

# **The Vermont Statutes Online**

## **Title 24 Appendix: 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. (Added 2013, No. M-13 (Adj. Sess.), § 2, eff. May 2, 2014; amended 2017, No. M-12, § 2, eff. June 5, 2017.)

#### **§ 114E-2. Abolished offices**

(a) The offices of Town Grand Juror; Town Agent; Trustees of Public Funds; Fence Viewer; Weigher of Coal; and Inspector of Lumber, Shingles, and Wood are abolished.

(b) The functions of Town Grand Juror, Town Agent, and Trustees of Public Funds are assigned to the Selectboard. 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; amended 2017, No. M-12, § 2, eff. June 5, 2017.)

### **§ 114E-3. Town Treasurer**

(a) The Selectboard shall appoint a Town Treasurer pursuant to section 8 of this chapter. The appointee shall be competent in the keeping of records, investments, and accounting. The person chosen need not be a resident or qualified voter of the Town.

(b) If a vacancy occurs in the office of the Town Treasurer, the Selectboard shall appoint an interim treasurer to serve until the process described in section 8 of this chapter is completed.

(c) The Selectboard shall appoint an Assistant Town Treasurer after consultation with the Town Treasurer. (Added 2013, No. M-13 (Adj. Sess.), § 2, eff. May 2, 2014; amended 2017, No. M-12, § 2, eff. June 5, 2017.)

### **§ 114E-4. Zoning Administrator**

A Zoning Administrator shall be nominated by the Planning Commission and appointed by the Selectboard. (Added 2013, No. M-13 (Adj. Sess.), § 2, eff. May 2, 2014; amended 2017, No. M-12, § 2, eff. June 5, 2017.)

### **§ 114E-5. Town Clerk**

(a) The Selectboard shall appoint a Town Clerk pursuant to section 8 of this chapter. 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; 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 section 8 of this chapter is completed.

(c) The Selectboard shall appoint an Assistant Town Clerk after consultation with the Town Clerk. (Added 2017, No. M-12, § 2, eff. June 5, 2017.)

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

(a) The Selectboard shall appoint a Collector of Current Taxes and a Collector of Delinquent Taxes. 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 or persons chosen need not be residents of the Town; preference shall be given to 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 subsection (a) of this section is completed. (Added 2017, No. M-12, § 2, eff. June 5, 2017.)

### **§ 114E-7. Appointed officers; terms of office; duties**

The Town Treasurer and his or her assistant, the Zoning Administrator, the Town Clerk and his or her assistant, the Collector of Current Taxes, and the Collector of Delinquent Taxes shall:

(1) 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 section 8 of this chapter is to be reappointed, the process in section 8 of this chapter need not be repeated.

(2) 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.

(3) 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. (Added 2017, No. M-12, § 2, eff. June 5, 2017.)

### **§ 114E-8. Selection Committee**

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

(b)(1) The Committee shall be composed of seven persons:

(A) one Selectboard member;

(B) three other Town officers whose positions work closely with the position being filled; and

(C) three other persons.

(2) For the position of Town Treasurer, a certified public accountant shall be on the Committee. All except the certified public accountant and any nonresident officers shall be residents of the Town.

(c) The Selectboard shall solicit candidates and advertise notice of the vacant position. The Committee shall have the responsibility 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 names of those candidates deemed qualified for the position.

(d) No later than 30 days following the submission of the names of candidates deemed qualified by the Committee, the Selectboard shall appoint a Town Treasurer or Town Clerk from the candidates recommended by the Committee or, if applicable, notify the Committee that none of the candidates 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 law and this chapter, and the Committee shall be entitled to meet in executive session as authorized in 1 V.S.A. § 313. (Added 2017, No. M-12, § 2, eff. June 5, 2017.)

### **§ 114E-9. 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.)