

1 H.888  
2 Introduced by Representatives Hubert of Milton, Turner of Milton, Johnson of  
3 South Hero, and Krebs of South Hero  
4 Referred to Committee on  
5 Date:  
6 Subject: Municipal government; municipal charters; Town of Milton;  
7 amendment  
8 Statement of purpose of bill as introduced: This bill proposes to approve  
9 amendments to the charter of the Town of Milton.

10 An act relating to approval of amendments to the charter of the Town of  
11 Milton

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. CHARTER AMENDMENT APPROVAL

14 The General Assembly approves the amendments to the charter of the Town  
15 of Milton as set forth in this act. Proposals of amendment were approved by  
16 the voters on March 4, 2014.

Sec. 2. 24 App. V.S.A. chapter 129 is amended to read:

CHAPTER 129. TOWN OF MILTON

\* \* \*

§ 202. ELECTIVE OFFICERS

(a) The officers elected at its Annual Meeting shall be:

(1) Five selectpersons

(2) Town Clerk

(3) Town Treasurer

(4) ~~Three listers~~

~~(5)~~ Moderator

~~(6)~~ Grand Juror

~~(7)~~ Town Agent

~~(8)~~(5) Five library trustees

~~(9)~~(6) Five school trustees

~~(10)~~(7) CWD Representative

\* \* \*

(d) Termination.

(1) When an elected officer specified in subsection (a) of this section

~~202(a)(1) through (10) of this chapter~~ resigns, becomes domiciled in another

~~Town town~~, dies, or is removed by ~~Recall~~ recall, his or her office shall become

vacant and the Selectboard, in the case of the Town, and the school trustees, in

1 the case of the school, shall appoint an eligible person to fill the vacancy until  
2 the next legally warned Town or school meeting. The person ~~elected~~  
3 appointed shall serve until his or her predecessor's term expires.

4 (2) If more than one vacancy occurs on the Selectboard or Board of  
5 School Trustees at the same time, then the respective board shall call a special  
6 election to fill the vacancies.

7 § 203. TERMS OF ELECTED OFFICES

8 \* \* \*

9 ~~(d) The Board of Listers shall consist of three members. One shall be~~  
10 ~~elected each year for a three-year term.~~

11 ~~(e)~~ The Moderator shall be elected for a one-year term.

12 ~~(f) The Grand Juror shall be elected for a one-year term.~~

13 ~~(g) Town Agent shall be elected for a one-year term.~~

14 ~~(h)~~(e) The Library trustees Board shall consist of five ~~members~~ trustees.  
15 ~~One member shall be elected each year for a five-year term. Two trustees shall~~  
16 ~~be elected for a two-year term and three trustees shall be elected for a~~  
17 ~~three-year term.~~

18 ~~(i)~~(f) School trustees.

19 \* \* \*

20 ~~(j)~~(g) Champlain Water District Representative shall be elected for a  
21 three-year term or as prescribed by the Champlain Water District charter.

§ 204. DUTIES OF ELECTED OFFICERS

\* \* \*

(d) ~~Board of Listers.~~

~~(1) The Board of Listers shall perform all duties as prescribed by the Vermont State statutes and this charter.~~

~~(2) The Board of Listers may appoint an appraiser to help perform their duties. The appraiser shall be under the direction of the Board of Listers who shall delegate the appraiser's duties and responsibilities and said appraiser shall adhere to all personnel rules and regulations of the Town of Milton.~~

[Repealed.]

\* \* \*

~~(f) Grand Juror. The Grand Juror shall perform all duties as required by Vermont State statutes and this charter. [Repealed.]~~

~~(g) Town Agent. The Town Agent shall perform all duties required by Vermont State statutes and this charter. [Repealed.]~~

(h) Library trustees. The Library Trustees shall perform all duties required by Vermont State statutes and this charter, except the Library Board shall follow the administrative code and policies identified in the preamble of the administrative code. Any changes or additions to policies identified in the preamble shall require an affirmative vote of the Selectboard and the Library Board in order to be applicable to the Library.

\* \* \*

§ 306. APPOINTED OFFICERS

(a) The Selectboard shall appoint:

- (1) Planning Commission
- (2) Zoning Board of Adjustment
- (3) Cemetery Commission
- (4) Chittenden County Regional Planning
- (5) Chittenden Regional Solid Waste
- (6) Civil Defense Director

(b) The Selectboard may appoint such additional commissions or committees as they feel to be in the best interest of the Town:

- (1) Fire Warden
- (2) Collector of Taxes
- (3) Tree Warden
- (4) Constable

\* \* \*

(d) When the term of any office set forth in section 306 of this charter subsection (a) or (b) of this section expires or the office becomes vacant, the Selectboard shall cause to be posted in four ~~(4)~~ or more public places in the Town a notice of the expiration of the term and vacancy.

(1) Any qualified voter of the Town may within 10 business days of the posting of said notice submit their name to the Selectboard as an applicant for the expired term or vacancy. At the expiration of the 10 business days from the date of the posting the names of all applicants shall be entered into the Selectboard's minutes.

6 (2) The Selectboard may readvertise any expired term or vacancy.

(e) The Selectboard shall appoint the following officers ~~in~~ using the same manner used in subsections (c) and (d) of this section, however, if a qualified person is not found within the qualified voters of the Town, the Board may select the best qualified applicant procedure specified in the Town's administrative code for employees or vendors engaged by the Town on a contract basis.

- 13                   (1) Zoning Administrator
- 14                   (2) Health Officer
- 15                   (3) Town Attorney/Town Agent
- 16                   (4) Pound Keeper
- 17                   (5) Planning Director

18 \* \* \*

19           § 1006. AMOUNT TO BE RAISED BY TAXATION

(a) Upon passage of the budget by vote of the Town, the amounts stated therein as the amounts to be raised by property taxes shall constitute

determination of the amount of the levy for the purpose of the Town in the corresponding tax year and the Selectboard shall levy such taxes on the grand list furnished by the ~~listers~~ assessor for the corresponding tax year.

(b) If the voters do not approve a Town ~~or school fails to adopt a~~ budget by the first day of ~~its~~ the next fiscal year, the tax rate of the previous year will prevail.

\* \* \*

Sec. 3. TRANSITIONAL PROVISION; ELIMINATION OF ELECTED  
OFFICES

Notwithstanding the provisions of Sec. 2, 24 App. V.S.A. chapter 129, § 202(a) that eliminate the elected offices of Lister, Grand Juror, and Town Agent, any incumbents in those offices immediately prior to the effective date of that section shall be permitted to serve the remainder of the term of that elected office.

Sec. 4. TRANSITIONAL PROVISION; TERMS OF LIBRARY TRUSTEES

Notwithstanding the provisions of Sec. 2, 24 App. V.S.A. chapter 129, § 203(e) that amend the terms of the trustees on the Library Board, the following terms of the trustees in effect immediately prior to the effective date of that section shall expire and be replaced as follows:

(1) The five-year term that expires in March 2015 shall become a three-year term thereafter.

1           (2) The five-year term that expires in March 2016 shall become a  
2           three-year term thereafter.

3           (3) The five-year term that expires in March 2017 shall become a  
4           three-year term thereafter.

5           (4) The five-year term that expires in March 2018 shall become a  
6           two-year term thereafter.

7           (5) The five-year term that expires in March 2019 shall become a  
8           two-year term thereafter.

9           Sec. 5. EFFECTIVE DATE

10          This act shall take effect on passage.