
TOWN OF HINESBURG

TO: SELECTBOARD
FROM: TODD ODIT, TOWN MANAGER
SUBJECT: DRAFT TOWN MEETING WARNING REVIEW
DATE: 1/18/2023

ISSUE:

The issue is reviewing the draft Town Meeting Warning before it needs to be approved on January 25, 2023.

DISCUSSION:

The warning establishes that an informational hearing will be held in the CVU auditorium on Monday March 6, 2023, the evening before the polls open on Tuesday March 7, 2023. For the informational meeting, ARTICLE II: Any other business thought proper, is an addition that was not on the warning for the informational meeting last year.

Elected officers reflect those that are required. The budget is warned as it has been in the past, with separate articles for general government, highway, police, fire, library, capital transfers and appropriations.

Article XII, asks voters approve the purchase of a pumper/tanker not to exceed \$850,000 to be financed for a period up to 10 years. If the article is approved, it is anticipated that delivery would occur 24-36 months after the order is placed. Financing would be secured approximately three months prior to delivery.

Article XIII, asks voters if the town can provide notice of the availability of the town report instead of mailing a town report to every address. As written, at a minimum, the town would be required to provide notice via the town website and posting public notice in three places. The town could choose to provide other means of notice, such as a post card, but would not be required to. The purpose of this question is to avoid waste and postage as a lot of town reports end up in the recycling bin at the post office.

Articles XIV & V, ask the voters if they will approve of the Selectboard appointing the Town Clerk and Town Treasurer instead of those positions being elected. Even with the Town Manager – Selectboard form of government, the authority to appoint and remove the Town Clerk and Town Treasurer positions would rest solely with the Selectboard.

It is the Manager's opinion that appointment of these positions by the Selectboard provides greater oversight than election by the voters. As elected positions, in the event of wrong doing, malfeasance, neglect of duty etcetera, there is no mechanism to remove the individual from their position. Vermont Statutes do not contain a recall provision. As a result, an elected individual would need to resign or the voters would need to wait until the end of their 3-year term to elect a replacement.

Appointment by the Selectboard provides an opportunity to remove an individual from these positions but that authority is not without limit. Specifically, any removal would need to be for “just cause.” In other words, the Selectboard would need a reason that justifies removal. By way of example that would include but not be limited to, embezzlement, lack of performance of duties, tampering with election results or the voter checklist.

Compared to being elected, being appointed to the position provides greater protection to the individual in the position because the Selectboard can’t remove them “at will” like the voters can at the end of their term. Moreover, appointment by the Selectboard is not for a specific term, it is until removed or the person resigns, like other town employees.

COST:

There is no cost to the town.

RECOMMENDATION:

It is recommended that the Selectboard review the draft warning and decide if any changes should be made.



TOWN MEETING WARNING
Informational Meeting February March 6, 2023
Annual Meeting March 7, 2023
Town of Hinesburg, Vermont

Informational Meeting March 6, 2023 In-person and via Remote Access

The legal voters of the Town of Hinesburg, Vermont are hereby warned and notified to meet in-person and remotely in said Town of Hinesburg, on Monday March 6, 2023 at 7:00 P.M. at the Champlain Valley Union District High School, at 369 CVU Road, Hinesburg, VT 05461, for an informational meeting on the articles to be voted upon by Australian Ballot on Tuesday March 7, 2023. Join Zoom Meeting

Meeting ID: Passcode:

This Informational Meeting will be held in-person and remotely. Available options to watch or join the meeting:

- Attend in-person in the auditorium at Champlain Valley Union High School.
- Join the meeting via Zoom using the log-in information above.
- View remotely by streaming on VCAM
- For the purpose of recording minutes, you will be asked to provide your first and last name.
- **HOW TO REGISTER TO VOTE:** There is no deadline to register to vote. You can register by going to olvr.vermont.gov to register on-line, by going to the town clerk's office and filling out a paper registration form, or on election day at the polls.
- **HOW TO REQUEST AN EARLY BALLOT:** You or a family member can request an early ballot by visiting mvp.vermont.gov and signing in to your voter page. You may also request a ballot by phone, in person or via email at mross@hinesburg.org or hroberts@hinesburg.org.

ARTICLE I: To hear the reports of the officers of the Town of Hinesburg.

ARTICLE II: Any other business thought proper.

Annual Meeting Tuesday, March 7, 2023 via Australian Ballot

The legal voters of the Town of Hinesburg, Vermont are hereby warned and notified to meet at the Town Hall at 10632 Vermont Route 116 in Hinesburg, on Tuesday, March 7, 2023 to transact the following business by Australian ballot. Said voting by Australian ballot will begin with the polls opening at 7:00 A.M. and closing at 7:00 P.M.

ARTICLE III: To elect the necessary Town and School District officers by Australian ballot:

- Selectboard member for a term of 3 years
- Selectboard member for a term of 2 years
- Selectboard member for the last year of a 2-year unfulfilled term.
- Town Clerk for a term of 3 years
- Town Treasurer for a term of 3 years
- Town Moderator for a term of 1 year
- Cemetery Trustee for a term 3 years

- Library Trustee for a term of 3 years
- Peck Estate Trustee for a term of 3 years
- Champlain Valley School District Director for a 3-year term

ARTICLE IV: Shall the Town approve a General Government budget of \$1,779,587 with the sum of \$1,273,513 raised through taxes?

ARTICLE V: Shall the Town approve a Highway Department budget of \$720,583 with the sum of \$542,083 raised through taxes?

ARTICLE VI: Shall the Town approve the Hinesburg Community Police Department budget of \$808,074 with the sum of \$770,574 raised through taxes?

ARTICLE VII: Shall the Town approve the Hinesburg Fire Department budget of \$623,548 with the sum of \$555,548 raised through taxes?

ARTICLE VIII: Shall the Town approve the Carpenter-Carse Library allocation of \$244,000 with the sum of \$244,000 raised through taxes?

ARTICLE IX: Shall the Town approve Capital Transfers of \$582,867 with the sum of \$482,867 raised through taxes?

ARTICLE X: Shall the Town appropriate the sum of \$40,050 with the sum of \$40,050 raised through taxes, to be distributed as specifically designated below?

Steps to End Domestic Violence	\$2,350
UVM Home Care & Hospice (VNA)	\$7,250
Committee on Temporary Shelter	\$1,000
Age Well (CVAA)	\$4,000
VT Family Network	\$1,000
Vermont Center for Independent Living	\$200
Hinesburg Meal Site	\$650
Prevent Child Abuse Vermont	\$500
Hinesburg Community Resource Center	\$23,100

(If voters approve Articles 4 through 10, total expenditures of \$4,798,709 will be required, with the estimated amount of \$3,908,635 to come from property tax revenue.)

ARTICLE XI: Shall voters authorize the payment of real and personal property taxes for the fiscal year ending June 30, 2024, payable in full to the Town of Hinesburg in one (1) installment, with the due date being November 15, 2023 and to be collected by the Town Treasurer? Any and all payments received in the Town Treasurer's Office later than midnight on November 15, 2023 will be considered delinquent and will be subject to the collection of interest at the rate of 1% per month or fraction thereof for the first three (3) months and thereafter at the rate of 1.5% per month or fraction thereof.

ARTICLE XII: Shall the voters authorize the purchase of a Pumper/Tanker for the Fire Department in an amount not to exceed \$850,000 to be financed over a period not to exceed ten (10) years?

ARTICLE XIII: Shall the town provide notice of the availability of the annual report by posting notice on the town website and in three public places in town at least 30 days before the annual meeting instead of mailing or otherwise distributing the report to the voters of the town pursuant to 24 V.S.A. § 1682(a)?

ARTICLE XIV: Shall the voters authorize the Selectboard to appoint a town treasurer as provided in 17 V.S.A. § 2651f?

ARTICLE XV: Shall the voters authorize the Selectboard to appoint a town clerk as provided in 17 V.S.A. § 2651e?

Signed and dated this 25th day of January 2023, and as attested to by:

Merrily Lovell, Chair

Dennis Place

Maggie Gordon, Vice-Chair

Michael Loner

Attest: Melissa Ross, Town Clerk