

Town of Norwich
Minutes for the Special Selectboard Meeting
Wednesday, July 15, 2026

Active Participants at Tracy Hall: Kimo Griggs (SB Chair), Brendan Classon (SB Vice Chair), Matt Swett (SB member), Mary Layton (SB member), Rob Gere (SB member), Brennan Duffy (Town Manager), John Carroll, and Cheryl Lindberg.

Active Participants on Zoom: Beriah C. Smith, Sofia Langlois, Pamela Smith, John Klesch, Nan Carroll, and Kris Clement.

Key: *Motions noted in italics.*
Public comment noted in [blue](#).

The meeting was called to order by Chair Kimo Griggs at 5:31pm.

YouTube Timestamp: 0:00

1. Agenda

Timestamp: 2:20

Before the agenda was moved, Layton requested clarification regarding an Executive Session and the agenda in general, which was resolved quickly.

Swett moved to approve the agenda as presented by the Chair.

- *Classon 2nd*
- *Vote: Yes (unanimous)*

2. Public Comments for Items not on the Agenda

Timestamp: 2:45

[Kris Clement](#) briefly requested that the Transfer Station issue be added to the next meeting's agenda with an update included.

3. Proposed responses to Katucki notification of OML violation with TON 6th of April 2026 and PRA suit (26-CV-02624): filed Windsor Superior Court 4th of May 2026).

Timestamp: 4:30

No public responses occurred.

Classon posited a historical overview of the Selectboard process that was established with the Katucki notification and the decisions to either approve a legal request for public documents or to deny such a right. With that decision, he asked

how it might align with the Selectboard members obligations as representatives of the Town.

Layton mentioned reflecting on whether or not decisions would have been made with better clarity if directional policies were in place that presented clearer guidelines for responding to Mr. Katucki's request. She also proposed the notion of required fees for the work that a records request entails due to the overarching seriousness of the Katucki request in general, and the possibility of similar requests transpiring in the future.

Swett added that the current litigation experience has provided a silver lining leading to a better sense of direction with Executive Session operations, which, moving forward, might include providing more transparency and reasoning for the public and details that are of interest.

Gere responded in alignment with previous sentiments while additionally stating that regardless of an implementation of recalibrated processes that include guiding principles for transparency and related practices, the procedures still must strongly comply with the law.

Cheryl Lindberg commented on the Open Meeting Law and offered previous examples of lawsuits in the Town while also stating that the Open Meeting Law had been made a mockery due to violations of the law in regard to the reoccurrence of Executive Sessions. She additionally asked if authority for the sessions was legally allowed, which she then proceeded to specify that it was not.

Pam Smith added further comments involving the accusation that happened in January of 2026, which she believed was unfounded, suggesting a policy be put in place that investigates unfounded accusations.

Gere countered by asserting that one of the primary reasons for Executive Sessions is to enable the ability to privately discuss such accusations in order to determine if validity exists.

Pam Smith disagreed with Gere's explanation, suggesting that more damage was done to the reputation of the two accused individuals.

Layton responded with asking how then to proceed with exercising good judgment as Selectboard members, which Classon then added a detailed reiteration of the question in general while additionally taking issue with the assumed overreach of the Selectboard actions.

John Carroll offered a collection of thoughts revolving around the origins of the Katucki request and the irony of previous conversations being that the Town's

resources are vastly greater than Mr. Katucki's. He then proceeded to posit specific examples that included payment for attorney fees and related costs, while adding further comments concerning the Selectboard members obligations and the use of Executive Sessions in general, with the proposed session to be utilized for making a concrete decision.

Kris Clement dovetailing with the previous comment, stated that Executive Sessions are supposed to be used sparingly and with specific intent.

Layton responded in order to clarify that she was not suggesting that Mr. Katucki had exhibited bullying behavior for filing a public records request or for asking for any type of documentation. But rather, some elements of court actions have made it very expensive for the Town.

Swett suggested moving forward on how to proceed with seeking a resolution regarding the broad topic, which Griggs and Classon expanded upon with a reminder that the work of the Selectboard can be quite difficult, especially when the processes are hinged upon dialogue that primarily only occurs in a public forum. Thus, adding that the intent for the proposed Executive Session was an opportunity to fully discuss everything all at once, such as the five counts to further examine.

John Carroll reverted back to the fee suggestion by stating that a roadmap for such a procedure exists within the Secretary of State's Fee Schedule, which is a method of legal reliance.

Layton and Griggs responded with intentions of establishing a new directive policy following the completion of the litigation matter at hand, with Gere adding that, in particular, Mr. Katucki was dissatisfied with the breadth of the Selectboard members responses and actions.

Layton moved that the Selectboard find premature public knowledge regarding communications between the Selectboard and the Town Attorneys for the purposes of receiving professional legal services and discussing the OML violation filed with TON April 6, 2026, and pending litigation brought May 4, 2026, by Mr. Katucki (26-CV-02624, filed May 4th 2026) against the Town would clearly put the Town at a substantial disadvantage by disclosing privileged attorney-client communications, and disclosing litigation and negotiation strategy to the opposing party, which would make the litigation and any negotiation of any favorable settlement protecting the Town's interests substantially more difficult.

- Swett 2nd
- Vote: Layton, Gere, Swett – Yes; Classon, Griggs – No

John Carroll commented by reiterating preceding statements while also stating that the previous motion had failed to justify the current findings that the Selectboard had made.

Classon and Swett responded by further juxtaposing the litigation process at hand, with the question of it being further examined in either a public setting or a private setting during an Executive Session.

Clayton advanced an inquiry regarding the proposed section motion asking for clarification on why the Town Manager would be excluded from the Executive Session practices with the Town attorneys, but to then be invited to join the Selectboard following the closing of the session. Griggs then condensed the reasoning down to giving the members an option to consider the litigation materials with just themselves.

Classon moved to enter Executive Session for the purposes of receiving confidential attorney-client communications made for the purpose of providing professional legal services to the Town in relation to discussing the OML violation filed with TON April 6, 2026, and pending civil litigation against the Town brought May 4, 2026, by Mr. Katucki (26-CV-02624, filed May 4th, 2026) from the Town attorneys pursuant to 1 V.S.A. 313(a)(1)(E) and (F), and invite the Town attorneys into Executive Session and, after an initial discussion with only the Town attorneys, invite the Town Manager to join the Executive Session.

- Swett 2nd
- Vote: Yes (unanimous)

Time entered Executive Session: 7:03pm.

Layton moved to enter public session.

- Gere 2nd
- Vote: Yes (unanimous)

Time entered public session: 8:48pm.

Griggs stated that no action was taken in the Executive Session and asked if there were any action that the Selectboard wished to now take in the open.

Griggs moved to authorize Town Council to provide the requested documents unredacted at no costs without restrictions to pursue a settlement of a lawsuit and to defend the lawsuit to the extent necessary relative to the Katucki case.

Before a vote could occur, John Carroll sought an explanation for why the motion solely included the Town Council and not the Town Manager as well.

Griggs then rescinded and moved to authorize the Town Manager and Town Council to provide the requested documents unredacted at no costs without restrictions to pursue a settlement of a lawsuit and to defend the lawsuit to the extent necessary relative to the Katucki case.

- Swett 2nd
- Vote: Yes (unanimous)

Following closing remarks, John Carroll sought clarification on the outcome of the Executive Session and the agreement afforded to Mr. Katucki. He then proceeded to suggest that an unspoken matter was in existence pertaining to the Town Manager's decisions to redact and withhold documents.

Griggs responded with making it known that the Town Manager possesses the authority to respond to public records requests without having to interact with the Selectboard, and that moving forward, the process might include more of a collaborative operation.

Swett decided to focus further on the reference to the large amount of Executive Sessions over the previous five years, highlighting union negotiations and other examples that were considered normal uses, even if the sessions occurred at a high frequency.

Cheryl Lindberg responded with an inquiry for understanding by reiterating her belief that there was no justification for entering an Executive Session based on the allowable reasons for entering such a session.

4. Adjournment

Timestamp: 3:44:25

Layton moved to adjourn the meeting.

- Gere 2nd
- Vote: Yes (unanimous)

Meeting adjourned at 9:17pm.

Minutes taken by Steve Schlauch.