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H.527

Introduced by Representatives Donahue of Northfield and Lewis of Berlin

Referred to Committee on

Date:

Subject: Municipal corporations; municipal charters; Town of Northfield;  
adoption and codification

Statement of purpose of bill as introduced: This bill proposes to approve the  
adoption of and codify the charter of the Town of Northfield.

An act relating to approval of the adoption and the codification of the  
charter of the Town of Northfield

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. CHARTER ADOPTION AND MERGER APPROVAL

The General Assembly approves the adoption of and codifies the charter of  
the Town of Northfield and the merger of the Village of Northfield and the  
Town of Northfield as set forth in this act. Proposals of charter adoption and a  
plan for merger were approved by Town and Village voters on March 5, 2013.

Sec. 2. 24 App. V.S.A. chapter 129C is added to read:

CHAPTER 129C. TOWN OF NORTHFIELD

Subchapter 1. General Provisions

1     § 101. APPLICABILITY OF GENERAL LAW

2         (a) All provisions of the Constitution and the general law of the State of  
3     Vermont relating to towns and their officers shall apply to the Town of  
4     Northfield (the “Town”).

5         (b) The Town shall have all the powers now or hereafter conferred upon  
6     towns by the Constitution and the general law of the State of Vermont.

7         (c) No grant of authority, power, or prerogative hereunder shall be  
8     construed as being in derogation of or a limitation on any authority, power, or  
9     prerogative conferred by the general law upon the Town.

10    § 102. SEVERABILITY

11         If any provision of this charter shall for any reason be held invalid, such  
12     invalidity shall not affect the remaining provisions which can be given effect  
13     without the invalid provision. To this end, the provisions of this charter are  
14     severable.

15                             Subchapter 2. Town Manager

16    § 201. TOWN MANAGER SYSTEM

17         The Town shall be administered by a Town Manager as provided in  
18     24 V.S.A. chapter 37 until such time as such form of administration is revoked  
19     by vote of the Town as set forth in 24 V.S.A. § 1242.



1           Subchapter 4. Electric, Water, and Wastewater Departments

2           § 401. ELECTRIC, WATER, AND WASTEWATER DEPARTMENTS

3           GENERALLY

4           (a) Electric system. The revenues of the electric system shall be  
5           maintained separate from all other departments of the Town. All revenues  
6           therefrom not necessary for current expenditures thereof shall be placed in a  
7           special fund, no part of which may be used for any purpose other than the  
8           operation of the electric department as specified in section 402 of this charter.

9           (b) Water system. The revenues of the water system and any additions  
10          thereto shall be maintained separate from all other departments of the Town,  
11          and all revenues therefrom not necessary for current expenditures thereof shall  
12          be placed in a special fund, no part of which may be used for any purpose other  
13          than as specified in section 402 of this charter.

14          (c) Wastewater treatment system. The revenues of the wastewater  
15          treatment system (exclusive of the stormwater drainage system) and any  
16          additions thereto shall be maintained separate from all other departments of the  
17          Town, and all revenues therefrom not necessary for current expenditures  
18          thereof shall be placed in a special fund, no part of which may be used for any  
19          purpose other than as specified in section 402 of this charter.

1     § 402. ELECTRIC, WATER, AND WASTEWATER ADMINISTRATION

2         (a) Operating costs of the electric, water, and wastewater departments shall  
3     be paid by the ratepayers.

4         (b) The charges and rates for electric service shall be a lien upon real estate,  
5     wherever located, furnished with such service in the same manner and to the  
6     same effect as taxes are a lien upon real estate under 32 V.S.A. § 5061. The  
7     owner of such property furnished with electric service, wherever located, shall  
8     be liable for such charges and rates.

9         (c) All water and wastewater charges shall be set by the Selectboard at rates  
10     sufficient to pay the costs of operating and maintaining the systems, to pay  
11     debt service on all obligations issued to improve or support such systems, and  
12     to fund necessary capital reserves, all as provided by the general law.

13     § 403. ELECTRIC, WATER, AND WASTEWATER SPECIAL FUNDS

14         The Town Treasurer and the Finance Director shall keep all revenues  
15     derived from the electric, water, and wastewater systems in accounts separate  
16     from any other special funds and from other town funds, and shall honor no  
17     warrant upon such account except for the purposes specified in section 402 of  
18     this charter.

1       Sec. 3. MERGER OF THE VILLAGE OF NORTHFIELD AND THE TOWN  
2                   OF NORTHFIELD; TRANSITIONAL PROVISIONS

3           (a) Effective date of merger. At midnight on June 30, 2014, the Village of  
4           Northfield and the Town of Northfield shall merge into the Town of Northfield  
5           and except as provided in this act, the Village of Northfield shall cease to exist  
6           as a political entity or body corporate.

7           (b) Properties transferred and liabilities assumed. Upon the effective date  
8           of the merger, all the lands, buildings, easements, funds, uncollected taxes,  
9           monies, and other tangible and intangible property of the Village of Northfield  
10          shall become vested in and become the property of the Town of Northfield.  
11          All liabilities, obligations, and indebtedness of the Village of Northfield shall  
12          be assumed by the Town of Northfield without any further act, deed, or  
13          instrument being necessary. Indebtedness of the Village of Northfield assumed  
14          by the Town of Northfield at the time of merger shall be secured by the full  
15          faith and credit of the Town of Northfield with respect to the properties  
16          comprising the body corporate of the Village of Northfield.

17          (c) Properties held in trust. Upon the effective date of the merger, any and  
18          all properties held in trust by the Board of Trustees of the Village of  
19          Northfield, or by any officer thereof, shall become vested in the Selectboard of  
20          the Town of Northfield and their successors, or in the respective officer of the  
21          Town and that person's successor, as the case may be, and shall continue to be

1 held in trust for the same users as before the merger, all without any further  
2 act, deed, or instrument being necessary.

3 (d) Settling the affairs of the Village. Prior to the effective date of the  
4 merger, the Village of Northfield shall settle so far as possible its financial  
5 affairs and, except as otherwise provided by this act, shall on the effective date  
6 of the merger turn over and deliver to the Clerk of the Town of Northfield all  
7 records, books, and documents of the Village of Northfield and to the proper  
8 officers of the Town all property of the Village of Northfield, including a final  
9 audit of the Village.

10 (e) Finances. The general fund of the Village of Northfield shall be added  
11 to the general fund of the Town of Northfield on the effective date of the  
12 merger. Highway department funds of the Village of Northfield shall be  
13 transferred to highway department funds of the Town of Northfield. Electric  
14 department funds, water department funds, wastewater department funds, and  
15 other special funds of the Village of Northfield shall be transferred to the  
16 corresponding electric department funds, water department funds, wastewater  
17 department funds, and other special funds of the Town of Northfield.

18 (f) Existing laws, rules, and policies.

19 (1) Until lawfully amended or repealed, all rules, ordinances,  
20 regulations, and bylaws of the Village of Northfield in effect on the effective  
21 date of the merger shall become and continue in full force and effect as rules,

1 ordinances, regulations, and bylaws of the Town of Northfield for the  
2 respective area presently involved, unless in conflict with rules, ordinances,  
3 regulations, and bylaws of the town of Northfield already existing.

4 (2) Whenever power is granted by any such rule, ordinance, regulation,  
5 or bylaw to an officer of the Village of Northfield, such power shall be  
6 conferred upon the appropriate officer of the Town of Northfield upon the  
7 effective date of the merger.

8 (g) Consolidated Selectboard. Notwithstanding the provisions of Sec. 2 of  
9 this act, in 24 App. V.S.A. chapter 129C, § 302 (selectboard members), upon  
10 the effective date of the merger, the Town of Northfield shall be governed by a  
11 consolidated Selectboard as set forth in this section until the first annual town  
12 meeting following the effective date of merger, when it shall revert to the  
13 five-member Selectboard set forth in Sec. 2 of this act in 24 App. V.S.A.  
14 chapter 129C, § 302.

15 (1) Members of the Town Selectboard in office on the effective date of  
16 the merger shall continue in office until the end of their respective terms.

17 (2) Village Trustees whose terms extend beyond the effective date of the  
18 merger shall serve on the consolidated Selectboard until the first annual town  
19 meeting after the effective date of merger.

20 (h) Village utility rates. All electric, water, and wastewater rates applicable  
21 to ratepayers in the Village of Northfield in effect on the effective date of the

1 merger shall continue in effect upon those ratepayers until changed by the  
2 Public Service Board or the Selectboard of the Town of Northfield.

3 (i) Severability. If any provision of this section shall for any reason be held  
4 invalid, such invalidity shall not affect the remaining provisions which can be  
5 given effect without the invalid provision. To this end, the provisions of this  
6 section are severable.

7 Sec. 4. REPEAL

8 24 App. V.S.A. chapter 257 (charter of the Village of Northfield) is  
9 repealed.

10 Sec. 5. EFFECTIVE DATES

11 (a) This section and Sec. 3 of this act (merger of the Village of Northfield  
12 and the Town of Northfield; transitional provisions) shall take effect on  
13 passage.

14 (b) All other sections of this act shall take effect on June 30, 2014.