



ATTORNEY CLIENT PRIVILEGED COMMUNICATION

To: Pam Kingman, New Haven Town Clerk
From: Cindy Ellen Hill, Esq.
Re: Town Vote Regarding Lincoln Withdrawal from MAUSD
Date: 11 October 2021

You communicated with me last week regarding the statutory requirements for timing of the Town of New Haven vote on the Town of Lincoln's withdrawal from the Mount Abe Union School District. You have provided me with a copy of an October 5, 2021 letter to the Towns of New Haven, Bristol, Monkton and Starksboro from the Lincoln Selectboard requesting that these towns schedule their vote in November or December of 2021.

I have reviewed the letter and the relevant statutes.

The letter requests that New Haven and the other affected Towns vote within 90 days to reflect the 'spirit' of 16 VSA §721. However, that statutory provision is inapplicable in the present circumstances. The controlling statute is 16 VSA §724, which does not contain a 90 day time limit.

The controlling statutory provision however does require that all the affected Towns vote simultaneously. To select a day other than Town Meeting 2022 for such a vote would require all four affected towns to find a mutually agreeable date, and for each to schedule, properly warn, and hold a special town meeting for the specific purpose of this vote by Australian ballot on that agree-upon date.

If the four affected Towns agree a date and each of their respective Selectboards approves the costs and logistics of holding a special Town Meeting, the Towns could go ahead and hold the required Vote in the time frame which the Town of Lincoln has requested. However, there is no legal requirement to do so, and the not-insubstantial costs and logistics of coordinating and holding four special Town Meetings may well speak against doing so, and in favor of holding the vote at the already-simultaneously-scheduled March 1, 2022 Town Meeting.

/s/Cindy Ellen Hill, Esq.

10/19/21
Kathleen L. Banett
Cindy Hill
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Please obtain Selectboard approval before sharing this document.