

1 H.535

2 Introduced by Representative Botzow of Pownal

3 Referred to Committee on

4 Date:

5 Subject: Municipal government; municipal charters; Town of Woodford

6 Statement of purpose of bill as introduced: This bill proposes to approve the
7 adoption of and to codify the charter of the Town of Woodford.

8 An act relating to the approval of the adoption and to the codification of the
9 charter of the Town of Woodford

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

11 Sec. 1. CHARTER ADOPTION APPROVAL

12 The General Assembly approves the adoption of and codifies the charter of
13 the Town of Woodford as set forth in this act. Proposals of charter adoption
14 were approved by the voters on March 5, 2013.

15 Sec. 2. 24 App. V.S.A. chapter 162 is added to read:

16 CHAPTER 162. TOWN OF WOODFORD

17 § 1. STATEMENT OF PURPOSE

18 Under the authority granted by the General Assembly of the State of
19 Vermont, this charter establishes certain guidelines with respect to
20 organization and functioning of local town government in the Town of

1 Woodford, Vermont. The voters of the Town of Woodford adopt a charter for
2 the following purposes:

3 (1) to clarify the structure and organization of town government;

4 (2) to define the duties and responsibilities of town officers, officials,
5 and employees;

6 (3) to establish procedural requirements for the proper transaction of
7 town business; and

8 (4) to provide for citizens of the Town of Woodford a unified and
9 convenient reference with respect to the basic laws affecting government.

10 § 2. AUTHORITY OF CITIZENS

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

14 § 3. GENERAL LAW; APPLICATION

15 Except as altered, enlarged, or modified by the provisions of this charter or
16 by any current or future lawful ordinance or regulation of the Town of
17 Woodford, all provisions of the statutes of the State of Vermont relating to
18 municipalities shall apply to the Town of Woodford and its officials.

19 § 4. POWERS OF THE TOWN

20 (a) The Town of Woodford shall have all the powers granted to towns and
21 municipal corporations by the Constitution and laws of the State and by this

1 charter, together with all the implied powers necessary to carry into execution
2 all the powers granted. The Town of Woodford may enact ordinances not
3 inconsistent with the Constitution and laws of the State of Vermont or with this
4 charter and may impose penalties for violation thereof.

5 (b) The Town may acquire real property within or without its corporate
6 limits necessary or convenient for any lawful purpose, in fee simple or any
7 lesser interest or estate, by purchase, gift, devise, lease, or otherwise, consistent
8 with the Constitution and laws of the State of Vermont, and may sell, lease,
9 mortgage, hold, manage, and control such property as its interest may require
10 consistent with the Constitution and laws of the State by vote of a majority of
11 the voters present and voting at a duly warned meeting. Once the voters have
12 approved the sale, lease, or mortgage of property of the Town of Woodford,
13 the Selectboard shall have the full authority to sign all conveyances and legal
14 documents in the name of the Town to complete the transaction.

15 (c) In this charter, no mention of a particular power shall be construed to be
16 exclusive or to restrict the scope of powers which the Town would have if the
17 particular powers were not mentioned, unless this charter otherwise provides.

18 § 5. RESERVATION OF POWERS TO THE TOWN

19 Nothing in this charter shall be construed to limit in any way the powers
20 and functions conferred on the Town of Woodford, the Selectboard of the
21 Town, the Town Clerk, the Town Treasurer, or its elected and appointed

1 officials by general or special enactments of state statutes or regulations in
2 force or effect or hereafter enacted, and the powers and functions conferred by
3 this charter shall be cumulative and in addition to the provisions of such
4 general or special enactments unless this charter otherwise provides.

5 § 6. OPEN MEETINGS

6 Meetings of all town boards, commissions, and their committees shall be
7 open and held in accordance with the general law of this State relating to
8 public meetings. The record of all official proceedings shall be available for
9 public inspection and copying as provided by the general law of this State. It
10 shall be the policy of the Town of Woodford to afford all citizens the
11 opportunity to participate in the government of their town as fully and
12 completely as may be possible. To this end all meetings of agencies, boards,
13 citizen committees, and any other group acting under the authority of the Town
14 of Woodford shall be conducted openly and in accordance with the policy of
15 the laws of the State of Vermont relative to meetings of governmental bodies.
16 No executive session shall be held except in accordance with the terms of the
17 law; provided, however, that the penalties set forth in the general law shall not
18 extend to any person solely by reason of this charter.

19 § 7. OFFICERS GENERALLY

20 (a) The officers of the Town of Woodford shall be those provided by law
21 for towns, except as otherwise provided by this charter. Such officers shall

1 have all the powers and duties necessary to carry out the provisions of this
2 charter as well as those provided by law.

3 (b) Elected and appointed officials as generally needed or requested shall
4 be required to attend meetings in order to participate in the smooth governance
5 of Woodford.

6 (c) All town officers shall be governed by general law, the Town Charter,
7 personnel policy, job description, and established rules of procedures and
8 ethics and handbooks published for Vermont municipal officials.

9 § 8. ELECTED OFFICERS

10 (a) The following officers of the town and such other town officers as are
11 provided by law and previous vote of the electorate as to number, length of
12 term, and manner of election at an annual meeting shall be elected by
13 Australian (secret) ballot, unless otherwise stated, and shall include the
14 following:

15 (1) A moderator to be elected by paper ballot from the floor, for a term
16 of one year.

17 (2) Three Selectboard members, who shall serve staggered three-year
18 terms.

19 (3) Three listers, for terms of three years, staggered to ensure no more
20 than one term ends in any particular year. The Board of Listers shall have the
21 same powers and duties prescribed for listers under the laws of the State of

1 Vermont and this charter. The listers or the assessors shall annually review or
2 cause to be reviewed their assessment of all property in the Town which is
3 subject to taxation. The property shall be assessed in accordance with the
4 standards established by the laws of the State.

5 (4) A town clerk for a term of three years.

6 (5) A town treasurer for a term of three years.

7 (6) A delinquent tax collector for a term of three years.

8 (7) Four trustees of public funds, three of whom are Selectboard
9 members and one who is the Town Treasurer. Each is to serve a three-year
10 term.

11 (8) Three auditors shall be elected for staggered three-year terms, with
12 one elected each year. They shall be responsible for the proper financial
13 accountability of the Town by ensuring that an annual audit is done by an
14 independent professional auditing firm hired by the Selectboard and may be
15 assigned other financial-related duties by the Selectboard.

16 (b) Justices of the Peace are also part of the Board of Civil Authority. To
17 become a Justice of the Peace, a person shall be elected at a general election or
18 be appointed to fill the vacancy by the Governor of Vermont. These elected
19 officials are actually county officers. The duties of the Justices fall into five
20 categories of responsibilities: Elections; Tax Abatement and Appeals;
21 Marriages and Civil Unions; Oaths and Notary; and Magistrate.

1 (c) The Board of Civil Authority has the duty of updating the voter
2 checklist and hearing tax abatements and tax grievance appeals. The Board of
3 Civil Authority consists of the Justices of the Peace, the Town of Woodford
4 Selectboard, the Town Clerk, the Town Treasurer, and the Town Assessor(s)
5 (for abatement only). Note Vermont State Statutes, 17 V.S.A. §§ 2103(5),
6 2122, and 2142–2150.

7 § 9. DUTIES OF ELECTIVE OFFICERS

8 (a) The Board of Listers shall perform duties established by law.

9 (b) The Auditors shall perform duties as established in 24 V.S.A.
10 §§ 1681–1691.

11 (c) The Town Moderator shall perform duties as prescribed by law and
12 shall preside at all town meetings, but in the Moderator’s absence, the Town
13 Clerk shall call the meeting to order, and the first order of business shall be the
14 election of a Moderator Pro Tempore to preside for the duration of the
15 meeting. The Moderator shall conduct every meeting according to this charter
16 or the laws of the State of Vermont. The Moderator shall preserve order in the
17 conduct of the business of the meeting and in all things shall preserve the
18 principles of fairness and openness in town government.

19 (d)(1) The Town Clerk shall perform the duties of Town Clerk as required
20 by state statutes, this charter, a written personnel policy, and job a description.
21 He or she shall also:

1 (A) receive fees for filing copies of records and other instruments and
2 shall cause these to be paid to the general fund of the Town and recorded into a
3 ledger;

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

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

7 (D) maintain and file all reports required by law, this charter, or
8 ordinances;

9 (E) prepare and keep in the Town Clerk's office a book of ordinances
10 which shall contain each town ordinance together with a complete index of the
11 ordinances according to subject manner; and

12 (F) serve as the presiding officer at all town elections by Australian
13 (secret) ballot and shall cooperate with the Board of Civil Authority to assure
14 that all the laws relating to elections are faithfully observed. While the polls
15 are open, the Town Clerk may rule on all questions concerning the conduct of
16 the election and shall not be disqualified from performing any duties by reason
17 of his or her own candidacy for any office. In the Town Clerk's absence, the
18 members of the Board of Civil Authority who are present may designate one of
19 the members to perform the Town Clerk's duties under this section.

20 (2) Before entering upon the duties of the office, the Town Clerk shall
21 give bond conditioned for the faithful performance of the Clerk's duties. The

1 bond shall be of a sum and with such surety as prescribed and approved by the
2 Selectboard, and the premium shall be paid by the Town.

3 (3) The Town Clerk shall be subject to this charter, a written
4 comprehensive personnel policy, and a job description.

5 (e)(1) The Town Treasurer shall perform the duties required by state
6 statutes, this charter, and Woodford's written comprehensive personnel policy
7 and job description. He or she shall:

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

10 (B) serve in the capacity of collector of current taxes;

11 (C) pay orders drawn on the Treasurer by officials authorized to draw
12 orders;

13 (D) promptly deposit funds coming into the Treasurer's hands in such
14 depositories as may be designated by the Selectboard;

15 (E) invest town funds coming into the Treasurer's hands in the
16 manner designated by the Selectboard;

17 (F) keep such books and accounts as may be required by the
18 Selectboard;

19 (G) provide detailed financial statements and reports as may be
20 requested or required by the Selectboard; and

1 (H) perform any other such duties required by state statute, this
2 charter, Woodford's ordinances, Woodford's written comprehensive personnel
3 policy and job description, and as the Selectboard may require.

4 (2) Before entering upon the duties of the office, the Town Treasurer
5 shall give bond conditioned for the faithful performance of the Treasurer's
6 duties. The bond shall be a sum and with surety as prescribed and approved by
7 the Selectboard and the premium shall be paid by the Town.

8 (3) In addition to other defined duties, the Treasurer shall also be a
9 member of the Trustees of Public Funds.

10 § 10. RECALL OF ELECTED OFFICIALS

11 (a) Any elected official may be removed from office for just cause as
12 follows: A petition signed by not less than 30 percent of the registered voters
13 shall be filed with the Selectboard requesting a vote on whether the elected
14 officer shall be removed from office. The date of signing by each voter shall
15 be indicated in the petition and such date shall not be earlier than 30 days prior
16 to the filing of the petition. The Selectboard shall call a special town meeting,
17 to be held within 45 days of receiving the petition, to vote on whether the
18 elected official shall be removed. The official shall be removed if at least
19 one-third of the registered voters of the Town vote and two-thirds of the
20 number of votes is cast for removal.

1 (b) If the Town votes for removal of an elected officer, the office shall
2 thereupon become vacant and the Selectboard shall call a special meeting, to
3 be held within 45 days of the vote for removal, to fill the vacancy until the
4 term of the officer so expires. The votes for removal and to fill the office
5 removed shall be by Australian (secret) ballot.

6 § 11. APPOINTED OFFICERS

7 (a) The Selectboard may appoint, recommend, or approve the appointment
8 of any town officers, for a term of one year or longer from date of such
9 appointment unless otherwise specified below, following such notice and
10 warning as required by this charter, to include the following:

- 11 (1) Town Service Officer;
12 (2) Tree Warden;
13 (3) Emergency Management Director;
14 (4) Fire Warden;
15 (5) Health Officer;
16 (6) Members of the Town Planning Commission (PC);
17 (7) Members of the Zoning Board of Appeals (ZBA);
18 (8) Cemetery Commissioners for a term of three years;
19 (9) Road Commissioner;
20 (10) Regional Planning Commissioners;
21 (11) E-911 Coordinator;

1 (12) Animal Control Officer;

2 (13) Zoning Administrator for a term of three years; and

3 (14) such other town officers or municipal appointments as may be
4 necessary as provided by law or otherwise authorized by this charter for the
5 orderly and expeditious operations of town government.

6 (b) All appointed town officers shall serve at the pleasure of the
7 Selectboard.

8 § 12. RELATIONSHIP BETWEEN AND AMONG TOWN OFFICERS

9 All town officers whether elected or appointed shall exercise their duties
10 and responsibilities independently according to general law, this charter, the
11 Woodford personnel policy, and the job description for the officer's position
12 that is currently in effect.

13 § 13. TERMS OF OFFICE

14 Each officer so appointed shall serve from the date he or she is appointed
15 and qualified until the end of his or her term. Each officer shall hold over until
16 his or her successor is appointed and qualified. Each appointed officer may
17 succeed himself or herself, if the Selectboard so approves, after fulfilling
18 notice provisions. Service and term of office will cease immediately upon an
19 officer being recalled or disqualified following action approved by this charter.

1 § 14. GENERAL PROHIBITION

2 No elected or appointed town officer or employee of the town shall be
3 beneficially interested in any matter requiring the discharge of his or her public
4 office. The purpose of this section is to prohibit the use of public office for
5 financial or other advantage, whether direct or indirect, by any means or
6 methods whatsoever.

7 § 15. SPECIFIC CONFLICTS

8 A town officer shall be disqualified from any proceeding in which his or her
9 impartiality might reasonably be questioned, including instances where:

10 (1) the town officer, near relative, or business associate has a property or
11 financial interest which might be substantially affected, favorably or adversely,
12 by the decision of a board, commission, or committee of which the Town is a
13 member;

14 (2) the town officer has demonstrated a personal bias or prejudice
15 toward any party; or

16 (3) the town officer has previously expressed an opinion or taken
17 inappropriate or questionable action as to the proper disposition of a specific
18 case or controversy involving the exercise of his or her discretion while acting
19 in a quasi-judicial capacity.

1 § 16. SPECIFIC PROHIBITIONS

2 A town officer who is disqualified by virtue of a conflict of interest shall
3 not vote upon, participate in the discussion of, or otherwise sit as a member of
4 any board, commission, or committee upon the matter from which he or she is
5 disqualified. He or she may, however, enter an appearance as a party and be
6 heard in all respects as a member of the public may be heard in the same
7 proceeding.

8 § 17. ANNOUNCING A CONFLICT

9 If a town officer recognizes that he or she might have a conflict of interest
10 or if another person raises an objection to the participation of any town officer,
11 the town officer or the other person shall state the nature of the conflict as soon
12 as possible and the town officer shall thereupon disqualify himself or herself
13 from further participation if there is a conflict.

14 § 18. DETERMINATION OF CONFLICT BY OTHER THAN THE TOWN
15 OFFICER

16 If undeniable reason for an officer to disqualify himself or herself is brought
17 to the attention of any board, commission, or committee by any party or person
18 or by another board, commission, or committee member and the member does
19 not disqualify himself or herself, the board, commission, or committee shall
20 consider the factual basis for the question and shall decide the matter by
21 majority vote, the challenged member abstaining, before any other business is

1 conducted. A formal vote shall be taken on every question of conflict. Once
2 the vote is taken, the board, commission, or committee shall return to the
3 business before it, and no further time shall be devoted to the issue of that
4 conflict. A full report of the issue and discussion shall be made in the minutes
5 of the meetings.

6 § 19. APPOINTMENT OF ALTERNATE OFFICERS

7 The Selectboard may appoint an alternate town officer to serve in place of a
8 town officer during a stated period of disqualification or unavailability.

9 § 20. NOTICE OF VACANCY DURING AN EXPIRED/UNEXPIRED

10 TERM

11 (a) In order to inform citizens of the Town and to afford them the
12 opportunity to participate or serve in town government, public notice shall be
13 given of municipal vacancies resulting from an expired term, resignation,
14 death, disability, or change of residence from the Town of a town officer on
15 any board, commission, or committee or in other public office whether elected
16 or appointed. Such notice shall:

17 (1) be made by posting the vacancy in the Town Clerk's office and two
18 other public places in the town at least ten days prior to the meeting at which
19 the appointing authority intends to fill the vacancy; and

20 (2) provide for the right of any interested citizen to submit a written
21 application to the appointing authority regarding such vacancy and to be

1 personally interviewed by the appointing authority, if requested by the
2 applicant, prior to the filling of said vacancy as provided by law.

3 (b) As lawfully approved by Vermont state statute to do so, a nonresident
4 may serve in office. For example, a nonresident may not lawfully serve as a
5 Town Clerk or as a Selectboard or ZBA member.

6 § 21. NEWSPAPER PUBLICATION

7 The Selectboard may publish notices of vacancies in a newspaper of general
8 circulation in the Town.

9 § 22. SEPARABILITY

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

15 § 23. AMENDMENT

16 This charter may be amended as set forth by state law under 17 V.S.A.
17 § 2654.

18 § 24. ORDINANCES; ADOPTION BY SELECTBOARD

19 (a) If the Selectboard desires to adopt an ordinance, it shall cause the
20 ordinance to be entered in the official record kept of the Board's proceedings,
21 and, thereafter, the Board shall adopt the ordinance subject to final approval

1 after the public hearing as hereafter set forth. The ordinance shall then be
2 published in a newspaper of general circulation of the Town together with a
3 notice of the time and place of a public hearing to consider the ordinance for
4 final passage, such publication to be on a day at least one week and not more
5 than two weeks prior to the date of the hearing.

6 (b) At the public hearing or at any time and place to which the hearing may
7 from time to time be adjourned, the ordinance shall be read in full, unless the
8 Selectboard elects to read the ordinance by title, and after such reading, all
9 persons interested shall be given an opportunity to be heard.

10 (c) After the public hearing, the Selectboard may finally adopt the
11 ordinance, with or without amendment. If the Board amends the ordinance
12 prior to passage, it shall cause the amended ordinance to be entered into the
13 official record of Board proceedings and shall also cause the amended sections
14 of the ordinance, as finally passed, to be published in a newspaper of general
15 circulation in the Town on a day not more than 14 days after adoption. Any
16 published notice shall explain citizens' rights to petition for a vote on the
17 ordinance at an annual or special meeting pursuant to Title 24 of the Vermont
18 Statutes Annotated.

19 (d) Every ordinance shall become effective upon passage unless otherwise
20 stated. If a referendum petition is filed within 40 days of adoption, the
21 ordinance shall not become effective until after the question of repeal is voted.

1 (e) The Town Clerk shall prepare and keep in the Town Clerk's office a
2 book of ordinances which shall contain each Town ordinance, together with a
3 complete index of the ordinances according to subject matter. Failure to
4 comply with this provision shall not invalidate a Town ordinance lawfully
5 passed.

6 (f) A town ordinance may provide:

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

12 (2) that the Selectboard may authorize the Town Attorney to bring
13 action in the name of the Town of Woodford for any relief which the
14 Selectboard may deem appropriate for the enforcement of any town ordinance.

15 § 25. REFERENDUM

16 All town ordinances, except as specified, may be repealed by vote of the
17 Town as follows: A petition signed by not less than five percent of the
18 registered voters shall be filed with the Town Clerk requesting a vote on a
19 question of repealing the ordinance. The Selectboard shall call a special town
20 meeting to be held within 60 days of the date of filing the petition to vote on
21 whether the ordinance shall be repealed. The ordinance shall be repealed only

1 if 15 percent of the registered voters vote and a majority of that number vote
2 for repeal.

3 § 26. INITIATIVE

4 Any lawful ordinance may be enacted by vote of the Town as follows:
5 A petition signed by not less than five percent of the registered voters shall be
6 filed with the Town Clerk requesting enactment of the ordinance and
7 accompanied by the text thereof. The Selectboard shall call a special town
8 meeting to be held within 60 days of the date the petition is filed unless, prior
9 to such meeting, the Selectboard shall have enacted the ordinance. The
10 warning for the meeting shall include the text of the proposed ordinance and
11 shall provide for a “yes” or “no” vote to its enactment. The ordinance shall be
12 adopted if at least 15 percent of the registered voters vote and a majority of that
13 number vote for adoption.

14 § 27. COMPENSATION OF SELECTBOARD MEMBERS; APPOINTEES

15 (a) Compensation to the Selectboard members shall be set by the voters at
16 the annual meeting, with a minimum of \$1,000.00 a year each. Selectboard
17 members’ salaries (stipends) must be set forth as a separate item in the annual
18 budget presented at the meeting.

19 (b) The Selectboard shall fix the compensation of all officers and
20 employees except as otherwise provided in this charter.

1 § 28. NONAPPLICABILITY TO ZONING AND SUBDIVISION

2 (a) The provisions of this charter shall not apply to the enactment,
3 amendment, or repeal of any zoning ordinance or zoning bylaw; any land
4 subdivision ordinance or land subdivision bylaw; the enactment, amendment,
5 or repeal of any municipal plan or comprehensive municipal plan; the
6 enactment, amendment, or repeal of any regional municipal plan or
7 comprehensive regional plan; the enactment, amendment, or repeal of such
8 ordinances, bylaws, and plans being specifically controlled by 24 V.S.A.
9 chapter 117; or by such other statutes regulating zoning, subdivision, and
10 municipal and regional plans as may be enforced from time to time.

11 (b) The adoption, amendment, or repeal of all other ordinances shall be in
12 conformity with this charter.

13 § 29. BONDING OF OFFICERS

14 All officers of the Town required to be bonded by state law shall be bonded.
15 The amount of bonding insurance shall be determined by the Selectboard.

16 § 30. APPLICATION OF GENERAL LAW

17 Provisions of the laws of the State of Vermont relating to voter
18 qualification, warning, method of voting, the duties of town officers at town
19 meetings and elections, and all other particulars relating to preparation for
20 conducting and managing town meetings and elections shall, so far as they

1 may be applicable, govern all municipal elections and all annual and special
2 town meetings, except as otherwise provided in this charter.

3 § 31. FISCAL YEAR

4 The fiscal year shall commence on the first day of January and end on the
5 last day of December unless the Town at its annual meeting shall determine
6 otherwise. If the Town votes another fiscal year, it shall specify the procedure
7 for transition, including the method for financing the transition.

8 § 32. AMOUNT TO BE RAISED BY TAXATION

9 Upon passage of the budget by the annual town meeting, the amount stated
10 therein as the amount to be raised by property taxes shall constitute a
11 determination of the amount of the levy for the purposes of the Town in the
12 corresponding tax year, and the Selectboard shall levy such taxes on the grand
13 list furnished by the listers of the corresponding year.

14 § 33. BUDGET LIMITATIONS; BORROWING

15 (a) The incurring of bonded indebtedness, the issuing of bonds, the making
16 of temporary loans in anticipation of bond sales, and all other matters
17 pertaining to bonded indebtedness shall be controlled by 24 V.S.A. chapter 53
18 or such statutes as are applicable.

19 (b) The Town, through the Selectboard, may borrow money in anticipation
20 of taxes. The total amount so borrowed shall not exceed 90 percent of the

1 taxes assessed for such year, and notes or orders issued therefore shall mature
2 not later than the end of the fiscal year of the Town.

3 (c) The Town, by vote at any annual or special meeting, may borrow
4 money under such terms and conditions and for such lawful municipal
5 purposes as the Town shall vote.

6 (d)(1) In cases of emergency, the Selectboard may appropriate funds or
7 borrow money in the name of the Town. The total combined emergency
8 appropriations and borrowing in any year shall not exceed five percent of the
9 amount voted at the annual meeting as the town budget or, if the appropriation
10 or borrowing is prior to the annual meeting, then five percent of the amount
11 voted at the prior annual meeting as the town budget.

12 (2) Notes or orders for such emergency borrowing shall mature not more
13 than one year from the date of issuance and shall not thereafter be renewed
14 unless the Town so votes.

15 (3) Any federally or state-declared emergency that requires borrowing
16 or appropriation in excess of five percent shall require a duly warned special
17 meeting, and a majority of Trustees of Public Funds must approve such
18 expenditures.

19 (4) Any emergency borrowing or approval shall be reported at the next
20 Town meeting.

1 (e) The Selectboard, in the name of the Town, may borrow funds in
2 anticipation of federal and state funds which have been approved and
3 committed, until such time as such funds are available. Any debt so incurred
4 for a project shall be repaid from the first federal or state funds received for
5 that project.

6 (f) Any appropriations beyond the amount in the Town budget, except as
7 specified in subsection (d) of this section, and all borrowing, except as
8 specified in subsections (a), (b), (c), and (e) of this section, shall be by vote of
9 the Town and upon such terms and conditions as the Town shall vote.

10 (g) An annual budget shall be adopted at town meeting by the vote of a
11 majority of those eligible to vote present at the meeting. If, after the total
12 budget has been appropriated, the Selectboard finds additional appropriations
13 necessary, the appropriations shall be made and reported at the next town
14 meeting as a specified item. The appropriations shall only be made in special
15 circumstances or situations of an emergency nature. No specific explanation
16 need be given for any normal annual operating expense which may be
17 increased over the budget amount by an amount not more than ten percent of
18 the specified budget.

19 Sec. 3. EFFECTIVE DATE

20 This act shall take effect on passage.