

Charter Of the



Town of Windsor

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CHARTER OF THE TOWN OF WINDSOR

Chapter I. Town Officers Responsible to Citizens: Town Meetings

Sec. 1. Authority of citizens

All governmental authority of the town of Windsor rests with the citizens of the town, who exercise their powers at town meeting, and to whom the elected and appointed officers of the town are ultimately responsible.

Preface

Under authority granted by the General Assembly of the State of Vermont, the voters of the Town of Windsor adopt a charter for the following purposes:

- (a) to clarify the structure and organization of town government;
- (b) to define the duties and responsibilities of town officers, officials and employees;
- (c) to establish procedural requirements for the proper transaction of town business; and
- (d) to provide for the citizens of the town of Windsor a unified and convenient reference with respect to the basic laws affecting government.

Sec. 2. Town meetings

(a) An annual town meeting for the consideration of the budget and other town business shall be held according to State law except as hereinafter provided.

(b) A special town meeting-

(1) may be called by a majority of the selectboard, or

(2) shall be called by the town clerk upon receipt by the clerk of a petition signed by at least five percent (5%) of the voters, specifying the business to be transacted at the meeting.

(c) Whenever an issue or election is to be decided by Australian ballot, the ballot boxes shall be opened no earlier than 6:00 a.m., but no later than 10:00 a.m., as determined by the board of civil authority as provided in Vermont Statutes Annotated, and shall close at 7:00 p.m.

Sec. 3. Postponement and combining of town meetings

(a) The selectboard may postpone the vote on any question to be voted at a special meeting to the annual meeting or November federal elections if the special meeting would fall within 75 days of the annual meeting or November federal elections.

(b) If a special town Meeting falls within 45 days of a later special town meeting called by petition, the selectboard may warn the question to be voted at the town meeting, and may by resolution rescind the call of the earlier meeting.

Sec. 4. Australian ballots

At any annual or special town meeting, the selectboard may cause any question to be decided by Australian ballot, provided that the warning for the meeting specifies the questions to be decided in that manner. A meeting at which any question is to be decided by Australian ballot shall be preceded by a public hearing for discussion. The warning for the meeting shall include a notice of the time and place of the Public Hearing.

Sec. 5. [Repealed]

Sec. 6. Conduct

(a) The moderator shall preside at all town meetings, but in the moderator's absence, the town clerk shall call the meeting to order, and the first order of business shall be the election of a moderator pro tempore to preside for the duration of the meeting. The moderator shall conduct every meeting according to this charter, the laws of the state of Vermont, and Roberts' Rules of Order, Newly Revised, when not in conflict with this charter or the laws of the state of Vermont. The moderator shall preserve order in the conduct of the business of the meeting and in all things preserve the principles of fairness and openness in town government.

(b) The town clerk shall be the presiding officer at all town elections by Australian ballots and shall cooperate with the board of civil authority to assure that all laws relating to elections are faithfully observed. While the polls are open, the town clerk may rule on all questions concerning the conduct of the election and shall not be disqualified from performing any duties by reason of his or her own candidacy for any office. In the town clerk's absence, the members of the board of civil authority who are present may designate one of their members to perform the town clerk's duties under this section.

Sec. 7. Reconsideration of actions taken

A question considered at any town meeting or election may not be submitted to the voters for reconsideration or rescission except at a subsequent annual or special meeting or election, specifically warned for the purpose and called by the selectboard by resolution or by the town clerk pursuant to a petition requesting reconsideration or rescission. The petition must be signed by not less than ten percent (10%) of the voters and filed with the town clerk within 30 days following the date of the meeting or election at which the question was first considered. The clerk shall call for a vote in accordance with the petition within 60 days of the date of filing. The manner of reconsideration shall be the same manner by which the question was originally considered. A question voted on or considered shall not be presented for reconsideration or rescission more than one time; provided, however, that after the passing of at least eight months from the date of any such reconsideration or rescission, the same or a similar question may be newly

submitted for consideration. Unless rescinded as provided in this section, any vote or action lawfully taken at a town meeting or election shall remain in effect indefinitely. A vote to reconsider or rescind shall not be effective unless the number of votes cast in favor of reconsideration or rescission exceeds ninety percent (90%) of the number of votes cast for the prevailing side at the original meeting.

Sec. 8. [Repealed.]

Sec. 9. Nomination of candidates

All town elections shall be nonpartisan and no party designation or slogan shall be printed on any town ballot or petition.

Chapter II. Powers of the Town

Sec. 10. General powers

(a) The town of Windsor shall have all the powers granted to towns by the constitution and laws of this state, together with all the implied powers necessary to carry into execution all the powers granted.

(b) The town may enact ordinances not inconsistent with the constitution and laws of the state of Vermont or with this charter, and impose penalties for violation thereof.

(c) The town may acquire property within or without its corporate limits for any town purpose, in fee simple or any lesser interest or estate, by purchase, gift, devise, lease or condemnation, consistent with the constitution and laws of the state of Vermont and may sell, lease, mortgage, hold, manage and control such property as its interest may require consistent with the constitution and laws of the state.

Chapter III. Elected Officers

Sec. 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

(7) three trustees of public funds

(b) Only a voter of the town of Windsor may seek election to or hold a town elected office.

(c) Any officer elected under this charter may be removed from office as follows: A petition signed by not less than 15 percent (15%) of the registered voters shall be filed with the selectboard requesting a vote on whether the elected officer shall be removed from office. The selectboard shall call a special town meeting to vote by Australian ballot on whether the elected officer shall be removed. The official shall be removed only if at least one third of the registered voters of the town vote, and a majority of those voting vote for removal. If the town voters vote for removal of an elected officer, the office shall thereupon become vacant. The selectboard shall call a special town meeting to fill the vacancy until the term of the officer so removed expires. The votes for removal and to fill the vacancy shall be by Australian ballot. The selectboard may fill such vacancy by appointment until a new member is duly elected.

(d) The vote to fill any vacancy shall be by Australian ballot. The selectboard, or its remaining members, may fill any vacancy by appointment until a new member is duly elected. If only one member remains, that selectboard member may sign the orders.

(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.

Sec. 12. Selectboard

(a) Except as otherwise provided in this charter, all the powers of the town shall be entrusted to and exercised by a selectboard consisting of five members chosen by the voters of the town of Windsor. Three members shall be elected for terms of three years, and two members shall be elected for terms of two years. The board shall discharge all the duties conferred or imposed upon selectboards by law, including the duties of water and sewer commissioners, board of liquor commissioners, and any similar ex-officio duties; and when sitting in such official capacity, it shall not be necessary to convene in a separate capacity.

(b) The selectboard shall meet within three business days after the annual election to elect a chair and a vice chair and to designate a clerk of the board. At the same meeting the board shall adopt rules of order and fix the time and place of its regular meetings, which shall be held at least twice a month, except for once a month during the months of June, July and August. Special meetings of the board may be called at any time by the chair, or in the chair's absence, the vice chair, or by a majority of the board in writing to the chair.

(c) No action of the board, except on purely procedural matters, shall be valid or binding unless approved by a majority of the full board, except that in the case of a passage of an emergency ordinance, at least four affirmative votes shall be required. Voting on all matters, except procedural matters, shall be by roll call unless in the case of unanimous agreement.

(d) Upon due notice and hearing, the board may remove one of its members from office for failure to attend four consecutive, regular meetings of the board without prior approval of the chair. Such removal shall be done only upon the affirmative vote of all four remaining members.

(e) The selectboard shall, at their organizational meeting, designate an acting Town Administrator who shall have all the powers and duties of the Town Administrator in the event of the latter's absence or disability. The name of the acting Town Administrator shall be on file in the town clerk's office at all times.

Sec. 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.

Sec. 14. Board of listers

(a) The board of listers shall consist of three listers, one elected each year for a term of three years. The board of listers shall have the same powers and duties prescribed for listers under the laws of the state of Vermont and this charter.

(b) The listers or the assessor shall annually review, or cause to be reviewed their appraisals of all property in the town which is subject to taxation. The property shall be appraised in accordance with standards established by the laws of the state.

(c) The listers or the assessor shall annually review and adjust their assessments of all properties enrolled in the state current use program, all properties under tax stabilization agreements and all properties with partial exemptions.

(d) The listers or the assessor shall annually update the Windsor property maps.

(e) The listers or the assessor shall act as the town's E9-1-1 information liaison.

(f) The listers or the assessor shall act as town agent, in matters relating to property valuation appeals to the Vermont department of taxes, division of property valuation and review.

(g) The listers or the assessor shall be compensated as set forth in section 30 of this chapter.

Sec. 15. Moderator

A moderator shall be elected for a term of one year and shall perform all duties required by this charter, and to the extent not in conflict with this charter, all duties required by laws of the state of Vermont.

Sec. 16. Town clerk

(a) The town clerk shall be elected for a three year term and shall:

(1) receive fees for filing copies of records and other instruments and shall cause these fees to be paid to the general fund of the town;

(2) maintain a record of all action taken at special or annual town meetings;

(3) maintain all town records and an index to those records;

(4) maintain and file all reports required by law;

(5) perform any other duties required of the clerk by law, this charter or ordinances.

(b) Before entering upon the duties of the office the town clerk shall give a bond conditioned for the faithful performance of the clerk's duties. The bond shall be of a sum and with such surety as prescribed and approved by the selectboard, and the premium shall be paid by the town.

(c) The town clerk shall be subject to the comprehensive personnel plan of the town of Windsor, except for provisions relating to appointment, removal, dismissal, suspension and evaluation.

Sec. 17. Town treasurer

(a) The town treasurer shall be elected for a three year term, and shall:

(1) receive taxes, assessments, charges and levies, and maintain a record of monies collected and uncollected;

(2) serve in the capacity of collector of current taxes and collector of delinquent taxes;

(3) pay orders drawn on him or her by officials authorized to draw orders;

(4) deposit and invest funds in a financially sound manner;

(5) provide detailed financial statements and reports, as may be required by selectboard;

(6) perform any other duties required of the treasurer by law, this charter or ordinances and by the selectboard.

(b) Before entering upon the duties of the office the town treasurer shall give a bond conditioned for the faithful performance of the treasurer's duties. The bond shall be of a sum and with such surety as prescribed and approved by the selectboard, and the premium shall be paid by the town.

(c) The town treasurer shall be subject to the comprehensive personnel plan of the town of Windsor, except for provisions relating to appointment, removal, dismissal, suspension and evaluation.

Sec. 18. [Repealed.]

Chapter IV. Administrative

Sec. 19. Town Manager

(a) The Select Board shall appoint a Town Manager selected and appointed in accordance with the provisions of State law and this Charter, said Town Manager:

(1) may serve for a fixed or an indefinite term at the discretion of the Select Board of the Town.

(2) Before entering upon his duties, such manager shall be sworn to the faithful performance of his duties and shall give a bond to the town in such amount and with such sureties as the selectmen may require. ⁱ

(3) shall be considered an executive officer of the Town removable at any time in the discretion of the Select Board upon the Select Board adopting a resolution providing for such removal passed with the affirmative votes of a majority of the Select Board, said resolution may be effective immediately upon passage, or upon the expiration of a period of time set forth therein.

(b) The Town Manager, subject to the requirements of State law, shall have general supervision of the affairs of the town, be the administrative head of all departments of the town government and shall be responsible for the efficient administration thereof. ⁱⁱ

(c) The manager shall have authority and it shall be the manager's duty. ⁱⁱⁱ

(1) To cause duties required of towns not committed to the care of any particular officer, to be duly performed and executed;

(2) To perform all duties now conferred by law upon the selectmen, except that he shall not prepare tax bills, sign orders on the general fund of the town, other than orders for poor relief, call special or annual town meetings, lay out highways, establish and lay out public parks, make assessments, award damages, act as member of the board of civil authority, nor make appointments to fill vacancies which the selectmen are now

authorized by law to fill; but he shall, in all matters herein excepted, render the selectmen such assistance as they shall require;

(3) To be the general purchasing agent of the town and purchase all supplies for every department thereof; but purchases of supplies for departments over which such manager is not given control shall be made according to requisition therefor by such departments;

(4) To have charge and supervision of all public town buildings, repairs thereon; and all building done by the town, unless otherwise specially voted, shall be done under his charge and supervision;

(5) To perform all the duties now conferred by law upon the road commissioner of the town, including the signing of orders;

(6) To supervise and expend all special appropriations of the town, as if the same were a separate department of the town, unless otherwise voted by the town;

(7) To appoint, upon merit and fitness alone, and, when the manager deems necessary for the good of the Town, suspend or remove any subordinate official, employee, or agent under the manager's supervision as provided for in this charter. All such appointments may be without definite terms unless for provisional, temporary, or emergency service, in which case, terms shall not exceed the maximum periods prescribed by the personnel rules and regulations. The manager may authorize the head of a department or of an office responsible to the manager to appoint and remove subordinates in such office or department.^{iv}

(8) To collect all taxes due the town and to perform all the duties now conferred by law upon the collector of taxes, if the town so votes. Such manager shall continue so to do until the town votes otherwise at a meeting duly warned for the purpose of voting on such question. For the collection of taxes, a Town Manager may charge and collect the same fees as a collector of taxes, and the fees so collected shall be paid into the treasury of the town.

(d) The powers, duties and liabilities imposed upon any other departments of the town inconsistent with the provisions of this article shall be suspended and shall be conferred and imposed upon the manager, wherever in the Town Charter there be a reference to the Town Manager, that reference shall be deemed to be to the Town Manager.^v

(e) In the event of resignation, illness, injury, death, suspension, or removal of the Town Manager, the Select Board may appoint an Interim Town Manager to serve during any period of incapacity due to illness, injury, or temporary suspension of the Town Manager, or in the case of resignation, death, permanent suspension, or removal during the transition period in which the Select Board is interviewing, identifying, selecting and appointing a Town Manager. An Interim Town Manager shall have all of the powers and perform all of the duties of the Town Manager. Interim Town Manager shall serve as such at the discretion of the Select Board and shall be appointed or re-appointed for terms not to exceed 180 days. In the event of the absence of either a Town Manager or an Interim Town Manager, the Acting Town Manager designated as such by the

Selectboard under §12 (e) of this Charter may exercise the powers and perform the duties of the Town Manager.

Sec. 20 [Repealed]

Chapter V. Financial

Sec. 21. Fiscal year

The fiscal year shall begin the first day of July and end the last day of June, unless another date is fixed by the voters at any annual town meeting.

Sec. 22. Budget preparation

(a) The Town Administrator shall submit a proposed budget for the ensuing year to the selectboard at least 60 days before the annual town meeting. It shall contain all information required by the selectboard.

(b) A budget committee of at least five but not more than 12 voters shall be appointed by the selectboard, to review with the selectboard the proposed town budget. Their terms of office shall expire upon the adoption of the budget by the voters.

(c) The selectboard's budget shall be available to the voters of Windsor at least 10 days prior to the annual meeting.

(d) If a budget fails to be adopted at the annual town meeting, the Town Administrator shall present a revised budget for review within 20 days by the budget committee and the selectboard.

(e) The date of the vote on the revised budget shall be at least seven days following the public hearing.

Sec. 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.

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

Sec. 24. Purchasing policy

The Town Administrator may expend an amount determined by the selectboard, and the selectboard may expend up to 1/2 of one percent of the then current general fund budget for any established program without requesting competitive bids. Any other expenditures shall be open to competitive bidding, except if the selectboard finds that bidding would be of no advantage to the town. In such cases the selectboard shall detail in its minutes all reasons for such findings.

Sec. 25. Taxes

(a) All real and personal property taxes shall be paid to the town treasurer in full or in not more than four equal installments as set forth by specific article in the town warning. Taxes shall be considered late as established by vote at an annual town meeting. Taxes shall be considered delinquent as established by vote at an annual town meeting.

(b) The total tax rate shall be set annually by the selectboard as soon as practicable after final adoption of the town budget, lodging of the grand list and receipt of school tax rate information. In setting the town rate, the board shall consider only that amount that is necessary to offset the difference between municipal revenues and municipal expenses including any deficit carried over from the previous year.

(c) The treasurer, within 10 days, shall turn all unpaid tax accounts over to the collector of delinquent taxes together with a warrant for the collection of such accounts. Accounts forwarded to the collector of delinquent taxes shall include interest accrued to that date, and simple interest shall continue to accrue at a rate as set forth by a specific article in the town meeting warning and approved by the voters. A delinquency fee as determined by the town meeting warning and approved by the voters shall be added to the amount of tax due. The collector of delinquent taxes shall be empowered under general law of the state to levy on personal property, bring actions at law, conduct tax sales, and bring petitions for foreclosure on tax liens. Such acts shall be done in the name of the town of Windsor.

Sec. 26. Tax abatements

The board of civil authority, along with the treasurer and the listers, shall constitute the board of abatement. The chair and the clerk of the board of civil authority shall serve as the chair and clerk of the board of abatement. The board of abatement shall meet at least once a year to consider all the taxpayers' requests for abatement of their taxes, special assessment, or other levy made by the town. The clerk shall call the meeting and public notice of the meeting must appear in at least three public places at least two days prior to the meeting.

Chapter VI. Procedural Matters

Sec. 27. Meetings, open government

It shall be the policy of the town of Windsor to afford to all its citizens the opportunity to participate in the government of their town as fully and completely as may be possible. To this end all meetings of agencies, boards, citizen committees and any other group acting under authority of the town of Windsor shall be conducted openly and in accordance with the policy of the laws of the state of Vermont relative to meetings of governmental bodies, and no executive session shall be held except in accordance with the terms of the law; provided, however, that the penalties set forth in the general law shall not extend to any person solely by reason of this charter.

Sec. 28. Ordinances

(a) Town ordinances or rules may be adopted, amended, repealed, or enforced as provided by law or this charter. The selectboard shall have the power to enact any ordinance or rule which it specifically finds necessary and desirable for the promotion of the public health, safety, welfare, or convenience of the town or its citizens.

(b) A town ordinance may provide:

(1) that any professional fees or costs incurred by the town in the enforcement of any ordinance shall be charged to the violator; those charges shall constitute a lien against real property or a levy against personal property and shall be enforced within the time and in the manner provided for the collection of taxes on real or personal property.

(2) that the selectboard may authorize the town attorney to bring an action in the name of the town of Windsor for any relief which the selectboard may deem appropriate for the enforcement of any town ordinance.

Sec. 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.

(4) a development review board of not less than five nor more than nine, the length of the terms of said 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 said holder. Any member may be removed by the selectboard at any time by the selectboard for cause upon written charges and after public hearing.

(5) a planning commission of not less than three nor more than nine members, the length of the terms of said 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 said 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 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, 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.

Sec. 30. Compensation and fees

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

(1) selectboard

(2) auditors

(3) moderator

(b) The selectboard shall annually consider and from time to time shall set the compensation of the following officers:

(1) Town Administrator

(2) town attorney

(3) constable

(4) board of civil authority and abatement

(5) listers

(c) The selectboard shall set the compensation for all other town officers and employees as per the comprehensive personnel plan of the Town of Windsor.

(d) All fees prescribed by state law, charter ordinance or otherwise shall be collected for the benefit of the town and paid to the town treasurer. No fees shall be used directly by any receiving officer or inure indirectly to the benefit of the officer.

Sec. 31. Conflict of interest

(a) If there is a specific written complaint of conflict of interest, the selectboard shall conduct an investigation in accordance with the ordinance that states the procedure and arrive at a decision.

(b) No elected or appointed officer or employee of the town shall be beneficially interested directly or indirectly in any contract with the town, regardless of amount, or furnish any material, or perform any labor, except in the discharge of his or her official duties, unless such contract shall have been awarded upon bids advertised for by publication. Such publication shall appear at least two times in a newspaper having general circulation in the town; the second publication shall be at least seven days prior to the opening of such bids. No officer or employee of the town shall take part in any decision concerning the business of the town in which the officer or employee has a direct or indirect financial interest, aside from his or her salary as an officer or employee, greater than that of any other citizen or taxpayer in the town. Nothing in this section shall

prohibit the Town Administrator from hiring the best available service provider in an emergency situation.

Sec. 32. Public lands

(a) With approval of the voters given at any duly warned special or annual town meeting, the selectboard may sell any portion of real estate owned by the town and not needed for town purposes, or change the use of any real property owned by the town. Such authorization may be given by individual parcel or in blanket form by the voters at the special or annual town meeting.

(b) Once the selectboard has the authorization to sell or substantially change the use of a parcel or parcels of real estate, the selectboard shall first hold a public hearing.

(c) Notice of such hearing shall be given by the selectboard:

(1) by posting in at least three conspicuous public places within the town;

(2) by publication in a newspaper having general circulation in the town;

(3) the notice shall be published not less than seven nor more than 21 days prior to the date of the hearing; and

(4) shall also identify specifically the real estate involved.

(d) At the hearing, all citizens of the town shall have an opportunity:

(1) to inquire as to the reasons, method, time, and terms of the proposed sale or change of use;

(2) to express their views.

(e) After all proper persons have had an opportunity to be heard, the selectboard shall vote upon the question and, if a majority of the full board votes in favor of the proposed action, the selectboard shall complete the sale or change of use.

Chapter VII. General Provisions

Sec. 33. Application of general law

All provisions of the laws of the state of Vermont relating to towns, town officers, and elections shall apply to the town of Windsor and its officers except as altered, enlarged or modified by the provisions of this charter, or by any current or future lawful ordinance or regulation of the town of Windsor.

Sec. 34. Severability

If any provision of this charter is held invalid, the other provisions of this charter shall not be affected. If the application of this charter or any of its provisions to any person or circumstances is held invalid, such application of this charter and its provisions to other persons or circumstances shall thereby be affected.

Sec. 35. Officers-Appointive

All offices in the town of Windsor not required by Vermont statute to be filled by election or according to specific provision of this charter shall be deemed appointed offices to be filled by a majority vote of the selectboard. The terms of such appointed offices shall be for a definite time, normally one year, but in no case exceeding the maximum term of office of a member of the selectboard.

Sec. 36. Terms of office

All officers under this charter shall hold their respective offices until their successors are chosen. No officer shall be qualified until ready to assume the normal duties of his or her office.

Sec. 37. [Repealed.]

Sec. 38. Construction

The provisions of this charter shall be construed liberally in favor of the town and in such manner that the effect of this charter will be to make government more efficient and more responsive to the citizens of the town. In such liberal construction of the charter in favor of the town it shall be used consistently and uniformly toward all individuals and groups comprising the town.

Sec. 39. Amendment or repeal

(a) No section of this charter may be amended or repealed without such amendment or repeal making specific reference to this charter and to the sections or provisions to be amended or repealed. Any proposed amendment or repeal to this charter must be submitted to the voters for their approval and, upon such approval, submitted as provided by Vermont statute. Amendments or repeal may be placed on the ballot by the selectboard, a duly authorized charter review commission appointed by the selectboard, or upon petition filed with the town clerk by ten percent (10%) of the voters. The petition must clearly state the proposed amendment or repeal and must be filed at least 45 days before any annual or special town meeting, but the town shall not be required to hold a special town meeting solely or primarily for the purpose of considering a proposed charter amendment.

(b) The selectboard shall hold at least two public hearings prior to the vote on the proposed charter amendments. The first public hearing shall be held at least 30 days

before the annual or special town meeting. Notice of the hearings shall be given in the same way and time as for selectboard meetings.

(c) An official copy of the proposed charter amendments shall be filed as a public record in the town clerk's office at least 10 days prior to the first public hearing.

Sec. 40. Effective date

The charter shall become effective upon approval in accordance with 17 V.S.A. § 2645. Copies shall be available to the public at cost at the town clerk's office.

Sec. 41. Definitions

(a) "Board" or "selectboard" means the duly elected members of the selectboard of the town acting as a group and in their official capacity.

(b) A "vacancy" in any office is deemed to exist if the holder of the office resigns, dies, is removed from office, moves from the town, is convicted of a felony, or is judicially declared to be mentally incompetent.

(c) "Day" means a calendar day.

(d) "Voters" means the names included, at any given point in time, on the checklist most recently revised by the board of civil authority for use in a town meeting or election.

(e) From "time to time" means as the need may become realized or apparent.

42. Residency

The Town Manager and the Department Heads are not required to be residents of the Town.

ⁱ Adapted from 24 V.S.A. §1234

ⁱⁱ Adapted from 24 V.S.A. §1235

ⁱⁱⁱ Except for subparagraph (c) (7), adapted from V.S.A. §1236 [subparagraphs renumbered and reference to performing duties on behalf of school district deleted.

^{iv} Williston Town Charter

^v Adapted from 24 V.S.A. §1238