

Town of Norwich

SELECTBOARD HANDBOOK

[hereinafter referred to as “the Handbook”]

An organic reference document
approved by the Norwich Selectboard
on August 13, 2025

User Outline

Organization of the Handbook

- Pages 3-4 Table of Contents
- Pages 5-6 Introduction, Statutory Authority and Town Policy
- Pages 6-8 The Differences between Elected people and Appointed people
- Pages 9-23 Elected people and the various offices they hold
- Pages 24-53 Appointed people and the committees, boards, commissions they work on
- Pages 54-59 Appointed representatives to non-Norwich committees/commissions
- Pages 60-61 Temporary committees created by the Selectboard for a limited purpose and time
- Pages 62-81 Appendices with statutes, town and state policies, reporting requirements, and
 - an FAQ Sheet for committees, boards, commissions and
 - Forms for requesting creation of a subcommittee

Structure of the pages for elected and appointed people/groups

NAME OF THE OFFICE OR GROUP

Number of Members, Current Members and Term Lengths: Refers the reader to the [Official Website of the Town of Norwich, Vermont](#) to find information about the number of members for the office or group, names of current members, and their term lengths.

Budget: Yes or No. The Finance Office is the official source of budgetary information. The reader is reminded that

- Town budgets are developed by the Town Manager with the Departments and Finance Office, approved by Selectboard to be presented to the voters, and voted by the voters at town meeting.
- The Town Manager should be contacted if any funding issues arise.
- Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office through their supervisor, the Town Manager.

Charge: Yes or No. There may be a charge developed by the Selectboard, or just statutory duties. If there is a charge, it appears here.

Statutory (Regulatory) requirements: Yes or No.

- If there are statutes pertaining to the elected office or appointed person(s) or group, they are copied and pasted in this section.
- Where federal regulatory requirements exist they are noted, e.g. Historic Preservation Commission.

Table of Contents

	<u>Page</u>
<u>Introduction</u>	5
• Purpose of this Handbook	
• Accessibility of the Handbook, Caveats and Disclaimer	
• Individuals and Terms and Budgets	
<u>Statutory Authority and Town Policy</u>	6
• Dillon's Rule	
• "Open Meeting Law"	6-8
• Conflict of Interest Policy	8
• Incompatible Offices	
• Grants, Contracts, Donations, Gifts, Solicitations and Norwich Policy	
• Budgets and Reimbursement	9
• Housekeeping "guardrails" including insurance, websites, etc.	
<u>Overview of Elected Officials and Appointed Individuals/Groups</u>	10
• Elected Officials	
○ Exceptions	
• Appointed Committees, Boards, Commissions and Subcommittees	11
○ Appointments and Creation	
○ Removal and Dissolution	12
○ Reports to Selectboard	
<u>Elected Officials</u>	13
• Board of Abatement	13-14
• Board of Civil Authority	15
• Board of Listers	16-17
• Cemetery Commissioner	18
• Collector of Delinquent Taxes	19
• Selectboard	20-21
○ Interaction with Town staff	21
○ Interference in duties not within Selectboard statutory responsibility	21
○ Town Manager	21-23
• Town Clerk	24
• Town Moderator	25
• Town Treasurer	26
• Trustee of Public Funds	27
<u>Appointed Standing Committees, Boards, Commissions, Positions</u>	28
• Conservation Commission	28-29
○ Subcommittee – Emerald Ash Borer Management Subcommittee	30
○ Subcommittee – Milton Frye Nature Area Subcommittee	31
○ Subcommittee – Trails Subcommittee	32
• Development Review Board	33-39
• Energy Committee	40-41
• Fire Warden	42
• Finance Committee	43

• Historic Preservation Commission.....	44-45
• Land Management Council	46
• Planning Commission	47-48
○ Subcommittee -- Affordable Housing Subcommittee	49
○ Subcommittee -- Solar Siting Subcommittee	50
• Recreation Council	51
• Solid Waste Committee	52-53
• Town Service Officer.....	54
• Tree Warden	55
<u>Appointed Representatives to Non-Norwich Committees/Commissions</u>	56
• Connecticut River Joint Commissions representatives.....	56
• EC Fiber	57
• Greater Upper Valley Solid Waste Management District	58
• Health Officer.....	59-60
• TRORC Shared Energy Coordinator (“SEC”) Program	61
<u>Temporary Committees</u>	62
• Article 36 Task Force	62
• Childcare Committee	63
<u>Appendix and Forms</u>	64-86
• Appendix “A” – “Open Meeting Law” Selections	64-75
○ 1 V.S.A. § 310 Definitions	64-65
○ 1 V.S.A. § 312 Right to attend meetings of public agencies	66-69
○ 1 V.S.A. § 312a. Meetings of public bodies; state of emergency.....	70-71
○ 1 V.S.A. § 313 Executive Sessions	72-73
○ 1 V.S.A. § 314 Penalty and enforcement	74-75
• Appendix “B” -- 17 V.S.A. 2647 Incompatible offices	76
• Appendix “C” -- Vermont Secretary of State’s List of Local Office Descriptions and Statutory Authority	77-80
• Appendix “D” -- Town of Norwich Conflict of Interest Policy and State of Vermont Code of Ethics – Conflicts of Interest	81-82
• Appendix “E” -- Committee/Board/Commission FAQ Sheet	83-84
• Appendix “F” – Town of Norwich Gift Policy.....	85-86
• Appendix “G” – Subcommittee Request Form	87

Introduction

Purpose of this Handbook. A host of Norwich residents volunteer to serve their community in a variety of ways. Some positions or “groups” are elected and have statutory responsibilities, these are generally titled “commissions” or “boards.” Some positions or “groups” are appointed by the Selectboard and may or may not have statutory responsibilities, these are generally titled “committees”. Where no statutory responsibilities exist, a created “committee” will have a charge. Whether elected or appointed, all individuals and “groups” are subject to the laws of the State of Vermont and to applicable Town of Norwich policies as enacted by the Selectboard, the Town’s legislative body, for use in town governance. This Handbook does not supersede Selectboard policies but incorporates them herein by reference. The Handbook is a tool to assist all volunteers of whatever genesis to understand the parameters of their position and the intersection with other “offices.” It is in the best interest of the Town for all individuals to work collaboratively with Town administration and the legislative body to realize expressed town goals. The intended audience for this document includes:

- **Elected and appointed members of our community** to ensure that they are:
 - (1) working efficiently and effectively toward the fulfillment of our shared and often changing goals,
 - (2) in compliance with laws and charges pertaining to town government, and
 - (3) identified correctly in furtherance of a transparent government.
- **Norwich residents** to better understand:
 - (1) who is responsible for particular town functions and how they work together,
 - (2) what the various offices and entities are authorized to do, and
 - (3) what opportunities exist for future volunteerism in, and engagement with, the Town of Norwich.

Accessibility of the Handbook, Caveats and Disclaimer. Given the nature of municipal government, this document must be an organic reference source with an on-going Selectboard commitment to keep it up to date and accessible. To that end the Selectboard will publish and maintain this document on the town website. <http://norwich.vt.us> New and existing, appointed and elected, individuals are expected to understand its content as to their particular role(s) and remain in compliance with the statutes, rules, regulations and policies referenced herein. Notwithstanding the above, it is understood that laws, rules and policies are not static, therefore, this document may not be completely up-to-date at any given moment. References to statutes should be checked, e.g.: <https://legislature.vermont.gov/statutes/> If clarification of statutory responsibilities or municipal charges is required, individuals should contact the Town Manager in the first instance; and if legal assistance/advice is required, it must be requested through the Town Manager.

Individuals and Terms and Budgets. This Handbook does not include information which changes frequently and which is more efficiently and properly maintained by Town staff, specifically:

- Names of individuals elected or appointed to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us/>
- Official and current budgetary information is maintained by the Finance Office. On the Handbook page for each such office/committee, there will be a notation to indicate whether or not a budget exists for that activity. More information should be requested through the Town Manager and Finance Office.

Statutory Authority and Town Policy

Dillon's Rule. Formulated in 1872 by a local government legal scholar, Judge John Forest Dillon, the so-called Dillon's Rule is consistently adhered to by Vermont courts.

- Dillon's Rule holds that 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." City of Montpelier v. Barnett, 2021 VT 32 ¶ 20, 191 Vt. 441, 49 A.3d 120.
- It "...means that the town and its voters or selectboard have no authority beyond that which is given by statute, or that which is necessarily implied by a statute. Accordingly, municipal officials must check all relevant statutes before acting to ensure that they will comply with the specific requirements of the enabling legislation." Vermont Office of the Secretary of State, Municipal Law Basics (2014), p. 2.
- Any such body must abide by Dillon's Rule and applicable laws, including but not limited to the so-called "Open Meeting" law.

Open Meeting Law. Title 1, Chapter 5, Subchapter 2: Public Information may be known and cited as the Vermont Open Meeting Law. See 1 V.S.A. § 311(b). Referred to generally as "the OML" it requires, among other things, notice of meetings, the right of public access to meetings, and publication of minutes of those meetings, as well as penalties and enforcement thereof. See Appendix "A" for the following selections from the OML:

- 1 V.S.A. § 310 Definitions
- 1 V.S.A. § 312 Right to attend meetings of public agencies
- 1 V.S.A. § 312a. Meetings of public bodies; state of emergency
- 1 V.S.A. § 313 Executive Sessions
- 1 V.S.A. § 314 Penalty and enforcement

Effective Dates: "In Act 133 (2024) and Act 51 (2025), the Legislature made permanent changes to the Open Meeting Law." <https://www.vlct.org/topics-all/vermonts-open-meeting-law> Legislative amendments to the OML were signed by the Governor of Vermont on 05/30/2024 and went into effect 07/01/2024, with the exception of 1 V.S.A. § 312(k) which took effect on 01/01/2025. See ACT133 As Enacted.pdf On 06/09/2025 Act 51 (2025) changes took effect.

OML applies to "public bodies": Among other changes, the definition of "public body" was amended and expanded to specifically include the term "subcommittee." See 1 V.S.A. § 310(6). As a public body, subcommittees must comply with the OML:

"The law applies to every "public body" of a municipality. A public body is any board, council, commission, committee, or subcommittee of a municipality. 1 V.S.A. § 310(4). This includes bodies that are specifically mentioned in state statute and municipal charter such as selectboards, prudential committees, planning commissions, conservation commissions, cemetery commissions, development review boards, boards of civil authority, boards of health, zoning boards of adjustment, etc. It also includes committees and subcommittees of those groups..." <https://www.vlct.org/resource/open-meeting-law-faqs>

Meetings and Quorums:

"The requirements of the law are triggered whenever a "quorum" of the body is "meeting." A quorum is a majority of the total members of the body. Quorum is determined based on the number of positions on the body, not the number of persons occupying those positions.

"Therefore, quorum does not change when there is a recusal or a vacancy. "Meeting" is defined as a gathering of a quorum of the members of a public body for the purpose of discussing the business of the body or for the purpose of taking any action. 1 V.S.A. § 310(3)(A). "Business of the public body" is

defined as the public body's governmental functions, including any matter over which it has supervision, control, jurisdiction, or advisory power. [1 V.S.A. § 310\(1\)](#).

"The Law applies regardless of the physical location of the members; the members don't all have to be in the same room at the same time for it to be considered a "meeting" under the Law. Therefore, a phone conversation between a quorum of the members is a "meeting" for purposes of the law. Furthermore, time likely is also not a factor. If a conversation occurs over a period of time (for instance in a string of emails) that conversation may still amount to a "meeting" under the Law. This is why public bodies should generally avoid the use of group emails." See <https://www.vlct.org/resource/open-meeting-law-faqs>

Public bodies attending meetings of other public bodies:

"A gathering of a quorum of a public body at a duly warned meeting of another public body is not considered to be a "meeting," provided that the attending public body does not take action on its own business. [1 V.S.A. § 310\(3\)\(D\)](#)." See <https://www.vlct.org/resource/open-meeting-law-faqs>

VLCT summary of the OML requirements --See <https://www.vlct.org/resource/open-meeting-law-faqs> -- include:

1. Provide advance notice of meetings. [1 V.S.A. §§ 312\(c\), 310\(5\)](#)
2. Create and post an agenda for all regular and special meetings. [1 V.S.A. § 312\(d\)](#)
3. Conduct all business in an open meeting (unless an exemption applies). [1 V.S.A. §§ 312\(a\); 313\(a\)](#)
4. Vote by roll call when there is electronic participation. [1 V.S.A. § 312\(a\)\(2\)\(B\)](#)
5. Allow public comment at meetings. [1 V.S.A. § 312\(h\)](#)
6. Take and post minutes. [1 V.S.A. § 312\(b\)](#)
7. Record, in audio or video form, all meetings of non-advisory bodies.
8. Post copies of recordings of non-advisory body meetings in a designated electronic location for a minimum of 30 days following the posting of the meeting minutes.
9. Respond to complaints of violation. [1 V.S.A. § 314\(b\)\(2\)](#).
10. Provide electronic/telephonic or in-person meeting access to a local resident, member of the public body, or member of the press to a regularly scheduled meeting, upon request, unless:
 1. there is an all-hazards event or state of emergency;
 2. there is a "local incident;" and
 3. compliance would impose an "undue hardship."
11. Post on its website (if it maintains one):
 1. an explanation of the procedures for submitting notice of an Open Meeting Law violation to the public body or the Attorney General; and
 2. a copy of the text of [1 V.S.A. § 314](#).

"Advisory" versus "Non-Advisory" Public Bodies:

"Advisory body"

"The law defines an "advisory body" as a "public body that does not have supervision, control, or jurisdiction over legislative, quasi-judicial, tax, or budgetary matters." [1 V.S.A. § 310\(1\)](#). An advisory body, by its very name, advises, which means that it lacks final statutory decision-making authority. If a public body has final decision-making authority over any legislative, quasi-judicial, tax, or budgetary matter then it is categorically not an advisory body, which makes it, in turn, a decision-making body." See <https://www.vlct.org/resource/open-meeting-law-faqs>

"Non-advisory ("decision-making") body"

"Though not explicitly defined by the law, a "non-advisory body" is a decision-making body, one that

does have supervision, control, or jurisdiction over legislative, quasi-judicial, tax, or budgetary matters. Making the call here will likely necessitate a short, fact-based determination. For example, a planning commission that hears applications for development review would be considered a decision-making body because it exercises control over some quasi-judicial matters, even though most of its time may be spent advising the selectboard on the adoption, amendment, or repeal of the town plan and zoning regulations. Some other examples of decision-making public bodies include the legislative bodies (selectboard, school board, city council, village trustees, prudential committee, and alderman), cemetery commission, library trustees, board of listers, board of civil authority, board of abatement, water and sewer commission, and local board of health.” See <https://www.vlct.org/resource/open-meeting-law-faqs>

Questions about “advisory” versus “non-advisory” status should be addressed to town counsel via the Town Manager. Public bodies can always follow the stricter requirements for “non-advisory” bodies. See <https://www.vlct.org/resource/open-meeting-law-faqs>

Training: The OML requires annual professional training for chairs of legislative bodies and the Town Managers. “The Secretary of State’s office has developed the training and has made it available to municipalities, subdivisions, and public bodies. The training may be in person or on-line, live or recorded. Find the training on the [Secretary of State’s Open Meetings page](https://www.vlct.org/resource/open-meeting-law-faqs).” See <https://www.vlct.org/resource/open-meeting-law-faqs>

Town of Norwich website: More OML information is on the Town website, here: [Open Meeting Law \(OML\) Information | Official Website of the Town of Norwich, Vermont](#).

Conflict of Interest Policy. As authorized in the enumeration of powers of a municipality, a conflict-of-interest policy may be established to apply to all elected and appointed officials. See 24 V.S.A. § 2291

Note: As of 02/23/2024 the Vermont House Committee on Government Operations and Military Affairs had drafted a bill which would create new statewide ethics standards and duties for municipal officials. The outcome of that effort could have an effect on the town’s current Conflict of Interest Policy.

Incompatible Offices. By statute, 17 V.S.A. §2647, some elected officials and the Town Manager may not be elected to certain other offices. The statute listing those prohibitions is found in Appendix “B”, page 72 of this Handbook.

Legal counsel. For questions of interpretation of statute or Town policy, the Town Manager will notified of the issue. If necessary, the Town Manager may authorize use of Town counsel, and the expense of same.

Grants, Contracts, Donations, Gifts, Solicitations, and Norwich Policy. The Selectboard supports and values the many individuals who volunteer to serve on the myriad committees, boards, commissions or other positions which serve our town and make it a vibrant place to live. The willingness of these volunteers to engage deeply with their chosen groups and to investigate ways and means to better fulfill their particular group’s charge is commended and encouraged by the Selectboard.

However, the Town of Norwich operates under a Town Manager form of government. It is the Town Manager’s office which monitors grants, signs contracts, assesses the need for or adequacy of insurance coverage and ensures that anything like donations, gifts, etc. are in compliance with town policy. Therefore, all committees, subcommittees, boards, commissions, and individuals are required to contact the Town Manager before applying for any grants, soliciting donations of any kind, accepting gifts of whatsoever nature, engaging in activities which might invoke liability, or acting in any manner which could be interpreted to involve or affect the Town financially or otherwise.

Statutory Authority and Town Policy Continued

Budgets and Reimbursement. In conjunction with the Town Manager, the Selectboard develops budgets for approval by the voters. Elected officials and Town Department Heads work with the Town Manager and the Finance Office to prepare budget requests for Selectboard review and action. Appointed committees, commissions, boards and individuals should contact the Town Manager, and Department Heads in some instances, to request budgetary appropriations; such requests should be made in September each year to be in time for inclusion in the budget work undertaken in the last quarter of the calendar year.

Any requests for reimbursements or to spend monies, budgeted or otherwise, should be directed to the Finance Office and Town Manager. The procedures for those requests are developed by the Finance Office and Town Manager, and may be rooted in policies developed by the Selectboard as appropriate.

Housekeeping “guardrails” including insurance, websites, etc. The activities of a municipality invariably involve risk and/or risky activities. Everything from meetings to maintenance of roads and trails, recreational programs, energy-related initiatives, property tax decisions, etc., can expose the municipality to legal action or claims. To that end, all elected officials, hired staff, and appointed individuals to the various boards/committees/commissions or subcommittees must adhere to the statutes, laws, regulations pertaining to their work. In addition,

- **“Programs”** or other initiatives offered by any of those groups in furtherance of their charge shall be carefully vetted by the Town Manager to determine the need for any additional insurance coverage or to otherwise identify potential exposure for the town.
- **Websites**, especially sites outside the official Town website, can imply that the content is approved by the Town of Norwich, which may or may not be factual. For non-Town as well as Town-maintained websites, the Selectboard will draft guidelines for content in consultation with the Town Manager and counsel if required. For items on the Town website, the Town Manager will develop guidelines for who is authorized to add, amend, delete content.
 - **Groups with websites include:**
 - Conservation Commission – <https://norwichconservation.org>
 - Energy Committee -- [Norwich Energy Committee - Home](#)
- **Zoom** accounts, access for Town-related meetings, and Town protocol will be managed by the Town Manager’s office and guidance will be provided to all groups.
- **Management of “group” information** is maintained by the Town Manager’s office. Information about all appointed boards/commissions/committees/subcommittees will be provided to the Town Manager’s office when either appointed by the Selectboard and/or subcommittees are formed by the “parent” group. The Town Manager’s office will use this information to (a) advise the Selectboard when vacancies occur and (b) post an extract of groups/members/terms on the Town website so that anyone in the public can view the information to know who is serving what purpose and what opportunities exist to volunteer for service.

Overview of Elected Officials and Appointed Individuals/Groups¹

Elected Officials.

- Under 17 V.S.A. § 2646 at the annual meeting a town shall choose from among its registered voters certain officers including:
 - a moderator, 17 V.S.A. § 2646(1);
 - a town clerk, unless the town has voted to authorize the selectboard to appoint a town clerk pursuant to 17 V.S.A. § 2651e, see 17 V.S.A. § 2646(2);
 - a town treasurer, unless the town has voted to authorize the selectboard to appoint the treasurer as provided in 17V.S.A. § 2651f, see 17 V.S.A. § 2646(3);
 - one selectboard member, 17 V.S.A. § 2646(4);
 - one lister, unless the town has voted to eliminate the office of lister pursuant to 17 V.S.A. § 2651c, see 17 V.S.A. § 2646(5);
 - one auditor, unless the town has voted to eliminate the office auditor pursuant to 24 V.S.A. § 2651b, see 17 V.S.A. § 2646(6);
 - a first constable, and second constable if needed, unless the town has voted to authorize the selectboard to appoint constables as provided in 24 V.S.A. § 2651a, see 17 V.S.A. § 2646(7);
 - a collector of delinquent taxes, 17 V.S.A. § 2646(9) and see 17 V.S.A. § 2651d;
 - a trustee of public funds if the town so votes 17 V.S.A. § 2646(12);
 - a cemetery commission if the town so votes. 17 V.S.A. § 2646(14);
 - one or two road commissioners who shall be elected by ballot if the town so votes, see 17 V.S.A. § 2646(16);
 - three water commissioners, unless the town votes to elect additional selectboard members, see 17 V.S.A. § 2646(17);
 - five members of an advisory budget committee, if the town so votes, see 17 V.S.A. § 2646(18).
- **Exceptions**
 - See 17 V.S.A. § 2646a. Town officers; town vote to allow election of nonresidents
 - (a)(1) Notwithstanding section 2646 of this subchapter, a municipality may propose to allow individuals who are residents of the State, but not residents of the municipality, to be elected or appointed town officers. However, this section shall not apply to members of the legislative body of the municipality or justices of the peace. For the municipality's boards or commissions that are established by State law and are required to be composed of residents, the majority of the members of the boards or commissions shall be residents of the municipality.
 - (2) The proposal must be approved by the voters at any annual or special meeting warned for that purpose.
 - (b) The proposal may be made by the legislative body of the municipality or by petition of five percent of the voters of the municipality. The proposal shall identify the town office that may be filled by a nonresident. (Added 2021, No. 157 (Adj. Sess.), § 3, eff. July 1, 2022.)
- See 17 V.S.A. § 2651e(d) Municipal clerk; appointment; removal, page 18 of this Handbook.
- See 17 V.S.A. § 2651c Lack of elected lister; appointment of lister; elimination of office; hiring, page 13 of this Handbook.

Overview of Elected Officials and Appointed Individuals/Groups Continued

¹ See also Appendix "C", page 77-80: Vermont Secretary of State's List of Local Office Descriptions and Statutory Authority.

Appointed Committees, Boards, Commissions and Subcommittees. By statute, the Selectboard is authorized or allowed to appoint individuals to fulfill certain town functions. The Selectboard's authorization must be provided either expressly by statute, or be implied in or incident to powers expressly granted, and/or is essential to the accomplishment of the declared objects and purposes of the town, "not simply convenient, but indispensable." See Municipal Law Basics, p. 2 citing Valcour v. Village of Morrisville, 104 Vt. 119, 131-32 (1932).

The Selectboard cannot delegate those granted authorities to another body unless the Legislature specifically permits it to do so. "It contravenes the deep-rooted principle of law that the delegate of power from the sovereign cannot without permission recommit to another agent or agency the trust imposed upon its judgment and discretion." Thompson v. Smith, 119 Vt. 488, 501, 129 A.2d 638 (1957).

Appointments and Creation. The appointments required ("shall") or allowed ("may") include:

- **shall** appoint
 - tree warden – 24 V.S.A. § 871(b)
 - deputy tree warden may be appointed under 24 V.S.A. § 2505
 - local health officer – 18 V.S.A. § 601
- **may** appoint
 - town forest fire wardens – 10 V.S.A. § 2641
 - pursuant to 24 V.S.A. § 871(b):
 - pound keeper for each pound
 - one or more inspectors of lumber, shingles, and wood
 - one or more weighers of coal
 - one town service officer and
 - one grand juror.
 - deputy tree warden – 24 V.S.A. § 2505:
 - planning commission and development review board– see 24 V.S.A. § 4321 and 4323 and 4460
 - including alternates to a planning commission, board of adjustment, or development review board when one or more members of the board are disqualified or are otherwise unable to serve. See 24 V.S.A. § 4460(c)'
 - "Members of a planning commission shall be appointed and any vacancy filled by the legislative body of a municipality. The length of the term of planning commission members shall be determined by the legislative body of a municipality. Any member may be removed at any time by unanimous vote of the legislative body. Any appointment to fill a vacancy shall be for the unexpired term. 24 V.S.A. § 4323(a)
 - "A planning commission shall have not less than three nor more than nine voting members....
" ...not more than two elected or appointed officials of an urban municipality who are chosen by the legislative body ...shall be nonvoting ex officio members of a planning commission...
 - "Notwithstanding subsection (a)...for an appointed planning commission, the legislative body may change the number of members that may be appointed to the commission;...."
See 24 V.S.A. § 4322
 - under 24 V.S.A. § 4501
 - conservation commission – "when a municipality votes to create one, or, if the charter of a municipality permits it, when the legislative body of the municipality votes to create one." Id.

Other committees, commissions, boards, may be established by the Selectboard to the extent there is no statutory prohibition. E.g. the Legislature delegated the Selectboard the authority to create "advisory commissions and committees" to advise the Planning Commission, see 24 V.S.A. § 4433. Appointed
Elected Officials and Appointed Individuals/Groups Continued

committees, commissions, boards may request the Selectboard appoint such “advisory” or “subcommittees” using the Subcommittee Creation form discussed in the Appendix and available from the Town Manager’s Office. It is understood that all such groups are “public bodies” and the work of any “advisory” or “subcommittee” will be in furtherance of the appointed committee, commission or board and will also be subject to all Open Meeting Law requirements.

Removal and Dissolution. The power to remove appointments is expressly defined for certain commissions/boards:

- Planning Commission. “Any member [of a planning commission] may be removed at any time by unanimous vote of the legislative body.” See 24 V.S.A. § 4323(a)
- Conservation Commission. “Any member of a conservation commission may be removed at any time for just cause by vote of the legislative body, for reasons given to him or her in writing and after a public hearing thereon if he or she so requests.” See 24 V.S.A. § 4503(a)
- Board of Adjustment or Development Review Board. “Each member of a board of adjustment or a development review board may be removed for cause by the legislative body upon written charges and after public hearing. If a development review board is created, provisions of this subsection regarding removal of members of the board of adjustment shall not apply.” See 24 V.S.A. 4460 (c)

Reports to Selectboard. The Policy Governing Reporting of Committees, Commissions, Task Force, or Other Groups/Individuals Appointed by the Selectboard, approved May 23, 2018, was rescinded by vote of the Selectboard on July 9, 2025.

Elected Officials

BOARD OF ABATEMENT

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **Yes.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements: **Yes.**

24 V.S.A. § 1533 Town board for the abatement of taxes

(a) The board of civil authority, with the listers and the town treasurer, shall constitute a board for the abatement of town and property taxes and water and sewer charges.

(b) The act of a majority of a quorum at a meeting shall be treated as the act of the board. This quorum requirement need not be met if the town treasurer, a majority of the listers, and a majority of the selectboard are present at the meeting. (Amended 1999, No. 49, § 82, eff. June 2, 1999; 2017, No. 74, § 82; 2017, No. 130 (Adj. Sess.), § 13.)

24 V.S.A. § 1535. Abatement

(a) The board may abate in whole or part taxes, water charges, sewer charges, interest, or collection fees, or any combination of those, other than those arising out of a corrected classification of homestead or nonhomestead property, accruing to the town in the following cases:

- (1) taxes or charges of persons who have died insolvent;
- (2) taxes or charges of persons who have moved from the State;
- (3) taxes or charges of persons who are unable to pay their taxes or charges, interest, and collection fees;
- (4) taxes in which there is manifest error or a mistake of the listers;
- (5) taxes or charges upon real or personal property lost or destroyed during the tax year;
- (6) the exemption amount available under 32 V.S.A. § 3802(11) to persons otherwise eligible for exemption who file a claim on or after May 1 but before October 1 due to the claimant's sickness or disability or other good cause as determined by the board of abatement; but that exemption amount shall be reduced by 20 percent of the total exemption for each month or portion of a month the claim is late filed;
- (7) [Repealed.]
- (8) [Repealed.]
- (9) taxes or charges upon a mobile home moved from the town during the tax year as a result of a change in use of the mobile home park land or parts thereof or closure of the mobile home park in which the mobile home was sited, pursuant to 10 V.S.A. § 6237.

(b) The board's abatement of an amount of tax or charge shall automatically abate any uncollected interest and fees relating to that amount.

(c) The board shall, in any case in which it abates taxes or charges, interest, or collection fees accruing to the town or denies an application for abatement, state in detail in writing the reasons for its decision.

(d)(1) The board may order that any abatement as to an amount or amounts already paid be in the form of a refund or in the form of a credit against the tax or charge for the next ensuing tax year or charge billing cycle and for succeeding tax years or billing cycles if required to use up the amount of the credit.

(2) Whenever a municipality votes to collect interest on overdue taxes pursuant to 32 V.S.A. § 5136, interest in a like amount shall be paid by the municipality to any person for whom an abatement has been ordered.

(3) Interest on taxes or charges paid and subsequently abated shall accrue from the date payment was due or made, whichever is later. However, abatements issued pursuant to subdivision (a)(5) of this section need not include the payment of interest.

(4) When a refund has been ordered, the board shall draw an order on the town treasurer for payment of the refund. (Amended 1975, No. 158 (Adj. Sess.), § 1; 1989, No. 149 (Adj. Sess.), § 1, eff. April 24, 1990; 1991, No. 19; 1995, No. 149 (Adj. Sess.), § 1; 1999, No. 49, § 83, eff. June 2, 1999; 1999, No. 159 (Adj. Sess.), § 24, eff. May 29, 2000; 2001, No. 140 (Adj. Sess.), § 30, eff. June 21, 2002; 2003, No. 76 (Adj. Sess.), § 3, eff. Feb. 17, 2004; 2005, No. 14, §§ 6, 7, eff. May 3, 2005; 2011, No. 155 (Adj. Sess.), § 6; 2017, No. 130 (Adj. Sess.), § 13.)

Elected Officials Continued

BOARD OF CIVIL AUTHORITY

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **Yes.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements: **Yes.**

- **24 V.S.A. § 801 Composition; meetings**

The town clerk, selectboard members and justices residing in a town shall constitute the board of civil authority of such town. Meetings of the board shall be called by the town clerk, or by one of the selectboard members, on application, by giving written notice to each member, and by posting a notice in two or more public places in the town at least five days previous to the meeting. The board shall choose a chair, and the town clerk shall be its clerk. The act of a majority of the board present at the meeting shall be treated as the act of the board, except that when the board is dealing with election issues, 17 V.S.A. § 2103(5) shall control. (Amended 1979, No. 200 (Adj. Sess.), § 118.)

- **17 V.S.A. § 2451. Board of civil authority**

(a) The board of civil authority shall have charge of the conduct of elections within the political subdivision for which it is elected.

(b) At any time before an election, the board of civil authority may issue guidance for elections officials that assists officials in conducting elections within the political subdivision. Guidance issued by the board shall not conflict with federal or State elections laws.

(c) A quorum of the board of civil authority shall be available at all times when the polls are open, and those members of the board of civil authority present at a polling place shall constitute a quorum for the transaction of business relating to the conduct of the election and the qualification and registration of voters at this polling place. (Added 1977, No. 269 (Adj. Sess.), § 1; amended 1979, No. 200 (Adj. Sess.), § 38; 2003, No. 59, § 16.)

Elected Officials Continued

BOARD OF LISTERS

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **Yes.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements: **Yes.**

- **17 V.S.A. § 2646 Town officers; qualification; election**

“At the annual meeting, a town shall choose from among its registered voters the following town officers, who shall serve until the next annual meeting and until successors are chosen, unless otherwise provided by law:

“... (5) One lister for a term of three years who shall be elected by ballot, unless the town has voted to eliminate the office of lister in accordance with the provisions of section 2651c of this chapter.”

- **See also 17 V.S.A. § 2647 Incompatible offices, Addendum “A”, page 57 of this Handbook.**

- **17 V.S.A. § 2651c Lack of elected lister; appointment of lister; elimination of office; hiring assessors**

“(a)(1) Notwithstanding any other provisions of law to the contrary and except as provided in subsection (b) of this section, in the event the board of listers of a town falls below a majority and the selectboard is unable to find a person or persons to appoint as a lister or listers under the provisions of 24 V.S.A. § 963, the selectboard may appoint an assessor to perform the duties of a lister as set forth in Title 32 until the next annual meeting.

(2) The appointed person need not be a resident of the town and shall have the same powers and be subject to the same duties and penalties as a duly elected lister for the town.

(b)(1) A town may vote by ballot at an annual meeting to eliminate the office of lister.

(2)(A) If a town votes to eliminate the office of lister, the selectboard shall notify the Director of Property Valuation and Review within 14 days and employ or contract a professionally qualified assessor, who, prior to conducting any work, shall meet the training requirements established by the Director under 32 V.S.A. § 4052 and need not be a resident of the town.

(B) The assessor shall have the same powers, discharge the same duties, proceed in the discharge thereof in the same manner, and be subject to the same liabilities as are prescribed for listers or the board of listers under the provisions of Title 32.

(3) A vote to eliminate the office of lister shall remain in effect until rescinded by majority vote of the registered voters present and voting at an annual or special meeting warned for that purpose.

(c) The term of office of any lister in office on the date a town votes to eliminate that office shall expire on the 45th day after the vote or on the date upon which the selectboard employs or contracts an assessor under this subsection, whichever occurs first.

Elected Officials Continued

BOARD OF LISTERS Continued

(d) The authority to vote to eliminate the office of lister as provided in this section shall extend to all towns except those towns that have a charter that specifically provides for the election or appointment of the office of lister.

(e) If an assessor is employed or contracted to assist an elected board of listers, the board of listers shall retain the same powers and duties, discharge those powers and duties in the same manner, and be subject to the same liabilities as those imposed on listers or the board of listers under the provisions of Title 32. (Added 2003, No. 125 (Adj. Sess.), § 1; amended 2013, No. 21, § 4; 2017, No. 130 (Adj. Sess.), § 3; 2023, No. 68, § 9, eff. July 1, 2023.)”

- **32 V.S.A. § 3431 Lister’s oath**

“(a) Each lister shall take and subscribe and file in the town clerk’s office, before entering upon the duties of his or her office, the following oath; and the oath as subscribed shall be recorded in the town clerk’s office:

“I, _____, do solemnly swear (or affirm) that I will appraise all the personal and real property subject to taxation in the town (or city) of _____, so far as required by law, at its fair market value, will list the same without discrimination on a proportionate basis of such value for the grand list of such town (or city), will set the same in the grand list of such town (or city) at one per cent of the listed value and will faithfully discharge all the duties imposed upon me by law. So help me God.” (or, “under the pains and penalties of perjury.”)

(b) When the listers violate such oath, they shall each be guilty of perjury and punished accordingly.”

Other related authority

- **Assistance:**
 - “[W]ith approval of the town selectboard (for release of the funds), may employ assistance as necessary. ... may be in the form of a professional appraiser/assessor who is contracted to complete some or all of the work, a data entry person who does the daily recordings and filing with a professional appraiser being responsible for value updates only, or some other combination.” <https://tax.vermont.gov/sites/tax/files/documents/FS-1149.pdf>
- **Homestead penalty:**
 - “The Select Board determines whether to assess the Homestead penalty in general. They can take a vote to decide whether to apply a penalty or not. For selective or hardship cases when the penalty has not been voted out, the Listers should pass the issue on to the Board of Civil Authority. It is not the Listers’ responsibility to determine who is responsible for paying the Homestead penalty.” <https://tax.vermont.gov/municipal-officials/listers-and-assessors/faqs#roles>

Elected Officials Continued

CEMETERY COMMISSION

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements: **Yes.**

- **17 V.S.A. § 2646. Town officers; qualification; election**

“At the annual meeting, a town shall choose from among its registered voters the following town officers, who shall serve until the next annual meeting and until successors are chosen, unless otherwise provided by law:

“...(14) A cemetery commissioner if the town so votes.”

- **17 V.S.A. § 2647 Incompatible offices**, Addendum “A”, page 57 of this Handbook.

Elected Officials Continued

COLLECTOR OF DELINQUENT TAXES

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements: **Yes.**

- **17 V.S.A. § 2646. Town officers; qualification; election**

At the annual meeting, a town shall choose from among its registered voters the following town officers, who shall serve until the next annual meeting and until successors are chosen, unless otherwise provided by law:

“...(9) A collector of delinquent taxes, if the town so votes, for a term of one year unless a town votes that a collector of delinquent taxes shall be elected for a term of three years. When a town votes for a three-year term for the collector of delinquent taxes, that three-year term shall remain in effect until the town rescinds it by the majority vote of the legal voters present and voting at an annual meeting, duly warned for that purpose.”

- **See also 17 V.S.A. § 2647 Incompatible offices, Addendum “A”, page 57 of this Handbook.**

- **17 V.S.A. § 2651d. Collector of delinquent taxes; appointment; removal**

(a)(1) A municipality may vote at an annual or special municipal meeting to authorize the legislative body to appoint a collector of delinquent taxes, who may be the municipal treasurer.

(2) A collector of delinquent taxes so appointed may be removed by the legislative body for just cause after notice and hearing.

(b) When a municipality votes to authorize the legislative body to appoint a collector of delinquent taxes, the legislative body’s authority to make such appointment shall remain in effect until the municipality rescinds that authority by the majority vote of the registered voters present and voting at an annual or special meeting, duly warned for that purpose.

Elected Officials Continued

SELECTBOARD

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements: **Yes.**

- **17 V.S.A. § 2646 Town officers; qualification; election**

“At the annual meeting, a town shall choose from among its registered voters the following town officers, who shall serve until the next annual meeting and until successors are chosen, unless otherwise provided by law:

“...(4) One selectboard member for a term of three years who shall be elected by ballot.”

- **See also 17 V.S.A. § 2647 Incompatible offices**, Addendum “A”, page 57 of this Handbook.

- **24 V.S.A. § 872 Selectboard; general powers and duties**

“(a) The selectboard 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.

(b) The selectboard shall annually, on or before July 31, acknowledge receipt of and review the document made available by the Auditor of Accounts pursuant to 32 V.S.A. § 163(11) regarding internal financial controls and which has been completed and provided to the selectboard by the treasurer pursuant to section 1571 of this title.

(c) The selectboard may require any other officer or employee of the town who has the authority to receive or disburse town funds to complete and provide to the selectboard a copy of the document made available by the Auditor of Accounts pursuant to 32 V.S.A. § 163(11). The officer or employee shall complete and provide the document to the selectboard within 30 days of the selectboard’s requirement. The selectboard shall acknowledge receipt of and review the completed document within 30 days of receiving it from the officer or employee. (Amended 2011, No. 155 (Adj. Sess.), § 26.)”

- **24 V.S.A. § 963 Duties of selectboard; special meeting**

- (a) When a vacancy occurs in any town office, the selectboard forthwith by appointment in writing shall fill such vacancy until an election is had; except that in the event of vacancies in a majority of the selectboard at the same time, such vacancies shall be filled by a special town meeting called for that purpose.

Elected Officials Continued

SELECTBOARD Continued

- (b) The selectboard shall file an appointment made under this section in the office of the town clerk and the town clerk shall duly record it in the book of town records.
- (c) If there are no selectboard members in office, the Secretary of State shall call a special election to fill any vacancies and for that interim shall appoint and authorize the town clerk or another qualified person to draw orders for payment of continuing obligations and necessary expenses until the vacancies are filled. (Amended 1981, No. 239 (Adj. Sess.), § 28; 1993, No. 115 (Adj. Sess.), § 2, eff. March 30, 1994; 2017, No. 50, § 60.)

Selectboard interaction with town staff:

- The Selectboard has one employee, the Town Manager.
- The Selectboard acts as one voice and no single Selectboard member supervises or directs the fully appointed Town Manager.
 - **“Board members may not act on their own.** Officials who are elected or appointed to serve on a local board have authority to take action only as part of the board. The law provides, “when joint authority is given to three or more, the concurrence of a majority of such number shall be sufficient and shall be required in its exercise.” 1 V.S.A. § 172. This means, unless a board authorizes an individual board member to negotiate a contract or make a public statement about the board’s policy or position, an individual member of the board does not have power to negotiate or speak for the board. *Goslant v. Town of Calais*, 90 Vt. 114 (1916).” Vermont Office Of the Secretary of State, Municipal Law Basics 2014, page 7.

Interference in duties not within Selectboard statutory responsibility:

- **“Selectboard may not regulate how another official performs his/her duties.** The Vermont Supreme Court has long held that, “there is no authority in the selectmen to prescribe the method by which [another elected official] performs his duties, nor any power to prevent his carrying out of his official responsibilities by the imposition by them of arbitrary restrictions.” *Couture v. Selectmen of Berkshire*, 121 Vt. 359 (1960).” Municipal Law Basics 2014, page 4.
 “. . .Insofar as the [selectboard members] interject themselves into duties for which they have no responsibility and for whose performance the petitioner has full responsibility, their actions amount to an arbitrary abuse of their powers as selectmen.” *Couture v. Selectmen of Berkshire*, 121 Vt. 359, 363-64 (1960). Id., page 5.

TOWN MANAGER

Budget: **Yes.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements: **Yes.**

- See also **17 V.S.A. § 2647 Incompatible offices**, Addendum “A”, page 57 of this Handbook.

Elected Officials Continued

SELECTBOARD: TOWN MANAGER Continued

- **24 V.S.A. § 1233 Qualifications; authority of selectboard**

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

- **24 V.S.A. § 1235. General authority**

“Subject to the requirements of this chapter, he or she 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. § 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 and repairs thereon, and all building undertaken by the town, unless otherwise provided for by the selectboard, 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 provided for by the selectboard.

(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.

Elected Officials Continued

SELECTBOARD: TOWN MANAGER Continued

(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.”

Elected Officials Continued

TOWN CLERK

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **Yes.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements: **Yes.**

- **17 V.S.A. § 2646 Town officers; qualification; election**

At the annual meeting, a town shall choose from among its registered voters the following town officers, who shall serve until the next annual meeting and until successors are chosen, unless otherwise provided by law: ...

“(2) A town clerk, unless the town has voted to authorize the selectboard to appoint the town clerk as provided in section 2651e of this chapter. The term of office for a town clerk shall be for one year, unless a town votes that the clerk shall be elected for a term of three years. When a town votes for a three-year term for the office of town clerk, that three-year term shall remain in effect until the town rescinds it by the majority vote of the legal voters present and voting at an annual meeting, duly warned for that purpose. ...”

- **See also 17 V.S.A. § 2647 Incompatible offices**, Addendum “A”, page 57 of this Handbook.
- **17 V.S.A. § 2651e Municipal clerk; appointment; removal**

“(a)(1) A municipality may vote at an annual meeting to authorize the legislative body to appoint the municipal clerk.

(2) A municipal clerk so appointed may be removed by the legislative body for just cause after notice and hearing.

(b) A vote to authorize the legislative body to appoint the municipal clerk shall remain in effect until rescinded by the majority vote of the registered voters present and voting at an annual or special meeting, duly warned for that purpose.

© The term of office of a municipal clerk in office on the date a municipality votes to allow the legislative body to appoint a municipal clerk shall expire 45 calendar days after the vote or on the date upon which the legislative body appoints a municipal clerk under this section, whichever occurs first, unless a petition for reconsideration or rescission is filed in accordance with section 2661 of this title.

(d) The authority to authorize the legislative body to appoint the municipal clerk as provided in this section shall extend to all municipalities except those that have a charter that specifically provides for the election or appointment of the office of municipal clerk. (Added 2017, No. 27, § 2, eff. May 10, 2017; amended 2017, No. 130 (Adj. Sess.), § 5.)”

Elected Officials Continued

TOWN MODERATOR

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: No. Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: No.

Statutory requirements: Yes.

- **17 V.S.A. § 2646 Town officers; qualification; election**

“At the annual meeting, a town shall choose from among its registered voters the following town officers, who shall serve until the next annual meeting and until successors are chosen, unless otherwise provided by law:

(1) A moderator.”

Elected Officials Continued

TOWN TREASURER

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: No. Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: No.

Statutory requirements: Yes.

- **17 V.S.A. § 2646 Town officers; qualification; election**

“At the annual meeting, a town shall choose from among its registered voters the following town officers, who shall serve until the next annual meeting and until successors are chosen, unless otherwise provided by law:

“...(3) A town treasurer, unless the town has voted to authorize the selectboard to appoint the treasurer as provided in section 2651f of this chapter. The term of office of a town treasurer shall be for one year, unless a town votes that a town treasurer shall be elected for a term of three years. When a town votes for a three-year term for the office of town treasurer, that three-year term shall remain in effect until the town rescinds it by the majority vote of the legal voters present and voting at an annual meeting, duly warned for that purpose.”

- **17 V.S.A. § 2651f. Municipal treasurer; appointment; removal**

“(a)(1) A municipality may vote at an annual meeting to authorize the legislative body to appoint the municipal treasurer.

(2) A treasurer so appointed may be removed by the legislative body for just cause after notice and hearing.

(b) A vote to authorize the legislative body to appoint the treasurer shall remain in effect until rescinded by the majority vote of the registered voters present and voting at an annual or special meeting, duly warned for that purpose.

(c) The term of office of a treasurer in office on the date a municipality votes to allow the legislative body to appoint a treasurer shall expire 45 calendar days after the vote or on the date upon which the legislative body appoints a treasurer under this section, whichever occurs first, unless a petition for reconsideration or rescission is filed in accordance with section 2661 of this title.

(d) The authority to authorize the legislative body to appoint the treasurer as provided in this section shall extend to all municipalities except those that have a charter that specifically provides for the election or appointment of the office of municipal treasurer. (Added 2017, No. 27, § 3, eff. May 10, amended 2017; 2017, No. 130 (Adj. Sess.), § 6.)”

Elected Officials Continued

TRUSTEE OF PUBLIC FUNDS

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: No. Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: No.

Statutory requirements: Yes.

- **24 V.S.A. § 2431 Trustees of public funds**

“Real and personal estate, except U.S. public money, held by a town in trust for any purpose, including cemetery trust funds, unless the person giving the same otherwise directs, shall be under the charge and management of three trustees, elected by the town when the town so votes. At the meeting when such trustees are first elected, they shall be elected for the following terms: one for one year, one for two years, and one for three years. Their successors shall be elected for the term of three years, but a person chosen to fill a vacancy caused by death, resignation, or otherwise shall serve only for the remainder of the unexpired term.”

- **17 V.S.A. § 2646. Town officers; qualification; election**

“At the annual meeting, a town shall choose from among its registered voters the following town officers, who shall serve until the next annual meeting and until successors are chosen, unless otherwise provided by law:

“...(12) A trustee of public funds if the town so votes.”

Appointed Standing Committees, Boards, Commissions, Positions

CONSERVATION COMMISSION

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **Yes.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **Yes.**

Pursuant to the powers and duties of conservation commissions enumerated in 24 V.S.A. § 4505, the Norwich Conservation Commission works to preserve the town's natural heritage through planning, promoting, and implementing conservation strategies consistent with approved Town funding and initiatives; make inventories and conduct studies as indicated by statute and including natural heritage components (e.g., vernal pools, wetlands, waterways, wildlife, wildlife corridors, natural communities, intact forest ecosystems, scenic resources), educational and public services (e.g., workshops, seminars, displays). To that end, it will advise and assist the Select Board, Town Manager, Town Planner and other commissions and boards such as Planning Commission, Development Review Board, and others. It will receive and administer conservation grant funding, as allowed by said statute.

Statutory requirements: **Yes.**

- **24 V.S.A. § 4502. Membership; appointment; terms**
“(a) A conservation commission shall have not less than three nor more than nine members. All members shall serve without compensation, but may be reimbursed by the municipality for necessary and reasonable expenses. All members shall be residents of the municipality.
(b) Members of the conservation commission shall be appointed, and any vacancy filled, by the legislative body of the municipality. The term of each member shall be for four years, except for those first appointed, whose terms shall be varied in length so that in the future the number whose terms expire in each successive year shall be minimized.”
- **24 V.S.A. § 4504. Rules**
(a) At its organizational meeting a conservation commission shall adopt by majority vote of those present and voting such rules as it deems necessary and appropriate for the performance of its functions. It shall annually elect a chair, a treasurer, and a clerk.
(b) Times and places of meetings of a conservation commission shall be publicly posted in the municipality, and its meetings shall be open to the public.
(c) A conservation commission shall keep a record of its transactions, which shall be filed with the town clerk as a public record of the municipality.
- **24 V.S.A. § 4505. Powers and duties of conservation commissions**
Any conservation commission created under this chapter may:
(1) make an inventory and conduct continuing studies of the natural resources of the municipality including:

Appointed Standing Committees, Boards, Commissions, Positions Continued

- (A) air, surface and ground waters, and pollution thereof;
 - (B) soils and their capabilities;
 - (C) mineral and other earth resources;
 - (D) streams, lakes, ponds, wetlands, and floodplains;
 - (E) unique or fragile biologic sites;
 - (F) scenic and recreational resources;
 - (G) plant and animal life, especially the rare and endangered species;
 - (H) prime agricultural and forest land, and other open lands;
- (2) make and maintain an inventory of lands within the municipality which have historic, educational, cultural, scientific, architectural, or archaeological values in which the public has an interest;
- (3) recommend to the legislative body of the municipality the purchase or the receipt of gifts of land or rights thereto, or other property, for the purposes of this chapter;
- (4) receive appropriations for operating expenses including clerical help by appropriation through the budget of the legislative body;
- (5) receive money, grants, or private gifts from any source, for the purposes of this chapter. Grants and gifts received by the trustee of public funds shall be carried in a conservation fund from year to year to be expended only for purposes of this chapter;
- (6) receive gifts of land or other property for the purposes of this chapter, by consent of the legislative body or by the affirmative vote of the municipality;
- (7) administer the lands, properties, and other rights which have been acquired by the municipality for the purposes of this chapter;
- (8) assist the local planning commission or zoning board of adjustment or the District Environmental Commission, by providing advisory environmental evaluations where pertinent to applications made to those bodies, for permits for development;
- (9) cooperate with the local legislative body, planning commission, zoning board of adjustment, road committee, or other municipal or private organizations on matters affecting the local environment or the natural resources of the municipality;
- (10) prepare, collect, publish, advertise, and distribute relevant books, maps, and other documents and maintain communication with similar organizations; and encourage through educational activities the public understanding of local natural resources and conservation needs;
- (11) make a brief annual report to the municipality of its finances and transactions for the year just passed, and its plans and prospects for the ensuing year.

Appointed Standing Committees, Boards, Commissions, Positions Continued

CONSERVATION COMMISSION SUBCOMMITTEE:

EMERALD ASH BORER MANAGEMENT SUBCOMMITTEE

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **Yes.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **Yes.**

Under the umbrella of the Conservation Commission statutory duties, it is the charge of the Emerald Ash Borer (“EAB”) Management Subcommittee to advise the Conservation Commission, Selectboard and Town Manager about EAB. Propose an EAB Management Plan. Advise acquisition requirements and use of management funding. Assist the town with evaluating the progress of management. Inventory public lands and roadside ash. Work with helpful state agencies (e.g. Urban & Community Forest Program). Take a lead in community outreach and education about EAB.

Statutory requirements:

- See generally Conservation Commission requirements; and,
- See also applicable Tree Warden statutes, here:
<https://vtcommunityforestry.org/sites/default/files/2022-10/tree-warden-and-tree-statutes.pdf>

Appointed Standing Committees, Boards, Commissions, Positions Continued

CONSERVATION COMMISSION SUBCOMMITTEE:

MILTON FRYE NATURE AREA SUBCOMMITTEE:

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: No. Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: Yes.

Under the umbrella of the Conservation Commission statutory duties, it is the charge of the Milton Frye Nature Area ("MFNA") Subcommittee to monitor the condition and ecological integrity of Nature Area features, and advise the Conservation Commission and Town Manager of management recommendations as outlined in the Management Plan. In conjunction with Town Manager approval, implement and/or facilitate management when needed. In conjunction with the Town Manager, interact with the easement holder (ULVT) regarding adherence to the Management Plan. Work with Recreation Director and Marion Cross School regarding their activities in the Nature Area.

Statutory requirements: No.

Appointed Standing Committees, Boards, Commissions, Positions Continued

CONSERVATION COMMISSION SUBCOMMITTEE:

TRAILS SUBCOMMITTEE

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: No. Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: Yes.

Under the umbrella of the Conservation Commission statutory duties, and in conjunction with Town Manager approval as necessary, it is the charge of the Trails Subcommittee to maintain and repair town trails and public-access trails on private land, with landowner permission recorded to the satisfaction of the Town Manager. To that end, the Trails Subcommittee will clear existing trails of fallen trees and other natural obstructions, using the Town's Financial Policies to request any necessary funds. With Conservation Commission funds, the Trails Subcommittee will update and publish trail maps and signage, to be posted as allowed by law or recorded landowner agreement. As needed, the Trails Subcommittee will advise the Conservation Commission of the need to consider and implement beneficial trail reroutes as needed, and will coordinate and oversee work of trail volunteers for approved trail work.

Statutory requirements: No.

Appointed Standing Committees, Boards, Commissions, Positions Continued

DEVELOPMENT REVIEW BOARD

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: No. Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: No.

Statutory requirements: Yes.

- **24 V.S.A. § 4460 Appropriate municipal panels**

(a) If a municipality establishes a development review board and appoints members to that board, the development review board in that municipality, until its existence is terminated by act of the legislative body, shall exercise all of the functions otherwise exercised under this chapter by the board of adjustment. It also shall exercise the specified development review functions otherwise exercised under this chapter by the planning commission. In municipalities that have created development review boards, the planning commission shall continue to exercise its planning and bylaw development functions and other duties established under this chapter. In situations where this chapter refers to functions that may be performed by a development review board or a planning commission or functions that may be performed by a development review board or a board of adjustment, it is intended that the function in question shall be performed by the development review board if one exists and by the other specified body if a development review board does not exist.

(b) The board of adjustment or the development review board for a rural town or an urban municipality may consist of the members of the planning commission of that town or may include one or more members of the planning commission. The board of adjustment for a rural town or an urban municipality shall consist of not fewer than three nor more than nine persons, as the legislative body of the municipality determines, appointed by the legislative body of the municipality promptly after the first adoption of a bylaw by the municipality. If the legislative body of a municipality creates a development review board to perform all development review functions under this chapter, that board shall consist of not fewer than five nor more than nine persons, as the legislative body of the municipality determines, appointed by the legislative body of the municipality. **A municipality may not have a board of adjustment and a development review board at the same time.** Upon creation of a development review board, the existence of any board of adjustment shall terminate.

(c) In the case of an urban municipality or of a rural town where the planning commission does not serve as the board of adjustment or the development review board, members of the board of adjustment or the development review board shall be appointed by the legislative body, the number and terms of office of which shall be determined by the legislative body subject to the provisions of subsection (b) of this section. The municipal legislative body may appoint alternates to a planning commission, a board of adjustment, or a development review board for a term to be determined by the legislative body. Alternates may be assigned by the legislative body to serve on the planning commission, the board of adjustment, or the development review board in situations when one or more members of the board are disqualified or are otherwise unable to serve. Vacancies shall be filled by the legislative body for the unexpired terms and upon the expiration of such terms. Each member of a board of adjustment or a

Appointed Standing Committees, Boards, Commissions, Positions Continued

development review board may be removed for cause by the legislative body upon written charges and after public hearing. If a development review board is created, provisions of this subsection regarding removal of members of the board of adjustment shall not apply.

(d) A joint board of adjustment or development review board may be created upon the act of each legislative body of those municipalities having joint planning commissions as provided in section 4327 of this title. The joint board of adjustment or development review board for these participating municipalities shall consist of persons who would have been the members of the board of adjustment or development review board of each of those municipalities. Joint entities created under this subsection may include a board of adjustment and a development review board, if those different entities exist in the participating municipalities.

(e) The following review functions shall be performed by the appropriate municipal panel authorized by a municipality as specified in the municipal bylaws and in accordance with this chapter, whether a zoning board of adjustment, planning commission, or development review board. Unless the matter is an appeal from the decision of the administrative officer, the matter shall come before the panel by referral from the administrative officer. Any such referral decision shall be appealable as a decision of the administrative officer.

(1) review of right-of-way or easement for land development without frontage as authorized in subdivision 4412(3) of this title;

(2) review of land development or use within an historic district or with respect to historic landmarks as authorized in subdivision 4414(1)(F) of this title;

(3) review of land development or use within a design control district as authorized in subdivision 4414(1)(E) of this title;

(4) review of proposed conditional uses as authorized in subdivision 4414(3) of this title;

(5) review of planned unit developments as authorized in section 4417 of this title;

(6) review of requests for waivers as authorized in subdivision 4414(9) of this title;

(7) site plan review as authorized in section 4416 of this title;

(8) review of proposed subdivisions as authorized in section 4418 of this title;

(9) review of wireless telecommunications facilities as authorized in subdivision 4414(12) of this title;

(10) appeals from a decision of the administrative officer pursuant to section 4465 of this title;

(11) review of requests for variances pursuant to section 4469 of this title;

(12) any other reviews required by the bylaws.

(f) Notwithstanding subsections (b) and (c) of this section, a municipality may vote at an annual or special meeting to change the number of members that may be appointed to a board of adjustment or development review board.

(1) The proposal to change the number of members serving on a board may be brought by the legislative body or by petition of five percent of the voters of the municipality.

(2) If the number of members on a board is reduced, the members with the nearest expiration of their term of office shall serve until the expiration of that term and then the office shall terminate.

(Added 2003, No. 115 (Adj. Sess.), § 103; amended 2013, No. 162 (Adj. Sess.), § 9; 2021, No. 157 (Adj. Sess.), § 5, eff. July 1, 2022.)

• **24 V.S.A. § 4461 Development review procedures**

- (a) Meetings. An appropriate municipal panel shall elect its own officers and adopt rules of procedure, subject to this section and other applicable State statutes, and shall adopt rules of ethics with respect to

conflicts of interest. Meetings of any appropriate municipal panel shall be held at the call of the chairperson and at such times as the panel may determine. The officers of the panel may administer oaths and compel the attendance of witnesses and the production of material germane to any issue under review. All meetings of the panel, except for deliberative and executive sessions, shall be open to the public. The panel shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating this, and shall keep records of its examinations and other official actions, all of which shall be filed immediately in the office of the clerk of the municipality as a public record. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of the members of the panel, and any action of the panel shall be taken by the concurrence of a majority of the panel.

(b) Information gathering and record of participation by interested persons. An appropriate municipal panel in connection with any proceeding under this chapter may examine or cause to be examined any property, maps, books, or records bearing upon the matters concerned in that proceeding, may require the attendance of any person having knowledge in the premises, may take testimony and require proof material for its information, and may administer oaths or take acknowledgment in respect of those matters. Any of the powers granted to an appropriate municipal panel by this subsection may be delegated by it to a specifically authorized agent or representative, except in situations where the Municipal Administrative Procedure Act applies. In any hearing, there shall be an opportunity for each person wishing to achieve status as an interested person under subsection 4465(b) of this title to demonstrate that the criteria set forth in that subsection are met, and the panel shall keep a written record of the name, address, and participation of each of these persons.

(c) Expenditures for service. An appropriate municipal panel may employ or contract for secretaries, clerks, legal counsel, consultants, and other technical and clerical services. All members of an appropriate municipal panel may be compensated for the performance of their duties and may be reimbursed by their municipality for necessary and reasonable expenses. (Added 2003, No. 115 (Adj. Sess.), § 104.)

- **24 V.S.A. § 4462 Combined review**

If more than one type of review is required for a project, the reviews, to the extent feasible, shall be conducted concurrently. A process defining the sequence of review and issuance of decisions shall be defined in the bylaw. (Added 2003, No. 115 (Adj. Sess.), § 104.)

- **24 V.S.A. § 4463 Subdivision review**

(a) Approval of plats. Before a plat for a major subdivision is approved, a public hearing on the plat shall be held by the appropriate municipal panel after public notice. A bylaw may provide for the administrative officer to approve minor subdivisions. A copy of the notice shall be sent to the clerk of an adjacent municipality, in the case of a plat located within 500 feet of a municipal boundary, at least 15 days prior to the public hearing.

(b) Plat; record. The approval of the appropriate municipal panel or administrative officer, if the bylaws provide for their approval of minor subdivisions, shall expire 180 days from that approval or certification unless, within that 180-day period, that plat shall have been duly filed or recorded in the office of the clerk of the municipality. After an approved plat or certification by the clerk is filed, no expiration of that approval or certification shall be applicable.

(1) The bylaw may allow the administrative officer to extend the date for filing the plat by an additional 90 days if final local or State permits or approvals are still pending.

(2) No plat showing a new street or highway may be filed or recorded in the office of the clerk of the municipality until it has been approved by the appropriate municipal panel, or administrative officer if allowed under the bylaws, pursuant to subsection (a) of this section, and that approval is endorsed in writing on the plat, or the certificate of the clerk of the municipality showing the failure of the appropriate municipal panel to take action within the 45-day period is attached to the plat and filed or recorded with the plat. After that filing or recording, the plat shall be a part of the official map of the municipality.

(c) Acceptance of streets; improvements. Every street or highway shown on a plat filed or recorded as provided in this chapter shall be deemed to be a private street or highway until it has been formally accepted by the municipality as a public street or highway by ordinance or resolution of the legislative body of the municipality. No public municipal street, utility, or improvement may be constructed by the municipality in or on any street or highway until it has become a public street or highway as provided in this section. The legislative body shall have authority after a public hearing on the subject to name and rename all public streets and to number and renumber lots so as to provide for existing as well as future structures.

(d) Beginning October 1, 2010, any application for an approval and any approval issued under this section shall include a statement, in content and form approved by the Secretary of Natural Resources, that State permits may be required and that the permittee should contact State agencies to determine what permits must be obtained before any construction may commence.

(e) Whenever a proposed subdivision is adjacent to a State highway, the application for subdivision approval shall include a letter from the Agency of Transportation confirming that the Agency has reviewed the proposed subdivision and determined whether a permit is required under 19 V.S.A. § 1111. If the Agency determines that a permit for the proposed subdivision is required under 19 V.S.A. § 1111, then the letter from the Agency shall set out any conditions that the Agency proposes to attach to the permit required under 19 V.S.A. § 1111. (Added 2003, No. 115 (Adj. Sess.), § 104; amended 2009, No. 146 (Adj. Sess.), § F28; 2021, No. 55, § 37; 2023, No. 47, § 7, eff. July 1, 2023.)

- **24 V.S.A. § 4464 Hearing and notice requirements; decisions and conditions; administrative review; role of advisory commissions in development review**

(a) Notice procedures. All development review applications before an appropriate municipal panel under procedures set forth in this chapter shall require notice as follows.

(1) A warned public hearing shall be required for conditional use review, variances, administrative officer appeals, and final plat review for subdivisions. Any public notice for a warned public hearing shall be given not less than 15 days prior to the date of the public hearing by all the following:

(A) Publication of the date, place, and purpose of the hearing in a newspaper of general circulation in the municipality affected.

(B) Posting of the same information in three or more public places within the municipality in conformance with location requirements of 1 V.S.A. § 312(c)(2), including posting within view from the public right-of-way most nearly adjacent to the property for which an application is made.

(C) Written notification to the applicant and to owners of all properties adjoining the property subject to development, including the owners of properties which would be contiguous to the property subject to development but for the interposition of a highway or other public

Appointed Standing Committees, Boards, Commissions, Positions Continued

DEVELOPMENT REVIEW BOARD Continued

right-of-way and, in any situation in which a variance is sought regarding setbacks from a State highway, also including written notification to the Secretary of Transportation. The notification shall include a description of the proposed project and shall be accompanied by information that clearly informs the recipient where additional information may be obtained, and that participation in the local proceeding is a prerequisite to the right to take any subsequent appeal.

(2) Public notice for hearings on all other types of development review, including site plan review, shall be given not less than seven days prior to the date of the public hearing, and shall include at a minimum all the following:

(A) Posting of the date, place, and purpose of the hearing in three or more public places within the municipality in conformance with the time and location requirements of 1 V.S.A. § 312(c)(2).

(B) Written notification to the applicant and to the owners of all properties adjoining the property subject to development, including the owners of properties which would be contiguous to the property subject to development but for the interposition of a highway or other public right-of-way and, in any situation in which a variance is sought regarding setbacks from a State highway, also including written notification to the Secretary of Transportation. The notification shall include a description of the proposed project and shall be accompanied by information that clearly informs the recipient where additional information may be obtained, and that participation in the local proceeding is a prerequisite to the right to take any subsequent appeal.

(3) The applicant may be required to bear the cost of the public warning and the cost and responsibility of notification of adjoining landowners. The applicant may be required to demonstrate proof of delivery to adjoining landowners either by certified mail, return receipt requested, or by written notice hand delivered or mailed to the last known address supported by a sworn certificate of service.

(4) The bylaw may also require public notice through other effective means such as a notice board on a municipal website.

(5) No defect in the form or substance of any requirements in subdivision (1) or (2) of this subsection shall invalidate the action of the appropriate municipal panel where reasonable efforts are made to provide adequate posting and notice. However, the action shall be invalid when the defective posting or notice was materially misleading in content. If an action is ruled to be invalid by the Environmental Division or by the applicable municipal panel itself, the action shall be remanded to the applicable municipal panel to provide new posting and notice, hold a new hearing, and take a new action.

(b) Decisions.

(1) The appropriate municipal panel may recess the proceedings on any application pending submission of additional information. The panel should close the evidence promptly after all parties have submitted the requested information. The panel shall adjourn the hearing and issue a decision within 45 days after the adjournment of the hearing, and failure of the panel to issue a decision within this period shall be deemed approval and shall be effective on the 46th day. Decisions shall be issued in writing and shall include a statement of the factual bases on which the appropriate municipal panel has made its conclusions and a statement of the conclusions. The minutes of the meeting may suffice, provided the factual bases and conclusions relating to the review standards are provided in conformance with this subsection.

(2) In rendering a decision in favor of the applicant, the panel may attach additional reasonable conditions and safeguards as it deems necessary to implement the purposes of this chapter and the pertinent bylaws and the municipal plan then in effect. A bylaw may provide for the conditioning of permit issuance on the submission of a bond, escrow account, or other surety in a form acceptable to the legislative body of the municipality to assure one or more of the following: the completion of the project, adequate stabilization, or protection of public facilities that may be affected by a project.

(3) Any decision shall be sent by certified mail within the period set forth in subdivision (1) of this subsection to the applicant and the appellant in matters on appeal. Copies of the decision shall also be mailed to every person or body appearing and having been heard at the hearing and a copy of the decision shall be filed with the administrative officer and the clerk of the municipality as a part of the public records of the municipality.

(4) Conditions may require that no zoning permit, except for any permits that may be required for infrastructure construction, may be issued for an approved development unless the streets and other required public improvements have been satisfactorily installed in accordance with the approval decision and pertinent bylaws. In lieu of the completion of the required public improvements, the appropriate municipal panel may require from the owner for the benefit of the municipality a performance bond issued either by a bonding or surety company approved by the legislative body or by the owner with security acceptable to the legislative body in an amount sufficient to cover the full cost of those new streets and required improvements on or in those streets or highways and their maintenance for a period of two years after completion as is estimated by the appropriate municipal panel or such municipal departments or officials as the panel may designate. This bond or other security shall provide for, and secure to the public, the completion of any improvements that may be required within the period fixed in the subdivision bylaws for that completion and for the maintenance of those improvements for a period of two years after completion.

(5) The legislative body may enter into an agreement governing any combination of the timing, financing, and coordination of private or public facilities and improvements in accordance with the terms and conditions of a municipal land use permit, provided that agreement is in compliance with all applicable bylaws in effect.

(6) The performance bond required by this subsection shall run for a term to be fixed by the appropriate municipal panel, but in no case for a longer term than three years. However, with the consent of the owner, the term of that bond may be extended for an additional period not to exceed three years. If any required improvements have not been installed or maintained as provided within the term of the performance bond, the bond shall be forfeited to the municipality and upon receipt of the proceeds of the bond, the municipality shall install or maintain such improvements as are covered by the performance bond.

(7)(A) A decision rendered by the appropriate municipal panel for a housing development or the housing portion of a mixed-use development shall not:

- (i) require a larger lot size than the minimum as determined in the municipal bylaws;
- (ii) require more parking spaces than the minimum as determined in the municipal bylaws and in section 4414 of this title;
- (iii) limit the building size to less than that allowed in the municipal bylaws, including reducing the building footprint or height;
- (iv) limit the density of dwelling units to below that allowed in the municipal bylaws; and
- (v) otherwise disallow a development to abide by the minimum or maximum applicable municipal standards.

Appointed Standing Committees, Boards, Commissions, Positions Continued

DEVELOPMENT REVIEW BOARD Continued

(B) However, a decision may require adjustments to the applicable municipal standards listed in subdivision (A) of this subdivision (7) if the panel or officer issues a written finding stating:

(i) why the modification is necessary to comply with a prerequisite State or federal permit, municipal permit, or a nondiscretionary standard in a bylaw or ordinance, including requirements related to wetlands, setbacks, and flood hazard areas and river corridors; and

(ii) how the identified restrictions do not result in an unequal treatment of housing or an unreasonable exclusion of housing development otherwise allowed by the bylaws.

(b) Administrative review. In addition to the delegation of powers authorized under this chapter, any bylaws adopted under this chapter may establish procedures under which the administrative officer may review and approve new development and amendments to previously approved development that would otherwise require review by an appropriate municipal panel. If administrative review is authorized, the bylaws shall clearly specify the thresholds and conditions under which the administrative officer classifies an application as eligible for administrative review. The thresholds and conditions shall be structured such that no new development shall be approved that results in a substantial impact under any of the standards set forth in the bylaws. No amendment issued as an administrative review shall have the effect of substantively altering any of the findings of fact of the most recent approval. Any decision by an administrative officer under this subsection may be appealed as provided in section 4465 of this title.

(d) Role of advisory commissions in development review. An advisory commission that has been established through section 4433 or chapter 118 of this title and that has been granted authority under the bylaws, by ordinance, or by resolution of the legislative body to advise the appropriate municipal panel or panels, applicants, and interested parties should perform the advisory function in the following manner:

(1) The administrative officer shall provide a copy or copies of applications subject to review by the advisory commission and all supporting information to the advisory commission upon determination that the application is complete.

(2) The advisory commission may review the application and prepare recommendations on each of the review standards within the commission's purview for consideration by the appropriate municipal panel at the public hearing on the application. The commission or individual members of the commission may meet with the applicant, interested parties, or both, conduct site visits, and perform other fact-finding that will enable the preparation of recommendations.

(3) Meetings by the advisory commission on the application shall comply with the Open Meeting Law, 1 V.S.A. chapter 5, subchapter 2, and the requirements of the commission's rules of procedure, but shall not be conducted as public hearings before a quasi-judicial body.

(4) The advisory commission's recommendations may be presented in writing at or before the public hearing of the appropriate municipal panel on the application, or may be presented orally at the public hearing.

(5) If the advisory commission finds that an application fails to comply with one or more of the review standards, it shall make every effort to inform the applicant of the negative recommendations before the public hearing, giving the applicant an opportunity to withdraw the application or otherwise prepare a response to the advisory committee's recommendations at the public hearing. Advisory commissions may also suggest remedies to correct the deficiencies that resulted in the negative recommendations. (Added 2003, No. 115 (Adj. Sess.), § 104; amended 2007, No. 75, § 29; 2009, No. 154 (Adj. Sess.), § 236; 2023, No. 47, § 10, eff. July 1, 2023.)

Appointed Standing Committees, Boards, Commissions, Positions Continued

ENERGY COMMITTEE

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **Yes.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **Yes.**

Norwich Energy Committee Charge: The Norwich Energy Committee advises the Planning Commission on energy-related matters that pertain to the Town Plan and the Selectboard and Town Manager on energy-related matters that affect Town policy.

The Committee identifies opportunities and makes recommendations to the appropriate Town officials and committees-regarding energy conservation and efficiency, nonfossil energy sources and pollution reduction that address the environmental and fiscal benefits to the Town's government, residents and businesses. The Committee educates the citizens and property owners of the Town about energy conservation, alternative energy sources and other energy sustainability measures, and increase public awareness of energy issues and builds public support for energy efficiency and sustainable energy policies. It devises and implements programs in support of those measures with the assistance of other volunteers.

Statutory requirements: **No.**

Note: The 6/27/2018 SB minutes approved an Energy Comm. charge submitted with edits for that meeting. It includes

- *Membership: "at least five members...Norwich residents or property owners"*
- *Programs: "may ...obtain grant money and donations in support of its programs..."*

Appointed Standing Committees, Boards, Commissions, Positions Continued

FIRE WARDEN

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements:

- **10 V.S.A. § 2641 Town forest fire wardens; appointment and removal**

“(a) Upon approval by the selectboard and acceptance by the appointee, the Commissioner shall appoint a town forest fire warden for a term of five years or until a successor is appointed. A town forest fire warden may be reappointed for successive five-year terms by the Commissioner or until a successor is approved by the selectboard and appointed by the Commissioner. The warden may be removed for cause at any time by the Commissioner with the approval of the selectboard. A warden shall comply with training requirements established by the Commissioner.

(b) The Commissioner may appoint a forest fire warden for an unorganized town or gore, who shall serve for a term of five years or until a successor is appointed. An appointed forest fire warden for an unorganized town or gore may be reappointed for successive five-year terms by the Commissioner until the Commissioner appoints and the unorganized town or gore approves a successor. The warden may be removed for cause at any time by the Commissioner with the approval of the unorganized town or gore. The forest fire warden of an unorganized town or gore shall have the same powers and duties as town forest fire wardens and shall be subject to the requirements of this subchapter.

(c) When there are woodlands within the limits of a city, the chief of the fire department of such city shall act as the city forest fire warden with all the powers and duties of town forest fire wardens.

(d) When the Commissioner deems it difficult in any municipality for one warden to take charge of protecting the entire municipality from forest fires, he or she may appoint one or more deputy forest fire wardens. Such wardens under the direction of the fire warden shall have the same powers, duties, and pay and make the same reports through the fire warden to the Commissioner as forest fire wardens.

(e) The Commissioner may appoint special forest fire wardens who shall hold office during the pleasure of the Commissioner. Such fire wardens shall have the same powers and duties throughout the State as town forest fire wardens, except that all expenses and charges incurred on account of their official acts shall be paid from the appropriations for the Department. (Added 1977, No. 253 (Adj. Sess.), § 1; amended 1987, No. 107, § 1; 2015, No. 171 (Adj. Sess.), § 11.)”

- **10 V.S.A. § 2644 Duties and powers of fire warden**

“(a) When a forest fire or fire threatening a forest is discovered in his or her town, the town forest fire warden shall enter upon any premises and take measures for its prompt control, suppression, and extinguishment. The town forest fire warden may call upon any person for assistance. The town forest fire warden may choose to share or delegate command authority to a chief engineer of a responding fire department or, in the chief’s absence, the highest ranking assistant firefighter present during the fire.

Appointed Standing Committees, Boards, Commissions, Positions Continued

FIRE WARDEN Continued

(b) A town forest fire warden shall keep a record of his or her acts, the number of fires and causes, the areas burned over, and the character and amount of damages done in the warden's jurisdiction. Within two weeks after the extinguishment of a fire, the town forest fire warden shall report the fire to the Commissioner, but the making of a report under this subsection shall not be a charge against the town. ..."

Appointed Standing Committees, Boards, Commissions, Positions Continued

FINANCE COMMITTEE

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **Yes.**

Finance Committee Charge:

As requested by the Norwich Town Selectboard the Finance Committee is authorized to advise on the creation of annual budgets for the Town of Norwich, Norwich School District and, together with the Hanover Finance Committee, on the Dresden School District budget. Provides research into financial matters related to the budget as requested by the Norwich Town Selectboard and renders non-binding advisory recommendations for action or non-action by the Norwich Town Selectboard.

Statutory requirements: **No.**

Appointed Standing Committees, Boards, Commissions, Positions Continued

HISTORIC PRESERVATION COMMISSION

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **Yes.**

Regulatory requirements: **Yes.**

Norwich Historic Preservation Commission Charge: The Norwich Historic Preservation Commission (NHPC) is a municipal commission that seeks to raise appreciation of the Town's historic landscapes, sites, structures, and people from all cultures. The NHPC champions the preservation and restoration of their places, which are essential to our community's character and sense of place.

- Although there are no statutory requirements, the NHPC considers the following necessary expertise must be met for it to continue to serve as a certified local government. The NHPC had its last review with the State of Vermont in 2024 and was found to be in compliance:
 - All members of the Norwich Historic Preservation Commission shall have a demonstrated interest, competence, or knowledge in historic preservation; of special interest are professionals from the disciplines of history, archaeology, architectural history, architecture, and historical architecture, and related disciplines such as urban planning, American Studies, American civilization, cultural geography, or cultural anthropology, and lay members are encouraged.
- The NHPC believes that:
 - Norwich's iconic village center is the focal point for its rural character and scenic resources. Our town center reflects 250 years of town settlement and features surviving evidence of our native Abenaki presence important to understanding the depth of culture in our town, as well as distinctive homes, public buildings, places of worship and commercial buildings.
 - Long-time residents have protected these qualities while more recent residents have chosen to live in Norwich, in part, because of its sense of place and character. These qualities contribute to Norwich's vigorous town center and strong property values.
 - Good stewardship supports our local and regional economy through the use of local products and services in maintaining historic properties.
 - Using and re-using historic buildings with appropriate retrofitting saves energy and contributes to sustainability.
 - Preserving historic structures is a natural complement to land conservation and essential to protecting our rural character.

Regulatory Requirements:

- 54 U.S.C. 300101 et seq.
 - "It is the policy of the Federal Government, in cooperation with other nations and in partnership with States, local governments, Indian tribes, Native Hawaiian organizations, and private organizations and individuals, to—

Appointed Standing Committees, Boards, Commissions, Positions Continued
HISTORIC PRESERVATION COMMISSION Continued

- (1) use measures, including financial and technical assistance, to foster conditions under which our modern society and our historic property can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations;
- (2) provide leadership in the preservation of the historic property of the United States and of the international community of nations and in the administration of the national preservation program;
- (3) administer federally owned, administered, or controlled historic property in a spirit of stewardship for the inspiration and benefit of present and future generations;
- (4) contribute to the preservation of nonfederally owned historic property and give maximum encouragement to organizations and individuals undertaking preservation by private means;
- (5) encourage the public and private preservation and utilization of all usable elements of the Nation's historic built environment; and
- (6) assist State and local governments, Indian tribes and Native Hawaiian organizations, and the National Trust to expand and accelerate their historic preservation programs and activities."

- **See also:** "Regulations for the Vermont Certified Local Government Program as approved by the National Park Service in 2001, and incorporated into the Vermont Historic Preservation Act Rules as Rule 3, **here:** https://outside.vermont.gov/agency/ACCD/ACCD_Web_Docs/HP/HP-Grants/CLG_Grants/Rule_3_Regulations_for_VT_CLG_Program.pdf?_gl=1*1xeugch*_ga*MTMxNTU3MDEyOS4xNzE1Nzk2Nzcz*_ga_V9WQH77KLW*MTcyOTE2Nzg2Ny4xMy4xLjE3MjkxNjc4NjUuMC4wLjA.

Appointed Standing Committees, Boards, Commissions, Positions Continued

LAND MANAGEMENT COUNCIL

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **Yes.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **Yes.**

Statutory requirements: **No.**

Norwich Land Management Council Charge: “The charge of the Management Council shall be to develop and administer a plan for the recreational and educational uses of the land as well as the necessary maintenance and management of the land....” See: Amended Restate Land Management Council Agreement dated June 2001.

Explanatory Notes:

- The Land Management Council is included in this Handbook because the Selectboard appoints two members of the three-member Land Management Council [“LMC”]. The LMC function is to administer the “public use of the land” as referred to in an agreement between the Town of Norwich Selectboard and the Norwich Fire District, “Amended and Restated Charles Brown Brook Watershed Land Management Agreement,” dated June 21, 2001.
 - Of the three LMC members, two members are appointed by the Selectboard, “one of whom must reside in the Fire District, and one appointment by the Prudential Committee.” See the aforementioned “Amended and Restated Charles Brown Brook Watershed Land Management Agreement,” dated June 21, 2001, page 1 “Agreement.”
- A Fire District is a statutorily-allowed municipal entity, which may be established by a selectboard, with specific and limited powers which can include:
 - “It may vote a tax upon the taxable estate for the protection of property in the district from damage by fire; for the acquisition, construction, and maintenance of sewers and sewage treatment works; sidewalks; public parks; water works, water companies, and equipment and real estate used in connection therewith, including reservoirs and dams; for lighting; and for other lawful purposes.” See 20 V.S.A. § 2601
- For more information about Fire Districts, see Vermont Statutes Annotated, Title 20: Internal Security and Public Safety, Chapter 171: Fire Districts.

Appointed Standing Committees, Boards, Commissions, Positions Continued

PLANNING COMMISSION

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **Yes.**

Norwich Planning Commission Charge: With regard to long-term planning, the Planning Commission prepares the town plan for adoption by the Selectboard. Implements the town plan through zoning and subdivision regulations based on the recommendations in the town plan. Staff support provided by the Town Planner.

Statutory requirements: **Yes.**

- **24 V.S.A. § 4325. Powers and duties of planning commissions**

“Any planning commission created under this chapter may:

(1) Prepare a plan and amendments thereof for consideration by the legislative body and to review any amendments thereof initiated by others as set forth in subchapter 5 of this chapter.

(2) Prepare and present to the legislative body proposed bylaws and make recommendations to the legislative body on proposed amendments to such bylaws as set forth in subchapter 6 of this chapter.

(3) Administer bylaws adopted under this chapter, except to the extent that those functions are performed by a development review board.

(4) Undertake capacity studies and make recommendations on matters of land development, urban renewal, transportation, economic and social development, urban beautification and design improvements, historic and scenic preservation, the conservation of energy and the development of renewable energy resources, and wetland protection. Data gathered by the planning commission that is relevant to the geographic information system established under 3 V.S.A. § 20 shall be compatible with, useful to, and shared with that system.

(5) Prepare and present to the legislative body recommended building, plumbing, fire, electrical, housing, and related codes and enforcement procedures, and construction specifications for streets and related public improvements.

(6) Prepare and present a recommended capital budget and program for a period of five years, as set forth in section 4440 of this title, for action by the legislative body, as set forth under section 4443 of this title.

(7) Hold public meetings.

(8) Require from other departments and agencies of the municipality such available information as relates to the work of the planning commission.

(9) In the performance of its functions, enter upon land to make examinations and surveys.

(10) Participate in a regional planning program.

(11) Retain staff and consultant assistance in carrying out its duties and powers.

(12) Undertake comprehensive planning, including related preliminary planning and engineering studies.

Appointed Standing Committees, Boards, Commissions, Positions Continued

(13) Perform such other acts or functions as it may deem necessary or appropriate to fulfill the duties and obligations imposed by, and the intent and purposes of, this chapter. (Added 1967, No. 334 (Adj. Sess.), § 1, eff. March 23, 1968; amended 1979, No. 174 (Adj. Sess.), § 4; 1985, No. 188 (Adj. Sess.), § 7; 1987, No. 200 (Adj. Sess.), § 18, eff. July 1, 1989; 1993, No. 232 (Adj. Sess.), § 45, eff. March 15, 1995; 2003, No. 115 (Adj. Sess.), § 85.):

Appointed Standing Committees, Boards, Commissions, Positions Continued

Planning Commission Subcommittee:

Affordable Housing Subcommittee

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **Required.**

Norwich Planning Commission, Affordable Housing Subcommittee Charge:

Under the umbrella of the Planning Commission's statutory duties, it is the charge of the Affordable Housing Subcommittee to provide recommendations and guidance to, and work with, the Planning Commission, Town Planner, Selectboard, and Town Manager on issues related to affordable housing in Norwich.

Charge approved by the Planning Commission August 12, 2025.

Statutory requirements: **No.**

Appointed Standing Committees, Boards, Commissions, Positions Continued

Planning Commission Subcommittee:

Solar Siting Subcommittee

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **Yes.**

Norwich Planning Commission, Solar Siting Subcommittee Charge: Under the umbrella of the Planning Commission's statutory duties, this subcommittee will work to:

- Ensure that the Town Plan provides clear, accurate guidance regarding the development of solar energy projects in the Town of Norwich. Guided by the laws of the State of Vermont, bearing in mind the town's character, topography, location of critical utilities, and desires of all of its residents, the Solar Siting Subcommittee will define in the Town Plan clear criteria for any solar project requiring Public Utility Commission (Section 248 Process) review.
- The Solar Siting Subcommittee will engage with other town groups such as the Energy Committee, the Conservation Committee, and will continue to welcome input during its meetings to hear feedback from members of the public.
- The Solar Siting Subcommittee will provide input to the efforts of the Planning Commission to develop an Enhanced Energy Plan for the Town of Norwich.

Charge approved by the Planning Commission August 12, 2025.

Statutory requirements: See Planning Commission in general.

Appointed Standing Committees, Boards, Commissions, Positions Continued

RECREATION COUNCIL

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **Yes.**

Statutory requirements: **No.**

Norwich Recreation Council Charge: The Norwich Recreation Council meets monthly to advise and aide the Recreation Director; help with seasonal in-person registrations, special community events, occasional special projects, and offering suggestions for recruiting volunteer team coaches.

Appointed Standing Committees, Boards, Commissions, Positions Continued

SOLID WASTE COMMITTEE

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **Yes.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **Yes.**

Statutory requirements: **Yes.**

Norwich Solid Waste Committee Charge: The Solid Waste Committee assists with implementation and maintenance of a solid waste disposal plan in conjunction with the Town Manager, Director of Public Works, and Selectboard. Investigates current practices at the Transfer Station with an emphasis on reducing the volume of material sent to the landfill and research alternatives to current practices. Will review the current fee schedule and make recommendations to the Selectboard and Town Manager for changes to that fee schedule.

- **10 V.S.A. § 6621a Landfill disposal requirements**

(a) In accordance with the following schedule, no person shall knowingly dispose of the following materials in solid waste or in landfills:

- (1) Lead-acid batteries, after July 1, 1990.
- (2) Waste oil, after July 1, 1990.
- (3) White goods, after January 1, 1991. "White goods" include discarded refrigerators, washing machines, clothes dryers, ranges, water heaters, dishwashers, and freezers. Other similar domestic and commercial large appliances may be added, as identified by rule of the Secretary.
- (4) Tires, after January 1, 1992.
- (5) Paint (whether water based or oil based), paint thinner, paint remover, stains, and varnishes. This prohibition shall not apply to solidified water-based paint in quantities of less than one gallon, nor shall this prohibition apply to solidified water-based paint in quantities greater than one gallon if those larger quantities are from a waste stream that has been subject to an effective paint reuse program, as determined by the Secretary.
- (6) Nickel-cadmium batteries, small sealed lead acid batteries, nonconsumer mercuric oxide batteries, and any other battery added by the Secretary by rule.
- (7)(A) Labeled mercury-added products on or before July 1, 2007.
- (B) Mercury-added products, as defined in chapter 164 of this title, after July 1, 2007, except as other effective dates are established in that chapter.
- (8) Banned electronic devices. After January 1, 2011, computers; peripherals; computer monitors; cathode ray tubes; televisions; printers; personal electronics such as personal digital assistants and personal music players; electronic game consoles; printers; fax machines; wireless telephones; telephones; answering machines; videocassette recorders; digital versatile disc players; digital converter boxes; stereo equipment; and power supply cords (as used to charge electronic devices).
- (9) Mandated recyclable materials after July 1, 2015.
- (10) Leaf and yard residuals and wood waste after July 1, 2016.
- (11) Food residuals after July 1, 2020.
- (12) Covered household hazardous products after July 1, 2025.

(b) This section shall not prohibit the designation and use of separate areas at landfills for the storage or processing, or both, of material specified in this section.

Appointed Standing Committees, Boards, Commissions, Positions Continued

(c) Insofar as it applies to the operator of a solid waste management facility, the Secretary may suspend the application of this section to material specified in subdivision (a)(2), (3), (4), (5), or (6) of this section, or any combination of these, upon finding that insufficient markets exist and adequate uses are not reasonably available to serve as an alternative to disposal.

(d) The landfill disposal ban under subdivisions (a)(9)-(11) of this section shall not apply to mandated recyclables, leaf and yard residuals, or food residuals collected as part of a litter collection event operated or administered by a nonprofit organization or municipality. (Added 1989, No. 286 (Adj. Sess.), § 2; amended 1991, No. 75, § 2; 1991, No. 95, § 3; 1993, No. 221 (Adj. Sess.), § 4a; 1995, No. 189 (Adj. Sess.), § 9; 1997, No. 151 (Adj. Sess.), § 3; 2005, No. 13, § 2, eff. July 1, 2005; 2009, No. 79 (Adj. Sess.), § 4; 2011, No. 148 (Adj. Sess.), § 10; 2015, No. 95 (Adj. Sess.), § 3, eff. May 10, 2016; 2023, No. 58, § 4, eff. June 12, 2023.)

Appointed Standing Committees, Boards, Commissions, Positions Continued

TOWN SERVICE OFFICER

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **Yes.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **Yes.**

Statutory requirements: **No.**

Norwich Town Service Officer Charge:

The town service officer is charged with assisting individuals within the town who require emergency food, fuel or shelter assistance. This official works in collaboration with the Town Manager to provide assistance when possible and appropriate.

Appointed Standing Committees, Boards, Commissions, Positions Continued

TREE WARDEN

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements: **Yes.**

- **See all applicable statutes here:**
<https://vtcommunityforestry.org/sites/default/files/2022-10/tree-warden-and-tree-statutes.pdf>
- **24 V.S.A. § 871(b) Organization of selectboard; appointments**

“...(b) The selectboard shall appoint a tree warden, who need not be a resident of the municipality, and may appoint from among the registered voters the following officers who shall serve until their successors are appointed and qualified and shall certify the appointments to the town clerk who shall record the same:....”
- **24 V.S.A. § 2505**

“The legislative body of the municipality may appoint deputy tree wardens who shall serve under the direction of the tree warden and shall have the same duties and authority as the tree warden. The legislative body of the municipality may dismiss a deputy tree warden at its pleasure. (Amended 2019, No. 171 (Adj. Sess.), § 2, eff. Nov. 1, 2020.)”

Appointed Representatives to Non-Norwich Committees/Commissions

CONNECTICUT RIVER JOINT COMMISSIONS

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements: **Yes**

Description: New Hampshire's Connecticut River Valley Resource Commission, created by the legislature in 1987, and Vermont's Connecticut River Watershed Advisory Commission, similarly created in 1988, were directed to cooperate with each other to preserve and protect the resources of the Connecticut River Valley, and to guide its growth and development. They have met together as the Joint Commissions since 1989.

Both Commissions are advisory and have no regulatory powers, preferring instead to advocate and ensure public involvement in decisions which affect their river and their valley. See <https://crjc.org/about-crjc/>

The Connecticut River Joint Commissions (CRJC) is a quasi-governmental organization composed of Governor-appointed and designated Commissioners from Vermont and New Hampshire, and the parent organization to five Local River Subcommittees. They may represent different interests, but are united in a shared regard of the Connecticut River, the surrounding landscape, and the ecosystem as a whole. Together, they identify and pursue collaborative efforts that safeguard the Valley.

CRJC facilitates the cooperation of Vermont and New Hampshire to guide development in a manner that conserves the visual, ecological and agricultural resources of the Connecticut River Valley. The CRJC informs policy decisions, links local action to state and federal initiatives, and convenes partners in a common effort to protect the Valley's resources. (You can read more here: <https://www.crjc.org/about-crjc/>.)

- **See 10 V.S.A. § 1191 et seq Connecticut River Watershed Advisory Commission**
- **See New Hampshire RSA 227-E et seq Connecticut River Valley Resource Commission**

Appointed Representatives to Non-Norwich Committees/Commissions Continued

EC FIBER

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: No. Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: No.

Statutory requirements: Yes

Description: To build and operate a universal, open access, fiber-to-the premises network, bringing state-of-the-art connectivity to every home, business and civic institution in all member towns. See <https://www.ecfiber.net/mission/>

- **See Title 30, Chapter 91A Vermont Community Broadband Board, 30 V.S.A. § 8081 et seq**

Appointed Representatives to Non-Norwich Committees/Commissions Continued

GREATER UPPER VALLEY SOLID WASTE MANAGEMENT DISTRICT

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements: **Yes.**

Description: GUVSWMD is a union municipal district dedicated to providing solid waste management authority, services, and planning to its member towns. See <https://www.guvswmd.org/>

- **See** Title 10, Chapter 159 Waste Management, 10 V.S.A. § 6601 **et seq**

Appointed Representatives to Non-Norwich Committees/Commissions Continued

HEALTH OFFICER

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **No.** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements: **Yes.** See Title 18, Chapter 11 Local Health Officials, 18 V.S.A. § 601 et seq

- **18 V.S.A. § 601. Local health officials**

“(a) The Commissioner shall appoint, upon recommendation of the selectboard, a local health officer for each town or city, and the Commissioner shall give such officer a certificate of appointment. The Commissioner may appoint one or more deputy local health officers for a town or city upon written request of the local board of health. In case the selectboard neglect or refuse to recommend to the Commissioner a local health officer, the Commissioner after 30 days’ notice in writing to the selectboard shall appoint a local health officer.”

- **18 V.S.A. § 602 Compensation of health officers**

“(a) All compensation for services rendered by local health officers appointed under section 601 of this title shall be provided by and under the control of the selectboard.

(b)The selectboard may reimburse local health officers appointed under section 601 of this title for all reasonable expenses incurred by such local health officers in the execution of their duties. (Amended 1985, No. 267 (Adj. Sess.), § 18.)”

- **18 V.S.A. § 602a Duties of local health officers**

“(a) A local health officer, within the local health officer’s jurisdiction, shall:

(1) upon receipt of information regarding a condition that may be a public health hazard, conduct an investigation;

(2) enforce the provisions of this title, the rules adopted, and permits issued pursuant to this title;

(3) prevent, remove, or destroy any public health hazard or mitigate any significant public health risk in accordance with the provisions of this title;

(4) in consultation with the Department, take the steps necessary to enforce all orders issued pursuant to chapter 3 of this title; and

(5) have the authority to assist the Department of Public Safety in inspecting rental housing pursuant to 20 V.S.A. chapter 172, provided that if the local health officer inspects a rental property without an inspector from the Division, the officer shall issue an inspection report in compliance with 20 V.S.A § 2677(b)(2).

(b) Upon discovery of violation or a public health hazard or public health risk that involves a public water system, a food or lodging establishment, or any other matter regulated by Department rule, the local health officer shall immediately notify the Division of Environmental Health. Upon discovery of any other violation, public health hazard, or public health risk, the local health officer shall notify the Division of Environmental Health within 48 hours of discovery of such violation or hazard and of any action taken by the officer. (Added 1985, No. 267 (Adj. Sess.), § 19; amended 2017, No. 188 (Adj. Sess.), § 4; 2021, No. 181 (Adj. Sess.), § 3, eff. July 1, 2022; 2023, No. 6, § 103, eff. July 1, 2023.)

Appointed Representatives to Non-Norwich Committees/Commissions Continued

Health Officer Continued

- **18 V.S.A. § 107(b) Life and health of inhabitants; inspections; investigations**

“A health officer may conduct inspections, review records, and take samples, photographs, and other evidence to detect violations of any State or local health statute, rule, ordinance, or permit, or any public health hazard or public health risk. Inspections shall be conducted at a reasonable time and in a reasonable manner. The health officer may, upon presentation of credentials, seek permission to inspect any premises not open to the public. If permission is refused, the health officer may, pursuant to section 121 of this title, seek a search warrant authorizing the inspection of such premises.”

Appointed Representatives to Non-Norwich Committees/Commissions Continued

TRORC Shared Energy Coordinator (“SEC”) Program

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: **Yes².** Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: **No.**

Statutory requirements:

Description: Two Rivers-Ottawaquechee Regional Commission (“TRORC”) employs a Shared Energy Coordinator for a program funded by six towns, including Norwich. The program was founded under the name of Intermunicipal Regional Energy Coordinator (“IREC”). A Selectboard-appointed representative attends SEC meetings. See <https://www.trorc.org/programs/energy/sec/>

² Norwich budgets a contribution for the SEC Coordinator expenses.

Temporary Committees

ARTICLE 36 Task Force

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: No. Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: Yes.

Statutory requirements: No.

Active: No.

Charge: To initiate work to achieve an aggressive and comprehensive work plan for the elimination of direct fossil fuels in the Town of Norwich pursuant to passage of Warrant Article 36, approved by voters on March 2019 directing town officials to “take immediate and sustained efforts to gradually and continually reduce the Town’s direct use of fossil fuels, beginning at a rate of no less than 5% per year starting in the 2019-20 and continuing until they are eliminated entirely.”

See **the Final Report of the Article 36 Task Force**, **here:** http://norwich.vt.us/wp-content/uploads/2021/04/Article36TaskForce-Charge_Final.pdf

Temporary Committees Continued

CHILDCARE COMMITTEE

Number of Members, Current Members and Term Lengths: Names of individuals elected by voters, or appointed by the Selectboard to the various offices or committees, and their terms of appointment, may be found on the Town website, here: <https://norwich.vt.us>

Budget: No. Town budgets are developed by the Selectboard and approved by the voters. The Town Manager should be contacted if any funding issue arises. Questions about existing budget lines and/or reserved fund levels should be directed to the Finance Office and their supervisor, the Town Manager.

Charge: Yes.

Statutory requirements: No.

Active: No.

Charge: The Town of Norwich Childcare Committee (“the Committee”) was appointed and charged with gathering and presenting information the Norwich Selectboard could use to evaluate whether childcare should be part of the core municipal funded activities, as well as developing opportunities or strategies for Selectboard engagement in childcare. See the Final Report of the **Childcare Committee** [here: http://norwich.vt.us/wp-content/uploads/2022/02/Town-of-Norwich-Childcare-Committee-Final-Report-2.2.22.pdf](http://norwich.vt.us/wp-content/uploads/2022/02/Town-of-Norwich-Childcare-Committee-Final-Report-2.2.22.pdf)

Appendix and Forms

Appendix “A” -- “Open Meeting Law” Selections

1 V.S.A. § 310 Definitions

Effective: July 1, 2024

As used in this subchapter:

- (1) “Advisory body” means a public body that does not have supervision, control, or jurisdiction over legislative, quasi-judicial, tax, or budgetary matters.
- (2) “Business of the public body” means the public body's governmental functions, including any matter over which the public body has supervision, control, jurisdiction, or advisory power.
- (3) “Deliberations” means weighing, examining, and discussing the reasons for and against an act or decision, but expressly excludes the taking of evidence and the arguments of parties.
- (4) “Hybrid meeting” means a meeting that includes both a designated physical meeting location and a designated electronic meeting platform.
- (5)(A) “Meeting” means a gathering of a quorum of the members of a public body for the purpose of discussing the business of the public body or for the purpose of taking action.
- (B) “Meeting” shall not mean any communication, including in person or through e-mail, telephone, or teleconferencing, between members of a public body for the purpose of scheduling a meeting, organizing an agenda, or distributing materials to discuss at a meeting, provided that:
 - (i) no other business of the public body is discussed or conducted; and
 - (ii) such a communication that results in written or recorded information shall be available for inspection and copying under the Public Records Act as set forth in chapter 5, subchapter 3 of this title.
- (C) “Meeting” shall not mean occasions when a quorum of a public body attends social gatherings, conventions, conferences, training programs, press conferences, media events, or otherwise gathers, provided that the public body does not discuss specific business of the public body that, at the time of the exchange, the participating members expect to be business of the public body at a later time.
- (D) “Meeting” shall not mean a gathering of a quorum of a public body at a duly warned meeting of another public body, provided that the attending public body does not take action on its business.
- (6) “Public body” means any board, council, or commission of the State or one or more of its political subdivisions, any board, council, or commission of any agency, authority, or instrumentality of the State or one or more of its political subdivisions, or any committee or subcommittee of any of the foregoing boards, councils, or commissions, except that “public body” does not include councils or similar groups established by the Governor for the sole purpose of advising the Governor with respect to policy.
- (7) “Publicly announced” means that notice is given to an editor, publisher, or news director of a newspaper or radio station serving the area of the State in which the public body has jurisdiction, and to any person who has requested under subdivision 312(c)(5) of this title to be notified of special meetings.
- (8) “Quasi-judicial proceeding” means a proceeding that is:
 - (A) a contested case under the Vermont Administrative Procedure Act; or

Appendix and Forms Continued

Appendix “A” Continued

1 V.S.A. § 310 Definitions Continued

(B) a case in which the legal rights of one or more persons who are granted party status are adjudicated, which is conducted in such a way that all parties have opportunity to present evidence and to cross-examine witnesses presented by other parties, which results in a written decision, and the result of which is appealable by a party to a higher authority.

(9) “Undue hardship” means an action required to achieve compliance would require significant difficulty or expense in light of factors including the overall size of the entity, sufficient personnel and staffing availability, the entity's budget, and the costs associated with compliance.

1987, Adj. Sess., No. 256, § 1; [2013, Adj. Sess., No. 143](#), § 1, eff. July 1, 2014; [2017, Adj. Sess., No. 166](#), § 1, eff. July 1, 2018; [2023, Adj. Sess., No. 133](#), § 2, eff. July 1, 2024.

1 V.S.A. § 312 Right to attend meetings of public agencies

(a)(1) All meetings of a public body are declared to be open to the public at all times, except as provided in [section 313](#) of this title. No resolution, rule, regulation, appointment, or formal action shall be considered binding except as taken or made at such open meeting, except as provided under subdivision 313(a)(2) of this title. A meeting of a public body is subject to the public accommodation requirements of 9 V.S.A. chapter 139. A public body shall electronically record all public hearings held to provide a forum for public comment on a proposed rule, pursuant to [3 V.S.A. § 840](#). The public shall have access to copies of such electronic recordings as described in [section 316](#) of this title.

(2) Participation in meetings through electronic or other means.

(A) As long as the requirements of this subchapter are met, one or more of the members of a public body may attend a regular, special, or emergency meeting by electronic or other means without being physically present at a designated meeting location.

(B) If one or more members attend a meeting by electronic or other means, such members may fully participate in discussing the business of the public body and voting to take an action, but any vote of the public body that is not unanimous shall be taken by roll call.

(C) Each member who attends a meeting without being physically present at a designated meeting location shall:

(i) identify himself or herself when the meeting is convened; and

(ii) be able to hear the conduct of the meeting and be heard throughout the meeting.

(D) If a quorum or more of the members of a public body attend a meeting without being physically present at a designated meeting location, the agenda required under subsection (d) of this section shall designate at least one physical location where a member of the public can attend and participate in the meeting. At least one member of the public body, or at least one staff or designee of the public body, shall be physically present at each designated meeting location. The requirements of this subdivision (D) shall not apply to advisory bodies.

(3) State nonadvisory public bodies; hybrid meeting requirement. Any public body of the State, except advisory bodies, shall:

(A) hold all regular and special meetings in a hybrid fashion, which shall include both a designated physical meeting location and a designated electronic meeting platform;

(B) electronically record all meetings; and

(C) for a minimum of 30 days following the approval and posting of the official minutes for a meeting, retain the audiovisual recording and post the recording in a designated electronic location.

(4) State and local advisory bodies; electronic meetings without a physical meeting location. A quorum or more of the members of an advisory body may attend any meeting of the advisory body by electronic or other means without being physically present at or staffing a designated meeting location. A quorum or more of the members of any public body may attend an emergency meeting of the body by electronic or other means without being physically present at or staffing a designated meeting location.

1 V.S.A. § 312 Right to attend meetings of public agencies Continued

(5) State nonadvisory public bodies; State and local advisory bodies; designating electronic platforms. State nonadvisory public bodies meeting in a hybrid fashion pursuant to subdivision (3) of this subsection and State and local advisory bodies meeting without a physical meeting location pursuant to subdivision (4) of this subsection shall designate and use an electronic platform that allows the direct access, attendance, and participation of the public, including access by telephone. The public body shall post information that enables the public to directly access the designated electronic platform and include this information in the published agenda or public notice for the meeting.

(6) Local nonadvisory public bodies; meeting recordings.

(A) A public body of a municipality or political subdivision, except advisory bodies, shall record, in audio or video form, any meeting of the public body and post a copy of the recording in a designated electronic location for a minimum of 30 days following the approval and posting of the official minutes for a meeting.

(B) A municipality is exempt from subdivision (A) of this subdivision (6) if compliance would impose an undue hardship on the municipality.

(C) A municipality shall have the burden of proving that compliance under this section would impose an undue hardship on the municipality.

(b)(1) Minutes shall be taken of all meetings of public bodies. The minutes shall cover all topics and motions that arise at the meeting and give a true indication of the business of the meeting. Minutes shall include at least the following minimal information:

(A) all members of the public body present;

(B) all other active participants in the meeting;

(C) all motions, proposals, and resolutions made, offered, and considered, and what disposition is made of same; and

(D) the results of any votes, with a record of the individual vote of each member if a roll call is taken.

(2) Minutes of all public meetings shall be matters of public record, shall be kept by the clerk or secretary of the public body, and shall be available for inspection by any person and for purchase of copies at cost upon request after five calendar days from the date of any meeting. Meeting minutes shall be posted no later than five calendar days from the date of the meeting to a website, if one exists, that the public body maintains or has designated as the official website of the body. Except for draft minutes that have been substituted with updated minutes, posted minutes shall not be removed from the website sooner than one year from the date of the meeting for which the minutes were taken.

(c)(1) The time and place of all regular meetings subject to this section shall be clearly designated by statute, charter, regulation, ordinance, bylaw, resolution, or other determining authority of the public body, and this information shall be available to any person upon request. The time and place of all public hearings and meetings scheduled by all Executive Branch State agencies, departments, boards, or commissions shall be available to the public as required under [3 V.S.A. § 2222\(c\)](#).

(2) The time, place, and purpose of a special meeting subject to this section shall be publicly announced at least 24 hours before the meeting. Municipal public bodies shall post notices of special meetings in or near the municipal clerk's office and in at least two other designated public places in the municipality, at least 24 hours before the meeting. In addition, notice shall be given, either orally or in writing, to each member of the public body at least 24 hours before the meeting, except that a member may waive notice of a special meeting.

(3) Emergency meetings may be held without public announcement, without posting of notices, and without 24-hour notice to members, provided some public notice thereof is given as soon as possible before any such meeting. Emergency meetings may be held only when necessary to respond to an unforeseen occurrence or condition requiring immediate attention by the public body.

(4) Any adjourned meeting shall be considered a new meeting, unless the time and place for the adjourned meeting is announced before the meeting adjourns.

(5) A person may request in writing that a public body notify the person of special meetings of the public body. The request shall apply only to the calendar year in which it is made, unless made in December, in which case it shall apply also to the following year.

(d)(1) At least 48 hours prior to a regular meeting, and at least 24 hours prior to a special meeting, a meeting agenda shall be:

(A) posted to a website, if one exists, that the public body maintains or designates as the official website of the body; and

(B) in the case of a municipal public body, posted in or near the municipal office and in at least two other designated public places in the municipality.

(2) A meeting agenda shall be made available to a person prior to the meeting upon specific request.

(3)(A) Any addition to or deletion from the agenda shall be made as the first act of business at the meeting.

(B) Any other adjustment to the agenda may be made at any time during the meeting.

(e) Nothing in this section or in [section 313](#) of this title shall be construed as extending to the Judicial Branch of the Government of Vermont or of any part of the same or to the Public Utility Commission; nor shall it extend to the deliberations of any public body in connection with a quasi-judicial proceeding; nor shall anything in this section be construed to require the making public of any proceedings, records, or acts which are specifically made confidential by the laws of the United States of America or of this State.

(f) A written decision issued by a public body in connection with a quasi-judicial proceeding need not be adopted at an open meeting if the decision will be a public record.

(g) The provisions of this subchapter shall not apply to site inspections for the purpose of assessing damage or making tax assessments or abatements, clerical work, or work assignments of staff or other personnel. Routine, day-to-day administrative matters that do not require action by the public body may be conducted outside a duly warned meeting, provided that no money is appropriated, expended, or encumbered.

(h) At an open meeting, the public shall be given a reasonable opportunity to express its opinion on matters considered by the public body during the meeting, as long as order is maintained. Public comment shall be subject to reasonable rules established by the chairperson. This subsection shall not apply to quasi-judicial proceedings.

(i) Nothing in this section shall be construed to prohibit the Parole Board from meeting at correctional facilities, with attendance at the meeting subject to rules regarding access and security established by the superintendent of the facility.

(j) Request for access.

(1) A resident of the geographic area in which the public body has jurisdiction, a member of a public body, or a member of the press may request that a public body designate a physical meeting location or provide electronic or telephonic access to a regular meeting, but not to a series of regular meetings, special meetings, emergency meetings, or field visits.

(2) The request shall be made in writing, as specified by the public body, not less than two business days before the date of the meeting. The public body shall not require the requestor to provide a basis for the request.

(3) The public body shall grant the request unless:

(A) there is an all-hazards event as defined in [20 V.S.A. § 2](#) or a state of emergency declared pursuant to [20 V.S.A. §§ 9 and 11](#);

(B) there is a local incident as defined in [section 312a](#) of this subchapter; or

(C) compliance would impose an undue hardship on the municipality.

(4) A public body shall have the burden of proving that compliance under subdivision (3) of this subsection would impose an undue hardship on the public body.

<Text of subsec. (k) effective Jan. 1, 2025.>

(k) Training.

(1) Annually, the following officers shall participate in a professional training that addresses the procedures and requirements of this subchapter:

(A) for municipalities and political subdivisions, the chair of the legislative body, town manager, and mayor; and

(B) for the State, the chair of any public body that is not an advisory body.

(2) The Secretary of State shall develop the training required by subdivision (1) of this subsection and make the training available to municipalities and political subdivisions and public bodies. The training may be in person, online, and synchronous or asynchronous.

1973, No. 78, § 1; 1979, Adj. Sess., No. 151, [§ 2](#); 1987, Adj. Sess., No. 281, [§ 2](#); [1997, Adj. Sess., No. 148](#), § 64; [1999, Adj. Sess., No. 146](#), § 7; [2013, Adj. Sess., No. 143](#), [§ 2](#), eff. July 1, 2014; [2015, Adj. Sess., No. 129](#), § 1, eff. May 24, 2016; [2017, No. 53](#), § 12, eff. July 1, 2017; [2023, Adj. Sess., No. 133](#), §§ 3, 5, eff. July 1, 2024, and Jan. 1, 2025.

1 V.S.A. § 312a. Meetings of public bodies; state of emergency

(a) As used in this section:

(1) "Affected public body" means a public body:

(A) whose regular meeting location is located in an area affected by a hazard or local incident;
and

(B) that cannot meet in a designated physical meeting location due to a declared state of emergency pursuant to 20 V.S.A. chapter 1 or local incident.

(2) "Directly impedes" means interferes or obstructs in a manner that makes it infeasible for a public body to meet either at a designated physical location or through electronic means.

(3) "Hazard" means an "all-hazards" as defined in 20 V.S.A. § 2(1).

(4) "Local incident" means a weather event, loss of power or telecommunication services, public health emergency, public safety threat, received threat that a member of the public body believes may place the member or another person in reasonable apprehension of death or serious bodily injury, or other event that directly impedes the ability of a public body to hold a meeting electronically or in a designated physical location.

(b) Notwithstanding subdivisions 312(a)(2)(D), (a)(3), and (c)(2) of this title, during a local incident or declared state of emergency under 20 V.S.A. chapter 1:

(1) A quorum or more of an affected public body may attend a regular, special, or emergency meeting by electronic or other means without designating a physical meeting location where the public may attend.

(2) The members and staff of an affected public body shall not be required to be physically present at a designated meeting location.

(3) An affected public body of a municipality may post any meeting agenda or notice of a special meeting in two publicly accessible designated electronic locations in lieu of the two designated public places in the municipality, or in a combination of a designated electronic location and a designated public place.

(c) Before a public body may meet under the authority provided in this section for meetings held during a local incident, the highest ranking elected or appointed officer of the public body shall make a formal written finding and announcement of the local incident, including the basis for the finding.

(d) Notwithstanding subdivision 312(a)(3) of this title, during a local incident that impedes an affected public body's ability to hold a meeting by electronic means, the affected public body may hold a meeting exclusively at a designated physical meeting location.

(e) When an affected public body meets electronically under subsection (b) of this section, the affected public body shall:

(1) use technology that permits the attendance and participation of the public through electronic or other means;

(2) allow the public to access the meeting by telephone;

(3) post information that enables the public to directly access and participate in meetings electronically and shall include this information in the published agenda for each meeting; and

(4) if applicable, publicly announce and post a notice that the meeting will not be held in a hybrid fashion and will be held either in a designated physical meeting location or through electronic means.

(f) Unless unusual circumstances make it impossible for them to do so, the legislative body of each municipality and each school board shall record any meetings held pursuant to this section.

1 V.S.A. § 312a. Meetings of public bodies; state of emergency Continued

(g) An affected public body of a municipality shall continue to post notices and agendas in or near the municipal clerk's office pursuant to subdivision 312(c)(2) of this title and shall provide a copy of each notice or agenda to the newspapers of general circulation for the municipality. (Added 2021, No. 157 (Adj. Sess.), § 8, eff. July 1, 2022; amended 2023, No. 133 (Adj. Sess.), § 6, eff. July 1, 2024.

1 V.S.A. 313 Executive sessions

(a) No public body may hold an executive session from which the public is excluded, except by the affirmative vote of two-thirds of its members present in the case of any public body of State government or of a majority of its members present in the case of any public body of a municipality or other political subdivision. A motion to go into executive session shall indicate the nature of the business of the executive session, and no other matter may be considered in the executive session. Such vote shall be taken in the course of an open meeting and the result of the vote recorded in the minutes. No formal or binding action shall be taken in executive session except for actions relating to the securing of real estate options under subdivision (2) of this subsection. Minutes of an executive session need not be taken, but if they are, the minutes shall, notwithstanding subsection 312(b) of this title, be exempt from public copying and inspection under the Public Records Act. A public body may not hold an executive session except to consider one or more of the following:

(1) after making a specific finding that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage:

(A) contracts;

(B) labor relations agreements with employees;

(C) arbitration or mediation;

(D) grievances, other than tax grievances;

(E) pending or probable civil litigation or a prosecution, to which the public body is or may be a party;

(F) confidential attorney-client communications made for the purpose of providing professional legal services to the body;

(2) the negotiating or securing of real estate purchase or lease options;

(3) the appointment or employment or evaluation of a public officer or employee, provided that the public body shall make a final decision to hire or appoint a public officer or employee in an open meeting and shall explain the reasons for its final decision during the open meeting;

(4) a disciplinary or dismissal action against a public officer or employee; but nothing in this subsection shall be construed to impair the right of such officer or employee to a public hearing if formal charges are brought;

(5) a clear and imminent peril to the public safety;

(6) records exempt from the access to public records provisions of section 316 of this title; provided, however, that discussion of the exempt record shall not itself permit an extension of the executive session to the general subject to which the record pertains;

(7) the academic records or suspension or discipline of students;

(8) testimony from a person in a parole proceeding conducted by the Parole Board if public disclosure of the identity of the person could result in physical or other harm to the person;

(9) information relating to a pharmaceutical rebate or to supplemental rebate agreements, which is protected from disclosure by federal law or the terms and conditions required by the Centers for Medicare and Medicaid Services as a condition of rebate authorization under the Medicaid program, considered pursuant to 33 V.S.A. §§ 1998(f)(2) and 2002(c);

(10) security or emergency response measures, the disclosure of which could jeopardize public safety.

(b) Attendance in executive session shall be limited to members of the public body, and, in the discretion of the public body, its staff, clerical assistants and legal counsel, and persons who are subjects of the discussion or whose information is needed.

(c) The Senate and House of Representatives, in exercising the power to make their own rules conferred by Chapter II of the Vermont Constitution, shall be governed by the provisions of this section in regulating the admission of the public as provided in Chapter II, § 8 of the Constitution. (Amended 1973, No. 78, § 2, eff. April 23, 1973; 1979, No. 151 (Adj. Sess.), § 3, eff. April 24, 1980; 1987, No. 256 (Adj. Sess.), §§ 3, 4; 1997, No. 148 (Adj. Sess.), § 65, eff. April 29, 1998; 2005, No. 71, § 308a, eff. June 21, 2005; 2011, No. 59, § 7; 2013, No. 143 (Adj. Sess.), § 3; 2015, No. 23, § 1; 2017, No. 95 (Adj. Sess.), § 1, eff. April 11, 2018.)

1 V.S.A. § 314 Penalty and enforcement

(a) A person who is a member of a public body and who knowingly and intentionally violates the provisions of this subchapter, a person who knowingly and intentionally violates the provisions of this subchapter on behalf or at the behest of a public body, or a person who knowingly and intentionally participates in the wrongful exclusion of any person or persons from any meeting subject to this subchapter shall be guilty of a misdemeanor and shall be fined not more than \$500.00.

(b)(1) Prior to instituting an action under subsection (c) of this section, the Attorney General or any person aggrieved by a violation of the provisions of this subchapter shall provide the public body written notice that alleges a specific violation of this subchapter and requests a specific cure of such violation. The public body will not be liable for attorney's fees and litigation costs under subsection (d) of this section if it cures in fact a violation of this subchapter in accordance with the requirements of this subsection.

(2) Upon receipt of the written notice of alleged violation, the public body shall respond publicly to the alleged violation within 10 calendar days by:

(A) acknowledging the violation of this subchapter and stating an intent to cure the violation within 14 calendar days; or

(B) stating that the public body has determined that no violation has occurred and that no cure is necessary.

(3) Failure of a public body to respond to a written notice of alleged violation within 10 calendar days shall be treated as a denial of the violation for purposes of enforcement of the requirements of this subchapter.

(4) Within 14 calendar days after a public body acknowledges a violation under subdivision (2)(A) of this subsection, the public body shall cure the violation at an open meeting by:

(A) either ratifying, or declaring as void, any action taken at or resulting from:

(i) a meeting that was not noticed in accordance with subsection 312(c) of this title; or

(ii) a meeting that a person or the public was wrongfully excluded from attending; or

(iii) an executive session or portion thereof not authorized under subdivisions 313(a)(1)-(10) of this title; and

(B) adopting specific measures that actually prevent future violations.

(c) Following an acknowledgment or denial of a violation and, if applicable, following expiration of the 14-calendar-day cure period for public bodies acknowledging a violation, the Attorney General or any person aggrieved by a violation of the provisions of this subchapter may bring an action in the Civil Division of the Superior Court in the county in which the violation has taken place for appropriate injunctive relief or for a declaratory judgment. An action may be brought under this section no later than one year after the meeting at which the alleged violation occurred or to which the alleged violation relates. Except as to cases the court considers of greater importance, proceedings before the Civil Division of the Superior Court, as authorized by this section and appeals therefrom, take precedence on the docket over all cases and shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(d) The court shall assess against a public body found to have violated the requirements of this subchapter reasonable attorney's fees and other litigation costs reasonably incurred in any case under this subchapter in which the complainant has substantially prevailed, unless the court finds that:

(1)(A) the public body had a reasonable basis in fact and law for its position; and

(B) the public body acted in good faith. In determining whether a public body acted in good faith, the court shall consider, among other factors, whether the public body responded to a notice of an alleged violation of this subchapter in a timely manner under subsection (b) of this section; or

(2) the public body cured the violation in accordance with subsection (b) of this section.

(e) A municipality shall post on its website, if it maintains one:

(1) an explanation of the procedures for submitting notice of an Open Meeting Law violation to the public body or the Attorney General; and

(2) a copy of the text of this section.

1979, Adj. Sess., No. 151, § 4; 1987, Adj. Sess., No. 256, § 5; [2013, Adj. Sess., No. 143](#), § 4, eff. July 1, 2014; [2015, Adj. Sess., No. 129](#), § 2, eff. May 24, 2016; [2017, Adj. Sess., No. 113](#), § 1, eff. July 1, 2018; [2023, Adj. Sess., No. 133](#), § 7, eff. July 1, 2024.

Appendix and Forms Continued

Appendix “B”

17 V.S.A. § 2647 Incompatible offices

(a)(1) An auditor shall not be town clerk, town treasurer, selectboard member, first constable, collector of current or delinquent taxes, trustee of public funds, town manager, road commissioner, water commissioner, sewage system commissioner, sewage disposal commissioner, cemetery commissioner, or town school district director; nor shall a spouse of or any person assisting any of these officers in the discharge of official duties be eligible to hold office as auditor.

(2)(A) A selectboard member or school director shall not be first constable, collector of taxes, town treasurer, assistant town treasurer, auditor, or town agent.

(B) A selectboard member shall not be lister or assessor.

(3) A cemetery commissioner or library trustee shall not be town treasurer, assistant town treasurer, or auditor.

(4) A town manager shall not hold any elective office in that town or town school district.

(5) Election officers at local elections shall be disqualified as provided in section 2456 of this title.

(b) Notwithstanding subsection (a) of this section, if a school district prepares and reports its budget independently from the budget of the town and the school district is audited by an independent public accountant, a school director or spouse of a school director shall be eligible to hold office as auditor, town treasurer, or assistant town treasurer. (Added 1977, No. 269 (Adj. Sess.), § 1; amended 1985, No. 196 (Adj. Sess.), § 6; 1993, No. 91, § 2; 2009, No. 44, § 5, eff. May 21, 2009; 2013, No. 21, § 2; 2013, No. 162 (Adj. Sess.), § 7; 2017, No. 130 (Adj. Sess.), § 7; 2019, No. 14, § 47, eff. April 30, 2019; 2019, No. 67, § 19, eff. June 17, 2019; 2019, No. 117 (Adj. Sess.), § 1, eff. June 23, 2020.)

Appendix and Forms Continued

Appendix “C”

Vermont Secretary of State’s List of Local Office Descriptions and Statutory Authority

(<https://sos.vermont.gov/elections/election-info-resources/candidates/local-office-descriptions/>)

Agent to Convey Real Estate (appointed). Executes the deeds on behalf of the town. [24 V.S.A. § 1061](#)

Auditor (elected or appointed). Review and audit all town accounts and prepare the annual town report. Should be very detail oriented. Good writing skills are a plus. [17 V.S.A. § 2649](#); [2651b](#)

Building Inspector and Deputy Inspector (appointed). Appointed only in towns that have adopted a building code. Performs inspections and enforces the local building code. [24 V.S.A. § 3102, 3103, 3108](#)

Cemetery Commissioner (elected). Responsible for the care and management of the town’s cemeteries. If no cemetery commissioners are elected, the selectboard fulfills this role. [18 V.S.A. § 5373](#)

Collector of Current Taxes. A town must vote to have the Town Manager or Town Treasurer to collect current taxes. If the town fails to vote, then the Town Constable becomes the collector of current taxes. [24 V.S.A. § 1529](#)

Collector of Delinquent Taxes. A town must vote to authorize the selectboard to appoint a collector of delinquent taxes, who may be the Town Manager or Town Treasurer. [17 V.S.A. § 2651d](#) If a town fails to vote, then the Town Constable becomes the collector of delinquent taxes.

Constable (elected or appointed). In some towns the constable is the town’s local law enforcement officer, with all powers of search, seizure, and arrest within the town. In other towns, the constable only has the power to serve civil process, assist the health officer in the discharge of his or her duties, destroy unlicensed dogs, kill injured deer, remove disorderly people from town meeting, and, if the first constable, to collect taxes, if no tax collector is elected. Should be good at de-escalating and resolving conflicts. [17 V.S.A. § 2646\(7\)](#); [2651a](#)

Conservation Commission Members (appointed). Inventory the natural resources of a community and purchase and administer municipal lands for the purpose of conservation. [24 V.S.A. § 4502](#)

Emergency Management Director (appointed). Responsible for the organization, administration, and operation of the local committee that is formed for emergency management in the town or city. The emergency management chairperson is under the direct control of the selectboard but may coordinate his or her emergency management efforts with neighboring towns and cities, and with the state emergency management division and the federal government. [20 V.S.A. § 6](#)

Fence Viewers (appointed). Three viewers are appointed by the selectboard each year. When called upon, they examine fences and other boundaries within the town. [24 V.S.A. § 871](#)

Health Officer (appointed). Appointed by the commissioner of health to a three-year term after recommendation by the town selectboard. Enforces the rules and regulations for the prevention and abatement of public health hazards. [18 V.S.A. § 601](#)

Inspectors of Lumber (appointed). Appointed, upon request, to examine, measure, and classify the quality of lumber, shingles, and wood sold within the town. [24 V.S.A. § 871](#)

Inspector of Wiring (appointed). Inspects electrical wiring in buildings on request of the selectboard. [24 V.S.A. § 1033](#)

Justices of the Peace (elected). For more information, see our [Justice of the Peace Guide](#). The duties of justices of the peace can fall into five categories of responsibilities:

1. *Elections.* Justices of the peace are members of the board of civil authority (BCA). Members of the BCA serve as election officials at town elections by Australian ballot and statewide elections. Justices also are responsible for delivering absentee ballots to voters at election time.
2. *Tax Abatement and Appeals.* Justices of the peace sit as members of the town board for abatement of taxes to determine whether a taxpayer’s tax obligation should be forgiven under certain circumstances. Justices of the peace also serve an important role in the town’s tax appeal process. As a member of the board of civil authority, justices sit to hear and decide appeals when citizens do not agree with the final decision of the listers.
3. *Marriages.* Justices of the peace may also solemnize marriages in Vermont.
4. *Oaths and Notary.* Justices of the peace may also administer oaths in all cases where an oath is required, unless a specific law makes a different provision. A justice of the peace is a notary public ex officio and has all the acknowledgment powers of a notary public. However, the justice of the peace must file with the county clerk in order to act as a notary public (but the fee is waived).
5. *Magistrate.* Justices of the peace may also serve as a magistrate when so commissioned by the Supreme Court.

Listers (elected or appointment of an assessor). Appraise property within the town for the purpose of property tax assessment. Should be able to be polite, yet firm, and not be oversensitive to criticism. [17 V.S.A. § 2646\(5\)](#); [2651c](#)

Moderator (elected). Runs the annual and special town/school meeting. Should have a good sense of humor, be good at group process, and have experience following Roberts Rules of Order. [17 V.S.A. § 2646\(1\)](#)

Municipal Manager (appointed). If the manager system has been adopted by the electorate, the town manager is the official administrator of local government and has general supervisor of the affairs of the town. [24 V.S.A. § 1232](#)

Patrol Officer (elected). Patrols town highways under the direction of the selectboard — if the town so orders. (Generally not an active position.) [17 V.S.A. 2646\(15\)](#)

Planning Commissioners (appointed or elected). Appointed unless town votes to elect. Duties include preparing a municipal plan; making recommendations on matters of land development, conservation, and preservation; and participating in a regional planning program. Makes site plan and subdivision permit decisions unless there is a development review board in town. Should have a good working knowledge of all aspects of the town and be able to listen to many sides of an issue. [24 V.S.A. § 4323](#)

Poundkeeper (appointed). Cares for the animals that are impounded within the town. [24 V.S.A. § 871](#)

Regional Planning Commission Representative (appointed). Helps develop the regional plan and assess municipal land use plans. [24 V.S.A. § 4341 et seq.](#)

Road Commissioners (elected or appointed). Can be elected or appointed. Has no independent authority, but can assist the selectboard in overseeing town highways at the request of the board. Should have experience with town highways and be a good communicator. [17 V.S.A. § 2646\(16\)](#); [17 V.S.A. § 2651](#)

Selectboard Members (elected). General supervision and control over town; enacts ordinances, regulations, and policies for town; oversees town property and personnel; prepares, presents and manages budget; and oversees roads, including laying out, discontinuing, and reclassifying roads. Sits as local board of health, liquor control commission, and sewer commission. Should know the town well, be able to understand all sides of complex issues, and have very thick skin. [17 V.S.A. § 2646\(4\)](#); [17 V.S.A. § 2649](#)

Town Administrator (appointed). Hired by the selectboard, the town administrator, sometimes called the administrative assistant to the selectboard, assists the selectboard in managing the business of the town. The town administrator has no independent statutory authority. The scope of his or her duties is determined by the selectboard.

Town Clerk (elected or appointed). Records, preserves, and certifies the public records of the town. Issues dog, marriage, and hunting and fishing licenses; as well as motor vehicle renewals. Runs the local elections, serves as clerk of the board of civil authority, and hears tax abatement requests and tax appeals. Should have the patience of a saint and be a good ambassador for the town. [17 V.S.A. § 2646\(2\)](#); [2651e](#)

Town Energy Coordinator (appointed). Responsible for developing the town energy plan and conducting the town energy audit. [24 V.S.A. § 1131](#)

Town Forest Fire Warden (appointed). Appointed by the fire commissioner with the approval of the selectboard. Prevents forest fires in the town by enforcing the laws designed to prevent forest fires. [10 V.S.A. § 2641](#)

Town Services Officer (appointed). Appointed on or before April 15th of each year. Assists individuals within the town who require emergency food, fuel, or shelter assistance when the Vermont Department of Social Welfare is not available. [33 V.S.A. § 2102 et seq.](#)

Town Treasurer (elected or appointed). Keeps the town and school's accounts (unless a separate school treasurer is elected), invests money (with the approval of the legislative body), keeps a record of the taxes voted, and pays orders drawn on him or her. Should be very precise, detail oriented and good at math. [17 V.S.A. § 2646\(3\)](#); [2651f](#)

Town Tree Warden (appointed). Plans and implements a shade tree preservation program for the purpose of shading and beautifying public places. Removes diseased, dying, or dead trees; which create a hazard to public safety or threaten the effectiveness of disease or insect control programs. [24 V.S.A. § 871](#)

Trustee of Public Funds (elected). Manages, invests, and reports on real and personal property held in trust by the town. This includes cemetery trust funds. Should like investing money. [17 V.S.A. § 2646\(12\)](#); [24 V.S.A. § 2431 et seq.](#)

Trustee of Public Money (elected). Oversees “United States Public Money” received under the Act of 1836 held by the town. (It is unlikely any Vermont town still has these funds.) [17 V.S.A. § 2646\(13\)](#)

Water Commissioners (elected or appointed). Water commissioners supervise the town’s water department by establishing water rates, and all the rules and regulations for the control and operation of the department. Should be a good manager and detail oriented. [17 V.S.A. § 2646\(17\)](#); [17 V.S.A. § 2652](#)

Weighers of Coal (appointed). Serves as a referee over weights of contested loads of coal. [24 V.S.A. § 871](#)

Zoning Administrator (appointed). Appointed by the planning commission with the approval of the selectboard. Approves or denies applications for zoning permits. Administers the municipal bylaws literally. Enforces regulations pertaining to the zoning ordinance. [24 V.S.A. § 4448](#)

Zoning Board of Adjustment or Development Review Board Members (appointed). Holds hearings and makes decisions on land use permit applications and appeals from decisions of the zoning administrator. [24 V.S.A. § 4460](#)

Appendix and Forms Continued

Appendix “D”

Town of Norwich Conflict of Interest Policy And State of Vermont Code of Ethics – Conflicts of Interest

Norwich Policy:

See <http://norwich.vt.us/wp-content/uploads/2020/10/ConflictOfInterestSigned27Feb2019.pdf>

State of Vermont Code of Ethics, Conflicts of Interest:

24 V.S.A. § 1992. Conflicts of interest

(a) Duty to avoid conflicts of interest. In the municipal officer’s official capacity, the officer shall avoid any conflict of interest or the appearance of a conflict of interest. The appearance of a conflict shall be determined from the perspective of a reasonable individual with knowledge of the relevant facts.

(b) Recusal.

(1) If a municipal officer is confronted with a conflict of interest or the appearance of one, the officer shall immediately recuse themselves from the matter, except as otherwise provided in subdivisions (2) and (5) of this subsection, and not take further action on the matter or participate in any way or act to influence a decision regarding the matter. After recusal, an officer may still take action on the matter if the officer is a party, as defined by section 1201 of this title, in a contested hearing or litigation and acts only in the officer’s capacity as a member of the public. The officer shall make a public statement explaining the officer’s recusal.

(2)(A) Notwithstanding subdivision (1) of this subsection (b), an officer may continue to act in a matter involving the officer’s conflict of interest or appearance of a conflict of interest if the officer first:
VERMONT GENERAL ASSEMBLY

(i) determines there is good cause for the officer to proceed, meaning:

(I) the conflict is amorphous, intangible, or otherwise speculative;

(II) the officer cannot legally or practically delegate the matter; or

(III) the action to be taken by the officer is purely ministerial and does not involve substantive decision-making; and

(ii) the officer submits a written nonrecusal statement to the legislative body of the municipality regarding the nature of the conflict that shall:

(I) include a description of the matter requiring action;

(II) include a description of the nature of the potential conflict or actual conflict of interest;

(III) include an explanation of why good cause exists so that the municipal officer can take action in the matter fairly, objectively, and in the public interest;

(IV) be written in plain language and with sufficient detail so that the matter may be understood by the public; and

(V) be signed by the municipal officer.

(B) Notwithstanding subsection (A) of this subdivision (2), a municipal officer that would benefit from any contract entered into by the municipality and the officer, the officer's immediate family, or an associated business of the officer or the officer's immediate family, and whose official duties include execution of that contract, shall recuse themselves from any decision-making process involved in the awarding of that contract.

(C) Notwithstanding subsection (A) of this subdivision (2), a municipal officer shall not continue to act in a matter involving the officer's conflict of interest or appearance of a conflict of interest if authority granted to another official or public body elsewhere under law is exercised to preclude the municipal officer from continuing to act in the matter.

(3) If an officer's conflict of interest or the appearance of a conflict of interest concerns an official act or actions that take place outside a public meeting, the officer's nonrecusal statement shall be filed with the clerk of the municipality and be available to the public for the duration of the officer's service plus a minimum of five years.

(4) If an officer's conflict of interest is related to an official municipal act or actions considered at a public meeting, the officer's nonrecusal statement shall be filed as part of the minutes of the meeting of the public body in which the municipal officer serves.

(5) If, at a meeting of a public body, an officer becomes aware of a conflict of interest or the appearance of a conflict of interest for the officer and the officer determines there is good cause to proceed, the officer may proceed with the matter after announcing and fully stating the conflict on the record. The officer shall submit a written nonrecusal statement pursuant to subdivision (2) of this subsection within five business days after the meeting. The meeting minutes shall be subsequently amended to reflect the submitted written nonrecusal statement.

(c) Authority to inquire about conflicts of interest. If a municipal officer is a member of a public body, the other members of that body shall have the authority to inquire of the officer about any possible conflict of interest or any appearance of a conflict of interest and to recommend that the member recuse themselves from the matter.

(d) Confidential information. Nothing in this section shall require a municipal officer to disclose confidential information or information that is otherwise privileged under law. (Added 2023, No. 171 (Adj. Sess.), § 22, eff. January 1, 2025.)

Appendix and Forms Continued

APPENDIX “E”

Committee/Board/Commission FAQ Sheet

Appointments

See page 11

- The Selectboard appoints all committee, subcommittee, board, and commission members.
- The Town Manager’s office maintains the list of all groups, members of groups, and their terms.
- As vacancies arise, the Town Manager’s office advertises positions.
- Applications are submitted by candidates, and scheduled for a Selectboard meeting for review and appointment.

Budgets

See page 9

- Budgets must be requested of the Town Manager, presented to and approved by the Selectboard, and then voted at Town Meeting as part of the complete Town budget.
- Requests for expenditures go to the Town Manager in the first instance, and may or may not be presented to the Selectboard for approval.

Creation and Removal/Dissolution

See page 11-12

- The Selectboard may create or dissolve a group.

Grants, Contracts, Gifts

See page 8 and Appendix “G” pages 86-87

- Consult with the Town Manager before applying for any grants, or considering any contracts.
- Review the Norwich Gift Policy to understand the limitations on gifts and solicitations.

Insurance

See pages 8-9

- Programs created by committees, subcommittees, boards, and commissions in furtherance of their charge may involve activities which could expose the Town to liability or other action.
- All programs shall be vetted by the Town Manager in advance to ensure the Town has proper insurance coverage for the proposed activity.

Legal Counsel

See page 9

- For questions of statutory or town policy interpretation, contact the Town Manager in the first instance.

OML Requirements

See pages 6-8 and Appendix “A” pages 64-75

- Committees, subcommittees, boards, commissions are “public bodies” subject to the OML.
- All meetings of a public body are open to the public except as provided in 1 V.S.A. § 313 (Executive Sessions). 1 V.S.A. § 312(a)(1)
 - Agendas must be posted at least 48 hours prior to a regular meeting or at least 24 hours prior to a special meeting. 1 V.S.A. § 312 (d)(1)
 - Minutes shall be taken, shall cover all topics and motions, and give a true indication of the business of the meeting. Minutes shall include at least all members of the public body present; all other active participants in the meeting; all motion; proposals; resolutions made, offered, and considered; and what disposition is made; and the results of any votes with a record of the individual vote of each member if a roll call is taken. 1 V.S.A. § 312 (b)(1)
- “Advisory body” means a public body that does **not** have supervision, control, or jurisdiction over legislative, quasi-judicial, tax, or budgetary matters. 1 V.S.A. § 310(1)
 - Advisory bodies may hold remote-only meetings as long as remote public participation is provided. 1 V.S.A. § 312
- “Non-Advisory bodies” do have supervision, control, or jurisdiction over legislative, quasi-judicial, tax, or budgetary matters.

Appendix and Forms Continued

APPENDIX “E”

Committee/Board/Commission FAQ Sheet Continued

- Non-Advisory bodies are required to hold hybrid meetings with a recording which is maintained for 30 days following the approval and posting of the official minutes of the meeting. 1 V.S.A. § 312(a)(6)(A)
- See the Town Manager if there is any question about whether a group is an Advisory body or a Non-Advisory body.

Reimbursement

See page 9

- Authorized expenses may be reimbursed by the Town by following the procedures

Representations or Warranties

See page 9

- No representation shall be made on any website or in any other fashion which implies that any individuals or groups are speaking for the Town of Norwich. Nor shall they state or imply that any action or product or any thing whatsoever is approved by the Town of Norwich.

Websites

See page 9

- Individual committee, subcommittee, board, commission websites are of concern to the Selectboard.
- The Selectboard will draft guidelines for content in consultation with the Town Manager and counsel, if required.
- The Selectboard and Town Manager will work on ideas and budgeting for a more robust Town website which can accommodate all “official” committee, subcommittee, board, and commission website pages.
- The Town Manager will develop guidelines for who will be authorized to add, amend, delete content.

Zoom accounts

See page 9

- The Town maintains sufficient Zoom license(s) for Town-related meetings.
- The Town Manager’s office should be contacted about access.
- Zoom protocol will be managed by the Town Manager’s office and guidance will be provided to all groups.

Appendix and Forms Continued

APPENDIX “F”

Gift Policy

Effective: 5/28/2025

Purpose: To provide uniform criteria, procedures, and guidelines for accepting gifts and donations to the Town in a responsible, transparent, and accountable manner; and, to acknowledge the requirements of the Statewide Municipal Code of Ethics.

Policy: The Town of Norwich will ensure that gifts and donations are subject to consistent criteria and procedures, have adequate resources for their administration, and have appropriate acknowledgement of the generosity of the donor; and, that municipal officers comply with State and Municipal Code of Ethics requirements.

Authority:

3 V.S.A. § 1203g. Gifts – see Title 3: Executive, Chapter 031 Government Ethics, Subchapter 001: General Provisions; State Code of Ethics.

17 V.S.A. § 2664. Budget – see Title 17 : Elections, Chapter 055: Local Elections, Subchapter 002: Town Meetings and Local Elections in General.

24 V.S.A. § 1235. General Authority – see Title 24: Municipal and County Government, Chapter 037: Town, City, or Village Managers.

24 V.S.A. § 1991. Definitions – see Title 24: Municipal and County Government, Chapter 060: Municipal Code of Ethics [Effective January 1, 2025].

24 V.S.A. § 1993(f). Gifts – see Title 24: Municipal and County Government, Chapter 060: Municipal Code of Ethics [Effective January 1, 2025].

24 V.S.A. § 4440. Administration ; finance – see Title 24: Municipal and County Government, Chapter 117: Municipal and Regional Planning and Development, Subchapter 009: Adoption, Administration, and Enforcement.

Definitions:

“Donor” means any person or entity offering a “gift” or “donation” to the Town or a Municipal officer.

“Gift” to the Town shall mean any monetary contribution, endowments, bequests, personal property, real property, in-kind goods or services, or anything of value offered to the Town without any consideration or compensation. For purposes of this Policy, the terms “donation” and “gift” shall be synonymous.

“Prohibited Gifts” to a Town officer or employee are as delineated in 24 V.S.A. § 1993(f); and to a “Public Servant” as described in 3 V.S.A. § 1203g and 24 V.S.A. § 1993(f)

“Municipal officer” is defined in 24 V.S.A. § 1991(12) et seq.

“Town” means the municipality as defined in 24 V.S.A. § 1991(13).

“Restricted Donation” shall mean any gift or donation designated at donor request for a particular Town department, location, or purpose.

“Unrestricted Donation” shall mean any gift or donation to the Town without any limitations being placed upon its use.

Procedures:

A. Gifts to the Town

1. Selectboard approval is required for gifts or donations to the Town.

a. The Town has no obligation to accept any proposed gift or donation of whatever kind.

b. On behalf of the Selectboard, the Town Manager shall evaluate any proposed gift or donation to determine whether acceptance is in the best interests of the Town and is

consistent with all applicable Town policies, ordinances, and resolutions. Criteria for evaluation shall include but not necessarily be limited to the following:

- i. Whether any initial and/or future expenditure of Town funds, and/or use of Town resources of any nature whatever, will be required in connection with acceptance of the gift or donation;
 - ii. Whether the gift or donation is restricted or unrestricted and the Town's ability or willingness to use it;
 - iii. The nature and burden of appropriate accounting for any gift or donation;
 - iv. For real property, whether any environmental issues could exist and/or exposure for liability or other negative consequences of acceptance, including but not limited to any restrictions or caveats running with the land; and, the costs of investigation and transfer.
- c. Upon receipt of the Town Manager's report of evaluation, and recommendation to accept or refuse the gift or donation, the Selectboard will vote to accept or not.
2. No gift or donation will be accepted until the Selectboard has voted to accept the same.
 - a. For purposes of municipal planning, as more fully described in 24 V.S.A. § 4440(a), a municipality may accept gifts and grants of money and services from private sources and from the State and federal governments. See Id.
3. The Selectboard may accept gifts above those that are approved in the town budget but must include in its annual report a description of all gifts accepted during the year and associated expenditures. See 17 V.S.A. § 2664.
4. The Town will not provide legal, accounting, tax or other advice to donors about any aspect of their proposed gift or donation.
5. Upon acceptance, the Town Manager will acknowledge acceptance on behalf of the Town.

B. Solicitation of gifts or donations

1. Solicitation of gifts or donations, other than for Recreation Department scholarships and programming, is expressly prohibited unless duly authorized by majority vote of the Selectboard.
2. With the limited exception for the Recreation Department (paragraph B.1.) and the Statutory exception for municipal planning (paragraph A.2.a.), boards, commissions, committees, subcommittees, departments, employees, officers, volunteers, groups, or any other actor or entity are not authorized to represent themselves as "the Town" and may not accept or solicit gifts or donations of any nature or kind whatsoever.

C. Gifts to Municipal officers and employees

1. This policy incorporates by reference the applicable requirements and prohibitions of the State Code of Ethics [see Title 3, Chapter 31, Subchapter 1], and the Municipal Code of Ethics [see Title 24, Chapter 60 and particularly 24 V.S.A. § 1993(f). Gifts].
 - a. Pursuant to 24 V.S.A. § 1996 all municipal officers will have notice and/or a copy of the Municipal Code of Ethics which includes the prohibitions and limitations on gifts.

Appendix and Forms Continued

APPENDIX “G”

Subcommittee Request Form

Committees wishing to create a subcommittee may obtain a Subcommittee Request Form from the Town Manager’s Office. The purpose of this form is to:

1. Provide the name of the subcommittee, the purpose of the subcommittee, the names of the subcommittee members, and their terms. This information will be maintained by the Town Manager’s Office and published on the Town Manager’s website for full transparency available to the public and other interested parties.
2. Request the Selectboard to appoint to the subcommittee any non-committee members requested by the committee.