

Title 24APPENDIX: Municipal Charters  
Chapter 114E: Town Of East Montpelier

§ 114E-1. Statement of purpose

- (a) Under the authority granted by the General Assembly of the State of Vermont, this chapter modifies the organization and functioning of local Town government in the Town of East Montpelier, Vermont.
- (b) Except when changed by the provisions of this chapter, all provisions of the statutes of the State of Vermont relating to municipalities shall apply to the Town of East Montpelier.
- (c) In this chapter, no mention of a particular power shall be construed to be exclusive or to restrict the scope of the powers which the Town would have if the particular powers were not mentioned, unless this chapter otherwise provides.
- (d) The modifications are intended to accomplish the following goals:
  - (1) to help the Selectboard more effectively exercise its ultimate responsibility for Town affairs;
  - (2) to solve problems that the Town currently has, has had in the past, or might have in the future;
  - (3) to be consistent with democratic control, particularly observing the principle of checks and balances; and
  - (4) to avoid or minimize unintended consequences from the modification; ~~(5) to include changes that can be accomplished only through a charter; and~~
  - ~~(6) to keep the chapter simple. (Added 2013, No. M-13 (Adj. Sess.), § 2, eff. May 2, 2014.)~~

§ 114E-2. ~~Abolished~~ Elected ~~O~~ offices

- ~~(a) (a)~~ The offices of Town Grand Juror, Town Agent, ~~and~~ Trustees of Public Funds, Fence Viewer, Weigher of Coal, and Inspector of Lumber, Shingles, and Wood are abolished, ~~and the~~
- ~~(b) and~~ The functions of Town Grand Juror, Town Agent, and Trustees of Public Funds are assigned to the Selectboard. ~~(b)~~ In performing the duties of the Trustees of Public Funds, the Selectboard shall consult with and have the assistance of the Town Treasurer. (Added 2013, No. M-13 (Adj. Sess.), § 2, eff. May 2, 2014.)

§ 114E-3. Town Treasurer

- ~~(a) (a)~~ The Selectboard shall appoint a Town Treasurer pursuant to § 114E-8 in the manner set forth in this section. The appointee shall be competent in the keeping of records, investments, and accounting, ~~and shall serve at the pleasure of the Selectboard~~. The person chosen need not be a resident or qualified voter of East Montpelier.
- ~~(b)~~ If a vacancy occurs in the office of Town Treasurer, the Selectboard shall appoint an interim treasurer to serve until the process described in § 114E-8 is completed.
- ~~(c)~~ The Selectboard shall appoint an assistant Town Treasurer after consultation with the Town Treasurer.
- ~~(b)(1)~~ Prior to appointing a Town Treasurer and no more than 45 days after the Treasurer position is vacated, the Selectboard shall appoint a committee to review and recommend to the Selectboard qualified candidates for the position of Treasurer.
- ~~(2)~~ The committee shall be composed of two residents, a certified public accountant, and the following town officers: two members of the Selectboard, an auditor, and the Town Clerk. All except the certified public accountant shall be residents of the Town of East Montpelier.

~~(3) The committee shall have the authority to solicit candidates, advertise notice of a vacancy in the Treasurer's position, and to make an investigation of a candidate's credentials and background as the committee deems appropriate. Upon completion of the investigation and interviewing of candidates, the committee shall submit to the Selectboard the names of those candidates deemed qualified for the position.~~

~~(c) No later than 30 days following the submission of the names of candidates deemed qualified by the committee, the Selectboard shall appoint a Treasurer from the candidates recommended by the committee or, if applicable, notify the committee that none of the candidates shall be appointed.~~

~~(d) Members of the committee described in subsection (b) of this section shall serve until a Treasurer is appointed by the Selectboard. Meetings of the committee shall be warned and conducted as public meetings in accordance with the requirements of Vermont statutes and this chapter and the committee shall be entitled to meet in executive session as authorized by 1 V.S.A. § 313.~~

~~(e) Until such time as a Treasurer is appointed pursuant to this section, the Selectboard shall appoint an interim treasurer. (Added 2013, No. M-13 (Adj. Sess.), § 2, eff. May 2, 2014.)~~

#### § 114E-4. Zoning Administrator

A Zoning Administrator shall be nominated by the Planning Commission and appointed by the Selectboard, for a term of one year. ~~The Zoning Administrator may be removed for cause at any time by the Selectboard after consultation with the Planning Commission.~~ (Added 2013, No. M-13 (Adj. Sess.), § 2, eff. May 2, 2014.)

#### §114E-5. Town Clerk

(a) The Selectboard shall appoint a Town Clerk pursuant to § 114E-8. The appointee shall have strong interpersonal skills and shall be competent in the keeping of records. The person chosen need not be a resident of the Town of East Montpelier; preference shall be given to a qualified resident.

(b) If a vacancy occurs in the office of Town Clerk, the Selectboard shall appoint an interim clerk to serve until the process described in § 114E-8 is completed.

(c) The Selectboard shall appoint an assistant Town Clerk after consultation with the Town Clerk

#### §114E-6. Collector of Current Taxes and Collector of Delinquent Taxes

(a) The Selectboard, after consultation with the Town Clerk and Town Treasurer, shall appoint a Collector of Current Taxes and a Collector of Delinquent Taxes. ~~pursuant to § 114E-8. The same person, who may be a current town employee, may be appointed to both positions. The appointees~~ shall have strong interpersonal skills and shall be competent in record keeping, handling money, and accounting. ~~The person person or persons chosen need not be a residents~~ of the Town of East Montpelier; preference shall be given to ~~a~~ qualified residents.

(b) If a vacancy occurs in the office of Collector of Current Taxes or Collector of Delinquent Taxes, the Selectboard shall appoint an interim Collector of Current Taxes or Collector of Delinquent Taxes to serve until the process described in § 114E-~~86(a)~~ is completed.

#### § 114E-7. Terms of Office

(a) The Town Treasurer and his/her assistant, the Zoning Administrator, the Town Clerk and his/her assistant, the Collector of Current Taxes and the Collector of Delinquent Taxes shall be employees of the Town and shall be appointed for one-year terms concurrent with the town's

fiscal year or for such lesser terms as necessary to match the remaining portion of the then-current fiscal year. They may be reappointed, although the Selectboard is under no obligation to do so, and if an incumbent who was selected pursuant to § 114E-8 is to be reappointed, the process in § 114E-8 need not be repeated.

(b) They shall fulfill the statutory requirements for their respective positions plus such other duties as the Selectboard may assign. They shall follow all adopted town ordinances, policies, and procedures applicable to their respective positions.

~~They shall exercise their duties and responsibilities independently unless otherwise provided by law.~~

(c) They shall be subject to the personnel policies of the Town and, during their appointed terms, may be terminated for cause by the Selectboard. The Selectboard shall determine compensation level and methodology.

#### §114E-8. Selection Committee

(a) Prior to appointing a Town Treasurer ~~or, Town Clerk, or Collector of Delinquent Taxes,~~ and no more than 45 days after ~~any~~ either of these positions is vacated, the Selectboard shall appoint a committee to review and recommend to the Selectboard qualified candidate(s) for the vacant position(s).

(b) The committee shall be composed of seven persons: one Selectboard member, three other town officers whose positions work closely with the position being filled, and three other persons. For the position of Town Treasurer, a Certified Public Accountant shall be on the committee. All except the Certified Public Accountant and any non-resident officers shall be residents of the Town of East Montpelier.

(c) ~~The committee~~ Selectboard shall ~~have the authority to~~ solicit candidates and, advertise notice of the vacant position. ~~The committee shall have the responsibility and~~ to investigate a candidate's credentials and background as the committee deems appropriate. Upon completion of the investigation and interviewing of candidates, the committee shall submit to the Selectboard the name(s) of those candidate(s) deemed qualified for the position.

(d) No later than 30 days following the submission of the names of candidate(s) deemed qualified by the committee, the Selectboard shall appoint a Town Treasurer ~~or, Town Clerk, or Collector of Delinquent Taxes~~ from the candidate(s) recommended by the committee or, if applicable, notify the committee that none of the candidate(s) shall be appointed and direct the committee to renew its search.

(e) Members of the committee described in subsection (b) of this section shall serve until any vacancy is filled by appointment by the Selectboard. Meetings of the committee shall be warned and conducted as public meetings in accordance with the requirements of Vermont statutes and this chapter, and the committee shall be entitled to meet in executive session as authorized in 1 VSA § 313.

#### § 114E-59. Separability

If any provision of this chapter is held invalid, the other provisions of the chapter shall not be affected thereby. If the application of the chapter or any of its provisions to any person or circumstances is held invalid, the application of this chapter and its provisions to other persons or circumstances shall not be affected thereby. (Added 2013, No. M-13 (Adj. Sess.), § 2, eff. May 2, 2014.)