

Norwich Selectboard Special Meeting Minutes
December 28, 2022

Start time: 6:31 pm

- A. **Chairs remarks and welcome:** The Informational Items section includes #3. The Action Items sections include #2, #3, #4, #5, #6, #7, #8. The Chair expressed a debt of thanks to our emergency services workers including Captain Lamperti, who helped open a warming center in the Public Safety Building during recent storm events. She outlined the budget schedule as follows: 12/28/22 decide on a list of items to be added to or subtracted from the budget. By 12/31/22 there will be a final review. A vote is planned on 1/4 2023, and the budget is to be submitted for the Town Report by 1/11/2023.
- B. **Agenda Review. Layton moved, seconded by Lamperti to approve the agenda as amended: Item 4 to be amended to include 1 VSA 317(c)(17); Item 6 to be added to address the SCBA Package purchase from Designated Funds; and Item 7 to be added to address the Consent Agenda as to Correspondence only. Vote: Yes- Unanimous.**
- C. **Presentation by Interim Finance Director Joyce Hasbrouck**
- a. **The Calculation Keys** for Pass Three are the same as for Pass Two
 - b. **The list of budget questions** and answers was included in the packet.
 - c. After discussion with department heads, the decision was made to eliminate the part time **Zoning Administrator** line item as the job roster now includes a Director of Planning and Zoning, presently vacant.
 - d. **Recreation Assistant.** To prepare for tonight's session **Hasbrouck** met with **Brie Swenson, Recreation Director** to create a Q&A included in the packet, also to include a chart showing the revenue impact of adding an assistant. There are both monetary and non-monetary aspects to be considered.
 - e. **The Police Department discussion** has to be made in executive session due to restraints of ongoing collective bargaining negotiations.
 - f. **Recalculation of salaries** to include last year's level plus COLA and step increases has to be considered in executive session. The "position changes" mentioned above move the increase to 11.21% or 3.5 cents as of this draft.
 - g. **Designated Fund updates. Bonnie Munday, Town Clerk** asked for \$5000 to be included in the budget for records restoration. The Unexpected/Emergency Fund has a balance of \$750,000 , which at \$13.48% remains within the required range of 12-16% of the overall budget. The tennis court appropriation of \$107,000 was removed from Fund 17-Tennis Courts and replaced with \$10,200 which was the appropriation in the FY22 and FY23 budgets.

- h. **Revenue.** Tax revenue was stated as \$5,108,545, a 20% increase over the FY23 budget and a gain of 14 cents.
- i. **Tax calculator.** The “cost method” of calculation was used, netting the revenue gain against increased expenses to yield 62 cents. The “historical” tax calculator uses the Grand List, which was presented by Joyce as \$801,593,000 as “no more recent data is available.” **Treasurer Cheryl Lindberg** commented that the above figure is the Gross Municipal Grand List, and that the correct figure for the Grand List is \$763,816,138. **Hasbrouck** said that the School tax rate was stated according to FY23 as 1.9178 Homestead Rate and Non Residential Rate of 1.7372. The overall increase for this draft of the budget based on figures presented is 7.71% or 4.6 cents.
- j. **Surplus and Deficit.** Two questions were asked: where did the deficit numbers for last year come from, and to explain the deficit. The derivation of the numbers is from the NEMRC software system. **Treasurer Cheryl Lindberg** noted that by statute “deficits are not allowed.” She thinks reserve fund levels are not reflected in the NEMRC figures and that there are figures yet to be booked. **Hasbrouck said** the FY22 Audit may provide more information but is unlikely to be completed in time to be included in the Town Report. She also stated, “As a high-end answer to why there was a deficit, it appears that FY21 presented a balanced budget and there was a surplus at the end of the year of \$439,349. Then in FY22 the budget was created to use the prior year surplus and net to a balanced budget. However, there were cost over runs that caused the net deficit for the two years of \$230,370. As I stated last week, I expect that FY23 will also have a deficit since many costs including some salary and energy costs are going over budget.”

D. Executive Session.

- a. **Layton moved, second by Lamperti to enter Executive Session to consider the appointment or employment of a public officer(s) or employee(s) under 1 V.S.A §313(a)(3) and for preliminary discussion of other than primarily factual materials which are preliminary to any determination or policy or action and which precede the presentation of the budget under 1 VSA 317(c)(17), and to invite the Interim Town Manager, the Chief of Police, and the Interim Finance Director. Vote: Arnold, Gere, Layton: No, Calloway, Lamperti: Yes. Motion failed.**
- b. *CONFIDENTIAL NOTE: 1 VSA 317(c)(17) defines documents exempt from disclosure, including records of inter/intradepartmental communications to the extent they cover OTHER THAN PRIMARILY FACTUAL MATERIALS and ARE PRELIMIARY TO ANY DETERMINATION OF POLICY OR ACTION OR PRECEDE THE PRESENTATION OF THE BUDGET. Per advice of counsel McLean.*
- c. **Layton moved, second by Lamperti to enter Executive Session to consider the appointment or employment of a public officer(s) or employee(s) under 1 V.S.A**

§313(a)(3) and for preliminary discussion of other than primarily factual materials which are preliminary to any determination or policy or action and which precede the presentation of the budget under 1 VSA 317(c)(17), and to invite the Interim Town Manager, and the Interim Finance Director. Vote: Yes-Unanimous

TIME ENTERED EXECUTIVE SESSION 7:35 pm

Arnold moved, second by Layton to enter public session. Vote: Yes-Unanimous

TIME ENTERED PUBLIC SESSION: 9:39 pm

- d. **The Selectboard directed the Interim Finance Director to modify the draft budget to include or remove the following line items after further discussion, public comments, and possible modification under the agenda item "Third Pass Budget Discussions."**

Items to be included IN the budget:

1. One (1) Recreation Department Assistant
2. One (1) Shared Administrative Assistant position -- located in the Town Manager's office and shared with the Department of Public Works
3. One (1) Assistant Town Manager -- **M. Bergmeier**
4. Two (2) Police Persons (of whatever rank/description is determined by the Chief -- these two (2) positions will exist in addition to the current two (2) positions which are held by the Chief and Officer Ingraham
5. A total appropriation of \$40,000 for the Tennis Courts capital budget line -- intending that the monies being amassed in that line will be used together with an anticipated \$96,000 grant to restore the tennis courts in a future year
6. \$50,000 to town manager recruitment
7. \$5,000 to the records restoration reserve fund
8. Designated Equipment Fund \$15,000 -- this may be from page 9 of the budget

Items to be taken OUT of the budget:

1. One (1) Lister's Office Administrative Assistant
2. One (1) Part-time Administrative Assistant Position in the Planning and Zoning office -- meaning the existing Administrative Assistant Position held by Pam will remain but no new/second AA position will be added
3. Tennis court refurbishment of any description
4. Town Manager Relocation Expense -- the TM recruitment line incorporates both recruitment and relocation in the total amount of \$50,000

The Chair identified items to be addressed with counsel on 12/29/22 for statutory interpretation before budgetary decisions are made:

1. Lister stipend and increase -- Selectboard decision or town vote -- **24 V.S.A. § 932** versus **24 V.S.A. § 933**

2. Town Clerk salary and salary level -- Selectboard decision or town vote? -- **24 V.S.A. § 932** versus **24 V.S.A. § 933**
3. Town Clerk Assistant -- which is apparently mandated not optional per **24 V.S.A. § 1170** -- can it be part-time at the discretion of the selectboard or must it be full time
4. Treasurer 'salary' increase -- Selectboard decision or town vote? -- **24 V.S.A. § 932** versus **24 V.S.A. § 933**
5. Wages for JPs and Poll Workers

E. Third Pass Budget Discussions: The list of budget items above and the rationale for inclusion or exclusion was presented to the public. Public comment from **Mary Gorman** concerned the line item for a Town Manager search. She suggested 50K up from 30K. The tennis court allocation was made after review of the Capital Plan. Public Comment from **Stuart Richards:** He strongly disagreed with the decision, and the “way the decision was made,” to fund four police officers. He is concerned that there will be no coverage when an officer is injured or sick, and that the Chief will become frustrated by lack of support and will leave. **Charlotte Metcalf** is concerned that 20/7 coverage cannot occur without officers and a Chief, according to an interview with Chief Doug Robinson in 2007. Robinson also recommended that each officer be assigned to a police car to be driven back and forth to work. **Demo Sofronas** asked if the Police Chief was allowed into executive session. The Chair said no. **Sofronas** said that in order for Norwich to have an effective force we have to listen to the Police Chief. We all need to come together. **Manu Tesone** questioned why union negotiations affect what can be offered in wages to prospective recruits to the Police Department. **Roger Arnold** replied that Town Counsel solicited input from the Police Chief as part of the bargaining process, and the mechanism for determining wages is through the Grade and Step chart. **The Chair** said that in this budget there must be a placeholder for wages because of ongoing negotiations. **Lister Cheryl Lindberg** asked about the elimination of the Lister’s Assistant line item. **Aaron Lamperti** replied that “We eliminated it from the budget because you did not want it filled.” **Lindberg** asked, “How do you expect us to get the job done? Our budget is not increased. I am in shock.” **The Chair** replied that if the Listers do the work there is a question according to statute as to how that money is allocated, hence the inquiry to Town Counsel. **Stuart Richards** is concerned about the chronology for the Police Chief to make job offers. **Lamperti** noted that the Chief has placed ads that do not mention market rates. Hiring would be under the FY23 contract rates, and said salaries could rise after negotiations. The Chief understands. **Marshall Heinberg** wondered if market rate is something the union would want. **Leslie Wells** noted that by voting for 4 officers the majority of SB was departing both from the established history in Norwich, as

well as the taxpayer's established intent. By voting for 4, SB also rejects what the Chief, who was hired to rebuild a force, and, in contrast to SB members, is an expert on policing-requested. By voting for 4 officers, the SB jeopardizes public safety for those reasons. noted that by voting for 4 officers the majority of SB was departing both from the established history in Norwich, as well as the taxpayer's established intent. By voting for 4, SB also rejects what the Chief, who was hired to rebuild a force, and, in contrast to SB members, is an expert on policing-requested. By voting for 4 officers, the SB jeopardizes public safety for those reasons. **DPW Director Chris Kaufman** has conveyed the need for a new generator at the Highway Garage as the present one failed during recent storm events. **The Selectboard** talked about the possibility of funding this through the Unexpected Expenses Fund but needs to have more information first. A review was made of the DPW designated funds against the Capital Plan. Public comment: **Charlotte Metcalf** noted that the chimney at Tracy Hall is in disrepair which could lead to a fire. **Town Clerk Bonnie Munday** stated the Town had a problem with the sprinkler system in that it lost compression. She is concerned that systems could potentially go off and discovered that this is a water system not a dry system as she was led to believe, which will have a direct effect on the vault. She also said she doesn't have any emergency numbers. **The Chair** said that issue will be corrected tomorrow.

- F. Fire Department SCBA equipment purchase. Lamperti moved, second by Gere to approve the purchase of SCBA equipment. Vote: Yes-Unanimous.**
- G. Consent agenda: Layton moved, second by Gere to approve the Consent Agenda as amended to include only Correspondence. Vote: Yes-Unanimous. Lamperti mentioned that future agenda items should include warrant articles and petitions.**
- H. Adjournment: Layton moved, second by Gere to adjourn. Vote: Yes- Unanimous. Time adjourned: 11:40 pm.**

Approved by the Selectboard on January 11, 2023

Marcia Calloway, Selectboard Chair