

2022 VERMONT TOWN MEETING DAY PREVIEW

February 24, 2022



Compiled by the Vermont
League of Cities and Towns



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Summary

From Executive Director Ted Brady

Town Meeting Day is changing. Since 2019, the pandemic has caused thousands of people who would normally show up to vote from the floor to vote early, by mail, or in a voting booth. According to data collected by the Secretary of State's Office, before the pandemic, more than 75 percent of Vermont cities and towns used a floor vote for at least part of their town meeting. In 2022, only about 25 percent will. But while that statistic is shocking – and concerning to some Town Meeting Day purists – we shouldn't look past the most important part of Town Meeting Day: what we are voting for or against.

To help our members get a sense of what municipal officials across the state are working on, VLCT asked its members to share their town meeting warnings. After reviewing 3,205 individual articles on 211 warnings and studying data collected by the Secretary of State's Office, we identified the most common ballot items, articles that reflect the most pressing needs of government, and a few questions that are just plain interesting.

This year 41 communities are considering allowing retail cannabis operations in their communities. That's a record high (excuse the pun), and more than the 33 municipalities that have approved those operations in the past two years. Many of these articles are the result of citizen-led campaigns that touched off interesting selectboard debates. VLCT has been trying to convince policymakers in Montpelier that towns need a share of the tax and fee revenues from these new retail operations. So far, that request, while supported in the Senate, has been opposed in the House. This year, a bill passed in the House that caps municipal fees on cannabis operations to \$100 while capping state fees at \$100,000.

About twenty communities have local option taxes in place and so will have the authority to collect a one percent local option sales tax on the retail sale of cannabis later this year. Voters in at least four other communities – Barre City, Fair Haven, Montgomery, and Woodstock – will consider implementing local option taxes this year. That leaves more than 220 municipalities with no increase in revenue, despite the state predicting cannabis sales tax to generate tens of millions of dollars.

Voters around Vermont will find more than 40 articles on ballots across the state this year that could change the way their municipalities operate. Most of these measures relate to increasing capacity in a community, from adopting the town manager form of government, to transitioning away from elected listers and auditors, to removing policing powers from elected constables, to expanding the size of a selectboard. Running a local government just isn't as simple as it used to be.

The clearest indication of a community's priorities comes in the form of a municipal budget. Vermonters in nearly every community will be asked to support municipal budgets ranging from a few hundred thousand dollars to \$50 million or more in our larger cities. There are some big infrastructure projects on the table, most notably two infrastructure bonds in Burlington totaling \$50 million, a \$25 million wastewater upgrade in Vergennes, a \$16.7 million wastewater system in Colchester, and a package of \$25 million of wastewater, road, and land acquisition projects in Montpelier. Voters in southwestern Vermont will consider supporting a \$13.5 million fieldhouse. Some other notable ballot items include renovations to town offices, new public safety facilities, and, of course, dozens of fire truck, road grader, and dump truck purchases.

Voters in a handful of communities will have the chance to tackle complex social, economic, and environmental issues this Town Meeting Day. Two communities will consider adopting the Declaration of Inclusion in an effort to commit to diversity, equity and inclusion. Several communities in southeastern Vermont will consider questions related to immigration and law enforcement. Guilford will decide if it wants to be a "compassionate community." At least nine cities and towns will consider climate related articles – including Arlington, where they set a goal of becoming carbon neutral and propose to establish a fund to do so.

Many towns will also vote on whether to provide local nonprofit service agencies with anywhere from fifty dollars to tens of thousands of dollars to help run, for example, animal shelters, ambulance services, homeless prevention programs, and substance abuse disorder programs. Some communities ask their voters to vote on each appropriation individually, leading to ballots with as many as four dozen articles.

No Town Meeting Day would be complete without a few articles debating town and village mergers (Lyndon and Poultney), advisory items on ATVs, or the naming of a snowplow.

VLCT heard from dozens of our members leading up to Town Meeting Day. Our Municipal Assistance Center fielded questions ranging from how to properly warn meetings, to how to transition to Australian ballot, to how to word ballot items on cannabis. We even called in all-star Westford Town Moderator Ed Chase to help tune up town meeting moderators. Now our members wait for the big day. Their citizens ultimately have just two choices when they vote, whether it be from the floor or on a ballot: Yes or No. Our members will be counting the yeas and nays in the coming days, and VLCT will be ready to help turn those articles into actions in the weeks, months, and years to come.

The full report starts on page 5, right after our By The Numbers infographic.



249
municipalities
represented in
this preview



211
warnings compiled
and reviewed

3,205

articles/
questions
reviewed



75%

Australian
ballot



2
village +
town
merger
articles



15
the average
number of
articles on
a ballot

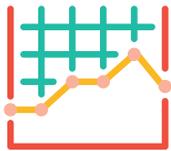
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4
local
option tax
articles



48

the highest
number of
articles
on a
ballot



11
climate
related
articles



41

retail cannabis
articles



46

articles on changing
town operations or
town officers



30

meetings
postponed



63

in-person
floor meetings



How Are Municipalities Holding Town Meeting?

About 75 percent of cities and towns are voting by Australian ballot in 2022

The pandemic has driven many cities and towns to once again vote by Australian ballot. On January 14, the governor signed S.172, which became Act 77. The legislation:

- allowed municipalities to postpone their 2022 annual municipal (a.k.a. "town") meeting to a later (and potentially safer) date (leaving it up to the municipality's legislative body to determine the later date);
- allowed municipalities to apply the Australian ballot system to its annual town meeting held in 2022 by vote of its legislative body;
- allows municipalities to conduct the public informational hearings associated with utilizing the Australian ballot system by electronic means, without designating a physical location;
- clarifies that municipal officers will serve until the annual meeting and when successors are chosen if a legislative body chooses to move the date of the 2022 annual meeting; and
- authorizes the Secretary of State to waive statutory deadlines or other provisions (including those in municipal charters) related to a municipal election as necessary in order for a municipality to apply the Australian ballot system to its annual meeting.

Note that this act specifically prohibits municipalities from using this temporary authority to permanently switch to Australian ballot voting for any and all articles, for any subsequent municipal elections. Municipalities that want to permanently convert to Australian ballot voting (and which had not done so prior to any pandemic-related legislation) will need to conduct a floor vote on the matter at another time.

While some communities use the same voting method to consider all town business, some use different voting methods to elect town officers, approve budgets, or consider town questions. They may vote by Australian ballot for their town officers but still rely on a floor vote for the town budget, or vice versa. Our analysis of warnings and survey data collected by the Secretary of State's Office reveals that fewer communities are using floor votes to conduct all three types of business.

Only 63 municipalities of the 249 listed in the Secretary of State's data reported plans to have floor votes in 2022. This number appears to be even lower than last year, when 90 communities reported switching to Australian ballots to the Secretary of State and 123 reported having some form of a floor vote (though many were delayed).

In an effort to compare a pre-COVID year to this year, VLCT looked at the Secretary of State's survey reports entitled "Voting Methods By Town and School District" from 2019 to 2021. We tallied up the towns that reported having floor meetings for budgets, town officers, or town questions for each year. This table represents our findings.

Year	Number of Municipalities Responding to Secretary of State Survey Using Floor Voting for Town Officers, Budgets, or Town Questions
2019 (239 municipalities responded to survey)	185 (166 that use floor votes for town budgets, plus 18 that require it for town questions that do not require floor votes for budgets, and 1 that reports requiring floor votes for town officers but not budgets or town questions)
2020 (208 municipalities responded to survey)	161 (148 that use floor votes for town budgets, plus 11 that report using floor votes for town questions that do not use it for town budgets, plus two that report using floor votes for town officers but not for town budgets)
2021 (161 municipalities responded to survey)	123 (114 that use floor votes for town budgets, plus 9 that report using floor votes for town questions.) The survey included a question asking if the community moved to Australian ballot for budgets, officers or town questions. Ninety municipalities reported moving to Australian ballot in 2021.
2022* (249 municipalities included in polling place info)	63
Difference from 2019	122 fewer communities holding elections from the floor this year compared to 2019.

Compiled from information available at <https://sos.vermont.gov/elections/election-info-resources/town-meeting-local-elections/>.

*For 2022, VLCT analyzed the Secretary of State's polling place survey data. This data was presented in a slightly different format than the 2019-2021 Voting Methods By Town and School District available at <https://sos.vermont.gov/elections/voters/polling-places/>.

VLCT estimates that about 30 of Vermont's 246 cities and towns have postponed their 2022 town meetings – likely to accommodate an in-person floor vote.

VLCT's analysis also noticed that at least two communities, Andover and Cornwall, are asking voters if they'd like to move town meeting to Saturday. We assume this is an attempt to make town meeting more accessible to their residents.

The Most Common Novel Ballot Item

Retail cannabis balloting items reach record high

Two years ago, Vermont set out a plan to legalize the production, distribution, sale and possession of recreational cannabis, VLCT successfully fought to ensure each municipality had a say in whether they wanted cannabis retail operations in their community. Since then, at least 33 communities have “opted in,” including:

Alburgh, Barton, Berlin, Bennington, Brandon, Brattleboro, Brownington, Burke, Burlington, Danby, Danville, Duxbury, East Burke, Jamaica, Johnson, Londonderry, Middlebury, Montgomery, Montpelier, Morristown, Pawlet, Peacham, Pownal, Randolph, St. Johnsbury, Salisbury, South Hero, Strafford, Sutton, Vergennes, Waterbury, Windsor, and Winooski,

In 2022, VLCT's warning analysis reveals that the following 41 communities are considering whether to allow retail cannabis operations:

Barre City, Bolton, Castleton, Chester, Derby, Eden, Essex Town, Fair Haven, Fayston, Ferrisburgh, Grand Isle, Hardwick, Hartford, Leicester Town, Manchester, Marlboro, Middlesex, Milton, Moretown, Mount. Holly, New Haven, Norton, Pittsford, Poultney, Proctor, Putney, Richford, Rockingham, Rutland City, Rutland Town, Sheldon, Springfield, St. Albans Town, Stockbridge, Stratton, Vernon, Waitsfield, Wallingford, Wilmington, Wolcott, and Woodstock.

VLCT's Municipal Assistance Center has been assisting many communities with questions about voting requirements for cannabis operations. We wrote [Model Town Meeting Articles](#) that translated the law into ballot items for towns. An evaluation of town meeting warnings clearly shows that towns used this guidance.

VLCT encourages all members to read up on the recently issued [guidance for municipalities from the Cannabis Control Board](#).

This year, cannabis is a big topic of conversation in the legislature, where fee schedules and the revenue generated from taxing retail cannabis are being discussed. Unfortunately, the House has moved forward a bill, [H.701](#), that would cap municipal cannabis regulatory fees at \$100, while capping state fees at \$100,000. Worse, fewer than 20 towns – those with

existing option taxes in place – are set to share in the tens of millions of dollars in annual tax revenue retail cannabis is expected to generate. VLCT's advocacy team is following these developments closely.

Changing the Way Municipal Government Is Organized

The increasing complexity and depth of municipal governance is forcing communities to find full-time help

Town Meeting Day is a natural fit for rearranging how municipalities operate (within the confines of the rather patriarchal statues municipalities exist under here in Vermont), and 2022 is no different. Communities are changing several elected positions to appointed positions, changing the size of boards, and considering hiring more help.

For years, VLCT has noticed an increasing number of warnings transitioning elected clerks, treasurers, listers, auditors, and road commissioners to appointed positions. It's also not uncommon to see communities occasionally reversing course. However, 2022 is the first time VLCT has pulled the warnings, looked at the data, and started tracking it. This year, we noticed 32 articles that address how these positions are either elected or appointed, including:

One community (St. Albans City) is clearly considering moving their elected clerk to an appointed clerk, while several others (Berkshire, Brattleboro, and Cornwall) have questions related to appointing new clerks. Some of these may be due to transitions, while others may be considerations of moving from elected clerks to appointed clerks. Still others, like Peacham and Sutton, are changing the terms of existing clerk positions.

Thirteen communities have items related to appointing Treasurers on their warnings. Cornwall, Coventry, and St. Albans City appear to be proposing changing from an elected treasurer to an appointed treasurer. At least three communities are changing clerk and treasurer terms.

Eight communities are proposing to eliminate the lister position or reducing the number of required listers. This mirrors a trend VLCT has noticed of communities transitioning the increasingly complicated property assessment process to third-party appraisal companies.

Four communities are considering changes to or elimination of the auditor office (including Burke, Moretown, Pownal, and Westfield). Again, this mirrors a trend VLCT has noticed of communities changing this time-consuming and detailed process to private certified accountant firms and auditing firms.

One town (Rutland Town) asks voters if they should appoint a road commissioner instead of electing one.

In addition, VLCT noticed 14 other town official or operational changes put directly to the voters through articles:

- Three communities (Cambridge, Groton, and Pownal) are removing the law enforcement responsibilities from their constables. Two other communities (Mendon and Sharon) are considering changing the number of constables they can appoint.
- Three communities (Danby, Isle La Motte, and Poultney) ask voters to weigh in on whether they should conduct hybrid selectboard meetings.
- One community (Putney) is considering adding two new members to its three-person selectboard, creating a five-person body. Another town (Pomfret) is considering extending the terms of two of its selectboard seats from one-year terms to two-year terms.
- One community (Norwich) proposes to eliminate the positions of grand juror and town agent.
- One city (St. Albans) is asking voters to embed an additional crisis intervention specialist with their police department.
- One town (Wilmington) is adding three new justices of the peace.
- And only one community (Brighton) appears to be considering transitioning to a town manager form of government this year. Its long-time town administrator, Joel Cope, is retiring this year.

Bonds, Projects, and Big-Ticket Items

The definition of “big” depends on the size of your town

Dozens of fire trucks, ambulances, dump trucks, and plows show up on warnings across the state this year, at prices ranging from tens of thousands for smaller vehicles to as much as \$1.25 million for an aerial ladder truck (Stowe). Several communities are asking for voter approval of much larger items. A few notable questions caught our attention.

The biggest are all around Vermont's great lake, Lake Champlain:

- Vergennes - \$25.5 million. One of the biggest infrastructure projects on a ballot this year comes from the smallest city in Vermont. The long-awaited and much needed wastewater upgrade might offer the community a great value, considering how much federal funding is available right now for infrastructure projects.

- Burlington - \$23.8 million. Burlington voters are considering a capital bond that includes everything from firetrucks to nine miles of sidewalk. In addition, they will be weighing in on \$25.9 million worth of tax increment finance district borrowing for "Main Street Streetscape Upgrades".
- Colchester - \$16.7 million. Voters are being asked to support \$11.5 million in bonds for a wastewater project in Mallets Bay. Municipalities across the state continue to be asked to shoulder the important but expensive burden of cleaning up our waterways, especially Lake Champlain.
- Montpelier - \$16.4 million for wastewater system improvements and more than \$10 million for other infrastructure work, including a \$7 million upgrade to East State Street (beware if you are heading to the VLCT offices), and \$2 million to buy the Elks Club property.

Honorable Mentions:

- Manchester - \$3.1 million in water and wastewater projects
- Milton - \$5.5 million for a new highway garage
- Rutland Town - \$4.4 million for a public safety building
- Stowe Electric - \$4 million in upgrades
- Windsor - \$2 million water and wastewater bond and \$1 million road bond
- Guilford - \$1.013 million to make improvements to the Guilford Free Library
- Swanton Village - \$630,000 for new water meters

The Interesting:

- Northshire Community Field House - \$13.5 million. At least eight communities in southwestern Vermont have advisory ballot items concerning the construction of a field house at Dana L. Thompson Recreation Park in Manchester. It's an interesting, coordinated attempt to demonstrate community support of the regional project.
- Wheelock is being forced to make improvements to their Town Hall after the Department of Justice identified accessibility issues. Voters are asked to weigh in on advisory articles on whether to go with a \$980,000 addition or a \$1.5 million addition.
- At least five cities and towns are asking voters to weigh in on how to spend a portion of the \$200 million of Local Fiscal Recovery Funding municipalities received from the American Rescue Plan Act (ARPA). Montgomery and West Fairlee are asking voters whether they should establish special ARPA funds. New Haven and Waltham have carved out time during either their town meeting or their virtual informational meetings to discuss how the communities should spend their ARPA funds. And Kirby is using their town meeting warning to notify residents of an upcoming selectboard

meeting where they will discuss how to spend the \$150,000 of federal money they received.

- A few other communities are considering new town offices, including Strafford, where a land purchase is on the ballot.
- In addition to the dozens of named projects on the ballot this year, voters will weigh in on municipal budgets and capital budgets that include smaller unnamed infrastructure projects, purchases, and improvements.

Building Welcoming Communities

Ballot items encouraging a renewed focus on diversity, equity, inclusion, justice, and belonging

Equity issues are showing up on the ballot with more frequency. Last year, we heard anecdotally of this manifesting itself in ballot items related to the flying of the Black Lives Matter Flag. Here at VLCT, we convened an Equity Committee to help our Board, staff, and members address equity issues. This year, we noticed two distinct equity issues on ballots:

- Declaration of Inclusion (DOI). Thirty-one cities, towns., and villages have adopted a Declaration of Inclusion. Two towns – Chittenden and Mount Tabor – put it on the ballot this year. The Declaration of Inclusion is a statement municipal governing bodies have been encouraged to adopt by several Vermont business leaders in an effort to:
 - “indicate and reinforce the message to all visitors, residents, and those thinking about planning to come and stay, that:
 - Vermont is a welcoming community
 - Vermont invites all to bring their families and friends, as well as their talents and skills
 - Vermont is a community of people who will treat them fairly, provide encouragement and support for their interests
 - Vermont will bring the full resources of the state, cities, and towns to ensure their well-being and security”

VLCT has been working with the proponents of the DOI to increase awareness among our members. Learn more about the Vermont Declaration of Inclusion at vtdeclarationofinclusion.org.

- Fair and Impartial Policing. Voters in Dummerston, Marlboro, and Putney will consider non-binding articles that affirm their communities' endorsement of the

state's fair and impartial policing policy, specifically provisions that limit law enforcement's responsibilities to enforce immigration laws.

In addition, we thought Cabot's question of whether to allow "Abenaki people" access to the Town Forest for the purpose of gathering medicine, food and art materials was interesting.

Climate Change

From the practical to the aspirational

Climate change shows up on Town Meeting Day in heated floor discussions; embedded in the budgets of just about every community in building upgrades, vehicle purchase, public transportation subsidies, and energy coordinator positions; and countless appropriations to non-profit organizations doing environmental work. However, this year, VLCT noticed eleven specific climate action-related articles that we thought others might find interesting.

- Arlington has three of those articles asking voters to establish a climate mitigation fund to lessen CO2 emissions from fossil fuel usage, and further asking voters to seed the fund with \$50,000. The goal is to make Arlington carbon neutral by 2027.
- Hartland voters are being asked to consider whether they should support the goals of the state's Clean Energy Plan.
- Middlesex is asking voters for approval to amend its town plan to include an enhanced energy plan.
- Woodstock proposes setting aside more than \$500,000 to make energy improvements to its municipal buildings.
- Duxbury is considering installing a solar array on their old gravel pit.
- Orange and Vernon are establishing conservation commissions.
- Townshend asks voters if they should purchase or accept as a gift land for the municipal forest to promote reforestation, water conservation, and good forestry practices.
- Wheelock asks voters if they want to adopt flood hazard regulations (which they'd vote on at a later date) that would make residents eligible for FEMA's flood insurance program.

The Expected and Unexpected

It's Vermont, and these articles prove it

Vermonters are rightfully proud of Town Meeting Day. And we generally demonstrate the best qualities of Vermonters on this high, holy day of democracy. We wanted to highlight a few themes that recur each year as well as a few items that are more Vermonty than flannel, maple syrup, and cows.

- **Village and Town Mergers:** Vermonters have been debating whether we have too much or too little government since the first village was formed. This year, voters in Lyndon and Poultney are considering whether village and town governments should unite.
- **Local Option Taxes:** Currently, 17 cities and towns participate in the local option sales tax program, and 21 communities participate in the local option meals and rooms tax (<https://tax.vermont.gov/business/lot/muni>). Four communities – Barre City, Montgomery, Fair Haven, and Woodstock – are considering local option sales tax proposals. South Hero is considering a local option meals and alcoholic beverage tax.
- **Other Taxes:** About a half dozen municipalities ask their voters if they should publish the names of delinquent taxpayers. Several dozen cities and towns ask their voters if specific non-profit organizations should be exempt from municipal property taxes (from Masonic lodges to fish and game clubs).
- **Compassionate Communities:** Guilford is asking voters whether they should become a “compassionate community” in line with the International Charter for Compassion (<https://charterforcompassion.org/>).
- **ATVs:** Communities continue to grapple with how best to address residents' interest in operating all-terrain vehicles on town roadways. Andover, Danby, and Royalton all will ask their voters if their selectboards should adopt an ATV ordinance. Municipalities do not need to ask voters for this authority. VLCT has created a model ATV ordinance which is available at vlct.org/resource/model-atv-ordinance.
- **Take Out the Trash:** Voters in Goshen, Vernon, and Westmore are asked questions about changing trash collection services.
- **Cell Tower Concerns:** Calais, Hardwick, and Shrewsbury are asking voters if they are concerned about radiation from cell towers, and whether their towns should notify residents when such towers are constructed in their communities.
- **Long Ballots:** Of the 211 warnings VLCT reviewed, most have fewer than a dozen or so articles to be voted on. We calculated the average number of articles/questions to be about 15. Castleton topped the list with 48 warned articles.
- **Helping Hands:** Beyond the election of officers and approval of the budget, the most common and highest number of articles are dedicated to social service agency appropriations, where municipalities ask voters if they should provide anywhere from \$50 to several hundred thousand dollars for everything from GreenUp Day to the local food shelf, the local public access television station, regional development corporations, transitional housing services, libraries, fire departments, sheriff agencies, ambulance services, and humane societies. New Haven (which had 33 articles this year) asks voters if they wish to consolidate the list of social service

agency appropriations and include most of them in the General Fund budget in the future.

- **Name That Snow Plow:** Following a successful effort championed by school children at last year's Peacham town meeting naming the town's snow plows (including "Sparkles" and "Fearless Frosty"), voters in Peacham will have a chance to weigh in on the name of another plow. Peacham received the ultimate compliment in the fall of 2021 when VTRANS followed their lead, giving Vermont schoolchildren the chance to name state plows too!
- **College Scholarships:** Three communities have questions related to funding scholarships to help residents of their communities go on to college or pursue other post-secondary education. The Town of Rutland proposes \$15,000 in scholarships, Vernon proposes to fund \$40,000 through the James Cusick Scholarship Fund, and Wallingford proposes to offer scholarships through the Ralph E. Stafford & Irving Smith Scholarship program.
- **Honoring Veterans:** Pawlet is asking voters if they want a new Revolutionary War monument, and Readsboro is considering updates to the Honor Roll.

About VLCT's Town Meeting Preview

This report is derived from town meeting warnings that VLCT members provided in answer to a request that we emailed to town clerks on January 31, 2022, and posted at vlct.org soon thereafter. VLCT also collected additional warnings from the Vermont Secretary of State's Office / Vermont State Archives & Record Administration. We stopped collecting warnings on February 14 so we could collate and analyze the articles and publish our findings before Town Meeting Day.

VLCT received information for 249 municipalities and reviewed 211 town meeting warnings representing 85% of Vermont's municipalities. Many communities that postponed their town meetings did not have warnings available at the time of publication. Many villages have town meetings later in the spring, so their warnings were not available (only two were analyzed in this data).

This report is not a comprehensive evaluation of every article on the ballot on Town Meeting Day. VLCT relied on voluntary submissions, publicly available data, and staff knowledge to compile this report. Special thanks go to Heather Law, VLCT's Municipal Research and Information Associate. We aim to make the Town Meeting Preview an annual "holiday" tradition.