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Notes from editor (not for publication):

HEADLINE ELEMENTS:

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Brattleboro voters will decide fate of RTM

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Town strategy would avoid approval, potential change by
Legislature

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TEXT BODY:

####BEGIN TEXT####

Voters will weigh in next March at the polls on whether
to continue the Representative Town Meeting (RTM) model or
change to an open Town Meeting model.

At the Selectboard's Dec. 2 meeting, board members
agreed unanimously to take the initiative to direct town staff to
prepare the article for the Tuesday, March 3, 2026 town election.

A draft article is expected at the end of January for their review.

“Because it will be the will of the people immediately, rather than have things held up at the legislative level,” Town Counsel Robert Fisher told the board of his recommendation for the board to place the article, rather than waiting for a petition article.

At the time RTM was enacted in Brattleboro, the town was authorized to do so pursuant to [Act 302 of the 1959 legislative session](#) because no other way to do it existed under state law.

Accordingly, any measure regarding the existence of RTM must be voted on by town-wide ballot and not by a vote at RTM.

RTM may be discontinued only by a vote at an annual or special meeting.

While in 2010, a statute was enacted permitting any Vermont town with a population of 5,000 or greater to establish a representative form of town meeting, Brattleboro is currently the only town in Vermont using it.

“I think RTM was a really unique concept [...] but I think it’s run its course,” said Selectboard member Peter Case. “So I’m excited to see if our constituents agree [with us] because I think they do.”

“I’m in favor of more democracy than less, so I think bringing it before the public is the way to go,” said board Chair Elizabeth McLoughlin.

Legal advice

Partly at issue is the nuance of having voters consider a Selectboard-generated article rather than one that is included on the warning by outside petition to the board.

Two such petitions for proposed charter changes have been certified and will be placed on the 2026 election ballot.

44 One seeks to amend the charter to hold all voting by
45 Australian ballot, and the other asks to amend the charter to hold
46 all voting, other than what is already held or otherwise required
47 to be held by ballot (such as election of officers and bond votes),
48 by open town meeting.

49 Whatever voter-initiated articles are approved will
50 subsequently be sent to the Legislature, which may enact the
51 amendments as proposed, or it may edit them. There is no fixed
52 timeline upon which the Legislature may act upon the
53 amendments.

54 Fisher and colleague Hannah Clarisse attended the Dec.
55 2 board session via Zoom and explained that under the state law
56 that established RTM, RTM can't be discontinued without a vote.

57 By the board's putting this article on the March 3 ballot,
58 an immediate answer will be had from those voting.

59 Legislative approval for voter petition articles, he said,
60 takes "sometimes years."

61 Brattleboro's last charter amendment (related to youth
62 voting) was approved by voters in March 2019 and not enacted
63 until May 2023.

64 Due to these types of statistics in town records, Town
65 Manager John Potter noted in his report that it "appears unlikely
66 that the Legislature would approve a charter amendment before
67 the end of the 2026 session, especially in the event that both
68 amendments pass."

69 "There is also a strong possibility that an amendment
70 would not be approved before, or even in time to warn, the 2027
71 meeting, meaning that an approved charter amendment would
72 not likely take effect until the 2028 Town Meeting," he said.

73 He also noted that the response of the Legislature would
74 be unpredictable.

75 "Thus, there is a risk of being left in a state of uncertainty
76 for an unspecified length of time," Potter wrote.

What it means

If voters on Tuesday, March 3, 2026 say they want to keep RTM, nothing changes, and RTM will be held Saturday, March 22.

If they say they want to abolish RTM, it will be discontinued automatically and “by default,” as Charter Revision Chair Kate O’Connor put it, the town will move to open Town Meeting on Saturday, April 11.

Provisions in the Charter allowing for certain items to be voted on by Australian ballot, such as the election of officers, would remain in place.

All petitioned charter amendments approved by voters would be sent to the Legislature for approval, possible revision, and enactment. Those amendments would not take effect unless and until approved by the Legislature.

The existing petitioned charter changes will still be voted on and will still have to go to the Legislature, but the decision as to what type of meeting will happen this spring will be immediate.

Saying the Legislature could “just sit on it for years,” Clarisse said she reviewed every charter petition that went through the Legislature this year and last year which represented changes not voted on via a Selectboard-generated article.

Those that are “more complicated tend to languish,” she reported.

O’Connor reminded voters that a vote to rescind RTM isn’t exactly a vote to choose open meeting, but rather, the town would thus revert to open meeting by default.

The real choice, she said, would come when voters take up the charter amendment petition articles regarding open meeting and/or Australian ballot voting.

“Our charter, what we come forward with, will be informed by what we hear from in March with those two other things,” O’Connor said.

111 “So I would just urge you not to rush ahead and put
112 something else on in March when there’s all this other stuff
113 brewing,” she said. “It’s a very complicated thing, and it can
114 make your head explode.”

115 Town Moderator David Gartenstein recommended care
116 in the article’s language, essentially requesting that it be clear in
117 explaining what a “yes” and “no” vote would mean and in noting
118 options.

119 He also said that regarding the petitions, concerns over
120 losing Australian ballot voting might be addressed by having
121 Australian ballot voting as a check on the budget following either
122 kind — open or RTM — of meeting votes.

123 And one could add a structure, he said, in the charter,
124 saying that after Town Meeting there will be an Australian ballot,
125 as well to satisfy those advocating for Australian ballot voting as
126 being more widely attended.

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