

## **Memo**

To: Prudential Committee, Village of Essex Junction Trustees, & Town of Essex Selectboard

From: Brad Luck, Director, Essex Junction Recreation & Parks

Date: February 10, 2016

Re: Forming a Joint Municipal Survey Committee to Study Recreation

### **Background**

Based on previous discussions of the Prudential Committee, the Village of Essex Junction Trustees, and the Town of Essex Selectboard, there appears to be an interest in forming a community committee to study the future delivery of recreational services in the Village of Essex Junction and Town of Essex.

Since one of the potential outcomes of the study could be the formation of a union municipal district (a separate municipality that provides recreational services to the two communities), it is advisable that the boards follow the Vermont statutes, which outline how a union municipal district is formed – even if this is not selected as the best path forward. If a union municipal district is selected, then the groundwork will have followed statute and will be able to proceed as such.

Vermont statutes dictate that forming a union municipal district is for two or more municipalities. The Prudential Committee is an incorporated school district – which is considered a municipality. So, in theory, all three municipalities could form a union municipal district. However, since A) both the Prudential Committee and Village Trustees represent the same community, and B) the Prudential Committee will in all likelihood dissolve some time in the future based on the successful vote to form the Essex Westford Educational Community Unified Union School District, it is recommended that the Trustees and Selectboard are the two entities to formally engage in the joint survey committee. The Prudential Committee can be included in the committee's membership as representatives of the Village of Essex Junction. If a recommendation is reached by the joint municipal study committee that suggests the relinquishment of oversight or dissolution of Essex Junction Recreation & Parks, ultimately the Prudential Committee will need to vote to endorse that recommendation.

Relevant Statutes

**Title 01 : General Provisions**

**Chapter 003 : Construction Of Statutes**

**Subchapter 002 : Definition Of Terms**

**§ 126. Municipality**

"Municipality" shall include a city, town, town school district, incorporated school or fire district or incorporated village and all other governmental incorporated units.

**Title 24 : Municipal And County Government**

**Chapter 121 : Intermunicipal Cooperation And Services**

**Subchapter 002 : Joint Survey Committees**

**§ 4831. Creation of committee**

The legislative branch of any two or more municipalities may by agreement create a joint municipal survey committee to plan for the strengthening of local governments and to promote plans for more efficient and economical operation of local government services within or by the participating municipalities.

**§ 4832. Powers and duties**

The committee shall have the following powers for any of the purposes authorized by charter or general statute:

(1) To make surveys and studies and conduct research programs to enable municipalities to make the most efficient use of their powers by cooperation with other municipalities on a basis of mutual advantage, and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of municipalities.

(2) To provide for the distribution of information resulting from such surveys, studies and programs.

(3) To consult and cooperate with appropriate state, municipal and public or private agencies in matters affecting municipal government.

(4) To employ persons and adopt rules, regulations and by-laws as are necessary and proper to effectuate the purposes of this chapter. (Added 1969, No. 197 (Adj. Sess.), § 1.)

**§ 4833. Officers**

The members of a joint municipal survey committee shall consist of an equal number of representatives from each municipality designated by the legislative branch. Members of the legislative branch of a municipality may serve as members of the committee. The committee shall elect from its own number a chair and secretary and other necessary officers to serve for such period as the members shall decide. (Added 1969, No. 197 (Adj. Sess.), § 1; amended 2003, No. 122 (Adj. Sess.), § 85g.)

### Recommendation (Trustees and Selectboard)

It is recommended that the Village of Essex Junction (via the Village of Essex Junction Trustees) and the Town of Essex (via the Town of Essex Selectboard) municipalities agree to create a joint municipal survey committee to plan for the strengthening of local governments and to promote plans for more efficient and economical operation of local government services – specifically related to establishing, maintaining, and conducting a system of public recreation.

The committee shall have the following powers for any of the purposes authorized by charter or general statute:

- (1) To make surveys and studies and conduct research programs to enable municipalities to make the most efficient use of their powers by cooperation with other municipalities on a basis of mutual advantage, and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of municipalities.
- (2) To provide for the distribution of information resulting from such surveys, studies and programs.
- (3) To consult and cooperate with appropriate state, municipal and public or private agencies in matters affecting municipal government.
- (4) To employ persons and adopt rules, regulations and by-laws as are necessary and proper to effectuate the purposes of this chapter.

The members of the joint municipal survey committee shall consist of \_\_\_\_ representatives from each municipality. Membership shall include \_\_\_\_ members of the Village of Essex Junction Trustees, \_\_\_\_ members of the Town of Essex Selectboard, \_\_\_\_ members of the Prudential Committee, and \_\_\_\_ members to be selected at large from the community. The at large positions will be advertised and interested members will be forwarded to the appointed representatives to select the final make-up of the committee.

### Recommendation (Prudential Committee)

In light of the anticipated formation of the Essex Westford Educational Community Unified Union School District, the Prudential Committee supports an examination of the future delivery of recreational services in Essex Junction through a joint municipal survey committee between the Village of Essex Junction and Town of Essex. The Prudential Committee supports having Michael Smith and Jason Dirosa serve on this committee as representatives.

