



# POLICY

# 2013-09

**TO: Selectboard**  
**FROM: Brian M. Palaia, Town Manager**  
**RE: Vacancy, 2013-09, the 9<sup>th</sup> Policy of 2013**  
**DATED: December 2, 2013**  
**EFFECTIVE DATE: Immediately**

## VACANCY POLICY

*Notice, Application, Interview & Appointment Procedure for Boards, Commissions, Committees & Officers*  
**Town of Milton**

**PURPOSE.** The purpose of this policy is to ensure that appointed board, commission, committee and/or officer vacancies are adequately noticed, and that all eligible applicants are given equal opportunity to apply as well as given due consideration for appointment.

**SCOPE.** This policy addresses the appointments made by the Selectboard as authorized by the Town's Charter under §304, subsection 3, which states that the Selectboard shall "appoint and remove members of all boards, commission, committees or similar bodies unless provided otherwise by this Charter."

These include:

- Selectboard Members (not to exceed one at the same time) (§202, subsection d,1)
- Planning Commission Members (§306, subsection a,1)
- Zoning Board of Adjustment Members (§ 306, subsection a,2)
- Cemetery Commission Members (§306, subsection a,3)
- Chittenden County Regional Planning Commission Member (§306, subsection a,4)
- Chittenden County Solid Waste Management Board Member (§306, subsection a,5)
- Civil Defense Director (§306, subsection a,6)
- Zoning Administrator (§306, subsection e,1)
- Health Officer (§306, subsection e,2)
- Town Attorney (§306, subsection e,3)
- Pound Keeper (§306, subsection e,4)
- Planning Director (§306, subsection e,5)

Selectboard appointments called for by Vermont Statutes, neither in conflict with this policy nor the Charter, shall also be subject to this policy.

Further, §306, subsection (b) of the Charter states that the Selectboard may appoint such additional commissions or committees as they feel to be in the best interest of the Town. Additional board, commission, committee or officer appointments created by revision of the Town's Administrative Code or by resolution shall be also subject to this policy. As of

today's date, these include but are not limited to: the Economic Development Commission, Recreation Commission, and Conservation Commission.

This policy shall not apply to the appointment of the Town Manager, nor his or her appointees.

**PROCEDURE.** All appointed officers shall be chosen at large from the legally qualified voters (Charter §306, subsection c); however, if a qualified person is not found within the qualified voters of the Town for the positions of: Zoning Administrator, Health Officer, Town Attorney, Pound Keeper, or Planning Director, the Board may select the best qualified applicant (Charter §306, subsection e).

**Notice & Posting.** Consistent with §306, subsection (d) of the Charter, The Selectboard shall post a notice of a vacancy in **four (4)** or more public places. This policy further instructs that the notice be posted in the same manner as Selectboard meeting agendas are posted (see *Agenda Policy 98-04*). Although not required, the Town may advertise this notice in the designated newspaper.

The notice shall include, but not be limited to, the following:

- The vacant post(s), term length and term expiration;
- Where to obtain a *Vacancy Application Form*;
- The application deadline (10 days from date of posting);
- A complete summary of the application process;
- Where to obtain a copy of the *Vacancy Policy*;
- Date of posting; and
- Whom to contact with questions.

A *Certificate of Posting* shall be completed and filed with the *Vacancy Notice* in the Office of the Town Clerk.

If, after **ten (10)** days, no applicant has submitted an application, the Selectboard may re-advertise any expired term or vacancy (Charter §306, subsection d, 2). This policy further authorizes Town Staff to re-notice the vacancy, on the Selectboard's behalf and with their notification, until an application has been submitted.

**Application.** Any *qualified voter* of the Town may, within **ten (10)** days of the posting of said notice, submit their name to the Selectboard as an applicant for the expired term or vacancy (Charter §306, subsection d, 1); however, any *interested person* may, within **ten (10)** days of posting of said notice, submit their name to the Selectboard as an applicant for the expired term or vacancy for the following posts: Zoning Administrator, Health Officer, Town Attorney, Pound Keeper, and Planning Director (Charter §306, subsection e).

Applicants may do this by submitting a *Vacancy Application Form* to the Town Manager's Office on or before the expiration date. *Vacancy Application Forms* shall be made available in the Town Manager's Office during normal business hours, as well as prominently posted on the Town's website.

The *Vacancy Application Form* shall include, but not be limited to the following:

- Name;
- Legal Address;
- Contact Information;
- Position Sought;
- Voter Registration Status;
- Prior Municipal Service (If Applicable);
- Motivations;
- Qualifications;
- Acknowledgement of familiarity with the Charter's provisions on conflicts of interest & code of ethics;
- Acknowledgement of familiarity with the Town's guidelines and ground rules for committees, commissions and boards; and
- Other information as may be needed for criminal convictions record history.  
(All town volunteers are subject to a criminal convictions record history.)

***Interview.*** Any qualified applicant who has applied for a noticed vacancy is entitled to and must attend a Selectboard meeting for interview.

Applicants will be assigned the next available date for interview by the Selectboard consistent with the time constraints of the Agenda Policy. Staff will contact the applicant to notify them of the meeting date.

If the applicant is unable to attend the assigned meeting, reasonable accommodation will be made to reschedule.

In order to inform the interview process, the Board may ask that the applicant(s) reflect on questions specific to the position being sought; the Board may establish standing questions for annual review during their organizational meetings. For equity, the Board shall strive to ask the same questions of all applicants seeking the same seat.

***Appointment/Postponement/Re-Notice.*** After the interviews have been conducted for a noticed opening, the Board may:

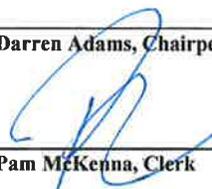
1. Appoint by motion (including name, commission/board/committee/office, and term expiration);
2. Set another meeting date (if an applicant is unable to attend the interview or if they would like to conduct secondary interview); or
3. Re-notice/advertise

**ADOPTION.** The Milton Selectboard, acting in regular session on **December 2nd, 2013**, voted in favor of the new **Vacancy Policy**, as outlined herein as **Policy 2013-09**, hereby rescinding all previous versions (including but not limited to the Vacancy Notice Policy of August 16<sup>th</sup>, 1993, last amended on October 4<sup>th</sup>, 1993). Further, that Policy **2013-09** be part of the permanent record of the attachment of the same to the Minutes of the aforementioned meeting.

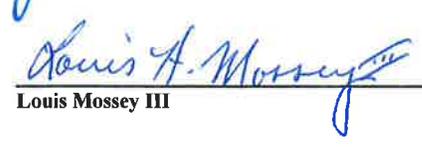
Dated at Milton, Vermont this 2nd day of Dec., 2013

**MILTON SELECTBOARD**

\_\_\_\_\_  
Darren Adams, Chairperson

  
\_\_\_\_\_  
Pam McKenna, Clerk

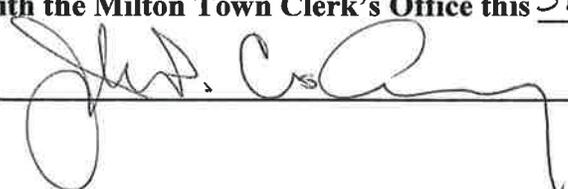
  
\_\_\_\_\_  
John Gifford, Vice-Chairperson

  
\_\_\_\_\_  
Louis Mossey III

\_\_\_\_\_  
John Bartlett

Filed with the Milton Town Clerk's Office this 31 day of January 2013

Attest:

  
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Milton Assistant Town Clerk