

The Vermont Statutes Online

The Vermont Statutes Online have been updated to include the actions of the 2023 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 24 Appendix : Municipal Charters

Chapter 156 : Town of Williston

(Cite as: **24 App. V.S.A. ch. 156, § 16**)

§ 16. The Town Manager

(a) Appointment. The Selectboard shall appoint a Town Manager.

(b) Qualifications. The Town Manager shall be appointed solely on the basis of his or her executive and administrative skills, based on education, training, and experience relative to the duties of the Town Manager, and without reference to political belief or personal relationships.

(c) Term of appointment. The Town Manager may be appointed for an indefinite term.

(d) Residency. The person appointed as Town Manager need not be a resident of the Town.

(e) Conditions of employment; compensation. The conditions of employment and compensation shall be a matter to be determined at the time of appointment, and annually thereafter by the Selectboard on the Manager's anniversary date, after negotiations in executive session between the Manager or manager candidate and the Selectboard.

(f) Oath and bond. Before entering into the duties of office, the Town Manager shall be sworn to the impartial and faithful performance thereof, with a certificate to that effect to be filed with the Town Clerk. The Manager shall execute a bond in favor of the town for the faithful performance of his or her duties in a sum determined by the Selectboard. The Town shall pay the premium for the surety.

(g) Acting Town Manager; vacancy in the office.

(1) In the event that the Town Manager shall be absent from the Town for a period exceeding two consecutive weeks, he or she shall designate an acting Manager who shall exercise the duties of Manager. The Manager may overrule the actions of the acting Manager.

(2) In the event that illness or injury renders a Manager unable to discharge his or her duties, or in the event that the Manager is suspended or placed on administrative leave, the Selectboard shall declare a vacancy in the office and appoint an acting Manager to serve until such time as the Manager is able to assume regular duties or a new Manager is selected.

(3) An acting Manager appointed to fill a declared vacancy in the office shall have all the powers and perform all duties of the Manager and shall be compensated at a rate of pay not inconsistent with the responsibilities of the position. An acting Manager shall not serve for more than 180 days.

(4) In no case shall a Selectboard member act as Town Manager.

(h) Responsibilities of the Town Manager and authority.

(1) General authority. The Town Manager shall be the chief administrative officer of the Town. He or she shall be responsible to the Selectboard for the administration and general supervision of all business affairs and property placed in his or her charge pursuant to this charter, State statute, or otherwise.

(2) Limits to authority in general.

(A) The authority of the Manager shall in no way extend to:

(i) the calling or administration of elections.

(ii) the assessment of taxes or property valuation judgments.

(iii) judicial or legislative functions of the Selectboard, or other legal bodies, boards, and commissions.

(iv) direct supervision of the Town Clerk in statutory duties except as otherwise provided by this charter.

(v) where general State law places the appointment or dismissal of an official in the control of some other official than the Town Manager, with the exception of the administrative officer (Zoning Administrator), including a member of the Development Review Board or Planning Commission, general State law shall prevail over the provisions of this charter.

(B) The Manager may, upon request, advise or counsel officials in the performance of the above duties.

(C) The Town Manager may not serve in any elective position in the Town of Williston. He or she may, however, serve on appointed boards and commissions relevant to Town functions in an ex officio status, as may be determined by the Selectboard.

(3) Authority and duties in particular. The Manager shall be charged with full authority and be responsible for the following:

(A) To organize, reorganize, continue, or discontinue such Town departments as the Board may determine.

(B) To direct and supervise the administration of all departments, offices, and agencies of the Town except as otherwise provided by the charter or statute.

(C) To carry out the policies determined by the Selectboard and report to the Board on their disposition.

(D) To maintain an appropriate budget control system.

(E) To keep the Selectboard informed on the financial condition of the Town, including monthly and year-end reports showing in detail all receipts and expenditures for Town functions.

(F) To keep the Selectboard informed as to the future needs of the Town and make proper administrative provisions for long-term planning, in all areas within the scope of the duties of the Manager.

(G) To make such reports as the Selectboard may require, or the Manager deems appropriate, or may be required by law or ordinance regarding any and all functions under his or her supervision.

(H) To keep full and complete records of the actions of the Manager's office.

(I) To be present at all regular Selectboard meetings unless excused by the Board, and to have the right to attend and take part in all special meetings of the Selectboard and subcommittees thereof, except when the removal of the Manager is being discussed. Nothing herein shall deny the Manager any rights granted under the provisions of 1 V.S.A. § 313(a)(4).

(J) To appoint, upon merit and fitness alone, and, when the Manager deems necessary for the good of the service, suspend or remove any subordinate official, employee, or agent, including the Town Treasurer, Assistant Town Treasurer, and administrative officer (Zoning Administrator), under the Manager's supervision as provided for in this charter. The Library Director shall be appointed or removed by the Manager with the advice and consent of a majority of the Library Board of Trustees. All appointments may be without definite terms, except as provided in section 19 of this charter, 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.

(K) To ensure the proper and equitable administration of the Town's personnel system.

(L) To fix the compensation of Town employees as provided in this charter.

(M) To remain ultimately responsible to the Selectboard for all administrative actions under his or her jurisdiction, although he or she may hold subordinate employees' offices or agents responsible for the faithful discharge of their duties.

(N) To draft an annual budget document and capital expenditure plan.

(O) To examine or cause to be examined, with or without notice, the affairs of any department under his or her control, or the conduct of any officer or employee thereof. For this purpose, the Manager shall have access to all books, papers, files, reports, or records of all departments that may be necessary for the proper performance of his or her duties.

(P) To ensure the preservation of the public peace, health, and safety of persons and property and see to the enforcement of this charter, ordinances, and State and federal laws as applicable.

(Q) To be the general purchasing agent for the Town.

(R) To have charge and supervision of all Town buildings, properties, and facilities; all repairs thereon; and all construction by the Town unless otherwise voted.

(S) To supervise and expend all special appropriations of the Town, unless otherwise voted by the Town or provided in this charter.

(T) To cause to be collected by the Town Treasurer or to collect all taxes due the Town, except as otherwise provided by statute.

(U) To cause duties of the municipality not committed to the care of any particular officer to be duly performed and executed.

(V) To perform such other duties consistent with his or her office as may be required by a vote of the Selectboard, by law, ordinance, or mandate not inconsistent with this charter.

(4) Accountability, noninterference, and appointive power. The Town Manager shall be responsible to the Selectboard for the proper and efficient administration of the departments under his or her charge as outlined above in this charter. Neither the Selectboard, any individual member of the Board, nor any of its committees or committee members shall dictate the appointment or discharge of any Town employee by the Town Manager, or in any manner interfere with his or her exercising of judgment in the appointment and discharge of employees in the administration.

(5) Noninterference with administrative discretion and supervision. Except for the purposes of formal inquiries or investigations made under this charter, the Selectboard and its members shall deal with the administration, Town officers, and employees who are subject to the Manager's direction and supervision, solely through the Town Manager. Neither the Selectboard nor any of its members shall give orders to or request any action publicly or privately of any Town employee. Communications for the purposes of

information and background shall be considered proper when approved by the Manager.
(Added 2003, No. M-11 (Adj. Sess.), § 2, eff. May 3, 2004; amended 2009, No. M-2, § 2, eff.
April 23, 2009; 2019, No. M-5, § 2, eff. May 23, 2019; 2021, No. M-2, § 2, eff. June 1, 2021.)