

Good Morning All,

I wanted to put in writing the Ferrisburgh Select Board's feedback prior to the 1:15 pm hearing today. I will also be joining you, by phone. (Thank you for allowing this communication).

Several years ago, the Town of Ferrisburgh voted to change the Collector of Delinquent Taxes from an elected position to an appointed position. The Town would like to continue keeping this position separate from the Treasurer's duties.

The Delinquent Tax Collector and Treasurer are two different people. This works well for the Town of Ferrisburgh.

Thus, the Town will be requesting that the Charter Language remain the same as originally proposed. The town would like to have the Treasurer remain as the collector of current taxes. The town already has a different person for the collector of delinquent taxes.

I hope this all makes sense and will be available to testify.

Sincerely,

Loretta Lawrence, Chair

Ferrisburgh Select Board

On January 12, 2018 at 5:09 AM Maida Townsend  
<[MTownsend@leg.state.vt.us](mailto:MTownsend@leg.state.vt.us)> wrote:

Understood. Loretta has indicated that they will have feedback ready by next Friday.

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**From:** Diane Lanpher  
**Sent:** Thursday, January 11, 2018 10:27:09 PM  
**To:** Maida Townsend  
**Cc:** Warren Van Wyck; Ferrisburgh Selectboard  
**Subject:** Re: Town of Ferrisburgh; collector of delinquent taxes

Getting caught up on this thread. I will await Loretta and the Ferrisburgh Board comments.  
Thank you,  
Diane

Rep. Diane Lanpher  
Addison-3  
House Appropriations

Sent from my iPhone

On Jan 11, 2018, at 6:30 PM, Maida Townsend <[MTownsend@leg.state.vt.us](mailto:MTownsend@leg.state.vt.us)> wrote:

Great. Thanks, Loretta. So that is when we will take it up again. Should we reach out to you by phone that afternoon?

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**From:** Ferrisburgh Selectboard <[ferrisburghselectboard@comcast.net](mailto:ferrisburghselectboard@comcast.net)>  
**Sent:** Thursday, January 11, 2018 4:58:52 PM  
**To:** Diane Lanpher; Maida Townsend; Warren Van Wyck  
**Subject:** Re: Fw: Town of Ferrisburgh; collector of delinquent taxes

January 19th sounds like a good day.

On January 11, 2018 at 3:37 PM Maida Townsend  
<[MTownsend@leg.state.vt.us](mailto:MTownsend@leg.state.vt.us)> wrote:

Is next Friday, January 19, at 1:00 too soon for us to take up the charter again?

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**From:** Ferrisburgh Selectboard <[ferrisburghselectboard@comcast.net](mailto:ferrisburghselectboard@comcast.net)>  
**Sent:** Thursday, January 11, 2018 2:37:30 PM  
**To:** Diane Lanpher; Maida Townsend; Warren Van Wyck  
**Subject:** Re: Fw: Town of Ferrisburgh; collector of delinquent taxes

Hi Maida,

Thank you for your email. The select board would like to think about this for a bit. Not too long - we promise!

Thanks,

Loretta Lawrence, Chair

On January 11, 2018 at 12:52 PM Maida Townsend  
<[MTownsend@leg.state.vt.us](mailto:MTownsend@leg.state.vt.us)> wrote:

Hi, all. Could you folks check in with each other regarding the message below regarding "collector of delinquent taxes"? It would be helpful to have your thoughts when we take the bill up again. I will let you know asap when we get it scheduled. Loretta: Please be aware that you can always participate by phone. You do not have to come all the way back here a second time, unless you want to. Maida

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**From:** Tucker Anderson  
**Sent:** Thursday, January 11, 2018 10:13 AM  
**To:** HOUSE\_GOVERNMENT\_OPERATIONS  
**Cc:** Denise Diehl  
**Subject:** Town of Ferrisburgh; collector of delinquent taxes

Good morning:

Yesterday, the Committee raised concerns about whether the duties of the Collector of Delinquent Taxes must be expressly added to the duties of the Town Treasurer in the Ferrisburgh charter.

As Gwynn Zakov pointed out, the office of Collector of Delinquent Taxes is an elected position under general municipal law. ([17 V.S.A. § 2646\(9\)](#)). However,

a town may vote to make the Collector of Delinquent Taxes an appointed position. A town may appoint the municipal treasurer to be the Collector of Delinquent Taxes. ([17 V.S.A. § 2651d](#)).

The representative from the Town indicated that Ferrisburgh has voted to make the Collector of Delinquent Taxes an appointed position. Assuming this is true, the Town can appoint the Treasurer to be the Collector of Delinquent Taxes. However, in this case the same person would be occupying two offices simultaneously; one would be governed by the charter (treasurer), and one would be governed by general law (collector).

17 V.S.A. § 2651d provides that a “collector of delinquent taxes so appointed *may be removed by the legislative body for just cause after notice and hearing.*” Under the charter, Ferrisburgh has the ability to dismiss the treasurer under the terms of an act of appointment. Leaving the charter as written would result in the following: the town would have the ability to remove the officer from the position of treasurer at will, but could not remove the officer from the position of collector of delinquent taxes without just cause, notice, and a hearing.

If the town wants the Treasurer to act as the Collector of Delinquent Taxes, and be subject only to the terms of the act of appointment, the charter proposal should be amended.

If you have any follow up questions, please reach out to me.

Tucker Anderson

Law Clerk

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State House

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