

Norwich Selectboard Special Meeting Minutes
January 23, 2023, 6:30 pm
Location: Public Safety Building, 10 Hazen Street, Norwich

Active Participants: Selectboard members Marcia Calloway, Robert Gere, Roger Arnold, Mary Layton, and Aaron Lamperti; Interim Town Manager Brennan Duffy; Town Clerk Bonnie Munday; Deputy Fire Chief Matt Swett; Land Management Council member Brian Shiner, Norwich Farms Foundation representative Omer Trajman, Manu Tesone, Stuart Richards, Megan Brendel, Charlotte Metcalfe, Demo Sofronas, Margaret Mehrins (sp)

1. **Welcome:** Act 78 having expired, this was an in-person meeting.
2. **Agenda Review:** Layton moved, second by Gere to approve the agenda. **Vote: Yes-Unanimous.** The agenda included provision for public comment as well as informational/discussion/action items, an executive session, and future agenda items. An agenda item was added to consider the addition of an article presented by **Deputy Fire Chief Matt Swett.**
3. **Consent Agenda:** Layton moved, second by Gere, to table the acceptance of minutes and to approve the AP Warrant and Correspondence. **Vote: Yes-Unanimous.** Layton noted a statement in correspondence by **Doug Wilberding** who alleged that she circulated a petition to eliminate the position of Lister. Layton stated that she did not circulate or sign the petition. **Stuart Richards** asked that "Public Comments" be included as an agenda item. **Marcia Calloway** noted that "public comment" was listed on the agenda. **Roger Arnold** stated that there is no legal obligation to list "Public Comment" as an agenda item. **Manu Tesone** noted that it is the statutory right of the public to comment at a warned meeting.
4. **Town Clerk Presentation and Discussion:** **Bonnie Munday, Town Clerk** spoke about the upcoming transition to a new Town Clerk. She would like a fluid succession and is concerned that there could be a 3 to 5 year learning curve. There are times in the calendar that are very intense and time consuming, for example when there are multiple property tax appeals or when there is a Presidential Primary. The range of duties includes responsibility for licensing, elections, public health including burials, tax appeals, preparation of the Warrant for Town meeting, and many more. She recommended that the Selectboard consider asking the voters to appoint the next Town Clerk for consistency and a smoother transition. She noted that such appointment would not give the Selectboard the authority to remove a Town Clerk's statutory duties. The Selectboard discussed how to frame an article that would authorize appointment including the term which could be defined as between one and three years. The article to appoint would supersede an article to elect a new Town Clerk.
5. **Moderator for Town Meeting:** A Town Moderator was not elected at last year's Town Meeting. It is within the authority of the Selectboard to appoint a Town Moderator for the upcoming Town Meeting. Two citizens are available for consideration: Jack Candon and Peter Orner. The Selectboard will appoint a Moderator at the meeting on January 25th.
6. **Land Management Council request for funds.** Three actions were proposed by **Brian Shiner:** approve the spending request, reappoint Council members, and meet to review the "Agreement."

- a. Layton moved, second by Gere, to approve the release of \$4500 in reserve funds as requested by the Fire District for the Land Management Plan. Vote: Yes- Calloway, Gere, Lamperti, Layton, No-Arnold.
- b. Arnold moved, second by Gere, that the Selectboard begin to determine a process with the Prudential Committee for reviewing the Second 2001 Amended Restated Agreement. Vote: Yes-Unanimous.
- c. Gere moved, second by Layton, to reappoint David Hubbard and Byron Haynes to the Land Management Council for a three-year term ending in 2025. Vote: Yes-Unanimous

7. Warrant Articles:

- a. **Article 9:** The Interim Town Manager will edit the draft warrant to include the amount of the recommended municipal budget.
- b. **Article 10:** The Selectboard decided by consensus to include as written: **Shall the voters establish a reserve fund to be called the ARPA (American Rescue Plan Act) Special Reserve Fund to be used for the purpose of holding ARPA monies in accordance with 24 VSA section 2804?**
- c. **Article 11:** By petition, the article read as, "Shall the voters increase the FY2024 gross spending General Town Budget by \$80,785 to fund an additional full-time police officer in addition to the three budgeted full-time police officers." The Selectboard was advised by Town Counsel to reject this article because it contained both a binding provision (the funding) which must be included in the Warrant, and an advisory provision which could be included in the Warrant at the discretion of the Selectboard. Two motions were made in response: **Layton moved, second by Arnold, to reject the language as written on the petition. Vote: Yes-Arnold, Gere, Lamperti, Layton. No-Calloway. Layton moved, second by Calloway, to advise the Town of Norwich to consider the appointment of an additional full time police officer in addition to the three budgeted for a total of five to include the Police Chief. Vote: Yes-Calloway, Gere, Layton. No-Arnold, Lamperti.** Megan Brendel asked that the original petition language be reworded by the Selectboard, and also expressed concern about taxpayer funds voted but not spent for vacant police officer positions. **Omer Trajman** thought changed language could be couched as funds to be raised but not spent. **Manu Tesone** noted that "25 % of Town voters" took the time to participate in discussion about whether to increase the size of the police force, and supported an article to bring this question to the voters. **Charlotte Metcalfe** supports increase of the police force to enable 24/7 coverage.
- d. **Article 12:** By petition this article read as, "Shall the voters authorize the elimination of the Office of Lister and replace it with a professionally qualified assessor hired by the Town?" This article is binding and must be placed on the ballot. The Selectboard elected to amend this article to include the statutory requirement. **Arnold moved, second by Layton, to amend article 12 with model language provided by VLCT for this question. Vote: Yes-Unanimous.** Calloway expressed concern that the timing of this vote is not good considering the dearth of assessors available to work statewide. **Layton** expressed the need to educate the voters regarding their decision.
- e. **Article 13:** The Selectboard decided by consensus to change the numerical listing of **Article 36** regarding tax exemption for Norwich Farms to **Article 13**, to place it at the top of the Special Appropriations section, and to sequentially reorder all subsequent article numbers. **Calloway** asked how the for-profit Norwich Creamery could be considered as part of this request for a tax exemption. **Omer Trajman**, representing **Norwich Farms Foundation** said that the Creamery is an

example of a business that is “mission aligned” and serves as an example of sustainable agriculture. The article is presented via binding petition. **Calloway** asked for the amount of tax funds that would be eliminated by this exemption. **Trajman** did not have a figure for this and pointed out that the property has been tax exempt “for decades.” **Margaret Merrens** attended the January 11th Board of Listers meeting where the proposed tax exemption was an agenda item. She noted that the Listers were planning to check with PVR (Property Valuation & Review) regarding this request, and thought it fair that the voters are able to be educated about the proposed article. The Selectboard agreed by consensus that they would like to hear from the Listers and from Town Counsel regarding the petition before placing it on the warrant, before the next Selectboard meeting.

f. **Article 37:** This article asks that the voters approve a property tax payment date change for the second payment to August 30, 2023, and to change the penalty amount for late payment of taxes from 8% to 4%. **Arnold moved, second by Gere, to propose that the first tax payment be made by 6pm on August 30, 2023. Vote: Yes-Arnold, Gere, Lamperti, Layton. No-Calloway. Calloway moved to ask the voters pursuant to 32 VSA 1674(2) to change the collection fee from 8% of the amount of delinquent tax to 4%. Vote: Yes-Arnold, Gere, Lamperti, Layton. No-Calloway.** Arnold asked that the specific language of the article be crafted with the intent of the above motions. **Article 37** would include the date change. **Article 38** would include the change in the amount of the delinquent tax penalty.

g. **Article 39:** This article was added to approve the transfer of grant funds awarded to the Fire Department into the appropriate reserve fund. It was presented by Matt Swett, Deputy Fire Chief. The article read:

"Shall the voters of the Town of Norwich approve transferring up to \$46,800 from the General Fund that was awarded to the Fire Department from a Vermont Department of Health COVID staffing grant into the Fire Equipment Designated Fund?" Arnold moved, second by Gere, to include this article on the Warrant as written. Vote: Unanimous

h. **Article 40:** The Selectboard discussed in light of the imminent retirement of **Town Clerk Bonnie Munday**, whether it would be prudent to consider the size of the pool of available applicants. If the Town Clerk position remains as elected, then the person elected to the position must reside in the Town of Norwich. If the voters granted authority to the Selectboard to appoint a Town Clerk, the clerk could reside within or outside of the Town of Norwich. If this article should pass it would supersede the article to elect a Town Clerk. Any candidates for the elected position could be considered as part of a pool of applicants for appointment by the Selectboard. **Arnold moved, second by Lamperti, to ask the voters to authorize the Selectboard to appoint a Municipal Clerk under 17 V.S.A. 2651e(a)(1). Vote: Yes-Arnold, Gere, Lamperti, Layton. No-Calloway.**

8. Executive Session under 1 V.S.A. section 313(a)(1)(B) and section 313(a)(3).

a. **Arnold moved, second by Gere, to find that premature general public knowledge of the Town’s planning and negotiation of a labor agreement with NEPBA would clearly place the Town at a substantial disadvantage. Vote: Yes-Unanimous.**

b. **Layton moved, second by Gere, to enter executive session and to invite the Interim Town Manager and the Chief of Police. Vote: Yes-Unanimous.**

c. **Time executive session entered: 10:22 pm**

d. **Arnold moved, second by Lamperti to enter public session. Vote: Yes-Unanimous**

e. Time public session entered: 10:42 pm.

9. Future Agenda Items: Articles 37 and 38 decision, appointment of a Temporary Town Moderator, Norwich Farms Tax exemption, approval of the Warrant

10. Adjournment: Arnold moved, second by Lamperti to adjourn. Vote: Yes-Unanimous.

11. Time adjourned: 10:42 pm

Approved by the Selectboard on February 8, 2023

Marcia Calloway, Selectboard Chair