

1 **§ 123A-101. Incorporated**

2 The inhabitants of the town of Hartford, including the historical, unincorporated villages of  
3 Hartford, West Hartford, Quechee, Wilder, and White River Junction, are a corporate and  
4 political body under the name of "town of Hartford" (herein called "the town"). As such,  
5 inhabitants enjoy all rights, immunities, powers, and privileges and are subject to all the duties  
6 and liabilities now appertaining to or incumbent upon them as a municipal corporation. The  
7 Hartford school district (herein called "the school district") is the town school district for the town  
8 of Hartford and shall enjoy all rights, immunities, powers, and privileges ~~are and is~~ subject to all  
9 the duties and liabilities now appertaining to or incumbent upon it as a state school district.

10 **§ 123A-102. General powers**

11 (a) All provisions of the Constitution and Laws of the State of Vermont relating to towns, and  
12 town school districts ~~villages and school districts~~ shall apply to the town and the school district,  
13 except as otherwise provided by this in this Chapter 123A (herein called the Charter). ~~chapter.~~

14 (b) The town and school district shall have and enjoy the rights, immunities, powers and  
15 privileges conferred by ~~all the powers and functions conferred upon towns and school districts by~~  
16 the Constitution and Laws of the State of Vermont and shall also have all implied, necessary, and  
17 incidental powers for the discharge of their respective purposes. ~~necessary to implement those~~  
18 ~~powers and functions.~~

19 (c) The powers and functions ~~conferred upon~~ of the town and school district by set forth in this  
20 ~~chapter~~ Charter shall ~~be separate and be~~ be in addition to the powers and functions otherwise  
21 conferred by the Constitution and laws of the State of Vermont upon the town and school district  
22 by laws now in force or hereafter enacted. Nothing in this ~~chapter~~ Charter shall be construed as a  
23 limitation upon these previously specified powers and functions.

24 (d) The town or school district may acquire real property for any town or school district purpose,  
25 in fee simple or lesser interest or estate, by purchase, gift, devise, or lease, and may sell, lease,  
26 hold, manage, and control real property as its interests may require. The town or school district  
27 may further acquire property ~~within its legal limits~~ by condemnation where that authority is  
28 granted to towns and or school districts by state statutes. ~~A petition for rescission shall be filed~~  
29 ~~within 10 days from the posting of approved Selectboard or School Board minutes related to the~~  
30 ~~property decision, and the petition shall be signed by no less than 350 registered voters.~~

31 (e) In this ~~charter~~ Charter, no mention of a particular power shall be construed to be exclusive or  
32 to restrict the scope of the powers ~~which that~~ the town or school district would have if the  
33 particular power were not mentioned. The Selectboard and the School Board shall operate as  
34 separate and independent entities. Nothing in this ~~chapter~~ Charter shall be interpreted as allowing  
35 either one to exercise, inhibit, or infringe upon the rights, powers, or privileges of the other.

36 **§ 123A-103. Particular powers**

37 In addition to powers otherwise conferred upon it by law, the town is, for the purpose of  
38 promoting the public health, safety, welfare, and convenience, authorized to adopt and enforce  
39 ordinances, rules and regulations concerning:

- 40 | (1) ~~Adopt and enforce policies relating to the m~~Making and installation~~ing of~~ local  
41 | improvements, including curbs, sidewalks, and storm drains in a manner specified by the town as  
42 | a condition precedent to the issuance of a building permit.
- 43 | (2) ~~Adopt and enforce policies r~~Regulating the parking, operation, and speed of motor vehicles  
44 | upon town and Vermont state aid streets and highways.
- 45 | (3) ~~Adopt and enforce policies r~~ Regulating or providing for the storage, accumulation,  
46 | collection, removal, and disposal of garbage, ashes, rubbish, refuse and other waste materials,  
47 | including contracting with third parties for any or all of such services, and establishing service  
48 | rates for such services. elating to: regulations, licensing, or prohibition of the storage and  
49 | accumulation of garbage, ashes, rubbish, refuse, and waste materials; the regulation of the  
50 | removal and disposal of those materials; licensing for revenue and regulation or prohibition of the  
51 | collection, removal, and disposal of those materials; the collection and removal of those materials  
52 | by the town either by contract or by a town officer or department now existing or created for that  
53 | purpose; and the establishment of service rates to be paid to the town for those services.
- 54 | (4) Establishing and maintaining a police department and adopt policies pertaining to that  
55 | department.
- 56 | (5) Establishing and maintaining a fire department and adopt policies pertaining to that  
57 | department.
- 58 | (6) Establishing and maintaining an ambulance service and adopt policies pertaining to that  
59 | service.
- 60 | (7) Establishing and maintaining a water department financed by an enterprise fund and adopt  
61 | policies pertaining to that department.
- 62 | (8) Establishing and maintaining a wastewater department financed by an enterprise fund and  
63 | adopt policies pertaining to that department.
- 64 | (9) Establishing and maintaining a highway department and adopt policies pertaining to that  
65 | department.
- 66 | (10) Regulateing the moving of buildings in the streets or public highways of the town.
- 67 | (11) Regulateing the holding of public meetings in the streets, highways, or on public property of  
68 | the town.
- 69 | (12) Regulateing riots, noises, disturbances, and disorderly assembly and adopt pertinent policies.
- 70 | (13) Establishing and maintaining control of domestic animals within the town and adopt  
71 | pertinent policies.
- 72 | (14) Establishing and maintaining a financial services department.
- 73 | (15) Establishing and maintaining a planning and development department.
- 74 | (16) Establishing and maintaining a park and recreation department.

75 | (17) Establishing and maintaining any other proper and lawful town departments or services as  
76 | deemed necessary, including the establishment of enterprise funds.

77 | **§ 123A-201. Town meeting**

78 | (a) Town ~~operational~~ and school district meeting. All governmental authority for the town ~~of~~  
79 | ~~Hartford~~ and the ~~Hartford~~ school district not vested by law in a particular town or town school  
80 | district officer ultimately rests with town voters ~~within the boundaries of the town~~ who exercise  
81 | their duty and power ~~vote~~ at town meeting and or by Australian ballot ~~election~~. In this tradition,  
82 | the Hartford annual town meeting will combine and consider town ~~operational~~ and school district  
83 | matters, and the warnings, meetings, and elections ~~into a single entity~~ shall be combined.

84 | (b) School & Town Meeting Committee. ~~Standing town/school district meeting committee. To~~  
85 | augment the statutory responsibilities for the annual town and school district meetings that are  
86 | specified to the Town and the School District and their respective officers, there shall be a School  
87 | & Town Meeting Committee, which shall organize, arrange, and provide for the Responsibility  
88 | for organization, (including comfort, presentation, publicity, program, refreshments,  
89 | entertainment, and other non-statutory aspects) of the, budget discussion/candidates night  
90 | meeting (hereafter referred to as Pre-Town Meeting) and the combined town/school district  
91 | meeting (hereafter referred to as the Floor Meeting.), ~~other than as stated in this chapter and state~~  
92 | ~~statute, shall rest with a committee of five registered voters of the town. The Town Clerk shall~~  
93 | appoint one member for a two year term. The Selectboard shall appoint one member for a two  
94 | year term and one member for a three year term. The School Board shall appoint one member for  
95 | a two year term and one member for a three year term. No School Board member, Selectboard  
96 | member, or Town Clerk may serve on the School & Town Meeting Committee. Appointing  
97 | authority by: Town Clerk one for two years; Selectboard one for two years, one for three years;  
98 | School District one for two years, one for three years. The appointing authority may work with  
99 | the committee but may not self appoint. Each appointing body or person shall have the power to  
100 | remove any incumbent member of the School & Town Meeting Committee appointed by such  
101 | body or person and shall have the power to appoint a replacement member to serve the unexpired  
102 | term of any person removed or who resigns.

103 | (c) The method for identification and designation of eligible voters in the town and school district  
104 | shall be established by the Board of Civil Authority.

105 | (d) Polling places. Locations of annual or special town or school district meetings for the purpose  
106 | of election of officers and voting all questions to be decided by Australian ballot shall be  
107 | established by the Board of Civil Authority.

108 | (e) Meetings, dates, times, votes, ballots:

109 | (1) ~~Budget discussion/candidates night meeting~~ Pre-Town Meeting. At 7 p.m. On the last-final  
110 | Monday night in February that meets the statutory warning requirement for the Town Meeting  
111 | day Australian ballot vote, at 7:00 p.m. at a place determined by the ~~town and school district~~  
112 | ~~meeting committee~~ School & Town Meeting Committee, a town and school district budget  
113 | discussion and candidates night meeting shall be called for the purpose of:

114 | (A) presentation, explanation of, and citizen comment upon town and school district budgets;

115 | (B) introduction of candidates, presentations by candidates, and opportunity for citizen  
116 | questioning of candidates;

117 | (C) any other appropriate informational matters or discussion of articles to be voted on by  
118 | Australian ballot.

119 | (2) Australian ballot/election day. Australian ballot/election day shall be on Vermont Town  
120 | Meeting Day, the first Tuesday ~~after the 1st Monday~~ in March, at which time any business,  
121 | budgets, and candidate election involving Australian ballots will be transacted beginning at 7 a.m.  
122 | until closing at 7 p.m. The town ~~operational~~ budget as warned by the Selectboard and the school  
123 | district budget as warned by the ~~school district~~ School Board shall be submitted to the electorate at  
124 | this town election. A majority vote shall be ~~the a simple~~ majority of votes cast in this election.  
125 | Under this subdivision:

126 | (A) The time and place of a recount or a new vote on any question (other than town and school  
127 | district budgets) shall be determined by the Board of Civil Authority preceded by warning notice  
128 | and public hearing. A tie vote ~~for on~~ town ~~and or~~ school district budgets shall be deemed to be a  
129 | negative vote and reconsideration of any defeated budget (interpreted as a "no" vote by Robert's  
130 | Rules of Order, Newly Revised) shall ~~be determined pursuant to~~ proceed as provided in  
131 | subdivision (3) of this subsection.

132 | (B) Absentee ballots shall be available ~~30 days~~ prior to the election as provided by Vermont and  
133 | Federal election laws and may be mailed or otherwise delivered to a voter, upon a voter's request,  
134 | and when completed by the voter, mailed or otherwise delivered to the Town Clerk. hand-carried  
135 | by voter, or the voter also may vote by absentee ballot by completing the ballot in the Town  
136 | Clerk's office. If an absentee ballot is hand delivered to a voter requiring assistance, then delivery  
137 | and assistance shall be provided by not less than A team of two Board of Civil Authority  
138 | members from different political parties may take a ballot to a voter in the voter's home or health  
139 | care facility if he or she needs assistance voting acting together. Ballots Any absentee ballots shall  
140 | ~~be~~ returned to the Town Clerk by the close of polls on election day ~~and shall be counted along~~  
141 | with all other ballots.

142 | (3) ~~Annual town/school district meeting~~ Floor Meeting. The annual town and school district Floor  
143 | mMeeting shall be called for the ~~first fourth Monday Saturday night four full weeks~~  
144 | after following the Australian ballot/election day held under subdivision (2) of this subsection. If  
145 | the town or school district budget fails in the Australian ballot, deciding votes at the ~~annual town~~  
146 | ~~and school district~~ Floor Mmeeting shall provide a further opportunity for consideration of any  
147 | rejected budget and a final vote by the town voters. be according to Robert's Rules of Order,  
148 | Newly Revised and state statute. In addition to budget votes, the ~~town and school district~~  
149 | ~~meeting~~ Floor Meeting shall may consider:

150 | (A) the state of the town and of the school district;

151 | (B) long-range planning, capital improvement projections;

152 | (C) other business not determined at Australian ballot election.

153 | (f) Special town and school district meetings. A special town or school district meeting may be  
154 | called at any time by a majority of the applicable board or; by ~~the decree of~~ the Town Clerk upon  
155 | receipt of a petition signed by no less than 350 registered voters. A special town or school district

156 meeting, ~~called within 30 days of receipt of the filed petition, shall be held within 30 days from~~  
157 ~~the date of the official call to meeting and warned 10 days prior to the meeting shall be called and~~  
158 ~~warned in accordance with state statute.~~

159 (g) Warnings. Warnings for town or school district meetings shall be posted on the town or  
160 school district websites, printed in area newspapers, and posted in at least 12 public places in the  
161 town ~~at least 40 or not less than 30 days before town meeting under a schedule that is in~~  
162 ~~accordance with state statute.~~ The warning shall be signed and recorded by the Town Clerk  
163 before it is posted. Budgets and other applicable reports shall be available not later than 10 days  
164 prior to the budget informational meeting as established under subdivision (e)(1) of this section.

165 (h) Presiding officials:

166 (1) A Moderator shall preside at ~~town and school district budget discussion and candidates night~~  
167 ~~meetings~~ Pre-Town Meeting, ~~annual town and school district meeting~~ the Floor Meeting, and any  
168 special town or school district meetings. In the Moderator's absence, the Town Clerk shall ~~call the~~  
169 ~~meeting to order and the first order of business shall be the election of~~ appoint a moderator pro  
170 tempore to preside for the duration of the meeting.

171 (2) Town and school district meetings shall be conducted in accordance with state statute, this  
172 ~~chapter~~ Charter, and Robert's Rules of Order, Newly Revised.

173 (3) The Town Clerk shall be the presiding official at all Australian ballot elections and, in  
174 cooperation with the Board of Civil Authority, shall ensure that all laws related to elections are  
175 faithfully observed.

176 (4) In the absence or a disability of the Town Clerk, should it occur before an election, the Board  
177 of Civil Authority shall designate an ~~acting clerk~~ presiding official for the duration of the election.  
178 Should the absence or disability occur on election day, the Board of Civil Authority shall  
179 designate an on-site temporary officer to preside for the duration of the election.

180 **§ 123A-202. Elected officers**

181 (a) Local elected offices to be filled by the town voters ~~of the town~~ shall be only those articulated  
182 by this ~~chapter~~ Charter.

183 (b) Terms for elected officers shall begin officially when the Town Clerk certifies election returns  
184 as final and the elected candidates take their oath of allegiance and oath of office as prescribed by  
185 state statute.

186 (c) All officers elected prior to the effective date of this ~~chapter~~ Charter shall remain in office until  
187 the end of their terms. Those persons in office as of the effective date of this ~~chapter~~ Charter  
188 whose terms would otherwise expire prior to the next annual meeting shall remain in office until  
189 that meeting.

190 (d) Qualifications for serving in elected office:

191 (1) shall be a resident of the town;

192 (2) shall be a registered voter in the town;

193 (3) shall hold no other elected town, ~~or~~ school district, or statutorily incompatible office, with the  
194 exception of Moderator, who may be both the town ~~operational~~ and school district moderator;

195 (4) shall not be a town or school district employee.

196 (e) The elected officers of the town shall be:

197 (1) seven Selectboard members, elected as set forth in section 203 of this ~~chapter~~Charter;

198 (2) one Moderator, elected for a one-year term;

199 (3) ~~one a~~ Town Clerk, elected for a three-year term;

200 (4) three Listers, one elected each year for three years;

201 ~~(5) five town library trustees, one elected each year for five years;~~

202 (5) a town treasurer, elected for a three-year term;

203 (6) three trustees of public funds, one elected each year for three years;

204 ~~(67)~~ all others town officers provided as set forth in this ~~chapter~~Charter or state statute.

205 (f) The elected officers of the school district shall be:

206 (1) one Moderator, elected for a one-year term;

207 (2) five School Board members, elected in accordance with state statute.

208 (g) The elected Board of Civil Authority shall consist of 15 justices of the peace, elected every  
209 two years in accordance with ~~state statute at November elections~~the general law. The Town Clerk  
210 shall be the clerk of the Board of Civil Authority. The duties performed by the Board of Civil  
211 Authority shall be in accordance with state statute.

212 (h) Compensation for elected officers of the town and school district shall be determined by vote  
213 at the annual town and school district meeting as a separate item in the annual town and school  
214 district budgets.

215 **§ 123A-203. Duties of elected officers**

216 (a) Selectboard.

217 (1) Terms of office:

218 (A) There shall be a Selectboard consisting of seven members.

219 (B) Terms of office shall be as follows:

220 (i) Four members ~~shall serve~~ for three years;

221 (ii) Three members ~~shall serve~~ for two years.

222 (C) Members shall serve until successors are elected and qualified.

223 (D) Members shall be elected at large.

224 (E) In the event of a death, resignation, change of residence to a location outside the town, or  
225 incapacity of any Selectboard member, the remaining members may appoint a person eligible to  
226 fill that position until the next annual or special town meeting. If the Selectboard is unable to  
227 agree upon an interim replacement until the next annual town meeting, a special election shall be  
228 held forthwith to fill the position.

229 (i) Incapacity shall include the failure by any member of the Selectboard to attend at least 70  
230 percent of the meetings in any 12-month period or missing three consecutive meetings without  
231 the consent of the Selectboard.

232 (ii) In the event of two or more vacancies, an election shall be held forthwith to fill all vacant  
233 positions.

234 (2) Organization.

235 (A) Forthwith after the election and qualification of the members, the Selectboard shall organize  
236 and elect a chair, vice chair, and clerk by a majority vote of the board and shall file a certificate of  
237 the elections for record in the office of the Town Clerk.

238 (B) The chair of the Selectboard, or in his or her absence the vice chair, shall preside at all  
239 meetings of the Selectboard.

240 (C) As soon as possible after the election of chair and vice chair, the Selectboard shall fix the  
241 time and place of its regular meetings.

242 (D) The Selectboard shall determine its own rules and orders of business not addressed by this  
243 ~~chapter~~[Charter](#).

244 (E) The presence of four or more members shall constitute a quorum for the purposes of holding a  
245 meeting. The affirmative vote of a simple majority of the members present and voting at a  
246 meeting at which a quorum is present shall be necessary to adopt any matter before the  
247 Selectboard.

248 (F) All meetings of the Selectboard shall be open to the public; unless by an affirmative vote of a  
249 majority of members present, the Selectboard shall vote that any particular session shall be an  
250 executive session in accordance with state statute.

251 (G) An official record of the proceedings of the Selectboard shall be kept by its clerk. The record  
252 shall be filed with the office of the Town Clerk and shall be open for public inspection once draft  
253 minutes are approved by the Selectboard.

254 (3) Appointments.

255 (A) Before any appointments are made, the Selectboard shall compile and publicly post a list of  
256 all vacancies.

257 (B) The Selectboard shall appoint and remove the town manager pursuant to section 301 of this  
258 ~~chapter~~[Charter](#).

259 (C) The Selectboard may examine or cause to be examined, with or without notice, the affairs of  
260 the Town Manager by having access to all tools used by the Town Manager in performance of his  
261 or her duties, including to books, papers, and wireless and electronic records, for information  
262 necessary to determine the proper performance of the Town Manager in the performance of his or  
263 her duties and responsibilities.

264 (D) Standing boards, commissions, and authorities to be appointed include but are not limited to:

- 265 (i) business revolving loan fund (five appointed, three years);
- 266 (ii) conservation commission (seven appointed, four years);
- 267 (iii) design review commission (five appointed, three years);
- 268 (iv) energy commission (seven appointed, three years);
- 269 (v) Hartford housing authority (five appointed, five years);
- 270 (vi) historic preservation commission (five appointed, three years);
- 271 (vii) parks and recreation commission (seven appointed, three years);
- 272 (viii) planning commission (seven appointed, three years);
- 273 (ix) tree board (five appointed, three years);
- 274 (x) zoning board of adjustment (ZBA) (five appointed, three years).

275 (E) The Selectboard may appoint or dissolve any authorities, boards, commissions, or  
276 committees, under their purview as authorized by this ~~chapter~~Charter or state statute, excluding  
277 the ~~standing town/school district meeting committee~~School & Town Meeting Committee  
278 established in subdivision 201(b) of this ~~chapter~~Charter and any authorities, boards, commissions,  
279 or committees created by the General Assembly.

280 (4) Powers and duties.

281 (A) General. The Selectboard shall constitute the legislative body of the town for all purposes  
282 required by statute except as otherwise provided in this ~~chapter~~Charter, and shall have all powers  
283 and authority given to, and perform all duties required of, town legislative bodies or Selectboards  
284 under the laws of the state of Vermont.

285 (B) Powers. The Selectboard may:

286 (1) authorize the expenditure of all town monies and may:

287 (A) submit the annual operational budget to the town meeting; and

288 (B) fix the compensation of all officers, appointees, and municipal employees except as otherwise  
289 provided in this ~~chapter~~Charter;

290 (2) inquire into the conduct of any officer, appointee, commission, or department and investigate  
291 any and all town affairs.



292 | ~~(3) exercise each and every other power which is not specifically set forth in this chapter, but~~  
293 | ~~which is granted to the selectboard by the statutes of the state of Vermont.~~

294 | (b) The Moderator:

295 | (1) shall perform all duties and responsibilities prescribed by this ~~chapter~~Charter and the state of  
296 | Vermont;

297 | (2) shall follow Robert's Rules of Order, Newly Revised (RONR) in deliberations and conduct of  
298 | all meetings;

299 | (3) may be the same individual who presides at town and school district budget and candidates  
300 | night meeting, annual town meeting, and special town and school district meeting.

301 | (c) Town Clerk. The Town Clerk shall perform all duties and responsibilities prescribed by this  
302 | ~~chapter and~~ the laws of the state of Vermont and any additional duties set forth in this Charter.

303 | (d) Listers:

304 | (1) shall perform all duties and responsibilities prescribed by this chapter and the state of  
305 | Vermont;

306 | (2) may appoint professional appraisers to help perform their duties. An appraiser shall be under  
307 | the direction and supervision of the elected Listers and shall adhere to all personnel rules and  
308 | regulations of the town.

309 | ~~(e) Town library Trustees. The town Library Trustees shall perform all duties and responsibilities~~  
310 | ~~prescribed by this chapter and the state of Vermont.~~

311 | ~~(f) All others. Shall include all others as deemed necessary for the conduct of town or school~~  
312 | ~~district business~~Any other elected officials of the town or school district shall have powers and  
313 | duties proscribed to that office as specified in the general law.

314 | **§ 123A-301. Appointed officers**

315 | (a) ~~Acting T~~own ~~m~~anager. The Town Manager shall be the chief ~~administrative-executive~~  
316 | officer of the town appointed by a majority of the Selectboard. The Town Manager shall be  
317 | selected with special reference to training, experience, education and ability to perform the  
318 | executive and administrative duties of the manager's office and without reference to his or her  
319 | political position or persuasion. The Town Manager shall be responsible to the Selectboard for  
320 | the proper and efficient administration of departments under the manager's charge as outlined in  
321 | this ~~chapter~~Charter.

322 | (1) The Town Manager shall be appointed for a period not to exceed three years and may  
323 | thereafter be appointed for successive terms of not more than three years. The Town Manager  
324 | shall not simultaneously hold any elective office within the town nor be employed by the town in  
325 | any capacity except as specified in this ~~chapter~~Charter.

326 | (2) The Town Manager need not be a resident of the town.

327 | (3) Conditions of employment and compensation shall be determined at the time of appointment,  
328 | and there shall be an annual review of performance and compensation by the Selectboard.

329 (4) Before entering into the duties of office, the manager shall be sworn to the impartial and  
330 faithful performance thereof with a certificate to that effect to be filed with the Town Clerk.

331 (5) Removal.

332 (A) On 90 days' written notice, the manager may be removed without cause by a majority of the  
333 Selectboard so voting at a meeting called for the purpose of voting on removal. During the 90-day  
334 period, the manager may be suspended with pay.

335 (B) The Selectboard may adopt a resolution stating its intention to remove the manager and  
336 reasons therefore, a copy of which shall be sent to the manager. The manager may, within 10  
337 days after notice is sent, request a hearing which shall be held by the Selectboard not less than 10  
338 days nor more than 20 days from the date of the request, after which the Selectboard may dismiss  
339 the manager. If no request for a hearing is filed, the Selectboard may dismiss the manager  
340 immediately. During the period after the resolution of intention is adopted and until the manager's  
341 dismissal, he or she may be suspended with pay.

342 (C) Termination of benefits will be determined by the Selectboard in conjunction with legal  
343 counsel.

344 (b) Acting Town Manager.

345 (1) In the event the Town Manager shall be absent from town for a period of up to two  
346 consecutive weeks, he or she may designate an Acting Town Manager with Selectboard approval,  
347 who shall exercise the duties of the manager. The [Town M](#)anager may overrule the actions of  
348 the Acting Town Manager.

349 (2) In the event the manager is unable to discharge his or her duties or in the event the manager is  
350 suspended or placed on administrative leave, the Selectboard shall appoint an Acting Town  
351 Manager to serve until the manager is able to assume regular duties or a new manager is  
352 appointed. The Acting Town Manager appointed to fill a declared vacancy in the office shall have  
353 all powers and perform all duties of the manager. An Acting Town Manager shall be reviewed  
354 within 180 days.

355 (3) In no case shall a serving Selectboard member act as the [Acting](#) Town Manager.

356 **§ 123A-302. Duties of appointed officers; Town Manager**

357 Town Manager.

358 (1) The manager shall be the chief executive officer of the town and shall carry out policies  
359 established by the Selectboard to whom the manager shall report. The manager shall be  
360 responsible to the Selectboard for the proper and efficient administration of departments under  
361 the manager's charge as outlined in this ~~chapter~~[Charter. Town Manager](#)

362 (2) The manager is expected to attend all meetings of the Selectboard.

363 (3) The manager shall provide to the Selectboard a monthly financial statement.

- 364 (4) The manager shall make reports as the Selectboard requires or the manager deems  
365 appropriate, or may be required by law or ordinance regarding any and all functions under the  
366 manager's supervision.
- 367 (5) The manager shall prepare an annual budget, submit it to the Selectboard, and be responsible  
368 for its administration after adoption.
- 369 (6) The manager shall compile for general distribution at the end of each fiscal year a complete  
370 report on the finances and administrative activities of the town for the year.
- 371 (7) The manager or his or her designee shall be the collector of delinquent taxes.
- 372 (8) The manager shall keep the Selectboard apprised of the needs of the town within the scope of  
373 the manager's duties and annually furnish to the Selectboard a long-range projection of capital  
374 expenditures.
- 375 (9) The manager shall examine or cause to be examined, with or without notice, the affairs of any  
376 department under the manager's control or the conduct of any officer or employee thereof. For  
377 that purpose, the manager shall have access to all books, papers, and wireless and electronic  
378 records of those departments for the information necessary for the proper performance of his or  
379 her duties.
- 380 (10) The manager shall appoint, upon merit and fitness alone, and when the manager deems  
381 necessary for the good of the service, suspend or remove any subordinate official, employee, or  
382 agent under the manager's supervision as provided for in this [chapterCharter](#). All appointments  
383 may be without definite terms unless for provisional, temporary, or emergency service, in which  
384 case, terms shall not exceed the maximum periods prescribed by personnel rules and regulations.  
385 The manager may authorize the head of a department or office responsible to the manager to  
386 appoint and remove subordinates in the office or department.
- 387 (11) The manager, under policies approved by the Selectboard, shall have the exclusive authority  
388 to appoint, fix the salaries of, and suspend and remove all officers and employees except those  
389 who are elected or who are appointed by the Selectboard.
- 390 (12) The manager shall direct and supervise the administration of all departments, offices, and  
391 agencies of the town except as otherwise provided by [chapterCharter](#) or statute.
- 392 (13) The manager shall keep full and complete records of the manager's office.
- 393 (14) The manager shall have oversight of buildings, properties, facilities, repairs thereon, and  
394 construction by the town unless otherwise voted.
- 395 (15) The manager shall perform other duties which may be required by the Selectboard, bylaws,  
396 or ordinance consistent with this [chapterCharter](#).
- 397 (16) The manager may, when advisable and proper, delegate to town subordinate officers or  
398 employees duties conferred on the manager.
- 399 (17) Neither the Selectboard, any individual member of the board, nor any of its committees or  
400 committee members shall dictate the appointment or discharge of any town employee by the

401 manager or in any manner interfere with his or her exercising of judgment in the appointment and  
402 discharge of employees in the town.

403 (18) The manager shall perform other duties consistent with his or her office and this Charter as  
404 required by the Selectboard, law, ordinance, or mandate.

405 **§ 123A-401. Miscellaneous**

406 (a) Conflict of interest. The Selectboard and the School Board and school superintendent shall  
407 each maintain comprehensive conflict of interest policies, which shall apply to [all their respective](#)  
408 town and school district employees, elected and appointed officials, and committee and board  
409 members.

410 (b) Ethics-responsibilities. Any elected or appointed board, commission, or authority member:

411 (1) has no legal powers unless acting at a duly warned board meeting or acting for the board after  
412 it formally grants power to act on its behalf;

413 (2) shall maintain confidentiality of discussion conducted in executive session and of other  
414 privileged information;

415 (3) shall use a chain of command and avoid making commitments or promises that compromise  
416 the town and school district;

417 (4) shall work to further public interest, maintain public trust, be open and accessible to the public  
418 at large, and maintain leadership of the highest degree without regard for personal gain.

419 (c) Rights and privileges.

420 (1) Nothing in this [chapterCharter](#), except as otherwise specifically provided, shall affect or  
421 impair rights or privileges of persons who are officers or employees of the town or school district  
422 at the time of its adoption.

423 (2) Except as specifically provided by this [chapterCharter](#), if at the time this [chapterCharter](#) takes  
424 effect, an individual holds any elected or appointed office or position which is or can be abolished  
425 by or under this [chapterCharter](#), he or she shall continue in the office or position until the term  
426 expires.

427 (d) Severability. If any provision of this [chapterCharter](#) is for any reason held invalid, that  
428 invalidity shall not affect the remaining provisions, which can be given effect without the invalid  
429 provision. To this end, the provisions of this [chapterCharter](#) are declared to be severable.

430 (e) [CharterCharter](#) review.

431 (1) The Selectboard and School Board may appoint a [charterCharter](#) review committee of  
432 registered voters of the town to review its [charterCharter](#) and recommend changes as the  
433 committee finds necessary or advisable for the purpose of improving the operation of the town  
434 and school district.

435 (2) The committee shall submit a written report of recommendations to the Selectboard and  
436 School Board not later than one year after the appointment of the committee.

437 (3) Recommendations shall be warned for a vote at the next Australian ballot town meeting.

438 (4) The Selectboard and School Board shall provide funds for the committee in their budgets for  
439 any year when a ~~charter~~Charter review committee is appointed.