

Town and Village of Poultney, Vermont: Merger Impact Study

Evaluation of Current Structures and Finances and Future Scenarios and Impacts

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Prepared for
Town of Poultney, VT

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Summary

Background to Study

In 2022, the Town and Village of Poultney, VT each presented a ballot measure to their citizens on whether or not they should appoint a committee to study the feasibility of a merger between the Town and Village. Upon separate successful votes, the Town and Village both approved appointing a committee to study the feasibility of a merger. A merger steering committee was formed in spring 2024 and the Steering Committee engaged the Center for Governmental Research (CGR) in October 2024 to conduct an analysis (interviews with key stakeholders in both the Town and Village, review of budgets/financials, review of Town and Village planning documents, etc.) to help the community evaluate the feasibility and impact of consolidating the Village into the Town.

In an effort to inform the Steering Committee of the likely impacts, this report evaluates the existing services offered, government structures, and finances of the Town and Village and outlines potential future scenarios – including a potential merger between the Town and Village – for the community, as well as begins to explore the impacts and describes the processes that will occur if changes are to be made.

This feasibility report provides the community with a detailed and balanced analysis of the primary paths forward. The report does not make a direct recommendation but lays out the facts for the community to consider. The report is structured to give an approximation of the impacts to help the Steering Committee make an informed decision about next steps. If the decision is to merge the Town and Village, a formal merger plan would be made with involvement from citizens and government officials that would provide a more accurate picture of the various impacts so that residents of the Town and Village could make an informed decision about the future of Poultney.

The decision to merge or not is a complex one, involving a trade-off between the stability and lower short-term costs of the status quo and the potential long-term benefits of a unified, streamlined government. While maintaining the current structure avoids a costly and disruptive transition, it also preserves existing complexities and may limit future collaboration. A merger, conversely, offers the promise of long-term efficiency and administrative simplicity but comes with significant upfront costs and a challenging transitional period. Ultimately, the report serves as a critical resource for the citizens and leadership of Poultney to make an informed choice that best serves the community's long-term interests.

Summary of Current Structural/Service Conditions

Currently, the Town and Village are separately governed and have separate services and employees that provide those services. All Village residents and properties are also inside of the Town. The Village is layered over the Town.

Town of Poultney

- **Governance:** The Town Selectboard has five elected members. The Selectboard establishes policies governing the management of Town affairs, but the Town Manager (who is also the Village Manager) has the sole duty and responsibility to implement the policies and to supervise day-to-day operations of the government.
- **Staffing:** 17 paid employees of mixed part-time and full-time statuses.
- **Major Services/Staff:** Town Manager, Town Bookkeeper, Town Clerk/Treasurer, Assessor (covers all properties in the Town and Village), Constable/Law Enforcement, Recreation Commission Director, Community Development Director, Transfer Station, Highway Department, Library, Volunteer Fire Department, Development Review Board, Planning Commission Board, Poultney Downtown Revitalization Committee, Young at Heart Senior Center

Village:

- **Governance:** The Village Board of Trustees has five elected members. The Board of Trustees serves as the legislative body for all purposes required by law. The Board establishes policies governing the management of Village affairs, but the Village Manager has the sole duty and responsibility to implement the policies and to supervise day-to-day operations of the government.
- **Staffing:** 6 paid employees of mixed part-time/full-time statuses
- **Major Services/Staff:** Village Manager, Village Bookkeeper, Village Clerk/Treasurer, Village Highway/Department of Public Works (sewer and water)

Despite having separate government bodies and services, some services are utilized (and for) by both Town and Village residents, which is briefly outlined below.

Summary of Current Financials

To pay for government/municipal operations (salaries, expenses, etc.), schools and education, and all the services provided in the community, money comes from the following sources:

- Town revenue:
 - An annual tax bill from the Town is sent out to all Town properties including those in the Village. Village properties pay a lower Town tax rate because they don't pay for Town Highway services
 - Grants/loans (federal, state).
 - Some departments charge additional fees for services.
- Village revenue:

- An annual tax bill from the Village is sent out to properties only in the Village to support services specific to the Village.
- Grants/loans (federal, state).
- Water and sewer is paid for via quarterly billing that expressly comes from the users of the system.

Important notes about how revenue raised in the Town and Village is used:

- The Town General Fund is funded by tax dollars from all Town properties include those in the Village. In this way, Town residents both in and outside the Village fund services that everyone in the community uses (i.e., Constable/State Police, Young and Heart Senior Center, Assessor, Recreation Department, Community Development, Transfer Station, Library, etc.). The education tax is administered by the Town to both the Town and Village.
- The Town Highway Fund is funded only by tax dollars from properties not in the Village; the Village has their own Village Highway Fund tax.
- The Village users on water and sewer pay for these systems

Evaluation of Future Scenarios

Three (3) different scenarios were modeled, each with pros and cons described in the report. These options are presented below with select pros and cons:

- Option 1: Village and Town Stay Separate – No Change
 - Pro: Avoid a potentially lengthy process of restructuring and rechartering Poultney with the Vermont Legislature as well as having to navigate a large system change.
 - Con: The Village Board of Trustees and Town Selectboard would likely continue to operate in silos and not collaborate as effectively together on mutually beneficial goals like planning and economic development to help the community make big changes.
- Option 2: Village and Town Merge
 - Pro: “Soft costs”: By eliminating the two forms of government, everyday frictions such as confusion and misunderstanding about which body is responsible for specific services or decisions would be eliminated. By removing these frictions, confusion would be eliminated, civic engagement would increase, and overall trust and transparency between local government and residents would improve. Other benefits could be things like improved coordination/cohesion between town and village residents and a greater sense of shared identity and community.

- Pro: Based on initial modeling, all residents tax burden rates would be reduced slightly (current Village properties by **\$0.193 per hundred** and Town outside Village by **\$0.020 per hundred**). A potential savings of \$386 for \$200,000 home in the Village and a savings of \$40 in the Town outside of the Village.
- Con: The newly formed structure would likely have growing pains such as re-setting of tax rates.
- Con: There would be tax implications – although a future forecast was completed, the new rates predicted are not guaranteed.
- Con: Despite a DECREASE in tax burden rates for all residents, water and sewer rate payers would likely experience an INCREASE in rates.
- Option 3: Village and Town Stay Separate, but Some Structural Changes Occur
 - Pro: The current system has existed for decades and has functioned; necessary changes can be made in a more collaborative fashion between the Town and Village without having to go through a potentially length process of restructuring through a merger.
 - Con: Without a large structural change/institutionalized push (i.e., via a merger) the Village and Town governing bodies might not have the motivation to change and could continue to operate in silos and not collaborate as effectively together as they could on common goals around planning and economic development.

Next Steps

If the Steering Committee decides to pursue Option 1, no action is required.

If the Steering Committee decides to pursue Option 2, which is the merger of the Town and Village into one unified government body, the next steps of the process would be the following:

- Create a preliminary plan of merger that outlines the structural changes that will occur (and start the discussion/petition process around formation of a Fire District, as discussed in the report)
- Present the merger plan to the Town and Village (following specific guidelines provided in this report as outlined by the Vermont Legislature)
- Put the merger to a vote – if approved, follow the next steps to institute the merger process into motion (described in the report)

If the Steering Committee decides to pursue Option 3, it is recommended that the Town Selectboard and Village Board of Trustees be brought together to start a planning process of how to initiate change, followed by engagement of Town and Village residents and staff.

Table of Contents

Table of Contents	vi
Introduction	1
Background on the Poultney Community	2
Demographic Profile	3
The Difference Between Towns and Villages	4
A Brief History of Towns and Villages in Vermont	4
The Context in Poultney	5
Governance Structure and Service Provision in Poultney Today	6
Town of Poultney	6
Governance	6
Staffing Levels	6
Summary of Services Provided	7
Town Assets	15
Village of Poultney	18
Governance	18
Staffing Levels	18
Summary of Services Provided	18
Village Assets	21
Current Fiscal Profile	24
Where Does the Money Come From?	24
Town Budget – Where does the Money Come From?	25
Village Budget – Where does the Money Come From?	28
Where Does the Money Go?	31
Town Budget – Where Does the Money Go?	31
Village Budget – Where Does the Money Go?	34
Comparison of Tax Burden	35
Future Scenarios	37
Option 1: Village and Town Stay Separate - No Change	37
Pros of Option	37
Cons of Option	37

Option 2: Village and Town Merge and Fire District is Created	38
New Structure of Poultney: What Changes?	38
Impact on Finances	43
Pros of Option.....	46
Cons of Option.....	46
Description of Merger Process – What are the Steps?	47
How a Fire District Would be Formed	48
Option 3: Village and Town Stay Separate, but Some Structural Changes Occur	49
Pros of Option.....	50
Cons of Option.....	50
Appendices	52
Appendix A: Town and Village Warnings of Vote for Appointing a Merger Steering Committee	53
Appendix B: Stakeholder Interview Schedule	54
Appendix C: Town and Village Assets (Vehicles and Buildings/Properties).....	55
Appendix D: Summary of Tax Rates and Tax Revenue, 2014-2024	56
Appendix E: Fiscal Year 2025 Salaries and Benefits of Employees	57
Appendix F: Copy of Vermont Legislature Statute – Title 24 Municipal and County Government, Chapter 49 Merger of Municipalities	58
Appendix G: Vermont Environmental Conservation Drinking Water and Groundwater Protection Division – How to Form a Fire District Guide	59

Introduction

In 2022, the Town and Village of Poultney, VT each presented a ballot measure to their citizens on whether or not they should appoint a committee to study the feasibility of a merger between the Town of Poultney (Warning on January 25, 2022 / Informational Meeting on February 28, 2022 / Voting on March 1, 2022) and the Village of Poultney (Warning on August 19, 2022 / Informational Meeting on September 27, 2022 / Voting on September 28, 2022). As outlined in their warnings for ballot measures, for the measure to be approved, it needed to be passed by a majority vote in both the Town and Village.

The Town and Village of Poultney both independently voted and approved the ballot measure by Australian ballot¹ to appoint a committee to study the feasibility for the merger. A copy of the Town and Village Warnings can be found in Appendix A.

Upon the successful vote, the Town of Poultney applied for and successfully received a Municipal Planning Grant to hire an outside consultant to assist with a feasibility study of this merger (Application Date November 1, 2023 / Award December 1, 2023).

The process for forming a merger steering committee began after winning the Municipal Planning Grant and continued through spring 2024 with a request for letters of interest to join the committee being sent out on April 11, 2024 (<https://poultney.vt.gov/news/post/letter-of-interest-requested-for-municipal-merger-steering-committee>). The merger steering committee consisting of both Town and Village residents as well as representatives from both the Town Selectboard and the Village Trustees was formed in spring 2024. The list of committee members is as follows²:

- Jeff King, Selectboard Member, Chair²
- Joe DeBonis, Village Trustees, Vice-Chair
- Idris Atwood, Village Trustees
- Steve Betit, Resident
- Val Broughton, Selectboard Member
- Carol Bunce, Resident

¹ Also known as “secret ballot” is the voting method where a voter’s identity and who they voted for is anonymous.

² In August 2025, both Jeff King and Bob Williams left the committee; the list stated in this section represents the committee that was formed in spring 2024. The committee that reviewed the initial draft of the report consisted of 8 reviewers, while the final report was reviewed by 6 members.

- Alan-Glen Burnell, Selectboard Member
- Gerri Harrison, Village Trustees
- Sheryl Poirrer, Selectboard Member
- Nic Stark, Resident, Poultney Downtown Revitalization Committee Board Member, Slate Valley Trails Board Member, Poultney Journal Editorial Board Member
- Ben Thirkield, Resident, DRB Member
- Bob Williams, Village Trustees²

The Center for Governmental Research (CGR) was engaged by the Steering Committee in October 2024 to conduct several specific analyses to help the community evaluate the impact of consolidating the Village into the Town. Additionally, the Town of Poultney was awarded additional funding to assist with the merger study from the Vermont Community Foundation (notice to the municipality on November 26, 2024).

The current study will examine the difference in services provided by the Village and Town (and where there is overlap), and the overall potential fiscal and tax impact on the community.

This report will evaluate the existing service conditions, government structures, and finances of the Town and Village. Additionally, it will outline potential future scenarios – including a potential merger between the Town and Village – for the community, as well as begin to explore the impacts and describe the processes that will occur if changes are to be made.

Background on the Poultney Community

Poultney, Vermont (VT) is located in Rutland County in southwestern VT on the New York State (NYS) border. The community currently is governed by two separate municipalities – the Town of Poultney and the Village of Poultney. The Town is governed by a Town Selectboard (5 elected members), the Village is governed by a Village Board of Trustees (5 elected members), and a Town and Village Manager. Although technically two separate positions, the Town and Village Manager roles have traditionally been (and currently are) served by one person.

The Town Selectboard and Board of Trustees, as outlined in their respective charters, serve as the legislative body for all purposes required by law in the community; the boards establish policies governing the management of Town or Village affairs. The Town and Village Manager serves as a liaison and manager of both governing bodies, implementing policies and supervising day-to-day operations of the government. Both the Town and Village have full-time and part-time employees.

In 2019, Green Mountain College – a private, liberal arts college that served as a longstanding employer and backbone asset of the community for more than 180 years – closed its doors. Since this time, Poultney, VT has been diligently working towards recovery,

reimagination, and growth into a future without the college. This merger study is part of this effort for the community to reimagine itself while still staying true to its history and culture.

Demographic Profile

The Village of Poultney (home of historic Main Street and Poultney's Vermont state-designated downtown) has a population of approximately 1,250 people (2019-22 American Community Survey³). The Village is in the center portion of the Town of Poultney. The Town of Poultney covers 44 square miles and is home to over 3,000 residents (including Village of Poultney residents).

Category	Village of Poultney	Town of Poultney-Outside of Village	Combined (Town & Village)	Rutland County	Vermont
Population	1,250	1,798	3,048	60,585	643,816
Under 18 Years	237	177	414	10,640	116,817
65+ Years	246	438	684	14,153	130,760
Median Age	26.4	58.8	42.6	47.7	42.9
Share of Population in Civilian Labor Force	39%	58%	50%	50%	54%
Share of Population one Race, White Only	88%	96%	93%	94%	92%
Share of Population in Poverty	10.6%	5.6%	8.1%	11.4%	10.4%
Median Household Income	\$67,868	\$63,382	\$65,625.00	\$62,641.00	\$74,014.00
Share Housing, Owner-Occupied	60%	93%	77%	72%	73%
Median Home Value (Owner-Occupied)	\$169,200	\$242,600	\$205,900	\$203,500	\$272,400

³ The 2019-22 ACS includes responses from surveys over five years. In this case, it likely includes data from before Green Mountain College closed.

Source: American Community Survey, 2019-2022

The Difference Between Towns and Villages

Towns and villages have historically played distinctive roles, and this is evident in Poultney. Villages are organized around the unique needs of a dense cluster of homes, businesses, and services, often including water supply and wastewater disposal. Wells and septic systems suffice in rural areas but are impractical or even impossible in more densely populated areas. The village structure facilitates the construction and operation of public utilities, with users sharing the cost. Commercial districts benefit from streetlights. Residential neighborhoods are enhanced by sidewalks.

As in many states, a village in Vermont is a sub-unit of a town. All village residents are town residents, but not the reverse. All town residents collectively pay for the services used by residents both in the village and outside the village. Village residents pay a separate property tax for the concentrated services offered principally in the more urban core such as street and sidewalk maintenance, as well as a consumption fee for the use of water and sewer. Village residents do not pay for highway services in the town, but do help fund most townwide services.

A Brief History of Towns and Villages in Vermont

Towns have been the basic form of organized government in Vermont since its founding as a state; however, in the 19th century, as Vermont's population grew and more towns were established through charters, unincorporated villages began to pop up in centrally or conveniently located parts of towns. These unincorporated villages served as central community hubs as they were often located on assets such as rivers to utilize hydropower for mills and they hosted commercial resources such as bookstores, pubs, and local merchants. They cropped up as an alternative social and economic lifestyle from the more rural farming, mining, and other natural resource extraction communities.

As the population and the demand for public services continued to grow, it became infeasible for town governments to meet the demand required by the densely populated unincorporated villages, leading to the creation of the sub-set government of the incorporated village. Incorporated villages began with little authority or power, but as time went on, the power delegated by the State General Assembly increased as the need arose in villages for more autonomy.

In the advent of improved connectivity via railroad and the Industrial Revolution, village incorporations became increasingly common between 1870-1910. During this period, more

than 65% of incorporated villages were formed in Vermont (with 20 being created in the decade of 1900-1909 alone, the most in any decade)⁴.

The growth of incorporated villages aligned with the population shift in the state; as many agricultural towns began to lose populations, towns that were oriented towards manufacturing and mining experienced population gains, aided by the improved connectivity via the railroads. The towns experiencing population growth in dense clusters led to the need for the incorporation of more villages so that different levels of public service could be more adequately and appropriately provided.

The Context in Poultney

The Town of Poultney was chartered in 1761, while the Village was incorporated in 1908 during the decade that experienced the most growth of incorporated villages. The incorporation of the Village of Poultney was for similar reasons as those highlighted above; Poultney's economy was thriving due to the slate mining industry and other changes in the labor market as well as the improved connectivity via railroads.

Beginning in the late 19th century, incorporated villages in Vermont began to dissolve and started to become cities, merge with town governments, or revert to fire districts (separate district solely responsible for operation/oversight of infrastructure like water, sewer, etc.). As time has gone by, mergers have become increasingly common in Vermont. The reasons for this can best be illustrated by the time between 1960 and 2000 when there was a nearly doubling of population due to improved transportation via the interstate highway system and the shift in the economy away from agricultural and natural resources to things like education, tourism, and light manufacturing.

With a shift in the way communities are made up because of a changing economy and transportation methods, the structure of government has changed again in Vermont. Communities have voted to merge incorporated villages with towns in the name of efficiency and simplification for service provision and daily governance. As many communities have done in the last few decades, Poultney is exploring this option as part of their process to adapt and change with the times.

⁴ Howe, T. Edward. *Vermont Incorporated Villages: A Vanishing Institution*. 2005, Vermont Historical Society.

Governance Structure and Service Provision in Poultney Today

To understand the current governance structures, service deliveries, and responsibilities of both the Town and Village of Poultney, CGR conducted a series of interviews in-person (October 21 and 22, 2024) as well as over the phone (various, October-December 2024) with Town and Village employees, Town Selectboard members, Village Trustees, other elected/appointed officials, and residents.

A list of these interviews can be found in Appendix B.

The following sub-sections will describe the structures of the Town and the Village as they are today.

Town of Poultney

Governance

An outline of the governance of the Town is provided below:

- The Town is governed by the Town Selectboard which has five elected members.
- Elections are held annually during the annual Town Meeting, which is held on the first Tuesday in March every year. The most recent election occurred on March 4, 2025.
- Elections are by Australian ballot. A Moderator is appointed by the Selectboard each year who is largely responsible for running the annual meeting in March.
- 3 Selectboard members are elected for a staggered 3-year term, and 2 are selected for a 1-year term.
- As stated in the Town Charter, the Selectboard establishes policies governing the management of Town affairs, but the Town Manager has the sole duty and responsibility to implement the policies and to supervise day-to-day operations of the government.

Staffing Levels

The Town of Poultney currently has 17 paid employees of mixed part-time and full-time statuses. The staffing and location of employees in the Town are summarized below:

- Town Hall (9 Main Street): 8 employees
 - Town Manager – Town Office

- Currently (and historically) this person also serves as the Village Manager.
- Town Bookkeeper/Secretary/Library – Town Office
- Town Clerk/Treasurer – Town Clerk Office
- Assistant Town Clerk – Town Clerk Office
- Assessor/Lister – Lister Office
- Part Time Constable – Town Office
- Recreation Commission Director – Town Office
- Part Time Zoning Administrator – Town Office
- Hired in Spring 2025 (while this study was ongoing)
- Stonebridge Visitor Center (66 Beaman St.): 1 employee
 - Community Development Director
- Transfer Station: 3 employees (3 part-time)
- Highway Department Garage: 5 employees (1 foreman, 4 highway crew)
- Library: 4 employees (1 librarian/clerk, 3 library assistants)

Summary of Services Provided

This section describes the responsibilities and services provided by Town employees and the existing challenges that they face with current operations. Additionally, services that are provided to and paid for by the Town and Village (but are not staffed by Town employees) are described below. These non-Town staffed services are provided to and funded by all community members. They are described as Town provided services because they are funded by whole-town tax dollars but are provided by another organization.

Town Manager

- Responsibilities:
 - Provides day-to-day governance and works with the Town Selectboard. The manager attends the bi-weekly Selectboard meetings and the more frequent meetings that happen during the busy budgeting season.
 - The manager attends the Development Review Board (DRB) meetings and the Planning Commission Meetings.

- The Town Manager is also currently appointed by the Town Selectboard as tax collector for the town and the school district; town energy coordinator; emergency management director; and animal control officer. Additionally, the Town Manager conducts welfare checks on residents. The budget does not currently allocate funds for these other noted appointments.
- Challenges:
 - Works on average 50-65 hours per week and finds it difficult to balance the time between Town, Village, and the other responsibilities (that do not have money allocated to them in the budget) that are appointed to the Manager.
 - While this study was being conducted, the Town hired a part-time zoning administrator in 2025; until this hiring, the Town Manager had been serving as a zoning administrator and believed that there should be a dedicated person whose expertise is code enforcement as this would help with planning initiatives and changes the Town is trying to make.
 - Although not explicitly related to the Manager, it was discussed that the Town Hall building is in need of many repairs/upgrades (e.g., cracks in walls, hole from attic ceiling to the break room, bad odors, etc.).
 - While this study was being conducted, two major updates occurred related to this item: **1.** The Town went under contract to purchase (awaiting final sale as of September 2025) a new building (177 Main Street) to be retrofitted as a new Town Office. As of the writing of this report, the Town was working with an architectural firm on a study to establish next steps (estimates of a budget and next steps anticipated August 2025). **2.** The Town received a \$500,000 grant from the VT Buildings and General Services for Municipal Energy Resilience Program (MERP) in 2025, which includes updates to the current Town Office for energy resiliency (construction projected to begin at the end of 2025). The Village also received funding from this grant in the amount of \$89,871.03 for energy efficiency improvements to the Village property owned at 98 Depot Street.

Town Bookkeeper

- Full-time employee status. Works in the Town Office (9 Main Street) from 8 am – 4pm, 5 days a week.
- Responsibilities:
 - Tax collection, including delinquent tax collection. The Town tax bill is sent out once per year to both Town and Village residents.

- Sends out letters of late taxes and pending delinquency. Non-payment could result in tax sales. The Town and Village have separate tax sales.
- Accounts payable/receivable. Collects checks/revenue.
- Conducts payroll (retirement, etc.). The checks are hand cut by the bookkeeper and signed by the Treasurer who takes them to the bank.
- Tracks grants receipt and spending.
- Handles Town recreation department financials and admin receipt for enrollment in programs.
- Assists with the Transfer station. Manages inventory, handles record keeping for collection information, and sells bags to put garbage in.
- Assists with record keeping, including building permits and planning permits.
- Handles the annual audit to the State Legislature which includes working with an external Certified Public Accountant (CPA).
- Challenges:
 - As they already assist one another, it was noted that there is difficulty sharing coverage/service with the Village Bookkeeper. In the event one of them is out (vacation, sickness, education, etc.) one of their offices is closed and no services can be provided during that period in that office.
 - Noted that the Town Clerk/Treasurer can't substitute for either of the bookkeepers as this would result in the Town Clerk/Treasurer not being able to do their separate duties and have their office open.

Town Clerk/Treasurer and Assistant Town Clerk

The Town Clerk and Treasurer roles are elected town officer positions. Both are currently filled by the same person for a term of 3 years (term expires Town Meeting Day, Tuesday, March 3, 2026). The individual in these two positions currently spends 32.5 hours per week on Town responsibilities, with approximately 90% of their time on Clerk responsibilities and 10% on Treasurer responsibilities. The Assistant Town Clerk also works 32.5 hours per week assisting the Town Clerk.

The Village Clerk and Treasurer roles are currently occupied by the same person as the Town Clerk and Treasurer; these positions are part-time/salaried (monthly stipend) in the Village. Most of the Village Clerk duties are handled in the Town Clerk's Office.

- Responsibilities:
 - Clerk:

- Filing and handling land records (property transfer, change of address, anything else that affected a property in some way).
 - Management of records vault.
 - Title searches. Maintains vault records, uses copiers, and conducts legal searches.
 - Motor vehicle registration.
 - Town elections.
 - Dog licensing.
 - Collects fees: copies of land records, marriage licenses, fish and wildlife permits, DMV, dog licenses.
 - Vital records, marriage licenses, survey map requests.
 - Board of abatement: Property owners notify the Town Clerk if they would like to abate their property. The Town Clerk has the property owner fill out an Abatement form. Upon receipt of the form, the Town Clerk schedules a meeting for the Property Abatement Board and the property owner. The Town Clerk takes minutes and completes the final decision paperwork on the behalf of the Property Abatement Board and the property owner. A typical year can have an abatement case at any time, but historically, they have happened infrequently.
 - Notarizing. This has taken more time since Poultney does not have a legal firm or bank. This service has no separate charge applied as it is rendered as part of a regular service paid for by Town property tax.
- Treasurer:
 - Depositing of checks provided by the Bookkeeper.
 - The Assistant Town Clerk assists Town Clerk with Clerk responsibilities listed above, especially during election season.

Assessor

The assessor position, which is appointed by the Town Selectboard annually. The current assessor has been working in this position for the past 13 years and works approximately 13 hours a week. In the past, 2-3 listers were voted into positions that shared the part time responsibilities while an assessor was appointed; through attrition, there is now just an assessor. The Assessor position covers all properties in the Town and Village; there is no separate position for the separate municipalities.

- Responsibilities:
 - Conducts the Townwide assessment through a unified Town/Village office. The assessment is done for the entire community. Assessment values are set as of April 1 and the preliminary list is filed in June.
 - Manages the grievance process but stated that there are not many of them annually. Although most grievances get handled at this level, there is a board of civil authority of appeals.

Constable/Law Enforcement

This is an appointed position by the Town Selectboard. The constable is employed by the Town for approximately 7 hours a week to provide police services to the entire community.

- The Rutland County Sheriff's office provides another contracted 32 hours per week.

Recreation Commission Director

This is a part-time position appointed by the Town Selectboard. The term lasts for 1 year and is re-appointed annually on the Town Meeting Day. Responsible for running and administering the day-to-day operations and activities of the recreation department to the entire community.

Community Development Director

This position was originally established as "Economic Development Director" funded by USDA grant with a Town match to help with future planning after the Green Mountain College closure. The position was made full-time and converted to title of "Community Development Director" in 2023.

- Responsibilities:
 - Working on planning initiatives, seeking out and managing grant and funding opportunities, attending state and regional planning meetings, working with residents, and working on all other facets of the community to create change, economic growth, and opportunity.
 - This position functions sometimes as a pseudo-assistant Town Manager role.
- Challenges: The position must attend many meetings at the state and regional level, making it difficult to fully focus on Town of Poultney specific projects/needs. This is because there has been a larger push in VT to go more towards regionalism than ever before.

Transfer Station

The Transfer Station is staffed by 3 part-time employees.

- Responsibilities:
 - Collect, store, and sort solid waste (construction and demolition, food scraps, scrap metal, tires, general trash, leaf and yard debris) and mixed recyclables temporarily before it is picked up by a contracted service and brought to a landfill or a recycling facility.

Highway Department

The Town Highway Department is staffed by 5 full-time employees: 1 foreman and 4 highway crew employees. Previously there were only 4 full-time employees, but the Selectboard added a 5th employee in 2023 so that there was adequate workforce to have a full-time foreman and still have 4 crew members.

- Responsibilities:
 - The department is responsible for maintaining roads, plowing snow, maintaining right-of-way (i.e. mowing), and conducting some mechanical work (vehicle repairs and maintenance).
 - Maintains 70 centerline miles of road, 11 miles of which are paved, and the remainder are gravel.
 - Staff do not pave; this is contracted out. They do repairs such as cold patching as needed.
 - Foreman also stated that he tracks grants and summarizes information for the Town's end of year report and uses software to track and report out culvert and road segment metrics to the Rutland Regional Planning Commission.
- Manual timesheets are used by the staff to describe what is done daily. The department recently moved to a 40 hour/week, 4-day work schedule (Mon-Thu).
- Challenges:
 - Construction of a new highway garage to replace an antiquated facility. Funding for this project was not established at the time of this study; however, the Town was actively conducting a feasibility study to identify the future home of the Town Garage (e.g., using the existing site for a new building, repurposing the Town Garage property as an Outdoor Recreation Hub, etc.) and was applying for a variety of grant opportunities (e.g., in Spring 2025 the Town applied for Congressionally Directed Spending (CDS) but did not receive the award).
 - Improve the planning process for setting aside money for a capital improvement plan (CIP) so that equipment can be upgraded before it is fully broken.

According to the Town Highway staff, the Village DPW and Town Highway department already have a good working relationship where they assist with tasks (especially snow removal). The

Village plows Town buildings as they have smaller equipment that can more easily work in these tight spaces, but the Town plows the Young at Heart Senior Center.

Library

The Library is staffed by 1 full-time employee and 3 part-time employees: 1 full-time librarian/clerk and 3 part-time library assistants. Additionally, there are five elected Library Trustees that serve terms of 5 years (elected at the annual Town Meeting).

Volunteer Fire Department

The fire department is a volunteer fire department, and it has a current roster of 25 members with approximately 18 “active members”. Fire protection services are provided for all Poultney residents (Town and Village).

It was noted that the volunteer staff is meeting the community’s needs right now, but there may be problems if the call volume starts to go back up with things like the redevelopment of the Green Mountain College campus. Since its closure, numbers are down on average by about 50 calls per year.

Development Review Board

The Town Selectboard appoints people to the Development Review Board (2-year terms, 5 members).

- Responsibilities:
 - Quasi-judicial board, charged with the proper interpretation of the Zoning Regulations and their consequent application with the Town, and with the administration of the procedures allocated to it by Zoning Regulation:
 - Hear and grant or deny a request for a variance or waiver in the application of provisions of zoning regulation.
 - Hear and rule on conditional use, repair/relocation/etc., applications for site plan review of Board.

Planning Commission Board

Town Selectboard appoints people to the Planning Commission Board (2-year appointments, 5 members). There is no language about the board needing to have representation from the Village and Town; however, the State Legislature recommends that there be a balance.

The current board is made up of people from East Poultney, more rural parts of Town, and the Village, which has happened organically. The Planning Commission has no say over who is on the board. They can write a letter of support to the Selectboard to fill seats.

- Responsibilities:

- Ask Town to sign approval for grant funding for initiatives.
- Planning Commission is quasi-municipal. They write bylaws and update planning documents (zoning etc.). They are responsible for preparing and updating the Poultney Town Plan.
 - The Poultney Town Plan states the goals, objectives, policies, and priorities for action that guide the community towards its vision for the future. It is the official policy of the community, with regard to future growth and development, to provide standards of development to ensure that the Town's distinct character and its scenic viewshed are protected and preserved. This Plan was last amended by the Planning Commission and adopted by the Town Selectboard on May 9, 2022.

An example of recent zoning/bylaw changes made by the Planning Commission is that when Green Mountain College closed, the Planning Commission updated some zoning language for the old college grounds and other parts of the Village to enable more development. This allowed for planned unit development and changed some language, but there was no real change in terms of structure of the bylaws.

The Vermont Legislature requires the Planning Commission to hold a public hearing (Title 24, Chapter 117, § 4441) to take comment on bylaws proposed for adoption, but thereafter the Planning Commission forwards the document(s) to their "legislative body". A legislative body is defined as "... the selectboard in the case of a town; the trustees in the case of an incorporated village; the mayor, alderperson, and city council members in the case of a city; and the supervisor in the case of an unorganized town or gore who holds their own hearing and ultimately adopts the changes," (Title 24, Chapter 117, § 4442).

The Planning Commission stated that the "legislative body" in Poultney that it has submitted changes to (for bylaws or Town plan updates) has been the Town Selectboard but not the Village Board of Trustees. **The Planning Commission does not have to submit changes to the Village Board of Trustees and therefore does work directly with the Village Trustees.**

Poultney Downtown Revitalization Committee (PDRC)

The PDRC has been operating for around 10-15 years. It existed at first as an initiative for main street revitalization, but now it has expanded and evolved to become broader to get more grants (outdoor economy activities, housing, etc.) but it is still focused on downtown Poultney.

The PDRC doesn't do much work with the Village Board of Trustees but does work closely with the Town Selectboard (and with the Planning Commission), the Town Manager, and the Community Development Director (both of whom are ex-officio members to the PDRC's Board of Directors). The Poultney Chamber of Commerce is a group that exists separately from the PDRC right now but there has been interest amongst these two organizations in working together more as they have similar goals.

Young at Heart Senior Center

Young at Heart serves both Town and Village residents as well as surrounding areas. They have a service area of approximately 20 miles. Their services are provided to this entire service area, except for Meals on Wheels, which is provided to Poultney residents only. They are staffed by 3 part-time employees and many volunteers. They noted that volunteer numbers have been steadily trending down in the last decade.

They are starting to work closely with the Town Selectboard on a strategic plan for operation longevity/sustainability. This will be used to help them make decisions regarding whether they should hire more people, focus on certain services, expand services, etc. The only involvement that they have with the Village Trustees is that they pay for water and sewer to the Village.

Town Assets

The total value of equipment owned by the Town (based on actual cash value and modified cash value) at the time of this study is estimated at \$2,600,000. Of this total value, about 40% is owned by the Volunteer Fire Department and about 59% is owned by the Highway Department.

Age and Year of Vehicle	Department	Make/Model of Vehicle	Type of Vehicle, Description
32 years, 1992	Fire	Ford, Crash Truck	Truck general usage
30 years, 1994	Fire	International, Pumper Truck	Fire Pumper/Tanker
25 years, 1999	Fire	NMI Snowmate Snowmobile trailer	Trailer for towing equipment
24 years, 2000	Fire	Chevrolet, Tahoe	Passenger Car/Van, general transportation
21 years, 2003	Fire	Freightliner, FL80	Fire Pumper/Tanker
18 years, 2006	Fire	Pace, Hazmat Trailer	Trailer for towing equipment
12 years, 2012	Fire	Cargo Mate Cargo Trailer	Trailer for towing equipment
7 years, 2017	Fire	HME ISL9 Fire Truck	Fire Pumper/Tanker
6 years, 2018	Fire	Dodge Ram 3500	Truck general usage
4 years, 2020	Fire	Polaris UTV	Utility task vehicle, general usage/transportation

Age and Year of Vehicle	Department	Make/Model of Vehicle	Type of Vehicle, Description
1 year, 2023	Fire	Can-AM Defender 6x6	Side by side, utility task vehicle, general usage/transportation
1 year, 2023	Fire	Ford F-550 Alexis Mini-Pumper Truck	Fire Pumper/Tanker
2024	Fire	Big Tex 70PI Utility Trailer	Trailer for towing equipment around
40 years, 1984	Highway	Chevrolet, Utility Truck	Truck general usage
27 years, 1997	Highway	New Holland Loader JF4137	Heavy construction equipment, hauling materials
24 years, 2000	Highway	John Deere 310 E Backhoe	Heavy construction equipment, excavation/trenching
23 years, 2001	Highway	Talbert AC20 Trailer	Trailer for towing equipment around
20 years, 2004	Highway	John Deere 444J Loader	Heavy construction equipment, hauling materials
18 years, 2006	Highway	International, Truck	Dump truck
16 years, 2008	Highway	John Deere, Motor Grader with attachment	Heavy construction equipment, used for grading/creating flat surfaces in roadwork (road patching application)
12 years, 2012	Highway	Dodge Ram 5500	Truck general usage
11 years, 2013	Highway	John Deere 6125M	Heavy Construction Equipment, tractor used for pulling and lifting heavy loads during road construction/maintenance
10 years, 2014	Highway	International, 7400	Dump truck
10 years, 2014	Highway	Western Star, 4700SF 14 Dump Truck	Dump truck
6 years, 2018	Highway	Caterpillar, 308E2CRSB Hydraulic Excavator	Heavy construction equipment, used for deeper excavation and trenching work (drainage, etc.)
3 years, 2021	Highway	John Deere, 410L	Heavy construction equipment, backhoe
2 years, 2022	Highway	Western Star, 4700 SF	Dump truck

Age and Year of Vehicle	Department	Make/Model of Vehicle	Type of Vehicle, Description
2024	Highway	Western Star, 47X Dump Truck	Dump truck
8 years, 2016	Law Enforcement	Ford Explorer	Police cruiser/SUV

Source: Town of Poultney, 2024

The Town maintains vehicle and equipment insurances as required by law.

The total value of property and buildings owned by the Town (based on agreed cash value and guaranteed replacement cost) at the time of this study is estimated at \$8,024,770, with an estimated contents (property inside of the building) of \$542,400. This value does not reflect the Town's purchase of a building at 177 Main Street (as this purchase occurred while this study was ongoing, a new valuation of the building had not occurred, and it was being studied for upgrades/retrofits to serve as a new Town Hall).

Address	Department	Description
205 Main Street	Administration	Library
206 Furnace Street	Administration	Senior Citizen Center
66 Beaman Street	Administration	Stonebridge Inn
9 Main Street	Administration	Town Office
Hillside Road	Administration	Transfer Station (Pump included in contents)
55 Firehouse Lane	Fire	Fire Department Building
170 Furnace Street	Highway	Town Garage
170 Furnace Street	Highway	Storage Shed
170 Furnace Street	Highway	Salt Shed
170 Furnace Street	Highway	Sand Shed

Source: Town of Poultney, 2024

More information on Town Assets (buildings and vehicles) can be found in Appendix C.

Village of Poultney

Governance

An outline of the governance of the Village is provided below:

- The village is governed by the Village Board of Trustees which has five elected members.
- Elections are held annually during the annual Village Meeting, which is held on the second Tuesday in May every year. Elections are by Australian ballot.
- Trustee members serve for 2-year terms, with one member being named the President who will serve as the Chairman of the Board of Trustees.
- As stated in the Village Charter, the Board of Trustees serves as the legislative body for all purposes required by law. The Board establishes policies governing the management of Village affairs, but the Village Manager has the sole duty and responsibility to implement the policies and to supervise day-to-day operations of the government.

Staffing Levels

The Village of Poultney has 6 paid employees of mixed part-time/full-time statuses. This staffing and their location are summarized below:

- Village Manager – Part-time, Town Hall
 - Currently and historically this person also serves as the Town Manager.
- Village Bookkeeper – Part-time, Village Office (Rental Space)
- Village Clerk/Treasurer – Part-time, Town Clerk Office
 - This person serves as Town Clerk/Treasurer as well.
- Village Highway/Department of Public Works (DPW) – 3 full-time employees, 685 York Street (Poultney Wastewater Treatment Facility)
 - 1 superintendent, 2 highway/water/sewer crew

Summary of Services Provided

This section will describe the responsibilities and services provided by Village employees as well as some of the existing challenges that they face with current operations.

Village Manager

- Responsibilities:
 - Day-to-day governance and work with the Village Board of Trustees. The manager attends the monthly meetings and attends more frequent meetings during the busy budgeting season.
 - Manages Village infrastructure (wastewater treatment plant, water supply) and supervises staff.
- Challenges:
 - Works on average 50-65 hours per week and finds it difficult to balance the time between Town, Village, and the other responsibilities that are appointed to the Town and Village manager (see [Town Manager](#) section for more details).

Village Bookkeeper

This position is part-time employee status. The Village Bookkeeper works out of a rental space in the Village, 5 hours/day, 5 days/week.

- Responsibilities:
 - Posts payments for water and sewer, quarterly.
 - Sends out tax billing once per year (includes Village General Fund tax, Village Highway tax, and Village Equipment Fund tax).
 - Handles Payroll, IRS, VEMR (retirement plan), and pays all taxes, quarterly.
- Challenges: The same challenges expressed by the [Town Bookkeeper](#) were expressed by the Village Bookkeeper.

Village Clerk/Treasurer

The Village Clerk and Treasurer roles are elected officer positions. Both are currently filled by the same person. The individual in these two positions currently spends approximately 5 hours a week on Treasurer responsibilities and 1 hour a week on Clerk responsibilities.

These positions are staffed by the same person as the Town Clerk/Treasurer, but theoretically they could be filled by multiple people.

- Responsibilities: these are like those expressed by the [Town Clerk/Treasurer](#).
 - The major difference is that there is a separate election in the Village that the Village Clerk is responsible for and that the Village Treasurer cashes separate Village checks for the separate Village tax bill and the water/sewer usage bills.

- It was stated that voter turnout is historically low in the Village for all elections (local, state, and federal).

Village Highway/Department of Public Works (DPW)

- The Village DPW is responsible for:
 - Maintenance of the Village roads and sidewalks; snow plowing in the winter, including plowing some Town buildings in the Village on behalf of the Town Highway Department.
 - Operation and maintenance of the drinking water system and of the collection and treatment of wastewater.
 - Provide leaf pick up in the Village when they have time, although they often don't have sufficient man hours to do so.
 - Conduct spring cleanup which consists of tasks like repairing damage from plowing in the winter.
 - Mow along Main Street and common areas; maintain rights-of-way.
 - Other miscellaneous maintenance tasks like painting crosswalks and line markings when they start to fade, rotating and replacing signs (they contract out sign fabrication), etc.
- During an interview with the Superintendent, it was stated that approximately 60% of staff time is dedicated to wastewater/sewer while day-to-day water tasks are simple and probably account for an average of around 10 hours/week (25% staff time); however, the hours vary a lot, and in 2025 the Village Trustees set the budget for the upcoming fiscal year to be a three-way split of funding between road, water, and sewer because of this variation.
 - The Superintendent is the only fully licensed operator for the wastewater treatment facility while the other two employees are working on upgrading their licensure level to operate the facility.
- The Superintendent reiterated that the Town and Village Highway/DPW have a good working relationship:
 - The Village assists with some plowing in winter, and both staffs are swamped at times, so they pool labor to get as much done as possible.
 - If a major water leak or pipe burst occurs (like what happened in late October 2024) the Village must hire out a contractor to do the work. The Village has a good emergency contact, but it is very expensive. The Town does have an excavator and can lend a hand with some issues

- The pay rate is approximately the same between Town and Village Highway/DPW staff.
- Important items of note and challenges:
 - The most consistent challenge is finding the hours to do all the work with the staff they have as they have to balance highways, water, and sewer. There are challenges balancing labor hours in the wintertime with plowing.
 - The Village owns a dam that used to be a water supply but has not been used in decades. The pond behind the dam is currently used by the Hampton, NY fire department for fire protection (water supplies a hydrant). The Village does not own the land or the water, they just own the dam which has not been inspected or maintained in over a decade.
 - The Village is looking for opportunities to fund and create an asset management plan (AMP) for wastewater assets. An AMP already exists for the potable water system, as there was a funding opportunity available for it.
 - There have been discussions about potential water/sewer system expansions to service the East Poughkeepsie village community but there are no specific plans at this time.
 - **While this study was occurring, the Village passed a bond vote in May 2025 to upgrade the Village's water/wastewater system in an amount not to exceed \$5,998,900.00, subject to reduction by State and/or Federal grants-in-aid.**

Village Assets

The Village owns and maintains several pieces of equipment. The total value of equipment owned by the Village (based on actual cash value and modified cash value) at the time of this study is estimated at \$317,000. All of the equipment is owned by the Village Highway/DPW.

Age and Year of Vehicle	Department	Make/Model of Vehicle	Type of Vehicle, Description
5 years, 2019	Highway	Dodge Ram 5500	Pickup truck, general usage/transport
Unknown	Highway	John Deere, Skidsteer	General excavation, material transportation, repairs, etc.
39 years, 1985	Highway	Kubota, L2250DT7	Utility tractor, general maintenance and construction activities
11 years, 2013	Kubota	Sidewalk Plow	Plowing
Unknown	Highway	John Deere, 310KXBZ	Backhoe, excavation and general maintenance

4 years, 2020	Highway	Silverado 3500 HD	Pickup truck, general usage/transport
1 year, 2024	Highway	Silverado 3500	Pickup truck, general usage/transport

Source: Village of Poultney, 2024

The Village maintains vehicle and equipment insurances as required by law.

The Village owns and maintains several properties and buildings. The total value of property owned by the Village (based on agreed cash value and guaranteed replacement cost) at the time of this is estimated at \$10,940,000.

Address	Department	Description
Main Street	Highway	Ornamental Street Lights (43)
685 York Street	Sewer/Wastewater	Sludge Drying Bed Shed
685 York Street	Sewer/Wastewater	Sludge Storage
98 Depot Street	Administration	Garage/Village Office/Storage
685 York Street	Sewer/Wastewater	Sewer Plant (wastewater treatment facility)
685 York Street	Highway	Highway Dept Garage
266 Allen Avenue	Sewer/Wastewater	Lift Station
Various Locations	Water	95 Fire Hydrants
199 Rae Terrace	Sewer/Wastewater	Sewer Pump Station
199 Rae Terrace	Water	Well Pump # 1 Building
685 York Street	Sewer/Wastewater	SBR Process Tank 1
685 York Street	Highway	Salt Shed
685 York Street	Sewer/Wastewater	SBR Process Tank 2
Windywood Acres Ext	Water	Water Storage (550,000 Gal)
199 Rae Terrace	Water	Perimeter fencing for both the sewer pump station and well pump #1 building
685 York Street	Sewer/Wastewater	Blower Building
685 York Street	Sewer/Wastewater	Site fencing and propane tanks

685 York Street	Sewer/Wastewater	Generator for wastewater treatment facility
288 Granville Street	Water	Perimeter fencing

Source: Village of Poultney, 2024

More information on Village Assets (vehicles and buildings) can be found in Appendix C.

Current Fiscal Profile

Where Does the Money Come From?

To pay for government/municipal operations (salaries, expenses, etc.), schools and education, and all the services provided in the community, money comes from the following sources:

- Town revenue:
 - An annual tax bill from the Town is sent out to both Town and Village properties. Village properties pay a lower rate because they don't pay for Town Highway services. About 19% of the Town's Grand List is located in the Village, and the remainder is in the Town Outside Village.
 - Grants/loans (federal, state).
 - Some departments charge additional fees for services.
- Village revenue:
 - An annual tax bill from the Village is sent out to properties only in the Village specific to services in the Village.
 - Grants/loans (federal, state).
 - Water and sewer is paid for via quarterly billing that expressly comes from the users of the system.

The Town and Village of Poultney are on the same fiscal year which runs from July 1 to June 30th. They both create and track separate budgets for each fiscal year.

In order to appropriately generate revenue from taxes, all property values in Poultney are assessed and placed on a Municipal Grand List. The Grand List value is then taxed, and payment is summarized in an annual tax bill sent out to residents. The Municipal Grand List value is acquired by dividing the property value of a residential or non-residential property by 100.

Homestead (residential) and non-Homestead (non-residential) Grand Lists are created by isolating these types of properties from the Municipal Grand List to create specific categorical lists. The creation of these separate lists is done so that an education tax can be applied to different uses in Poultney. This education tax information is summarized in the same annual Town tax bill sent out to all residents.

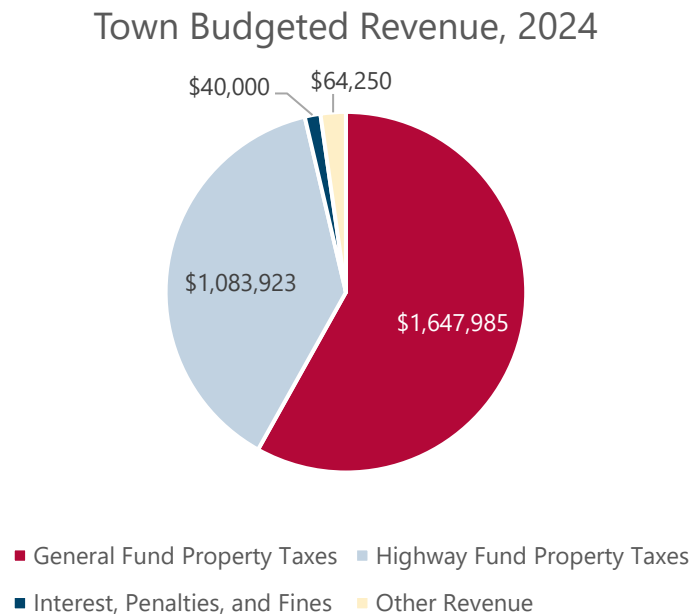
Aside from the education tax, Homestead and non-Homestead properties are taxed at the same rates as each other. Additionally, there are exemptions for some tax payments that are

granted to certain individuals/properties (i.e. veterans); however, these were not studied and will not be summarized or discussed in this report.

The Town and Village provided sample tax bills for analysis for October 2024 (Village) and May 2025 (Town).

Town Budget – Where does the Money Come From?

According to the 2024 fiscal year from the budget⁵ provided by the Town, the total revenue generated was \$2,836,159.



Taxes

To generate tax revenue to pay for services and daily operations, the Town Bookkeeper sends out an annual tax bill to all properties in the Town and the Village. Both the Town and Village receive a tax bill from the Town as there are certain services that all community members use and pay for.

The following is a summary of relevant taxation information from the Town:

⁵ In CGR's experience, modeling the current financials of a community based on budgeted values instead of actual reported values when projecting what future financials would look like if a Town and Village merged is a more accurate methodology. It accounts for what is a typical and expected budgeted year, rather than accounting for the ebbs and flows of changing costs and revenues. In the case of Poultney, the budgeted values for revenue have stayed relatively constant over the last 5 years.

- The Town's annual tax bill for all properties is the same, with the exception that the Village properties DO NOT pay the Town Highway Fund tax as they have the Village's General Fund to cover that service and it is charged in the Village annual tax bill.
- The Total Municipal Grand list (normalized to a rate per 100) for properties in Poultney (Town and Village) in 2024 is \$3,515,520.00 (with a true value of \$351,552,000)
- The Town's annual tax bill for properties that are IN THE TOWN OUTSIDE VILLAGE (not within the Village boundary) includes the following taxes (2024 tax rates listed):
 - Town General Fund (0.4688) – same rate for homestead and non-homestead
 - The Town raised \$1,648,075.78 from the General Fund tax in 2024
 - There has been a 57% increase in the General Fund tax rate since 2014 when the rate was set at 0.2989 (or an approximately 5.7% increase/year).
 - Town Highway Fund (0.3837) – same rate for homestead and non-homestead
 - The Town raised \$1,083,976.29 from the Town Highway Fund tax in 2024.
 - There has been an 83% increase in the Town Highway fund tax rate since 2014 when the rate was set at 0.2101 (or approximately an 8.3% increase/year).
 - Town Local Agreement (0.0037) – same rate for homestead and non-homestead
 - The Town raised \$13,007.42 from the Town Local Agreement tax in 2024; (tax paid by all properties in Town and Village)
 - There has been a 46% decrease in the Town Local Agreement tax rate since 2019 when the rate was originally set at 0.0069 (or approximately an 9.2% decrease/year).
 - Education Tax
 - Homestead: 1.052 (district rate) multiplied by 80.73% (common level of appraisal, CLA) = 1.3009
 - The Town raised \$1,806,126.63 from the Homestead Education tax in 2024;

- There has been a 14% decrease in the Education Homestead tax rate since 2014 when the rate was set at 1.5200 (or approximately a 1.4% decrease/year).
- Non-Homestead: 1.3910 (state rate) multiplied by 80.73% (CLA) = 1.7230
 - The Town raised \$3,624,186.13 from the Non-Homestead Education tax in 2024;
 - There has been a 12% increase in the Education Non-Homestead tax rate since 2014 when the rate was set at 1.5421 (or approximately a 1.2% increase/year).
- The total education tax revenue generated by the Town in 2024 was \$5,430,312.76
- The total municipal tax revenue generated by the Town in 2024 was \$2,731,909.

Additional information on tax rate and revenue trends can be found in Appendix D.

Other Services

In addition to tax revenue, money for operating the Town comes from other fees charged for specific services, grants, and other sources. This is summarized in table below.

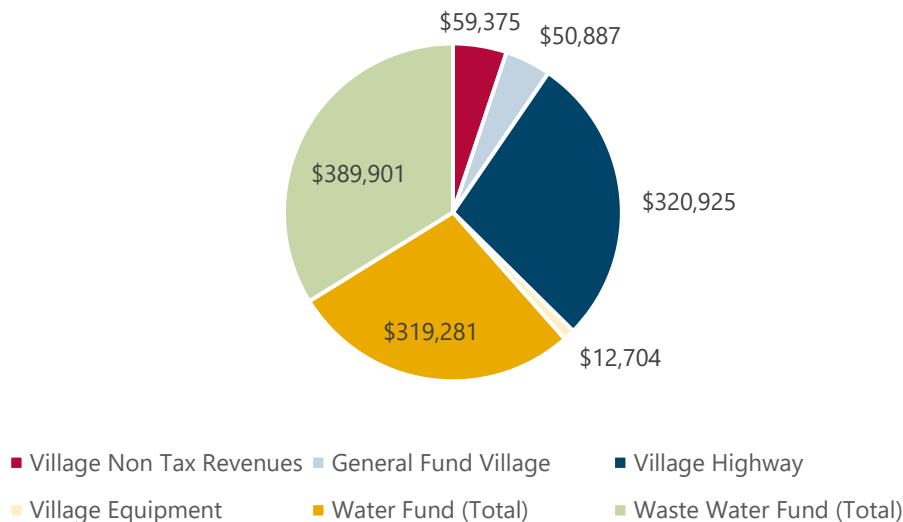
Source of Revenue	Value
Building Permits	\$750
Liquor/Tobacco License	\$1,000
Dump Fees Revenue	\$6,500
Recycling Revenue	\$1,000
Transfer St. Bags Revenue	\$5,000
Dog License	\$1,000
TC Recording Fees	\$24,000
State Owned Land	\$17,000
Inter Gov't - Current Use	\$8,000
Total	\$64,250

Source: Town of Poultney 2024 Budget

Village Budget – Where does the Money Come From?

According to the 2024 fiscal year from actuals⁶ provided by the Village, the total tax revenue generated for non-enterprise funds was \$384,515. The water and wastewater funds have revenue designated for their operations of \$319,281 and \$389,901 respectively.

Village Actual Revenues, 2024



Taxes

In order to generate tax revenue to pay for services and daily operations, the Village Bookkeeper sends out an annual tax bill to all properties in the Village.

The following is a summary of relevant taxation information from the Village:

- The total Village Municipal Grand List value in 2024 (normalized to a rate per 100) is \$690,458.00 (with a true value of \$69,045,800)
- The Village's annual tax bill for properties that are in the Village includes the following (2024 tax rates listed):
 - Village General Fund (0.0737) – same rate for homestead and non-homestead.
 - The Village raised \$50,886.75 from the Village General Fund tax in 2024;

⁶ The data provided by the Village did not include budget values for revenue; therefore, actual reported values were used to summarize total revenue generated.

- There has been a 36% increase in the Village General Fund tax rate since 2014 when the rate was set at 0.0542 (or approximately a 3.6% increase/year).
- Village Highway Fund (0.4648) – same rate for homestead and non-homestead.
 - The Village raised \$320,924.88 from the Village Highway Fund tax in 2024.
 - There has been a 37% increase in the Village Highway Fund tax rate since 2014 when the rate was set at 0.33870 (or approximately a 3.7% increase/year).
- Village Equipment Fund (0.0184) – same rate for homestead and non-homestead.
 - The Village raised \$12,704.43 from the Village Equipment Fund tax in 2024.
 - There has been a 8% decrease in the Village Equipment Fund tax rate since 2014 when the rate was set at 0.0200 (or approximately a 0.8% decrease/year).
- **The total municipal tax revenue generated by the Village in 2024 was \$384,516.06.**

For information on tax contribution by Village properties to the annual Town tax bill, see the [Town Taxes](#) section.

Additional information on tax rate and revenue trends can be found in Appendix D.

Water and Sewer Usage Charges

The Village Department of Public Works (DPW) maintains and operates water treatment and wastewater collection and treatment for properties in the Village.

According to the modeling of the 2024 fiscal year budget provided by the Village, the total cost for operating the water system was \$119,315 and the sewer system was \$335,355. The total revenue generated in 2024 was \$319,281 for the water service and \$389,901 for the wastewater (including usage charges, grants, miscellaneous revenue, and rental revenue from a cell tower that rents Village land).

Billing for water and sewer is quarterly. There are roughly 570 billed accounts for both services (and around 10 users that have one or the other), some of which are for the same organization (i.e. the prior Green Mountain College campus had 18 accounts because of the different buildings served by water and sewer). Payment for usage fees is approximately 80% checks, 10% cash, 10% credit card.

The rates for water/sewer are set by the Village Board of Trustees. Over the past decade, fees for usage in the Village fell behind other municipalities in the region/state. The Village Trustees contracted with the University of North Carolina (UNC) Environmental Finance Center to assist with getting them back on track. As a result, these rates were raised for the first time in 7 years this past spring (2024) and the Village is continuing to improve rate setting.

The rate structure for water and sewer (when this current study started; rates have since been updated) are as follows:

- Water Quarterly: \$40 base fee (\$13.33/month) + \$4.50/1,000 gallons of water used
 - **Total annual estimate, water: At average annual usage of 40,000 gallons, a typical household pays \$28.33/month or \$340/year.**
- Sewer Quarterly: \$72.50 base (\$24.17/month) + \$8.50/1,000 gallons of wastewater produced
 - **Total annual estimate, sewer: At average annual usage of 40,000 gallons, a typical household pays \$52.50/month or \$630/year.**
- **Total annual estimate, water and sewer: \$80.83/month or \$970/year.**
- Additionally, there are a few special fees charged by the Village DPW including:
 - New hookup to water and sewer: \$1,000
 - Final water reading closing of property (during sale transaction): \$20.00

At the time of this study, the Village was under contract with Aldrich + Elliot Water Resources Engineers, an environmental engineering consulting firm, for preliminary design of upgrades to their wastewater treatment facility and for a sewer line repair and replacement project. According to the preliminary engineering reports for the wastewater treatment facility upgrade and the interceptor sewer upgrade, a combined bond vote in the Village is being proposed to be voted on in November worth approximately \$5.9 million dollars. The preliminary engineering reports recommend rate increases that would pay for these projects. These projects are scheduled for the following:

- WWTF Upgrade Construction schedule estimated start time of June 2026, winter shutdown, substantial completion by September 2027
- Sewer line repair/replacement project schedule estimated start time of June 2025 and completion by December 2025

In their preliminary engineering reports (2024) Aldrich + Elliot recommended that the Village bond both projects together for a total amount of approximately \$5.9M and estimated that under a likely funding scenario (projects paid for by the Clean Water State Revolving Fund,

CWSRF, with a 30-year term, 2% interest rate, 50% construction subsidy and a 10% State of Vermont Pollution Control Grant) the projected annual debt payment would be \$117,896.

Aldrich + Elliot projected the following user impact for sewer:

- Sewer customer using 40,000 gallons per year would pay an additional **\$239/year**, resulting in an estimated total annual sewer bill of **\$869/year** or **\$72.42/month**.
 - In total with water, the average total annual bill would become \$1,209/year or \$100.75/month, which represents a approximate 25% increase from current level.

While discussing the current operations and future plans for the water and sewer system, some other challenges were identified:

- Collection fee revenue took a large hit back in 2019 when Green Mountain College closed as they were a large consumer. Historically, the College was given a 10% discount on the lowest rate as they allowed the Village to have their wells on College property. Now that the College is closed, conversations are being had on how this will be addressed/handled moving forward.
- When users do not pay their bills on time, it becomes difficult to finance everything in the Village, particularly when the cost of everything is going up so much (specifically chemicals, insurance). In some cases, the Village has had to use funds from the General Fund to pay for water and sewer.

Nearing the completion of this study, the Village approved a bond measure (via Village vote) in May 2025 for these water and wastewater upgrades in an amount not to exceed of \$5,998,900.00, subject to reduction by State and/or Federal grants-in-aid.

Where Does the Money Go?

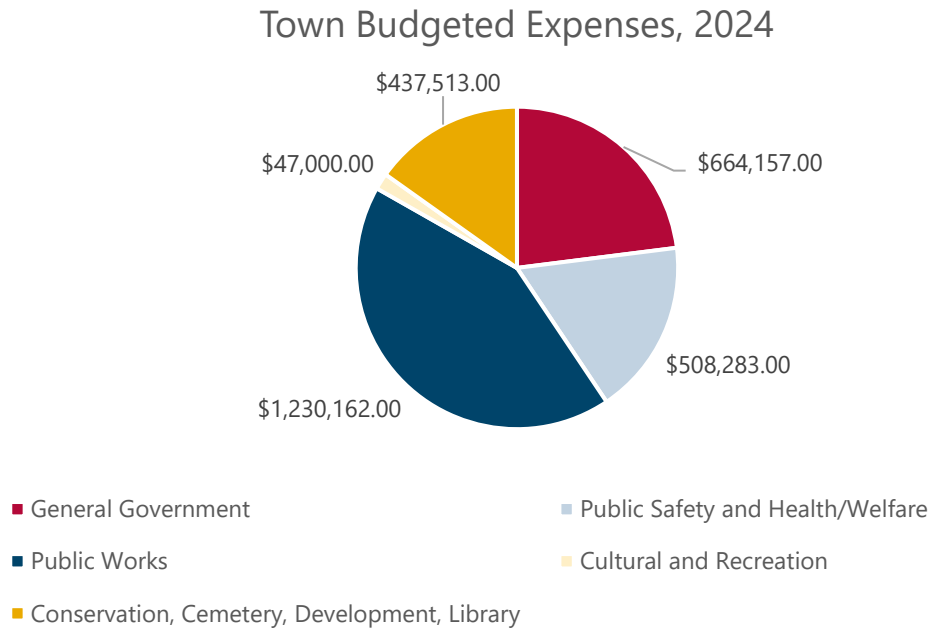
This section of the report will discuss how the revenue raised in the Town and Village is currently allocated and spent by these municipalities.

As a general reminder of money generated in the Town and Village:

- The Town General Fund is funded by tax dollars from the Town and Village. In this way, Town and Village residents fund services that everyone in the community uses. The education tax is administered by the Town to both the Town and Village.
- The Town Highway Fund is funded only by tax dollars from properties not in the Village; the Village currently has their own Village Highway Fund tax.
- The Village users on water and sewer pay for these systems.

Town Budget – Where Does the Money Go?

According to the modeling of the 2024 fiscal year from the budget values provided by the Town, the total cost for operating the Town was \$2,887,115.



Description of Costs for Town Employees and Town Services

Town Manager

As the Town Manager is also the Village Manager, the Town and Village Manager receives payment from both municipalities:

- Salary, communications, auto allowance, dues/subs/meetings: 30% from the Village General Fund and 70% from the Town General and Highway Funds.

Town Selectboard

The Town Selectboard has a modest stipend for its members as well as money allocated to cover costs for things like travel and training (\$3,500 budget from FY 2024). This is paid for out of the Town General Fund.

Town Bookkeeper

Full-time employee. 70% of their budget comes from the Town General Fund and 30% comes from the Town Highway Fund.

Town Clerk/Treasurer

Full-time employee. All their budget comes from the Town General Fund.

Assessor/Lister

Part-time employee. All their budget comes from the Town General Fund.

Constable (and State Police)

Part-time/contract employee. All their budget comes from the Town General Fund.

Recreation Commission and Commission Director

The part-time director and all the recreation department activities are funded by the Town General Fund as well as from the revenue generated from recreation department program fees.

Community Development Director

Full-time employee. All their budget comes from the Town General Fund.

Transfer Station

All expenses, including salaries and payments to employees, are covered by the Town General Fund and the revenue that the Transfer Station generates.

Town Highway Department

All expenses, including salaries and benefits to employees of the Highway Department, are covered by the Town Highway Fund. The cost of all streetlights in the Town are covered by the Town's Highway Fund.

Library

All expenses, including salaries and benefits to employees of the library, are covered by the Town General Fund.

Volunteer Fire Department

All expenses, including equipment and operation costs of the Fire Department, are covered by the Town General Fund.

Development Review Board and Planning Commission

Expenses like office supplies, dues, printing, and mapping are paid for out of the Town General Fund.

Poultney Downtown Revitalization Committee (PDRC)

Receives a stipend of approximately \$5,000 annually from the Town General Fund and receives approximately \$1,250 annually from the Village General Fund to cover their expenses.

Young at Heart Senior Center

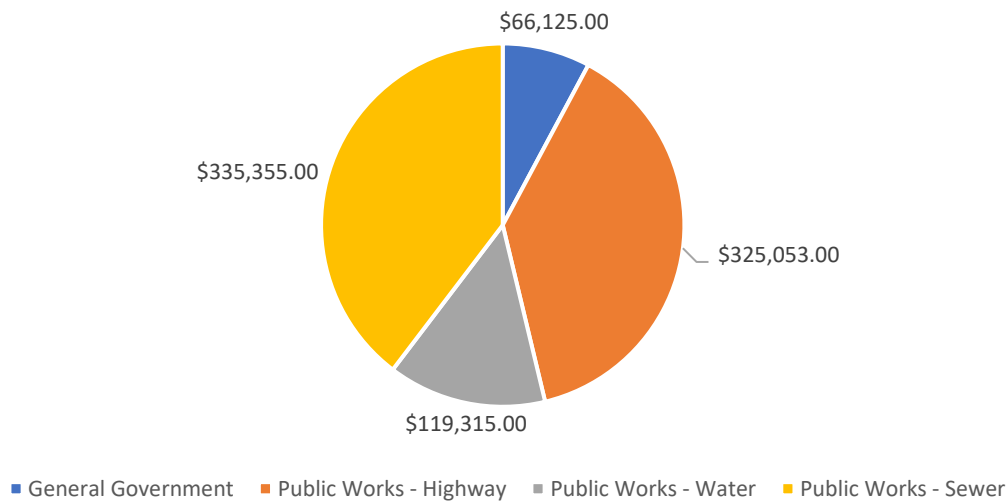
Receives an allocation of \$26,500 from the Town annually to help pay for support services for their building (electricity, heat, utilities, etc.), and this comes out of the Town General Fund. The remainder of their funding comes from state or federal funding, or fundraising. Additionally, the Town pays for major repairs/updates to building maintenance on an as-needed basis.

A summary of fiscal year 2025 salary and benefits information for full-time and part-time Town employees is provided in Appendix E.

Village Budget – Where Does the Money Go?

According to the modeling of the 2024 fiscal year from budget/actuals provided by the Village, the total cost for operating the Village was \$845,848.

Village Budgeted Expenses, 2024



Description of Costs for Village Employees

Village Manager

As the Village Manager is also the Town Manager, the Town and Village Manager receives payment from both:

- Salary, communications, auto allowance, dues/subs/meetings: 30% from the Village General Fund and 70% from the Town General Fund.
- Health premiums: 50/50 payment split between Village and Town (General Funds).

Village Bookkeeper

The bookkeeper is a part time employee whose salary is billed out evenly between four separate accounts (Village General Fund, Village Highway, Village Water, Village Sewer).

Village Clerk/Treasurer

Part time employee whose salary is paid by the Village General Fund.

Village Highway/DPW

Full-time employees. Their salaries (including overtime), benefits, and expenses are paid via Village Highway Fund tax, Village water users and Village sewer users. Their payment from these different sources is based on self-reporting of hours on manual timesheets by the employees.

The cost of all streetlights in the Village are covered by the Village's Highway Fund as follows:

- Main St. Sidewalk Lights – Traffic Control charge
- Main. St. Stop Light – Traffic Control charge
- Main St. Radar Sign – Traffic Control charge
- Grove St Blinker – Electricity charge
- Marcy's Flashers – Electricity charge
- Main St. Street Lights – Electricity charge

A summary of fiscal year 2025 salary and benefits information for full-time and part-time Village employees is provided in Appendix E.

Comparison of Tax Burden

Property taxes are the primary source of revenue for the Town of Poultney and account for about 35% of the Village of Poultney's revenue. The Village's other revenue is primarily in the water and wastewater user fees. All properties pay the same education tax rate, but the Village residents pay more property taxes for Highway and General Government than their neighbors outside the Village limits.

Properties in the Village of Poultney have a tax burden of \$1.0294 per \$100 of value compared to \$0.856 for a property outside the Village. For a median home, assessed at \$180,000, a Village property would pay \$1,853 annually and a Town outside village property would pay \$1,541.

When school taxes are included in tax burden estimate, a Village homestead property would pay \$4,195 and Town outside Village property would pay \$3,883.

Rate Type	Outside Village	Inside Village
Town General	\$0.469	\$0.469
Local Agreement	\$0.004	\$0.004
Town Highway	\$0.384	n/a
Village General	n/a	\$0.074
Village Highway	n/a	\$0.465

Equipment Fund	n/a	\$0.018
Gen Gov Taxes	\$0.856	\$1.029
School Homestead	\$1.301	\$1.301
School Non Homestead	\$1.723	\$1.723
Homestead Full	\$2.157	\$2.330
Non-Homestead Full	\$2.579	\$2.752

Future Scenarios

While the existing conditions of the Town and Village were described in the first half of this report, this next section will layout the preliminary options that Poultney has for moving forward. The three main paths forward for Poultney are:

1. Village and Town Stay Separate – No Change.
2. Village and Town Merge – Town and Village merge into one entity (Village tax bill goes away) and a Fire District is created (for governance of municipal water and sewer system).
3. Village and Town Stay Separate – Some structural changes are implemented.

Option 1: Village and Town Stay Separate - No Change

In this option, the Village and Town will remain as separate municipalities, and nothing will change. The current operation with these two separate municipalities has functioned with some challenges. The Town and Village already have a lot of overlap, and this often results with the same person working for the Town and Village in a similar role, as well as Town and Village employees assisting each other.

Pros of Option

There are several pros for following Option 1 to highlight:

- By maintaining the status quo, energy and focus wouldn't need to be spent on changing the structure and operation of the community and could instead be spent on potentially more pressing issues such as development and major capital projects.
- The current system has existed for decades, has functioned adequately, and has reportedly been improving in effectiveness in the last 5 years; necessary changes can be made by employees and members in their respective municipality without having to undergo a large structural change.
- Avoids a potentially lengthy process of restructuring and rechartering with the Vermont Legislature.
- Financially, the existing tax system will stay the same and no tax adjustments will need to be made (which WOULD need to occur if a merger is pursued).

Cons of Option

There are several cons for following Option 1, and they are as follows (but are not limited to):

- The issues identified by a variety of employees and residents and documented in this report will remain.
- The complexities around separate voting and tax bills will remain.
- The Village Board of Trustees and Town Selectboard would likely continue to operate in silos and not collaborate as effectively together on mutually beneficial goals like planning and economic development.

Option 2: Village and Town Merge and Fire District is Created

In this option, the Village and Town would merge into one sole municipality in Poultney, and a Fire District⁷ would be formed with a boundary encapsulating the service area for water and sewer so that these services can continue to be provided and paid for by the users. This service area boundary for the Fire District is nearly identical to the current Village boundary, but could be changed if needed to serve a growing area.

New Structure of Poultney: What Changes?

The following is a summary of major changes that would occur if a merger between the Village and Town occurred.

Governance

The Village Board of Trustees would go away, and the Town Selectboard would be the one governing body. This would require a change of Town Charter.

If a merger occurred, a discussion would have to occur about whether the number of current seats (5) and/or term lengths should be changed for the Selectboard.

Voting

There would no longer be separate Town and Village annual meeting days, meaning no separate votes. The annual meeting day for the merged community would only be the Town's annual meeting date.

Taxes

There would only be one annual tax bills. The Village tax bill would go away, and all residents would receive one annual tax bill from the Town while residents of the Fire District would receive their quarterly water/sewer bill from the Fire District. Town residents would experience

⁷ A Fire District is a term used for generic special districts to provide services to a limited area of the community. See a more detailed explanation in Appendix G

no change in the structure of their taxation. The impact to taxes and finances is discussed in detail in the [Impact on Finances](#) section.

Sewer and Water

A new “Fire District” would be formed that would be responsible for the governance and oversight of the Poultney water and sewer system. A new “Prudential Committee” (consisting of at least three elected members) would be established to be filled by volunteer members to provide governance/administration in collaboration with the full-time Public Works employees.

- It is important to note that the existing and pending debt (i.e. from the wastewater treatment facility and sewer upgrades) from the water and sewer infrastructure would be transferred to the Town, and this debt would still be entirely paid for via the users of the system NOT by residents of the Town outside Village (who do not currently pay and will not pay for these systems or debt).
- A discussion about Town taxpayers that are not on water/sewer paying a moderate fee into the water system could be explored. As the fire department uses water from hydrants, and fire protection is a service that everyone benefits from, all members of the community could bear some responsibility for the maintenance and upgrading of the water infrastructure for fire protection. This could be accomplished through the Town’s General Fund transferring a payment to the Fire District.

Employees/Services

Village employees would become Town employees, which would likely assist with streamlining some positions and providing better overlap/collaboration. It is not a goal of this merger to remove positions/jobs, and the merger is not anticipated to result in job losses or elimination of paid positions; however, if the Town decided this was the best course of action, it could do so and some volunteer village roles would no longer be relevant.

Expected changes to specific positions are as follows:

Manager:

- Responsibilities:
 - The Town and Village Manager title would change to Town Manager. Otherwise, the position would stay the same. As the Village Manager currently oversees the Village budget, of which a large portion is the water and sewer infrastructure, the Town Manager would be responsible for overseeing the water and sewer infrastructure even if the Village and Town merged (and the Village budget went away) and a new Fire District Formed.

- The Manager would still attend the Town Selectboard meetings and would begin attending Fire District Board meetings as this district would require a volunteer governing body and it would need staff support.
- Finances:
 - The Manager's salary, benefits, and expenses would have to be paid for differently as the Village tax would be removed, The Manager would likely be paid for all work (outside of water and sewer) out of the Town General Fund and Town Highway Fund. The Town Manager would be paid for work with water and sewer by usage fees from a fund set up in the new Fire District. The Town Manager's responsibilities are currently at or beyond capacity. The Town should consider additional assistance for the position, but the exact format of that position is beyond the scope of this engagement.

Bookkeepers:

- Responsibilities/Staffing:
 - The title of Village Bookkeeper would be eliminated, but the current Town and Village bookkeepers would both be retained. It is expected that their current employment levels would stay the same (one full-time, one part-time) with one as a Town Bookkeeper and the other as an Assistant Bookkeeper, but this could be further explored.
 - With the removal of a Village, the bookkeepers could work together more efficiently and effectively through the elimination of two separate offices.
 - Their responsibilities would be streamlined as they would only have to send out one tax bill and assist with one annual audit.
 - One bookkeeper would still be responsible for sending out the quarterly water and sewer bill for the new Fire District
 - Currently, a lot of the billing is co-mingled between the Town and Village, so the Town Bookkeeper already is doing work for the Village in segmenting out costs between the two municipalities (i.e. one phone line interlinked between all Town and Village Buildings). With a merger, much of this complexity would go away.
- Finances:
 - The bookkeepers would both be primarily paid out of the Town General Fund. Any work revolving around water and sewer would be paid by usage fees from a fund set up in the new Fire District.

Clerk/Treasurer:

- Responsibilities/staffing:

- Village Clerk/Treasurer title would be eliminated, but staffing levels would remain unchanged (one Clerk/Treasurer and one Assistant Clerk). The only title remaining would be Town Clerk/Treasurer and Assistant Clerk.
- The Village vote and tax bill would go away, so that election wouldn't have to be run (Clerk) and there would no longer be separate financial management (Treasurer).
- With the creation of the new Fire District, someone would need to handle the collection and cashing of checks from water and sewer usage fees; this could become a responsibility of the consolidated Town Clerk/Treasurer, or a separate part-time position could be created (i.e. District Treasurer).
- Finances:
 - The Town Clerk/Treasurer would continue to be paid out of the Town General Fund; work related to the cashing of checks from water and sewer usage fees could be paid for out of a newly formed Fire District fund.

Assessor/Lister:

There would be no changes to responsibilities or how this position would be funded if a merger were to occur.

Recreation Director:

There would be no changes to responsibilities or how this position would be funded if a merger were to occur.

Community Development Director:

There would be no changes to responsibilities or how this position would be funded if a merger were to occur.

Transfer Station:

There would be no changes to responsibilities or how this service would be operated or funded if a merger were to occur.

Highway Department/Public Works:

- Responsibilities/Staffing:
 - The Town and Village Highway departments would merge and ideally occupy and work out of the same space in the form of a newly constructed garage. The staffing levels would stay the same but staffing and tasks could be readjusted.
 - The current Village employees would still be responsible for operation and maintenance of the water and sewer system; breakdown of hours between tasks would be readjusted.

- This could lead to more efficient/effective purchasing and usage of vehicles as these assets could be shared and parked in the same location.
- **Finances:**
 - All highway work would be paid for out of the Town Highway fund as the Village Highway fund goes away.
 - Current Village employees would still be working on water and sewer operations, which would need to be funded via a newly established fund paid for by user fees in the Fire District.

Library:

There would be no changes to responsibilities or how this service would be operated or funded if a merger were to occur.

Volunteer Fire Department:

There would be no changes to responsibilities or how this service would be operated or funded if a merger were to occur.

Development Review Board:

There would be no changes to responsibilities or how this board would be operated or funded if a merger were to occur.

Planning Commission Board:

There would be no changes to responsibilities or how this board would be operated or funded if a merger were to occur.

Poultney Downtown Revitalization Committee:

There would be no changes to responsibilities or how this committee would be operated or funded if a merger were to occur.

Young at Heart Senior Center:

There would be no changes to responsibilities or how this service would be operated or funded if a merger were to occur.

Assets and Debts

In a merger situation, all assets and debts (aside from those directly related to water and sewer) currently owned by the Village would be transferred to the Town. As stated previously, the existing debt associated with water and sewer would be transferred to the Town and would continue to be paid for by usage fees. The newly formed Fire District would acquire assets (equipment, buildings, etc.) related to wastewater and water, and would also be responsible for taking on all future debt after it has been formed/created.

Overlap between vehicles owned by the Village and Town could be evaluated prior to the merger, and any redundant assets could be sold off.

Impact on Finances

If the Town and Village decide to merge, financing of services would have to change with the elimination of the Village tax levy and corresponding bills.

Although most expenses in the Village are associated with water and sewer – which are paid for via quarterly billings for water and sewer usage fees – the elimination of the Village tax bill would result in a decline in some tax revenue (Village General Fund, Village Highway Fund, Village Equipment Fund). The Village Highway Department is currently paid via the Village Highway Fund tax, administrative costs are paid via the Village General Fund tax, and some money is raised for equipment replacement via the Village Equipment fund tax.

To evaluate the impact on finances as the result of a merger, CGR first summarized what the current Town and Village property tax burden looks like. This information can be found in the [Comparison Tax Burden Section](#) included in the Current Fiscal Profile.

Modeling of Future Expenses

All Town expenses are expected to remain the same if a merger occurs except for those that are increased based on addition for expanding work with the village as outlined below. The following table summarizes what budget would be responsible for Village expenses if a merger occurred or if the expense goes away because the service would no longer be provided. For this model we used the 2024 Budgets for both the Town and Village.

Village Expense	Cost, \$\$	What Happens to Expense in a Merger?
100-3000 Governing Council	\$5,850	Village expense goes away
100-3200 Manager	\$6,875	Village expense goes to new Fire District
100-3310 Elections	\$450	Village expense goes away
100-3410 Bookkeeping	\$5,900	Village expense goes to new Fire District
100-3420 Auditing	\$2,750	Village expense goes away
100-3500 Clerk/Treasurer	\$850	Village expense gets added to Town General Fund
100-3700 Village Office	\$13,550	Village expense gets added to Town General Fund
100-9700 Employee Benefits	\$13,250	Village expense gets added to Town General Fund
100-9900 Other	\$3,950	Village expense gets added to Town General Fund
200-5100 Salaries Highway Department	\$119,288	Village expense gets added to Town Highway Fund

Village Expense	Cost, \$\$	What Happens to Expense in a Merger?
200-5110 Highway Department Summer Construction	\$87,700	Village expense gets added to Town Highway Fund
200-5140 Highway Department Winter Construction	\$16,100	Village expense gets added to Town Highway Fund
200-5300 Highway Department Employee Benefits	\$62,195	Village expense gets added to Town Highway Fund
200-5310 Plant Operations	\$25,200	Village expense goes to new Fire District
200-5330 Vehicles and Equipment	\$11,750	Village expense gets added to Town Highway Fund
200-5900 Other	\$700	Village expense gets added to Town Highway Fund
200-6000 Water Department Administration	\$52,315	Village expense goes to new Fire District
200-6010 Water Department Operations	\$67,000	Village expense goes to new Fire District
200-6020 Water Department Supplemental Expenses	\$0	Village expense goes to new Fire District*
300-7000 Sewer Department Administration	\$101,630	Village expense goes to new Fire District
300-7010 Sewer Department Operations	\$125,300	Village expense goes to new Fire District
300-7020 Sewer Department Supplemental Expenses	\$108,425	Village expense goes to new Fire District

*The Village 2024 FY budget showed \$0 for Water Department Supplemental Expenses; however, the value reported for the actuals from 2024 was \$106,138.

The projected COMBINED total expenses (based on the 2024 FY budget) that would need to be paid for by tax revenue or rate payers (water and sewer) if a merger occurred are the following:

- Expenses related to/paid for out of Town and Village Merged General Fund: \$1,795,578
- Expenses related to/paid for out of Town and Village Merged Highway Fund: \$1,302,190
- Expenses related to/paid for by Water and Sewer Users (Future Fire District Expenses): \$492,645

According to the modeling, if the Town and Village merge, there would be less than \$10,000 in cost savings (i.e., only \$10,000 of expenses would go away, all other expenses are moved to either the Town or Fire District).

Modeling of Tax Burden

A future tax burden has been modeled for the median household value for Village and Town properties to understand the financial impacts from the merger.

If a merger occurred, all properties (currently inside and outside of village) would have the same tax rate, and the following is predicted to occur:

- **Properties CURRENTLY INSIDE THE VILLAGE:** Tax burden (all taxes outside of education) will **decrease** by an estimated **\$0.189** to a new rate of **\$0.84 per \$100 of assessed property value**.
- **Properties OUTSIDE THE VILLAGE:** Tax burden (all taxes outside of education) will **decrease** by an estimated **\$0.016** to a new rate of **\$0.84 per \$100 of assessed property value**
- For a median home, assessed at \$180,000, all properties would pay \$1,512. When school taxes are included, all properties would pay \$3,854.

Rate Type	All Residents
Future Town General	\$0.474
Future Town Highway	\$0.363
Local Agreement	\$0.004
Equipment Fund	n/a
Gen Gov Taxes	\$0.840
School Homestead	\$1.301
School Non-Homestead	\$1.723
Homestead (Full Tax Burden)	\$2.141
Non-Homestead (Full Tax Burden)	\$2.563

Effects to education taxes were not modeled, as they are not set by Poultney, so they are assumed to remain the same regardless of whether a merger occurs.

There are some important caveats to mention about this financial impact modeling:

- Although property tax rates **DECREASED** for all properties (Town outside Village and Village), a large reason for this is likely because some costs in the 2024 budget provided to CGR may have been carried over to the Future Fire District expenses (instead of a General Fund to be paid for by general taxes). This is likely because in some instances it was not possible to decipher whether expenses may be paid for out of the Village's General fund or by rate payers because the expense was lumped into a lump sum value (e.g., building maintenance and operational costs, etc.)
- With a decrease in expenses to be paid for out of the General Fund and increase in costs associated with a Future Fire District, this likely means that despite the fact that all tax rates are lower in a merged community, rate payer expenses for water and sewer will likely **INCREASE**.
- CGR's analysis is based on the 2024 budget, which then was used to project/model the effects of a merger if the Town and Village had merged in 2025; as this study was

completed after the time where a merger could occur in 2025, these estimates may not apply as exactly to a future merger year (2026 or later).

- However, if the estimates of future expenses are off by \$50,000, this would result in only a \$0.014 difference in the estimated tax rate.

Pros of Option

There are several pros for following Option 2, and they are as follows (but are not limited to):

- As was described by several employees, the merger could potentially streamline operations and allow employees to work more closely together.
- “Soft costs”: By eliminating the two forms of government, everyday frictions such as confusion and misunderstanding about which body is responsible for specific services or decisions would be eliminated. By removing these frictions, confusion would be eliminated, civic engagement would increase, and overall trust and transparency between local government and residents would improve. Other benefits could be things like improved coordination/cohesion between town and village residents and a greater sense of shared identity and community.
- The Town and Village highway departments could consolidate their equipment/assets and work more collaboratively/efficiently.
- By eliminating a tax bill (the Village) the taxing system could be made more efficient.
- All residents tax burden rates would be reduced slightly (current village properties by **\$0.193** and Town outside Village by **\$0.020**).

Cons of Option

There are several cons for following Option 2, and they are as follows (but are not limited to):

- Poultney would have to go through a lengthy process of approval with the Vermont Legislature.
- The newly formed structure would likely have growing pains such as re-setting of tax rates.
- There would be tax implications – although a future forecast was completed, the new rates predicted are not guaranteed.
- A new Fire District would be formed, which would take time to set up and there would likely be growing pains associated with learning how to operate this new form of governance.

- Despite a DECREASE in tax burden rates for all residents, water and sewer rate payers would likely experience an INCREASE in rates. The fees for the services provided by the district may be marginally higher than the existing Village fees because the funds will be segregated from the general budget operations.
- There would be transition costs including the need to hire an attorney and a final audit of Village books.
- Town Bylaws and Ordinances may have to be adjusted to accommodate the inclusion of the Village. The anticipated changes would be outlined in the merger plan.

Description of Merger Process – What are the Steps?

This section will describe the process for a merger if the Steering Committee elects to go through with this option.

As was described in the [Introduction](#) section of this report, there are several communities in Vermont that have already gone through the process of merging their incorporated villages with their Town into a single municipality.

The merger process is explicitly laid out in the Vermont State Legislature in Title 24: Municipal and County Government, Chapter 49: Merger of Municipalities. The following is a description of the process of the merger if the Steering Committee decides to proceed with this option:

1. **Creation of a Preliminary Plan:** A merger plan and a new charter will be created and will include details of the proposed new combined municipality (structure, organization, functions, operation, finance, property, etc.).
2. **Warning/Notice of Public Meeting:** The Town and Village will each have to hold a public meeting to discuss a ballot measure for the proposed merger. The warning of this public meeting and proposed merger plan must be posted in 3 or more public places in both the Town and Village a minimum of 30 days before these public meetings. Additionally, the warning of the public meeting has to be advertised in at least 3 issues of a newspaper of general circulation within Poultney, the last of which has to appear no less than 3 days before the final public meeting.
3. **Hosting of Public Meetings:** Two public meetings to discuss the proposed plan of merger must occur prior to putting the matter to vote. The Town and Village could host separate meetings, or they could co-host two meetings together, as long as the meetings are advertised in both the Town and Village as described in Step 2. These meetings will be held two weeks apart.
4. **Vote of Approval:** A vote via Australian ballot in both the Town and Village will occur on the proposed plan of merger no less than 5 days after the second of the 2 required public meetings discussed in Step 3. For a plan of merger to be approved, both the Town and Village must approve the measure by MAJORITY VOTE. The voting would occur in the Town and Village separately and could occur on the same day in separate

locations or could be held on separate days. A few scenarios could be imagined for the vote:

- a. Town votes on the Annual Town Meeting in March, Village holds a special vote on this day.
- b. Village votes on the Annual Village Meeting on the second Tuesday of May, Town holds a special vote on this day.
- c. A mutually agreed upon date is chosen for both the Town and Village to hold special meetings for vote.
- d. The Town and Village vote on separate days.

5. Next Steps:

- a. If the merger is approved by majority vote in BOTH THE TOWN AND VILLAGE, the Town Clerk will notify the Vermont Secretary of State within 10 days of the last of the days of voting and the matter will be discussed for approval by the Vermont State Legislature. Based on a similar community in Vermont (Lyndon/Lyndonville) that recently merged (2022), their experience was that it would take approximately 7 months for the Vermont Legislature to review and approve the merger, and then it would take approximately 3 months for the merger to take effect in their community.
- b. If the merger is NOT approved by the majority vote in BOTH THE TOWN AND VILLAGE, the measure fails, and no merger will occur.

A copy of Title 24, Chapter 49 from the Vermont Legislature is included in Appendix F.

How a Fire District Would be Formed

If a merger between the Town and Village occurred, a separate Fire District would have to be formed to operate, maintain, and fund the water and sewer system.

The process for formation of a Fire District has been well laid out by the Vermont Environmental Conservation Drinking Water and Groundwater Protection Division in their *How to Form a Fire District, A Step-by-Step Guide to Help a Community Get Organized*.

The general steps to the formation of a Fire District are:

1. **Determine Level of Interest in the Community to Change to a Fire District**
2. **Draft a Petition to Form the District**
3. **Selectboard Posts Notice of Public Meeting to Discuss Formation**
4. **Acceptance by Selectboard at an Official Meeting**

5. Fire District's First Meeting

6. Developing By-Laws and Rules and Regulations

In the event that the Steering Committees decides to pursue this option and to put the merger to a vote, the process for formation of the Fire District can be discussed in greater detail. It is recommended that the petition and the planning for a Fire District begin in tandem with the public meeting and voting process for the merger so that the Fire District can be ready to be established if the Town and Village vote to approve a merger.

A copy of The Vermont Environmental Conservation guide can be found in Appendix G.

Option 3: Village and Town Stay Separate, but Some Structural Changes Occur

Similar to Option 1, the Village and Town will remain as separate municipalities; however, there are a number of changes that could be made to resolve some of the challenges that Poultney is facing without going through a merger.

As was discussed in this report, the current operation with two separate municipalities has functioned adequately and the Town and Village already have a lot of overlap. This overlap often results with the same employee working in the Town and Village in a similar role, as well as Town and Village employees assisting each other.

The following is a sample of a few key recommendations that could be made to the current structure without a merger occurring. This is a preliminary list and more strategies could be discussed with the Steering Committee prior to a decision on merger being made:

1. Find a new office space or create an addition onto the existing Town Office so that administrative employees from the Town and Village can all sit in the same location. This combined office would have a Town and Village Clerk/Treasurer office, and a Town and Village Bookkeeper office. In this way, the issue of having to close down either a Town or Village office when coverage/substitution is required would be eliminated, which would allow for more efficient substitution and collaboration. As was discussed earlier in this report, a new property was under contract (as of September 2025) by the Town and the Town was conducting a feasibility study for a new Town Hall while this study was being conducted.
 - a. Additionally, the same set work hours could be established for the Manager and Clerk positions in the both the Town and Village, and these would be clearly communicated (e.g., on a website, posted on the building door, etc.).
2. Hire a semi-permanent part-time person to assist with coverage in the village and town office.

3. Create a new Town and Village Highway garage that has ample space for both the Town and Village to store their equipment and house their employees. By housing the employees in the same location, they could have greater overlap and communication about sharing responsibilities, and the Village employees would still have autonomy. As was discussed earlier in this report, a feasibility study of a new garage space began while this study was being conducted.
4. Establish a formal agreement where the Town Highway Department maintains all streets inside of the Village, allowing the Village DPW staff to primarily focus on water/wastewater operation and maintenance, but pitch in as needed (e.g., during large snow storms, etc.).
5. Create more opportunities for Town Selectboard members and Village Trustees to collaborate on items that affect the entire town (i.e. economic development, planning) rather than continuing to operate in silos. An example of this could be to have the Village and Town collaborate on budgets during budget season so that they are set up in similar ways to make the annual audit and the workload of the bookkeepers easier.
6. Incorporate a Village Trustees' page on the Town's website to share information about ongoing initiatives that they are undertaking. Costs associated with this (staff time to develop, staff time to maintain, Village sharing the cost of the website with the Town, etc.) would have to be discussed with the Town's website vendor.

Pros of Option

There are several pros for following Option 3 are described below:

- Energy and focus don't need to be spent on entirely changing the structure and operation of the community via a merger and can be spent on potentially more pressing issues.
- Many of the issues described by employees could begin to be addressed systematically.
- The current system has existed for decades and has functioned; necessary changes can be made in a more collaborative fashion between the Town and Village.
- Avoids going through a restructuring and rechartering process with the Vermont Legislature.
- Financially, the existing tax system will stay the same; tax readjustment will not have to occur because of a merger.

Cons of Option

There are several cons for following Option 1, and they are as follows (but are not limited to):

- Many of the complexities around separate voting and tax bills will remain.
- The Village and Town governing bodies could continue to operate in silos and not collaborate as effectively together as they could on common goals around planning and economic development.

Appendices

Appendix A: Town and Village Warnings of Vote for Appointing a Merger Steering Committee

**Warning
Poultney Town Meeting 2022
In-Person**

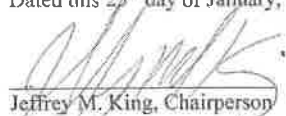
The citizens of the Town of Poultney, in the County of Rutland and the State of Vermont, who are legally qualified to vote in the Town Meeting, are hereby warned to meet at the Poultney Fire Department, 55 Fire House Lane, in the Town of Poultney on Monday, February 28, 2022 at 7:00 p.m. to transact at that time, business not involving voting by Australian Ballot.

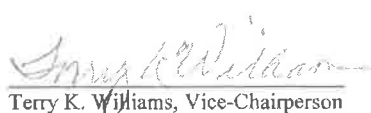
The meeting will be recessed at the conclusion of the transaction of such business until 10:00 a.m. on the following day at the Poultney Fire Department located at 55 Fire House Lane, this being Tuesday, March 1, 2022 at which time business, involving voting by Australian Ballot and voting required by law to be by ballot, will be transacted.

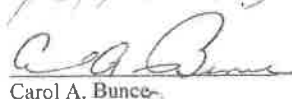
(Ballot boxes/Polls will be opened at 10:00 a.m. and will close at 7:00 p.m.)

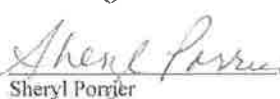
1. To elect the following Town Officers and fill any vacant office: (a) One (1) Town Moderator for a term of one year; (b) One (1) Selectboard member for a term of three years; (c) Two (2) Selectboard members for a term of one year; (d) One (1) Lister for a term of three years; (e) One (1) Library Trustee for a term of five years; (f) One (1) Quarry Valley Unified Union School District Director for a term of three years; (g) One (1) Quarry Valley Unified Union School District Director for an unexpired two years of a three year term.
2. Shall the Town accept the Independent Auditor's Report?
3. Shall the Town adopt the General Fund Budget of \$1,457,548, less estimated receipts of \$104,250, less surplus, if any, and authorize the Selectboard to set a tax rate sufficient to raise the specific amounts voted for the Fiscal Year 2022/2023?
4. Shall the Town Highway District adopt a Highway Fund Budget of \$946,575, less surplus, if any, and authorize the Selectboard to set a tax rate sufficient to raise the specific amounts voted for the Fiscal Year 2022/2023?
5. Shall the Town provide limited authority to the Selectboard to explore the possibility of entering into a tax stabilization agreement with Regenerative Land Holdings, LLC to promote the redevelopment of the property that formerly served as the campus of Green Mountain College, which agreement shall be effective upon ratification by a majority of those present and voting at an annual or special meeting warned for that purpose pursuant to 24 V.S.A. § 2741(b)(2)?
6. Shall the Town of Poultney require that the public be given an opportunity for remote attendance and participation in all meetings of the Poultney Selectboard, through a videoconferencing arrangement which allows for both audio and visual participation?
7. Shall the Town cease assessing and collecting taxes on personal property in the Town?
8. Shall the voters of the Town of Poultney authorize cannabis retailers and integrated licensees in Town pursuant to 7 V.S.A. § 863?
9. Shall the voters of the Town of Poultney authorize the Selectboard to appoint a committee to study the feasibility of a merger between the Town of Poultney and the Village of Poultney dependent upon the Village of Poultney placing a similar feasibility study on the Village Ballot in May, 2022, and both Articles passing in both elections?

Dated this 25th day of January, 2022.


Jeffrey M. King, Chairperson

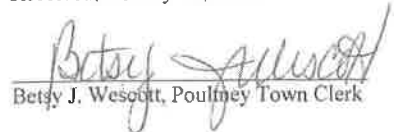

Terry K. Williams, Vice-Chairperson


Carol A. Bunce


Sheryl Pomier


Richard LaPierre

Received, January 25, 2022


Betsy J. Wescott, Poultney Town Clerk

**WARNING
VILLAGE OF POULTNEY
SPECIAL MEETING**

The citizens of the Village of Poultney, in the County of Rutland and the State of Vermont, who are legally qualified to vote in the Village Annual Meeting, are hereby warned to meet at the Poultney Firehouse located at 55 Fire House Lane on **September 27, 2022 at 7:30 P.M.** to transact at that time, business not involving voting by Australian Ballot.

The Informational Meeting will be recessed at the conclusion of the transaction of such business until 10:00 A.M., on the following day at the Poultney Fire House located at 55 Firehouse Lane, on **September 28, 2022**, at which time business involving voting by Australian Ballot and voting required by law to be by ballot will be transacted.

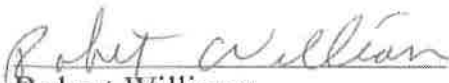
(Ballot boxes will be opened at 10:00 A.M. and will close at 7:00 P.M.)

1. Shall the voters of the Village of Poultney require the Board of Trustees to appoint a committee to study the feasibility of a merger between the Village of Poultney and the Town of Poultney?

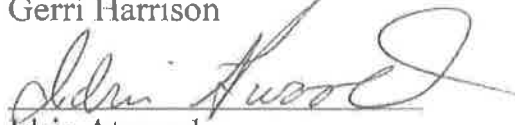
Dated this 19th day of August, 2022.

Poultney Village Trustees

Joseph DeBonis, Jr, President


Robert Williams


Gerri Harrison


Idris Atwood

Received August 22nd, 2022


Betsy Wescott, Village Clerk / Treasurer

Appendix B: Stakeholder Interview Schedule

CGR Interview Schedule

October 21, 2024				
1:00 - 2:00 pm	Alan-Glen Burnell	Village DPW Superintendent	802-558-8723 (cell)	685 York Street
2:00 - 3:00 pm	Betsy Wescott, Carol Bunce	Town Clerk & Treasurer, Assistant Town Clerk	802-287-5761, poultneytownclerk@comcast.net	Town Office, 9 Main Street
3:00 - 4:00 pm	Joel Roberts	Town Highway Dept. Foreman	802-287-9371, poultney.highway@gmail.com	Highway Garage,
4:00 - 4:30	Laura Williams	Poultney Downtown Revitalization Committee (PDRC)	projects@poultneydowntown.com	Stonebridge Visitor Center, 66 Beaman St.
4:30 - 6:00 pm: Leave Open				
6:00 - End: Merger Steering Committee Meeting, Town Office Meeting Room				
October 22, 2024				
8:30 - 9:00	Jeff King	Selectboard Chair	802-683-8101 (cell)	Town Office, 9 Main St.
9:00 -10:00	Chief Aaron Kerber	Poultney Volunteer Fire Department	802-287-5712, aamavrick@gmail.com	55 Firehouse Lane
10:00 - 10:30	W/ James at Analog Cycles	Note: James has an amazing shop in the village and he is serious about good coffee! I scheduled this visit as a bit of a breather (not necessarily a formal interview) and to give you an idea of the young locals 'scene'.	james@analogcycles.com	188 Main Street, Suite #1
10:30 - 11:00 Break				

11:00 - 12:00	Joe DeBonis	Village Trustees, Chair (also Poultney High School Principal)	joe.debonis@grcsu.org	Poultney High School
11:00 - 12:00	Elizabeth Ayers	Poultney Area Chamber of Commerce, President	elizabethayers@hotmail.com	Stonebridge Visitor Center, 66 Beaman St.
12:00 - 1:00 Break				
1:00 - 2:00	Carrie Hurlburt	Site Director, Young at Heart Senior Center	802-287-9200, carrielafoond@yahoo.com	206 Furnace Street
1:00 - 2:00	Rebecca Cook	Poultney Public Library Director	(802) 287-5556, ppl5556@yahoo.com	Poultney Public Library, 205 Main Street
2:00 - 3:00	Sarah Pelkey	Community Development Director	802-558-6108, poultneyeconomic@gmail.com	Stonebridge Inn, 66 Beaman St.
3:00 - 4:00	Courtney Behnken	Director, Slate Valley Trails	courtney@slatevalleytrails.org	Slate Valley Trails Fairgrounds Trailhead, Town Farm Road
3:00 - 4:00	MJ Teetor	Assessor	poultneylisters@comcast.net	Town Office, 9 Main Street
Virtual/Remote				
10/30/24 Jamie Lee – Chair of Planning Commission, DRB Chair, and President of Poultney Downtown Revitalization Committee				
10/31/24 Kim Thirkield and Neisja Crawford – Town and Village Bookkeepers				
11/13/24 Paul Donaldson - Town and Village Manager				

Appendix C: Town and Village Assets (Vehicles and Buildings/Properties)

Town Property									
Property Number	Address	Description	Department	Flood Zone	# Employees per Building	# Vehicles Garaged at Building	Property Valuation Type	Property Value	Contents Value
0006	205 Main St Poultney, VT 05764	Library	Administration	Zone X	2	0	Guaranteed Replacement Cost	\$ 1,379,084.62	\$ 271,100.00
0012	206 Furnace St Poultney, VT 05764	Senior Citizen Center	Administration	Zone X	2	0	Guaranteed Replacement Cost	\$ 692,115.84	\$ 38,400.00
0003	66 Beaman St Poultney, VT 05764	Stonebridge Inn	Administration	Zone X	1	0	Guaranteed Replacement Cost	\$ 1,501,300.01	\$ 10,000.00
0010	9 Main St Poultney, VT 05764	Town Office	Administration	Zone X	5	0	Guaranteed Replacement Cost	\$ 744,134.04	\$ 81,000.00
0007	Hillside Rd Poultney, VT 05764	Transfer Station (Pump incl in contents)	Administration	Zone X	2	0	Guaranteed Replacement Cost	\$ 9,833.67	\$ 4,000.00
0008	55 Firehouse Ln Poultney, VT 05764	Fire Department Bldg	Fire	Zone X	0	9	Guaranteed Replacement Cost	\$ 2,209,842.65	\$ 64,500.00
0001	170 Furnace St Poultney, VT 05764	Town Garage	Highway	Zone X	0	10	Guaranteed Replacement Cost	\$ 611,405.50	\$ 68,400.00
0002	170 Furnace St Poultney, VT 05764	Storage Shed	Highway	Zone X	0	0	Guaranteed Replacement Cost	\$ 16,144.93	\$ -
0011	170 Furnace St Poultney, VT 05764	Salt Shed	Highway	Zone X	0	0	Guaranteed Replacement Cost	\$ 12,986.95	\$ -
0005	170 Furnace St Poultney, VT 05764	Sand Shed	Highway	Zone X	0	0	Guaranteed Replacement Cost	\$ 511,421.04	\$ -
0009	96 School Circle Poultney, VT 05764	Recreation Complex	Parks/Recreation	Zone X	0	0	Guaranteed Replacement Cost	\$ 31,282.56	\$ 5,000.00
0013	96 School Circle Poultney, VT 05764	Playground Equipment	Parks/Recreation		0	0	Agreed Value	\$ 66,817.12	\$ -
0014	Main St Poultney, VT 05764	Pocket Park (5 slate walls/benches, slate patio, walkways)	Parks/Recreation		0	0	Agreed Value	\$ 183,651.62	
0004	96 School Circle Poultney, VT 05764	Recreation Bath House	Parks/Recreation	Zone X	0	0	Guaranteed Replacement Cost	\$ 54,744.48	\$ -
Admin Total Cost/Value								\$ 4,326,468.18	\$ 404,500.00
Fire Total Cost/Value								\$ 2,209,842.65	\$ 64,500.00
Highway Total Cost/Value								\$ 1,151,958.42	\$ 68,400.00
Parks/Recreation Total Cost/Value								\$ 336,495.78	\$ 5,000.00
Total Town Cost/Value								\$ 8,024,765.03	\$ 542,400.00

Village Property									
Property Number	Address	Description	Department	Flood Zone	# Employees per Building	# Vehicles Garaged at Building	Property Valuation Type	Property Value	
0001	Main Street	Ornamental Street Lights (43)	Highway	Zone X	0	0	Agreed Value	\$ 136,671.37	
0002	685 York Street	Sludge Drying Bed Shed	Sewer/Wastewater	Zone X	0	0	Guaranteed Replacement Cost	\$ 602,096.98	
0003	685 York Street	Sludge Storage	Sewer/Wastewater	Zone X	0	0	Guaranteed Replacement Cost	\$ 453,598.70	
0005	98 Depot Street	Garage/Village Office/Storage	Administration	Zone X	1	1	Guaranteed Replacement Cost	\$ 978,708.74	
0006	685 York Street	Sewer Plant	Sewer/Wastewater	Zone X	4	0	Guaranteed Replacement Cost	\$ 3,044,652.62	
0007	685 York Street	Highway Dept Garage	Highway	Zone X	4	4	Guaranteed Replacement Cost	\$ 71,299.20	
0008	266 Allen Avenue	Lift Station	Sewer/Wastewater	Zone X	0	0	Guaranteed Replacement Cost	\$ 100,450.09	
0010	Various Locations	95 Fire Hydrants	Water		0	0	Agreed Value	\$ 265,749.89	
0011	199 Rae Terrace	Sewer Pump Station	Sewer/Wastewater	Zone X	0	0	Guaranteed Replacement Cost	\$ 514,049.33	
0012	199 Rae Terrace	Well Pump # 1 Building	Water	Zone A	0	0	Guaranteed Replacement Cost	\$ 142,365.60	
0013	685 York Street	SBR Process Tank 2	Sewer/Wastewater	Zone X	0	0	Guaranteed Replacement Cost	\$ 1,292,780.16	
0014	685 York Street	Salt Shed	Highway	Zone X	0	0	Guaranteed Replacement Cost	\$ 17,205.41	
0015	685 York Street	SBR Process Tank 1	Sewer/Wastewater	Zone X	0	0	Guaranteed Replacement Cost	\$ 1,292,789.16	
0016	Windywood Acres Ext	Water Storage (550,000 Gal)	Water	Zone X	0	0	Guaranteed Replacement Cost	\$ 1,849,876.70	
0017	288 Granville Street	Well Pump # 2	Water	Zone AE	0	0	Guaranteed Replacement Cost	\$ 156,383.14	
0018	Windywood Acres Ext	Perimeter fencing	Water	Zone X	0	0	Agreed Value	\$ 13,756.73	
0019	199 Rae Terrace	Perimeter fencing for both the sewer pump station and well pump # 1 building	Sewer/Wastewater	Zone X	0	0	Agreed Value	\$ 10,512.22	
0020	685 York Street	Blower Building	Sewer/Wastewater	Zone X	0	0	Guaranteed Replacement Cost	\$ 251,658.58	
0021	685 York Street	Site Fencing and propane tanks	Sewer/Wastewater	Zone X	0	0	Agreed Value	\$ 43,346.88	
0022	685 York Street	Generator for sewer plant	Sewer/Wastewater	Zone X	0	0	Guaranteed Replacement Cost	\$ 155,507.04	
0023	288 Granville Street	Perimeter fencing	Water	Zone AE	0	0	Agreed Value	\$ 7,137.93	
Admin Total Cost/Value								\$ 978,708.74	
Water Total Cost/Value								\$ 2,435,269.99	
Highway Total Cost/Value								\$ 225,175.98	
Sewer/Wastewater Total Cost/Value								\$ 7,300,417.04	
Total Village Cost/Value								\$ 10,939,571.75	

Observations:

-There is no date or information about quality of building, which would make it hard to track information about improvement needs

-Reducing repeats: Town Office and Village Office become one, Highway garage/storage becomes one (Village/Town), have only one salt shed (see reduced value/cost calculated in Column I)

Future District Cost/Value

Future Town Combined Total Cost/Value

Remove redundant assets (see observations)

\$ 9,735,687.03

\$ 9,228,649.75

\$ 8,161,436.40

Town Vehicles										
Vehicle Number	Year	Age	Make	Model	VIN	Department	Address	Vehicle Type	Vehicle Valuation Type	Cost New
0012	1992	32	FORD	CRASH TRUCK	2FDKF38M4NCA62738	Fire	55 Firehouse Ln Poultney, VT 05764	All Other Road Vehicles	Actual Cash Value	
0022	1994	30	INTERNATIONAL	PUMPER	1HTSDN6R3RH561939	Fire	55 Firehouse Ln Poultney, VT 05764	Fire Pumper/Tanker/Ladder	Modified Actual Cash Value	
0038	1999	25		NMI Snow Mate Snowmobile Trailer	5A8MC1417Y2064085	Fire	55 Firehouse Ln Poultney, VT 05764	Trailer	Modified Actual Cash Value	
0004	2000	24	CHEVROLET	TAHOE	1GNEK13TXYJ187272	Fire	55 Firehouse Ln Poultney, VT 05764	Passenger Car/Van	Actual Cash Value	\$8,000
0007	2003	21	FREIGHTLINER	FL80	1FVABXBS73HK69631	Fire	55 Firehouse Ln Poultney, VT 05764	Fire Pumper/Tanker/Ladder	Modified Actual Cash Value	
0008	2006	18	PACE	HAZMAT TRAILER	CQ8516TAW	Fire	263 Beaman St Poultney, VT 05764	Trailer	Actual Cash Value	\$8,500
0037	2012	12		Cargo Mate Cargo Trailer	5NHUBLT23CN075922	Fire	55 Firehouse Ln Poultney, VT 05764	Trailer	Modified Actual Cash Value	
0023	2017	7	HME	ISL9 FIRE TRUCK	44KFT4283JWZ23089	Fire	55 Firehouse Ln Poultney, VT 05764	Fire Pumper/Tanker/Ladder	Modified Actual Cash Value	\$527,900
0001	2018	6	DODGE	RAM 3500	3C63R3DJ7JG210963	Fire	55 Firehouse Ln Poultney, VT 05764	Fire Pumper/Tanker/Ladder	Modified Actual Cash Value	\$60,000
0024	2020	4	POLARIS	UTV	4XAS6E579LB677204	Fire	263 Beaman St Poultney, VT 05764	All Other Mobile Equipment	Modified Actual Cash Value	\$13,668
0035	2023	1	CAN-AM	Defender 6X6	3JB6GAX41PK0000695	Fire	55 Firehouse Ln Poultney, VT 05764	All Other Mobile Equipment	Modified Actual Cash Value	\$40,000
0039	2023	1	FORD	F-550 Alexis Mini-Pumper	1FD0W5HT4NEF65853	Fire	55 Firehouse Ln Poultney, VT 05764	Fire Pumper/Tanker/Ladder	Modified Actual Cash Value	\$380,130
0036	2024		BIG TEX	70PI Utility Trailer	16V1U2225R77279083	Fire	55 Firehouse Ln Poultney, VT 05764	Trailer	Modified Actual Cash Value	\$6,000
0003	1984	40	CHEVROLET	UTILITY TRUCK	1GCHD34J4EF333608	Highway	170 Furnace St Poultney, VT 05764	Pickup Truck	Actual Cash Value	\$2,500
0016	1997	27	NEW HOLLAND	LOADER J4137	DVJ24251	Highway	170 Furnace St Poultney, VT 05764	Heavy Construction Equipment	Modified Actual Cash Value	\$50,000
0010	2000	24	JOHN DEERE	310 E BACKHOE	T0310EX892246	Highway	170 Furnace St Poultney, VT 05764	Heavy Construction Equipment	Modified Actual Cash Value	\$50,000
0025	2001	23		TALBERT AC20 TRAILER	40FR0302112020920	Highway	170 Furnace St Poultney, VT 05764	Trailer	Actual Cash Value	\$8,500
0005	2004	20	JOHN DEERE	444J LOADER	DW44JT593741	Highway	170 Furnace St Poultney, VT 05764	Heavy Construction Equipment	Modified Actual Cash Value	\$68,800
0020	2006	18	INTERNATIONAL	TRUCK	1HTWXAHT97J461330	Highway	170 Furnace St Poultney, VT 05764	Dump Truck	Actual Cash Value	\$30,000
0006	2008	16	JOHN DEERE	MOTOR GRADER W/ATTACH	DW672D616322	Highway	170 Furnace St Poultney, VT 05764	Heavy Construction Equipment	Modified Actual Cash Value	\$206,750
0009	2012	12	DODGE	RAM 5500	3C7WDNAL9CG173197	Highway	170 Furnace St Poultney, VT 05764	Pickup Truck	Actual Cash Value	\$42,972
0040	2013	11	JOHN DEERE	6125M	1L06125MEDH771847	Highway	170 Furnace St Poultney, VT 05764	Heavy Construction Equipment	Modified Actual Cash Value	\$57,000
0028	2014	10	INTERNATIONAL	7400	1HTWDAZR2EH788877	Highway	170 Furnace St Poultney, VT 05764	Dump Truck	Actual Cash Value	\$45,000
0019	2014	10	WESTERN STAR	4700SF 14 Dump Truck	5KKHAVDV1ELFY8632	Highway	170 Furnace St Poultney, VT 05764	Dump Truck	Actual Cash Value	\$194,000
0002	2018	6	CATERPILLAR	308E2CRSB HYDRALIC EXCAVATOR	FJX12382	Highway	170 Furnace St Poultney, VT 05764	Heavy Construction Equipment	Modified Actual Cash Value	\$109,500
0029	2021	3	JOHN DEERE	410L	1T0410LXCPF442941	Highway	Furnace St Poultney, VT 05764	Heavy Construction Equipment	Modified Actual Cash Value	\$162,900
0026	2022	2	WESTERN STAR	4700 SF	5JJHAVDV2NPND9229	Highway	170 Furnace St Poultney, VT 05764	Dump Truck	Actual Cash Value	\$214,230
0030	2024		WESTERN STAR	47X dump truck	5KKHBPDV9RLVB7489	Highway	9 Main St Poultney, VT 05764	Dump Truck	Actual Cash Value	\$282,000
0018	2016	8	FORD	EXPLORER	1FM5K8AT866C95465	Law Enforcement	106 Kerber Ln Poultney, VT 05764	Police Cruiser/SUV	Actual Cash Value	\$32,340

Fire Department Total Cost/Value\$1,044,198

Highway Department Total Cost/Value\$1,524,152

Law Enforcement Total Cost/Value\$32,340

Total Cost/Value\$2,600,690

Village Vehicles										
Vehicle Number	Year		Make	Model	VIN	Department	Address	Vehicle Type	Vehicle Valuation Type	Cost New
0001	2019		DODGE	RAM 5500	3C7WRNAL6KG540749	Highway	98 Depot Street Poultney, VT 05764	Pickup Truck	Actual Cash Value	\$46,235.00
0003			JOHN DEERE	SKIDSTEER	TOO317E143297	Highway	685 York Street Poultney, VT 05764	All Other Mobile Equipment	Modified Actual Cash Value	\$28,425.00
0006	1985		KUBOTA	L2250DT7 (Utility Tractor)	50791	Highway	685 York Street Poultney, VT 05764	All Other Mobile Equipment	Modified Actual Cash Value	\$10,000.00
0007	2013		KUBOTA	SIDEWALK PLOW WITH ATTACHMENTS	51390	Highway	685 York Street Poultney, VT 05764	All Other Mobile Equipment	Modified Actual Cash Value	\$37,875.00
0008			JOHN DEERE	310KXBZ (Backhoe)	1T0310EKCEG256829	Highway	685 York Street Poultney, VT 05764	Heavy Construction Equipment	Modified Actual Cash Value	\$64,000.00
0009	2020		CHEVROLET	SILVERADO 3500 HD	1GB3YSEY6LF334328	Highway	98 Depot Street Poultney, VT 05764	Pickup Truck	Actual Cash Value	\$53,250.00
0010	2024		CHEVROLET	SILVERADO 3500	1GB5YSE76RF159247	Highway	98 Depot Street Poultney, VT 05764	Pickup Truck	Actual Cash Value	\$77,500.00
Total Cost/Value										\$317,285.00

Future Combined Highway Total Cost/Value\$1,841,437.00

Future Combined Total Cost/Value\$2,917,975.09

Merged Highway Rough Summary

Combined stock, 0-6 years old, Highway, to be replaced in 5-10 years	7	32%	\$	945,615.00	19%	81%
Combined stock, 10-15 years old, Highway, should be considered for replacement in next 1-3 years	5	23%	\$	583,597.00	6%	94%
Combined stock, >15 years old, Highway - should be replaced now	10	45%	\$	225,800.00	4%	96%
Combined total vehicles, highway	22		\$	1,755,012.00		

Observations:

-Town has a backhoe (2000) and so does Village, but Village doesn't have a year - do they need both? Town would probably sell/salvage theirs if they don't need it.

Appendix D: Summary of Tax Rates and Tax Revenue, 2014-2024

Total Grand List (Town and Village)

Year	Total Municipal Grand List		% Change from Previous FY	Homestead Grand List		Non-Homestead Grand List		Town Highway Tax Rate (TOWN PROPERTIES ONLY)		% Change from Previous FY	Town Highway Tax Raised (Town Property Only)		Town General Fund Tax Rate (TOWN and Village)		% Change from Previous FY	Town General Fund Tax Raised (Both Town and Village Properties)		
2014	\$	3,238,123.70		\$	1,325,286.00	\$	1,887,217.75		0.2101		\$	546,843.97		0.2989		\$	967,875.17	
2015	\$	3,253,179.12	0.46%	\$	1,316,714.70	\$	1,909,313.54		0.2193	4.38%	\$	573,951.45		0.3125	4.55%	\$	1,016,618.48	
2016	\$	3,259,137.17	0.18%	\$	1,324,022.74	\$	1,903,225.24		0.2233	1.82%	\$	585,382.91		0.3134	0.29%	\$	1,021,413.59	
2017	\$	3,295,401.64	1.11%	\$	1,286,387.03	\$	1,965,538.25		0.2238	0.22%	\$	593,196.95		0.3315	5.78%	\$	1,092,425.64	
2018	\$	3,300,956.57	0.17%	\$	1,287,745.03	\$	1,971,393.42		0.2270	1.43%	\$	604,116.86		0.3281	-1.03%	\$	1,083,043.85	
2019	\$	3,325,094.03	0.73%	\$	1,303,471.03	\$	1,983,380.84		0.2751	21.19%	\$	739,159.13		0.3564	8.63%	\$	1,185,063.51	
2020	\$	3,356,109.12	0.93%	\$	1,315,445.03	\$	1,988,730.84		0.2899	5.38%	\$	787,188.18		0.3577	0.36%	\$	1,200,480.23	
2021	\$	3,434,969.91	2.35%	\$	1,351,285.43	\$	2,022,534.07		0.3134	8.11%	\$	864,206.77		0.3685	3.02%	\$	1,265,786.41	
2022	\$	3,448,900.51	0.41%	\$	1,344,581.03	\$	2,068,663.48		0.3401	8.52%	\$	946,523.30		0.4417	19.86%	\$	1,523,379.36	
2023	\$	3,492,972.00	1.28%	\$	1,362,032.00	\$	2,106,603.35		0.3648	7.26%	\$	1,022,965.59		0.4614	4.46%	\$	1,611,657.28	
2024	\$	3,515,520.00	0.65%	\$	1,388,367.00	\$	2,103,416.21		0.3837	5.18%	\$	1,083,976.29		0.4688	1.60%	\$	1,648,075.78	
10 year difference (% change):																		
		9%							83%					98%			57%	70%

Village Grand List

										% Change		% Change	
										General	from	General	from
										Fund Tax	Previous	Fund Tax	Previous
										Rate	FY	Total	Total Tax
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Appendix E: Fiscal Year 2025 Salaries and Benefits of Employees

Village of Poultney

Annual Employee Wage Summary Report and Insurance Premiums, FY 25 (Before Audit)

	Name	Wage	Health Ins.	Position
Village Office	Donaldson, Paul	28,540.20	\$12,826.98	Village Manager
	Thirkield, Kim	27,870.00		Village Bookkeeper
Public Works Dept.	Burnell, Alan Glen	80,520.00	\$28,655.58	Superintendent of Public Works
	Doran, Michael	42,761.25	\$26,010.36	DPW Technician
	Muratorri, Ryan	50,241.75	\$10,197.72	DPW Technical
Clerk Office	Wescott, Betsy	3,799.92		Clerk/Treasurer

Health Reimbursement Agreement (HRA) costs: \$21,584.37

Town of Poultney
Annual Employee Wage Report and Insurance Premiums
Fiscal Year 25

	Name	Wage	Health Ins	Life/Disability	Position
Town Office:	Donaldson, Paul A.	\$ 68,079.00	\$ 14,258.00	\$ 361.44	Town Manager
	Crawford, Neisja	\$ 43,684.00	\$ 28,515.00	\$ 255.96	Bookkeeper/Secretary/Library
	Kasuba, Susan	\$ 1,548.00			Office Assistance
	Thirkield, Kimberly	\$ 178.50			Office Assistance
	Pelkey, Sarah	\$ 60,320.00	\$ 28,515.00	\$ 378.84	Community Development Director
	Kerber, Dale	\$ 7,000.00			Constable
	Porrier, Sheryl	\$ 2,800.00			Recreation Commission
Transfer Station:	Williams, Thomas D.	\$ 37,340.00			Part-Time Transfer Station
	McLaughlin, Ronald	\$ 18,237.00	\$ 8,585.04		Part-Time Transfer Station
	McLaughlin, Thomas	\$ 6,800.00			Part-Time Transfer Station
	Village Individual	\$ 864.00			Part-Time Transfer Station
Highway Dept:	Bates, Adam	\$ 41,600.00	\$ 20,295.36	\$ 313.20	Highway Crew
	Ferguson, Kevin	\$ 50,960.00	\$ 20,295.36	\$ 313.20	Highway Crew
	Ferguson, Richard	\$ 60,320.00	\$ 20,295.36	\$ 310.44	Highway & Transfer Station
	Parker, Joshua	\$47,320.00	\$ 20,295.36		Highway Crew
	Roberts, Joel	\$ 62,400.00	\$ 28,515.00	\$ 274.44	Highway Crew, Road Foreman
Clerk Office:	Wescott, Betsy	\$ 46,898.00	\$ 20,295.36	\$ 297.48	Town Clerk/Treasurer
	Bunce, Carol	\$ 36,910.00	\$ 7,200.00	\$ 230.64	Assistant Town Clerk/Elections
Lister Office:	Teetor, Mary Jo	\$ 25,600.00			Lister
Library:	Cook, Rebecca	\$ 52,090.00	\$ 28,515.00	\$ 297.48	Librarian/Clerk
	Frappier, Erin	\$ 10,370.00			Library Assistant
	Letendrea, Denise	\$ 18,561.00			Library Assistant
	Paquette, Racheal	\$ 34,475.00			Library Assistant

Health Reimbursement Agreement (HRA) costs: **\$ 83,854.48**

Appendix F: Copy of Vermont Legislature Statute – Title 24 Municipal and County Government, Chapter 49 Merger of Municipalities

The Vermont Statutes Online

The Statutes below include the actions of the 2024 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 24: Municipal and County Government

Chapter 49: Merger of Municipalities

§ 1481. Definitions

The term “municipalities” as used in this chapter means cities, incorporated villages, special purpose districts, and school districts. (Added 1965, No. 184, § 3.)

§ 1482. Preliminary plan

A plan of merger shall be prepared which shall be approved by a majority of the legislative body of each of the parties to the proposed merger before being promulgated. (Added 1965, No. 184, § 2(a).)

§ 1483. Contents of plan

The plan of merger shall include provisions relating to structure, organization, functions, operation, finance, property, and other appropriate matters; shall include special provisions contained in a charter of any municipality included in the plan, which provisions are peculiar to that municipality, and which it is desired to retain as charter provisions of the consolidated municipality; and shall include adequate provisions for the satisfaction of all obligations of the parties concerned. The plan shall provide that any area or group of voters in the consolidated municipality or town may have special services, not common to all the voters in the municipality or town, provided for them, if so voted. All costs of whatever nature required to support these special services shall be paid for by the taxpayers receiving these services, by a tax on their grand list, to be assessed annually by the selectboard or the equivalent officers of a municipality, or in such other manner as the selectboard or the equivalent officers of a municipality shall determine. If the costs are to be paid by a tax, such tax shall be paid and collected in the same manner as other taxes and such tax assessed on their grand list shall be a lien thereon. (Added 1965, No. 184, § 2(b); amended 1966, No. 31 (Sp. Sess.), § 1, eff. March 12, 1966.)

§ 1484. Notice and hearing

Not less than 30 days prior to the meetings referred to in section 1485 of this title, copies of the plan of merger shall be posted in three or more public places in each of the areas involved. Two public hearings on the proposed plan of merger shall be held at intervals of

two weeks in each of the areas involved. The later hearings shall be held not less than five days before the meetings referred to in section 1485 of this title. Notices of the hearings shall be advertised in at least three issues of a newspaper of general circulation in the town. The last advertisement shall appear not later than three days before the final public hearing. (Added 1965, No. 184, § 2(c).)

§ 1485. Vote of approval

(a) Adjoining municipalities within a town may merge upon the approval of a plan of merger by a majority vote of each municipality concerned at a meeting duly warned for that purpose and held in each of such municipalities.

(b) One or more municipalities within a town may merge into the town upon the approval of a plan of merger by a majority vote of the municipality or municipalities and the town at separate meetings duly warned for that purpose and held in each of the areas concerned.

(c) When approved by Australian ballot by the voters of each of the merging municipalities and approved by the General Assembly under 17 V.S.A. § 2645, that part of the plan of merger containing the permanent provisions required by section 1483 of this title shall become the charter of the consolidated municipality. (Added 1965, No. 184, § 1(a), (b); amended 1966, No. 31 (Sp. Sess.), § 2, eff. March 12, 1966; 1995, No. 108 (Adj. Sess.), § 1.)

§ 1486. Notice to Secretary of State

The clerk or equivalent officer of the municipality into which other municipalities have merged shall so notify the Secretary of State within ten days following the last of the meetings referred to in section 1485 of this title. (Added 1965, No. 184, § 4.)

§ 1487. Alternative merger provisions

Notwithstanding the existence of any special act authorizing the merger of two or more municipalities, the legislative bodies of those municipalities which plan to merge may elect to proceed either under this chapter or under the special act authorizing the merger. (Added 1966, No. 31 (Sp. Sess.), § 3, eff. March 12, 1966.)

Appendix G: Vermont Environmental Conservation Drinking Water and Groundwater Protection Division – How to Form a Fire District Guide

How to Form a Fire District

A Step-By-Step Guide to Help A Community Get Organized

Table of Contents

WHAT IS A FIRE DISTRICT?	3
THINGS TO CONSIDER BEFORE FORMING A FIRE DISTRICT	3
ONGOING MAINTENANCE OF THE FIRE DISTRICT	5
DO YOU STILL WANT TO FORM A FIRE DISTRICT?	6
APPENDIX A: THE VERMONT STATUTES, TITLE 20, CHAPTER 171: Fire Districts	11
APPENDIX B: PETITION TO ESTABLISH A FIRE DISTRICT (sample)	17
APPENDIX C: SELECTBOARD'S ORDER TO ESTABLISH A FIRE DISTRICT (sample)	18
APPENDIX D: WARNING OF 1 ST FIRE DISTRICT MEETING (sample)	19
NOTICE OF FIRST MEETING OF WARNING	19
APPENDIX E: BY-LAWS OF A FIRE DISTRICT (sample)	20
ARTICLE I - PURPOSE	20
ARTICLE II – POWERS	20
ARTICLE III – OFFICE	20
ARTICLE IV – MEETINGS OF THE FIRE DISTRICT	20
ARTICLE V – PRUDENTIAL COMMITTEE	21
ARTICLE VI – OFFICERS	22
ARTICLE VII – WATER RATES AND REVENUES	22
ARTICLE VIII – OPERATING RULES AND REGULATIONS	22
ARTICLE IX – TAX EXEMPTION	22
ARTICLE X – AMENDMENT OF BY-LAWS	22
APPENDIX F: RULES AND REGULATIONS OF A FIRE DISTRICT (sample)	23
APPENDIX G: THE VERMONT STATUTES, TITLE 24, CHAPTER 129: Uniform Water and Sewer Disconnect	29
APPENDIX H: SECRETARY OF STATE FIRE DISTRICT DOCUMENT	34

WHAT IS A FIRE DISTRICT?

Fire districts are municipal corporations. Their purpose is to manage certain functions of town government that either are not available throughout the entire town, or are better administered by a distinct, special-purpose entity. Fire districts have been formed to manage community sewer systems, sidewalks, street lighting, fire departments, and water systems. This document will focus on the formation of a fire district whose function is to provide water.

THINGS TO CONSIDER BEFORE FORMING A FIRE DISTRICT

The main reasons for a community to form a fire district are:

- The customers of the water system retain control of its operation.
- The district is governed democratically because all registered voters within the district have voting powers.
- The system becomes eligible for various state and federal funding programs and municipal financing rates and terms that are not available to privately owned water systems.
- The district has the power to collect fees for water use and levy tax liens for non-payment of water rates.

Some of the disadvantages of a fire district include:

- Members may not have a technical, managerial, and financial background required to operate a water system. However, the fire district can overcome technical deficiencies this by hiring someone with the appropriate skills.
- Members are not likely to realize the extensive time commitment required until the fire district has been formed. This can cause a high turnover in the governing body of the fire district. Therefore, a fire district should be formed only when there is a genuine level of interest in the community.
- A fire district has all the rights and responsibilities of a municipality, including following open meeting and record retention laws, taxing and taking decisions, and passing bonds for infrastructure improvements.

FORMATION OF A FIRE DISTRICT

There are a number of steps a community must take to form a fire district. Residents who wish to form a fire district should be aware of the set of legal requirements, powers, and duties that affect its operation. Particular attention should be given to The Vermont Statutes Annotated, [Title 20, Chapter 171](#), which lays out the process for the formation and operation of a fire district (also see Appendix A). This document is not intended to replace the services of a lawyer. However, it will outline the requirements and powers of a fire district, and should give an idea when it is advisable to hire a lawyer or when residents may prepare the necessary information on their own. When a lawyer is necessary, it is best to hire one who has experience in municipal law. In fact, it is perfectly acceptable to ask a prospective lawyer if they have ever formed a fire district. This may save money and time.

Determine the level of interest

The first step in forming a fire district is to determine the general level of interest within the community. The best way to do this would be to talk to neighbors individually and then call a meeting to discuss the idea.

By law, 20 property owners or registered voters who are full time residents (called 'freeholders' in statute) must sign a petition to be presented to the Selectboard in support of a fire district. Before this is done however, it may be a good idea to determine the level of support with a pre-petition, or a simple survey that is distributed to all potential members. This way, the district could decide beforehand what issues are of concern to residents and could address these concerns before the petition is written. For example, there may be people within the boundary of the district who do not want to be served by it. It is possible to include only those that wish to be included, but it must be clearly stated in the petition; however, fire district boundaries must be contiguous. Remember, it is best to avoid any conflicts before they arise.

Drafting a petition

If at least 20 'freeholders' or registered voters support the formation of a fire district, draft the petition or consider hiring a lawyer to draft the petition to insure that proper wording is used. See sample petition in Appendix B. A freeholder is a person residing within the limits of a fire district who are voters in a town meeting.

The petition should include the powers and duties of the fire district. For example, how the district will collect charges for water use, what the district's powers will be when making repairs to the water system, etc. It is best to address all areas of powers and duties that might seem useful in operating a water system in your petition. It may be helpful to talk with other fire districts in the area to find out what they have done. A map of the proposed district that outlines the geographical boundaries must be filed with this petition.

A copy of the petition must then be filed with the Town Clerk and the Selectboard. It is imperative that all material be filed properly with the town.

If a fire district is proposed to cross town boundaries, the petition must be filed in each town and presented separately to each Selectboard. Approval is also needed by all affected towns.

For a list of fire districts in your area, please contact the Vermont Drinking Water and Groundwater Protection Division at (802) 828-1535.

Fire districts may also be formed by an act of the Legislature. Authority to organize can be found under [Title 24, Chapter 89](#).

Notice of public meeting

Next, the Selectboard must, as part of a regularly scheduled public meeting or Special Meeting, vote on the creation of the fire district. All required documentation should be provided to the Town Clerk and Selectboard in advance of the meeting. They will then either include it as part of their normal meeting agenda or hold a Special Meeting; either way, the warning of the meeting is the town's responsibility, not the proposed fire district's. It is helpful to notify the Selectboard of your intentions beforehand in an informal meeting with the Selectboard Chair and the town administrator/manager so they may voice any concerns before they make a final decision.

Selectboard's acceptance

At the official meeting, the Selectboard must sign an order establishing the creation of the new fire district. A sample copy of this order can be found in Appendix C. This is presented by the district for the Selectmen's signature. A lawyer should draft the order. The Selectboard may also deny the fire district application; however, this is rare.

Fire District's First Meeting

After the acceptance of the fire district by the Selectboard, there must be an organizational meeting of the district presided over and moderated by a member of the Selectboard, preferably the Chair. See a sample notice of the first meeting in Appendix D.

At the first meeting, officers (so called the Prudential Committee) are elected and additional committees and staffs are assigned. This is the only meeting that the Selectboard must preside at. From here on, the Prudential Committee will govern the district. See [20 V.S.A. Sec. 2482-2487](#) for more on this issue.

Developing By-Laws and Rules and Regulations

The district must now develop by-laws and a set of rules and regulations, including rate charges, services provided, owners responsibilities, etc. See Appendix E for sample by-laws and Appendix F for sample rules and regulations.

By-laws are very basic and should not include anything that changes on a regular basis like user rates or charges for disconnection. By-laws should outline the basic structure of the fire district, general ruling authority and officer's duties. By-laws can only be amended at an Annual or Special Meeting. State Statute clearly outlines this process.

Rules and regulations, having separate legal standing, are not as strict in its creation or change. It is strongly recommended that an attorney assist with the drafting of rules and regulations. However, a district may save a significant amount of money if it decides on the content of the rules, and uses the attorney primarily to insure proper wording of the document.

ONGOING MAINTENANCE OF THE FIRE DISTRICT

The operation and maintenance of a water system requires regular attention. All fire district officers have a responsibility, to the state as well as the residents, to ensure the continued supply of safe water. Officers must keep accurate records, provide adequate monitoring of the water system, hold public meetings, and make timely repairs. In most cases, fire district officers do not have specific training in these areas. The lack of training should not prevent people from taking the responsibility, and everyone involved in the water system should become aware of the operational requirements, even if a professional is hired to do this. The Vermont Drinking Water and Groundwater Protection Division has prepared operator training courses which are used to certify water system operators, both professional and volunteer.

All prudential committee members should familiarize themselves with the state agencies that enforce the statutes and regulations pertaining to water systems. The Drinking Water and Groundwater Protection Division of the Vermont Department of Environmental Conservation oversees all water quality monitoring as well as the permitting and construction of sources and facilities. The Drinking Water and Groundwater Protection Division staff provides technical assistance as well as regulatory functions. Engineers,

hydrogeologists, and other professionals are available to answer questions from water system owners and operators. Also, Vermont Rural Water Association (VRWA) and the Northeast Rural Community Assistance Program (RCAP) Solutions provide on-site technical assistance to regulated public water system and communities.

If a district must make expensive capital improvements to its water system, there are a number of funding options. There are federal and state programs that may be able to provide loans or grants for repairs, replacements, or improvements to the system. For example, the state provides low interest loans to eligible water systems through the Drinking Water State Revolving Fund (DWSRF), and 'disadvantaged' communities, as defined in the DWSRF Intended Use Plan, may be eligible for more attractive loan terms and rates. For information on DWSRF loans, contact the DWSRF Project Development Specialist in the Facilities Engineering Division at (802) 828-1535.

USDA Rural Development offers loans and, in limited cases, grants for water systems. USDA, a federal agency, operates funding programs for rural communities. They provide capital costs for new and existing water projects including construction, design, legal, land, and right-of-way acquisition necessary for the project. For more information, contact the USDA Rural Development/Rural Utilities Service office at (802) 828-6000.

The Vermont Department of Housing and Community Development offer a Community Development Block Grant Program (CDBG). All Vermont municipalities except Burlington are eligible for funds. Funds are not restricted to water and sewer projects, so there is competition with all housing and economic development projects. For more information, contact them at (802) 828-3080.

The Small Business Administration (SBA) guarantees loans made by local banks, thus providing a reduced interest rate to the borrower which provides direct loans to businesses that are unable to get an SBA-guaranteed loan through a bank. Contact the Vermont District SBA office at (802) 828-4422.

If you are not considered a fire district but a private system, the Vermont Economic Development Authority (VEDA) issues Community Development Grants. Grants can be used to make improvements to private water systems. For information, contact the VEDA office at (802) 828-5627.

Many of these programs have certain conditions you must meet in order to be eligible. If you do not qualify for these programs, there are private financial institutions where you can go for help.

DO YOU STILL WANT TO FORM A FIRE DISTRICT?

Operating a public water system can be an exciting challenge. Many people feel that this responsibility should be in the hands of the residents who are served by the system because they are the most concerned about the quality of water at the tap. In addition, the financial benefits of public funding sources can make a significant difference in the user cost. Whatever your reasons may be, there are many benefits in having a locally controlled water system, but keep in mind that it does require effort.

FIRE DISTRICTS: FREQUENTLY ASKED QUESTIONS

The following first appeared in the Spring 2012 edition of *Waterline*, a publication of the Drinking Water Program of the Drinking Water and Groundwater Protection Division.

#1: Why are Fire Districts formed?

There are myriad reasons a fire district forms. Statute allows fire districts to be responsible for many aspects of community service from maintaining sidewalks, to operating public drinking

water systems. Here at the Drinking Water and Groundwater Protection Division (DWGPD) we most often see fire districts form to purchase and run private, for-profit and/or failing small water systems or to take advantage of more favorable funding opportunities. The DWGPD provides more favorable funding opportunities to municipalities, of which a fire district is, than other organizational structures. Additionally, it is often easier for a community to form a fire district than another similarly financially favorable organizational structure because it doesn't require unanimous support from the community, which is often very difficult.

#2: How do Fire Districts form?

Initially, a signed petition of 20 'free holders' or voters of the proposed fire district boundary who reside and are registered to vote in the town(s) where the proposed fire district is proposed, is needed. This petition, along with a map showing the proposed fire district boundaries and a list of powers outlined in Title 20, Chapter 171 Sections 2601 and 2603 of the Vermont Statutes, are presented to the Selectboard of the town where the fire district is proposed, or if the fire district boundaries are proposed to cross town boundaries, all the towns where the proposed boundaries touch. The Selectboard(s) will vote on the petition; there may be discussion over the course of multiple meetings, but the Selectboard(s) is required to make a decision.

After the positive Selectboard vote, the fire district will decide a time/date/place for their first meeting, properly warned, of course, and a Selectboard member will call that first meeting to order and may or may not stay for the rest of the meeting to assist with process.

In some instances, it is a good idea to have the General Assembly ratify the fire district formation. This is critical if the fire district is going to exercise some powers not spelled out in the general statutes (ex. highways).

You must then register with the Town Clerk's office in each town the fire district is approved. This registration should include a copy of the organizing petition, map and approved by-laws. Additionally, if the fire district makes changes to its boundaries and/or by-laws at any point in the future, these updated copies should also be filed with the appropriate Town Clerks.

#3: Can Fire Districts cross town boundaries?

Yes, but you must go through the formation process in each town where the proposed fire district boundaries will fall.

#4: Can Fire Districts change its boundaries?

The Selectboard may change the limits of a fire district upon a similar application and in like manner subject to the approval by the fire district at the duly warned Annual or Special meeting of the fire district; however, any change in limits of a fire district may take place only with the consent of the majority of the landowners newly included within or excluded from those newly proposed boundaries.

#5: Can Fire Districts exclude properties from its district?

No, the fire district boundary must be contiguous; there can be no 'holes' within the boundaries.

#6: How do Fire Districts change their by-laws?

By-law changes can be proposed at any public meeting by the Prudential Committee or voters. The changes can be discussed at duly warned public meetings and voted on at an Annual or Special meeting where the item is on the published agenda. However, the Prudential Committee has the exclusive responsibility for enacting and enforcing water and sewer system ordinances, rules and regulations.

#7: Where is Fire District regulating authority?

Vermont State Statutes

#8: Who regulates Fire Districts?

Nobody directly, but indirectly all State and Federal laws that apply to municipalities, apply to fire districts. Additionally, water and sewer rates are not under the jurisdiction of the Public Service Board and Department of Public Service as they are for private, for-profit entities.

#9: What rules apply to Fire Districts?

Any rules that apply to municipalities also apply to fire districts. There are additional State Statutes that specifically addresses fire districts, but it does not exclusively regulate them. Vermont State Statute [Title 20 Chapter 171](#) refers specifically to fire districts. Vermont State Statute [Title 24 Appendix](#) lists a few fire districts with Municipal Charters. [Title 24 Chapter 89](#) refers specifically to Water Works. Another important State Statute that fire districts should be familiar with is the Uniform Water and Sewer Disconnect (Appendix G). This can be found in [Title 24 Chapter 129](#). The Vermont Secretary of State created a fire district document in 1992; its updated version is included in Appendix H.

#10: What can Fire Districts control/be responsible for?

A fire district can be responsible for anything that is allowed under the general statutes or the fire district charter. See State Statute [Title 20 Chapter 171 Section 2601](#) for examples of what a fire district can control and/or be responsible for.

#11: What resources are there for Fire Districts?

Unfortunately, there are not many resources available specifically to fire districts. Instead, resources that specialize in municipalities, Vermont League of Cities and Towns, for example might be useful. Legal consul who is familiar with municipal law can be a great resource. Additionally, with respect to public water systems, the DWGWPD and USDA Rural Development have personnel who are familiar with fire districts.

#12: Are Fire Districts a municipal entity?

Yes, with all the rights and responsibilities.

#13: Can Fire Districts be sued?

Like any other municipality, fire districts are subject to suit. Accordingly, fire districts should procure and maintain public liability and casualty insurance.

#14: What fiduciary responsibilities do Fire Districts have?

The same as there are for a municipality. They must pass a budget; charge appropriate and equitable rates; be transparent with and account for expenses and revenues; use water and sewer revenue only for purposes allowed by Statute; and comply with State and Federal laws relating to water supplies and environmental protection.

#15: How do Fire Districts collect late payments?

Payments can be collected in ways similar to taxes. The fire district will send out frequent bills based on an approved rate structure indicating the process for payment. Late or delinquent payments may be subject to additional penalties, disconnection, property liens and tax sale.

#16: What if Fire Districts don't/can't pay its loans and default?

If the fire district defaults on any loan, a creditor can obtain a judgment and force the fire district to levy a tax on all property to satisfy the judgment. Private property can be taken to satisfy a judgment; the property owner then has a claim for reimbursement against the fire district.

#17: Is Fire District information public information?

Yes, as a municipality, all information is public and must be made available upon request. Vermont Open Records Law is another set of regulations a fire district board should be familiar with.

#18: Do Fire Districts have to have a Prudential Committee and how big does it have to be?

Yes, the fire district must have a Prudential Committee. There must be a minimum of three members; however, there can be as many as the system desire. It is recommended that there be an odd number so there can't be a tie. Also keep in mind that all the Prudential Committee spots must be filled; this may be difficult to accomplish, especially in very small communities.

#19: Can the people who are on the Prudential Committee get together outside of meetings?

Of course they can. They, however, should not discuss fire district issues and certainly cannot make decisions related to the fire district except at a properly warned public meeting. This includes email discussion; avoid the 'reply-to-all' option.

#20: What if no one wants to be on the committee?

The Selectboard of the town the fire district is in can appoint Prudential Committee members to fill a vacancy. However, if there is no one is available to run the fire district it may be placed into receivership.

#21: Do Fire Districts have to have regularly scheduled meetings?

Not necessarily, but they must have an Annual Meeting. If there is a quorum of Prudential Committee members, and fire district issues are discussed and decisions made, it is considered a Public Meeting and should be properly warned. They may, however, choose to have regular meetings (bi-weekly, monthly, quarterly) and those can be outlined in the by-laws or announced at another properly warned meeting.

#22: Do Fire Districts have to publically warn Prudential Committee meetings?

Yes, but only if it differs from the regularly scheduled meeting time/date/place, or is the Annual Meeting. If regular meeting time/date/place is indicated in the by-laws, then there is no need to public notice them; however, an agenda must be made available to anyone requesting one, and is a good practice to make one available in a publically viewable forum. There are specific rules for warning Annual and Special fire district meetings and bond elections. A public informational hearing has to be held within the ten-day period preceding any fire district meeting at which the votes will be conducted by Australian ballot.

#23: Do Fire Districts have to make minutes available to the public?

Yes, minutes must be made available to the public within five days of the meeting. They are not required to be distributed to the community, but they must be provided upon request.

APPENDIX A: THE VERMONT STATUTES, TITLE 20, CHAPTER 171: Fire Districts

The Vermont Statutes

Title 20: Internal Security and Public Safety

Chapter 171: FIRE DISTRICTS

[§ 2481.](#) Establishment; change of limits

[§ 2482.](#) Body corporate; first meeting

[§ 2483.](#) Annual and special meetings

[§ 2484.](#) Voters

[§ 2485.](#) Officers generally

[§ 2486.](#) Collector

[§ 2487.](#) Clerk

[§ 2488.](#) Board of tax abatement

[§ 2489.](#) Fire districts; two or more towns

[§ 2541.](#) Formation

[§ 2542.](#) Powers generally

[§ 2543.](#) Board of fire commissioners

[§ 2544.](#) Employees

[§ 2545.](#) Expenditures

[§ 2601.](#) Generally

[§ 2602.](#) Matters subject to regulation by bylaws

[§ 2603.](#) Sprinkling and oiling streets

[§ 2604.](#) Preservation of property

[§ 2605.](#) Purchase of property

[§ 2606.](#) Eminent domain

[§ 2607.](#) Actions and claims

[§ 2671.](#) Duties generally

[§ 2672.](#) Enforcement of bylaws; alteration and repair of fireplaces, furnaces and stoves

[§ 2673.](#) Powers and duties during hazardous chemical or substance incident, fires; threat of fires or explosions

[§ 2674.](#) Assistance outside district

[§ 2675.](#) Penalties for disobedience of order or bylaw

§ 2481. Establishment; change of limits

(a) Upon application in writing of 20 or more freeholders or voters of a proposed fire district, the Selectboard, after a duly warned public hearing, may establish such proposed fire district and define its limits. Such application shall contain a list of the powers mentioned in sections 2601 and 2603 of this title which the proposed district shall have and the district shall not have any of the other powers mentioned in these sections. Fire districts thus created shall be named by number in the order of their establishment. The Selectboard shall file a certificate of its doings in the office of the town clerk for record. The Selectboard may change the limits of a fire district upon a similar application and in like manner subject to the approval by the fire district at the annual or a special meeting of the fire district duly warned but any change in limits of a fire district may take place only with the consent of the majority of the landowners newly included within or excluded from those boundaries by that alteration. A record of any alteration of fire district boundaries shall be made by the town clerk. Only property contiguous to the fire district shall be the subject of an expansion of the boundaries of a fire district. For purposes of this subsection, a "public hearing" shall be a meeting of the legislative body of a town or of a fire district for the duly warned purpose of establishing or changing the limits of a fire district. Public notice for a public hearing required by this subsection shall be given not less than 15 days prior to the date of the public hearing by:

(1) The publication of the date, place, and purpose of the hearing in a newspaper of general circulation in the municipality affected; and

(2) The posting of the same information in one or more public places within the municipality.

(b) If a petition signed by five percent of the legal voters of the town objecting to the proposed establishment or change of limits of the fire district is presented to the town clerk within 30 days of the date of posting and publication of the notice required by subsection (a) of this section, the Selectboard shall cause the question of whether the town shall establish or change the limits of the fire district to be considered at a special or annual meeting called for that purpose. After the meeting, the fire district shall be established or the limits changed unless a majority of the voters of the town present and voting vote to disapprove of such establishment or change of limits. If a petition signed by five percent of the legal voters of a town objecting to a Selectboard decision denying the establishment or the change of limits of a fire district is presented to the town clerk within 30 days of the Selectboard decision, the Selectboard shall cause the question of whether the town shall establish or change the limits of the fire district to be considered at a special or annual meeting called for that purpose. (Amended 1993 No. 164 (Adj. Sess.) § 13; 2003, No. 93 (Adj. Sess.), § 1.)

§ 2482. Body corporate; first meeting

The inhabitants of such district shall be a body corporate. The first meeting shall be called by the selectmen in the manner provided for warning fire district meetings. The first selectman, or, in his absence, either of the others shall preside at such meeting.

§ 2483. Annual and Special meetings

The annual fire district meeting shall be held on the second Monday in January, or at such other time as the district at any regular or special meeting may determine, and shall be warned by the clerk, or, in the clerk's absence or neglect, by one of the prudential committee. Special meetings shall be warned in the same manner on application in writing by three or more voters of the district, or by five percent of the voters of the district, whichever is greater. A warning for a fire district meeting shall state the business to be transacted. The time and place of holding the meeting shall be posted in two or more public places in the district not more than 40 days nor less than 30 days before the meeting and recorded in the office of the clerk before the same is posted. (Amended 1985, No. 196 (Adj. Sess.), § 19.)

§ 2484. Voters

Persons residing within the limits of a fire district who are voters in town meeting shall be voters in fire district meeting.

§ 2485. Officers generally

A fire district shall elect at its first meeting and at each annual meeting thereafter a clerk, a treasurer and a collector of taxes. Such fire district may elect a chief engineer and such assistant engineers as are necessary, whether or not they are inhabitants of the district, who shall rank in the order of their election. Such officers shall hold office until the next annual meeting and until others are elected. A vacancy in any office may be filled by the prudential committee. Such district at its first meeting shall elect a prudential committee which shall consist of three persons, who shall serve for one, two and three years, respectively. Thereafter at each annual meeting a member of such committee shall be elected for the term of three years. If the fire district so votes, two additional persons may be elected to such committee for a term of one year. A vacancy in such committee may be filled at an annual meeting, or at a special meeting called for that purpose, but the selectmen of the town in which such district is located

may fill a vacancy in such committee until an election by the appointment of a resident of such district. When a meeting is not held on the second Monday in January, the officers of the district may be elected at a special meeting. The officers shall be elected by ballot if demanded by a voter, and by a majority vote. (Amended 1993, No. 77, § 1.)

§ 2486. Collector

A fire district may elect the collector of town taxes, although he is not an inhabitant of the district, to be collector of fire district taxes. If he accepts the office, he shall have the powers and be subject to the duties imposed upon fire district collectors.

§ 2487. Clerk

The clerk shall keep a record of the meetings, votes and proceedings of such district for the inspection of the inhabitants thereof.

§ 2488. Board of tax abatement

The board for the abatement of taxes of a fire district shall consist of the prudential committee, the clerk thereof, the justices of the peace and listers residing therein. Such board may abate taxes accruing to such municipality in all cases where a different provision is not made by the charter, acts of incorporation, or amendments thereto, of such municipality.

§ 2489. Fire districts; two or more towns

(a) Where the limits of a proposed fire district include two or more towns, or portions of two or more towns, irrespective of whether the towns are situated in different counties, the application set forth in section 2481 of this title shall be made to the selectmen of each such town and the selectmen of each town as provided in section 2481 of this title may establish the proposed fire district and define its limits. The selectmen of each town shall file a certificate of their doings for record in the office of their respective town clerks and, if the proposed district extends into more than one county, in the office of the clerk of each such county. The selectmen may change the limits of the fire district upon a similar application subject to the approval of the fire district as provided in this chapter.

(b) The first meeting of the fire district shall be called by the combined membership of the boards of selectmen of the several towns in the manner provided for warning fire district meetings. The combined membership shall elect from its members a chairman to preside at the first meeting. Where a vacancy in the prudential committee arises, the vacancy in the committee may be filled by the combined vote of the selectmen of each town. The fire district shall have all the same rights, duties, obligations, and responsibilities, and be governed by all of the provisions relating to fire districts located wholly within the limits of one town. (Added 1971, No. 62, § 1, eff. April 14, 1971.)

§ 2541. Formation

At an annual or special meeting, by a majority vote of those present and voting, towns may vote to form a fire district whose limits shall be the town limits, provided the warning for such meeting contains an article to that effect. (Amended 1971, No. 62, § 2, eff. April 14, 1971.)

§ 2542. Powers generally

A town functioning as a fire district under this chapter shall have all the powers, so far as the same may be applicable, now given to fire districts by sections 2601-2607 and 2671-2675 of this title.

§ 2543. Board of fire commissioners

When a town has so voted, the board of selectmen shall constitute a board of fire commissioners and may purchase all necessary and proper apparatus for the prevention and extinguishment of fires.

§ 2544. Employees

The selectmen may appoint a chief engineer for such district and all other necessary firemen and employees.

§ 2545. Expenditures

All expenditures under sections 2541-2544 of this title shall be paid out of the general fund of the town unless the town by its vote shall otherwise direct.

§ 2601. Generally

A fire district may vote to adopt the town manager system in compliance with chapter 37 of Title 24. It may vote a tax upon the polls and taxable estate or upon the taxable estate only 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. The prudential committee and collector shall have the same power in assessing, levying and collecting the tax, as town officers have in assessing and collecting town taxes, including the collection of interest on overdue taxes. The prudential committee may expend such sums for acquiring, constructing and maintaining sewers and sewage treatment works; sidewalks; public parks; water works, water companies and all equipment and real estate used in connection therewith including reservoirs and dams; and for lighting purposes as the fire district may vote. The committee may use and occupy such portions of the highways within the district as may be necessary for constructing and maintaining sewers and sewage treatment works; sidewalks; public parks; water works and mains and for lighting purposes. (Amended 1969, No. 223 (Adj. Sess.), § 1, eff. March 31, 1970; 1981, No. 133 (Adj. Sess.), § 2, eff. April 2, 1982.)

§ 2602. Matters subject to regulation by bylaws

A fire district at its meetings may regulate by bylaws the manufacture and safekeeping of ashes, gunpowder and combustibles, and the preservation of buildings from fire by precautionary measures and by inspection.

§ 2603. Sprinkling and oiling streets

If it so votes at its annual meeting, a fire district may empower its prudential committee to cause the streets of such district to be sprinkled or oiled to the extent deemed necessary by the committee.

§ 2604. Preservation of property

In the name of the district, the prudential committee may make contracts and expenditures for the preservation of property in such district from damage by fire as they deem necessary, and draw orders

on the treasury therefor. However, such committee shall not bind the district for a greater sum than has been voted.

§ 2605. Purchase of property

A fire district, through its prudential committee, may purchase and hold, in addition to the apparatus for extinguishing fires, such real and personal estate as is necessary for the preservation of the fire apparatus. (Amended 1967, No. 17.)

§ 2606. Eminent domain

When a fire district decides to erect a building for the preservation of its fire apparatus and the location of land for such building is determined, if the owner thereof refuses to convey the same to the district at a price which such district deems reasonable, such district may take such land in the same manner as a town may take land for town purposes as provided in sections 2805 to 2812 of Title 24. The duties imposed by such sections upon selectmen shall be performed by the prudential committee of such district. All petitions and notices shall be served on the clerk of such district in lieu of on the town clerk as therein provided.

§ 2607. Actions and claims

The committee may commence and prosecute actions in the name of the district, defend and adjust actions commenced against it and settle claims in favor of and against the district.

§ 2671. Duties generally

The chief engineer, or, in his absence, the assistants in the order of their rank, under the supervision of the prudential committee, shall have charge of the apparatus for the prevention and extinguishment of fires, and shall keep the same in serviceable order. When on duty, an engineer shall wear conspicuously a badge of office with his rank inscribed thereon.

§ 2672. Enforcement of bylaws; alteration and repair of fireplaces, furnaces and stoves

The chief engineer may carry into effect any bylaw or regulation of the district, and may direct alterations in the position and repairs of fireplaces, furnaces, stoves and other things from which damage from fire is apprehended. If such directions are not complied with forthwith, he may cause such change or repairs to be made, and recover the expense thereof, with costs, of the owner or possessor in a civil action in the name of the district.

§ 2673. Powers and duties during hazardous chemical or substance incident, fires; threat of fires or explosions

(a) The chief engineer, or in the chief's absence, the assistant highest in rank present at a hazardous chemical or substance incident or fire, shall have charge of the fire apparatus and of the companies and persons attending the hazardous chemical or substance incident or fire for the purpose of containing, controlling or extinguishing the same, and may remove goods and effects out of a building or place endangered by the hazardous chemical or substance incident or fire. The chief engineer may cause to be pulled down or removed, such buildings as the chief deems necessary to prevent the spread of hazardous material or fire, and for such purposes, may require the assistance of inhabitants of the district. During

the hazardous chemical or substance incident or fire, the chief engineer may suppress tumults or disorders and direct the labor of inhabitants present in such fire district.

(b) Where an emergency situation exists in a municipality and there is no fire, but there is an imminent threat of a hazardous chemical or substance incident, fire or explosion, the ranking member of the fire company responding will be in charge as long as the imminent threat continues. Where there is a threat of bombing, the fire department shall surrender responsibility to the police department having jurisdiction in the area.

(c) The ranking member of a fire department shall have authority to direct, control and supervise traffic at the scene of a fire or other emergency to which a fire department has responded.

(d) When the chief engineer determines that the company lacks either the training, expertise or equipment to contain or control a hazardous material spill or discharge, the chief engineer may request the assistance of the state HAZMAT emergency operations team. The team shall dispatch a regional HAZMAT response team to respond with the specific assistance requested, and the personnel shall serve at the direction of the chief engineer. The chief engineer may transfer control of the hazardous material incident to the regional HAZMAT response team crew chief at the scene if the chief engineer has responded and implemented the plan for the incidents and has exhausted all of the resources, including available mutual aid. The senior state official shall retain control until the imminent threat is eliminated. (Amended 1961, No. 52, § 1; 1975, No. 222 (Adj. Sess.), § 1, eff. May 7, 1976; 1991, No. 29, § 1; 1993, No. 194 (Adj. Sess.), § 10, eff. June 14, 1994.)

§ 2674. Assistance outside district

When a fire occurs in a fire district or town, and application for assistance is made to an officer or inhabitant of another organized fire district by an officer or inhabitant of such district or town, if in his judgment assistance should be granted, the chief engineer may designate the engine and company to render such assistance.

§ 2675. Penalties for disobedience of order or bylaw

A person who refuses to obey a lawful order or direction of an engineer or the official highest in rank present at a fire or other emergency, or disobeys a bylaw of the district, shall be fined not more than \$250.00. (Amended 1961, No. 52, § 2; 1991, No. 29, § 2.)

APPENDIX B: PETITION TO ESTABLISH A FIRE DISTRICT (sample)

STATE OF VERMONT

Town of Oz

APPLICATION TO ESTABLISH A FIRE DISTRICT

Now come the undersigned and state as follows:

1. All of the undersigned are freeholders of the Town of Oz, Vermont: and are residents of the proposed Fire District which is the subject of this application.
2. The proposed Fire District shall have the geographic limits as set forth on the map attached hereto as Exhibit A and made a part hereof.
3. The proposed Fire District shall have the following powers and one others:
 - a. It may vote a tax upon the taxable estate only for the acquisition, construction and maintenance of water works, water companies and equipment and real estate used in connection therewith including reservoirs and dams; and for other lawful purposes.
 - b. The Prudential Committee and collector shall have the same power in assessing, levying and collecting the tax, as town officers have in assessing and collecting town taxes.
 - c. The Prudential Committee may expend such sums for acquiring, constructing and maintaining water works, water companies and all equipment and real estate used in connection therewith including reservoirs and dams.
 - d. The Committee may use and occupy such portions of the highways within the District as may be necessary for constructing and maintaining the water works and water mains.
 - e. The Fire District may elect the collector of taxes of the Town of Oz, to be collector of fire district taxes.

NOW THEREFORE in accordance with Title 20 Vermont Statutes Annotated Section 2481, the undersigned hereby apply to the Selectboard of the Town of Oz for the establishment of a Fire District with the powers and definition of its limits as set forth in this application; and request the Selectboard to set a place, date and time for consideration of this application and notify the residents of the proposed Fire District thereof.
Respectfully submitted.

Name

Address

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

APPENDIX C: SELECTBOARD'S ORDER TO ESTABLISH A FIRE DISTRICT (sample)

CERTIFICATION OF PROCEEDING

Upon receipt of a petition for the formation of Oz Fire District #1, submitted to the Oz Selectboard in accordance with 20 V.S.A. §2481, at regular meeting held thereof on January 1, 2525 and April 1, 2525, acknowledge receipt of said Petition and conduct public meetings into the substance thereof.

Upon motion duly made and adopted, it was RESOLVED BY THE OZ SELECTBOARD, that

1. Oz Fire District #1 is hereby established.
2. The geographical limits of said Fire District are those depicted on the attached plan dated January 1, 2525, and identified as "Starting with lots 1-2-34 and 5-6-78 located near jct. of Rt. 1 and 99 and proceeding south on Rt. 1 including Yellow Brook Rd. to the Field of Poppies, and continuing south on Rt. 1 to jct. of Emerald Ln. including lot 9-10-11 and continuing up Glenda-the-Good Way and ending with lots 12-13-14 and 15-16-17, including all lots physically connected to Yellow Brook Rd, Emerald Ln and Glenda-the-Good Way within these boundaries".
3. All property within the limits of the Fire District shall be subject to the provisions of 20 V.S.A. Ch. 171, and the inhabitants thereof shall be a body corporate for all purposes permitted by law.
4. The Fire District shall have those powers and prerogatives enumerated in 20 V.S.A. §2482-2488, 2601 and 2607, together with those powers conferred generally upon municipal corporations incident to ownership, acquisition and management of water works.
5. The Selectboard reserves the right to modify the boundaries of the Fire District within sixty (60) days of the date of this Certificate, which modification shall take form of an amendment here to referencing a survey or plan depicting boundaries. Upon expiration of such sixty (60) day period, the boundaries of the Fire District shall be deemed to have been conclusively established, and thereafter may be modified only as provided by statute.
6. The Selectboard Chair shall act as moderator at this meeting only. The first meeting of the Oz Fire District #1 is hereby called for April 1, 2525 at 6:00 pm at the Oz Town Hall, for the purpose of transacting the following Articles of business:
 - a. To elect a District Clerk, a District Treasurer, a District Collector, and three Prudential Committee members to serve for terms of one, two and three years respectively.
 - b. To adopt by-laws of the Oz Fire District #1.
 - c. To accept the assets of the Oz Water Co-op.
 - d. To establish the date of the annual meeting.
 - e. To discuss any other matter which may properly come before the moderator.

The Chair of the Oz Selectboard shall preside at the first meeting of the Fire District. Notice thereof shall be given by posting the Warning in at least three public places within the Fire District, and publishing the Warning once in the Emerald City Daily. Such posting, publication and delivery shall occur no more than 40 nor less than 30 days before the date of said first meeting of the Fire District. The Warning for said meeting shall contain a notice to the effect that persons residing within the Fire District who are voters in Town meetings shall be voters of the Fire District.

Attest this ____ day of Month, 2525.

Town Clerk

APPENDIX D: WARNING OF 1ST FIRE DISTRICT MEETING (sample)

NOTICE OF FIRST MEETING OF WARNING

The inhabitants of the Oz Fire District #1 are hereby notified and warned that the Oz Selectboard has called the first meeting of the Oz Fire District #1 for April 1, 2525 at 6:00 pm at the Oz Town Hall, for the purpose of transacting the following Articles of business:

- (1) To elect a District Clerk, a District Treasurer, a District Collector, and three Prudential Committee members to serve for terms of one, two and three years respectively.
- (2) To adopt by-laws of the Oz Fire District #1.
- (3) To accept the assets of the Oz Water Co-op.
- (4) To establish the date of the annual meeting.
- (5) To discuss any other matter which may properly come before the moderator.

In habitants of Oz Fire District #1 who are on the Oz checklist are eligible to vote at said meeting.

Done at Oz, Vermont this _____ day of Month, 2525

ATTEST: _____
Town Clerk

Recorded in the records of the Town of Oz this _____day of Month, 2525

ATTEST: _____
Town Clerk

APPENDIX E: BY-LAWS OF A FIRE DISTRICT (sample)

OZ FIRE DISTRICT #1 **BY-LAWS**

ARTICLE I - PURPOSE

This Fire District has been incorporated with limited liability in accordance with Chapter 171 of Title 20, V.S.A. to design, construct, upgrade, operate, and maintain a water supply and distribution system; to provide limited water service of a basic residential character to the dwellings within the area bounded as described and depicted on the map entitled "Boundaries of Oz Fire District #1" dated at Oz, in the County of Lamoille and the State of Vermont, the 1st day of January, 2525, and to maintain any appropriate apparatus in furtherance of this purpose and as a natural incident to the construction, installation, maintenance and repair of the water system as a whole.

ARTICLE II – POWERS

The Fire District shall be empowered to construct, install, maintain and repair all facilities and equipment necessary for the provision of the aforesaid water service; to bill all the users of said service for their pro-rata share of the expense of said service; to take by eminent domain, receive, purchase, own, grant, convey and sell real property, easements on real property, and personal property in the name of the Fire District and as a municipal entity; and to perform those functions and have those powers enumerated in Title 20, V.S.A. Sec. 2601-2608 and any amendments thereto.

ARTICLE III – OFFICE

The office of the Fire District shall be maintained at the residence of the Fire District Clerk or Treasurer. The Fire District may alter its designated office and may also maintain offices at such other places within the Fire District as the Prudential Committee may, from time to time, determine.

ARTICLE IV – MEETINGS OF THE FIRE DISTRICT

1. **Annual Meetings** – The Annual Meeting of the Fire District shall be held on second Wednesday in January. The fiscal year of the District shall be January 1 through December 31 of the following year.
2. **Special Meetings** – Special Meetings shall be warned upon the application of a petition of three (3) or more voters of the Fire District, or five percent (5%) of the voters of the district, whichever is greater. This warning shall be the same as the warning for an Annual Meeting.
3. **Annual Meetings** – All Annual and Special Meetings shall be warned by the Clerk, or in his/her absence or neglect, by one of the Prudential Committee members. A warning for a fire district meeting shall state the business to be transacted, the time and place of the holding of the meeting and shall be published in the newspaper of record and be posted in two (2) or more public places in the District not more than forty (40) days and no less than thirty (30) days before the meeting. A signed and dated copy shall be recorded and be on file in the office of Fire District #1. Non-resident users shall be notified by mail as above. Resident members may also be notified by mail as above.
4. **Voting** – Persons residing within the Fire District who are voters in the Town of Oz shall be entitled to one vote on each matter submitted to a vote at a meeting of the Fire District.

ARTICLE V – PRUDENTIAL COMMITTEE

1. **Number, Election and Term of Office –**
 - a) The number of members of the Prudential Committee shall be three (3).
 - b) Except as provided below, the terms of the Prudential Committee shall be as follows: one term of one (1) year; one term of two (2) years; and one term of three (3) years. Subsequent terms of all Prudential Committee members shall be three (3) years. Terms shall expire at the Annual Meeting and Prudential Committee members shall be elected at the Annual Meeting.
2. **Duties and Powers** – The Prudential Committee shall be the administrative body of the Fire District and shall be responsible for the control and management of the affairs, property and interests of the Fire District, and may exercise all powers of the Fire District, including the execution of contracts, except as are expressly conferred upon or reserved to the members of the Oz Fire District #1 by statute or by these by-laws. In addition, the Prudential Committee may commence and prosecute actions in the name of the Oz Fire District #1, defend and adjust actions commenced against the Fire District, and settle claims in favor of and against the Fire District.
3. **Regular Meetings** – The Prudential Committee shall elect from time to time to have their monthly meetings at a certain time and place. For example, the Prudential Committee shall have its regular meetings on the Third Wednesday of each month. This posting will remain at the Town Clerks Office and another location in the District but need not be reported each month in the newspaper.
4. **Meetings** – The Prudential Committee shall meet on the second Wednesday of each calendar month, or at such time as the Prudential Committee at any Regular or Special Meeting of said Committee may determine. Said meeting of the Prudential Committee shall be warned by the Clerk and said warning shall state the business to be transacted, the time and the place of the holding of said meeting, and shall be posted in three (3) or more public places in the District at least twenty-four (24) hours prior thereto.
5. **Chairman** – At the first regular meeting of the Prudential Committee following the Annual Meeting of the Fire District, the members of the Prudential Committee shall elect from their membership a Chairman and Vice-Chairman. At all meetings of the Prudential Committee and of the Fire District, the chairman of the Prudential Committee shall preside. In the absence of the Chairman, the Vice-Chairman shall preside.
6. **Quorum** – A majority of the Prudential Committee present at the time and place of a Regular Meeting or any Special Meeting shall constitute a quorum for the transaction of business.
7. **Vacancies** – Any vacancy on the Prudential Committee may be filled by the Selectman of the Town of Oz. Such appointee, who shall be a registered voter of the Town of Oz and reside within the boundaries of the Fire District, shall serve until the next annual meeting of the Fire District at which time the term shall be declared vacant and an election held to fill the un-expired portion of the term.
8. **Manner of Acting –**
 - a) At all meetings of the Prudential Committee, each member of the Prudential Committee shall have one vote.
 - b) The act of the majority of the Prudential Committee members present at a meeting shall be the act of the Prudential Committee.
9. **Resignation** – Any Prudential Committee member may resign at any time by giving written notice to the Chairman of the Prudential Committee. Unless otherwise specified in said written notice, such resignation shall take effect upon receipt thereof. The acceptance of such resignation shall not be necessary to make it effective.
10. **Removal** – Any Prudential Committee member may be removed with or without cause at any time by the affirmative vote of a majority of the members of the Fire District at a special meeting of the Fire District called for that purpose, and may be removed for cause by the action of the Prudential Committee.

ARTICLE VI – OFFICERS

1. **Titles** – Election and Terms of Office – The Fire District shall elect at Annual Meeting a Clerk, a Treasurer, and a Collector of Taxes. Each officer shall serve until the next Annual Meeting and until others are elected. The Prudential Committee shall have the authority to appoint an Assistant Clerk and an Assistant Treasurer as they may deem necessary.
2. **Duties** –
 - a) Clerk – The Clerk shall keep a record of the meetings, votes and proceedings of the Fire District for the inspection of the members.
 - b) Treasurer – The Treasurer shall accept payment of all accounts on behalf of the Fire District, keep accurate records of all payments, alert the Prudential Committee of any past-due accounts, write and sign all checks of the Fire District and keep accurate records of the financial status of the Fire District.
 - c) Collector of Taxes – The Collector of Taxes shall collect all past-due accounts together with interest and penalties and costs. The Collector of Taxes may take any and all legal action necessary in the execution of the duties of the office.
3. **Resignation** – Any officer may resign at any time by giving written notice of such resignation to the Prudential Committee. Unless otherwise specified in such written notice, such resignation shall take effect upon receipt thereof. The acceptance of such resignation shall not be necessary to make it effective.
4. **Vacancy** – A vacancy occurring in any District office, other than the Prudential Committee members, caused by death, resignation, removal from the Fire District or incapacity of an officer to carry out his duties, shall be temporarily filled by the Prudential Committee within thirty (30) days after the vacancy occurs and until the date when the newly elected officers take office. The vacancy shall then be filled at the next Annual Meeting.
5. **Removal** – Any officer may be removed by a vote of the Prudential Committee when there are at least two (2) votes for such action, whenever in its best judgment the best interests of the Fire District will be served thereby.

ARTICLE VII – WATER RATES AND REVENUES

The Prudential Committee shall establish rates for the water and services provided by the Fire District, and all charges for said water and services shall be paid to the District Treasurer. All rates shall be established as to provide revenue for the following purposes:

1. To pay current expenses for operating and maintaining the water system;
2. To provide for the payment of interest and principal on the indebtedness created by the District;
3. If any surplus remains at the end of the year, it may be turned into a sinking fund or used to pay the costs of improvements to the water system.

ARTICLE VIII – OPERATING RULES AND REGULATIONS

The Prudential Committee shall establish rules and regulations that shall govern the administration, operation and maintenance of the water system. Said rules and regulations are to become effective upon a majority vote of the Prudential Committee.

ARTICLE IX – TAX EXEMPTION

All property of the Fire District shall be exempt from taxation.

ARTICLE X – AMENDMENT OF BY-LAWS

The By-Laws of the Fire District may be amended, added to or repealed by a vote of at least two-thirds (2/3) of the Fire District members present at a Special Meeting convened for this purpose and at which a quorum is present.

APPENDIX F: RULES AND REGULATIONS OF A FIRE DISTRICT (sample)

Oz Fire District No. 1

Rules, Regulations, and Schedule of Rates and Charges

The Prudential Committee of Oz Fire District No. 1, a municipal entity formed and existing pursuant to Chapter 171 of Title 20 Vermont Statutes Annotated, hereby adopts the following rules, regulations, and schedule of rates and charges, as the same may be amended from time to time, governing use, operation, and administration of the community water systems serving the property owners within the Fire District.

Section 1: Definitions. The following definitions shall apply in interpreting these rules, regulations, and schedule of rates and charges:

"Fire District" shall refer to Oz Fire District No. 1.

1.2 The word "lot" shall mean and refer to any lot now or hereafter existing within the boundaries of the Fire District, as established pursuant to Order of the Selectmen of the Town of Oz Establishing the Fire District dated March 2004. Lots within the boundaries of the Fire District are shown on a map plan entitled "Oz Fire District No. 1 Service Area", Oz, Vermont", prepared by Joe Smith, Inc., dated March, 2004, and recorded in Map Book 5 at Page 122 of the Oz Land Records.

1.3 The word "owner" shall mean and refer to any individual, firm, corporation, partnership, or other person or entity owning or having an ownership interest in a lot.

1.4 "Water system" shall mean and refer to the community water systems made up of residential, a store/deli, an automotive garage, and 2 churches named Oz Fire District No. 1 Water System located in the Oz residential area in Oz, Vermont, to be acquired, upgraded, and operated by the Fire District for the common use and benefit of all owners.

Section 2: Service Provided by Fire District. The Fire District has been formed to acquire, upgrade, operate, and maintain the water system to provide water for domestic uses to owners within the Fire District. The Fire District shall provide water to all owners on a year-round basis, subject to the respective rights and responsibilities of the owners and the Fire District as provided herein.

Section 3: Acceptance of Service by Owners. All owners shall be provided with water for their domestic uses by the Fire District: Each and every lot connected to the existing Oz Fire District No. 1 Water System on the date hereof shall remain connected to and served by the water systems, and no owner of each such lot shall circumvent the upgraded water systems by drilling a private well or developing another alternative source of water. Each owner shall pay the annual rate and other charges applicable to each owner and shall abide by the rules and regulations contained herein, as the same may be amended from time to time. In addition, all lessees, invitees, contractors, and others occupying or working on an owner's lot shall be subject to these rules and regulations.

Section 4: Application Procedures for Water Service. Any owner of vacant lot intending to construct a residential dwelling on the lot, and any owner who wishes to increase the water service to his lot beyond usual and customary domestic needs (see Section 15) shall first apply in writing to the Fire District. The applicant shall indicate the location of the premises to be served, the extent of service requested, and other pertinent information to enable the Fire District to act upon the application. The Fire District may require as a condition to any such use a bond, escrow fund, or other form of security to ensure that operations of the water systems are not jeopardized.

Section 5: Fire District's Installation and Maintenance Responsibilities. The Fire District shall be responsible for installing, operating, maintaining, and replacing as necessary the primary components of the water system, including the well, pumps, reservoirs, chlorinators, pressure tanks, main water lines, and other equipment and apparatus appurtenant to the water system, leading to and inclusive of the shut-off valves connecting the primary components of the water system with the individual service lines extending to each residential dwelling. All costs of acquisition and installation of the primary components of the water system shall be paid by the Fire District, which shall own said primary components. The Fire District shall operate, keep, maintain, and replace the primary components of the water system in a good and careful manner to prevent frosting, leakage, or other damage or operating deficiencies. The Fire District shall not, however, have or incur any liabilities for quantity or quality deficiencies of water provided to the owners.

Section 6: Owners' Installation and Maintenance Responsibilities. Each owner shall be responsible for installing, operating, maintaining, and replacing as necessary the secondary components of the water system, including the individual service line extending from the shut-off valve at the main water link to the owner's residential dwelling and all water pipes and other fixtures and equipment within the dwelling. The plumbing in each dwelling within the Fire District must be adequate for a maximum water pressure of fifty (50) pounds per square inch. There shall be within each dwelling sufficient space, shelter, and protection from the weather and freezing conditions necessary for water service to the dwelling. Each owner shall keep, maintain, and replace as necessary the secondary components of the water system appurtenant to such owner's dwelling and all water pipes, plumbing, and fixtures in a good and careful manner to prevent freezing, leakage, or other kinds of operating deficiencies. Each owner shall pay for, own, and be responsible for the secondary components of the water system serving his dwelling and their maintenance and replacement as necessary

Section 7: Connections to the Water System. No unauthorized connections may be made to the main water line. Any new connections shall be made to a shut-off valve on the main water line and shall require prior review and written approval by the Fire District and its engineer, together with such supervision, inspection, and loan or escrow fund mechanism as the Fire District shall determine to be necessary or advisable to prevent damage to the water system. There shall be a hookup charge paid to the Fire District to cover the costs of making the hookup for any new connection. Each connection shall have only one dwelling, and no owner shall divert or supply water from his connection and secondary water line to any other dwelling or persons, unless an application is made to and approved in writing by the Fire District.

Section 8: Right of Entry and Inspection by Fire District. The Fire District and its agents, employees, contractors, and other authorized persons shall have an ongoing unrestricted right of entry and access to each lot and dwelling for all purposes necessary, advisable, or otherwise related to its ownership, operation, maintenance, repair and replacement responsibilities concerning the water systems. This right of access and entry shall include but not be limited to construction, installation, maintenance, and replacement of the water systems, periodic inspection and testing, and enforcement of these rules and regulations and collection of rates and charges. The Fire District shall exercise the right of access and entry in a good and careful manner and, unless emergency circumstances dictate otherwise, during reasonable hours.

Section 9: Rates and Charges. Each owner shall pay an annual charge to pay for all of the Fire District's costs and expenses incurred on owning and operating the water system, including but not limited to debt service for acquiring and upgrading the water systems, general administration, repair, establishment of capital reserve funds for future replacement and/or upgrading work, operations, special or emergency assessments, and other costs and expenses pertaining to the water system. Payment of the annual charge, together with any related costs and expenses as provided hereinafter, shall be in accordance with the following conditions:

9.1 Annual Rates.

- (a) The owner of each lot with a dwelling located on the lot shall pay an annual flat rate for water service in the amount of FOUR HUNDRED AND FIFTY DOLLARS (\$450.00)
- (b) The owner of each lot that is vacant and does not have a dwelling located on the lot and the owner of each lot with a dwelling located on the lot but which is not connected to the existing Oz Fire District #1 Water System on the date hereof and which shall not be obtaining water service from the upgraded water system shall pay an annual flat rate of TWENTY-FIVE DOLLARS (\$25.00)

9.2 Billing.

- (a) The annual charge for owners of lots with dwellings shall be billed in equal quarterly installments, payable in advance on the first day of January, April, July, and October of each year.
- (b) The annual charge for owners of vacant lots without dwellings and owners of lots with dwellings located on the lots but which are not connected to the existing Oz Fire District #1 Water System on the date hereof and which will not be obtaining water service from the upgraded water systems shall be billed once a year, payable in advance on the first day of January for the ensuing year. Bills will be sent to each owner at their address as it appears in the records of the Fire District; and each owner shall be responsible for payment regardless of use or occupancy of his dwelling by tenants, invitees, or other persons.

9.3 Rate Adjustments. The Fire District has the right exercisable from time to time as it deems necessary or advisable to adjust the annual rates specified in Section 9.1 to reflect the actual costs and expenses incurred by the Fire District in connection with its ownership and operation of the water system, as described more particularly hereinbefore. Any such rate adjustment, upwards or downwards as the case may be, shall take effect immediately upon determination by the Fire District, and all owners shall be notified of the adjustment.

9.4 Late Payment Penalty and Interest. Any owner who is delinquent in payment of the water service charge for his lot shall be liable for a late payment penalty of 10% of the delinquent amount, together with interest on the delinquent amount accruing from the due date at the rate of 12% per annum. An owner is delinquent if he fails or refuses to tender payment of any charge he owes pursuant to Section 9.1 within 30 days of the postmarked date of the bill for such charge, or by a due date stated on the bill which shall be at least 30 days after mailing and which shall control in the absence of a postmark.

9.5 Collection. In the event an owner is delinquent in the payment of any water charge, there shall arise a lien against the owner's lot in favor of the Fire District to secure all sums due for payment of the delinquent charge, including late payment penalty, interest, and all costs including reasonable attorney's fees then or thereafter incurred in collecting the delinquent charge. Ownership of the lot and any subsequent transfer or conveyance shall be subject to the lien, which shall continue in effect until all sums have been fully paid. The Fire District may record a notice of lien in the Oz Land Records to provide further notice of its lien rights. Following recording of said notice of lien, the lien may be foreclosed in the same manner as provided for foreclosure of real estate mortgages under Vermont law. Suit to recover a money judgment for any unpaid charge may be brought against the owner, and a foreclosure action may be brought to enforce the lien against the owner's lot. An action at law to obtain a money judgment against an owner shall not be deemed to be an election preventing the Fire District from initiating a lien foreclosure action, nor shall any foreclosure action be deemed to be an election precluding the Fire District from maintaining an action at law for a money judgment against the owner. All costs including reasonable attorney's fees incurred in making collection efforts, enforcing payment, and initiating and maintaining legal proceedings shall be added to and become part of the delinquent owner's payment obligation.

Section 10: Discontinuance of Service. Rules and regulations governing discontinuance of water service to an owner are as follows:

10.1 Reasons for Discontinuance. Service to any owner or other user served by the water systems may be discontinued for any of the following reasons:

- (a) Waste of water through leakage or other exfiltration due to faulty secondary components of the water systems and failure or refusal of the owner responsible therefore to correct the deficiency causing the leakage or exfiltration; or
- (b) Failure or refusal to fulfill the owner's responsibilities to keep and maintain the secondary components of the water systems and related water pipes, plumbing, and fixtures within the owner's dwelling in good order and repair and protected from freezing or other damage; or
- (c) Failure or refusal to pay all charges and any other related costs and expenses for which the owner is liable, in accordance with the provision hereof, or
- (d) Willful damage to the water systems, obstruction of the water supply, or unauthorized tapping into or tempering with any portion of the water systems; or
- (e) Violation of any of the rules and regulations set with herein.

10.2 Disconnection Procedure. In the event of violation of any provisions of Section 10.1 by an owner or other occupant of the premises served giving rise to reason for discontinuance of water service, the Fire District shall give written notice to the owner or other occupant of the dwelling of the intention to disconnect service to the dwelling. The notice shall be mailed to the owner's address as appears in the record books of the Fire District and shall state the actions that must be taken to cure the violation giving rise to the reason for discontinuance of service. In the event the intention to disconnect is any reason of an owner's delinquency in payment of his water charge, the notice shall be in the form required by Title 24 Vermont Statutes Annotated § 5144 Pursuant to Title 24 Vermont Statutes Annotated § 5145, if the delinquent payment or other violation is not cured within 14 days from the stated disconnection date, then water service may be discontinued to the violating owner's lot.

Disconnection shall occur only between the hours of 8:00 a.m. and 2:00 p.m. of the business day specified on the notice of disconnection or within the same hours during the four business days thereafter. When service is disconnected to an owner's premises, the individual making the disconnection shall immediately inform a responsible adult on the premises that service has been disconnected or if no responsible adult is the present, shall leave on the premises in a conspicuous and secure place notification advising that service has been disconnected and the actions that the owner or other occupant of the premises must take to have service restored. Disconnection shall not be permitted under any of the circumstances provided in Title 24 Vermont Statutes Annotated § 5143, including if the disconnection would represent an immediate and serious hazard to the health of the owner or a resident within the owner's household, as set forth in a physicians certification provided to the Fire District. In the event of emergency or other pressing circumstances requiring immediate disconnection of service, the Fire District may do without advance notice.

10.3 Restoration of Service. Service that has been disconnected or interrupted shall be restored upon the owner's written request when the cause for disconnection of service has been remedied or when an agreement has been reached between the owner and the Fire District that provides, to the full reasonable satisfaction of the Fire District, for cure of the violation giving rise to the disconnection. Service will be restored within 24 hours from the time when the owner complies with the provisions hereof for remedy or cure of the violation-giving rise to the disconnection of service. All costs of disconnection and restoration of service shall be borne by the owner and shall be paid prior to re-connection. In addition, the owner shall pay the special charges for restoration of service as provided in Title 24 Vermont Statutes Annotated § 1515.

Section 11: Disruption of Service. The Fire District may temporarily disrupt water service for purposes of maintaining, repairing, replacing, and upgrading the water systems. In such event, the Fire District shall make all reasonable and practicable measures to notify or otherwise inform the owners of the temporary disruption. In the event of a water line break, emergency, or other unavoidable circumstances requiring immediate corrective action, the Fire District shall not be required to provide any advance notice or warning to the owners. The Fire District shall not be liable for any damage or claim for inconvenience or other event resulting from the temporary disruption. If the disruption of service continues for longer than 24 hours, there shall be a proportional credit applied to each owner's next bill to reflect the number of days when service was disrupted.

Section 12: Notice to Fire District Upon Sale or Transfer of Lot. Each owner shall provide the Fire District with written notice of any sale, transfer, exchange, or other disposition of his lot at the time thereof, which said notice shall include the name(s) and address of the new owner(s).

Section 13: Extensions of Water Systems. Any extensions of the water systems to vacant lots, other limits to the Fire District, or otherwise shall require the prior written approval of the Fire District and its engineer or other persons authorized to approve and perform the extension work. The Fire District may require such liability, escrow fund, or other means of providing security that there will be no damage to the water systems in connection with any such extensions.

Section 14: Metering. The Fire District reserves the right to install meters for the purpose of measuring the water service provided to each lot, if and when the Fire District shall demonstrate it necessary or advisable for determining and adjusting the annual fees payable by the owners.

Section 15: Use of Water. Owners shall use water only for customary and ordinary domestic purposes and shall apply the diligent to conserve water supplied to their premises. Lawn sprinkling shall be limited to one sprinkler in use for no more than one hour during each 24-hour period. In the event any owner should wish to utilize the systems for extraordinary demands, such as, but not limited to, servicing swimming pools or other unusual needs, the owner must obtain prior written approval from the Fire District, with such conditions and extra payment obligations as the Fire District may determine. No owner shall install or use any plumbing or other apparatus, which will affect the pressure or operating conditions of the water system in a manner that would cause detriment, damage, or interference with the water service provided to the other owners.

Section 16: Actions by Fire District. All actions, authorization, rights, and powers of the Fire District as provided herein may be exercised by the Prudential Committee of the Fire District, as the same shall be composed from time to time. The officers, employees, agents, contractors, and other authorized persons of the Fire District shall conform under the direction and supervision of the Prudential Committee and on behalf of the Fire District.

Section 17: Modifications and Amendments. The Fire District through the Prudential Committee may amend, modify, or waive any of the provisions contained herein if circumstances or other events should require any such amendment, modification, or waiver, subject to the requirements of all laws and regulations of the State of Vermont applicable to the Fire District and under such terms and conditions as the Prudential Committee shall determine to be necessary or advisable in the interests of the Fire District.

Section 18: Miscellaneous Provisions.

18.1 Word Meanings. Words such as "herein", "hereinbefore", and "hereof" refer to those Rules, Regulations, and Schedule of Rates and Charges as a whole and not merely to any particular Section in which the words appear. The singular shall include the plural, and the masculine gender shall include the feminine and neuter (i.e., his, her, them, they, etc.).

18.2 Validity. Invalidation of any one or more of the rules, regulations, or provisions contained herein by a court or other tribunal as appropriate jurisdiction shall not affect in any manner the other rules, regulations, and provisions herein, which shall remain in full force and effect.

Adopted at Oz, Vermont on this _____ day of March, 2004 by Oz Fire District No. 1 by it's

Prudential Committee:

XXXX XXXXX, Chairman

XXXX XXXXX

XXXX XXXXX

XXXX XXXXX

XXXX XXXXX

APPENDIX G: THE VERMONT STATUTES, TITLE 24, CHAPTER 129: Uniform Water and Sewer Disconnect

The Vermont Statutes

Chapter 129: UNIFORM WATER AND SEWER DISCONNECT

[§ 5141.](#) Scope

[§ 5142.](#) Definitions

[§ 5143.](#) Disconnection of service

[§ 5144.](#) Uniform notice form

[§ 5145.](#) Time and notice of disconnection

[§ 5146.](#) Restoration of service

[§ 5147.](#) Jurisdiction for appeals and exceptions

[§ 5148.](#) Consumer provisions

[§ 5149.](#) Repealed. 1989, No. 45, § 12.

[§ 5150.](#) Unauthorized connection

[§ 5151.](#) Special charges

§ 5141. Scope

This chapter applies only to municipalities providing water or sewer services, or both, and it allows disconnection of water or sewer services, or both, as a delinquency collection procedure for water or sewer delinquencies. Disconnection of water service as a collection procedure for delinquent sewer bills is specifically allowed. This delinquency collection procedure is a separate procedure from that allowed under Title 32. (Added 1977, No. 93; amended 1989, No. 45, § 7.)

§ 5142. Definitions

For the purpose of this chapter:

(1) "Selectboard" means the Selectboard in the case of a town, the city council in the case of a city, the board of trustees in the case of an incorporated village, the prudential committee in the case of a fire district or the board of commissioners in the case of a consolidated sewer or water district.

(2) "Disconnection" means the deliberate interruption or disconnection of water or sewer service, or both, to a ratepayer by the servicing municipality for nonpayment of water or sewer charges.

(3) "Delinquency" means failure of the ratepayer to tender payment for a valid bill or charge within 30 days of the postmark date of that bill or charge, or by a "due date" at least 30 days after mailing, which shall be clearly printed on the bill and which shall control in the absence of the postmark. A delinquency of sewer charges shall be considered a delinquency of water charges, if operated by the same municipal corporation.

(4) "Hearing officer" means a person appointed pursuant to section 5147 of this chapter to act as a fact finder and to hear and investigate evidence, and to make recommendations to the board of selectmen for final determination of the dispute.

(5) "Notice" means the written notice on the form prescribed in section 5144 of this chapter, sent within 40 days after delinquency and postmarked and sent not more than 20 days, nor less than 14 days prior to the disconnect of service.

(6) "Physician's certificate" means a written statement by a duly licensed medical practitioner certifying that a ratepayer or resident within the ratepayer's household would suffer an immediate and serious

health hazard by the disconnection of the utility's service to that household. The certificate will be considered valid and in force for 30 days, or the duration of the hazard, whichever is less.

(7) "Payment of a bill" means the receipt at the municipal office of cash, check or money order which is subsequently honored.

(8) "Business days" means Monday through Thursday, excluding legal holidays and any other time, or the day before such time, when municipal offices are not open to the public.

(9) [Repealed.]

(10) "Credit supervisor" is any person appointed by the board of selectmen to perform the functions of a credit supervisor under this chapter. Notwithstanding section 1524 of this title, the municipal tax collector may be appointed, but the fees provided under Title 32 for a tax collector do not apply to the collection procedure in this chapter. (Added 1977, No. 93; amended 1989, No. 45, § 8.)

§ 5143. Disconnection of service

(a) No municipality shall disconnect service to a ratepayer unless payment of a valid bill or charge is delinquent as defined herein, and notice of disconnection has been provided previously to the ratepayer. A copy of the notice shall be sent to the occupant of a residential dwelling which will be affected by the disconnection if the occupant is different than the ratepayer.

(b) Disconnection shall not be permitted if:

(1) The delinquent bill or charge, or aggregate delinquent bills and charges do not exceed \$15.00.

(2) The delinquency is due solely to a disputed portion of a charge which is the subject of an appeal.

(3) The delinquency is due to a failure to pay a deposit, line extension, special assessment, special construction charge, or other nonrecurring charge.

(4) The disconnection would represent an immediate and serious hazard to the health of the ratepayer or a resident within the ratepayer's household, as set forth in a physician's certificate which is on file with the municipality. Notice by telephone or otherwise that such certificate will be forthcoming will have the effect of receipt, providing the certificate is in fact received within seven days.

(5) The ratepayer has not been given an opportunity to enter into a reasonable agreement to pay the delinquent bill or, having made such agreement, has abided by its terms. (Added 1977, No. 93; amended 1989, No. 45, § 9.)

§ 5144. Uniform notice form

The notice form required under section 5143 of this chapter, and defined in section 5142 of this chapter shall be clearly printed on a pink colored sheet of paper, and shall be according to the following form:

Date _____

\$ _____

AMOUNT IN ARREARS

Dear Customer:

According to our records, your (water) (sewer) service account is still unpaid. Please make full payment of the account or contact our office to make satisfactory arrangements before If this is not done, we will no longer be able to extend credit and will have to discontinue your service, on that day or any one of the following four business days. (Under the law, "Business days" means Monday through Thursday, excluding legal holidays, when the offices are not open to the public). An unpaid bill is a lien on your real property, and may lead to tax sale proceedings. SPECIAL CHARGES - Section 5151 of Title 24, Vermont Statutes Annotated, provides that we charge a fee for coming to your location to collect the amount overdue. Also, the same statute provides that we shall charge a reconnection fee for restoration of service if your service has been disconnected for nonpayment. These fees are as follows:

Collection Trips - \$ 25.00, regardless of number

Reconnection - Normal Hours - \$ 25.00

Overtime - \$ 37.50

Interest according to 32 V.S.A. § 5136(a)

If payment has already been sent, we recommend that you contact our office to make certain that payment is recorded on your account by the indicated date as such payment may have become delayed or lost in the mail. Payment in the mail does not constitute payment until received by us.

THIS IS A FINAL REQUEST FROM:

(Name of Credit Supervisor)

(Name of Municipality)

(Address of Municipality)

(Town)

Vermont (Zip Code)

(Telephone Number)

OTHER IMPORTANT INFORMATION - If you have a question concerning this bill or if you want to seek an agreement with us to pay the balance due in partial payments over a period of time, you should contact this office as soon as possible after receipt of this notice. In the event an agreement is entered into, failure to abide by the terms of agreement can lead to disconnection without further notice. If disconnection would result in an immediate and serious health hazard to you or to a resident within your household, disconnection will be postponed upon presentation of a duly licensed physician's certificate.

APPEALS - If you cannot reach agreement as to payment of this bill with the credit supervisor whose name appears above, you may appeal to:

(Name of Chairman of the Local Legislative Body)

(Name of Town, City or Village)

(Address of Office)

(Mailing Address)

or by calling:

(Telephone Number)

An appeal cannot be taken unless you first attempt to settle with the credit supervisor. You may appeal only as to the proper amount of your bill or the correctness of application of the rules and regulations. You may not appeal as to the level or design of the rates themselves. No charge shall be made for the appeal. However, undisputed portions of the charges giving rise to this notice must be paid before the disconnection date given above.

(Added 1977, No. 93; amended 1987, No. 33, § 1; 1989, No. 45, § 10.)

§ 5145. Time and notice of disconnection

(a) Disconnection of utility service shall occur only between the hours of 8:00 a.m. and 2:00 p.m. of the business day specified on the notice of disconnection, or within the same hours during the four business days thereafter.

(b) When service is disconnected or interrupted at the premises of the ratepayer, which shall include disconnection or interruption at or near the premises of the ratepayer, the individual making the disconnection shall immediately inform a responsible adult on the premises that service has been disconnected or interrupted, or if no responsible adult is then present, shall leave on the premises in a conspicuous and secure place a notification advising that service has been disconnected or interrupted and what the ratepayer has to do to have service restored. (Added 1977, No. 93.)

§ 5146. Restoration of service

If service has been disconnected or interrupted, the municipality shall within 24 hours restore service upon the customer's request when the cause for disconnection of service has been removed or when an agreement has been reached between the ratepayer and the municipality regarding the dispute which led to the disconnection or when directed to do so by the board of selectmen. Restoration of service, to the extent feasible, shall be done so as to avoid charging ratepayers for overtime wages and other abnormal expenses. No collection or reconnection fees may be charged for disconnections or interruptions of service made for reasons of health or safety of the ratepayer or of the general public. (Added 1977, No. 93; amended 1989, No. 45, § 11.)

§ 5147. Jurisdiction for appeals and exceptions

The Selectboard shall promptly and fairly hear any or all appeals by the ratepayer after notice to all interested parties. During appeal, disconnection will be postponed. Upon just cause shown, the Selectboard may grant exceptions to any ratepayer. The Selectboard may appoint one or more members of the Selectboard to act as hearing officers for the purposes of the appeal. Alternatively, the Selectboard may appoint a responsible citizen to act as a hearing officer for the appeal. (Added 1977, No. 93.)

§ 5148. Consumer provisions

Nothing in this chapter shall prevent the Selectboard from adopting further procedures, ordinances, or rules providing greater protection for consumers than are required by this chapter. (Added 1977, No. 93.)

§ 5149. Repealed. 1989, No. 45, § 12.

§ 5150. Unauthorized connection

The officers and agents of such a municipality entrusted with the care and superintendence of the municipality may at all reasonable times enter all premises so supplied to examine the pipes and fixtures and prevent any unnecessary waste, and to examine for sanitary correction thereto. If any person, without the consent of such municipal corporation, shall use any connection to water or sewer, a civil action on this statute may be maintained against such person by such municipality for the recovery of damages thereon. (Added 1977, No. 93; amended 1989, No. 45, § 13.)

§ 5151. Special charges

(a) A municipality providing water and sewer services may charge fees for collection of overdue accounts and reconnection of service disconnected because of nonpayment.

(b) Fees charged shall not exceed the following schedule:

Collection Trips - \$25.00 maximum, regardless of number

Reconnection:

Normal Hours - \$25.00

Overtime - \$37.50

(c) Interest on delinquent accounts may be assessed if voted by the municipality according to 32 V.S.A. § 5136. (Added 1977, No. 93; amended 1987, No. 33, § 2; 1989, No. 45, § 14.)

APPENDIX H: SECRETARY OF STATE FIRE DISTRICT DOCUMENT

Fire Districts and How They Work:
A Guide for Municipal Life
Office of the Secretary of State
March 1992; updated May 2013

Fire districts are the orphans of Vermont municipal life. Towns and school districts have real identities, clear boundaries of authority, and good law to support most of what they do. Fire districts have none of these. They are usually organized by petition, created for special purposes, and left to fend for themselves with a law that tells fire district officers very little about their duties and responsibilities, that depends on other laws by analogy for authority and direction. No wonder some fire districts get into procedural trouble in the conduct of their affairs.

How should an annual meeting be warned? How are taxes collected? What services can the district provide to people residing outside the district? These are not questions that ought to be left to speculation or bad memory. We need to look at the law on fire districts and the law of other municipalities that fire districts must use and see how a fire district should be run.

Charters and general law: Fire districts can be created by one of two methods. One is by a petition signed by twenty freeholders, submitted to the Selectboard, who then establish the district and define its limits. The other is by special act of the legislature, sometimes called a municipal charter, which gives the fire district its authority. There is no preferred method of organization. The petition method is easier, since the legislature doesn't have to be involved, but the legislative approach allows the district additional authority beyond that granted by general law.

Remember the general rule that specific legislation preempts general legislation. 'This means that special legislation on a fire district that sets the warning period at seven or ten days before a meeting overrules the general requirement that all fire district meetings be warned' thirty to forty days ahead. [20 V.S.A. § 2483](#).

Knowing what special legislation has been adopted for the fire district is a critical first step in assembling the materials needed to decide what authority the district really has. The best source for learning whether your district has special legislation that applies to it is the pamphlet, [Vermont Municipalities: An Index to their Charters and Special Acts](#), ed. D. Gregory Sanford (Montpelier. Office of the Secretary of State, 1986). The information is also available upon request from the Office of the Secretary of State.

From this point forward in our discussion of fire districts, we describe general state law applying to fire districts. Inconsistencies between general law and your charter are almost certainly resolved in your charter's favor.

The index shows the following fire districts with some form of special legislation applying to them; this is by no means an exhaustive list of all fire districts:

- Bakersfield Fire District #1
- Barre Fire District #1
- Bennington Fire District
- Bethel Fire District #1
- Brandon Fire District #1
- Brighton Fire District #1
- Bolton Fire District#1

- Castleton Fire District #1
- Castleton Fire District #2
- Cavendish Fire Districts #1 & 2
- Colchester Fire District #1
- Colchester Fire District #2
- Colchester Fire District #3
- Cold Brook Fire District #1
- Coventry Fire District #1
- Danby and Mount Tabor Fire District #1
- Danville Fire District #1
- Dorset Fire District #1
- Greensboro Fire District #1
- Hardwick Fire District #1
- Lunenburg Fire District #1
- Lyndon Fire District #1
- Middlebury Fire District #1
- Milton Fire District #1
- Pawlet Fire District #1
- Poultney Fire District #1
- Readsboro Fire District #1
- St. George Fire District #1
- Wallingford Fire District #1
- Williamstown Fire District #1

Organization by Petition

The basic law on the formation of fire districts by petition is [20 V.S.A. § 2481](#). Twenty or more freeholders petition the Selectboard asking that a fire district be formed and citing the powers requested for the district. The Selectboard then warn the first meeting. At the meeting, the chair of the board serves as moderator. [20 V.S.A. § 2482](#). Subsequent meetings are run by the fire district's own elected moderator.

Fire districts are expanded by the same process. A petition signed by twenty freeholders residing in the area of the proposed expansion of the fire district is submitted to the Selectboard who redefine the limits of the district. The voters of the fire district, exclusive of the proposed expansion, meet and vote to approve the expansion prior to submittal to the Selectboard.

"Freeholder" is an outdated term. Statute was updated to clarify that a voting member of the fire district is a voter who voted at town meeting. Basically, if a person's physical permanent address is within the fire district boundary and they are registered to vote in that town, they may vote on fire district business. [20 V.S.A. § 2484](#).

At the organizational meeting, the chair of the board acts as moderator as the fire district elects its first officers, moderator, clerk, treasurer, collector of taxes, and a three member prudential committee. The prudential committee is at first elected for terms of one, two and three years, with three year terms the rule as each of the initial terms ends, to ensure staggered terms of committee members. The statute does not require the election of auditors (or even a moderator for that matter), but they should be elected nonetheless because they are needed. Towns must elect auditors and moderators; so should fire districts.

This introduces the subject of derivative law. The fire district chapter is in [Title 20, Chapter 171](#). But if you stop there you miss much of the law that affects fire districts because the laws applicable to the inhabitants and officers of towns shall be applicable to the inhabitants and similar officers of all municipal corporations. This section shall be so construed as not to conflict with the acts of incorporation of or laws specifically applicable to such municipal corporations. [1 V.S.A. § 139](#).

The fire district might vote a tax at its organizational meeting or it may choose to wait until the Annual Meeting.

Powers of a fire district

As noted above, a fire district has only those powers that are included in its organizational petition (or a subsequent amendment to that petition). General state law authorizes the fire district to construct and maintain sewers and sewage treatment works, sidewalks, public parks, water works, water companies and equipment (including reservoirs and dams), lighting, and for protection of property from damage by fire. [20 V.S.A. § 2601](#). With these responsibilities comes the right to levy a tax, subject to a vote at an Annual or Special Meeting of the fire district.

The fire district, through its prudential committee, has the right to use and occupy portions of the public highways within the district for these stated purposes. A fire district may also adopt the town manager system. See [20 V.S.A. § 2601](#) and [24 V.S.A. § 1243](#). Laws authorizing a fire district to engage in planning and zoning activities have been repealed, however.

It may adopt bylaws at an Annual or Special Meeting governing the manufacture and safekeeping of ashes, gunpowder and combustibles, and the preservation of buildings from fire by precautionary measures and by inspection. [20 V.S.A. § 2602](#). It may vote to empower the prudential committee to sprinkle or oil the streets. [20 V.S.A. § 2603](#).

Without the need for a vote of the electorate, the prudential committee may make contracts and expenditures for the preservation of property from damage by fire as it deems necessary. [20 V.S.A. § 2604](#). It may purchase and hold apparatus for extinguishing fire and real and personal estate needed to preserve the apparatus. [20 V.S.A. § 2605](#). The prudential committee also has the right to exercise eminent domain powers to erect a building to keep fire apparatus. [20 V.S.A. § 2606](#). It may also commence and prosecute, as well as defend and adjust (settle) lawsuits. [20 V.S.A. § 2607](#).

Budgets and annual reports

The specific law on fire district budgets is slim. As with all municipalities, the voters appropriate money for expenditures, authorizing the prudential committee to spend revenues to meet the needs of the district. Unlike other municipalities, a prudential committee may not by law spend more money than its electorate has authorized at a Special or Annual Meeting. [20 V.S.A. § 2604](#).

It's best to warn and adopt a budget at the Annual Meeting, and not a tax rate. The fire district doesn't develop its own grand list; it relies on the town listers to do that, and then uses that portion of the grand list covering the fire district to raise its tax revenues. No vote on a tax rate at an annual meeting is precise, since the grand list is unsettled until mid-summer.

Most fire districts don't issue an annual report, but one is required by the auditors under general state law. [24 V.S.A. § 1682](#). It need not be as fancy as a town report. It should, at least, include a detailed statement of the financial condition of the district, a classified summary of receipts and expenditures, a list of all outstanding orders and payables more than thirty days past due, and any deficit. [24 V.S.A. § 1683](#). A proposed line item budget is the next most important addition to the annual report. The report ought to be available to voters at least ten days in advance of the Annual Meeting.

Warnings

The warning period for an Annual or Special fire district meeting is no less than 30 and no more than 40 days from the date of the meeting. No published notice is required, but the warning should be posted in at least two public places and recorded in the town clerk's office. [20 V.S.A. § 2483](#). Annual meetings are

held on the second Monday of January, unless the voters have voted to appoint some other day as the annual meeting. Special meetings may be called on petition of three or more voters or five percent of the checklist, whichever is greater (five percent will be the rule in most cases). Warnings are signed by the fire district clerk or, if unavailable, one of the prudential committee.

The warning includes the specific articles to be voted; anything not included is out of bounds, since only articles appearing on the warning can be the subject of binding municipal action. No article, once voted, may be reconsidered at the same meeting. Once an article has been adopted or defeated, the voters cannot take it up again until new warning is given and a new meeting is held. [17 V.S.A. § 2661](#).

Checklists

When and where the warning is posted, the most current checklist of the fire district should be posted. [17 V.S.A. § 2141](#). The checklist consists of those voters who are on the town checklist who reside in the fire district. If names are added or removed from the town checklist, then the same names are added or removed from the fire district checklist automatically.

Each time the fire district calls a meeting, the town is obliged to update its checklist. Noon on the third Saturday before the meeting is the deadline for receiving applications for addition to the town checklist. The town board of civil authority is required to meet between that time and the day of election to add the names of those whose applications are pending, if the individuals are qualified.

The annual meeting and the election of officers

The Annual Meeting of a fire district is the occasion for the election of officers, the voting of the budget, and other public questions. Each year the district elects a clerk, treasurer, collector of taxes, a member of the prudential committee, and may elect a chief engineer and assistant engineers who rank in the order of their election. Members of the prudential committee may serve for three year terms, although at the beginning of a district the initial board is elected for one, two, and three year terms to provide for staggered terms. Prudential committee members may also be the clerk, treasurer and collector of taxes. Vacancies in any district office except prudential committee member are filled by the prudential committee until the next annual election. Prudential committee vacancies are filled by appointment of the Selectboard until the next annual or special meeting. [20 V.S.A. § 2485](#).

All officers elected at a fire district meeting must be residents of the fire district, except the collector of taxes. [20 V.S.A. § 2486](#).

Meetings are run by Robert's Rules of Order and general state law relating to town meetings, with one exception. [17 V.S.A. § 2658](#). The exception is the right of one voter to call for a paper ballot, unlike the seven provided by state law.

The prudential committee

The prudential committee is obliged to follow the Open Meeting law. [1 V.S.A. § 310](#) and following. This means that its meetings must be properly warned. Regular meetings are warned with very little effort. Their regularity allows the committee to adopt a resolution in its minutes announcing the time, date (first Tuesday of the month, for example), and place and, as long as that doesn't vary, dispense with any further notice.

Special meetings require three public postings including the municipal clerk's office, notice to each member of the committee, at least twenty-four hours in advance of the meeting.

Emergency meetings, called to respond to an unforeseen event or occurrence, require some form of notice as soon as possible before any such meeting, but are not required to meet notification requirements as for other meetings. [1 V.S.A. § 312](#). No binding action can be taken except at a duly-warned meeting.

Minutes must be kept of each meeting, giving as a minimum the name of the committee members who are present and members of the public who play an active part in the meeting, a listing of all motions made, and the result of all votes. These minutes must be available within five calendar days of the meeting.

A majority of the committee is required to meet, and a majority of total members present must vote in favor of a motion in order to take binding action. [1 V.S.A. § 172](#). A committee probably ought to adopt Robert's Rules as its own procedural rules. The committee elects its own officers, including a chair, but there is no reason for the chair to refuse to vote except to make or break a tie; the chair can vote on any motion and may even make motions, according to Robert's.

For an introduction to the handling of motions at an annual or special meeting, consult [A Handbook for Vermont Moderators](#) (2008), published by the Secretary of State

For more on the open meeting law, contact the [Secretary of State](#).

Abatement of taxes

The fire district board for the abatement of taxes consists of the prudential committee, the clerk and the justices of the peace and town listers residing within the fire district. The provisions of [24 V.S.A. § 1535](#) apply. The board may abate in whole or in part the taxes of persons who have removed from the state, persons who have died insolvent, persons who are unable to pay their taxes, when there is a manifest error or mistake of the listers, or when property is lost or destroyed during the tax year. A written decision is required, following a hearing and a vote by a majority of those members present and voting, as long as there is a majority of the total board present to make a quorum.

Providing water

The laws governing how a fire district conducts its water business are found in [24 V.S.A. Ch. 89](#). "Fire district" is not mentioned expressly in this chapter; the name "municipal corporation" is used to define the entity running a water business. Otherwise the law is pretty straightforward.

[Section 3301](#) lists the basic authority of a municipal corporation running a water system. This includes the right to construct, maintain and repair an artesian well, reservoir, pumps, engines and apparatus. It includes the right to purchase reservoirs, wells, ponds, springs, streams, water courses, Real estate, water rights, flowage rights, and necessary easements within the limits of the district, and the right to acquire these by the exercise of eminent domain. The district may also purchase or acquire by eminent domain land surrounding or adjacent to a fire district to protect and preserve the quality of the water. It may erect fences to protect the water supply; it may enter any land or water to make surveys; it may erect dams and reservoirs, and lay pipes and aqueducts. The district may not, however, take water or a spring of water owned by a person who is using it for domestic use or for the watering of animals, except by purchase. A district may open the ground in streets and public grounds, returning them to their original condition after finishing. [24 V.S.A. §3302](#).

The purchase or taking by eminent domain of rights or properties of persons or corporations engaged in the business of a water company is conditioned by the statute as subject to the provisions of [section 108 of Title 30](#). Turning to Title 30, it's clear that the legal reference has changed since the law on water works was written and that the section is now codified as section 109. This section prohibits a water

company from selling or leasing more than ten percent of its property except after a hearing before the Public Service Board and the issuance of a certificate of consent. [30 V.S.A. § 109](#).

The eminent domain process is laid out in section 3303 of Title 24. If the fire district can agree with the landowner on the price of the land, easement or other right, a deal may be made without the involvement of other parties. If no agreement can be found, or when the owner is an infant, insane, absent from the state, unknown, or the owner of a contingent interest, then the fire district and the owner must bring the matter before the superior court. The presiding judge arranges the proper notice to alert persons interested and then appoints three disinterested persons as commissioners to examine the property, hear the parties, and assess and award damages, for the taking. Their report is submitted to the presiding judge, who accepts it unless he finds just cause not to do so. Within sixty days of the taking, the fire district must file a description of the property with the town clerk. [24 V.S.A. § 3304](#).

Water may also be provided by a fire district by contract or lease with another municipality although the agreement may not cover a period of more than forty years. [24 V.S.A. § 3305](#).

When a person interferes with a water supply of a fire district, the law provides criminal penalties and treble damages as sanctions. [24 V.S.A. § 3307](#).

The prudential committee may appoint or remove a superintendent. [24 V.S.A. § 3313](#).

Fire district ordinances relating to water works are adopted by vote of the electorate at a duly-warned Annual or Special Meeting of the district. [24 V.S.A. § 3315](#).

Water rents, rates, fees and taxes

Those who use the water of a fire district must pay for the service. That's not a radical idea. Those who use it without authority may be taken to court for recovery of damages, and the charges, rates or rents charged to a user become a lien against the property in the same way as delinquent taxes. [24 V.S.A. § 3306](#).

Rates are established by the prudential committee. The rates may be set by water used, as-shown by water meter, or at an annual rate. The rates may be changed at any time by the prudential committee and advance payment may be required. [24 V.S.A. § 3311](#).

Taxes are voted by the electorate of the fire district against the real and personal property within the district that appears on the town grand list. [24 V.S.A. § 3308](#).

Capital improvements to the water system may be financed by a vote and issuance of bonds. 24 V.S.A. §§ [3310](#), [3314](#). See also [24 V.S.A. Chapter 53](#) on bonds and bond votes.

Sewers

The prudential committee of a fire district that includes among its powers the operation of a sewage disposal system has the authority to take, purchase and acquire real estate and easements for its purposes. It may enter land to conduct surveys. [24 V.S.A. § 3502](#). It may contract with the State or federal government, any town, corporation or individual to dispose of its waste. Contracts are limited to forty years in length by law. 24 V.S.A. §§ [3503](#) & [3611](#). It may establish rates for rent, with rules for the system's control and operation, and it may appoint a superintendent to serve at its pleasure to manage the works. [24 V.S.A. § 3507](#).

The prudential committee may also require the owners of buildings, subdivisions and developments abutting a public street or highway to connect all sewers from those buildings to the sewage system of

the district [24 V.S.A. § 3509](#). On the other hand, the municipality has no legal obligation to provide unlimited sewage capacity or to provide sewage disposal services on demand. *Bryant v. Town of Essex*, 152 Vt. 29, 39, 564 A2d 1052 (1989). The decision to extend a sewer line is discretionary with the district. An application for a connection, however, without the need for extension of the line, must be treated on its own merits, according to the same terms and conditions as other applicants. It may not be done unreasonably, capriciously or arbitrarily. *Corcoran v. Village of Bennington*, 128 Vt. 482, 491-92, 266 A2d 457 (1970).

Allocation of sewage capacity is a delicate matter. Unfortunately for fire districts these municipalities do not have independent authority to decide how allocations are made. This is the business of a village or town, through an ordinance or bylaw. [24 V.S.A. § 3625](#).

For purposes of building a sewage disposal plant or laying pipes and sewers, a fire district may enter on and use land, highways and public grounds, provided that the land or highways that are disturbed are left in as good condition as before the construction began. [24 V.S.A. § 3603](#). Landowners may challenge the decision of a fire district to use land for this purpose through a petition to a superior judge, if the landowner and the district cannot agree on their own. The judge holds a hearing and determines the "necessity" of the use. [24 V.S.A. §§ 3601, 3604-3607](#).

After taking any property, franchise, easement or right, the fire district must file a description of the taking with the town clerk. [24 V.S.A. § 3610](#).

The prudential committee may also adopt ordinances relating to the operation of the sewage system. The formal process of adopting an ordinance begins with a vote to adopt by the prudential committee, followed by the publication of a notice describing the ordinance, the process by which voters may petition the committee for a vote to disapprove it, and where copies of the ordinance and answers on its details can be found. Voters equal to five percent of the checklist have forty-four days from the date of the vote to adopt to petition for such a vote; if no petition comes in, the ordinance takes effect sixty days from the date of the vote to adopt. If a petition is received, then the prudential committee warns a Special Meeting to vote on whether the ordinance should be disapproved. If the vote fails, the ordinance takes effect immediately. See [24 V.S.A. §§ 1971-1976](#).

Unlike a town, a fire district exercising its authority to operate a sewage system is run by the prudential committee. With the exception of the vote to bond, to levy taxes and an initial decision on whether to construct a sewage disposal plant, all decisions may be made by the prudential committee. [24 V.S.A. § 3618](#).

Sewer rents, rates, fees and taxes

The cost of a sewage system is usually paid through sewage disposal charges. The prudential committee has full power to decide how and when these charges should be paid. Annual charges may cover bond repayment, fixed operations and maintenance costs (not dependent on actual use), and variable operations and maintenance cost dependent on flow. Charges can be based on the metered flow of water, the number of equivalent units connected to the system, the presence of wastes stronger than household wastes, the appraised value of the premises, the number and kind of plumbing fixtures or persons using the fixtures, or a combination of these criteria. The prudential committee should review these charges annually. [24 V.S.A. § 3615](#).

All properties, including those that are otherwise tax exempt (state properties as well), are liable for these charges. Where appraised value is the basis of the charges, the town listers are responsible for appraising the property. [24 V.S.A. § 3615](#).

The charges, rates or rents for a sewage system are a lien on the real estate that is furnished with the service in the same way as delinquent taxes are a lien, and a fire district may use any of three methods

of delinquent tax collection to collect this money. If the assessments remain unpaid for thirty days, the fire district treasurer may issue a warrant, which gives the delinquent tax collector the authority to use any of the methods of collection used for delinquent taxes. If the assessments remain unpaid for two years, the fire district may enforce the lien, as provided in [32 V.S.A. §§ 5061-5078](#). The district may also use the water and sewer disconnect procedures provided in [24 V.S.A. §§ 5141-5151](#). This involves the mailing of a uniform notice, limits on the time when water and sewer may be disconnected, and a formal process of appeals before the Selectboard. [24 V.S.A. §§ 3504 & 3612](#).

The rates and receipts of the fire district must be used and applied to pay the interest and principal on any sewage system bonds of the district, the expense of maintenance and operation of the sewage system, and for dedicated fund payments. [24 V.S.A. § 3507](#).

Voters may approve the issuance of bonds for sewage system purposes, using the bond procedures of [24 V.S.A. Chapter 53](#). Bonds for these purposes are outside the bond limits established by [24 V.S.A. § 1762](#), however, and may be issued for more than thirty years. Voters are then obliged to pay the principal and interest on these bonds through the tax rate of the district. [24 V.S.A. § 3613](#).

The prudential committee may establish a dedicated fund to finance major rehabilitation, major maintenance and upgrade costs for the sewer system, and set aside as much as fifteen percent of the normal operations, maintenance and bond payment costs. Before establishing the fund, the prudential committee will need to adopt an ordinance (using the provisions of [24 V.S.A. Chapter 59](#)) authorizing and controlling the funds. The fund cannot exceed the costs of future construction and must be insured at a level provided by FDIC. Withdrawals may be made only for the purposes for which the fund is authorized. [24 V.S.A. § 3616](#).

Fire protection

Rank is critical in fighting fires. The chief engineer, or the assistant engineers in the order of their rank, have responsibility for the apparatus for fighting fires and of the companies and persons assisting at the fire site. When on duty, an engineer must wear a badge of office with the rank inscribed on it [20 V.S.A. §§ 2671 & 2673](#). Firefighters may remove goods and effects from a building or place threatened by fire and may, on order of the superior officer present at the scene, pull down, blow up or remove such buildings as deemed necessary to prevent the spread of the fire. The officer may also require the assistance of inhabitants of the district, suppress disorder, and direct and control traffic in the absence of a law enforcement officer. Where there is a threat of a fire or explosion, the ranking officer is also in charge, but must surrender responsibility to the appropriate police department in the threat of a bombing. [20 V.S.A. § 2673](#). Refusing to obey a lawful order of an engineer may result in a \$25.00 fine. [20 V.S.A. § 2675](#).

Last thoughts

Trying to include everything an officer of a fire district needs to know in one booklet is crazy. We haven't tried to do more than the highlights of the law here, with the hope that officials will take the time to look into the green books of Vermont law found in every town clerk's office to see what the law is and how it works. Too often fire districts are run as if they are private organizations, and that is simply dangerous to the fiscal health of the district and its officers. Like it or not, there is a law covering most everything the fire district can do. Knowing it thoroughly is essential to avoid unnecessary court action or liability. If you can't find the law or understand what it means (a natural reaction in some cases shared by all of us), please call the Secretary of State's Office at (800) 828-2363. We'd be happy to help.

This guidance sheet and related environmental information are available electronically via the internet. For information visit VT DWGWPD directly at <http://drinkingwater.vermont.gov/>

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