

Community Day Agenda

Saturday March 4, 2017

Hartford High School Gymnasium

37 Highland Ave

White River Junction, VT 05001

***Doors open 8:45 am**

*with a special appearance at 9:45am of the
HMMS Glee Club*

&

*with a special appearance during the luncheon of the
HMMS Jazz Band*

9:00 am - Coffee with Committees

10:00 am - 1 minutes - Welcome: F. X. Flinn, Chair, Town & School Meeting Committee

10:01 am - 4 minutes - Call to Order: Roger Bloomfield, Town Moderator

10:05 - 25 minutes - Public Hearing on Proposed Charter Changes

Intended to complete the statutory requirement for a second public hearing on a bond within a week of the election.

10:30 - 25 minutes - Public Hearing on Tax Increment Financing District Improvement

Intended to complete the statutory requirement for a second public hearing on a bond within a week of the election.

10:55 - 20 minutes - Public Hearing for Proposed Parking Lot and Roadway Improvements Bond

Intended to complete the statutory requirement for a second public hearing on a bond within a week of the election.

11:15 - 45 minutes - Candidate Roundtable

Town Moderator or his designee will lead a discussion of town and school issues among the candidates followed by an open Q&A period.

Noon - Community Lunch

The Ottaquechee PTO once again will offer soups, stews, and hot dogs along with a drink and choice of chips, fruit or cookies for \$5.

Guidelines for all Hearings and Candidate Roundtable

- 1. It is essential that you use a microphone. For everyone in the audience there will be 3-5 people watching on TV**
- 2. Each questioner will have a 60 second time limit in which to pose a question. Anyone wishing to make a Statement during a public hearing (as opposed to asking a question of the presenter) should express this intent and will then be allowed up to 4 minutes to speak, and may use the presenter's podium.**
- 3. Candidate Questions will be answered by the candidate to whom the question is directed, who will have 60 seconds to answer. Other candidates for the same board will have 30 seconds to answer.**
- 4. Questioners or Statement makers will not be allowed a second question or statement until everyone's first question has been asked.**



**TOWN OF HARTFORD SELECTBOARD & SCHOOL BOARD OF DIRECTORS
PROPOSED PARKING LOT AND ROADWAYS IMPROVEMENT BOND,
TAX INCREMENT FINANCING DISTRICT IMPROVEMENT BOND
& PUBLIC HEARINGS FOR PROPOSED CHARTER AMENDMENTS**

Saturday, March 4, 2017 at 10:00 am
Hartford High School Gymnasium
37 Highland Ave
White River Junction, Vermont 05001

I. Call to Order Public Hearing for Proposed Charter Amendments

II. Proposed Charter Amendments

The proposed amendments to the Hartford Town Charter are summarized as follows:

§ 123A-103. Particular powers - Matters subject to regulation and ordinances.

§ 123A-201. Town Meeting – Provides for the call and conduct of pre-town meeting, annual town meeting and floor meeting.

§ 123A-202. Elected officers – Provides for the election of Town officers and their compensation.

§ 123A-203. Duties of elected officers – Provides for the appointment of a Town Clerk, Town Assessor and Trustees of Public Funds.

§123A-302. Duties of appointed officers; Town Manager – Enumerates the duties of the Town Manager.

III. Close Public Hearing for Proposed Charter Amendments (Mot. Req.)

IV. The Selectboard meeting will immediately recess and be held following the conclusion of the School District Public Hearing. (Mot. Req.)

I. Call to Order Public Hearing Tax Increment Financing District Improvement Bond

II. Proposed Tax Increment Financing District Improvement Bond

Shall the Selectboard be authorized to pledge the credit of the Town of Hartford through the issuance of general obligation bonds or notes in an aggregate amount not to exceed \$1,926,000, for the purpose of funding the engineering and/or construction of public sidewalk, road, streetscape, water, stormwater, sanitary sewer, and South Main Street retaining wall improvements within the Hartford White River Junction Tax Increment Financing District, and for paying or reimbursing eligible related costs, advances, interfund loans and third party public infrastructure costs, and to pledge and appropriate the District's tax increment in the amount of \$1,926,000 plus allowable interest and fees for the payment of such bonds and notes and for making such payments and reimbursements?

The legal voters of the Town are notified that, of the \$1,800,000 of tax increment secured obligations authorized on March 4, 2014 and March 1, 2016, to date, \$900,000 of the tax increment has been pledged, as evidenced by the Town's July 1, 2014 \$900,000 Tax Increment Financing District Improvement Bond.

III. Close Public Hearing for Tax Increment Financing District Improvement Bond (Mot. Req.)

I. Call to Order Public Hearing for Proposed Parking Lot and Roadways Improvement Bond Hearing

II. Proposed Parking Lot and Roadways Improvement Bond Hearing

Shall general obligation bonds of the Hartford Town School District in an amount not to exceed one million, four hundred sixty-seven thousand dollars (\$1,467,000) be issued for the purpose of financing the cost of making parking lot and roadway improvements at the Hartford High School, Hartford Middle School and Hartford Area Career and Technical Center, an estimated cost of such improvements being one million, four hundred sixty-seven thousand dollars (\$1,467,000).

III. Close Public Hearing for Proposed Parking Lot and Roadways Improvement Bond Hearing (Mot. Req.)

All Meetings of the Hartford Selectboard are open to the public. Persons who are seeking action by the Selectboard are asked to submit their request and/or materials to the Selectboard Chair or Town Manager's office no later than noon on the Wednesday preceding the scheduled meeting date. Requests received after that date will be addressed at the discretion of the Chair. Citizens wishing to address the board should do so during the Citizen Comments period; comments from the public.



**TOWN OF HARTFORD
NOTICE
FOR
PUBLIC HEARINGS FOR
PROPOSED CHARTER AMENDMENTS
MARCH 4, 2017**

The residents and registered voters of the Town of Hartford are hereby notified that public informational hearings will be held on Saturday, March 4, 2017 at 10:00am at the Hartford High School Gymnasium in said Town to explain and receive public comments on the proposed amendments to the Hartford Town Charter, which will be presented for consideration by Australian Ballot by the Town at its Voting Day to be held on Tuesday, March 7, 2017.

The public is further notified that an official copy of the proposed Charter amendment, approved and adopted by the School Board of Directors on December 14, 2016 and the Selectboard of the Town of Hartford on December 20, 2016 is posted on the Town's website (www.hartford-vt.org) and is available upon request to the Hartford Town Clerk, 171 Bridge Street, White River Junction (802-295-2785) (mhill@hartford-vt.org).

The proposed amendments to the Hartford Town Charter are summarized as follows:

§ 123A-103. Particular powers - Matters subject to regulation and ordinances.

§ 123A-201. Town Meeting – Provides for the call and conduct of pre-town meeting, annual town meeting and floor meeting.

§ 123A-202. Elected officers – Provides for the election of Town officers and their compensation.

§ 123A-203. Duties of elected officers – Provides for the appointment of a Town Clerk, Town Assessor and Trustees of Public Funds.

§123A-302. Duties of appointed officers; Town Manager – Enumerates the duties of the Town Manager.

(By Australian ballot)

Approved at a regular meeting of the Selectboard of the Town of Hartford, December 20, 2016.

The Vermont Statutes Online

Title 24 Appendix: Municipal Charters

Chapter 123A: TOWN OF HARTFORD

§ 123A-101. Incorporated

The inhabitants of the Town of Hartford, including the historical, unincorporated villages of Hartford, West Hartford, Quechee, Wilder, and White River Junction, are a corporate and political body under the name of "Town of Hartford" (herein called "the Town"). As such, inhabitants enjoy all rights, immunities, powers, and privileges and are subject to all the duties and liabilities now appertaining to or incumbent upon them as a municipal corporation. The Hartford School District (herein called "the School District") is the town school district for the Town of Hartford and shall enjoy all rights, immunities, powers, and privileges and is subject to all the duties and liabilities now appertaining to or incumbent upon it as a State school district. (Amended 2011, No. M-16 (Adj. Sess.), § 2.)

§ 123A-102. General powers

(a) All provisions of the Constitution and laws of the State of Vermont relating to towns and town school districts shall apply to the Town and the School District, except as otherwise provided by this chapter.

(b) The Town and School District shall have and enjoy the rights, immunities, powers, and privileges conferred by the Constitution and laws of the State of Vermont and shall also have all implied, necessary, and incidental powers for the discharge of their respective purposes.

(c) The powers and functions of the Town and School District set forth in this chapter shall be in addition to the powers and functions otherwise conferred by the Constitution and laws of the State of Vermont. Nothing in this chapter shall be construed as a limitation upon these previously specified powers and functions.

(d) The Town or School District may acquire real property for any Town or School District purpose, in fee simple or lesser interest or estate, by purchase, gift, devise, or lease, and may sell, lease, hold, manage, and control real property as its interests may require. The Town or School District may further acquire property by condemnation where that authority is granted to towns or school districts by State statutes.

(e) In this chapter, no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers that the Town or School District would have if the particular

power were not mentioned. The Selectboard and the School Board shall operate as separate and independent entities. Nothing in this chapter shall be interpreted as allowing either one to exercise, inhibit, or infringe upon the rights, powers, or privileges of the other. (Amended 2011, No. M-16 (Adj. Sess.), § 2.)

§ 123A-103. Particular powers

In addition to powers otherwise conferred upon it by law, the Town is, for the purpose of promoting the public health, safety, welfare, and convenience, authorized to adopt and enforce ordinances, rules, and regulations concerning[:] any matter or activity permitted by general law, including without limitation:

- (1) Making and installing local improvements, including curbs, sidewalks, and storm drains in a manner specified by the Town as a condition precedent to the issuance of a building permit.
- (2) Regulating the parking, operation, and speed of motor vehicles upon Town and Vermont State aid streets and highways.
- (3) Regulating or providing for the storage, accumulation, collection, removal, and disposal of garbage, ashes, rubbish, refuse, and other waste materials, including contracting with third parties for any or all of those services and establishing service rates for those services.
- (4) Establishing and maintaining a police department and adopt policies pertaining to that department.
- (5) Establishing and maintaining a fire department and adopt policies pertaining to that department.
- (6) Establishing and maintaining an ambulance service and adopt policies pertaining to that service.
- (7) Establishing and maintaining a water department financed by an enterprise fund and adopt policies pertaining to that department.
- (8) Establishing and maintaining a wastewater department financed by an enterprise fund and adopt policies pertaining to that department.
- (9) Establishing and maintaining a highway department and adopt policies pertaining to that department.

- (10) Regulating the moving of buildings in the streets or public highways of the town.
- (11) Regulating the holding of public meetings in the streets, highways, or on public property of the town.
- (12) Regulating riots, noises, disturbances, and disorderly assembly and adopt pertinent policies.
- (13) Establishing and maintaining control of domestic animals within the town and adopt pertinent policies.
- (14) Establishing and maintaining a financial services department.
- (15) Establishing and maintaining a planning and development department.
- (16) Establishing and maintaining a park and recreation department.
- (17) Establish and maintain any other proper and lawful town departments or services as deemed necessary, including the establishment of enterprise funds. (Amended 2011, No. M-16 (Adj. Sess.), § 2, eff. May 7, 2012.)

§ 123A-104. Local Option Tax

The Town of Hartford is authorized to levy a tax of one percent (1%) on rooms and meals/alcoholic beverages, the net proceeds of which are to be deposited in a capital reserve fund until directed otherwise by vote of the Town.

§ 123A-201. Town Meeting

(a) Town and School District meeting. All governmental authority for the Town and the School District not vested by law in a particular Town or Town School District officer ultimately rests with Town voters who vote at Town Meeting or by Australian ballot. In this tradition, the Hartford annual Town Meeting will combine and consider Town and School District matters, and the warnings, meetings, and elections shall be combined.

(b) School and Town Meeting Committee. To augment the statutory responsibilities for the annual Town and School District meetings that are specified to the Town and the School District and their respective officers, there shall be a School and Town Meeting Committee which shall organize, arrange, and provide for the comfort, presentation, publicity, program, refreshments, entertainment, and other nonstatutory aspects of the town meeting cycle e.g., the Budget &

[brackets indicate material to be removed] underline material being added

Candidates Night meeting and Town & School District Meeting Day meeting. [budget discussion/candidates night meeting (hereafter referred to as Pretown Meeting), and the combined Town/School District Meeting (hereafter referred to as the Floor Meeting).] The Town Clerk shall appoint one member for a two-year term. The Selectboard shall appoint one member for a two-year term and one member for a three-year term. The School Board shall appoint one member for a two-year term and one member for a three-year term. No School Board member, Selectboard member, or Town Clerk may serve on the School and Town Meeting Committee. Each appointing body or person shall have the power to remove any incumbent member of the School and Town Meeting Committee appointed by that body or person and shall have the power to appoint a replacement member to serve the unexpired term of any person who is removed or who resigns.

(c) The method for identification and designation of eligible voters in the Town and School District shall be established by the Board of Civil Authority.

(d) Polling places. Locations of annual or special Town or School District meetings for the purpose of election of officers and voting all questions to be decided by Australian ballot shall be established by the Board of Civil Authority.

(e) Meetings, dates, times, votes, ballots:

(1) [Pretown] Budget & Candidates Night meeting. At 7:00 p.m. on the [final] Monday night in February 8 days prior to Voting Day [that meets the statutory warning requirement for the Town Meeting Day Australian ballot vote at a place determined by the School and Town Meeting Committee,] a Town and School District budget discussion and candidates night meeting shall be called for the purpose of:

(A) presentation, explanation of, and citizen comment upon Town and School District budgets;

(B) introduction of candidates, presentations by candidates, and opportunity for citizen questioning of candidates;

(C) any other appropriate informational matters[or discussion of articles to be voted on by Australian ballot].

_[(3) Floor meeting. The annual town and school district floor meeting shall be called for the fourth Saturday following]

(2) Town and School District Meeting Day. The annual Town and School District floor meetings shall be called and held on the Saturday preceding [the Australian

ballot/election day] Voting Day held under subdivision [(2)] (3) of this subsection,
subject to change as provided by general law.

[If the Town or School District budget fails in the Australian ballot, deciding votes at the floor meeting shall provide a further opportunity for consideration of any rejected budget and a final vote by the Town voters. In addition to budget votes,] [the]

The floor meetings [may consider:]shall:

[(A) the state of the Town and of the School District;]

(A) be the venue for any public hearing to be held in advance of Voting Day;

[(B) long-range planning, capital improvement projections;]

(B) receive the reports of Town and School District officers;

(C) determine the compensation to be paid Town and School District officers for the ensuing year

(D) serve as the public informational hearing for matters to be considered by Australian ballot; and

[(C)]

(E) conduct other business not determined at Australian ballot election.

[(2) Australian ballot/election day. Australian ballot/election day]

(3) Voting Day. Voting Day shall be on Vermont Town Meeting Day, the first Tuesday in March, at which time any business, budgets, and candidate election involving Australian ballots will be transacted beginning at 7 a.m. until closing at 7 p.m. The Town budget as warned by the Selectboard and the School District budget as warned by the School Board shall be submitted to the electorate at this Town election. A majority vote shall be a simple majority of votes cast in this election. [Under] All public questions and all matters relating to the adoption of the Town and School District budgets shall be considered by Australian ballot under this subdivision:

(A) The time and place of a recount or a new vote on any question other than Town and School District budgets shall be determined by the Board of Civil Authority preceded by warning notice and public hearing. A tie vote on Town or School District budgets shall be deemed to be a negative vote and reconsideration

of any defeated budget shall proceed as provided in subdivision (3) of this subsection.

(B) Absentee ballots shall be available prior to the election as provided by Vermont and federal election laws and may be mailed or otherwise delivered to a voter, upon a voter's request, and when completed by the voter, mailed or otherwise delivered to the Town Clerk. The voter also may vote by absentee ballot by completing the ballot in the Town Clerk's office. If an absentee ballot is hand-delivered to a voter requiring assistance, then delivery and assistance shall be provided by no fewer than two Board of Civil Authority members from different political parties acting together. Any absentee ballots returned to the Town Clerk by the close of polls on election day shall be counted with all other ballots.

(f) Special Town and School District Meetings. A special Town or School District meeting may be called at any time by a majority of the applicable board or by the Town Clerk upon receipt of a petition signed by no fewer than 350 registered voters. A special Town or School District meeting shall be called and warned in accordance with State statute.

(g) Warnings. Warnings for Town or School District meetings shall be posted on the Town or School District websites, printed in area newspapers, and posted in at least 12 public places in the Town under a schedule that is in accordance with state statute. The warning shall be signed and recorded by the Town Clerk before it is posted. Budgets and other applicable reports shall be available not later than 10 days prior to the budget informational meeting as established under subdivision (e)(1) of this section.

(h) Presiding officials:

(1) A Moderator shall preside at [~~pretown meeting, the floor meeting,~~] all town meeting cycle events e.g. Budget & Candidates Night, Town & School District Meeting Day, and any special Town or School District meetings. In the Moderator's absence, the Town Clerk shall appoint a Moderator Pro Tempore to preside for the duration of the meeting.

(2) Town and School District meetings shall be conducted in accordance with State statute, this chapter, and Robert's Rules of Order, Newly Revised.

(3) The Town Clerk shall be the presiding official at all Australian ballot elections and, in cooperation with the Board of Civil Authority, shall ensure that all laws related to elections are faithfully observed.

(4) In the absence or a disability of the Town Clerk, should it occur before an election, the Board of Civil Authority shall designate a presiding official for the duration of the election. Should the absence or disability occur on election day, the Board of Civil Authority shall designate an on-site temporary officer to preside for the duration of the election. (Amended 2011, No. M-16 (Adj. Sess.), § 2, eff. May 7, 2012.)

§ 123A-202. Elected officers

(a) Local elected offices to be filled by the Town voters shall be only those articulated by this chapter.

(b) Terms for elected officers shall begin officially when the Town Clerk certifies election returns as final and the elected candidates take their oath of allegiance and oath of office as prescribed by State statute.

(c) All officers elected prior to the effective date of this chapter shall remain in office until the end of their terms. Those persons in office as of the effective date of this chapter whose terms would otherwise expire prior to the next annual meeting shall remain in office until that meeting.

(d) Qualifications for serving in elected office:

(1) shall be a resident of the Town;

(2) shall be a registered voter in the Town;

(3) shall hold no other elected Town, School District, or statutorily incompatible office, with the exception of Town Moderator who may be both the Town and School District Moderator;

(4) shall not be a Town or School District employee.

(e) The elected officers of the Town shall be:

(1) seven Selectboard members, elected as set forth in section 203 of this chapter;

(2) one Moderator, elected for a one-year term;

[(3) a Town Clerk, elected for a three-year term;]

[(4) three listers, one elected each year for three years;]

leave in [(5) a Town Treasurer, elected for a three-year term;]

[(6) three trustees of public funds, one elected each year for three years;]

[(7)](4) all other town officers provided in this chapter or State statute.

(f) The elected officers of the School District shall be:

(1) one Moderator, elected for a one-year term;

(2) five School Board members, elected in accordance with State statute.

(g) The elected Board of Civil Authority shall consist of 15 justices of the peace, elected every two years in accordance with the general law. The Town Clerk shall be the Clerk of the Board of Civil Authority. The duties performed by the Board of Civil Authority shall be in accordance with State statute.

(h) Compensation for elected officers of the Town and School District shall be determined [by vote at the annual Town and School District meeting as a separate item in the annual Town and School District budgets. (Amended 2011, No. M-16 (Adj. Sess.), § 2, eff. May 7, 2012.)]as provided in Section 201(e)(2)(c).

§ 123A-203. Duties of elected officers

(a) Selectboard.

(1) Terms of office:

(A) There shall be a Selectboard consisting of seven members.

(B) Terms of office shall be as follows:

(i) Four members for three years;

(ii) Three members for two years.

(C) Members shall serve until successors are elected and qualified.

(D) Members shall be elected at large.

(E) In the event of a death, resignation, change of residence to a location outside the Town, or incapacity of any Selectboard member, the remaining members may appoint a person eligible to fill that position until the next annual or special town

meeting. If the Selectboard is unable to agree upon an interim replacement until the next annual Town meeting, a special election shall be held forthwith to fill the position.

(i) Incapacity shall include the failure by any member of the Selectboard to attend at least 70 percent of the meetings in any 12-month period or missing three consecutive meetings without the consent of the Selectboard.

(ii) In the event of two or more vacancies, an election shall be held forthwith to fill all vacant positions.

(2) Organization.

(A) Forthwith after the election and qualification of the members, the Selectboard shall organize and elect a Chair, Vice Chair, and Clerk by a majority vote of the Board and shall file a certificate of the elections for record in the office of the Town Clerk.

(B) The Chair of the Selectboard, or in his or her absence the Vice Chair, shall preside at all meetings of the Selectboard.

(C) As soon as possible after the election of Chair and Vice Chair, the Selectboard shall fix the time and place of its regular meetings.

(D) The Selectboard shall determine its own rules and orders of business not addressed by this chapter.

(E) The presence of four or more members shall constitute a quorum for the purposes of holding a meeting. The affirmative vote of a [simple] majority of the members present [and voting] at a meeting at which a quorum is present shall be necessary to adopt any matter before the Selectboard.

(F) All meetings of the Selectboard shall be open to the public; unless by an affirmative vote of a majority of members present, the Selectboard shall vote that any particular session shall be an executive session in accordance with state statute.

(G) An official record of the proceedings of the Selectboard shall be kept by its Clerk. The record shall be filed with the office of the Town Clerk and shall be open for public inspection once draft minutes are approved by the Selectboard.

(3) Appointments.

(A) Before any appointments are made, the Selectboard shall compile and publicly post a list of all vacancies.

(B) The Selectboard shall appoint and remove the Town Manager pursuant to section 301 of this chapter.

(C) The Selectboard may examine or cause to be examined, with or without notice, the affairs of the Town Manager by having access to all tools used by the Town Manager in performance of his or her duties, including to books, papers, and wireless and electronic records, for information necessary to determine the proper performance of the Town Manager in the performance of his or her duties and responsibilities.

(D) Standing boards, commissions, and authorities to be appointed include:

- (i) Business Revolving Loan Fund (five appointed, three years);
- (ii) Conservation Commission (seven appointed, four years);
- (iii) Design Review Commission (five appointed, three years);
- (iv) Energy Commission (seven appointed, three years);
- (v) Hartford Housing Authority (five appointed, five years);
- (vi) Historic Preservation Commission (five appointed, three years);
- (vii) Parks and Recreation Commission (seven appointed, three years);
- (viii) Planning Commission (seven appointed, three years);
- (ix) Tree Board (five appointed, three years);
- (x) Zoning Board of Adjustment (ZBA) (five appointed, three years).

(E) The Selectboard may appoint or dissolve any authorities, boards, commissions, or committees under their purview as authorized by this chapter or State statute, excluding the School and Town Meeting Committee established in

subsection 201(b) of this chapter and any authorities, boards, commissions, or committees created by the General Assembly.

(4) Powers and duties.

(A) General. The Selectboard shall constitute the legislative body of the Town for all purposes required by statute except as otherwise provided in this chapter, and shall have all powers and authority given to, and perform all duties required of, town legislative bodies or selectboards under the laws of the State of Vermont.

(B) Powers. The Selectboard may:

(1) authorize the expenditure of all Town monies and may:

(A) submit the annual operational budget to the Town Meeting;
and

(B) fix the compensation of all officers, appointees, and municipal employees except as otherwise provided in this chapter;

(2) inquire into the conduct of any officer, appointee, commission, or department and investigate any and all Town affairs.

[(3) Repealed.]

(b) The Moderator:

(1) shall perform all duties and responsibilities prescribed by this chapter and the State of Vermont;

(2) shall follow Robert's Rules of Order, Newly Revised (RONR) in deliberations and conduct of all meetings;

(3) may be the same individual who presides at Town and School District budget and candidates night meeting, annual Town Meeting, and special Town and School District meeting.

(c) Town Clerk. The Town Clerk shall be appointed by and shall serve at the pleasure of the Selectboard. The Town Clerk shall perform all duties and responsibilities prescribed by the laws of the State of Vermont and any additional duties set forth in this chapter.

[(d) Listers:

(1) shall perform all duties and responsibilities prescribed by this chapter and the State of Vermont;

(2) may appoint professional appraisers to help perform their duties. An appraiser shall be under the direction and supervision of the elected listers and shall adhere to all personnel rules and regulations of the Town.]

(d) Assessor. The Selectboard shall contract with or employ a qualified professional assessor, who need not be a resident of the Town. The Assessor shall have the same powers and responsibilities, and shall perform the same functions as prescribed by law for listers and boards of listers.

(e) Trustees of Public Funds. The Selectboard may appoint annually one trustee of public funds if a qualified candidate presents themselves, otherwise these duties shall be assumed by the town manager or their designee.

(f)[(e)] All others. Any other elected officials of the Town or School District shall have powers and duties [proscribed] prescribed to that office as specified in the general law. (Amended 2011, No. M-16 (Adj. Sess.), § 2, eff. May 7, 2012.)

§ 123A-301. Appointed officers

(a) Town Manager. The Town Manager shall be the chief executive officer of the Town appointed by a majority of the Selectboard. The Town Manager shall be selected with special reference to training, experience, education, and ability to perform the executive and administrative duties of the Manager's office and without reference to his or her political position or persuasion. The Town Manager shall be responsible to the Selectboard for the proper and efficient administration of departments under the Manager's charge as outlined in this chapter.

(1) The Town Manager shall be appointed for a period not to exceed three years and may thereafter be appointed for successive terms of not more than three years. The Town Manager shall not simultaneously hold any elective office within the Town nor be employed by the town in any capacity except as specified in this chapter.

(2) The Town Manager need not be a resident of the Town.

(3) Conditions of employment and compensation shall be determined at the time of appointment, and there shall be an annual review of performance and compensation by the Selectboard.

(4) Before entering into the duties of office, the Manager shall be sworn to the impartial and faithful performance thereof with a certificate to that effect to be filed with the Town Clerk.

(5) Removal.

(A) On 90 days' written notice, the Manager may be removed without cause by a majority of the Selectboard so voting at a meeting called for the purpose of voting on removal. During the 90-day period, the Manager may be suspended with pay.

(B) The Selectboard may adopt a resolution stating its intention to remove the Manager and reasons therefore, a copy of which shall be sent to the Manager. The Manager may, within 10 days after notice is sent, request a hearing which shall be held by the Selectboard not less than 10 days nor more than 20 days from the date of the request, after which the Selectboard may dismiss the Manager. If no request for a hearing is filed, the Selectboard may dismiss the Manager immediately. During the period after the resolution of intention is adopted and until the Manager's dismissal, he or she may be suspended with pay.

(C) Termination of benefits will be determined by the Selectboard in conjunction with legal counsel.

(b) Acting town manager.

(1) In the event the Town Manager shall be absent from town for a period of up to two consecutive weeks, he or she may designate an acting manager with Selectboard approval, who shall exercise the duties of the Manager. The Town Manager may overrule the actions of the acting manager.

(2) In the event the Manager is unable to discharge his or her duties or in the event the Manager is suspended or placed on administrative leave, the Selectboard shall appoint an acting manager to serve until the Manager is able to assume regular duties or a new Manager is appointed. The acting manager appointed to fill a declared vacancy in the office shall have all powers and perform all duties of the Manager. An acting manager shall be reviewed within 180 days.

(3) In no case shall a serving Selectboard member act as the acting town manager. (Amended 2011, No. M-16 (Adj. Sess.), § 2, eff. May 7, 2012.)

§ 123A-302. Duties of appointed officers; Town Manager

[brackets indicate material to be removed] underline material being added

Town Manager. The duties of the Town Manager shall include, but shall not be limited to the following:

- (1) The Manager shall be the chief executive officer of the Town and shall carry out policies established by the Selectboard to whom the Manager shall report. The Manager shall be responsible to the Selectboard for the proper and efficient administration of departments under the Manager's charge as outlined in this chapter.
- (2) The Manager is expected to attend all meetings of the Selectboard.
- (3) The Manager shall provide to the Selectboard a monthly financial statement.
- (4) The Manager shall make reports as the Selectboard requires or the Manager deems appropriate, or may be required by law or ordinance regarding any and all functions under the Manager's supervision.
- (5) The Manager shall prepare an annual budget, submit it to the Selectboard, and be responsible for its administration after adoption.
- (6) The Manager shall compile for general distribution at the end of each fiscal year a complete report on the finances and administrative activities of the Town for the year.
- (7) The Manager or his or her designee shall be the Collector of Delinquent Taxes.
- (8) The Manager shall keep the Selectboard apprised of the needs of the town within the scope of the Manager's duties and annually furnish to the Selectboard a long-range projection of capital expenditures.
- (9) The Manager shall examine or cause to be examined, with or without notice, the affairs of any department under the Manager's control or the conduct of any officer or employee thereof. For that purpose, the Manager shall have access to all books, papers, and wireless and electronic records of those departments for the information necessary for the proper performance of his or her duties.
- (10) The Manager shall appoint, upon merit and fitness alone, and when the Manager deems necessary for the good of the service, suspend or remove any subordinate official, employee, or agent under the Manager's supervision as provided for in this chapter. All appointments may be without definite terms unless for provisional, temporary, or emergency service, in which case, terms shall not exceed the maximum periods prescribed by personnel rules and regulations. The Manager may authorize the head of a department or office responsible to the Manager to appoint and remove subordinates in the office or department.

(11) The Manager, under policies approved by the Selectboard, shall have the exclusive authority to appoint, fix the salaries of, and suspend and remove all officers and employees except those who are elected or who are appointed by the Selectboard.

(12) The Manager shall direct and supervise the administration of all departments, offices, and agencies of the Town except as otherwise provided by chapter or statute.

(13) The Manager shall keep full and complete records of the Manager's office.

(14) The Manager shall have oversight of buildings, properties, facilities, repairs thereon, and construction by the Town unless otherwise voted.

(15) The Manager shall perform other duties which may be required by the Selectboard, bylaws, or ordinance consistent with this chapter.

(16) The Manager may, when advisable and proper, delegate to Town subordinate officers or employees duties conferred on the Manager.

(17) Neither the Selectboard, any individual member of the Board, nor any of its committees or committee members shall dictate the appointment or discharge of any Town employee by the Manager or in any manner interfere with his or her exercising of judgment in the appointment and discharge of employees in the Town.

(18) The Manager shall perform other duties consistent with his or her office and this chapter as required by the Selectboard, law, ordinance, or mandate.

§ 123A-401. Miscellaneous

(a) Conflict of interest. The Selectboard and the School Board and School Superintendent shall each maintain comprehensive conflict of interest policies which shall apply to their respective Town and School District employees, elected and appointed officials, and committee and board members.

(b) Ethics-responsibilities. Any elected or appointed board, commission, or authority member:

(1) has no legal powers unless acting at a duly warned board meeting or acting for the board after it formally grants power to act on its behalf;

(2) shall maintain confidentiality of discussion conducted in executive session and of other privileged information;

(3) shall use a chain of command and avoid making commitments or promises that compromise the Town and School District;

(4) shall work to further public interest, maintain public trust, be open and accessible to the public at large, and maintain leadership of the highest degree without regard for personal gain.

(c) Rights and privileges.

(1) Nothing in this chapter, except as otherwise specifically provided, shall affect or impair rights or privileges of persons who are officers or employees of the Town or School District at the time of its adoption.

(2) Except as specifically provided by this chapter, if at the time this chapter takes effect, an individual holds any elected or appointed office or position which is or can be abolished by or under this chapter, he or she shall continue in the office or position until the term expires.

(d) Severability. If any provision of this chapter is for any reason held invalid, that invalidity shall not affect the remaining provisions which can be given effect without the invalid provision. To this end, the provisions of this chapter are declared to be severable.

(e) Charter review.

(1) The Selectboard and School Board may appoint a charter review committee of registered voters of the Town to review its charter and recommend changes as the committee finds necessary or advisable for the purpose of improving the operation of the Town and School District.

(2) The committee shall submit a written report of recommendations to the Selectboard and School Board not later than one year after the appointment of the committee.

(3) Recommendations shall be warned for a vote at the next Australian ballot town meeting.

(4) The Selectboard and School Board shall provide funds for the committee in their budgets for any year when a charter review committee is appointed. (Amended 2011, No. M-16 (Adj. Sess.), § 2, eff. May 7, 2012.)

Hartford White River Junction Tax Increment Financing (TIF) District Warrant Item # 19 on March 7, 2017 Frequently Asked Questions

This year's Town Meeting warning will contain a warrant item for a \$1,926,000 TIF Project, financed with a Bond or other financing for the engineering and/or construction of public sidewalk, road, streetlights, streetscape, water, stormwater, sanitary sewer, and South Main Street retaining wall improvements within the Hartford White River Junction Tax Increment Financing (TIF) District.

What is TIF?

An important piece of revitalizing Downtown WRJ is public investment in public infrastructure, such as sidewalks, roads, sewer and water lines, streetlights, landscaping and parking. Knowing that the Town has a plan to invest in public infrastructure, property owners and developers decide to invest in developing or renovating their properties.

Tax Increment Financing, TIF, is a way for private development to shoulder the expense of the public infrastructure investments that are required to accommodate that development. The private investment leads to increased property value and jobs, which brings new tax revenue to the Town and the State. 75% of the new Town and State "incremental taxes" generated by the new development is used to finance the cost of the infrastructure over time. Hence, the name.

How does TIF work?

Step 1 - The Town receives approval from the State to create an official TIF District.

This occurred for Hartford in 2011 after the Town developed a plan for \$12.9 million of infrastructure that would be needed to accommodate the anticipated development and redevelopment of Downtown White River Junction.

Step 2 - Once the State signs off on the TIF District, the Town's voters need to approve the TIF District and set a future borrowing ceiling for the infrastructure projects.

This was done in 2012 by Australian Ballot, with a borrowing ceiling of \$12.9 million.

Step 3 - Townspeople vote to approve funding for specific projects within the TIF District.

In 2014, voters approved a \$900,000 bond for the first TIF project – reconstruction and realignment of Prospect Street, including the roadway, utilities, pedestrian walkways, lighting and landscaping for phase one of a multi-phase private redevelopment project. That Town road is now completed. The new 38,600 sq ft private office building, valued at \$5,388,700, is constructed and a second 10,000 sf building was constructed and occupied in 2016. The private development of two new buildings covers the debt payments for the Prospect Street bond payments. A third building is expected in the future.

In 2016, voters approved a second round of public infrastructure improvements in the TIF District for \$900,000 to upgrade the parking lot behind the former Legion building, and to upgrade the stormwater/wastewater systems along portions of North Main and Gates Streets. Both projects support development in the entire downtown area.

What are the details for the 2017 proposed TIF public infrastructure projects?

1. **Currier Street Extension:** Design, engineering and construction of a new road in an underdeveloped Town ROW to provide improved access to adjacent properties and Town parking lot from Gates

Street through South Main Street. Includes water line, wastewater line, stormwater; streetlights; street trees; utility undergrounding, town right-of-way relocation, and related costs. Supports planned redevelopment of a vacant lot on Gates Street into 80 units of assisted living, and area vehicular and pedestrian circulation and accessibility for the development in the surrounding area. Estimated cost is \$1,600,000.

2. **North Main Street, Bridge Street to Joe Reed Drive:** Sidewalk, landscaping, street trees, streetlights, streetscape improvements and related costs. Supports redevelopment of a vacant lot at Gates and Bridge Streets into commercial space and 17 units of housing (16 affordable), area amenities, and pedestrian circulation and accessibility. Estimated cost is \$26,000.
3. **Gates Street, Church Street to Joe Reed Drive; North Main Street, Bridge Street to Joe Reed Drive; South Main Street, Joe Reed Drive to Nutt Lane:** Water main design and engineering with recommendations for construction would be completed in 2018 for consideration in the future as a possible TIF project. Upgrades and replacement of lines are needed to address water quality, fire flows and capacity. Supports redevelopment of properties along Gates Street and North and South Main Street. Estimated engineering cost is \$50,000.
4. **South Main Street, Joe Reed Drive to Nutt Lane:** Engineering evaluation of existing conditions including wastewater main, stormwater treatment/LID options, structural integrity of road base, retaining wall, street grade, and sidewalk alignment and replacement. Engineering with recommendations for construction would be completed in 2018 for consideration in the future as a possible TIF project. Supports redevelopment of properties along Gates Street and South Main Street. Estimated engineering cost is \$250,000.

What are the debt details?

- Total cost of proposed new Public Infrastructure Improvements = \$1,926,000. Covers direct and TIF related costs, consulting services, legal, engineering, construction, and the town voting process.
- 20-year Bond through the Vermont Bond Bank at estimated annual average interest rate of 3.764% (current rate +.5%).
- Approximately \$180,000 of the Currier Street project is expected to be reimbursement to the developer for engineering, related costs and construction of public infrastructure in the public ROW needing to be completed before the roadwork could be initiated.
- Total estimated debt over the life of the bond is \$2,701,123, including principal, interest and fees.
- Current cash flow analysis estimates are positive for the life of all TIF debt, including 2014 and 2016 approved TIF projects.
- Other infrastructure improvement financing options could include Town interfund loans for direct payment of construction or engineering services, or shortfall in bond payments, paid back with future TIF revenues. Such options, along with terms and conditions, would be decided by the Selectboard at a future public meeting.

What is the debt repayment plan?

Debt service for the public infrastructure will be financed with the new local and state tax revenue from new TIF District private development projects expected to be on the April 1, 2017 and April 1, 2018 Grand Lists. This development is estimated to add \$11,399,600 of increment property value to the Grand List. Key projects include:

- Newberry Market (Gates Building on South Main St) – completed
- Expansion of Tuckerbox Restaurant (Gates Building on South Main St) - completed
- Piecemeal Pie Restaurant- (Gates Building on South Main Street) completed
- Affordable housing at 188 S Main Street – completed
- 2nd Building on Prospect Street - completed
- Housing at 241 South Main Street – in construction
- Taps and Tacos Restaurant (South Main St) – in construction
- Mixed-use with affordable housing at Bridge and North Main Streets - Ready for construction to begin.
- Assisted Living Facility at Currier and Gates Streets – Ready for construction to begin.

What if the private development doesn't generate the anticipated tax revenue?

The TIF program requires that if TIF revenue received is insufficient to pay the principal and interest on the TIF debt in any year, for whatever reason, including a decrease in property value or repeal of the education property tax source, unless determined otherwise at the time of such repeal, the Town is liable for the full payment of the principal and interest for the term of debt.

Because of this requirement, the Selectboard has been very conservative in not overextending the Town's obligations beyond the revenue anticipated from new development that is completed, under construction, or about to begin construction (see debt details above). Current cash flow analysis estimates are positive for the life of all TIF debt, including 2014 and 2016 approved TIF projects. Also, the Warrant gives flexibility to the Selectboard to consider alternative financing options that allow the Town to recover expenses with future TIF tax revenue.

What is the Warrant language?

ARTICLE 19: Shall the Selectboard be authorized to pledge the credit of the Town of Hartford through the issuance of general obligation bonds or notes in an aggregate amount not to exceed \$1,926,000, for the purpose of funding the engineering and/or of public sidewalk, road, streetscape, water, stormwater, sanitary sewer, and South Main Street retaining wall improvements within the Hartford White River Junction Tax Increment Financing District, and for paying or reimbursing eligible related costs, advances, interfund loans and third party public infrastructure costs, and to pledge and appropriate the District's tax increment in the amount of \$1,926,000 plus allowable interest and fees for the payment of such bonds and notes and for making such payments and reimbursements?

The legal voters of the Town are notified that, of the \$1,800,000 of tax increment secured obligations authorized on March 4, 2014 and March 1, 2016, to date, \$900,000 of the tax increment has been pledged, as evidenced by the Town's July 1, 2014 \$900,000 Tax Increment Financing District Improvement Bond.

For questions or more information, contact your Selectboard Members or Lori Hirshfield, Director of the Hartford Department of Planning and Development Services, at 802-295-3075 or Lhirshfield@hartford-vt.org, or the Town's Website at www.hartford-vt.org.