VLCT Fall Advocacy Update

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With the second half of the biennium fast approaching, many legislative summer study committees are hurriedly working to meet deadlines, while others are just getting started. The VLCT Board has begun considering our 2024 municipal priorities. Our new Director of Intergovernmental Relations, Josh Hanford, starts working for us on October 2. VLCT has been tracking a lot of legislative table setting around the state, and we want to share some of the more newsworthy items we are tracking.

Changes to VLCT Advocacy Staff and Titles

When Josh Hanford of Randolph becomes VLCT's new Director of Intergovernmental Relations, he will take on a new title that recognizes VLCT's advocacy work must focus on the complex relationship between federal, state, and local governments in order to solve the modern problems that Vermont's municipalities face. Josh currently serves as Commissioner of the Department of Housing and Community Development, where for the past two decades he has helped municipalities access Community Development Block Grants, secure Municipal Planning Grants, and make improvements using Downtown Tax Credits and other historic tax incentives. Josh worked his way up at the Agency of Commerce, serving as a grants management specialist, the director of the Vermont Community Development Program, the Deputy Commissioner, and finally the Commissioner under Governor Phil Scott. Josh is a U.S. Army veteran, a former AmeriCorps member, and a graduate of Plymouth State University in New Hampshire.

Earlier this summer, VLCT Municipal Policy Advocate Gwynn Zakov decided to depart VLCT after a decade of service to our members. She will still be

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working in the halls and committee rooms of the State House because she has started her own lobbying firm. The entire board, staff, and membership of VLCT thank her for her service and wish her well in this new phase of her career.

These changes create an opportunity for me to be in the State House much more this year. Josh will be the primary contact for members to share their concerns, and he will be working on communications strategy and policy solutions. However, the State of Vermont imposes a one-year lobbying ban on high level administration officials and legislators, so I will be meeting with legislators and having many more brown bag lunches in the State House cafeteria this year, something I genuinely enjoy doing (talking and eating!). To help tackle the large workload, VLCT intends to hire a contract lobbyist so we don't miss a beat.

Regional Dispatch (Public Safety Communications Task Force)

The "Big Bill", also known as the state's funding bill, included the creation of a Public Safety Communications Task Force to oversee and manage all phases of the development, design, and implementation of a statewide public safety communications system. Two elected municipal officials were appointed to the task force: Barre Town Selectboard Member Paul White and Rutland City Mayor Michael Doenges. In addition, several municipal public safety officials sit on the task force. It has met biweekly through the summer and directed the issuance of two RFPs to aid in the selection of consultants to assist in management and planning of a proposed new system. The consultants will

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manage a stakeholder engagement process. In the meantime, interested parties are encouraged to attend biweekly meetings. Visit the task force's webpage(opens in a new tab) for more information.

Reappraisal Evaluation

Act 68 – yes, it's actually called Act 68 (a great callback to a rather significant piece of early 2000's education tax law) – makes various amendments to law that significantly alter the municipal property appraisal and assessment process. Included in this bill was direction to the Division of Property Valuation and Review (PVR) to conduct an "implementation proposal" to create a new statewide reappraisal process. PVR is in the process of issuing an RFP in search of a contractor to create this proposal. While the legislation directs PVR to consult stakeholders, it does not name VLCT or any other group as having any official role or required input. A progress report due in December of this year will include:

- preliminary schedules to phase in full reappraisals for each municipality every six years;
- a study of existing municipal data metrics that could be used to differentiate property types and characteristics including use, occupancy, and square footage;
- options for and implementation of implicit bias reduction training for listers and assessors; and

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- recommendations for changing the annual date by which grand lists must be lodged with the department from April 1 to January 1 or another date.

PVR has been communicative with VLCT and other stakeholders, and I remain hopeful that any report will include consideration of our concerns. The final implementation proposal is not due until the beginning of the next biennium.

JFO Infrastructure Study

Tucked into Act 72, a miscellaneous tax bill that we had hoped would be the vehicle to advance project-based tax increment financing (TIF), was a Joint Fiscal Office study of financing public infrastructure improvements. VLCT understands this was at the direction of people who are skeptical of the effectiveness of TIF program and hope to shape an alternative infrastructure financing program. VLCT is providing our perspectives on the effectiveness of TIF and other state and federal infrastructure programs. JFO may issue an RFP to identify a consultant to do this work.

State Land Use Planning and Act 250

There are at least four key state land use planning conversations happening this summer that hold promise to provide legislators with a way to thread the needle on reforming Act 250 to accommodate growth where communities

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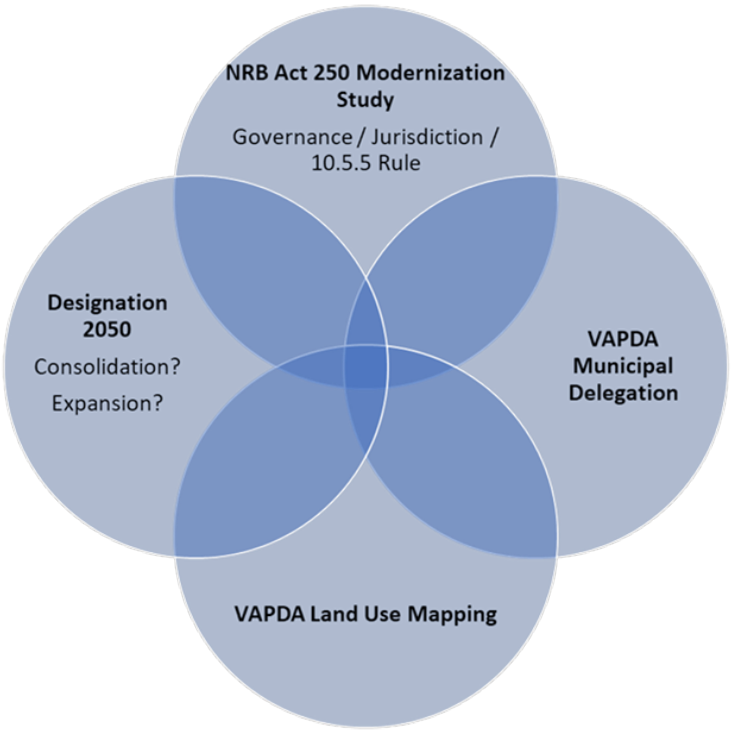
want it and limit development where it shouldn't occur or communities don't want it. Many of the same stakeholders are participating in the four studies, improving the chances that the recommendations may complement each other. VLCT sees a common thread in the four studies that recognizes the need to exempt designated growth centers and other locally and regionally approved growth areas from Act 250.

1. The Natural Resources Board (NRB) is conducting a modernization study (per Act 182 of 2022 and Act 47 of 2023). City of St. Albans Planning Director Chip Sawyer and Montgomery Selectboard Member Charlie Hancock sit on the advisory council for this study. All agendas and minutes can be found on the NRB study website(opens in a new tab). I have participated in listening sessions on behalf of VLCT.
2. The Vermont Association of Planning and Development Agencies (VAPDA) was directed to propose a framework for delegating Act 250 administration to municipalities with the capacity to do so (per Act 47). VAPDA has been working with several communities and will have listening sessions in each of the regional planning commission territories this fall.
3. The Department of Housing and Community Development is conducting a review of the state's designation programs (downtown, village, new town center, neighborhood development areas, and growth centers). Entitled Designation 2050(opens in a new tab), it aims to evaluate, improve, and make changes to the programs. DHCD has hired a contractor, held listening sessions, and held a statewide summit.
4. VAPDA is conducting a study to "better integrate and implement municipal, regional, and State plans, policies and investments by

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focusing on regional future land use maps and policies" (per Act 47). This study appears poised to recommend that the Legislature direct the regional planning commissions to build an official statewide land use mapping tool that could serve as a long-overdue planning tool to identify where local and regional plans permit growth and restrict growth.

Recognizing that a picture is worth a thousand words, this is VLCT's understanding of the summer work on Act 250:



Building Energy Code Study

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The Department of Public Service has been industriously conducting a summer study committee on how to improve compliance with residential and commercial building energy codes (per Act 47) chaired by Senator Chris Bray (Addison County). Vermont is in the unusual position of requiring compliance with building energy codes but not having a statewide building code or an enforcement mechanism for most residential construction. While the few towns that issue certificates of occupancy "enforce" residential building energy codes, most municipalities simply notify builders and owners of the requirement and file paperwork per statute. I serve on the study committee along with Windham Regional Planning Commission Executive Director Chris Campany. While some committee members have suggested municipalities take a more active role in enforcing the law, it seems widely accepted that municipalities don't have the resources to do so, and the report will likely recommend other solutions. You can follow the study committee's work on the Public Service Department's website(opens in a new tab).

Local Funding for Public Transit

The state's transportation bill (Act 62) directed the Vermont Public Transportation Association to provide the Legislature with recommendations on funding sources for non-federal match for public transit providers. I've been participating in regular meetings this summer with the state's transportation providers and VTrans, and we recently selected Steadman Hill Consulting to research sources of non-federal match. Steadman Hill completed a transit study for the Chittenden County Regional Planning

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Commission in 2021(opens in a new tab). As the previous report noted, municipal funding contributions to public transit vary from town to town. I anticipate the new report will include discussion about how to increase municipal participation to expand equitable service.

248a Permitting Input

The Department of Public Service (DPS) is compiling a report on how to increase and encourage municipal participation in the siting of telecommunication facilities – commonly known as the "248a" process. To help prepare the study, the Department has issued a **special survey for municipalities** (and another **for the public**) which are available until November 5 (extended from early October). You can find more information about this on **the DPS webpage about it**.

Please consider participating – and reaching out to me directly at **tbrady@vlct.org(opens in a new tab)** with any specific recommendations you may have or anecdotes that might help us advocate for more input in the 248a process during the upcoming session.

Annual Permits for Overweight Trucks

VTrans was directed to consider adding a new special annual permit to allow overweight trucks (more than 99,000 pounds) to operate on Vermont's road

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network (per Act 41). Cambridge Systematics, which was hired to conduct the research and compile the report, will be reaching out to VLCT and other stakeholders. Please contact me directly at tbrady@vlct.org(opens in a new tab) if you have strong opinions on the matter. VLCT has historically represented our municipalities as concerned about the negative effects of overweight trucks on town infrastructure and the lack of adequate enforcement of current state regulations.

Regional Emergency Medical Services Coordination

The "Big Bill" also directed the Department of Health to conduct a study on coordinating local and regional emergency medical services. They have hired Emergency Management Matters out of New York to assist in the study that considers:

- Issues related to costs of service, cost effectiveness of various current service models, and cost-effective alternative service models;
- Existing funding models and identify long-term sustainable funding strategies;
- Challenges and opportunities related to local and regional emergency response coordination; and
- EMS district structure, authority, duties, and the number of districts.

The contractor has seven EMS stakeholder meetings scheduled throughout the state from September 22 to October 30. To find the one closest to you and to provide input directly to the contractor, visit the study website(opens in a

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new tab).

Contributors

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Publication Date

09/29/2023

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Current as of: 11/11/2026