

Dean Bloch

From: Britney Tenney
Sent: Monday, November 03, 2014 2:22 PM
To: Dean Bloch
Subject: FW: Annual Town Report/ Town Meeting Warning

FYI- see below

From: Sarah Jarvis [mailto:sjarvis@vlct.org]
Sent: Monday, November 03, 2014 2:12 PM
To: Britney Tenney
Subject: FW: Annual Town Report/ Town Meeting Warning

Britney -

I should add to my answer that many towns choose to include the town meeting warning in the "town report" in lieu of publishing the warning in the newspaper. The applicable statute is 17 V.S.A. § 2641 (b) which states:

In addition, the warning shall be published in a newspaper of general circulation in the municipality at least five days before the meeting, unless the warning is published in the town report, or otherwise distributed in written form to all town or city postal patrons at least 10 days before the meeting. The legislative body annually shall designate the paper in which such a warning may be published. No such warning shall be required for municipal informational meetings at which no voting is to take place.

Therefore the town will want to take that into account when deciding how to handle the town report and whether changes need to be made to save costs.

Regards,
Sarah

Sarah Jarvis, Esq.

Staff Attorney, Municipal Assistance Center
Vermont League of Cities and Towns
89 Main Street, Suite 4
Montpelier, VT 05602

800-649-7915
T: 802-229-9111 ext. 1914
F: 802-229-2211

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From: Sarah Jarvis
Sent: Monday, November 03, 2014 2:06 PM
To: 'BTenney@townofcharlotte.com'
Subject: FW: Annual Town Report/ Town Meeting Warning

Hello Britney -

First, it is important to clarify that the only part of the so-called "town report" that the town is obligated to disseminate is the annual financial report that is done by the auditors pursuant to 24 V.S.A. § 1683. And while many towns choose to

include along with that report all sorts of other reports and information from municipal departments, etc., that information is supplemental and is not required by law. In other words, there is no other statute that requires the creation or distribution of a "town report" other than the auditor's report. Therefore, your town could decide to cut costs by only distributing the bare minimum required by law.

Second, the distribution of the "town report" (by which I mean only the auditor's report) is governed by statute:

24 V.S.A. § 1682. Report; distribution

(a) The auditors shall report their findings in writing and cause the same to be mailed or otherwise distributed to the voters or residents of the town at least ten days before the annual meeting. At a duly warned annual or special meeting, the voters of the town may vote to provide notice of the availability of the auditors' report to the voters or residents of the town in lieu of mailing or otherwise distributing the report itself. If the voters of the town vote to provide notice of availability, they must specify how notice of availability shall be given, and such notice of availability shall be provided to the voters or residents of the town at least 30 days before the annual meeting. Upon request, the auditors shall mail or distribute a copy of the full report to a voter or resident of the town. When the auditors mail or distribute the report or provide notice of the availability of the report to the voters or residents of the town, they shall at the same time deliver to the town clerk the copies required by section 1173 of this title and shall place all surplus copies in the custody of the town clerk before the first Tuesday in March. For purposes of this subsection, the term "resident" shall be defined as the term is defined in subsection 2122(b) of Title 17.

As that statute states, if the town wants to distribute the auditor's report in a way other than directly mailing or distributing to the voters or residents of the town, there first has to be a vote on that subject at an annual or special town meeting. On the other hand, since there is no law regarding the other information / reports, etc that may have historically been included in the "town report," town officials can choose to distribute that information in any way they see fit (or not at all).

The following is a link to an article from a 2002 VLCT Newsletter with the above information:

http://www.vlct.org/assets/Resource/ATL/2002/atl_02_12c.pdf

I hope that above is helpful. Let me know if you have further questions.

Regards,
Sarah

Sarah Jarvis, Esq.

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From: Britney Tenney [<mailto:BTenney@townofcharlotte.com>]
Sent: Monday, November 03, 2014 1:24 PM
To: Info
Subject: Annual Town Report/ Town Meeting Warning

Good afternoon,

I was hoping you could help me with a question I have regarding the publication and distribution of the Annual Town Report. Charlotte is trying to reduce the cost of publishing. I was wondering if posting an electronic copy on the Town's website and a warning in the official Town paper would suffice? Another thought we had was to post a notice on our website and in the papers requesting that people notify the Town if they wish to receive a hard copy. As it stands at the moment, printing costs are greatly exceeding our budget. We would like to think of some creative solutions to cut costs but want to adhere to announcement requirements.

Any thoughts or advice would be greatly appreciated.

Thank You.

Britney Tenney
Town of Charlotte
Planning and Zoning Clerk
802-425-3533