	01-5-555630.00 OFFICE SUPPLIES	6.00	3368	06/22/16
STAPLES.	05/31/16	TADMIN--POST-ITS 3757619001	01-5-005610.00 OFFICE SUPPLIES	10.49	3368	06/22/16
STAPLES.	06/03/16	PD--AIR CONDITIONER 3918467001	01-5-500501.00 ADMINISTRATION	127.19	3368	06/22/16
STEP2	04/07/16	PD- KID ALERT 25976944	01-5-500202.00 COMMUNITY RELATNS	269.82	3369	06/22/16
STEP2	04/11/16	PD-KID ALERT 25986511	01-5-500202.00 COMMUNITY RELATNS	49.98	3369	06/22/16
TREND	06/06/16	TC-UPS RETURN FEE 46474	01-5-100610.00 OFFICE SUPPLIES	10.76	3370	06/22/16
UNIFIRST	06/06/16	DPW-UNIFORMS & SUPPLIES 035 4023040	01-5-704311.00 UNIFORMS	28.20	-----	--/--/--
UNIFIRST	06/06/16	DPW-UNIFORMS & SUPPLIES 035 4023040	01-5-703515.00 ADMINISTRATION	13.60	-----	--/--/--
UNIFIRST	06/06/16	DPW-UNIFORMS & SUPPLIES 035 4023040	01-5-703311.00 UNIFORMS	160.92	-----	--/--/--
UNIFIRST	06/06/16	DPW-UNIFORMS & SUPPLIES 035 4023040	01-5-703507.00 SUPPLIES	11.00	-----	--/--/--
UVTRAILS	06/17/16	15-16 APPROPR REMAINDER 6/17/2016	01-5-800382.00 U.V. TRAILS ALLIANCE	20.00	3371	06/22/16
VALLEYNEW	05/11/16	PD-CRUISER PROPOSAL AD 01249961	01-5-500501.00 ADMINISTRATION	197.67	3372	06/22/16
VALLEYNEW	05/31/16	PLAN-AD DRB 01250339	01-5-350540.00 ADVERTISING	41.93	3372	06/22/16
VALLEYNEW	05/04/16	ASSESSOR-ADVERTISING 612466	01-5-300540.00 ADVERTISING	86.00	3372	06/22/16
VEMRSDC	06/06/16	FD/FIN/ASS--RETIREMENT PEND 6-4-16	01-5-200126.00 VT RETIREMENT	53.43	3327	06/09/16
VEMRSDC	06/06/16	FD/FIN/ASS--RETIREMENT PEND 6-4-16	01-5-300126.00 VT RETIREMENT	32.06	3327	06/09/16
VEMRSDC	06/06/16	FD/FIN/ASS--RETIREMENT PEND 6-4-16	01-2-001112.00 VMERS DEF CONTRB PAY	201.16	3327	06/09/16
VEMRSDC	06/06/16	FD/FIN/ASS--RETIREMENT PEND 6-4-16	01-5-555125.00 VT RETIREMENT	120.71	3327	06/09/16
VOWP	06/03/16	FD-PATIENT CARE REPORT PR1439	01-5-555424.00 EMS TOOLS/ EQUIP	35.61	3373	06/22/16
VOWP	05/31/16	CEMCOMM--MAY 16 WORKDAYS WC436	01-5-675500.00 PURCHASED SERVICE	787.50	3373	06/22/16
VTHEALTH	06/13/16	TC-ENGRAVED PAPER 6/13/16	01-5-100610.00 OFFICE SUPPLIES	5.00	3374	06/22/16
VTTRANS	06/16/16	HWY--CORRECT REGISTRATION 6/16/16	01-5-703515.00 ADMINISTRATION	15.00	3375	06/22/16
WINDSORPA	06/07/16	WINDSOR COUNTY PARTNERS 15-16 APPRO	01-5-800356.00 WINDSOR COUNTY PARTNERS	1000.00	3376	06/22/16
YOUTH	06/17/16	15-16 APPROPRIATION 6/17/2016	01-5-800368.00 YOUTH-IN-ACTION	3000.00	-----	--/--/--

06/17/16
12:01 pm

Town of Norwich Accounts Payable
Check Warrant Report # 16-28 Current Prior Next FY Invoices For Fund (General)
All Invoices For Check Acct 01(General) 06/09/16 To 06/22/16

Page 6 of 6
RRobinson

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
Report Total				131882.05		

To the Treasurer of Town of Norwich, We hereby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ ***131,882.05
Let this be your order for the payments of these amounts.

FINANCE DIRECTOR 
Roberta Robinson

TOWN MANAGER: _____
Dave Ormiston, Interim Town Manager

SELECTBOARD:

Christopher Ashley

Linda Cook
Chair

Stephen Flanders

Dan Goulet

Mary Layton

06/17/16
12:01 pm

Town of Norwich Accounts Payable
Check Warrant Report # 16-28 Current Prior Next FY Invoices For Fund (RECREATION SCHOLARSHIPS)
All Invoices For Check Acct 01(General) 06/09/16 To 06/22/16

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
HANOVERRE HANOVER RECREATION	06/15/16	REC-SCHOLARSHIP 567825	40-5-425248.00 SCHOLARSHIPS	60.00	3345	06/22/16
Report Total				60.00		

To the Treasurer of Town of Norwich, We hereby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ *****60.00
Let this be your order for the payments of these amounts.

FINANCE DIRECTOR 
Roberta Robinson

TOWN MANAGER: _____
Dave Ormiston, Interim Town Manager

SELECTBOARD:

- _____
Christopher Ashley
- _____
Linda Cook
Chair
- _____
Stephen Flanders
- _____
Dan Goulet
- _____
Mary Layton

06/17/16
12:01 pm

Town of Norwich Accounts Payable
Check Warrant Report # 16-28 Current Prior Next FY Invoices For Fund (DPW-BRIDGE FUND)
All Invoices For Check Acct 01 (General) 06/09/16 To 06/22/16

Vendor	Invoice Date	Invoice Description Invoice Number	Account	Amount Paid	Check Number	Check Date
HOOK	06/06/16	DPW-BRIDGE 42 REPAIRS 6/6/2016	41-5-703321.00 VAOT GRANT EXPENSE	25245.00	3346	06/22/16
Report Total				25245.00		

To the Treasurer of Town of Norwich, We hereby certify that there is due to the several persons whose names are listed hereon the sum against each name and that there are good and sufficient vouchers supporting the payments aggregating \$ ****25,245.00
Let this be your order for the payments of these amounts.

FINANCE DIRECTOR 
Roberta Robinson

TOWN MANAGER: _____
Dave Ormiston, Interim Town Manager

SELECTBOARD:

Christopher Ashley

Linda Cook
Chair

Stephen Flanders

Dan Goulet

Mary Layton

Town of Norwich
P.O. Box 376
Norwich VT 05055-0376
(802) 649-1419 Ext. 101 or 102

APPLICATION FOR BOARDS/COMMISSIONS
(and for those reapplying for continuing appointments)

Name: Mark Lilienthal

Address: 127 Tilden Hill Rd. (as of July 17, 2016)

Day phone: 649-2901

Evening phone: 649-2901

E-mail: mlilient@gmail.com

Position Applied For: Committee to Identify Community Pool Options

1. If you are re-applying for the same board/commission, how many terms/years have you already served?

Terms:

Years:

2. Would you be available for evening and/or morning meetings?

Evening: (Yes No Morning: (Yes No

Are there other restrictions on your availability? If so, please describe:

None.

3. Please list any experiences, skills and/or qualifications which you feel would especially suit you for this appointment.

Please see attached letter and CV.

4. Please include service on other municipal or school district Boards, Commissions, or Committees both in Norwich and elsewhere and indicate whether or not any of those appointments are current ones:

5. Education and Current Employment

Name of Company:

Location:

Title:

Describe your work:

I am in the process of relocating to Norwich and will secure employment once I arrive.

6. Pertinent Education and/or Experience:

See attached letter and CV.

7. Do you feel there could be *any conflict of interest* with your personal beliefs, occupation or employer in serving on this board, commission or committee? (Yes No) No). If yes, please explain:

Comments:

Signature

Mark M. Lilienthal

Date

June 10, 2016

Saint-Prix-les-Arnay, France
June 10, 2016

Members of the Selectboard:

I am submitting this letter as part of my application for a position on the Committee to Identify Community Pool Options. I am a Norwich native will be moving back to Norwich on July 17, 2016, when I will immediately be available for Committee work.

I grew up, like every Norwich child, swimming in the glacial waters of the Norwich Pool. Its absence is a hole in the community, and one that we need to fill.

Both the Committee and the Selectboard will need to focus closely on the following factors if a new swimming area for residents and visitors is to be established:

1. Set clear objectives and keep everyone's attention firmly grounded there.
2. Take the time necessary to do the project correctly the first time.
3. Invite and welcome public input at every step of the way.
4. Examine all possible options.
5. Work closely with the Town, the State, and other relevant agencies to explore financing, permitting, and other regulatory hurdles *before* beginning the actual physical improvements, thereby avoiding as many surprises as possible.
6. Think creatively about engaging the community -- financially, emotionally, artistically, etc. -- in the short- and long-term.

If these factors are not considered carefully and honestly, there is too much potential for controversy and, ultimately, disappointment.

Prior to moving to Burgundy, France, I was a speechwriter, director of constituent services, and project manager for Massachusetts Governor Deval L. Patrick. I know how government works, and I have hands-on experience with community interest in projects large and small. I also know how to manage expectations, encourage people to work together in a productive fashion, and explain the scope and limits of authority in projects like this one. Norwich is an engaged community, and the public input for this project has already been considerable and passionate; there is a lot more to come. I know how to make every voice feel important, valued, and respected, even when passions run hot. It would be an honor to serve my community in this capacity, and I hope you will consider my application seriously.

Please do not hesitate to contact me with any questions.

Sincerely,

Mark Lilienthal
mlilient@gmail.com
127 Tilden Hill Rd. (as of 7/17)

Mark M. Lilienthal

127 Tilden Hill Rd., Norwich, VT 05055 | (802) 649-2901 | mlilient@gmail.com

Experience

- **2014-present: Freelance writer** Contribute to various publications in Europe and the U.S., including the *Valley News*, the *Virginian Pilot*, *Courier International*, *internationalliving.com*, and personal web site.
- **2016: Political Lecturer** Presented, in French, a comprehensive oral and visual explanation of the American Presidential Elections to professional, academic, and general public French audiences.
- **2015-2016: Tour guide, Burgundy, France** Conducted tours in English and French of Burgundy vineyards for clients from around the world. Instructed clients in the history of Burgundy winemaking, how to taste and appreciate the different wines, and how to identify and purchase wine.
- **2015: Correspondant Local de Presse, Le Bien Public, Burgundy, France** Wrote articles in French about community events for the local newspaper. Photographed for print and online publications.
- **2011-2013: Public Market Project Manager, Massachusetts Department of Agricultural Resources, Boston, MA** Developed and oversaw implementation, communications, and administrative strategies for new public food market in Boston. Organized public meetings for stakeholders, media, and government officials. Managed the nine-member Public Market Commission.
- **2007-2011: Office of Governor Deval L. Patrick, Boston, MA**
 - Speechwriter (May 2008-February 2011)** Researched and drafted remarks for more than 500 of the Governor's public appearances, including the annual State of the Commonwealth address, keynote speeches, policy forums, and press conferences.
 - Director of Constituent Services** Hired and led team of five Constituent Services Aides and 15 interns. Developed and streamlined innovative system to analyze, track, and respond to more than 275,000 constituent inquiries. Conceptualized and launched ongoing projects and initiatives to maximize Governor's accessibility and interaction with the people of Massachusetts. Prepared op-ed pieces and correspondence for the Governor's signature. Oversaw gubernatorial proclamations, citations and flag protocol.
- **2005-2006: Deval Patrick Committee, Boston, MA**
 - Energy and Environment Transition Coordinator (November-December, 2006)** Organized meetings for the Governor-elect's energy and environment team. Compiled public feedback from policy experts, business leaders and the public to prepare recommendations for final report to the Governor-elect.

Volunteer & Intern Coordinator (2005)

Managed and recruited 2600 campaign volunteers and interns. Wrote, edited, and proofread campaign newsletters, endorsement applications, policy papers, and web content.

- **2002-2004: Middlebury College Office of Off-Campus Study, Middlebury, VT**
University Relations Coordinator

Wrote and edited study abroad catalog, newsletters, and fact sheets. Cultivated relationships with faculty, administrators, and students at 50-60 colleges and universities annually. Recruited and advised students seeking to attend Middlebury programs. Represented Middlebury at foreign language and study abroad conferences. Developed recruiting budget.

- **2000-2001: AWS Convergence Technologies, Gaithersburg, MD**
Instasports Coordinator

Assisted in the development of a program to report high school sports scores in real time.

- **1999-2000 United States Senate, Washington, DC**

- **Staff Assistant, Committee on Health, Education, Labor, and Pensions**

- Assisted United States Senators and their staff with official Committee business, including hearings, correspondence and constituent concerns.

- **1998-1999 Formalangues, Paris, France**

- **Instructor**

- Instructed French professionals in the fundamentals of the English language.

- **1996 United States Embassy, Paris, France**

- **Intern**

- Researched and wrote a report on the French telecommunications industry.

Education

BACHELOR OF ARTS | 1997 | HAMILTON COLLEGE, CLINTON, NY

- Government and French double concentration.
- Hamilton College Junior Year in France (HCJYF), 1995-1996.
- Marcel Moraud Prize Scholarship for Academic Excellence upon return from HCJYF.

Skills & Abilities

Fluent in French. Domestic and international travel. Amateur cook. Ice hockey. Golf.

Town of Norwich
P.O. Box 376
Norwich VT 05055-0376
(802) 649-1419 Ext. 101 or 102

APPLICATION FOR BOARDS/COMMISSIONS
(and for those reapplying for continuing appointments)

Name: TOM STERLING

Address: LOVELAND RD

Day phone: 1816

Evening phone:

E-mail:

Position Applied For: POOL COMMITTEE

1. If you are re-applying for the same board/commission, how many terms/years have you already served?

Terms:

Years:

2. Would you be available for evening and/or morning meetings?

Evening: (Yes No Morning: (Yes No

Are there other restrictions on your availability? If so, please describe:

3. Please list any experiences, skills and/or qualifications which you feel would especially suit you for this appointment.

STRONG SWIMMER

4. Please include service on other municipal or school district Boards, Commissions, or Committees both in Norwich and elsewhere and indicate whether or not any of those appointments are current ones:

CFPC

5. Education and Current Employment

Name of Company: TRAVLER UNIVERSITY Location:

Title: PROFESSOR

Describe your work:

6. Pertinent Education and/or Experience: TADPOLE

7. Do you feel there could be *any conflict of interest* with your personal beliefs, occupation or employer in serving on this board, commission or committee? (Yes No) No). If yes, please explain:

Comments:

Signature

Date

Three Steps for Setting the Norwich Town Tax Rate

By Stephen N. Flanders
for the Norwich Selectboard
15 June 2016

Introduction

Setting the tax rate can be boiled down to three basic steps:

1. Identifying the *projected tax rate*, presented in the town report when the voters approved the budget.
2. Identifying the degree to which the tax rate that achieves a *16% undesignated fund balance* (UFB) differs from the projected tax rate.
3. Deciding whether to set a tax rate at a value that is *different* from the one that achieves the 16% UFB.

More details follow.

Background

The method for setting the tax rate stems from the budget cycle, as described in the briefing, “Town of Norwich Town Tax Rate Setting Process”, presented at the 2016 pre-town meeting. This explains the mechanics behind the spreadsheet that the selectboard receives each July when it sets the tax rate, an example of which is shown as in **Exhibit A**.

Step 1: The projected tax rate

When the voters approved the FY 2017 budget, it was in connection with a projected tax rate. In the “Town Report of Norwich—Fiscal Year 2015”,¹ the projected rate for town taxes with articles and the local agreement rate was \$0.5461 per \$100 of valuation, or \$546.10 per \$100K of valuation. So, a \$400-K property would receive a town tax of \$2,184.40. Let’s use this tax bill as a benchmark. Note that this estimate assumed a normal use of overtime and winter and spring road maintenance.

Step 2: The Comparison with a 16% UFB

The Government Accounting Standards Board (GASB) recommends that a municipality have two months operating funds on hand in order to address unexpected contingencies. This corresponds to a 16.6% UFB.

If the end-of-year town expenses or income were worse than anticipated, then the recommended rate would be *higher* than projected. If expenses or income were better than anticipated, then the recommended rate would be *lower* than projected. Note that a \$0.010 *rate difference* between prediction and the target tax rate represents *tax difference* of \$10 per \$100K of valuation.

¹ P. I-14

So, if the target tax rate that would achieve a UFB of 16% were \$0.5398, using our benchmark \$400-K property, would suggest a tax on a \$400-K property of \$2,159.20—\$23.20 *lower* than projected. If the target tax rate were \$0.5522, it would suggest a tax on that property of \$2,208.80—\$24.40 *higher* than projected.

Note that the 2016 town-wide reassessment raised the average property value by about 5%, to reflect changes in the real estate market, and new construction added about 1% of property value to the grand list. The effect of market forces is neutral over all on the average property's taxes, because a given tax burden is applied at a *lower rate* to the average property's newly *increased value*. On the other hand, new construction *decreases the tax burden* on other properties, because there is more total value on the grand list independent of market changes.

Step 3: Set the tax rate with reference to a 16% UFB

The selectboard must decide whether it agrees that the GASB target of 16% is a prudent target, or whether it wishes to opt for some other UFB within the 10-20% guidelines, as set by selectboard policy.

Assuming that the 16% target is appropriate, the selectboard may have reasons to deviate above or below it. An upcoming bond vote might suggest *increasing the UFB* in order to lessen the amount of the initial bond interest payments that have to be raised by property taxes in the year of the payment—called “smoothing”.

Conversely, a year when expenses were unexpectedly high—owing to overtime and additional road maintenance from a bad winter, for instance—might suggest *a rate resulting in a lower UFB*. In this instance, there should be a plan to recover to the 16% target over subsequent years.

Exhibit A: Tax rate calculation for FY 17

FY2017 DRAFT Tax Rate					
Grand List					
4/1/2017 Town Grand List	\$ 668,505,533	Concord	\$ 1,264,800		
1%	\$ 6,685,055	Town Exemptions			
4/1/2017 Education Grand List	\$ 668,505,533	Homestead	\$ 245,500		
1%	\$ 6,685,055	Non-Residential	\$ 2,174,300		
Common Level of Appraisal					
	FY16	FY17			
District Spending Adjustment	97,820	96,320			
	1,82472	1,82043			
Homestead Tax Rate					
HGL Education Grand List	\$ 4,573,867	\$ 4,890,363			
Tax Rate	\$ 1,8488	\$ 1,8059		2.26%	
State Education Taxes	\$ 8,447,017	\$ 8,100,261			
Non Residential Tax Rate					
NRGL Education Grand List	\$ 2,413,865	\$ 2,271,804			
Tax Rate	\$ 1,5692	\$ 1,5252		2.80%	
State Education Taxes	\$ 3,767,843	\$ 3,789,444			
Total State Education Taxes	\$ 43,384,866	\$ 44,889,706			-3.46%
Total Town Budget w/o Articles					
	\$ 4,327,993	\$ 0.4835	\$ 0.4701	2.86%	
Voted Monetary Articles					
Advance Transit	12,880	\$ 0.0018			
Cemetery Commission	15,000	\$ 0.0021			
The Family Place	6,000	\$ 0.0009			
Good Beginnings	3,000	\$ 0.0004			
Green Mountain RGVF	500	\$ 0.0001			
Headmist	2,500	\$ 0.0004			
Nonrich American Legion	1,500	\$ 0.0002			
Nonrich Child Care Scholarship	4,348	\$ 0.0006			
Nonrich Historical Society	8,000	\$ 0.0011			
Nonrich Lion's Fireworks	3,000	\$ 0.0004			
Nonrich Public Library Operating	265,000	\$ 0.0379			
Nonrich Public Library Capital	-	\$ -			
SERG	-	\$ -			
Nonrich Public Safety	17,000	\$ 0.0024			
Nonrich Highway Garage	27,000	\$ 0.0039			
SCVCA	3,750	\$ 0.0005			
Upper Valley Trails Alliance	2,000	\$ 0.0003			
VT/NH Visiting Nurse	15,600	\$ 0.0022			
White River Council on Aging	5,300	\$ 0.0008			
Windsor County Partners	1,000	\$ 0.0001			
WISE	2,500	\$ 0.0004			
Youth-in-Action	3,000	\$ 0.0004			
Total Monetary Articles	\$ 398,858	\$ 0.0571	\$ 0.0557		
Total Town Expenditures					
	\$ 4,726,851				
Offsetting Revenues					
Property Tax Fees and Interest	(42,000)				
Current Use Payment	(194,407)				
Permit and License Fees	(12,485)				
Intergovernmental Revenues	(220,424)				
Service Fees	(337,394)				
Public Safety Revenues	(13,225)				
Other Town Revenues w/o Interest from Banks	(22,000)				
Interest Earned from Banks	15,500				
Miscellaneous Revenues	18,000				
Total Offsetting Revenues	\$(1,855,432)				
Payment from Reduction in Undesignated Fund Balance	\$ (135,394)	16.0%			
Allowance for Tax Adjustments	40,000				
Amount to raise from Property Taxes	\$ 3,776,022	\$ 0.5486	\$ 0.5202	3.90%	
Town Tax Rate					
Local Agreement Taxes	\$ 38,418	\$ 0.0055	\$ 0.0056		
Total Town Tax Rate		0.5461	0.5258	3.80%	
School Homestead Tax Rate					
	FY17	FY16	% Change		
School Homestead Tax Rate	\$ 1,8488	\$ 1,8488	0.00%		
School Non Residential Tax Rate	\$ 1,5692	\$ 1,5252	0.00%		
Town Tax Rate (With Local Agreement Rate)	\$ 0.5461	\$ 0.5258	3.80%		
Windsor County Rate	\$ 0.0082	\$ 0.0081	0.89%		
Total Homestead Tax Rate	\$ 2,4011	\$ 2,3857	0.86%		
Total Non Residential Tax Rate	\$ 2,1235	\$ 2,1031	0.97%		
Optional Payments from Reduction in Undesignated Fund Balance					
	Amount	Tax Rate	% Change FY16	UDF Balance	
FY16	\$	\$ 0.5461			
FY15	\$	\$ 0.5258			
Undesignated Fund Balance Use					
16.0%	\$ 135,394	\$ 0.5461	3.80%	\$ 662,234	
10.0%	\$ 365,828	\$ 0.5088	-3.23%	\$ 432,799	
11.0%	\$ 362,548	\$ 0.5150	-2.65%	\$ 478,679	
12.0%	\$ 369,269	\$ 0.5212	-2.87%	\$ 519,359	
13.0%	\$ 265,589	\$ 0.5274	0.30%	\$ 562,639	
14.0%	\$ 222,709	\$ 0.5336	1.48%	\$ 605,919	
15.0%	\$ 179,429	\$ 0.5398	2.66%	\$ 649,199	
16.0%	\$ 136,149	\$ 0.5460	3.84%	\$ 692,479	
17.0%	\$ 92,869	\$ 0.5522	5.02%	\$ 735,759	
18.0%	\$ 49,589	\$ 0.5584	6.20%	\$ 779,039	
19.0%	\$ 6,306	\$ 0.5646	7.38%	\$ 822,319	
20.0%	\$ (76,871)	\$ 0.5708	8.56%	\$ 865,599	

**Town of Norwich
Property Tax Rates**

**FY2017 Tax Rate EXAMPLE
Grand List**

4/1/2017 Town Grand List	\$	698,505,733	Comcast	\$1,264,600
1%	\$	6,985,057	Town Exemptions	
4/1/2017 Education Grand List	\$	698,566,933	Homestead	\$ 245,900
1%	\$	6,985,669	Non-Residential	\$ 2,174,300

	FY16	FY15	
Common Level of Appraisal	97.8200	99.3300	
District Spending Adjustment	1.82470	1.83040	
Homestead Tax Rate			
HGL Education Grand List	\$ 4,573,867	\$ 4,690,383	
Tax Rate	\$ 1.8468	\$ 1.8059	2.26%
State Education Taxes	\$ 8,447,017	\$ 8,100,281	
Non Residential Tax Rate			
NRGL Education Grand List	\$ 2,413,869	\$ 2,271,804	
Tax Rate	\$ 1.5692	\$ 1.5252	2.88%
State Education Taxes	\$ 3,787,843	\$ 3,789,444	
Total State Education Taxes	\$ 12,234,861	\$ 11,889,725	2.90%

		FY17	FY16
Total Town Budget w/o Articles	\$	4,327,993	\$ 0.4835 \$ 0.4701
Voted Monetary Articles			
Advance Transit		12,860 \$	0.0018
Cemetery Commission		15,000 \$	0.0021
The Family Place		6,000 \$	0.0009
Good Beginnings		3,000 \$	0.0004
Green Mountain RSVP		500 \$	0.0001
Headrest		2,500 \$	0.0004
Norwich American Legion		1,500 \$	0.0002
Norwich Child Care Scholarship		4,348 \$	0.0006
Norwich Historical Society		8,000 \$	0.0011
Norwich Lion's Fireworks		3,000 \$	0.0004
Norwich Public Library Operating		265,000 \$	0.0379
Norwich Public Library Capital		- \$	-
SERG		- \$	-
Norwich Public Safety		17,000 \$	0.0024
Norwich Highway Garage		27,000 \$	0.0039
SEVCA		3,750 \$	0.0005
Upper Valley Trails Alliance		2,000 \$	0.0003
VT/NH Visiting Nurse		15,600 \$	0.0022
White River Council on Aging		5,300 \$	0.0008
Windsor County Partners		1,000 \$	0.0001
WISE		2,500 \$	0.0004
Youth-in-Action		3,000 \$	0.0004
Total Monetary Articles	\$	398,858	\$ 0.0571 \$ 0.0557
Total Town Expenditures	\$	4,726,851	
Offsetting Revenues			
Property Tax Fees and Interest		(42,000)	
Current Use Payment		(184,407)	
Permit and License Fees		(12,485)	
Intergovernmental Revenues		(220,424)	
Service Fees		(337,394)	
Public Safety Revenues		(13,225)	
Other Town Revenues w/o Interest from Banks		(32,000)	
Interest Earned from Banks		(5,500)	
Miscellaneous Revenues		(8,000)	
Total Offsetting Revenues	\$	(855,435)	
Payment from Reduction in Undesignated Fund Balance	\$	(135,394)	16.0%
Allowance for Tax Adjustments		40,000	
Amount to raise from Property Taxes	\$	3,776,022	\$ 0.5406 \$ 0.5202
Town Tax Rate			
Local Agreement Taxes	\$	38,418	\$ 0.0055 \$ 0.0056
Total Town Tax Rate	\$		\$ 0.5461 \$ 0.5258

	FY17	FY16	% Change
School Homestead Tax Rate	\$ 1.8468	\$ 1.8468	0.00%
School Non Residential Tax Rate	\$ 1.5692	\$ 1.5692	0.00%
Town Tax Rate (With Local Agreement Rate)	\$ 0.5461	\$ 0.5258	3.86%
Windsor County Rate	\$ 0.0082	\$ 0.0081	0.89%
Total Homestead Tax Rate	\$ 2.4011	\$ 2.3807	0.86%
Total Non Residential Tax Rate	\$ 2.1235	\$ 2.1031	0.97%

▫

Town of Norwich

Town Tax Rate Setting Process

A tutorial from the

Norwich Selectboard

Linda Cook, Chair
Mary Layton, Vice Chair
Christopher Ashley
Stephen Flanders
Dan Goulet

12/16/2013

1

This talk is about how town taxes are set.

School taxes are set by a completely different process.

One might think that town taxes are determined solely by the Expenditure Budget. In fact, the tax rate is also determined by the amount of funds authorized, but not spent, and by those received as revenues.

▫

End of Fiscal Year in June

Steps at end of fiscal year

- Finance office closes books
- Town manager updates assumptions about next FY
- Selectboard convenes to set tax rate
- Prime variable:
Undesignated Fund Balance

Detailed spreadsheet



The image shows a complex spreadsheet with multiple columns and rows of data. Several cells are highlighted in yellow, indicating key data points or areas of focus. The spreadsheet appears to be a detailed financial statement or budget breakdown, likely related to the 'Undesignated Fund Balance' mentioned in the text.

The tax rate for a new fiscal year is set as the old one comes to a close at the end of June. The finance office assesses the state of the town's accounts as of June 30. The town manager then updates assumptions about costs and revenues that were in the adopted town budget.

With these steps completed, the selectboard convenes to set the tax rate in early July. The sole variable that the board has to work with is the *undesignated fund balance*, as you see in the next slides.

▪

Fund balances

General and Reserve

- The Town tracks funds in a variety of accounts
- Investments are backed by the Federal Government
- Expenditures and Revenues are tracked in separate types of accounts:
 - General (town budget)
 - Reserve (saving for future expenditures)
 - Other

Undesignated

- The **Undesignated Fund Balance** is in reserve for:
 - Cash flow
 - Cash reserve for emergencies
- **Balance** determined at end of Fiscal Year
 - Policy 10-20% of budget
 - Target 16% (2 months operation)
 - **Only discretionary determinate of tax rate**

Let's look at the types of funds the town has and their balances. The Town tracks funds in a variety of bank accounts. These investments are backed by the Federal Government. Revenues and expenditures flow through line items in the chart of accounts, e.g. revenue from recreation program fees and expenditure of DPW funds on pavement contracts.

Expenditures and revenues are tracked in separate types of accounts, primarily in the General Fund (which contains the bulk of the town budget) and in reserve funds (which save for future capital expenditures).

The remaining monies are the "undesignated fund balance", because they represent funds set aside to cover cash flow and potential emergencies, rather than having a specific purpose in the budget. At the time of tax setting, the selectboard determines what level of funding to leave in the Undesignated Fund Balance, according to a policy that specifies a balance between 10% and 20% and in light of guidance from the Government Accounting Standards Board (GASB) that recommends a balance equivalent to two months of operation (ca. 16%).

Setting the Undesignated Fund Balance is the tool that the selectboard uses to set the tax rate.

▫

Expenditures

Budgeted

- Represent a **maximum**, authorized by the voters
- Expected to exceed Actual, but allow for contingencies:
 - Overtime during call-outs
 - Additional salt
 - Unexpected insurance costs
 - Litigation
 - Storm damage

Actual

- Town manager manages budget to:
 - Provide expected services
 - Accommodate unexpected
 - Be frugal, otherwise
- Net of Revenues – Expenditures for:
Budgeted – Actual
= Carry Forward
offsets tax rate in next FY

Now let's look at *budgeted* versus *actual* expenditures. The expenditure budget represents a *maximum* authorized level of expenditure at the disposal of the town's departments. Because it accommodates such contingencies as, overtime during call-outs, additional salt, unexpected insurance costs, litigation, and storm damage.

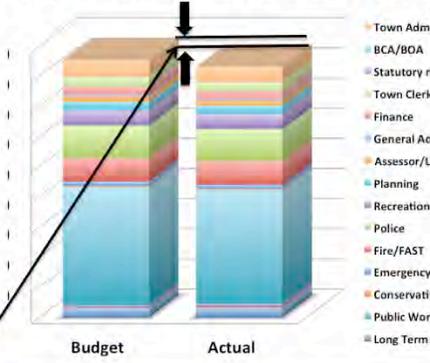
During the fiscal year, the town manager controls expenses in as frugal a manner as is consistent with the expected level of service. In a normal year, and barring the unexpected, that stewardship leaves a balance available to return to taxpayers. Of course, there are budgeted and actual **revenues** that are largely beyond the control of the town management. These are another potential income source (in times of surplus) or drain (in times of reduced revenue) on the town's bank account. The budgeted versus actual numbers determine what becomes available in setting the tax rate.

Budget – Actual = Carry Forward

Expenditures

	Budget	Actual	Delta
Town Administration	\$ 271,895	\$ 245,520	\$ 26,375
BCA/BOA	\$ 1,171	\$ 512	\$ 659
Statutory meetings	\$ 7,380	\$ 6,355	\$ 1,025
Town Clerk	\$ 156,701	\$ 153,438	\$ 3,263
Finance	\$ 138,842	\$ 130,492	\$ 8,350
General Administration	\$ 21,100	\$ 21,965	\$ (865)
Assessor/Lister	\$ 94,195	\$ 87,351	\$ 6,844
Planning	\$ 133,148	\$ 129,655	\$ 3,493
Recreation	\$ 258,554	\$ 260,680	\$ (2,126)
Police	\$ 538,195	\$ 527,953	\$ 10,242
Fire/FAST	\$ 390,444	\$ 395,642	\$ (5,198)
Emergency Management	\$ 70,250	\$ 65,731	\$ 4,519
Conservation Commissior	\$ 16,454	\$ 16,733	\$ (279)
Public Works	\$ 1,957,237	\$ 1,886,465	\$ 70,772
Long Term Debt	\$ 46,436	\$ 46,436	\$ -
Town Appropriations	\$ 1,000	\$ -	\$ 1,000
Taxes	\$ 5,000	\$ 19,753	\$ (14,753)
Insurances	\$ 160,350	\$ 165,198	\$ (4,848)
Town Total	\$ 4,268,352	\$ 4,159,879	\$ 108,473

Budgeted versus Actual Expenditures (FY 2015)



In 2015, there was a difference between budgeted and actual expenditures of \$108,473 to be made available to offset funds to be raised by taxes. Follow this number to the next slide.

Town Tax-Setting Elements

New Fund Balance

Amount to Be Raised

Payment from Undesignated Fund Balance is the *sole source of discretion* that the Selectboard has in setting the property tax rate.

Previous fund balance	\$ 747,535		
Budget-Revenue (previous FY)	\$ 397,338	Town Budget w/o Articles (Voted)	\$ 4,222,828
Budget-Expenditure (previous FY)	\$ 108,473	Other Monetary Articles (Voted)	\$ 348,451
End of year fund balance (projected)	\$ 856,008	Offsetting Revenues (Estimated)	\$ (815,173)
Payment from Undesignated Fund Balance	\$ (180,536)	Payment from Undesignated Fund Balance	\$ (180,536)
Undesignated Fund Balance	\$ 675,472	Allowance for tax adjustments	\$ 40,000
		To be raised from property taxes	\$ 3,615,570

Undesignated Fund Balance/Town Budget
 = \$675,472 / \$4,222, 828
 = 16% (Target: two months operation)

This \$108,473 is available to be added to the fund balance, which has been adjusted for the net revenues. So, now let's look at how much we can return to the taxpayers in the form of a reduction of how much must be raised by property taxes, using the numbers in the left-hand column.

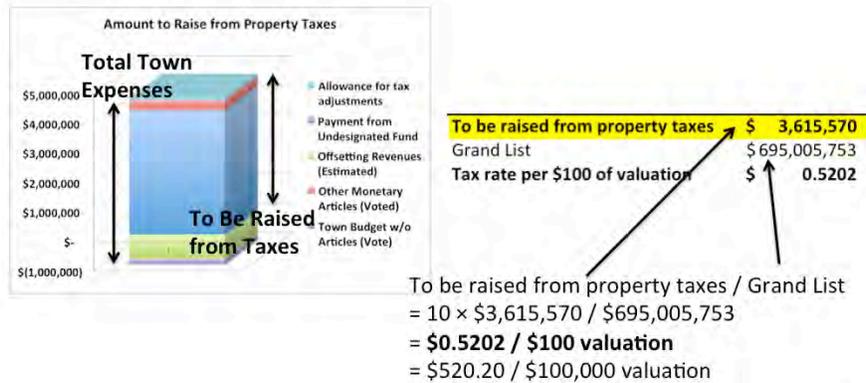
Whereas the FY 16 expenditure budget was \$4,222,828, we're about to offset that number with a payment that reduces the undesignated fund balance. Remember that GASB recommends setting a value of 16% of the budget—\$675,472—as the the undesignated fund balance.

How do we get that value? By using \$108,536 from the undesignated fund to offset the amount to be raised by taxes in the right column. After adding the other monetary articles, subtracting the expected revenues, adding an allowance for tax adjustments, we subtract the \$108,536 to arrive at \$3,615,570 to be raised by property taxes.

Set the Town Tax Rate

Amount to Be Raised

Tax Rate



Now the tax rate becomes a simple calculation. We take the \$3,615,570 to be raised by property taxes and divide it by the grand list (the total value of taxable property in town) and make an adjustment for ease of use to arrive at \$0.5202 per \$100 of valuation (or \$520.20 per \$100,000 of valuation).

▪

Considerations

The Selectboard may opt to set the
Undesignated Fund Balance:

- **Below** 16% to smooth out the impact of an expensive year *with a plan to restore it* in a future year
- **Above** 16% to anticipate a future spike in expenses, e.g. “smoothing” bond payments

*The UFB is the **only discretionary** determinate of **tax rate.***

The Selectboard may opt to set the Undesignated Fund Balance **below** 16% to smooth out the impact of an expensive year with a plan to restore it in a future year or **above** 16% to anticipate a future spike in expenses, e.g. “smoothing” bond payments.

The undesignated fund balance is the only discretionary determinate of tax rate.

Stuart L. Richards, Senior Vice President
Global Rescue LLC
177 Milk Street Suite 700
Boston, MA 02109
Ph: Direct 617-459-4199, Main 617-459-4200
Fax: 858-712-1295
<http://www.globalrescue.com>

To the Selectboard - May 25, 2016

I'd like to set the record and it may be helpful to consider some background information related to the Selectboard meeting held 5/11/16 when Christopher Ashley stated that he had served on the Planning Commission with Stuart Richards and that Richards was a poor choice to be on the Planning Commission. Apart from the fact that he didn't state why Richards would be a poor choice, he left out a few important details. First, he didn't mention that it was a short period of time that we served together. The reason it was short was that he resigned with a minority of the Planning Commission because they didn't like the positions that were taken by the majority and the minority didn't like the way the majority of the Planning Commission was proceeding. There was a good deal of anger expressed by this minority as they resigned their posts.

Second, subsequent to his resignation, Ashley decided to come back to the Planning Commission as its Secretary for a second short period of time only to resign again stating that he didn't agree with the positions that the Planning Commission was taking and that he couldn't in good conscience work for the Planning Commission. Needless to say on the current Selectboard there have been strong differences of opinion and Ashley has been part of a very vocal minority with strongly held views on a number of topics including municipal buildings which has cost the Town by having a second Town meeting.

I've always thought that having a number of viewpoints is helpful in getting to reach the best outcome on any given issue and that being in a minority doesn't disqualify a person from expressing his/her views. Ashley's resignation and anger seems to demonstrate his unwillingness to abide views that he doesn't agree with.

The Selectboard vote put another like minded person on the Planning Commission who would agree with the current thinking. Obviously, I do not

favor large oversize developments that are inconsistent with the character, scale and traditions of Norwich. These are the sorts of developments that have been discussed by the Planning Commission. I also don't believe that changing Norwich's zoning regulations to promote large scale development is in the Town's or taxpayers' best interest.

Steve Thoms, the candidate selected by the Selectboard for the vacant Planning Commission post, stated that he was hoping to see additional commercial and residential development in Norwich which would increase the tax base to reduce taxes and keep the town from gentrifying. Perhaps he may be unaware of the departure of many people from Norwich who couldn't afford to live here. Perhaps both the Selectboard and Planning Commission are unaware of the studies and work done by Vermont Land Trust. One study in particular contradicts the conventional wisdom that more development reduces taxes. Deb Brighton a tax policy consultant in her study states, "In general, the towns with the most commercial and industrial taxable property value have higher, rather than lower, tax bills." In her conclusion she further states, "The conventional wisdom is that more development means lower taxes and more conservation means higher taxes. Except in communities that have a high percentage of vacation homes, the reality is often just the opposite. Open space tends to require few public services. More people tend to require more public services, resulting in higher taxes."

Ms. Brighton's thoughtful study can be found at: http://www.farmlandinfo.org/sites/default/files/Land_Conservation_and_Property_Taxes_in_Vermont_1.pdf

Stuart Richards

Nancy Kramer

From: Stuart Richards <srichards@globalrescue.com>
Sent: Wednesday, June 15, 2016 1:55 PM
To: Nancy Kramer
Subject: Wasted Tax Money - The Road to Nowhere

Nancy,

I'd appreciate your sending the letter below to the Selectboard for consideration at their next meeting. Please confirm receipt and indicate which meeting it will be presented at.

Many thanks,

Stuart

Dear Selectboard Members,

At the Selectboard meeting on 6/8/16 almost a month and two Selectboard visits after my first inquiry on 5/11/16, I made a further attempt to get answers to why Town Highway 88 (Old Bridge Road) had been paved, how much it cost and who was responsible? I was treated to a classic case of bureaucratic run around and mumbo jumbo. It was apparent having taken almost a month to offer any response at all that those who should be concerned about wasting tax payer money were not concerned. Phil Dechert, the newly resigned temporary Town Manager and current Director of Planning and Zoning said he had investigated my questions but he forgot his notes at home and he hadn't bothered to respond to me in writing. Yes he's the same guy who got a \$20,000 raise for....well you'll have to explain that one to me. And yes he's the same guy that was responsible for 3 visits to the Vermont Supreme Court to spend the Town's money defending the indefensible and the Town lost all 3 times over 12 years of litigation.

Dechert said \$13,000 was the cost of the whole road and that half the cost went for the unused portion (around 570'). Interesting that Blaktop, the contractor, said the approximate cost for paving 500 feet of road would be around \$10,000 just for paving if no base or sub base was required for this road that hadn't been paved in 20 years. So why was the road paved? Couldn't Town trucks find their way down a gravel road? Moreover the portion of the road that serves no-one except the Town's snow plow trucks is 570' +/- and the portion that services 3 houses is 340'+/- and is 18' wide. At 400' of the 570' there is an unpaved turnaround that Town trucks could use. It seems there was no reason to pave that additional 170'. But there's ever more reasons not to have paved the entire 570'

The layout of the road is easy to understand. I oftentimes stop to stretch there off my bicycle. Old Bridge Road runs westerly off Route 5 just before 132 and it makes a T after the 3 houses that are on it. The newly paved part is the right hand part of the T and is approximately 570' long. The left hand part of the T goes to a Vermont boat landing where there is a 65' X 80' parking and turnaround area. Dechert said that the paving was requested by the Road Commissioner, Andy Hodgdon and approved by the Selectboard of the time. When I left word for Andy Hodgdon he didn't have the courtesy to return the call. Apparently he didn't want to talk about this issue. Phil Dechert said at the meeting that the Town's snow plow trucks had to

use the newly paved portion of the road, the right hand portion of the T, because they couldn't turn around on the left hand portion of the T going to the boat landing because there were cars parked there. This explanation is devoid of common sense. First if there truly were a parking problem which is highly doubtful, signs restricting wintertime parking could be posted. The notion that one house (the other two houses have full time residents) with students could produce a parking or turn around issue in an area so large is ridiculous. Second the boat parking area is large and it could accommodate many cars without interfering with trucks turning around. I'm there quite often in the summer and I've never seen more than 3 cars parked in this very large space. Third, why didn't the Town just throw the portion of the road up that no-one used and have the trucks use a gravel road? Fourth and most important: There isn't even a need to go down to the boat landing turnaround. All the trucks need to do is take a left at the T, put their trucks in reverse, back into the right hand portion of the T and come forward toward Route 5 on the traveled portion of the 340' of paved road. I've heard stupid explanations before but this takes the cake!

At no time did I hear anyone say, they made a mistake and we'll be more careful in the future. Instead what I heard was absurd and illogical. There seems to be a presumption that this waste of money occurred a while back and it's water over the dam and anyhow it's small potatoes. It is true that regardless of whether the amount spent was \$10,000 or some other amount it's small in relation to the entire budget. But the attitude of Dechert, Steve Flanders, the silence of Andy Hodgdon and others is insulting and makes one think they just don't care. You have to wonder whether that attitude carries over to other issues in our Town budget. But then why get all excited? Why bother to follow up? It's just money.... OUR MONEY.

Stuart L. Richards, Senior Vice President
Global Rescue LLC
10 Water Street Suite 200
Lebanon, NH 03766
Ph: Direct 617-459-4199, Main 617-459-4200
Fax: 858-712-1295
<http://www.globalrescue.com>

DRAFT Minutes of the Special Selectboard Meeting of Wednesday, June 1, 2016 at 5:00 PM

Members present: Christopher Ashley; Stephen Flanders; Dan Goulet; Mary Layton, Vice-Chair.
Absent: Linda Cook, Chair.

Layton opened the meeting at 5:00 pm.

1. Interim Town Manager Contract (Executive Session May be Required) (Discussion/Possible Action Item). Ashley **moved** (2nd Goulet) to find that premature general public knowledge of the Town's contract with the Interim Town Manager would clearly place the municipality at a substantial disadvantage, because the Selectboard risks disclosing its negotiation strategy if it discusses the proposed contract terms in public. **Motion passed.** Pursuant to Title 1 VSA § 313(a)(1)(A), Ashley **moved** (2nd Flanders) to enter into Executive Session for the purpose of discussing the contract having found that premature general public knowledge would clearly place the Selectboard at a substantial disadvantage. **Motion passed.** The Selectboard moved into Executive Session at 5:15 pm. At 5:40 pm, Ashley **moved** (2nd Flanders) to move into public session. **Motion passed.** Afterwards, Ashley **moved** (2nd Layton) to convey the Selectboard's offer of June 1, 2016 to the Interim Town Manager candidate and, if accepted, to authorize the Selectboard Chair to sign a contract based on these terms. **Motion passed.**

Ashley **moved** (2nd Flanders) to adjourn. **Motion passed.** Meeting adjourned at 5:44 pm.

Approved by the Selectboard on _____.

By Mary Layton

Linda Cook
Selectboard Chair

Next Regular Meeting – June 8, 2016 at 6:30 PM

DRAFT Minutes of the Selectboard Meeting of Wednesday, June 8, 2016 at 6:30 PM

Members present: Linda Cook, Chair; Christopher Ashley; Stephen Flanders; Dan Goulet; Mary Layton, Vice-Chair; Dave Ormiston, Interim Town Manager; Phil Dechert, Former Interim Town Manager; Nancy Kramer, Assistant to the Town Manager.

There were 5 people in the audience.

Also participating: Steve Leinoff, Cheryl Lindberg, Stuart Richards, Doug Robinson, Fran Walz.

Cook opened the meeting at 6:30 pm. Ormiston was introduced and spoke briefly.

1. Approval of Agenda (Action Item). The Selectboard, by consensus, approved the Agenda without changes.
2. Public Comments. No actions taken.
3. Interim Town Manager's Report (Discussion). Written report in packet and on the Town website. No actions taken.
4. Finance – Board to Sign Accounts Payable/Warrants (Action Item). After one question, Ashley **moved** (2nd Flanders) to approve Check Warrant Report #16-27 for General Fund in the amount of \$76,983.25 for the period from 5/26/16 to 6/8/16. **Motion passed.**
5. Request to Spend up to \$38,000 from the Police Cruiser Reserve Fund to Purchase a New SUV Police Cruiser (The 2006 unmarked cruiser will be traded in and replaced with one of the sedan police cruisers.) (Discussion/Action Item). Robinson reviewed the request. Flanders questioned deviating from the equipment replacement plan by replacing a cruiser with a SUV. After discussion, Ashley **moved** (2nd Goulet) to spend up to \$38,000 from the Police Cruiser Reserve Fund to purchase a new SUV police cruiser. **Motion passed 4 to 1** (yes – Ashley, Cook, Goulet and Layton; no – Flanders).
6. Request to Spend up to \$2,559.39 from the Fire Equipment Reserve Fund to Replace Three SCBA Air Tanks (Discussion/Action Item). Leinoff reviewed the request. Afterwards, Flanders **moved** (2nd Goulet) to spend up to \$2,559.39 from the Fire Equipment Reserve Fund to replace three SCBA air tanks. **Motion passed.**
7. Review Proposed VLCT Contract for Town Manager Search Services (Discussion/Possible Action Item). After some discussion and a date change, Layton **moved** (2nd Flanders) to approve the contract in the packet and authorize the Chair to sign. **Motion passed.** After discussion, Flanders **moved** (2nd Ashley) to forward the Town Manager job description included in the packet to Abigail Friedman of VLCT to review and propose updates on. **Motion passed 4 to 1** (yes – Ashley, Flanders, Goulet and Layton; no – Cook). Ormiston will ask Friedman to include in her review: differences in job description and Vermont Statutes, if 4.1 needs to be changed and whether items listed in 10 are sufficient. After further discussion, Flanders **moved** (2nd Goulet) that the Chair be the contact person for Friedman and that communications with VLCT be by email and if the Chair delegates responsibility that this will be done by email also. **Motion passed 4 to 1** (yes – Cook, Flanders, Goulet and Layton; no – Ashley). Salary range and Town Manager Search Committee discussions were delayed until the June 22nd meeting.

8. Alternate Projects (Discussion/Possible Action Item). Dechert and Ormiston reviewed the history stating the necessity of substituting purchasing a loader for the Route 132 culvert project. Deadline for submission of revised projects is June 16th. After discussion, Ashley **moved** (2nd Flanders) that the Town substitute the loader for the culvert project, request an extension of time to complete the projects and authorize the Selectboard Chair to sign the necessary correspondence, cover letters and application. **Motion passed.**

9. Correspondence (Please go to www.norwich.vt.us, click on Boards & Committees from the blue banner, click on Selectboard and click on Recent Selectboard Correspondence in the middle section to view resident correspondence):

a) Resident –

- 1) #9 a). Email from Stuart Richards Re: Old Bridge Road Paving Question. Flanders **moved** (2nd Layton) to receive an email from Stuart Richards re: Old Bridge Road paving question. **Motion passed.**

10. Selectboard

- a) Approval of the Minutes of the 5/25/16 Selectboard Meeting (Action Item). After discussion of changes, Flanders **moved** (2nd Ashley) to approve the minutes of the May 25, 2016 Selectboard meeting, as amended by Ashley, Cook and Flanders. **Motion passed.**
- b) Review of Next Agendas (Discussion/Possible Action Item). Items on the agenda for June 22nd will include: review of project drawings with Jay White (which will be the 2nd item on the agenda right after approval of the agenda), Town Manager search process (Friedman will be invited), Pool Committee, a refresher of the tax rate setting process and Interim Town Manager contract. Ormiston was asked to look into and provide latest quarterly report on budget revenues and expenditures for current year.
- c) Town Manager Hiring Process (Executive Session May be Required) (Discussion/Possible Action Item). Executive Session was dropped. Dechert was thanked for his help and will continue to advise Ormiston during the transition.

Goulet **moved** (2nd Flanders) to adjourn. **Motion passed.** Meeting adjourned at 8:46 pm.

Approved by the Selectboard on_____.

By Nancy Kramer
Assistant to the Town Manager

Linda Cook
Selectboard Chair

Next Regular Meeting – June 22, 2016 at 6:30 PM

PLEASE NOTE THAT CATV RECORDS ALL REGULAR MEETINGS OF THE NORWICH SELECTBOARD.