

Who has the authority, then, to decide whether the municipal clerk will receive other benefits, such as health insurance, paid vacation, sick leave, etc. - the voters or the selectboard?

The VLCT Municipal Law Center believes that it is ultimately the voters who must approve the appropriation. However, it is our interpretation that the term “compensation” used in §933 gives the selectboard the flexibility to include more than just salary when calculating remuneration for services. We believe that this provision allows the board to extend to elected and appointed officials a benefit package similar to that provided to other municipal employees, if desired. The appropriate way for the board to do this is through the budgeting process. The benefit package for an elected official, like the clerk, could be presented to the voters along with the salary as part of the town clerk’s department operating expenses in the annual budget. But in the end, since the provision of personnel benefits is a discretionary act, and not mandated by law, the selectboard could also decide *not* to extend them to elected and appointed officials.

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