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Town of Shaftsbury Municipal Offices at Cole Hall

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Shaftsbury, VT
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September 28th, 2026

Dear North Bennington Board of Water Commissioners,

We acknowledge receipt of your September 2, 2026, letter concerning the increase in the water rate from \$6.50 to \$8.50 per 1,000 gallons and your request that we remit the outstanding balance calculated at the increased rate.

After review, we decline to remit further payment at this time and request clarification and corrective action as set forth below.

It is our understanding that the January 7, 2026, meeting at which the rate increase was approved was not properly warned and lacked a posted agenda, in violation of Vermont's Open Meeting Law, 1 V.S.A. §§ 310–314. We understand, as per your September 2, 2026, meeting minutes, that you are in the process of adopting an Open Meeting Law Policy.

Accordingly, the January 7 meeting minutes cannot constitute valid notice of the rate increase. The March 4, 2026, letter, which was received after delay in delivery, constitutes our first notice of a change in price for a period running 12/1/2025 to 6/1/2026. That is not adequate notice.

Because action taken at an improperly warned meeting is subject to challenge, we dispute the legal validity and enforceability of the rate increase as applied to the invoice at issue.

We therefore request that the North Bennington Water Department accept our prorated payment calculated at the prior rate of \$6.50 per 1,000 gallons for the relevant period.

We further request that the rate increase from \$6.50 to \$8.50 per 1,000 gallons be reintroduced and acted upon, if appropriate, at a duly warned public meeting, and that we receive advance notice of the meeting date.

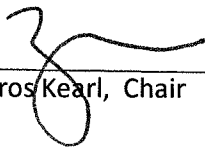
A 30% rate increase is significant, especially in the current economic climate. Shaftsbury residents and water customers are entitled to attend meetings that affect them, including one in which justification for a 30% cost increase is discussed. When a public body routinely neglects to post agendas, it robs the public of the ability to attend meetings in which decisions are made that directly affect them.

Please also provide the North Bennington Water Department budgets for the past five fiscal years.

Please confirm the date of the duly warned meeting at which the rate increase will be reconsidered.

Best,

Shaftsbury Water Board



Zoe Contros Kearn, Chair



Naomi Miller, Vice Chair