

Town of

Wilmington

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Sen. Ruth Hardy, Chair

Sen. Tanya Vyhovsky, Vice Chair

Sen. Alison Clarkson

Sen. Becca White

Sen. Robert Norris, Clerk

Sen. Anne Watson

Senate Committee on Government Operations

RE: S.55 – An act relating to authorizing public bodies to meet electronically under Vermont’s Open Meeting Law

I appreciate the opportunity to present my written testimony to the Senate Government Operations Committee and sponsors of S.55.

As an introduction, I have worked in local government in the great State of Vermont for over 44-years, first in public safety for the Rutland City Police Department, where I grew up, including my role as a founding member and Executive Director of Project Vision, before retiring, and moving to my encore career as the Wilmington Town Manager for the past six years.

As you know there are 252 towns and cities that would be affected. Gov Ops most recent version of [S.55](#) seems to eliminate local government’s ability to hold meetings that are either fully remote or fully in person, and erodes local government control. **I would ask the committee to leave the establishment of hybrid meetings to local government discretion**, rather than mandated through legislative action. In my experience, local elected officials and town managers are always appreciative when the Legislature supports local government by giving cities and town the tools they need to work more flexibly in an ever changing technological world.

Please consider that:

- Hybrid meetings are more difficult to run and more technologically challenging than in-person or fully remote meetings.
- The equipment to implement hybrid meetings is expensive – the Joint Fiscal Office conservatively estimates it costs about \$5,000 to set up a single room with equipment – and there are ongoing annual costs. I have found that the number will be significantly higher – the quote that I received for a professional “zoom room” was over \$25,000.

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- A one-size-fits-all solution is inadequate here in Vermont, where small towns may struggle to run a virtual or hybrid meeting

- Section 2, subsection 3, establishes a hybrid meeting requirement for all public bodies that exercise legislative, quasi-judicial, taxing, or budgetary authority. This is a majority of town committees – including at times the Planning Commission, the Board of Civil Authority, the Board of Abatement, the Development Review Board, many library boards, and more. It is understandable that the committee may think their language actually gives a majority of committees the ability to do fully remote or fully in person meetings – but we do not think that it does. Also, many of these boards and committees only exercise quasi-judicial authority occasionally – but the language would require them to always meet in hybrid form.
- What do towns do about site visits? For example, the DRB – which is a quasi-judicial committee and therefore required to do hybrid meetings – goes out to visit a development, such as a vacant lot or someone’s private home, how would that committee hold a hybrid meeting?
- Do telephones count as “designated electronic platforms” as described in section 2 – page 4, subsection 5?
- Why does section 5 require municipalities to post information about how to file an open meeting law violation, but not require any other public body that follows open meeting law to do the same?

Thank you for your time and consideration.

Scott

Scott A. Tucker

WilmingtonTown Manager

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