

1 H.508

2 Introduced by Representatives Nuovo of Middlebury and Sheldon of
3 Middlebury

4 Referred to Committee on

5 Date:

6 Subject: Municipal government; municipal charters; Town of Middlebury;
7 amendments

8 Statement of purpose of bill as introduced: This bill proposes to approve the
9 amendments to the charter of the Town of Middlebury.

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

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 amendment to the charter of the Town
15 of Middlebury as set forth in this act. The voters approved the proposals of
16 amendments on April 28, 2015.

17 Sec. 2. 24 App. V.S.A. chapter 127 is amended to read:

18 CHAPTER 127. TOWN OF MIDDLEBURY

19 * * *

20 Subchapter 3. Officers

1 * * *

2 § 302. ELECTIVE OFFICERS

3 (a) The officers elected by the Town at its annual meeting shall be:

4 * * *

5 (5) Three auditors, unless the Town has voted to eliminate the office of
6 auditor pursuant to 17 V.S.A. § 2651b.

7 * * *

8 § 304. OTHER ELECTIVE OFFICERS

9 * * *

10 (b) The three auditors shall be elected in the same manner as described for
11 the Board of Listers, in subdivision (a)(1) of this section, unless the Town has
12 voted to eliminate the Office of Auditor pursuant to 17 V.S.A. § 2651b.

13 (1) The elected auditors shall be responsible for establishing and
14 approving an independent municipal audit by a registered or certified public
15 accountant. Such independent audit shall be required at least once a year.

16 (2) The auditors' duties shall otherwise be as established in
17 24 V.S.A. §§ 1681-1691.

18 (3) Notwithstanding anything to the contrary in 17 V.S.A. § 2651b(c),
19 the Town may vote by ballot at an annual meeting, pursuant to
20 17 V.S.A. § 2651b(a), to eliminate the Office of Town Auditor. If the Town
21 votes to eliminate the Office of Auditor, the duties formerly carried out by the

1 auditors shall be carried out in accordance with 17 V.S.A. § 2651b(a) and any
2 other applicable statutes.

3 * * *

4 Subchapter 5. ~~Selectmen~~ Selectboard

5 * * *

6 § 506. COMPENSATION

7 (a) The auditors shall fix the compensation of the ~~selectmen~~ members of
8 the Selectboard, unless the Town has voted to eliminate the Office of Auditor
9 pursuant to 17 V.S.A. § 2651b, in which case the Town may fix the
10 compensation of the members of the Selectboard at an annual meeting. If the
11 Town has voted to eliminate the Office of Auditor and the voters fail to fix the
12 Selectboard's compensation, the members of the Selectboard shall be
13 compensated at the rate at which they were compensated during the
14 immediately preceding year.

15 (b) Except as provided in sections 506(a) and 704(1) of this ~~charter~~ chapter,
16 the ~~selectmen~~ Selectboard shall fix the compensation of all elected officers and
17 all officers appointed by them. An elected official may notify the ~~selectmen~~
18 Selectboard in writing, at least 50 days before the annual meeting, that ~~he/she~~
19 he or she wishes ~~his/her~~ his or her compensation fixed by the Town, and the
20 ~~selectmen~~ Selectboard shall insert an article in the warning to that effect. If so
21 warned, the Town may fix the compensation of that elected official for the

1 balance of ~~his/her~~ his or her term of office or for such shorter period as the
2 Town may vote.

3 * * *

4 Sec. 3. EFFECTIVE DATE

5 This act shall take effect on passage.