

Agenda for the Selectboard meeting Wednesday, December 14, 2016 at 6:30 PM
(Times Are Approximate)

- 1) Approval of Agenda (Action Item) 2 minutes
- 2) Public Comments (Discussion Item) 5 minutes
- 3) Town Manager Search – executive session may be needed (Discussion/Action Item) 15 minutes
- 4) Budget Presentation (Discussion/Action Item) 60 minutes
- 5) Errors & Omissions – ownership information for 722 Tigertown Road and current use calculations for 111 Bradley Hill Road, 157 Union Village Road, Parcel 10-078-000 Turnpike Road, and Parcel 10-078-300 Turnpike Road (Discussion/Action Item) 5 minutes
- 6) Public Safety Building Update (Discussion/Action Item) 15 minutes
- 7) Interim Town Manager's Report (Discussion Item) 10 minutes
- 8) Correspondence (Discussion/Action Item) 10 minutes
 - a) Claudette Brochu
 - b) Reappraisal Evaluation – 2016
- 9) Selectboard
 - a) Approval of the Minutes of the 11/16/16, 11/21/16, 11/22/16, and 11/28/2016 Selectboard Meetings (Action Item) 5 minutes
 - b) Review of Next Agendas (Discussion/Possible Action Item) 5 minutes
- 10) Town Manager Search – executive session may be needed (Discussion/Action Item) 15 minutes
 - a) Draft Provisions of Town Manager Contract (Discussion/Action Item) 10 minutes

Next Meeting – January 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.

**Norwich Board of Listers
Post Office Box 376
Norwich Vermont 05055-0376**

To: The Norwich Selectboard
From: The Norwich Board of Listers
Date: December 8, 2016
Subject: Errors and Omissions

The Norwich Board of Listers has determined that the following are in need of revision on the 2016 Grand List. Changes cannot at this date be made to the 2016 Grand List without prior approval from the Selectboard. Accordingly, the Listers request approval for correcting the following errors.

Request #1

Owner: Deutsche Bank National
C/O AMC Mortgage Services
Location: 722 Tigertown Road
Parcel ID: 08-004-400
2016 Assessed Value: \$180,000

Reason: This property was transferred from Judith Daigle to Deutsche Bank on the 2007 Grand List. The then-Listers believed that a court-issued Certificate of Non-Redemption and a Vermont Property Transfer Tax Return were sufficient to transfer ownership.

It has come to our attention that the final step in foreclosure was never taken by Deutsche Bank. The Certificate of Non-Redemption allowed the bank to move the property to public auction. This step was never taken effectively allowing the property to be retained by Judith Daigle.

2016 Grand List Revised Value Request

The fair market value of the property does not change. This request is for permission to change the property ownership back to Judith Daigle.

The Assessor's Office has received an opinion from the Town's attorney backing this decision.

Request #2

Owner: Crystal Goodrich Trust
Location: 111 Bradley Hill Road
Parcel ID: 11-031-100
2016 Assessed Value: \$803,300

Reason: The State's Current Use Program administrator sent the Town the revised current use calculation for the above referenced parcel. The owner had previously excluded 2 acres of land. The excluded land area was changed to 4 acres.

2016 Grand List Revised Value Request

The fair market value of the property does not change. This request is for permission to apply the State calculated current use deduction to the property.

Current Valuation

Total Fair Market Value	803,300
Current Use deduction	-259,700
Current Grand List Total	543,600

Proposed Valuation

Total Fair Market Value	803,300
Current Use deduction	-256,500
Revised Grand List Total	546,800

Total adjustment is plus 3,200.

The Listers request permission to apply a 256,500 deduction for Current Use to the Goodrich property adjusting the taxable value to 546,800.

Request #3

Owner: Ruth E. Sylvester Trust
Location: 157 Union Village Road
Parcel ID: 10-208-000
2016 Assessed Value: \$1,060,600

Reason: The State's Current Use Program administrator sent the Town the revised current use calculation for the above referenced parcel. The owner had previously excluded 4.7 acres of land. The excluded land area was changed to 7.9 acres.

2016 Grand List Revised Value Request

5

The fair market value of the property does not change. This request is for permission to apply the State calculated current use deduction to the property.

Current Valuation

Total Fair Market Value	1,060,600
Current Use deduction	-129,800
Current Grand List Total	930,800

Proposed Valuation

Total Fair Market Value	1,060,600
Current Use deduction	-123,700
Revised Grand List Total	936,900

Total adjustment is plus 6,100.

The Listers request permission to apply a 123,700 deduction for Current Use to the Sylvester property adjusting the taxable value to 936,900.

Request #4

Owner: Upper Valley Land Trust
Location: Turnpike Road
Parcel ID: 10-078-000
2016 Assessed Value: \$1,032,800

Reason: The State's Current Use Program administrator sent the Town the revised current use calculation for the above referenced parcel. The owner previously enrolled all 310.93 acres. The enrolled acres were adjusted to 300.48 with 10.45 acres now excluded.

2016 Grand List Revised Value Request

The fair market value of the property does not change. This request is for permission to apply the State calculated current use deduction to the property.

Current Valuation

Total Fair Market Value	1,032,800
Current Use deduction	-978,800
Current Grand List Total	54,000

Proposed Valuation

Total Fair Market Value	1,032,800
Current Use deduction	-969,700
Revised Grand List Total	63,100

Total adjustment is plus 9,100.

The Listers request permission to apply a 969,700 deduction for Current Use to the Upper Valley Land Trust property adjusting the taxable value to 63,100.

Request #5

Owner: Upper Valley Land Trust
Location: Turnpike Road
Parcel ID: 10-078-300
2016 Assessed Value: \$148,700

Reason: The State's Current Use Program administrator sent the Town the revised current use calculation for the above referenced parcel. The parcel was not previously enrolled.

2016 Grand List Revised Value Request

The fair market value of the property does not change. This request is for permission to apply the State calculated current use deduction to the property.

Current Valuation

Total Fair Market Value	148,700
Current Use deduction	0
Current Grand List Total	148,700

Proposed Valuation

Total Fair Market Value	148,700
Current Use deduction	-68,700
Revised Grand List Total	80,000

Total adjustment is minus 68,700.

The Norwich Board of Listers

Liz Blum
 Cheryl A. Lindberg
 Lee Michaelides

Excerpt from the draft Minutes of the Lister Meeting of 8 December 2016:

Blum **moved** (2nd Lindberg) to approve the Errors & Omissions request for 08-004.400.
 Motion **passed 2-0**.

Blum **moved** (2nd Lindberg) to approve the Errors & Omissions request for 11-031.100.
 Motion **passed 2-0**.

Blum **moved** (2nd Lindberg) to approve the Errors & Omissions request for 10-208.000.
 Motion **passed 2-0**.

Blum **moved** (2nd Lindberg) to approve the Errors & Omissions request for 10-078.000.
Motion **passed 2-0**.

Blum **moved** (2nd Lindberg) to approve the Errors & Omissions request for 10-078.300.
Motion **passed 2-0**.

Blum **moved** (2nd Lindberg) that the Listers recommend that the Selectboard approve the Errors & Omissions requests listed in the memo dated 8 December 2016. Motion **passed 2-0**.

OFFICE OF THE TOWN MANAGER

TO: SELECTBOARD, TOWN OF NORWICH
FROM: DAVE ORMISTON, INTERIM TOWN MANAGER
SUBJECT: NOVEMBER, 2016 MONTHLY REPORT
DATE: DECEMBER 9, 2016

This is the Town Manager's Report for November, 2016. Department specific monthly reports are attached.

General

- Bridge 48 – The Bridge is now open. Hook Construction is doing the cleanup associated with finishing the project.
- Public Safety Building – The Interim Town Manager has been working with Architect Jay White in setting up a contract for final design and construction oversight for the Police/Fire project. The ITM has also been looking into funding from USDA Rural Development as an alternative to the Vermont Municipal Bond Bank. There is a possibility that USDA Rural Development will provide a better interest rate than the Bond Bank.
- Budget – The Town's Administrative Staff was busy during the month of November preparing the proposed FY18 budget. The Interim Town Manager presented the proposed FY18 budget to the selectboard on November 9th and 16th. There was general discussion of the proposed budget by the Selectboard on November 22nd and the budget is scheduled to be approved by the Board on January 11th, 2017.
- EV Charging Station – The Electric Vehicle Charging Station was completed during the Month of November. The final report for this project was also sent to the State of Vermont just prior to Thanksgiving. There is a ceremony scheduled for Saturday, December 10th at 1:00PM to recognize the opening of the Charging Station. Many thanks to everyone involved in making this happen!

Assessor

- The Assessor continues to deal with changes to the 2016 Current Use files as they are processed and disseminated to us by the State, including calculation of withdrawal penalties for acreage newly excluded from the program. These retroactive adjustments to the quality and type of enrolled acreage necessitate corrections to the Grand List through the Errors & Omissions process.

Finance Office

- Delinquent Tax Collections through November were \$2,843 making delinquent taxes due at the end of November \$108,413. Penalty collected was \$227 and interest \$2,430 for delinquent and current year taxes. Last year at this time delinquent taxes due were \$108,184.

Fire Department

- Fire training focused on rural water supply and included testing dry hydrants and portable water tank operations. The FAST Squad trained on patient handling and operations with the Hanover Fire Department ambulances. Other members attended training in high performance CPR.

Planning & Zoning

- The Planning Commission continues its work updating the Town Plan and Zoning Regulations. Regarding Historic Preservation, a meeting for the Goodrich Four Corners Historic District Nomination project was held at the end of November and attended by owners of properties in the proposed district and HPC members. The Historic Commission also reviewed potential new projects for the next round of grant funding.

Police Department

- Norwich officers participated in the 2016 Thanksgiving Holiday Click It or Ticket campaign over the Thanksgiving Holiday. This was an occupant safety campaign and officers were scheduled specific dates and times to concentrate on Occupant Safety such as: Distracted Driving, Obstructed Windshields, Seat Belt Use, etc... Officers worked a total of 25 hours during the campaign.

Public Works

- The winter season started in earnest the week of November 20th – November 26th. This particular week saw icy conditions with several call-ins, including Thanksgiving Day for Andy and Gary. Markings, Inc. completed the center line and fog line markings on the roads that we paved last summer and on 11/1 Clean Harbors Environmental Service picked up 3,200 lbs. of paint for recycling.

Recreation

- Roger Danilek completed his Eagle Scout project and installed a much needed barricade along the bottom of the Huntley tennis courts where the fence had curled up. With help from Tom Porter, the Eagle Scout leader and a handful of community-minded residents, the project was completed the Sunday after Thanksgiving. A huge thanks goes out to Roger & Tom for all the hours they dedicated to lining up materials, planning and getting approval for the project, as well as the labor and final installation.

Please see the following full reports from each department for many more updates!

Assessor's Office
Town of Norwich
Post Office Box 376 <> Norwich, VT 05055-0376
(802) 649 1419 x6
assessing-clerk@norwich.vt.us

Monthly Report – November 2016

- (1) The Assessor finished making inspections of improved property on tax maps 1, 3 & 4. These property inspections are the first phase of the 3 year cyclical inspection process that will culminate in a potential 2019 Townwide reappraisal.
- (2) At a meeting of the Board of Listers, the Assessor presented the proposed format and schedule for the 2019 reappraisal. The Listers approved these unanimously.
- (3) The Listers discussed and largely approved the FY16 Lister Report and Data Page for the Norwich Town Report. One paragraph remains under discussion.
- (4) The Assessor continues to deal with changes to the 2016 Current Use files as they are processed and disseminated to us by the State, including calculation of withdrawal penalties for acreage newly excluded from the program. These retroactive adjustments to the quantity and type of enrolled acreage necessitate corrections to the Grand List through the Errors & Omissions process.

Respectfully submitted,

Jonathan Bynum
Assessing Clerk

On behalf of

William Krajeski
Assessor
Town of Norwich

TOWN OF NORWICH
FINANCE OFFICE
PO BOX 376
NORWICH, VERMONT 05055-0376
rrobinson@norwich.vt.us

December 1, 2016

TO: Dave Ormiston, Interim Town Manager

FROM: Roberta Robinson, Finance Director

RE: Monthly Report for November 2016

- Delinquent Tax Collections through November were \$ 2,843 making delinquent taxes due at the end of November \$ 108,413. Penalty collected was \$ 227 and interest \$ 2,430 for delinquent and current year taxes. Last year at this time delinquent taxes due were \$ 108,184.
- 2016-2017 Taxes:

The initial billing was for a total of \$16,399,501. Revised tax bills were sent out due to the following changes: BCA reductions of \$ 9,441, current use changes were a net increase of \$ 284, errors & omissions a reduction of \$ 944, and late filed homestead declarations increased taxes by \$ 29,553. After all revised tax bills the current amount raised by taxes is \$ 16,418,954. Of that amount \$ 13,977 is the 8% penalty for late filed homestead declarations. As of November 30, 2016, \$ 77,669 is outstanding on the first installment.

Income sensitivity payments for the education tax were \$ 1,319,629 and for municipal tax \$ 59,486.



Norwich Fire Department

11 Firehouse Lane

P.O. Box 376

Norwich, VT 05055-0376

Phone: 802-649-1133

Chief: Stephen Leinoff

sleinoff@norwich.vt.us Fax: 802-649-1775

To: Dave Ormiston, Interim Town Manager
From: Stephen Leinoff, Chief
Subject: Fire Department and Emergency Management Monthly Reports
Date: December 1, 2016

Fire and FAST Department

Roan Palm and Cosima Torresani, third graders at the Marion Cross School had their pictures selected for the VT Division of Fire Safety 2017 Fire Safety Calendar. Roan's picture was selected for March and Cosima's received honorable mention. The calendar contest is open to all third grade students in VT. All of the contest winners were recognized at a ceremony at the VT State Capital Building.



Roan Palm and Cosima Torresani at the VT State House with their winning art work for the 2017 Fire Safety Calendar.

NFD members provided fire safety education at the Norwich Nursery School.

The fire and emergency management budgets were presented along with an updated capital expenditure plan for apparatus and equipment.

Training

The FAST Squad trained on patient handling and operations with the Hanover Fire Department ambulances. Other members attended training in high performance CPR.

Fire training focused on rural water supply and included testing dry hydrants and portable water tank operations. A Carbon Monoxide Awareness and Prevention Summit was held in West Lebanon. The CO Alliance, an organization dedicated to providing education and safety awareness sponsored this event. Norman Miller, a Norwich resident, was instrumental in the creation of this organization.

Emergency Management

The Department of Public Works generator required repairs. An electronic control unit and other electric relays were replaced. The cost was \$1,756.00.

Call Types	Month	Year to Date	Prior Year to Date
Structure Fires	0	8	9
Auto Fires	0	2	3
Wildland Fire	1	7	8
Other Fires	0	0	0
Medical	7	75	78
Vehicle Crashes	2	25	24
Hazardous Conditions no fire	2	37	27
Service Calls	3	28	17
Good Intent Calls	4	23	32
False Alarms	1	27	40
Other	0	0	0
Total	20	232	238

TOWN OF NORWICH ZONING & PLANNING

December 2, 2016

November

2016 Monthly Report – Director of Planning & Zoning

1. Planning Commission

- Current Projects:
 - Town Plan Update:
 - Energy – Update “community’s energy resources, needs, scarcities or costs”
 - Energy – New criteria for PSB review of proposed solar and wind projects
 - Land Use – Proposed Route 5 South and River Road MU Districts and coordinate with Regional Plan
 - Facilities Plan – Use planning information developed by previous facility committees and include current projects
 - Flood Resiliency – Updated flood, fluvial erosion, and mitigation plans
 - Zoning Regulation Update
 - Mixed Use Districts
 - River Corridor (flood and fluvial erosion)
 - Many “housekeeping” revisions and clarifications in all sections

2. DRB

- The DRB heard a Planned Unit Development application to rearrange property line for existing development.
- Several new applications were prepared for hearings scheduled in December.
- The DRB is looking for another Alternate DRB Member. Please contact any DRB member or the Planning Director for more information.

3. Zoning Administrator – Activities included:

- Meetings with landowners on future development plans, permits, and hearings.
- Site visits and office visits regarding permit applications, permit research for properties to be sold, and inspections of possible violations.

4. Historic Preservation Commission

- A meeting for the Goodrich Four Corners Historic District Nomination project was held at the end of November and attended by owners of properties in the proposed district and HPC members.
- The Commission reviewed potential new projects for the next round of grant funding. The CLG-17 application is due later in December.

Phil Dechert



NORWICH POLICE DEPARTMENT



7

CHIEF OF POLICE
DOUGLAS A. ROBINSON

P.O. Box 311 ~ 10 Hazen Street ~ Norwich VT 05055 ~ 802-649-1460 FAX 802-649-1775 E-MAIL dan@norwichpolice.com

Dave Ormiston
Interim Town Manager
Tracy Hall // 300 Main St.
Norwich, Vermont 05055

December 1, 2016

RE: November 2016 Monthly Report

Dave;

As you requested, here are some of the monthly stats of the Police Department from the month of November 2016.

Norwich Officers responded to 109 incidents during the month of November, and of those calls Zero (0) were outside the officers work schedule meaning officers responded Zero (0) times to calls during off duty hours.

The Norwich Police Department has three cruiser mounted radar units, two hand held radar units and one lidar (laser) hand held radar unit used to monitor traffic for speeding vehicles. Although not required we have all of the units serviced and certified twice a year to assure accuracy. All of the departments radar units were calibrated in November and were certified accurate.

Norwich officers participated in the 2016 Thanksgiving Holiday Click It Or Ticket campaign over the Thanksgiving Holiday. This was an occupant safety campaign and officers were scheduled specific dates and times to concentrate on Occupant Safety such as: Distracted Driving, Obstructed Windshields, Seat Belt Use etc... Officers worked a total of 25 hours during the campaign.

A COUPLE REMINDERS:

WINTER PARKING REGULATIONS

Parking is prohibited on all roads and streets in the Town of Norwich between 11:00 pm and 8:00am during the period of November 1 to April 30. This prohibition is designed to facilitate snow removal. Violators of this section shall be ticketed and may have their vehicles towed. Vehicle owners shall be responsible for the costs of such towing and vehicle storage.

DISTRACTED DRIVING

Texting while driving	=	\$220 fine
Cell Phone Use (talking on cell phone)	=	\$162 fine
Obstructed Windshield	=	\$79 fine

ACTIVITY

CALL TYPES	November 2016	2016 YEAR TO DATE	PREVIOUS YEAR
Burglaries	1	3	9
Vehicles Crashes	5	57	71
Intrusion Alarms	3	88	75
Frauds	2	26	30

- | | | |
|---------------------------------|------|-------|
| 1. Over Time Hours | 31.5 | hours |
| 2. Sick Time Hours | 8 | hours |
| 3. Vac/Hol/Per Time Hours | 20 | hours |
| 4. Part Time Officer Hours | 10 | hours |
| 5. Total #of calls responded to | 109 | calls |
| 6. Training Hours | 45.5 | hours |
| 7. Grant Funded Hours | 0 | hours |

Respectfully;

D.A.R.

Douglas A. Robinson
Chief of Police



TOWN OF NORWICH
DEPARTMENT OF PUBLIC WORKS
 26 New Boston Road
 Norwich, VT 05055
 802-649-2209 Fax: 802-296-0060
Ahodgdon@norwich.vt.us

To: David Ormiston, Interim Town Manager
 From: Andy Hodgdon, Public Works Director
 Subject: Public Works Monthly Report
 Date: November 30, 2016

Part of this month's report will come from an excel program that provides statistics for all Public Works functions.

Winter Maintenance:

Activity	This Month	This Season, so far	Last season, as of November 30, 2015
Callouts	3	3	0
Plowing	0	0	0
Treating the Pavement	3	3	0
Sanding	3	3	0
Sidewalks	1	1	0
Snow Removal	0	0	0

From Daily Log:

- Sunday, Nov. 20: Hartford Dispatch called at 3:32 pm to say that some roads were getting slippery. I called Gary in. He treated the pavement on the following roads with Truck #4: Beaver Meadow Road and part of Union Village Road. He had to cut trees on Beaver Meadow Road and New Boston Road. He finished at 7:45 pm.
- Monday, Nov 21: Because of snow overnight, I called Gary and Neal to come in at 5:00 am. I came in also. We checked all of the paved roads, treating as necessary. At 7:00, when everyone else came in, we checked all of the gravel roads, sanding as necessary. Everyone finished at noon.
- Wednesday, Nov 23: Sonny took the 672G John Deer grader and scraped the ice and snow off Chapel Hill North and South. He finished this at noon.
- Thursday, Nov. 24 (Thanksgiving Day): Hartford Dispatch called at 1:09 pm and said that someone had called from Tucker Hill to report slippery conditions. I called Gary, and he and I went in at 1:30 pm. Gary was on Truck #4. He checked over the Bragg Hill and Beaver Meadow areas, sanding as necessary.
- Tuesday, Nov. 29: Because of freezing rain, everyone treated the pavement, and then sanded all of the gravel roads. Mike T. did the sidewalks.

Grant Projects:

- Bridge 48 is now open. Hook Construction is doing the cleanup associated with finishing the project.

Center Line and Fog Line Markings:

- Markings, Inc. completed the center line and fog line markings on the roads that we paved last summer.

FEMA Alternate Projects:

- Since the Route 132 box culvert project was rejected, I submitted an alternate request for use of the funds for the purchase of a bucket loader. This went out to bid. The bids came in and I made a recommendation. We are still waiting for a decision/approval from FEMA.

Transfer Station:

- The recycling rate for October was 56% of all materials collected at the Transfer Station.
- 11-1-16: Clean Harbors Environmental Service picked up 3,200 lbs. of paint for recycling.
- 11-30-16: We shipped 6,000 lbs. of mixed electronics to Good Point Recycling.

Underground Storage Tank Facility Self-Certification:

- I completed the online certification for the underground storage tanks at Tracy Hall and DPW. I also took the examination to retain my status as A/B operator for the systems.

Pending Projects:

- Brush removal in various areas.
- The start of a C&D recycling program at the Transfer Station.

NORWICH RECREATION DEPARTMENT

Jill Kearney Niles - Director

649-1419; Ext. 5

Recreation@norwich.vt.us

NOVEMBER 2016 Monthly Report

Recreation Program Update: There are now over 80 children signed up for 1st - 6th grade Basketball with over twenty outstanding volunteers coaching. I'm thrilled to have this overall 1 to 4 Coach/Player ratio which will help all the players get the most out of their experience. Practices began November 7th and games will start in December. The month was spent scheduling, confirming and tweaking the game schedule for close to 100 youth basketball games. Schedules and directions were sent out and posted. I met with basketball coaches and some of the officials as well. I feel fortunate to have lined up officials for the majority of our 'Home' games which run through mid-February. Once again, Michele, our Yoga Instructor filled the Youth Yoga class that began this month with 20 enthusiastic young participants. We also have 26 Fencers this fall. Details for our Winter Program offerings are being worked on. Summer Circus Camp 2017 dates and information were finalized. Our on-line Circus '17 registration opens December 1st.

Facilities: Roger Danilek completed his Eagle Scout project and installed a much needed barricade along the bottom of the Huntley tennis courts where the fence had curled up. With help from Tom Porter, the Eagle Scout leader and a handful of community-minded residents, the project was completed the Sunday after Thanksgiving. Finally no more balls should escape the court enclosure. A huge thanks goes out to Roger & Tom for all the hours they dedicated to lining up materials, planning and getting approval for the project, as well as the labor and final installation. Thanks goes out to our Buildings & Grounds crew who took down all the nets, removed goals and prepped things at Huntley Meadow for the winter. Organic fertilizer was spread to replenish the fields. A volunteer group from the Marion Cross School (Emily Biolsi's 6th grade class) spent an afternoon cleaning up the new pump track to prep it for the oncoming winter months. It is wonderful to see them becoming stewards of our new facility.

Meetings: I attended the Upper Valley Recreation Association quarterly / Basketball Game Scheduling meeting, as well as our monthly Department Head meeting. As you know, I also attended two Select Board meetings related to the proposed Recreation budget and would like to compliment David Ormiston for his clear, precise and well thought out budget presentation.

Events: We are planning for the annual Carol Sing, downstairs at the Norwich Inn, following the Pageant on Dec. 15th.

Miscellaneous: Plans were made for a new spring youth program, and Huntley Meadow spring lease agreement as well. The Recreation portion of the Town Report was submitted.

Respectfully submitted by,

Jill Kearney Niles

8a

Miranda Bergmeier

From: Miranda Bergmeier
Sent: Monday, December 05, 2016 9:48 AM
To: 'claudette brochu'
Cc: David Ormiston (DOrmiston@norwich.vt.us)
Subject: RE: budget info

Good morning, Claudette,

I received your email and forwarded it to David Ormiston. You are welcome to raise your concerns during the public comment portion of this week's Selectboard agenda (December 7th), and I will add your email to the agenda and information packet for the December 14th meeting. Your email is not part of the packet for this week's meeting because it was received too late for inclusion in that packet.

Best regards,
Miranda

Miranda Bergmeier
Assistant to the Town Manager
Town of Norwich
P.O. Box 376
Norwich, VT 05055
802-649-1419 x101

Please note that any response or reply to this electronic message may be subject to disclosure as a public record under the Vermont Public Records Act.

From: claudette brochu [<mailto:cbrochu30@gmail.com>]
Sent: Sunday, December 04, 2016 11:16 PM
To: Miranda Bergmeier
Subject: budget info

Enclosed you will find information and questions from me. Specifically, I have re-formatted information on the health insurance plans provided by Mr. Ormiston.

I look forward to attending the next SB meeting.

Claudette Brochu
714 Upper Turnpike

To the Selectboard:

I have re-formatted the health insurance information provided to you by Mr. Ormiston (SB packet dated 11/10/16). Because I do not want this message to be 10 pages long, I have opted to only include information on the BCBS Exchange Gold, Silver and Bronze Plans. However, with the exception of Platinum Plans and certain Gold Plans, it appears that the town is funding 100%+ of healthcare for town employees. Mr. Ormiston has stated at the SB meeting that employees are sharing in the cost of healthcare. From the material I have gathered, this is not the case. I have also attempted to obtain historical information on what percentage of health insurance the town has been covering for town employees without success. Unfortunately, when I log onto the VHealthConnect website, the only plans I have to view are single plans, otherwise I would have attempted to provide detail on deductibles, prescription drug costs, out of pocket expenses, etc.

I have attempted to obtain (from the Norwich website) details of employment contracts and health care plan information. Specifically, I have been looking for details of the STEP program and health care plans. Specifically, what is the percentage of a STEP increase? I have not found any information.

I have also not found any information on the percentage paid (if any) by employees for short term and long term disability insurance as well as the amount of life insurance the town funds for each employee.

In my 40 years of work experience, with the exception of my time in the military, I have been expected to pay part of the costs of health, short term and long term disability insurance. Set amount of life insurance have always been covered by my employers but generally, the life insurance policies were not generous.

If the SB is serious in its attempts to level fund the budget, the current benefit package is one place to start. I am not suggesting slashing the benefit package, just advocating for adjustments in benefits that are more in line with area businesses.

BCBS Exchange Gold Plan

	Monthly charge by VTConnect	Town monthly payment	\$\$ to HRA paid by town
Single	603.29	653.12	597.90
Couple	1206.58	1146.23	(724..20)*
Parent + child(ren)	1164.35	1127.52	(442.02)*
Family	1695.24	1649.25	(551.88)*

*Does this mean we are NOT paying into HRA plan?

BCBS Exchange Silver Plan

	Monthly charge by VTConnect	Town monthly payment	\$\$ to HRA paid by town
Single	520.92	647.87	1523.34
Couple	1041.84	1135.78	1127.28
Parent + child(ren)	1005.38	1117.39	1344.06
Family	1463.89	1634.51	2048.58

BCBS Exchange Bronze Plan

	Monthly charge by VTConnect	Town monthly payment	\$\$ to HRA paid by town
Single	442.96	640.31	2398.14
Couple	885.92	1120.62	2876.28
Parent + child(ren)	854.91	1102.80	3032.40
Family	1244.72	1613.27	4506.78

BCBS Exchange Platinum Plan

	Monthly charge by VTConnect	Town monthly payment	\$\$ to HRA paid by town – per year*
Single	686.76	651.99	(417.30)
Couple	1373.52	1143.97	(2754.60)
Parent + child(ren)	1325.45	1125.34	(2401.38)
Family	1929.80	1646.09	(3404.58)

*numbers in parentheses () are yearly amounts paid by employees

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November 21, 2016

Selectboard
Town of Norwich
PO Box 376
Norwich, VT 5055

Re: Reappraisal Evaluation – 2016

Dear Listers:


Enclosed are the results of the Vermont Department of Tax, Property Valuation and Review Division's (PVR) evaluation of your 2016 reappraisal for the Town of Norwich. The evaluation is performed as part of the equalization study^d for your 2016 grand list. The evaluation uses your new^d listed values to see if the values are consistent with three equity measures described in the document *Reappraisal Activity Evaluation for the Equalization Study* found at <http://tax.vermont.gov/municipal-officials/listers-and-assessors/reappraisals>.

Based on the evaluation of your reappraisal, PVR found a SATISFACTORY result with regard to all three measures.

The three equity measures are:

- 1. Percentage of parcels changed for a complete reappraisal.
Desired result: Nearly 100% of the properties on the grand list saw their listed values change as a result of the reappraisal. RESULT: SATISFACTORY.
- 2. Equal treatment of (recently) sold properties compared to unsold properties.
Desired result: Approximately equal percentage change in listed value for both sold and unsold properties. RESULT: SATISFACTORY.
- 3. Equal treatment of homestead and nonresidential properties.
Desired result: Approximately equal level of appraisal for both homestead and nonresidential properties based on the sales validated for the current year's sales sample.
RESULT: SATISFACTORY.

The result of our evaluation of your reappraisal is detailed in the enclosed document entitled *Norwich 2016 Reappraisal Evaluation Results*.

Sincerely,

Douglas R. Farnham
Director
Property Valuation and Review

Enclosure: Norwich 2016 Reappraisal Evaluation Results.

cc: Board of Listers

Norwich 2016 Reappraisal Evaluation Results

The following are your municipality's results based on the three evaluation measures.

Test 1: Reappraisal coverage (percent of parcels with changed value).

Criterion is for complete reappraisals and statistical updates, that at least 95 percent of all parcels show a change in listed value. No test of statistical significance is required for this measure.

Total taxable parcels	1546
Taxable parcels changed	1526
Percent parcels changed	98.71%

Difference from 100 percent parcel change is: 1.29%
Is the resulting measure satisfactory? **Yes**

Test 2: Equal treatment of sold and unsold properties.

Criterion is no more than a ten-percentage point difference between the average change in value of the two groups. This is based on the difference between the median values of the two groups. Measurement of the difference must also be statistically significant. *

Parcels Sold:		Parcels Unsold:	
Number sold	141	Number unsold	1294
Median change	4.07%	Median change	4.03%
Absolute difference sold and unsold is:		.04%	
Is the difference statistically significant?*		No	
Is the resulting measure satisfactory?		Yes	

Test 3: Equal treatment of homestead and nonresidential property.

Criterion is no more than a ten-percentage point difference between the average level of assessment of the sold properties in the two groups. This is based on the difference between the median values of the two groups. Measurement of the difference must also be statistically significant. *

Homestead parcels:		Nonresidential parcels:	
Number homestead	129	Number nonresident	20
Median ratio	100.12%	Median ratio	100.96%
Absolute difference homestead and nonresidential:		.83%	
Is the difference statistically significant?*		No	
Is the resulting measure satisfactory?		Yes	

OVERALL EVALUATION: Based on the evaluation of your reappraisal, PVR found a SATISFACTORY result with regard to all three measures.

*If the Overall Evaluation above states that your results are satisfactory (i.e., **Yes**) on all three of the measures, then the evaluation of your reappraisal is complete and the new listed values will be used in the 2016 equalization study. (A **Yes** indicates that the reappraisal appears to have met a reasonable standard in terms of the three equity measures subject to the evaluation. This does not mean that the results of the reappraisal are necessarily satisfactory with regard to other legal and statutory issues. For example, a satisfactory result on this evaluation does not mean that a reappraisal COD (as measured by PVR's equalization study) in excess of 20% will not result in a reappraisal order.*

*If the Overall Evaluation states that the results are unsatisfactory (i.e., **No**) on any of the three measures, PVR staff need to understand why there appears to be a lack of equity in your reappraisal. By this letter, PVR is requesting a detailed explanation with supporting sales and grand list data from your town.^d Please provide us with this information within 2 weeks^d of the date indicated on this letter.*

The explanation should provide a reasoned and empirically supported basis for why the unsatisfactory equity measurement(s) is not a valid indication of the appraisal practices employed in the reappraisal. Possible reasons could include:

- Error by PVR in its evaluation (e.g., inappropriate SPAN matches);
- Inappropriate identification of appraisal activity by town (e.g., town indicated a complete reappraisal but conducted a partial reappraisal);
- Limitations of the sales sample used in the evaluation (e.g., the sample is not representative of the grand list).

It is important to emphasize that to be persuasive the explanation should include actual sales and / or grand list information that supports the explanation. **To help you in this process, PVR can provide you with an electronic file with all the data used by PVR in the evaluation for each of the measures.**

Your District Adviser has been notified of the results of the evaluation. You are encouraged to talk with your District Adviser or other Tax Department staff while you are in the process of compiling your explanation. It would also be helpful to refer to the referenced document, *Reappraisal Activity Evaluation for the Equalization Study*.

In the case of an apparent inequity, PVR will determine how the reappraisal will be handled within the context of the equalization study. This determination is subject to appeal as part of the general appeals process for the equalization study under 32 V.S.A. §5408.

* Statistical significance is the probability that the measure is a true indication of your entire grand list. Because it is possible that the sample information from which the measure is calculated is not a reliable indication of your entire grand list, the test of significance is used to identify unreliable results. For example, in cases where the percent difference between sold and unsold properties exceeds 10 percentage points, if the results are not statistically significant then the difference may be the result of too small a sample. In this case, we will assume that the reappraisal is satisfactory in terms of treatment of sold and unsold properties. For more information on significance calculation, please refer to Appendix 3 (Statistical Notes) in *Reappraisal Activity Evaluation for the Equalization Study*.

MEMORANDUM

TO: Norwich Select Board
FROM: Mary Layton
SUBJECT: Town Manager Contract Elements, pages 1 & 2
DATE: December 8, 2016

The following are my thoughts about essential elements to include in a Town Manager contract, and an opinion of whom to ask to draft the contract. I think the contract should be simple, clear, and well thought out. I do not think a large law firm needs to be engaged to do this work. I think it would be prudent to ask the Norwich Town attorney Frank Olmstead to create the draft.

I recently read summaries of termination cases brought to the VT Supreme Court provided to me by a local retired attorney. The cases included Nelson vs. St Johnsbury (2015), Sarvis vs. VT State Colleges (2001), Taylor vs. National Life (1993), and Ross vs. Times Mirror (1995). The summaries suggest to me that the following elements are essential to avoid litigation: offer a term contract, with earlier termination for good cause, offer terms that are clear, and include a clause that states that the contract supersedes all other documents, promises, conversations, or offers. In addition I have noticed that VLCT has recommended a severability clause. The recent Interim Town Manager contract was based in part on the Personnel Policy. If we use the policy as a basis we should explicitly state that the manual is not binding on the employer and can be changed at any time.

Whom to Work With to Draft the Contract:

Work with Frank Olmstead to create a draft contract.

Essential Terms:

Offer a term contract of three years. A year before the end of the contract the parties discuss renewal.

State that all conversations, written statements, personnel policy rules, and promises are superseded by the contract.

Include a severability clause.

Termination is for good cause.

Cause for Termination:

Dishonesty

Criminal conduct

Harassment

Incompetence

Insubordination

Some specific contract terms:

Offer a term of three years. The contract is renewable within six months of the end of the term by mutual agreement. The contract can only be amended or changed by a new written express amendment.

Termination may be issued at any time for good cause.

Annual pay raises are contingent upon the annual evaluation by the Selectboard.

The Norwich Personnel Policy will be the basis for the contract to the extent that it is appropriate for the Town Manager position. Terms of the Personnel Policy that conflict with terms of the employment contract shall be superseded by the contract terms. The employee manual is not binding on the employer and the employer can change the manual at any time.

10a

Miranda Bergmeier

From: Stephen Flanders <stephen.n.flanders@gmail.com>
Sent: Thursday, December 01, 2016 10:16 AM
To: David Ormiston
Cc: Miranda Bergmeier
Subject: Re: December 7th draft agenda -- Request 10 a. Draft provisions of town manager contract.
Attachments: Input for TM contract 2016-11-30.docx; ATT00002.htm

Dave,

Please include the attached memo in the packet for item 10a.

MEMORANDUM

TO: NORWICH SELECTBOARD
FROM: STEPHEN N. FLANDERS
SUBJECT: CONCEPTS FOR INCORPORATION INTO A TOWN MANAGER CONTRACT
DATE: NOVEMBER 30, 2016
CC: TOWN MANAGER

On drafting a town manager contract, I propose that the following concepts be incorporated by an attorney, who is knowledgeable in Vermont municipal and employment law:

1. *Notice for changes to infrastructure* – The town manager shall advise the selectboard of any planned changes to the town's infrastructure at least 28 days before they are scheduled and, simultaneously, provide public notice of the same, in order to receive feedback from the selectboard and the public. Shorter notice may be given in case of urgent repair of damage to the town's infrastructure. Restoration to an original state would not constitute "change", whereas increase in extent or alteration of design would constitute "change".

2. *Conclusion of contract term* – Upon conclusion of the contract term, the employee will vacate the town manager position, unless a continuing contract is agreed upon.

3. *Performance evaluation* – The town manager evaluation period shall be from 1 January to 31 December, or a fraction thereof. The selectboard will hold a public discussion of the manager's prior-year performance in January and set the performance expectations for the current year in that month.

The selectboard performance evaluation of the town manager during the prior calendar year is due by 28 February of each year. If none has been completed by that date, the town manager's performance for the prior year shall be deemed to have been satisfactory.

The selectboard shall schedule public reviews of town manager performance, with any changes in expectations, for the months of April, July, and October. Members are expected to provide individual feedback at that time, which is merely advisory. Performance feedback, which is the vote of the board and is consistent with 24 V.S.A. § 1236, shall be considered mandatory.

If the board by vote fails to provide input in time for correction of performance during the evaluation period, the town manager's performance shall be deemed to be satisfactory for that period.

If the board by vote finds the manager's performance to be less than satisfactory at any point, it shall schedule a public discussion at the earliest appropriate opportunity. The board may, in case of severely deficient performance, give the manager a 28-day performance improvement period, after which the manager may be dismissed for cause, if the performance was not improved to the satisfactory level.

If the board by vote fails to provide input in time for correction of performance during the evaluation period, the town manager's performance shall be deemed to be satisfactory for that period.

The town manager shall receive a step increase with the first payroll period in March, subject to a selectboard finding of satisfactory performance for the prior year, either by a performance review or by default in the absence of a review.

4. *Misconduct* – Should an allegation of conduct incompatible with the town manager position arise, the selectboard may schedule an executive session under the disciplinary or dismissal action against a public officer or employee provision of 1 V.S.A. § 313. A serious breach of the public trust may result in immediate dismissal for cause.

My rationale for each is, as follows, keyed to the proposed concepts:

1. Helps the town manager avoid negative reactions from the public or the board on proposed changes to the town's infrastructure. The feedback received is advisory and does not inhibit the manager's ability to execute the job properly, but it would be a performance issue, if the manager failed to give appropriate advanced notice. *Alternatively, this could be in the selectboard performance expectations of the town manager.*

2. Clarifies what happens at the end of the contract in light of *Nelson vs. St. Johnsbury*. A resolution to this issue is untested in case law.

3. Clarifies the selectboard's responsibility to give timely feedback on the town manager's performance and to intervene promptly, when correction is required.

4. Clarifies the distinction between *performance* and *conduct* issues as causes for corrective action.

I recommend engaging either Susan Gilfillan¹ of McNeil Leddy & Sheahan P.C. or Paul Gillies² of Tarrant, Gillies & Richardson to address **item 2**.

Possible motion: I move to authorize _____ to engage attorney, _____, to draft language outlined in Flanders' 30 November 2016 memo, titled "Concepts for incorporation into a Town Manager contract", with amendments, as discussed.

¹ Vermont employment law expert

² Vermont municipal law expert