

TOWN OF MIDDLEBURY

Notice of Public Hearing to Consider Proposed Charter Amendments

Pursuant to 17 VSA 2645, the Selectboard of the Town of Middlebury will hold the first of two Public Hearings at 7:20PM on Tuesday, July 14, 2026 in the Large Conference Room of the Middlebury Town Offices, 77 Main Street, Middlebury, Vermont 05753, and via Zoom videoconferencing (instructions below), to take public testimony on the Selectboard's proposed amendments to the Town Charter.

A summary of the proposed amendments to the Town Charter is available below. A copy of the entire proposal is available to the public in the Town Clerk's Office, Town Offices, 77 Main Street, Middlebury, VT 05753, and will be made available upon request. The Clerk's Office is open Monday-Thursday, 8am-5pm.

Zoom Information - To view and participate in the First Public Hearing

When: July 14, 2026, 7PM Eastern Time (US and Canada)

Zoom Link: <https://us02web.zoom.us/j/87022451814>

Phone one-tap: +13017158592,,87022451814# US

Webinar ID: 870 2245 1814

SUMMARY - PROPOSED CHANGES TO TOWN CHARTER

*Proposed change relates to a practice already taking place

MORE SIGNIFICANT, SUBSTANTIVE CHANGES

- 104(1-12) - Expanding topics that Town has ordinance authority over, such as: improvements to public infrastructure (streets, sidewalks, bike facilities, landscaping, lighting, storm drainage, maintenance of aforementioned infrastructure); rideable devices; groundwater (and related remediation); collection of garage/rubbish (and related remediation); fire prevention and control (and fees for admin. and remediation); public property/right of ways; adopting fees for public recreation facilities; closure of sites relating to violations; outdoor advertising; clarifying Downtown Improvement District purpose
- 106(a)(1) - Increasing the ceiling for highest municipal fine from \$1,000 to \$10,000
- *308(b) - Allowing any person, rather than just any registered Town voter, to apply for committee vacancies
- 704(l) - Removing requirement that Town Manager must first get Selectboard approval to appoint, remove, or suspend a department head
- 1101 - Changing appointment process for the Zoning Administrator (ZA) adding in a consultation requirement with Planning Commission Chair & Development Review Board Chair; appointment of ZA would be for three-year term with provision for removal of ZA by Selectboard for just cause.

CHANGES WITH LIMITED IMPACT

- *107(a) - Requiring adopted ordinances to be posted on website, & newspaper ordinance notice must include summary; providing Selectboard the option to choose public notice by means other than a newspaper
- *107(b) - Removing requirement of reading ordinance change in full at Selectboard public hearing
- *107(c) - Requiring ordinance actions be placed on website with a summary; allowing Selectboard to choose public notice option of publication other than newspaper
- 107(d) - Reducing time Selectboard - adopted ordinance change becomes effective, from 40 to 10 days; suspension due to referendum would still be available
- *107(e) - Town ordinances would be maintained on the Town website by Town Manager's Office instead of Clerk; no longer requiring an ordinance subject index
- 108(a) - Clarifying that a referendum can also be for amending an ordinance
- 109 - Reducing time an ordinance adopted through an Initiative becomes effective, from 30 to 10 days
- 303(b) - Candidates for Selectboard vacancy must also specify the term they are seeking to complete
- 304(d) - Creating Town vote option for appointment of Town Clerk, without removing current election process
- 305(b)(2-5) - Adjusting oversight of Treasurer from Selectboard to Town Manager; Treasurer reports to Selectboard would be quarterly, instead of monthly
- 306(d)(2,4-5) / 306(e)(1-3) - Amending existing officer positions; removing archaic positions functionally not needed anymore, providing for appointment only if needed
- 308(a) - Publication of vacancies can occur in either newspaper or another publication of Selectboard's choosing; vacancies must be posted on website
- *308(b) - Applicants for board or committee appointments to submit written request with their interest and qualifications; Removing 10-day requirement for Selectboard nomination of applicants.
- *501(b)(1) - Selectboard can serve as water or sewer commissioners for Town; Selectboard can create a sewer or stormwater utility
- *501(c) - All board/committee available packet documents (beyond just the agenda) must be posted on website prior to their meetings
- *503(e) - Noting that the entire available meeting packet, not just the agenda, must be posted within 24 hours prior to the meeting
- *504(a) - Adding that Selectboard meeting recording must be posted to Town website in video format
- *504(b) - Updating that Selectboard meeting minutes are posted on website and in Clerk's Office; and all packet documents should be filed in Clerk's Office and website
- *506 - SB stipend is set by annual Town Meeting budget
- *701 - Town Manager is appointed by contract; no longer for indefinite time period
- *703 - Town Manager is not required to provide a bond to perform role
- *704(d) - Other staff, beyond just Manager, may be ex-officio non-voting committee members
- *704(g) - Town Manager should also include in Town annual report agencies that the Town funds
- 704(h) - Town fiscal statements will be published quarterly, instead of monthly

- 704(n) - Specifying that there must be a capital budget, along with a 5-year capital improvement plan, for Town Meeting
- 704(o) - Noting that the Town Manager is responsible for public recordkeeping and archiving, in accordance with applicable laws
- 706 - Selectboard appointment of temp. Manager, after Manager removal, may not last for more than 180 days
- 707 - Allowing Town Manager to designate their temporary replacement, with Selectboard approval, without also filing a letter with Town Clerk; if Selectboard does not approve, Selectboard would make appointment
- *902(b) - Removing requirement that Town Meeting ballot boxes be open for minimum of consecutive hours (covered by State law)
- *1104(b) - Requiring minutes of DRB & Planning Commission be kept on Town website & in Town Clerk's Office/Archives, rather than printed copies in Town libraries
- *1302(e) - Requiring that final Town annual budget be posted on website, with text notification
- 1308a - Replacing entire section with simplified statement that provides Town voters with authority to implement revenue streams, of any sort as allowed by State law

HOUSEKEEPING/CLARIFICATION CHANGES

- Throughout Charter - Switching term 'Selectmen' to 'Selectboard'
- 107(d) - Redundant language regarding referendums is removed; authority already exists in Sect. 108
- *108(a) - Simplification of wording; same referendum process
- 109 - Clarifying Initiative petition must include text of proposed change
- *302(a)(1) - Noting Selectboard membership number, from 5 to 7
- *302(a)(5) - Removing Auditor from elected official list per prior Town vote; Town Clerk added (unless Town votes to shift to appointment process for Town Clerk).
- *302(a)(6-9) & 304(f) / 1302(b)(2-3/5) / 1305 - Updating language to reflect past, & possible future local school districts name changes
- *302(e) - Removing process, for adding additional Selectboard membership (no longer necessary)
- *303(a) - Removing antiquated language regarding appointment of original SB membership terms
- *304(a) - Clarifying that appointment of appraiser is subject to Selectboard approval.
- 304(b) - Relocating language relating to election of Auditor, replacing with language relating to selected by Town Manager & Selectboard; references to Auditor role re state laws moved to Appointed Officer section
- 304(f) - Removing antiquated language relating to when school board & East Middlebury Prudential Committee members start their terms; deferring to appropriate Town and State laws on those matters
- *305(a) - Treasurer appointed by Town Manager, not Selectboard, per Town charter amendment in 2023
- 305(b)(3) - Noting Treasurer functions should align with recognized auditing practices
- *306(a) - Noting that Selectboard shall make any appointments required by Charter or other State/local laws
- *306(c) - Clarifying that Selectboard may also amend existing Town personnel code; remove unnecessary language for adoption of personnel code
- 307 - Clarifying section's purpose (Recall) in its title
- *308(a) - Clarifying that Selectboard appointment authority applies to all Town boards/commissions
- *501(a) - Noting that Selectboard duties/powers extend to what's in the Town Charter, not just State Constitution and State laws
- *501(b)(1) - Noting that the authority of Selectboard can prescribe duties of boards & committees
- 501(b)(8) - Selectboard members shall have right to attend and speak Town boards/committee meetings, including their executive sessions
- *501(d) - Town to adopt ethics policies/procedures, for all boards/officers/employees per state law
- *501(e) - SB must annually appoint a newspaper (or equivalent publication site) for public notices
- *503(c) - Clarifying that 4 Selectboard members constitutes a quorum; removing outdated reference to former 5-member board
- *503(d) - Noting that Selectboard actions resulting from executive session must be approved by a motion in a public meeting
- *503(e) - Selectboard agenda physical posting takes place week before meeting at Town Offices/in local newspaper (or other accepted means of publication)
- *704(g) - Publication of annual Town Report document by Manager shall be done on calendar year, not fiscal; clarifying that the annual fiscal report is in the Town Report covering financial activities for the last completed fiscal year
- *704(i) - Town Manager shall be responsible for doing department head performance evaluations
- *704(k) - Clarifying that Town Manager is responsible for financial controls of Town governance
- *903 - Determination of eligible voters must be made in accordance with State laws
- 1102-1103 - Removing antiquated zoning/subdivision ratification requirements
- 1301 - Updating fiscal year language, reflecting current practice of fiscal year starting in July, not January
- 1302(b) - Removing unneeded link between Town Meeting notice publish date & school district annual meeting
- 1302(d) - Clarifying that the public hearing associated with the annual budget should take place prior to the draft budget that is finalized by the Selectboard
- 1502 - Removing antiquated section relating to employees of Town at time of initial Charter adoption
- *1506 - Require Charter to be posted on Town website and in archives, rather than printed copies in Town libraries
- 1507 - Removing language relating to officers of former school district
- *1509 - Reference to utilizing most recently adopted State statutes