

No. M-18. An act relating to approval of amendments to the charter of the town of Windsor and to an amendment to the charter of the North Bennington graded school district.

(H.786)

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

Sec. 1. CHARTER APPROVAL

The general assembly approves the amendments to the charter of the town of Windsor as set forth in this act. Proposals of amendment were approved by the voters on March 6, 2012.

Sec. 2. 24 App. V.S.A. chapter 157 is amended to read:

CHAPTER 157. TOWN OF WINDSOR

* * *

Subchapter 3. Elected Officers

§ 11. ELECTED OFFICERS

(a) The following officers shall be elected by the voters of the town of Windsor, and voting for all such officers shall be by Australian ballot:

- (1) five selectboard members
- (2) one town clerk
- (3) one town treasurer
- (4) one moderator
- (5) three listers

(6) ~~three auditors~~ [Repealed.]

(7) three trustees of public funds

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(e) ~~An auditor shall not be town clerk, town treasurer, member of the selectboard, constable, collector of taxes, trustee of public funds, town administrator, road commissioner, or town district school director; nor shall a spouse of or any person assisting any of these officers in the discharge of their official duties be eligible to hold office as auditor. A member of the selectboard shall not be a lister or an employee of the town. A town administrator shall not hold any elected office in the town government.~~

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§ 13. AUDITORS

~~Auditors shall be elected for terms of three years, with one elected each year. They shall be responsible for the proper financial accountability of the town by ensuring that an annual audit is done by an independent professional auditing firm hired by the selectboard and may be assigned other financially related duties by the selectboard or town administrator. [Repealed.]~~

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§ 23. APPROPRIATIONS

(a) All amounts specified in the budget and approved by the voters at the annual town meeting are appropriated for the purposes specified. The

selectboard may transfer appropriated amounts between general classifications of expenditures. All unexpended and unencumbered appropriations, except appropriations for capital expenditures and reserve accounts, shall lapse at the close of the fiscal year or, by action of the selectboard, may be placed in a capital reserve fund.

(b) The majority of the selectboard shall sign the orders at each regularly scheduled meeting.

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§ 29. APPOINTED OFFICERS

(a) The selectboard, by a majority vote, shall appoint the following town officers for the terms indicated:

(1) town attorney for a term of one year, to fulfill the duties prescribed by law for the grand juror and town agent of a town, except as provided in subsection 14(f) of this chapter, and perform such other duties as may be requested by the selectboard, or the town administrator.

(2) town service officer, a dog control officer, assistant town treasurer, assistant town clerk, and a health officer for a term of one year.

(3) ~~zoning administrator for a one year term.~~ [Repealed.]

(4) a development review board of not ~~less~~ fewer than five nor more than nine members, the length of the terms of the board members, not to exceed three years, shall be established at the time of appointment of the

individual board member by the selectboard, and two alternates with one-year terms. Any vacancy prior to the expiration of the term of the prior holder shall be for the unexpired term of the holder. Any member may be removed by the selectboard at any time for cause upon written charges and after a public hearing.

(5) a planning commission of not less ~~fewer~~ than three nor more than nine members, the length of the terms of the members, not to exceed three years, shall be established at the time of the appointment of the individual member by the selectboard. Any vacancy prior to the expiration of the term of the prior holder shall be for the unexpired term of the holder. Any member may be removed by the selectboard at any time by unanimous vote of the selectboard.

(6) regional planning commissioner, and one alternate for one year.

(7) town assessor for a term of one year, who may be a full-time lister.

(8) custodial officer for the Vermont judicial bureau and an issuing official for a term of one ~~(1)~~ year.

(9) A constable may be appointed for a ~~one (1) year~~ one-year term by the selectboard. The constable's training and duties shall be set by the selectboard. The constable shall be subject to the comprehensive personnel plan of the town of Windsor.

(10) One or more tree wardens for a term of one year per tree warden.

(11) Other special committees as needed.

(b) A vacancy in any appointed office may be filled for the duration of the unexpired term by the selectboard.

(c) When it becomes necessary to make appointments to any office or position created by this charter, ordinance, or bylaws, the selectboard shall give notice in a newspaper of general circulation within the town specifying positions open for which appointment will be made so that interested persons may apply. Nothing in this section shall prohibit the reappointment by the selectboard of an incumbent in an appointed office.

(d) The offices of fence viewer, grand juror, inspector of lumber, weigher of coal, second constable, and auditor are all abolished. Except as otherwise provided in this charter, the selectboard or its designee, shall exercise the powers, duties, and responsibilities of any of the offices abolished in this section in the event that the need should arise.

(e) The town manager, with the advice and consent of the selectboard, shall appoint a zoning administrator for a one-year term.

§ 30. COMPENSATION AND FEES

(a) The town meeting shall annually vote the compensation to be paid to the following officers:

(1) selectboard

(2) ~~auditors~~ [Repealed.]

(3) moderator

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Sec. 3. 16 App. V.S.A. chapter 15 is amended to read:

CHAPTER 15. NORTH BENNINGTON GRADED
SCHOOL DISTRICT

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§ 15-2. PRUDENTIAL COMMITTEE

The prudential committee shall consist of ~~three~~ five persons, and at the annual meeting of the district, vacancies occasioned by the expiration of the term of office of members of the committee shall be filled by the election of members for the term of three years each; and ~~that~~ all vacancies on the committee caused by resignation, death, removal from the district, or other cause shall be filled at an annual or special meeting warned for that purpose for the unexpired term of such members only.

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Sec. 4. EFFECTIVE DATE

This act shall take effect on passage.

Approved: May 9, 2012