

TOWN OF MIDDLEBURY, VERMONT

NOTICE OF SECOND PUBLIC HEARING TO CONSIDER PROPOSED CHARTER AMENDMENTS

Pursuant to 17 VSA 2645, the Selectboard of the Town of Middlebury will hold a second Public Hearing at 7:20PM on Tuesday, August 25, 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 revised proposed amendments to the Town Charter.

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

Zoom Information - To view and participate in the Second Public Hearing
When: August 25, 2026, 7PM Eastern Time (US and Canada)
Zoom Link: <https://us02web.zoom.us/j/87631434398>
Phone one-tap: +16465588656,,87631434398# US (New York)
Webinar ID: 876 3143 4398

Summary of Revised 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; noting ability of recovering Town costs of relating actions
- 106(a)(1) - Increasing the ceiling for highest municipal fine from \$1,000 to \$10,000 per offense
- *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; instead, Manager shall confer with Selectboard regarding removal or suspension of any 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, & a summary of principal provisions of ordinance in newspaper or two other physical public posting locations in town
- *107(b) - Removing requirement of reading ordinance change in full at Selectboard public hearing
- *107(c) - Requiring ordinance actions be placed on website & a summary of principal provisions of ordinance in newspaper or two other physical public posting locations in town
- 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; noting time frame for petitions consideration at Town Meeting
- 109 - Reducing time an ordinance adopted through an Initiative becomes effective, from 30 to 10 days; noting role of Town attorney in reviewing initiative ordinance proposal
- 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; clarifying examples of what reports to Selectboard would include
- 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 Requiring adopted ordinances to be posted in newspaper or two other physical public posting locations in town
- *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) - The agenda must be posted at least 48 hours ahead of meeting; any available packet documents within 24 hours of 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
- 505 - Selectboard members may make general complaints to Town Manager, not to Dept. Heads
- *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; Selectboard shall have power of appointment, not the temporary Manager

- 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; clarifying time frame of vacancy and annual Town Meeting
- *308(a) - Clarifying that Selectboard appointment authority applies to all Town boards/commissions; publications must be in newspaper or two other physical public posting locations in town
- *309/703 - Noting bonding requirement may also be met through other similar insurance policy coverage
- *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)
- 503(f) - Any item added to a Selectboard agenda by the Board must do so immediately as the first item of business of the meeting
- *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
- *1101 - Clarifying that it is the majority of Selectboard that is the necessary threshold for ZA removal
- 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
- *1308(a) - Noting that taxes must be paid by the last day of the fiscal year, June 30
- *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