



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

**Board of Selectmen Agenda
Regular Meeting
Thursday, September 7, 2017
Colchester Town Hall @ 7pm**

RECEIVED
COLCHESTER, CT
2017 SEP -1 PM 1:35
Gayle Furrman
GAYLE FURMAN
TOWN CLERK

1. Call to Order
2. Additions to the Agenda
3. Citizen's Comments
4. Consent Agenda
 1. Parks and Recreation Commission – Norm Kaplan reappointment for a four year term to expire on 11/1/2021
 2. Parks and Recreation Commission – Frank Ricci reappointment for a four year term to expire on 11/1/2021
 3. Tax Refund and Rebates
5. Approve Minutes of the August 17, 2017 Regular Board of Selectmen Meeting
6. Approve Minutes of the August 31, 2017 Special Board of Selectmen Meeting
7. Discussion on Small Cities Grant with Larry Wagner
8. Boards and Commissions – Interviews and/or Possible Appointments
 - a. CHVFD Exemption Eligibility Committee – James Caronna to be interviewed
9. Discussion and Possible Action on Charter Revision
10. Presentation by Eagle Scout Kevin Payne
11. Presentation by Fire Marshall Sean Shoemaker on Drones
12. Discussion and Possible Action on Fire Marshal's Office Proposed Fee Schedule
13. Discussion and Possible Action on Transfer Station MSW Disposal Fees
14. Citizen's Comments
15. First Selectman's Report
16. Liaison Reports
17. Executive Session to Discuss Personnel Matters
18. Adjourn



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Board of Selectmen Minutes
Regular Meeting Minutes
Thursday, August 17, 2017

Colchester Town Hall, Immediately following Town Meeting at 7pm

RECEIVED
COLCHESTER, CT
2017 AUG 21 AM 10:27
Rosemary Coyle
TOWN CLERK

MEMBERS PRESENT: First Selectman Art Shilosky, Selectman Stan Soby, Selectman Rosemary Coyle, and Selectman John Jones

MEMBERS ABSENT: Selectman Denise Mizla

OTHERS PRESENT: PW Director J. Paggioli, Registrar D Mrowka, M Hayes and Clerk T Dean.

1. Call to Order

A Shilosky called the meeting to order at 7:04 pm.

2. Additions to the Agenda

A Shilosky asked to revise #10 to read, Discussion and Possible Action on Making Memories Grant, and #12 to remove Action.

R Coyle moved to revise agenda items as presented, seconded by J Jones. Unanimously approved. MOTION CARRIED

3. Citizen's Comments – none

4. Consent Agenda

1. Approve Youth Service Bureau Grant Program
2. Approve Youth Service Bureau Enhancement Grant Program

R Coyle moved to approve the consent agenda, seconded by S Soby. Unanimously approved. MOTION CARRIED

5. Approve Minutes of the July 20, 2017 Regular Commission Chairmen Meeting

R Coyle moved to approve the minutes of the July 20, 2017 Regular Commission Chairmen meeting, seconded by S Soby. Unanimously approved with one abstention by J Jones. MOTION CARRIED

6. Approve Minutes of the July 20, 2017 Regular Board of Selectmen Meeting

J Jones moved to approve the minutes of the July 20, 2017 Regular Board of Selectmen Meeting, seconded by R Coyle. Unanimously approved with one abstention by J Jones. MOTION CARRIED

7. Approve Minutes of the August 7, 2017 Special Board of Selectmen Meeting

S Soby moved to approve the minutes of the August 7, 2017 Special Board of Selectmen meeting, seconded by J Jones. Unanimously approved with two abstentions by S Soby and R Coyle. MOTION CARRIED

8. Boards and Commissions – Interviews and/or Possible Appointments and Resignations

- a. Parks and Recreation Commission – Tracey Bruni possible appointment for a four year term to expire on 11/1/2019

R Coyle moved to appoint Tracey Bruni as a member to the Parks and Recreation Commission for a four year term to expire on 11/1/2019, seconded by S Soby. Unanimously approved. MOTION CARRIED

- b. Economic Development Commission – Michael Hinchliffe to be interviewed – was interviewed

9. Discussion and Possible Action on Section 5310A Funding for Vehicle Replacement

S Soby moved to authorize the expenditure of an amount not to exceed \$13,400 from the Vehicle Reserve Fund for the local match requirement for the acquisition of a 20 passenger wheel chair life mini-bus, seconded by J Jones. Unanimously approved. MOTION CARRIED.

10. Discussion and Possible Action on Making Memories Grant

R Coyle moved to approve the FY 2017-2018 Making Memories Grant, not to exceed \$14,000, and authorize the First Selectman to sign all necessary documents, seconded by J Jones. Unanimously approved. MOTION CARRIED

11. Discussion on Remotely Controlled Aircraft (Drone)

FD received Drone as a gift. Currently town insurance does not have coverage for drone use. S Soby asked A Shilosky to investigate options of a rider and what that would entail, along with the FAA registration process. A Shilosky stated that when he has more information he will add this back on the agenda.

12. Discussion on Town Issued Purchasing Cards

A Shilosky informed the Board he will start working with the CFO to investigate getting at least one card for the Town to avoid employees having to use personal credit cards for purchases when sending a check is not an option. The Board agreed this is worth looking into and makes sense.

13. Citizen's Comments - none

14. First Selectman's Report

A. Shilosky reported to the Board that the previously appointed member to the Conservation Commission, Sandra DeRosa, decided not to proceed due to other commitments. Another resignation from Public Works Maintainer II position. This opening has been posted. S Soby asked if exit interviews are conducted when employees leave, A Shilosky confirmed that yes, exit interviews are conducted. Looking into a microphone system with recording options for Town Hall meeting rooms. Phone system at Town Hall has constant problems. Price for replacing would be approximately \$30,000. Will start putting aside funds into Capital. S Soby asked what the problems were with the current system. PW Director J Paggioli stated that it has to do with the VOIP system vs a single server. The system is only designed for one location vs all town properties tied to one system. A Shilosky reported the Caverly Mill Road Bridge is failing. J Paggioli discussed the issue (Memo attached). A Shilosky stated that no appropriations will be needed to repair.

15. Liaison Reports

S. Soby reported that Planning & Zoning received an application by a property owner to amend regulations for setback and multi-family development. Board denied application. Continue to work on zoning modifications, particularly around criteria for duplex in rural zones.

R Coyle reported that Open Space is working on property on Comstock Bridge Road. Phase 2 survey is the next stage. Wetlands officer is looking into grants, along with the Watershed committee to see if the town can receive the grant. Boy Scouts adding to the story board at the Ruby Cohen property.

Commission on Aging – report attached. Also on October 11th there will be a Harvesting the Stones program.

J Jones reported that the Historic Commission continues to work on Old Bacon Academy. Chimney repaired. Currently working on the front of the building. On 9/15 at 4:30pm there will be a grand opening event of the School for Colored Children, which will also be turned over to the town at this time.

Conservation Commission tabled the Public Hearing on Amston Rd by S Fedus. Caring Community on Waterhole Rd is replacing a green house which was approved. Logging taking place off Bush Rock Rd. Evergreen Acres requesting larger pond put in, commission asked for soil test first.

A Shilosky reported on the Police Commission which now has a full board. The commission will be addressing the BOS to discuss a police ticketing ordinance. S Soby stated it would need to be investigated if there is currently an issue that requires the increase level of enforcement for public safety purposes.

16. Adjourn

J. Jones moved to adjourn at 7:44 p.m., seconded by S Soby. Unanimously approved. MOTION CARRIED.

Attachment: Caverly Mill Road Bridge Memo
Commission on Aging report

Respectfully submitted,



Tricia Dean, Clerk



Town of Colchester, Connecticut

127 Norwich Avenue, Colchester, Connecticut 06415

Board of Selectmen Minutes
Special Meeting Minutes
Thursday, August 31, 2017
Colchester Town Hall @ 9:30am

RECEIVED
COLCHESTER, CT
2017 AUG 31 AM 10:45
Doris Furman
TOWN CLERK

MEMBERS PRESENT: First Selectman Art Shilosky, via teleconference Selectman John Jones and Selectman Denise Mizla

MEMBERS ABSENT: Selectman Stan Soby and Selectman Rosemary Coyle

1. Call to Order

First Selectman A Shilosky called the meeting to order at 9:35 am

2. Discussion and Possible Action on Zambelli Fireworks Contract for 57 Fest

J Jones moved to approve Zambelli Fireworks for \$7,000 as the 2017 Fireworks provider for 57 Fest and authorize the First Selectman to sign all necessary documents, seconded by D Mizla. Unanimously approved. MOTION CARRIED.

3. Adjourn

D Mizla moved to adjourn at 9:36 am, seconded by J Jones. Unanimously approved. MOTION CARRIED.

Respectfully submitted,

Tricia Dean, Clerk

Primary updates since our last discussion:

- Section 303C was changed back to the current language except we kept “to serve until the next Municipal Election”.
- Section 301, 601B, 602B & 603B was amended to remain silent on the staggering of terms. We talked about leaving that to Town Ordinance. 301, 601B and 603B now reference the four year term beginning with the Municipal Election in 2019. 602B for BOE is exactly the same as the current Charter.
- Section 1201 – We added Youth and Social Services since it had been omitted.
- Section 1502 – Added the section back in because it was accidentally omitted.
- Section 1100-1112 – We did a re-numbering from the previous version to make it easier to follow.
- Grammar – There were some grammatical fixes that were done such as making sure that when a number is referenced in text there is also a corresponding numeral. For example: Four (4) year term.

Proposed Ballot Questions – August 31, 2017

Question 1

Shall the Town Charter be amended to make grammatical, technical and other changes and clarifications?

Question 2

Shall the Town Charter be amended to change the terms of office of the position of First Selectman, and members of the Board of Selectmen, Board of Finance and Board of Assessment Appeals, to four year terms?

Question 3

Shall the Town Charter be amended to make changes to the annual budget meeting and update the approval of financial matters?

Question 4

Shall the Town Charter be amended to change the position of Tax Collector from an elected position to an appointed position?

Question 5

Shall the Town Charter be amended to eliminate the position of an elected Town Treasurer and transfer the statutory duties of a Town Treasurer to the Town Department of Finance?

Question 6

Shall the Town Charter be amended to change the position of Town Clerk from an elected position to an appointed position?

Colchester Charter - Summary of Proposed Changes

Article 1					
Current	General Provisions	Change	Question	Type	New
§ C-101	Definitions	Yes	1	Clarification / Technical	§ C-101
§ C-102	Rights & Obligations	No	N/A		§ C-102
§ C-103 A	General Powers of Town	No	N/A		§ C-103 A
§ C-103 B	General Powers of Town	Yes	1	Grammar	§ C-103 B
§ C-104	Construction	No	N/A		§ C-104

Article 2					
Current	Elected Officials & Boards	Change	Question	Type	New
§ C-201 A	First Selectman	No	N/A		§ C-201 A
§ C-201 B	Town Clerk	Yes	6	Town Clerk Appointed	§ C-201 B
§ C-201 C	Tax Collector	Yes	4	Tax Collector Appointed	§ C-201 C
§ C-201 D	Town Treasurer	Yes	5	Treasurer Eliminated	§ C-201 D
N/A	Registrars of Voters	New	1	Clarification- added C-201E	§ C-201 E
§ C-202	Elected Boards	No	N/A		§ C-202
§ C-203 A	Eligibility for election of ...	No	N/A		§ C-203 A
§ C-203 B	Eligibility for election of ...	Yes	1	Grammar	§ C-203 B
§ C-203 C	Eligibility for election of ...	No	N/A		§ C-203 C
§ C-203 D	Eligibility for election of ...	Yes	1	Grammar	§ C-203 D
N/A	Succession provisions	New	1	Technical Change- added C-204	§ C-204

Article 3					
Current	First Selectman	Change	Question	Type	New
§ C-301	Manner of election & term	Yes	2	Terms of office	§ C-301
§ C-302 A	Powers and duties	Yes	1	Clarification	§ C-302 A
§ C-302 B	Powers and duties	Yes	1	Clarification	§ C-302 B
§ C-302 C	Powers and duties	Yes	1	Clarification	§ C-302 C
§ C-302 D	Powers and duties	Yes	1	Grammar	§ C-302 D
§ C-302 E	Powers and duties	Yes	1	Clarification	§ C-302 E
§ C-302 F	Powers and duties	Yes	1	Clarification	§ C-302 F
§ C-303 A	Succession provisions	No	N/A		§ C-303 A
§ C-303 B	Succession provisions	No	N/A		§ C-303 B
§ C-303 C	Succession provisions	Yes	1	Technical Change	§ C-303 C

Article 4					
Current	The Board of Selectmen	Change	Question	Type	New
§ C-401	Manner of election & term	Yes	1 & 2	Technical / Terms of Office	§ C-401
§ C-402 A	Powers and duties - CGS	No	N/A		§ C-402 A
§ C-402 B	Contracts	Yes	1	Clarification	§ C-402 B
§ C-402 C	Personnel	No	N/A		§ C-402 C
§ C-402 D	Creation & abolition of boards	Yes	1	Technical	§ C-402 D
§ C-402 E	Temporary boards & study groups	No	N/A		§ C-402 E
§ C-402 F	Government contracts	Yes	1	Clarification	§ C-402 F
§ C-402 G	Appointment & removal of board members	Yes	1	Clarification	§ C-402 G
§ C-402 H	Oversight of Town departments	Yes	1	Clarification	§ C-402 H
§ C-402 I	Supplemental appropriations & transfers	Yes	3	Budget Process	§ C-402 I
§ C-402 J	Acceptance of roads	Yes	1	Grammar	§ C-402 J
§ C-402 K	Delegation of authority	No	N/A		§ C-402 K
§ C-402 L	Water Pollution Control Authority	No	N/A		§ C-402 L
§ C-403 A	Limited power to adopt ordinances	Yes	1	Grammar	§ C-403 A
§ C-403 A1	Limited power to adopt ordinances	No	N/A		§ C-403 A1
§ C-403 A2	Limited power to adopt ordinances	Yes	1	Clarification	§ C-403 A2
§ C-403 B	Limited power to adopt ordinances	Yes	1	Grammar	§ C-403 B
§ C-403 C	Limited power to adopt ordinances	Yes	1	Grammar	§ C-403 C
§ C-403 D	Limited power to adopt ordinances	Yes	1	Clarification	§ C-403 D
§ C-403 E	Limited power to adopt ordinances	Yes	1	Grammar	§ C-403 E
§ C-404	Succession provisions	Removed	1	Technical - under new C-204	N/A
§ C-405	Limited power of investigation	No	N/A		§ C-405

Colchester Charter - Summary of Proposed Changes

Article 5					
Current	Other Elected Officials	Change	Question	Type	New
§ C-501	The Town Clerk	Removed	6	Covered within Article VII	§ C-501
§ C-502	Tax Collector	Removed	4	Covered within Article VII	§ C-502
§ C-503	The Treasurer	Removed	5	Covered within Article VII	§ C-503

Article 6					
Current	Other Elected Boards	Change	Question	Type	New
§ C-601 A	BOF - Membership	Yes	1	Clarification / Minor Change	§ C-601 A
§ C-601 B	BOF - Terms	Yes	2	Terms of office	§ C-601 B
§ C-601 C	BOF Duties	Yes	1	Clarification	§ C-601 C
§ C-601 C1	BOF Duties	Yes	1	Clarification	§ C-601 C1
§ C-601 C2	BOF Duties	Yes	1	Grammar/Clarification	§ C-601 C2
§ C-601 C3	BOF Duties	New	1	Technical Change	§ C-601 C3
§ C-601 D	Succession provisions	Removed	1	Technical -under new C-204	N/A
§ C-602 A	BOE - Membership	Yes	1	Clarification / Minor Change	§ C-602 A
§ C-602 B	BOE - Terms	No	N/A		§ C-602 B
§ C-602 C1	BOE Duties	No	N/A		§ C-602 C1
§ C-602 C2	BOE Duties	Yes	1	Grammar/Clarification	§ C-602 C2
§ C-602 D	Succession provisions	Removed	1	Technical -under new C-204	N/A
§ C-603 A	BOAA - Membership	Yes	1	Clarification / Minor Change	§ C-603 A
§ C-603 B	BOAA - Terms	Yes	2	Terms of office	§ C-603 B
§ C-603 C	BOAA - Duties	No	N/A		§ C-603 C
§ C-603 D	Succession provisions	Removed	1	Technical -under new C-204	N/A

Article 7					
Current	Appointed Officials & Appointed Boards	Change	Question	Type	New
§ C-701	Appointed Officials	Yes	1	Technical	§ C-701
§ C-701 A	Assessor	No	N/A		§ C-701 A
§ C-701 B	Tax Collector	New	4	Tax Collector Appointed	§ C-701 B
§ C-701 C	Town Clerk	New	6	Town Clerk Appointed	§ C-701 C
§ C-701 D	Treasurer	New	5	Treasurer Eliminated	§ C-701 D
§ C-702	Appointed Boards	Yes	1	Technical	§ C-702
§ C-703	Eligibility & appointment of Appointed Officials	No	N/A		§ C-703
§ C-704	Removal of Appointed Officials	No	N/A		§ C-704
§ C-705 A	Eligibility & appointment of Appointed Boards	Yes	1	Grammar / Clarification	§ C-705 A
§ C-705 B	Eligibility & appointment of Appointed Boards	Yes	1	Technical	§ C-705 B
§ C-706 A	Removal of Appointed Board member	Yes	1	Grammar	§ C-706 A
§ C-706 B	Removal of Appointed Board member	No	N/A		§ C-706 B
§ C-706 C	Removal of Appointed Board member	No	N/A		§ C-706 C
§ C-707	Appointment of alternates to Appointed Boards	Yes	1	Grammar	§ C-707

Article 8	Reserved	Change	Question	Type
	No Change			

Article 9					
Current	Appointed Boards	Change	Question	Type	New
§ C-901	Police Commission	Removed	1	Technical, Covered in C-702 & by Ordinance	§ C-901
§ C-902	Sewer and Water Commission	Removed	1	Technical, Covered in C-702 & by Ordinance	§ C-902

Colchester Charter - Summary of Proposed Changes

Article 10					
Current	Town Meeting and Annual Budget Meeting	Change	Question	Type	New
§ C-1001 A	Overview	Yes	1	Clarification	§ C-1001 A
§ C-1001 B	Items requiring Town Meeting	No	N/A		§ C-1001 B
§ C-1001 B(1)	Issuance of bonds and all other forms of borrowing	Yes	3	Financial Matters - Moved to New 1109a	§ C-1109a
§ C-1001 B(2)	Supplemental appropriation >0.5% Town Budget	Yes	1,3	Financial Matters - Moved to New 1111a	§ C-1111a
§ C-1001 B(3)	Transfers between Town departments >0.5% Town Budget	Yes	3	Financial Matters - Moved to New 1110a	§ C-1110a
§ C-1001 B(4)	Cumulative transfer / appropriation exceeding 4% Town Budget	Removed	3	Financial Matters - Removed	N/A
§ C-1001 B(5)	Real estate purchases >\$10,000	Yes	1,3	Tech & Financial Matters - Moved to New 1107A(1)	§ C-1107 A(1)
§ C-1001 B(6)	Real estate sales >\$10,000	Yes	1,3	Tech & Financial Matters - Moved to New 1107A(2)	§ C-1107 A(2)
§ C-1001 B(7)	Creation or abolition of any permanent Town board	Yes	3	Grammar, Now 1001 B(2)	§ C-1001 B(2)
§ C-1001 B(8)	Creation or abolition of any position for an elected official	Yes	3	Now 1001 B(3)	§ C-1001 B(3)
§ C-1001 B(9)	Leases	Yes	1,3	Technical/ Financial Matters - Moved to New 1108a	§ C-1108a
§ C-1001 B(10)	Grants	Yes	1,3	Technical / Financial Matters - Moved to New 1112a	§ C-1112a
§ C-1001 B(11)	Adopting or Repealing Town ordinances	Yes	3	Now 1001 B(1)	§ C-1001 B(1)
§ C-1001 B(12)	Other Matters BOS deems worthy of Town meeting	Yes	3	Now 1001 B(5)	§ C-1001 B(5)
§ C-1001 C	BOS power to hold Town Meeting	Yes	3	Minor Change	§ C-1001 C
§ C-1002	Annual Budget Meeting	Yes	1,3	Technical / Financial Matters - Moved to 1105a	§ C-1105a
§ C-1003	Procedures	Yes	1	Clarification	§ C-1003
N/A	Matters of Proposals described in Sections 1107a-1108a, 1111a-1112a	Yes	3	New	§ C-1001 B(4)

Article 11					
Current	The Annual Budget Referendum and Special Referenda	Change	Question	Type	New
§ C-1101	The Annual Budget Referendum	Yes	1	Technical / Moved to 1106 A	§ C-1106a
§ C-1102	Special Budget Referenda	Yes	1	Clarification/ Moved to 1103	§ C-1103
§ C-1103 A	Special Referenda	Yes	1	Clarification - Now 1102 A	§ C-1102 A
§ C-1103 B	Special Referenda	Yes	1	Clarification - Now 1102 B	§ C-1102 B
§ C-1103 C	Special Referenda	Yes	1	Clarification - Now 1102 C	§ C-1102 C
§ C-1104	Recount of Annual Budget Referendum or special referenda	Yes	3	Financial Matters / Split between C-1104 & 1106 B	§ C-1104
N/A	Adding New Sections	Yes	3	Financial Matters	See above

Article 12					
Current	Town Departments and Administration	Change	Question	Type	New
§ C-1201	Town Departments	Yes	1	Clarification / Change (Update departments)	§ C-1201
§ C-1202	Department of Finance	Removed	1	Clarification/Minor Change/Technical Change	N/A
§ C-1203	Department of Public Works	Removed	1	Clarification/Minor Change/Technical Change	N/A
§ C-1204	Department of Planning and Zoning	Removed	1	Clarification/Minor Change/Technical Change	N/A
§ C-1205	Department of Public Health	Removed	1	Clarification/Minor Change/Technical Change	N/A
§ C-1206	Department of Parks and Recreation	Removed	1	Clarification/Minor Change/Technical Change	N/A
§ C-1207	Department of Code Administration	Removed	1	Clarification/Minor Change/Technical Change	N/A
§ C-1208	Department of Engineering	Removed	1	Clarification/Minor Change/Technical Change	N/A

Article 13					
Current	Town Employees and Appointed Officials	Change	Question	Type	New
§ C-1301	Town Employees and Appointed Officials	Yes	1	Technical	§ C-1301

Article 14					
Current	Mandatory Periodic Charter Review	Change	Question	Type	New
§ C-1401	Charter Review Commission	No	N/A		§ C-1401

Article 15					
Current	Miscellaneous Provisions	Change	Question	Type	New
§ C-1501	Consolidation	No	N/A		§ C-1501
§ C-1502 A	Existing Laws and Ordinances	Yes	1	Technical	§ C-1502 A
§ C-1502 B	Existing Laws and Ordinances	Yes	1	Removed	N/A
§ C-1503	Commencement of terms of Elected Officials	No	N/A		§ C-1503
§ C-1504	Minority Political Representation	Yes	1	Technical	§ C-1504
§ C-1505	Justice of the Peace	No	N/A		§ C-1505
§ C-1506	Quarterly Meeting	Removed	1	Minor Change	§ C-1506
§ C-1507	Transfer of Power	No	N/A		§ C-1507
§ C-1508	Continuation of Appropriation of Town Funds	No	N/A		§ C-1508
§ C-1509	Legal Proceedings	No	N/A		§ C-1509
§ C-1510	Savings Clause	No	N/A		§ C-1510
§ C-1511	Effective date	No	N/A		§ C-1511

THE CHARTER

[HISTORY: Adopted by the Town of Colchester 11-8-1994; amended in its entirety 11-7-2006 and 11-7-2017. Subsequent amendments noted where applicable.]

ARTICLE I, General Provisions

§ C-101. Definitions.

In the interpretation of the Charter, the words and phrases set forth below shall be construed and defined as follows:

Appointed Official - an official of the Town appointed by the Board of Selectmen and serving at the pleasure of the Board of Selectmen, as permitted by the General Statutes or this Charter except as otherwise provided by law.

Appointed Board - a Town board, commission, committee, or study group composed of one or more ~~individuals~~ Electors appointed by the Board of Selectmen.

Board of Education Budget - the projected expenditures of the Board of Education.

Board of Selectmen Budget - the projected expenditures of the Board of Selectmen, including capital and debt service.

Certified Petition - a petition certified by the Town Clerk and conforming to the requirements of this Charter and the General Statutes. The Town Clerk must grant or deny this certification within ~~ten-~~ (10) business days following receipt of the last page of said petition. Should the Town Clerk fail to make such determination within the time allotted, ~~the~~ said petition shall automatically be deemed certified.

Combined ~~Town~~ Budget - the combined ~~overall~~ projected expenditures of the Town, ~~of whatever kind and whatever nature, including but not limited to, the budgets of the Boards~~ the Board of Selectmen Budget and ~~Education, the capital expenditure budget, and payments of debt service on the Town's indebtedness.~~ Board of Education Budget.

Department Head -- the person or persons responsible for the management of each Town Department as well as the supervision of all Town Employees ~~or Appointed Officials~~ employed by in such Town Department.

Elected Official - an ~~official~~ Elector of the Town chosen by secret ballot by a plurality of the Electors of the Town voting for ~~said~~ an elected position.

Elected Board - a Town board, commission, committee or study group composed of one or more ~~individuals~~ Electors elected by secret ballot by a plurality of the Electors of the Town voting for ~~said~~ an elected position.

Election - a regular election as defined in the General Statutes.

Elector - as defined in the General Statutes, any person possessing the qualifications prescribed by the state constitution and duly admitted to, and entitled to exercise, the privileges of an ~~elector-~~ in Elector of the Town.

General Statutes - the Connecticut General Statutes as now in effect or as they may from time to time be amended.

Member of an Appointed Board - an Elector of the Town appointed by the Board of Selectmen to membership or as an alternate on an Appointed Board, who shall serve at the pleasure of the Board of Selectmen and without compensation of any kind.

Municipal Election - an Election at which municipal ~~officials~~ Elected Officials of the Town are elected.

Public Hearing - except as otherwise provided in the General Statutes, an open gathering in which members of the public are permitted to offer comments, but officials are not obligated to act on or respond to said comments.

Town - the Town of Colchester.

Town Board - a board of the Town, having either elected members, appointed members, or any combination thereof.

Town Department - all departments, agencies, and other subdivisions of the Town, except those under the Board of Education and its subsidiary departments, regardless of whether composed of Town Employees, Appointed Officials or Elected Officials and regardless of whether now or hereafter existing under the terms of this Charter, the General Statutes, or any other mandate to which the Town is subject.

Town Employee - all individuals in all Town Departments who receive or are entitled to receive compensation from either the Town or any Town Department, but excluding Elected Officials and employees of the Board of Education.

Town Meeting - ~~shall be~~ a special town meeting, annual budget meeting or annual ~~town~~ meeting as described in the General Statutes.

Town Ordinance - ~~an ordinance of a law passed by~~ the Town of Colchester, ~~as amended from time to time.~~ that regulates actions within the Town.

Town Voters - Electors and other persons eligible to vote at any Town Meeting other than a regular or special Town ~~election~~ Election, in accordance with the provisions of Section 7-6 of the General Statutes.

§ C-102. Rights and Obligations.

Upon adoption of this Charter, the Town shall continue to own and remain vested in all property, both real and personal, all rights of action and rights of every description and all securities and liens, whether inchoate or choate which the Town owned or had rights in prior to the adoption of this Charter. Nothing herein shall be construed to affect the rights of the Town to collect any assessment, charge, debt or lien. The Town shall remain liable for all debts and obligations of every kind for which the Town is liable on

the date of adoption of this Charter, whether accrued or undetermined. If any contract has been entered into by the Town prior to the adoption of this Charter, or any bond or undertaking has been given by or in favor of the Town, which contains provisions that the same may be enforced by any office or agency which is herein abolished or otherwise affected, such contracts, bonds or undertakings shall continue in full force and effect and, except as otherwise provided in this Charter, shall be exercised and discharged by the Board of Selectmen.

§ C-103. General Powers of the Town.

- A. All the inhabitants dwelling within the territorial limits of the Town, as previously constituted, shall continue to be a body politic and corporate under the name “Town of Colchester,” and as such shall have perpetual succession and may hold and exercise all powers and privileges that have been exercised by the Town and are not inconsistent with the provisions of this Charter. In addition, the Town shall have such additional powers and privileges as conferred by the General Statutes.

- B. Upon adoption of this Charter, the Town shall retain all powers and privileges that it possesses immediately prior to such adoption, and shall have such additional powers and privileges granted to the Town by the General Statutes not inconsistent with this Charter. The Town shall have all powers specifically granted by this Charter and all powers fairly implied in or incident to the powers expressly granted. The Town shall also have the power to make and enforce all bylaws and ~~ordinances~~ Town Ordinances, not inconsistent with law or this Charter, which may be necessary or proper to carry into execution the foregoing powers. The enumeration of particular powers anywhere in this Charter shall not be construed as limiting this general grant of power to the Town but shall be considered as additional thereto. In the event of a total or partial conflict, whether apparent or actual, between this Charter and any Town Ordinance or bylaw, the provisions of this Charter shall govern and shall be enforced, regardless of said Town Ordinance or bylaw.

§ C-104. Construction.

The powers and privileges of the Town under this Charter shall be construed liberally in favor of the Town, and the specific mention of particular powers in the Charter shall not be construed as limiting in any way the general power herein granted.

ARTICLE II, Elected Officials and Elected Boards.

§ C-201. Elected Officials.

The Town shall have the following Elected Officials:

- A. First Selectman.
- B. ~~Town Clerk.~~

B. {Reserved}

C. ~~Tax~~

~~Collector~~ {Reserved}

D. ~~Town-Treasurer~~ {Reserved}

E. Registrars of Voters

§ C-202. Elected Boards.

The Town shall have the following Elected Boards, whose members shall be elected as provided in the General Statutes and this Charter:

- A. a five (5) member Board of Selectmen, one member of which shall be the First Selectman;
- B. a six (6) member Board of Finance;
- C. a seven (7) member Board of Education; and
- D. a three (3) member Board of Assessment Appeals.

§ C-203. Eligibility for Election of Elected Officials and Members of Elected Boards.

- A. Any Elector of the Town is eligible for election as an Elected Official or member of an Elected Board, provided:
 - (1) ~~(1)~~—no Elector shall simultaneously hold more than one elected position; and
 - (2) ~~(2)~~—no Elector shall simultaneously hold an elected position and an appointed position, whether as a Member of an Appointed Board or as an Appointed Official.
- B. If any Elected Official or member of an Elected Board shall cease to be an Elector of the Town or otherwise become ineligible to hold such position, then ~~that~~such official or member shall immediately cease to hold such office or to be such a member and such office or membership shall immediately be deemed vacant.
- C. Notwithstanding any provision of this Charter to the contrary, holding the position of Justice of the Peace shall not make a person ineligible for election as an Elected Official or a member of an Elected Board.
- D. This Section C-203 does not, and ~~should~~shall not be construed to, prohibit political activity of classified municipal employees that is permitted pursuant to Section 7-421 of the General Statutes.

§ C-204. Succession Provisions in the event of an opening on an Elected Board (Except as provided in Section 303).

In the event of a vacancy on an Elected Board, the remaining members of the Elected Board within 60 days of the start of such vacancy, shall appoint by majority vote a Successor Member (the "Successor Member") to membership on that board. The Successor Member shall be a member of the same political party as the prior member, or if the prior member was not affiliated with any political party, then such Successor Member shall also not be affiliated with any political party. Notwithstanding the foregoing, if the prior member has changed political parties or has become unaffiliated subsequent to being elected, then the Successor Member shall be a member of the prior member's political party (or unaffiliated, if applicable) at the time such prior member was elected. The Successor Member shall hold such membership until the next Municipal Election at which time a successor shall be elected to serve the remainder of the unexpired term of the prior member if applicable.

ARTICLE III, The First Selectman.

§ C-301. Manner of Election and Term of Office.

The First Selectman shall be elected by a plurality of the votes cast by the Electors of the Town for this office at a Municipal Election ~~held on the first Tuesday after the first Monday in November of every odd-numbered year.~~ Beginning with the Municipal Election on November 5, 2019, The First Selectman shall serve a ~~two~~four (~~2~~4) year term of office.

§ C-302. Powers and Duties of the First Selectman.

- ~~A.~~ A. The First Selectman shall be the Chief Executive Officer of the Town and shall be a full voting and participating member of the Board of Selectmen. The First Selectman shall also be a nonvoting ex-officio member of all Town Departments and Town Boards, except the Board of Education. The First Selectman shall exercise such additional powers and have such additional duties as are set forth in the General Statutes and in this Charter.
- ~~B.~~ B. The First Selectman shall be responsible to the townspeople and the Board of Selectman for the administration of Town government. The First Selectman shall be responsible for the direction and supervision of activities of all Town Departments, except the Board of Education, and all Appointed Boards, except as otherwise provided in the General Statutes. All ~~Elected Officials,~~ Appointed Officials, Appointed Boards and Town Employees shall report to the First Selectman, but the First Selectman may delegate such oversight authority to any Appointed Official or Town Employee as is deemed necessary for the sound administration of Town government.
- ~~C.~~ C. The First Selectman may, with the approval of the Board of Selectmen and subject to such other limitations contained in the General Statutes and this Charter, enter into contracts or agreements on behalf of the Town with the exception of Board of Education contracts executed by the Town as

owner of real property used for school purposes.

- D. D. The First Selectman shall ensure that all laws and ordinances governing the Town are faithfully executed and shall make periodic reports to the Board of Selectmen on the conditions and affairs of the Town. The First ~~Selectmen~~Selectman, with the assistance of all Town Department Heads, shall keep the Board of Selectmen fully apprised of the financial condition and administrative soundness of the Town and Town Departments.

- E. E. The First Selectman may appoint and remove members of regional and ~~interlocal~~inter-local agencies and programs as authorized by ~~ordinances~~Town Ordinances adopted pursuant to the applicable provisions of the General Statutes or this Charter. Nothing in this Charter shall be construed as limiting the authority of the Town, by action of the Board of Selectmen, to continue such participation or join new regional and ~~interlocal~~inter-local agencies and programs, as authorized by the General Statutes.

- F. F. During the temporary absence of any Appointed Official or Department Head, the First Selectman either may perform or may appoint a designee to perform temporarily the duties of such Appointed Official or Department Head.

§ C-303. Succession Provisions.

- A. Prior to any planned temporary absence or planned temporary period of incapacity of the First Selectman, such that the First Selectman shall be unable to perform his or her duties as required, the First Selectman shall designate one of the other members of the Board of Selectmen to assume the duties of the First Selectman for the duration of such period.
- B. In the event of an unplanned temporary absence or unplanned temporary period of incapacity of the First Selectman, such that the First Selectman shall be unable to perform his or her duties as required, the remaining members of the Board of Selectmen shall, with all deliberate speed, designate one of its members to assume the duties of the First Selectman for the duration of such period.
- C. In the event of a vacancy in the office of First Selectman, the remaining members of the Board of Selectmen shall, with all deliberate speed, select one of its members to assume the position of First Selectman for the unexpired term (the “Successor First Selectman”), which Successor First Selectman shall be a member of the same political party as the prior First Selectman or, if the prior First Selectman was not affiliated with any political party, then such Successor First Selectman shall also not be affiliated with any political party. Notwithstanding the foregoing, if the prior First Selectman has changed political parties or has become unaffiliated subsequent to being elected, then the Successor First Selectman shall be a member of the prior First Selectman’s political party (or unaffiliated, if applicable) at the time such prior First Selectman was elected. If none of the members of the Board of Selectmen is able to assume the role of the Successor First Selectman in accordance with the provisions of this Section C-303(C), then the Board of Selectmen shall select an Elector to assume the role of the Successor First Selectman ~~in accordance with the provisions of this Section C-303(C)~~ to serve until the next Municipal Election.

ARTICLE IV, The Board of Selectmen.

§ C-401. Manner of Election and Term of Office.

The four (4) other members of the Board of Selectmen shall be elected at a Municipal Election held on the first Tuesday after the first Monday in November ~~of every odd-numbered year.~~ These four (4) members shall be the four ~~(4)~~ highest vote getters from ~~amongst~~ among those seeking such office, subject to the requirements of minority political representation as required by this Charter and by the General Statutes. No member of the Board of Selectmen, other than the First Selectman, shall receive a salary. ~~The~~ Beginning with the November 5, 2019 Municipal Election, the members of the Board of Selectmen shall serve ~~a two~~ four (24) year ~~term~~ terms of office.

§ C-402. Powers and Duties of the Board of Selectmen.

- A. The Board of Selectmen shall exercise such powers and have such duties as are set forth in the General Statutes and in this Charter. Except where otherwise specified herein, the members of the Board of Selectmen shall act only in the presence of a quorum; and any action of the Board of

Selectmen shall require a majority vote by such quorum.

- B. The Board of Selectmen shall ~~execute~~approve all contracts to which the Town or any subdivision thereof is a party and all other agreements which bind the Town or any subdivision thereof in any way. The Board of Selectmen may not delegate this contractual authority.
- C. The Board of Selectmen shall administer all personnel policies concerning Town Employees and shall be responsible for the administration of all agreements, contracts and understandings regarding Town Employees, including labor contracts, benefit plans, and hiring policies. The appointment and dismissal of all Town Employees shall be administered by the Board of Selectmen, but the Board of Selectmen may delegate such authority as is deemed necessary for the sound administration of Town government.
- D. The Board of Selectmen may recommend to the Town Meeting the creation or abolition by ordinance of ~~permanent~~ boards, commissions, committees, agencies, departments and offices not specifically authorized in this Charter. ~~For purposes of this section, boards, commissions, committees and study groups which are reasonably expected to remain active for longer than one (1) year shall be considered permanent.~~
- E. The Board of Selectmen, acting in its sole discretion, may appoint such temporary boards, commissions, committees or study groups as it may from time to time determine are necessary. For purposes of this section, only boards, commissions, committees and study groups which are reasonably expected to remain active for one year or less shall be considered temporary.
- F. The Board of Selectmen may ~~contract~~approve contracts for services and the use of facilities with the United States Government or any agency or instrumentality thereof, the State of Connecticut or any political subdivision, agency or instrumentality thereof, or may, ~~by agreement,~~approve agreements to join with any political subdivisions to provide services and facilities in accordance with the applicable provisions of the General Statutes.
- G. The Board of Selectmen shall appoint all Members of Town Appointed Boards and may remove any such member.
- H. Except as otherwise provided in the General Statutes, The Board of Selectmen shall oversee the internal operations of all Town Departments and Town Appointed Boards and any office which the Board of Selectmen fills by appointment. The Board of Selectmen may name one or more of its members to serve along with the First Selectman as a nonvoting ex-officio member of any Appointed Board.
- I. ~~The~~As required by Article 1110 and 1111, the Board of Selectmen may recommend to the Board of Finance the approval of the following matters concerning the Board of Selectmen's budget (subject to further approval by the Town Meeting, if so required):
 - (1) any supplemental appropriation of funds (Article 1111); and
 - (2) any transfer of funds between Town Departments (Article 1110).
- J. The Board of Selectmen may accept any road complying with planning and zoning regulations as a

municipal road, provided that prior to such acceptance:

- (1) the Town Engineer has certified to the Board of Selectmen that such road meets all applicable specifications and requirements; and
- (2) the Board of Selectmen shall hold a ~~public hearing~~ Public Hearing prior to such acceptance at which public comments are heard.

K. In no event shall the Board of Selectmen delegate its policymaking authority.

L. The Board of Selectmen shall be the Water Pollution Control Authority for the Town.

§ C-403. Limited Power to Adopt Town Ordinances.

A. The Board of Selectmen shall have the power to enact, amend and repeal ~~ordinances~~ Town Ordinances only for the following purposes:

- (1) to incorporate any nationally recognized code, rules or regulations, which have been published or any code officially adopted by any administrative agency of the State of Connecticut, or any portion thereof, provided upon adoption of any such code, rules or regulations, copies of such shall be maintained and made available to the public in the office of the Town Clerk or in the office of the Town Department directly responsible for enforcing such code, rules or regulations and in the public library; and
- (2) to ~~fix~~ set and adjust the charges to be made for services rendered by the Town and to ~~fix~~ set and adjust the charges for any violation of an existing ~~ordinance~~ Town Ordinance for which a penalty is provided.

B. No ~~ordinance~~ Town Ordinance shall be acted upon by the Board of Selectmen pursuant to this section until a ~~public hearing~~ Public Hearing concerning such ordinance shall have been held by the Board of Selectmen. Notice of such ~~public hearing~~ Public Hearing shall be given at least ten (10) days in advance by publication of a legal notice in a newspaper having a general circulation in the Town and by posting a notice in the office of the Town Clerk. Copies of any such proposed ordinance shall be available to the public in the office of the Town Clerk at least ten (10) days prior to the date set for the ~~public hearing~~ Public Hearing. If substantive changes, as determined by Town counsel, are made to the proposed ordinance after the ~~public hearing~~ Public Hearing, a second ~~public hearing~~ Public Hearing shall be held prior to final action by the Board of Selectmen.

C. Within one (1) business day of its approval by the Board of Selectmen, every ~~ordinance~~ Town Ordinance adopted pursuant to the provisions of this section shall be filed with the Town Clerk, who shall record, compile, and publish the ~~ordinance~~ Town Ordinance as required by the General Statutes. Within ten (10) days of receipt of such adopted ~~ordinance~~ Town Ordinance, the Town Clerk shall also cause to be published a summary of the ~~ordinance~~ Town Ordinance in a newspaper having a general circulation in the Town and shall keep a copy of the full text of the ~~ordinance~~ Town Ordinance on file for public inspection.

- D. Every ~~ordinance~~ Town Ordinance adopted pursuant to the provisions of this section shall become effective no earlier than thirty-one (31) days after publication of its approval unless the terms of a Town Ordinance provide a different effective date.
- E. Notwithstanding any other provision of this Charter, the Board of Selectmen shall have the power to enact emergency ~~ordinances~~ Town Ordinances during any period of a public emergency threatening the lives, health or property of persons in the Town. The Board of Selectmen shall use the best means available to inform the public of the emergency ~~ordinance~~ Town Ordinance and the facts concerning the public emergency to which it relates. Any emergency ~~ordinance~~ Town Ordinance, or amendment thereto, enacted pursuant to this subsection shall become effective immediately and shall be effective for a period of thirty-one (31) days unless sooner repealed by the Board of Selectmen. If within the thirty-one (31) days action has been initiated to convene either a Town Meeting or a ~~public-hearing~~ Public Hearing to make such emergency ~~ordinance~~ Town Ordinance permanent or to otherwise extend its validity, then such emergency ~~ordinance~~ Town Ordinance shall remain in effect until such Town Meeting or ~~public-hearing~~ Public Hearing is held.

§ C-404. Vacancies on the Board of Selectmen. ~~{Reserved}~~

~~In the event of a vacancy on the Board of Selectmen, the remaining members of the Board of Selectmen, within sixty (60) days of the creation of such vacancy, shall appoint a successor selectman (the "Successor Selectman") to membership on the Board of Selectmen for the unexpired term, which Successor Selectman shall be a member of the same political party as the prior selectman, or if the prior selectman was not affiliated with any political party, then such Successor Selectman shall also not be affiliated with any political party. Notwithstanding the foregoing, if the prior selectman has changed political parties or has become unaffiliated subsequent to being elected, then the Successor Selectman shall be a member of the prior selectman's political party (or unaffiliated, if applicable) at the time such prior selectman was elected.~~

§ C-405. Limited Power of Investigation.

The Board of Selectmen shall, upon the affirmative vote of at least four (4) of its members, have the power to investigate any and all Town Departments, Elected Officials, Appointed Officials, Elected Boards and Appointed Boards for such purposes as they shall deem necessary. The Board of Selectmen shall have the power to call and to subpoena witnesses to testify and to furnish documentation on any matter under investigation. Town counsel shall be present when any witness so called appears before the Board of Selectmen. Any witness so called shall have the right to be accompanied by counsel during such testimony.

ARTICLE V, Other Elected Officials.

§ C-501. ~~The Town Clerk.~~ {Reserved}

- ~~A.—The Town Clerk shall at all times be a person qualified to fulfill the duties of a town clerk as set forth in the General Statutes.~~
- ~~B.—The Town Clerk shall be elected by a plurality of the votes cast for this office at a Municipal Election held on the first Tuesday after the first Monday in November of every fourth year beginning in November 1995. The Town Clerk shall serve a four (4) year term of office.~~
- ~~C.—The Town Clerk shall be charged with the custody and control of all public records of the Town and shall have such other duties assigned to town clerks under the General Statutes.~~
- ~~D.—If the position of Town Clerk is vacant for any cause, the Board of Selectmen shall immediately designate a successor Town Clerk, with all powers and privileges incident thereto. The successor Town Clerk shall be a member of the same political party as the prior Town Clerk, or if the prior Town Clerk was not affiliated with any political party, then such successor Town Clerk shall also not be affiliated with any political party. Notwithstanding the foregoing, if the prior Town Clerk has changed political parties or has become unaffiliated subsequent to being elected, then the successor Town Clerk shall be a member of the prior Town Clerk's political party (or unaffiliated, if applicable) at the time such prior Town Clerk was elected. Such successor Town Clerk shall hold such office until the next Municipal Election. At this Municipal Election, the Electors shall elect a successor to serve for the remainder of the unexpired term of the prior Town Clerk.~~

§ C-502. ~~Tax Collector.~~ {Reserved}

- ~~A.—The Tax Collector shall at all times be a person qualified to fulfill the duties of a tax collector and a collector of taxes under the General Statutes.~~
- ~~B.—Manner of election and term of office. The Tax Collector shall be elected by a plurality of the votes cast for this office at an Election held on the first Tuesday after the first Monday in November of every fourth year beginning in November 1995. The Tax Collector shall serve a four-year term of office.~~
- ~~C.—Powers and duties. The Tax Collector shall be charged with the collection of all taxes and levies imposed by the Board of Finance, and shall have such other duties assigned to Tax Collectors under the General Statutes.~~
- ~~D.—Succession and vacancies. If the position of Tax Collector is vacant for any cause, the Board of Selectmen shall immediately designate an Acting Tax Collector, with all powers and privileges incident thereto. Such Acting Tax Collector shall hold such office until the next regular Election. At this Election, the Electors shall elect a successor to fill the unexpired term.~~

§ C-503. ~~The Treasurer.~~ {Reserved}

- ~~A.—The Treasurer shall at all times be a person qualified to fulfill the duties of a town treasurer as set forth in the General Statutes.~~

- ~~B. Manner of election and term of office. The Town Treasurer shall be elected by a plurality of the votes cast for this office at an Election held on the first Tuesday after the first Monday in November of every second year beginning in November 1995. The Town Treasurer shall serve a two-year term of office.~~
- ~~C. Powers and duties. The Town Treasurer shall receive all money belonging to the Town and shall have responsibility for depositing such moneys in the appropriate accounts and/or investments. Upon the direction of the proper authority, the Town Treasurer shall cause to be paid to the proper person(s) or organizations such moneys as needed for the sound administration of Town government. The Town Treasurer shall:~~
- ~~(1) Keep a record of all moneys received and when received;~~
 - ~~(2) Keep a record of all moneys expended and for what purpose and upon whose authority; and~~
 - ~~(3) Exercise such other powers and perform such other duties as assigned to Town Treasurers by the General Statutes.~~
- ~~D. Succession and vacancies. If the position of Town Treasurer is vacant for any cause, the Board of Selectmen shall immediately designate an Acting Town Treasurer. Such Acting Town Treasurer shall hold such office until the next regular Election. At this Election, the Electors shall elect a successor to fill the unexpired term.~~

ARTICLE VI, Other Elected Boards.

§ C-601. The Board of Finance.

- A. The Town shall have a six (6) member Board of Finance as constituted at the time this Charter shall take effect.
- B. Beginning with the November 5, 2019 Municipal Election ~~held on the first Tuesday after the first Monday of November 1995, two (2) members of the, Board of Finance shall~~ members will be elected every odd-numbered to a four (4) year, each for a term of six (6) years. ~~At each Municipal Election, the two (2) members shall be the two (2) highest vote getters from amongst those seeking such office, subject to the requirements of minority political representation as required by this Charter and by the General Statutes.~~
- C. The Board of Finance shall be responsible for ~~developing and~~ presenting to the Town Voters the budgets for all Town Departments and the ~~overall Town government~~ Combined Budget and shall have all of the powers and perform all of the duties conferred or imposed upon ~~boards~~ Boards of finance Finance by the General Statutes.
- (1) The Board of Finance shall have the authority to approve supplemental appropriations from, and transfers within, the ~~Town budget~~ Board of Selectmen Budget as recommended by the Board of Selectmen, subject to the further approval of the Town Meeting, if so required.
 - (2) Prior to the Annual Budget Meeting, the Board of Finance shall hold at least two ~~(2) public hearings~~ Public Hearings for the purpose of presenting the Combined ~~Town~~ Budget to interested Town Voters for their comments and suggestions.
 - (3) The Board of Finance shall establish the mill rate, as set forth in the General Statutes.
- D. ~~In the event of a vacancy on the Board of Finance, the remaining members of the Board of Finance, within sixty (60) days of the start of such vacancy, shall appoint by majority vote a successor member (the "Successor Member") to membership on the Board of Finance, which Successor Member shall be a member of the same political party as the prior member, or if the prior member was not affiliated with any political party, then such Successor Member shall also not be affiliated with any political party. Notwithstanding the foregoing, if the prior member has changed political parties or has become unaffiliated subsequent to being elected, then the Successor Member shall be a member of the prior member's political party (or unaffiliated, if applicable) at the time such prior member was elected. The Successor Member shall hold such membership until the next Municipal Election, at which time a successor shall be elected to serve the remainder of~~

~~the unexpired term of the prior member.~~ {Reserved}

§ C-602. The Board of Education.

- A. The Town shall have a seven ~~(7)~~-member Board of Education, as constituted at the time this Charter shall take effect.
- B. Beginning with the Municipal Election held on the first Tuesday after the first Monday of November 1995, members of the Board of Education shall be elected in accordance with Chapter 46, Education, Board of, of the Code of the Town of Colchester, subject to the requirements of minority political representation as required by this Charter and by the General Statutes. Members of the Board of Education shall serve a four (4) year term of office.
- C. (1) The Board of Education shall be responsible for maintaining all public elementary and secondary schools in the Town, shall implement the educational interests of the State, as defined in the General Statutes, and shall continue to have all of the powers and perform all of the duties conferred or imposed upon boards of education by the General Statutes.
- (2) Prior to the Annual Budget Meeting, the Board of Education shall participate in at least two ~~(2) public hearings~~ Public Hearings held by the Board of Finance for the purpose of presenting the ~~Town education budget~~ Board of Education Budget to the Town Voters.

D. {Reserved}

~~D.— In the event of a vacancy on the Board of Education, the remaining members of the Board of Education, within sixty (60) days of the start of such vacancy, shall appoint a successor member (the "Successor Member") to membership on the Board of Education, which Successor Member shall be a member of the same political party as the prior member, or if the prior member was not affiliated with any political party, then such Successor Member shall also not be affiliated with any political party. Notwithstanding the foregoing, if the prior member has changed political parties or has become unaffiliated subsequent to being elected, then the Successor Member shall be a member of the prior member's political party (or unaffiliated, if applicable) at the time such prior member was elected. The Successor Member shall hold such membership until the next Municipal Election, at which time a successor shall be elected to serve the remainder of the unexpired term of the prior member.~~

§ C-603. The Board of Assessment Appeals.

- A. The Town shall have a three ~~(3)~~-member Board of Assessment Appeals as constituted at the time this Charter shall take effect.
- B. ~~The~~ Beginning with the Municipal Election held on November 5, 2019, three (3) members of the Board of Assessment Appeals shall be elected by a plurality of the votes cast for such office ~~at a Municipal Election held on the first Tuesday after the first Monday in November of every odd-numbered year~~ for a term of ~~two~~ four (24) years. The ~~three (3)~~ members shall be the three (3) highest vote getters from ~~amongst~~ among those seeking such office, subject to the requirements of minority political representation as required by this Charter and by the General Statutes.
- C. The Board of Assessment Appeals shall be 4 responsible for hearing all appeals of property

assessments in the Town and have such other powers and duties as set forth in the General Statutes.

~~D. — In the event of a vacancy on the Board of Assessment Appeals, the Board of Selectmen, within sixty (60) days of the start of such vacancy, shall appoint a successor member (the "Successor Member") to membership on the Board of Assessment Appeals, which Successor Member shall be a member of the same political party as the prior member, or if the prior member was not affiliated with any political party, then such Successor Member shall also not be affiliated with any political party. Notwithstanding the foregoing, if the prior member has changed political parties or has become unaffiliated subsequent to being elected, then the Successor Member shall be a member of the prior member's political party (or unaffiliated, if applicable) at the time such prior member was elected. The Successor Member shall hold such membership until the next Municipal Election, at which time a successor shall be elected to serve the remainder of the unexpired term of the prior member. {Reserved}~~

ARTICLE VII, Appointed Officials and Appointed Boards.

§ C-701. Appointed Officials.

The Board of Selectmen shall appoint the following Appointed Officials and such other Appointed Officials as required by the General Statutes:

A. Assessor

B. Tax Collector

C. Town ~~may have any~~ Clerk, and

D. Treasurer, provided that the statutory duties of a “town treasurer” may be incorporated into the duties of a Chief Financial Officer or other Appointed Official, Department Head or Town Employee.

The Board of Selectmen may appoint any other Appointed Officials as permitted by the General Statutes or this Charter .

§ C-702. Appointed Boards.

The Town shall have ~~the following Appointed Boards, and such other~~ Appointed Boards as ~~are~~ created pursuant to this Charter, ~~or required by the General Statutes; all of~~ whose members shall be appointed as provided in this Charter.

~~A.— a five (5) member Police Commission; and~~

~~B.— a nine (9) member Sewer and Water Commission.~~

§ C-703. Eligibility and Appointment of Appointed Officials.

Eligibility for appointment of Appointed Officials shall be governed, where applicable, by the General Statutes and/or the standards adopted by the Board of Selectmen. All Appointed Officials shall be appointed by the Board of Selectmen pursuant to procedures as adopted by the Board of Selectmen or permitted or required by the General Statutes.

§ C-704. Removal of Appointed Officials.

Appointed Officials shall be removed by the Board of Selectmen. If a removal procedure for a particular Appointed Official is not provided for in the General Statutes, then the Board of Selectmen may remove for any reason any Appointed Official, provided that such Appointed Official be notified in writing of the grounds for removal and given an opportunity to appear before the Board of Selectmen to respond to the grounds identified. If such Appointed Official desires such a meeting, such Appointed Official shall so notify the Board of Selectmen in writing within seven (7) days after notification of the grounds for removal. Such meeting shall be public only if such Appointed Official so requests. Such meeting shall be held no less than seven (7) nor more than thirty (30) days after notification of the grounds for removal. The decision of the Board of Selectmen shall be final. The date of notification of the grounds for removal shall be deemed to be the date of delivery if delivered by hand and two (2) days after the postmark if delivered by mail.

§ C-705. Eligibility and Appointment of Members of Appointed Boards.

- A. All Members of Appointed Boards shall be appointed by the Board of Selectmen pursuant to procedures adopted by the Board of Selectmen. Only Electors of the Town who do not hold an elected position within Town government are eligible for appointment as a Member of an Appointed Board. If any Member of an Appointed Board shall cease to be an Elector of the Town or otherwise become ineligible to hold such position, then that ~~member~~Member shall immediately cease to hold such membership and that position shall immediately be deemed vacant. Appointment of replacement members will follow minority representation statutes.
- B. Notwithstanding any provision of this Charter to the contrary, holding the position of Justice of the Peace or Registrar of Voters shall not make a person ineligible for appointment to an Appointed Board hereunder.

§ C-706. Removal of Members of Appointed Boards.

- A. Except as otherwise provided in this Charter or in the General Statutes, the Board of Selectmen may remove for cause any Member of an Appointed Board, provided that such ~~member~~Member be notified in writing of the grounds for removal and given an opportunity for a hearing before the Board of Selectmen. If such member or alternate desires such a hearing, such ~~member~~Member shall so notify the Board of Selectmen in writing within seven (7) days after notification of the grounds for removal. Such hearing shall be public only if such member or alternate so requests. Such hearing shall be held no less than seven (7) nor more than thirty (30) days after notification of the grounds for removal. The decision of the Board of Selectmen shall be final. The date of notification of the grounds for removal shall be deemed to be the date of delivery if delivered by hand and two (2) days after the postmark if delivered by mail.
- B. From the date of notification of the grounds for removal until final action by the Board of Selectmen, such member or alternate shall be ineligible to perform the duties of office.
- C. For purposes of this provision, grounds for removal may include, but are not limited to: (i) unjustified absence from a significant number of the regularly scheduled and/or special meetings of a given board; (ii) unjustified absence from three (3) consecutive regularly-scheduled meetings and/or intervening special meetings of a given board; and (iii) violation of the Town's Code of Ethics. The Board of Selectmen shall determine whether any absence is justifiable.

§ C-707. Appointment of Alternates to Appointed Boards.

Should the General Statutes, this Charter or any Town Ordinance require the appointment of one or more alternates to an Appointed Board, the Board of Selectmen shall make such appointments. Should a Member of an Appointed Board for which alternates have been designated be absent or disqualified, the chair of such Appointed Board shall designate one such ~~alter~~nate to act in place of such ~~member~~Member. Should the

Board of Selectmen appoint two or more alternates to a single Appointed Board, the chair of such Appointed Board shall choose alternates in rotation so as to allow alternates to act as nearly an equal number of times as possible.

ARTICLE VIII, ~~RESERVED~~

ARTICLE IX, ~~Appointed Boards~~, RESERVED

~~§ C-901. The Police Commission.~~

~~The Board of Selectmen shall appoint a five (5) member Police Commission. The powers, duties, organization and term of appointment for the Police Commission shall be governed by the General Statutes and Section 214 of the Town Ordinances.~~

~~§ C-902. The Sewer and Water Commission.~~

~~A. The area of the Town served by the public water and sewer system, as may be expanded or reduced from time to time, shall be designated as the Sewer and Water District.~~

~~B. The Board of Selectmen shall appoint a nine (9) member Sewer and Water Commission, which shall be subject to the oversight and supervision of the Board of Selectmen.~~

~~C. The Sewer and Water Commission annually shall develop a budget of expenses for operating and maintaining the Sewer and Water District. The Sewer and Water Commission annually shall develop and submit to the Board of Selectmen a schedule of rates and fees for sewer and water services. Prior to submitting these rates and fees, the Sewer and Water Commission shall hold a public hearing to present this budget and these rates, along with a comparison of such budget and rates to those in effect in the last completed fiscal year and in the current year-to-date fiscal year. The Director of Public Works shall review such budget and rates and may recommend alterations to the Board of Selectmen. The Board of Selectmen may alter such budgets and rates as it deems appropriate.~~

~~D. The Sewer and Water Commission shall annually recommend to the Department of Public Works any construction and expansion of the Sewer and Water District and any expenditure for the care, maintenance, or reconstruction of the sewer and water system.~~

~~E. The Sewer and Water Commission shall administer the operations of the Sewer and Water District, including the construction, reconstruction, establishment, planning, restoration, enlargement, improvement, removal, care, repair and maintenance of all sewer and water systems. The Sewer and Water Commission may, upon authorization of the Director of Public Works and/or the Board of Selectmen, negotiate any contract incidental to the provision of sewer and water services, such as contracts for system repair or system expansion, except any labor contract or collective bargaining agreement. In no event shall the Sewer and Water Commission or any member thereof execute these contracts or bind the Town in any way.~~

ARTICLE X, The Town Meeting and the Annual Budget Meeting.

§ C-1001. The Town Meeting.

A. The Town Meeting shall be the legislative body of the Town. The Town Meeting shall be called to authorize those actions of the Town hereinafter enumerated below and in subsequent sections of this Charter and such additional actions as may be required (subject to express overrule by a ~~Special Referendum~~ special referendum, as hereinafter defined).

B. Notwithstanding any other provision of this Charter, the Board of Selectmen shall call a Town ~~Meeting~~ for consideration of the following actions:
Meeting for consideration of the following actions:

~~(1) approving the issuance of bonds and all other forms of borrowing, the terms of which obligate the Town for a time period of one (1) year or more;~~

- ~~(2) approving any supplemental appropriation of funds previously approved by the Board of Finance in an amount that exceeds one-half of one percent (0.5%) of the Combined Town Budget, excluding the budget of the Board of Education;~~
- ~~(3) approving any transfer of funds between Town Departments previously approved by the Board of Finance in an amount that exceeds one-half of one percent (0.5%) of the Combined Town Budget, excluding the budget of the Board of Education;~~
- ~~(4) approving either a supplemental appropriation or transfer of funds in an amount that, when added to the total of all other supplemental appropriations and transfers approved within the then current fiscal year, exceeds four percent (4.0%) of the Combined Town Budget, excluding the budget of the Board of Education;~~
- ~~(5) approving real estate purchases by the Town for which the consideration given exceeds \$10,000;~~
- ~~(6) approving the sale or other transfer of real property by the Town for which the appraised value of the real estate that is the subject of such transaction exceeds \$10,000;~~ 1) adopting or repealing any Town Ordinance, except those Town Ordinances subject to adoption by the sole act of the Board of Selectmen as designated by this Charter;

~~(7)~~ (2) approving the creation, consolidation or abolition of any permanent Town ~~board~~ Board, whether elected or appointed, for which this Charter does not make provision;

~~(8)~~ 3) approving the creation or abolition of any position for an Elected Official for which this Charter does not make provision;

~~(9) approving the execution by the Town of any lease and/or lease option not otherwise included in the Board of Selectmen's budget, whether as lessor or lessee, which obligates the Town for a period of one (1) year or more or which commits the Town to either make or receive lease payments of \$10,000 per fiscal year or more, and which has not otherwise been included within the Board of Selectmen's budget;~~ 4) as required, approving matters or proposals that are described in Sections 1107a-1108a, 1111a-1112a of this Charter; and

~~(10) approving the submission of an application for, or the actual participation in, any federal, state, local or private grant program not otherwise included in the budget and which requires or could require a contribution by the Town of \$50,000 per fiscal year or more in cash or in-kind, except those programs for which the Board of Education properly makes such application;~~

~~(11) adopting or repealing any Town Ordinance, except those Town Ordinances subject to adoption by the sole act of the Board of Selectmen as designated by this Charter; and~~

~~(12)~~ 5) such other matters or proposals as the Board of Selectmen, in its discretion, shall deem to be of sufficient importance to warrant a special Town Meeting.

C. In addition, the Board of Selectmen shall convene a Town Meeting for any proper, lawful, non-frivolous purpose upon the receipt by the Board of Selectmen of a Certified Petition requesting such meeting signed by at least ~~two~~ three percent (~~2.03~~ 3.0%) of the total Electors of the Town within sixty (60) days prior to its presentation to the Town Clerk. The Board of Selectmen shall convene said Town Meeting no less than twenty (20) and no more than ninety (90) days after the date on which the petition requesting such meeting is received by the Board of Selectmen.

§ C-1002. {Reserved}

§ C-1003. Procedure.

All Town Meetings shall be called in accordance with the General Statutes by resolution of the Board of Selectmen fixing the time and place of said meeting. Notice of said meeting shall be given in accordance with

the General Statutes and by posting a notice in an exterior place near the office of the Town Clerk. The first item of business at such meeting shall be the election of a moderator from among those in attendance; the First Selectman shall preside over such meeting until the moderator is so chosen. All Town Meetings may be recessed and reconvened at a later date and/or a different location upon the passage of a proper motion to do so.

ARTICLE XI, Special Referenda and Special Budget Referenda

§ C-1101. {Reserved}

§ C-1102. Special Referenda.

- A. Any action taken at any Town Meeting may be subject to review by a special referendum. The Board of Selectmen shall call such a special referendum if, within thirty (30) days from the date of the Town Meeting at which the contested action was taken, the Board of Selectmen receives a Certified Petition requesting a special referendum signed by at least five percent (5.0%) of the total electors of the Town. The Board of Selectmen shall call said special referendum no less than five (5) and no more than twenty (20) days after the date on which the petition is certified in accordance with this Charter.
- B. The only question(s) which shall be presented at such special referendum shall be whether to ratify or overrule the action(s) of that particular Town Meeting. All questions so presented shall be phrased such that a vote of “Yes” shall indicate approval of the action(s) of the Town Meeting and a vote of “No” shall indicate disapproval of the action(s) of the Town Meeting.
- C. Any action taken at any Town Meeting that is approved at the Annual Budget Referendum or a special referendum shall be considered conclusively approved, and no further Town Meetings or special referenda regarding the specific action may be called.

§ C-1103. Special Budget Referenda.

As described in Sections 1109a & 1111a of this Charter, the Board of Selectmen shall call a “special budget referendum” for approval of certain matters or proposals. The Board of Selectmen shall not be required to hold a Town Meeting prior to special budget referenda.

§ C-1104. Recount of Special Referenda and Special Budget Referenda.

Recounts of the votes cast at special referenda and special budget referenda shall be pursuant to provisions in any applicable General Statutes. During the pendency of such recount, the Town shall not take any action in reliance upon the outcome of the initial vote count.

ARTICLE 1105, Annual Budget Meeting

§ C-1105a. Annual Budget Meeting.

- A. The Board of Selectmen shall convene a special Town Meeting (the “Annual Budget Meeting”) for the purpose of considering the annual Combined ~~Town~~ Budget at such hour and at such place as the Board of Selectmen may determine or as the General Statutes may require (~~the “Annual Budget Meeting”~~). The Town’s Chief Financial Officer, or his or her designee, as well as at least two ~~(2)~~ representatives from each of the Boards of Education, Selectmen (one being the First Selectman, or his or her designee in extenuating circumstances) and Finance, shall be present at the Annual Budget Meeting and shall be available to respond to questions of the Town Voters.
- B. At the Annual Budget Meeting, the members of the Boards of Selectmen and Education shall, with respect to their respective budgets:
- (1) ~~present~~ provide their proposed budget to the Town Voters;
 - (2) have available for review by the Town Voters a line-item summary of each department’s proposed budget with a comparison ~~between such budget and~~ to the amount budgeted ~~for such line item~~ in the current fiscal year;
 - (3) if feasible, have available for review by the Town Voters a line-item-level comparison between such summary of each department’s proposed budget and the amount estimated to be actually expended ~~for such line item in the current fiscal year;~~ and (4) ~~have available for review by the Town Voters a listing of all fiscal-year-to-date transfers and amendments made within the current fiscal year’s budget.~~
- C. At the Annual Budget Meeting, the Town Voters in attendance may reduce, but not increase, the ~~Combined Town~~ Board of Selectmen Budget and/or the Board of Education Budget upon the passage of a ~~Proper Motion~~ proper motion(s) (as hereafter defined). A ~~Proper Motion~~ proper motion shall:
- (1) stipulate a specific dollar amount for reduction;
 - (2) stipulate the budget to which such reduction shall be charged (either the Board of Selectmen or the Board of Education budget);
 - (3) ~~with respect to a reduction in the budget case of the Board of Selectmen Budget, stipulate a specific line item or the specific line items to be reduced; and the specific department’s budget to be reduced must be stipulated. Reductions may not be made to the capital expenditures or debt service line items of the budget.~~
 - (4) ~~with respect to a reduction in the budget case of the Board of Education Budget, only the bottom line may be reduced.~~
- D. If ~~(i) the Combined Town Budget, as reduced by such Proper Motion(s), differs from that first presented by more than two percent (2.0%) or (ii) the Board of Selectmen’s budget Budget excluding capital expenditures and debt service, or the Board of Education’s budget differ Budget differs~~ from that first presented by ~~more than three~~ an amount equal to or in excess of one percent (1.0%), the Annual Budget Meeting shall be continued to a second meeting held no less than two ~~(2)~~ business days following the first meeting. At this second meeting, the ~~Proper Motion~~ proper motion(s) shall again be introduced to and acted upon by the Town Voters in attendance. Should the ~~Proper Motion~~ proper motion(s) pass at this second meeting, the ~~Proper Motion~~ proper

motion(s) shall become effective and shall be incorporated into the proposed Combined ~~Town~~ Budget.

- E. The Annual Budget Meeting shall be automatically ~~be recessed to a referendum to be held on a date determined by the Annual Budget Meeting (the “continued to the Annual Budget Referendum”)~~ at the conclusion of the Annual Budget Meeting, at which the ~~Combined Town Budget,~~ budgets of the Board of Selectmen and the Board of Education as recommended by the Annual Budget Meeting, shall be presented to the Town Voters for final approval or disapproval.
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~~§ C-1003. Procedure.~~

~~All Town Meetings shall be called in accordance with the General Statutes by resolution of the Board of Selectmen fixing the time and place of said meeting. Notice of said meeting shall be given at least five (5) days in advance by publication in a newspaper of general circulation within the Town and by posting a notice in an exterior place near the office of the Town Clerk. The first item of business at such meeting shall be the election of a moderator from amongst those in attendance; the First Selectman shall preside over such meeting until the moderator is so chosen. All Town Meetings may be recessed and re-convened at a later date and/or a different location upon the passage of a proper motion to do so.~~

ARTICLE ~~XI, 1106.~~ The Annual Budget Referendum ~~and Special Referendums.~~

~~§ C-1101. The Annual Budget Referendum 1106a.~~ **The Annual Budget Referendum** ~~is a form of referendum and~~

The Annual Budget Referendum shall be held on such date as determined by the Annual Budget Meeting. A minimum of two questions shall appear on the ballot for the Annual Budget Referendum. The first question shall require a vote of “Yes” or “No” ~~vote~~ on whether to approve ~~the budget of~~ the Board of Selectmen ~~(including Budget~~ (Including debt service and capital expenditure budgets) as recommended by the Annual Budget Meeting. The second question shall require a vote of “Yes” or “No” on whether to approve the ~~budget of the~~ Board of Education Budget as recommended by the Annual Budget Meeting. The Board of Finance may, at its discretion, also direct that an advisory question appear on the ballot for either or both budgets. Such advisory question(s) shall require a response of either “Too High” or “Too Low” to describe the proposed level of spending.

~~§ C-1102. Special Budget Referendums.~~

Any action taken at the Annual Budget Meeting that is approved at the Annual Budget Referendum shall be considered conclusively approved, and no further Town Meetings or referenda regarding the specific action may be called.

~~The Board of Selectmen shall call a Special Budget Referendum for approval of any supplemental appropriation for any Town Department which, together with the sum of any other supplemental appropriations approved for said Town Department, exceeds one percent (1.0%) of the Combined Town Budget, excluding the budget of the Board of Education. No such referendum shall be called without first obtaining the recommendation of the Board of Finance on such appropriation.~~

~~§ C-1103. Special Referendums. 1106b~~ Recount of Annual Budget Referendum

Recounts of the votes cast at the Annual Budget Referendum shall be pursuant to any applicable provisions in the General Statutes.

ARTICLE 1107, Real Estate Purchases, Sales and Transfers

§ C-1107a. Real Estate Purchases, Sales and Transfers.

A. Notwithstanding any other provision of this Charter, the Board of Selectmen shall call a Town Meeting for consideration of the following actions:

- (1) approving real property purchases by the Town not previously budgeted for by the Town, for which the consideration given is an amount equal to or in excess of two percent (2.0%) of the Board of Selectmen Budget, excluding debt service and capital expenditures;
- (2) approving the sale or other transfer of real property by the Town for which the appraised value of the real property that is the subject of such transaction is an amount equal to or in excess of 2.0% of the Board of Selectmen Budget, excluding debt service and capital expenditures.

B. If the thresholds outlined above are not met such that a Town Meeting is required, the Board of Finance has the authority to approve real estate purchases and transfers following recommendation by the Board of Selectmen.

ARTICLE 1108, Leases

§ C-1108a. Leases.

A. Notwithstanding any other provision of this Charter, the Board of Selectmen shall call a Town Meeting for consideration of approving the execution by the Town, whether as lessor or lessee, of any capital lease option with a non-appropriation clause not previously budgeted for by the Town which obligates the Town for a period of one year or more and commits the Town to either make or receive lease payments for capital equipment with a purchase price that is an amount equal to or in excess of two percent (2.0%) of the Board of Selectmen Budget excluding debt service and capital expenditures.

B. If the thresholds outlined above are not met such that a Town Meeting is required, the Board of Finance has the authority to approve leases following recommendation by the Board of Selectmen.

ARTICLE 1109, Bonds

§ C-1109a. Bonds.

A. The Board of Selectmen shall call a special budget referendum to consider the approval of the issuance of all bonds. No such referendum shall be called unless the Board of Finance has recommended such bond issue. Refunding of an existing bond issue does not require a special budget referendum.

ARTICLE 1110, Budget Transfers

§ C-1110a. Budget Transfers.

- A. The First Selectman may authorize transfers of funds between Town departments required to handle immediate matters of public safety such as fire, weather emergencies, or similar events. The First Selectman shall notify the Board of Finance and Selectmen at their next regular meetings.
- C. The First Selectman and Chief Financial Officer shall approve all transfers from salary or benefit line items within a Town Department budget.
- D. Following recommendation by the Board of Selectmen, the Board of Finance has the authority to approve the transfer of funds between previously adopted Town Department budgets.

ARTICLE 1111, Supplemental Appropriations

§ C-1111a. Supplemental Appropriations.

- A. The First Selectman may authorize supplemental appropriations required to handle matters of immediate public safety such as fire, weather emergencies, respective or similar events. The First Selectman shall notify Boards of Finance and Selectmen at their next regular meetings.
- B. The Board of Finance has the authority to approve supplemental appropriations in an amount that is less than two percent (2.0%) of the budget to which the supplemental appropriation is being made (either the Board of Selectmen Budget, excluding debt service and capital expenditures, or the Board of Education Budget).
- C. The Board of Selectmen shall call a Town Meeting to consider the approval of any supplemental appropriation in an amount that is equal to or exceeds two percent (2.0%) and less than three percent (3.0%) of the budget to which the supplemental appropriation is being made (either the Board of Selectmen Budget, excluding debt service and capital expenditures, or the Board of Education Budget). No such Town Meeting shall be called unless the Board of Finance has recommended such supplemental appropriation. This requirement does not pertain to appropriations of grant monies or matching funds received by the Town.
- D. The Board of Selectmen shall call a Special Budget Referendum for approval of any supplemental appropriation for any Town Department in an amount that is equal to or exceeds three percent (3.0%) of the budget to which the transfer is being made (either the Board of Selectmen Budget, excluding debt service and capital expenditures, or the Board of Education Budget). No such referendum shall be called unless the Board of Finance recommends such supplemental appropriation. The requirement does not pertain to appropriations of grant monies or matching funds received by the Town.

ARTICLE 1112, Grant Programs

§ C-1112a. Grant Programs.

~~A. Any action taken at any Town Meeting may be subject to review by a referendum (a "Special Referendum"). The Board of Selectmen shall call such a Special Referendum if, within thirty (30) days from the date of the Town Meeting at which the contested action was taken, the Board of Selectmen receives a Certified Petition requesting such referendum signed by at least five percent (5.0%) of the total Electors of the Town. The Board of Selectmen shall call said Special Referendum no less than five (5) and no more than twenty (20) days after the date on which the petition is certified in accordance with this Charter.~~

A. Notwithstanding any other provision of this Charter, the Board of Selectmen shall call a Town Meeting to approve the submission of an application for, or the actual participation in, any federal, state, local or private grant program which requires or could require a contribution by the Town in an amount that is equal to or in excess of three percent (3.0%) of the Board of Selectmen Budget, excluding debt service and capital expenditures, over the lifetime of the project (excluding monies received from outside grant sources and matching funds). Programs for which the Board of Education properly makes such application are excluded from the requirements of this section.

~~B. The only question(s) which shall be presented at such Special Referendum shall be whether to ratify or overrule the action(s) of that particular Town Meeting. All questions so presented shall be phrased such that a vote of "Yes" shall indicate approval of the action(s) of the Town Meeting and a vote of "No" shall indicate disapproval of the action(s) of the Town Meeting.~~

B. Regarding the distribution of funds (grant awards and matching funds) from outside sources for grant projects, the procedures for budget transfers and appropriations outlined in Sections 1110a and 1111a of this Charter are not required.

~~C. Any action taken at any Town Meeting that is approved at the Annual Budget Referendum or a Special Referendum shall be considered conclusively approved, and no further Town Meetings or Special Referendums regarding the specific action may be called.~~

C. Regarding the distribution of funds for approved grant projects, the procedures for budget transfers and appropriations outlined in Sections 1110a and 1111a of this Charter are not required. If a supplemental appropriation or transfer of funds is required to cover expenditures in excess of the previously approved amount, the procedures outlined in Sections 1110a and 1111a of this Charter are to be followed.

§ C-1104. Recount of Annual Budget Referendum or Special Referendums.

~~Should the vote cast at either the Annual Budget Referendum or a Special Referendum be decided by a margin of less than two percent (2.0%) of those Electors who cast votes, the vote shall be subject to recount upon the petition of any of the Town Voters. During the pendency of such recount, the Town may not take any action whatsoever in reliance upon the outcome of the initial vote count.~~

ARTICLE XII, Town Departments and Administration.

§ C-1201. Town Departments.

The Town shall have the following Town Departments and such other Town Departments as may exist at the time ~~of~~ the adoption of this Charter or that may be created pursuant to the provisions of this Charter ~~or~~ the General Statutes:

A. ~~A.~~^a Department of Finance;

B. ~~B.~~^a Department of Public Works;

- C. ~~C. a~~ Department of Planning and Zoning;
- D. ~~D. a~~ Department of Public Health;
- E. ~~E. a~~ Department of ~~Parks and~~ Recreation;
- F. ~~F. a~~ Department of Code Administration; and
- G. ~~G. a~~ Department of Engineering;
- H. Cragin Town Library
- I. A Department of Senior Services; and
- J. A Department of Youth and Social Services

§ C-1202. ~~The Department of Finance.~~ {Reserved}

- A. ~~The Department of Finance shall be responsible for maintaining all budgets, accounts and financial records of the Town, including those of the Board of Education. The Department of Finance shall have administrative oversight over all budget accounts and shall be responsible for the disbursement of all monies therefrom. The Department of Finance shall keep records of all financial transactions for the Town, including those of the Board of Education, and shall perform such other duties as deemed necessary by the Board or Finance, the Board of Education or the Superintendent of Schools for the sound administration of their respective budgets. Notwithstanding the foregoing, both the Board of Selectmen and Board of Education shall at all times remain in control of their respective budgets. Additionally, in no way shall the Department of Finance or any provision of this Charter be deemed to abrogate the ability of the Board of Education or the Board of Selectmen to maintain separate administrative oversight of its respective budget.~~
- B. ~~The Department of Finance shall consist of the Chief Financial Officer, who shall be the Department Head, and such other personnel as deemed necessary by the Board of Selectmen.~~
- C. ~~The Board of Selectmen and the Board of Education shall jointly hire the Chief Financial Officer, who shall possess the appropriate practical and technical qualifications for the office. The Chief Financial Officer shall be responsible to the Board of Selectmen and the Board of Education and shall supervise the Department of Finance. The Chief Financial Officer shall also have the additional responsibility of coordinating all purchases for the Town, including those of the Board of Education, and reviewing all fiscal requests to determine budgetary compliance. At least once each month, the Chief Financial Officer shall prepare and present financial statements to the Boards of Education and Finance, together with cost reports and statements of receipts, as each Board shall deem necessary to understand their respective budgets.~~

§ C-1203. ~~The Department of Public Works.~~ {Reserved}

- A. ~~The Department of Public Works shall be responsible for:~~
 - (1) ~~the inspection and construction, reconstruction, care, maintenance, altering, paving, repairing, draining, cleaning and snow clearance of all public places and of all streets, highways, sidewalks and curbs, and of the installation and maintenance of all public lighting, street signs, guideposts and public utilities;~~
 - (2) ~~the construction, reconstruction, care, repair and maintenance of all public works and public improvements, except those under the jurisdiction of the Department of Parks and Recreation;~~
 - (3) ~~the maintenance, care and improvement of, and construction required in connection with, all public works and public improvements of the Town;~~
 - (4) ~~the improvement, repair and maintenance of all equipment, including automotive equipment, used in the Department of Public Works or in any other department, including police, fire and, upon request, school equipment; and~~
 - (5) ~~the inspection and construction, reconstruction, care, maintenance and operation of all services provided in the Sewer and Water District.~~

~~B.—The Department of Public Works shall consist of the Director of Public Works, who shall be the Department Head, and such other personnel as is deemed necessary by the Board of Selectmen. The Department of Public Works may delegate such responsibilities to other Town Departments as necessary for the efficient and effective maintenance of Town facilities.~~

§ C-1204. The Department of Planning and Zoning. {Reserved}

~~A.—The Department of Planning and Zoning shall administer the planning and zoning regulations of the Town, as well as any federal or state laws regarding land use.~~

~~B.—The Department of Planning and Zoning shall consist of the Director of Planning, who shall be the Department Head, and such other personnel as is deemed necessary by the Board of Selectmen.~~

§ C-1205. The Department of Public Health. {Reserved}

~~A.—The Department of Public Health shall carry out the functions of community health assessment, public health policy development, and public health assurance. The Department may fulfill these responsibilities either directly or regionally, through affiliations and other formal arrangements with other community agencies and institutions. The Department of Public Health shall meet all minimum standards set forth in the General Statutes, the public health code, and in state regulations.~~

~~B.—The Department of Public Health shall consist of the Director of Public Health, who shall be the Department Head, and such other personnel as is deemed necessary by the Board of Selectmen.~~

§ C-1206. The Department of Parks and Recreation. {Reserved}

~~A.—The Department of Parks and Recreation shall be responsible for the planning, conducting and supervising of recreation programs and activities. In addition, the Department of Parks and Recreation shall be responsible for:~~

~~(1) the operation, maintenance and management of all parks and recreational facilities of the Town;~~

~~(2) the development of plans and coordination of the design of parks and recreational facilities;~~

~~(3) the maintenance of such other public grounds as may be designated by the Board of Selectmen; and~~

~~(4) the maintenance of grounds and recreational fields subject to the control of the Board of Education, as may be requested by the Board of Education.~~

~~B.—The Department of Parks and Recreation shall consist of the Director of Parks and Recreation, who shall be the Department Head, and such other personnel as is deemed necessary by the Board of Selectmen.~~

§ C-1207. The Department of Code Administration. {Reserved}

~~A.—The Department of Code Administration shall administer and enforce all relevant and applicable local, state, and federal codes, rules and regulations pertaining to development, building, zoning, and all other matters as prescribed by the Board of Selectmen, the General Statutes or this Charter.~~

~~B.—The Department of Code Administration shall consist of the Director of Code Administration, who shall be the Department Head, and such other personnel as is deemed necessary by the Board of Selectmen.~~

§ C-1208. The Department of Engineering. {Reserved}

~~A.—The Department of Engineering shall be responsible for, and shall make or shall supervise the making of, all surveys, maps, plans, drawings, bids and estimates thereon relating to the work of the Town or any Town Department including, when requested, the Board of Education. The Town Engineer shall have custody and control of all maps of the Town not entrusted either by the General Statutes, by Ordinance or by this Charter to any other Town Department and shall perform such other duties as the Board of Selectmen may determine. The Department of Engineering, in conjunction with the Director of Public Works, shall provide technical advice to all Town officials and Town Boards concerning the physical matters of the Town and the design and construction of its physical plant. The Department of Engineering shall be responsible for the review of all site plans, site designs and other documents and plans required by land use boards and officials of the Town.~~

~~B.—The Department of Engineering shall consist of the Director of Engineering, who shall be the Department Head, and such other personnel as is deemed necessary by the Board of Selectmen.~~

ARTICLE XIII, Town Employees and Appointed Officials.

§ C-1301. Town Employees and Appointed Officials.

The appointment and dismissal of all Town Employees, ~~except those who are elected or are under the jurisdiction of the Board of Police Commissioners,~~ shall be made by the Board of Selectmen, but the Board of Selectmen may delegate such authority as is deemed necessary for the sound administration of Town government. All appointments shall be made on the basis of merit and after examination of qualifications. The Board of Selectmen shall neither appoint nor dismiss Town Employees associated with fire protection services except as recommended by the Fire Chief. Before the appointment or dismissal of any Town Employee, the Board of Selectmen shall consult with the board, department or individual to whom the services of such employee are to be or have been rendered.

ARTICLE XIV, Mandatory Periodic Charter Review.

§ C-1401. Charter Review Commission.

- A. Not less than once each ten (10) years, the Board of Selectmen shall appoint a temporary charter review commission (the "Charter Review Commission"). The Charter Review Commission shall review all provisions of the Charter and Town Ordinances then in effect and as the Charter Review Commission deems necessary, shall meet with relevant Department Heads and members of government, and shall solicit citizens' comments on the effectiveness of this Charter and Town Ordinances and the need, if any, to amend, modify or repeal sections of this Charter or any Town Ordinance. Within a time period as set by the Board of Selectmen, the members of the Charter Review Commission shall recommend to the Board of Selectmen either to maintain the Charter and Town Ordinances then in effect or to amend, modify or repeal certain sections of this Charter or any Town Ordinance. Should the Charter Review Commission recommend revisions, the Board of Selectmen may, in accordance with the General Statutes, appoint a charter revision commission to draft the revised Charter and/or Town Ordinances and coordinate the approval and adoption process.
- ~~B.~~ This Charter may be amended at any time upon petition of the Electors, as more fully described in the General Statutes.

ARTICLE XV, Miscellaneous Provisions.

§ C-1501. Consolidation.

Without further action, and unless otherwise specifically provided in this Charter, the Town shall succeed to all rights, titles, estate and privileges of the former Borough of Colchester. In no event shall any provision of this Charter be construed in any way to change, modify, repeal, amend or otherwise affect

the consolidation of the Borough and the Town of Colchester as one and the same body politic and corporate under the name "Town of Colchester," as approved at a duly called election on November 7, 1989 and as effective on July 1, 1990.

§ C-1502. Existing Laws and Ordinances.

A. — All general laws applicable to the Town shall continue in full force and effect except as they are inconsistent with the provisions of this Charter.

B. — ~~All Town Ordinances shall remain in full force and effect, including, but not limited to:~~

- ~~Chapter 18, Article V — Commission of Aging~~
- ~~Chapter 39, Article I — Conservation Commission~~
- ~~Chapter 39, Article III — Conservation Commission Alternates~~
- ~~Chapter 39, Article II — Inland Wetlands and Watercourses~~
- ~~Chapter 18, Article II — Economic Development Commission~~
- ~~Chapter 18, Article IV Development Agency~~
- ~~Chapter 18, Article VII — Fair Rent Commission~~
- ~~Chapter 18, Article VI Flood and Erosion Control Board~~
- ~~Chapter 74 — Historic District Ordinance~~
- ~~Chapter 18, Article III — Park and Recreation Commission~~
- ~~Chapter 18, Article VIII — Police Commission~~
- ~~Chapter 18, Article IX Regional Council of Governments~~
- ~~Chapter 18, Article I — Zoning and Planning Commission
Zoning Board of Appeals~~
- ~~Chapter 46, Article II — Board of Education, Election of~~
- ~~Chapter 27, Article I — Demolition Ordinance~~
- ~~Chapter 120, Article II — Recycling~~
- ~~Chapter 109 — Road Ordinance~~
- ~~Chapter 124, Article II — Sidewalk Ordinance~~
- ~~Chapter 124, Article III — Sidewalk Maintenance~~
- ~~Chapter 124, Article I — Street Numbering System Town-Wide~~
- ~~Chapter 150, Article I — Water Conservation~~
- ~~Chapter 120, Article I — Septic Tank Pumping Disposal Ordinance~~
- ~~Chapter 129, Article IV — Ambulance-Type Motor Vehicles Exemption from
Taxation~~
- ~~Chapter 21 — Bond Issue and Temporary Borrowing~~
- ~~Chapter 129, Article V — Tax Abatement on Structures of Historic or
Architectural Merit~~

Chapter 90, Article I	Social Security
Chapter 129, Article III	Solar Energy Ordinance
Chapter 129, Article II	Tax Collector's Report
Chapter 129, Article I	List of Unpaid Taxes and Abatements
Chapter 105	Town Report
Chapter 60	Uniform Fiscal Year
Chapter 46, Article I	Board of Education
Chapter 24, Article II	Building Permits in Unapproved Subdivisions
Chapter 24, Article III	Building Permits and Fee Schedule
Chapter 24, Article I	Building Code
Chapter 30	Dangerous Building Ordinance
Chapter 77	Housing Partnership
Chapter 139	Trailer Ordinance
Chapter VI, Article II	Alcoholic Beverages at Town Recreational Facility
Chapter 11	Anniversary Celebration
Chapter 14	Bazaars and Raffles
Chapter 10, Article I	Canine Control Ordinance
Chapter 64	Flood Insurance Ordinance
Chapter 81	Cragin Memorial Library
Chapter 7, Article I	Liquor
Chapter 120, Article III	Litter Ordinance
Chapter 144, Article I	Parking Ban Ordinance
Chapter 144 Article I	Parking Ban Ordinance for Snow
Chapter 144, Article II	Parking Regulation Ordinance
Chapter 133	Tourism Development Ordinance
Chapter 98	Street Vendors
Chapter 49	Emergency Communications
Chapter 58	Fire Lane Ordinance
Chapter 67	Inspection of Public Food-Service Establishments

§ C-1503. Commencement of Terms of Elected Officials.

The terms of all Elected Officials shall commence on the second Monday following the date of the applicable Municipal Election. All Elected Officials shall hold office until either their successors are elected and qualified or they resign from such office.

§ C-1504. Minority Political Representation.

All Appointed Boards and Elected Boards shall have minority political representation in accordance with the General Statutes, except that the minority political representation may be larger than that required by statute if specifically provided in the Charter or by any bylaw or Town Ordinance.

§ C-1505. Appointment of Justices of the Peace.

The major political parties, as defined in the General Statutes, shall each be entitled to nominate no more than ~~forty~~Forty (40) individuals to serve as Justices of the Peace for the Town.

§ C-1506. ~~Quarterly Meeting.~~{Reserved}

~~At least once each quarter, the First Selectman shall meet with all Elected Officials, Appointed Officials, Elected Boards and Members of Appointed Boards. Town boards may send representative(s) from their membership to such meetings in lieu of attendance by all board members.~~

§ C-1507. Transfer of Power.

All commissions, boards, departments and offices which are either abolished or modified by this Charter, or any amendment thereto, shall continue to hold their respective duties and powers until such time as provision shall have been made for either the transfer or the modification of these duties and powers in accordance with the terms of this Charter or any amendment thereto. All members of Appointed and Elected Boards whose positions are either abolished or modified by this Charter, or any amendment thereto, shall continue to hold their respective duties and powers until such time as provision shall have been made for either the transfer or modification of these duties and powers in accordance with the terms of this Charter or any amendment thereto.

§ C-1508. Continuation of Appropriations and Town Funds.

All appropriations approved and in force, and all funds, including special and reserve funds, shall remain in full force and effect unless and until the same shall be amended, transferred or abolished in accordance with the terms of this Charter.

§ C-1509. Legal Proceedings.

No action or proceeding, civil or criminal, pending on the effective date of this Charter brought by or against the Town or any commission, board, department or office thereof, shall be affected or abated by the adoption of this Charter or by any provision of this Charter.

§ C-1510. Savings Clause.

If either any section or part of any section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall affect neither the remainder of this Charter nor the context in which the section so held invalid may appear.

§ C-1511. Effective Date.

The Charter that was effective as of July 1, 1995 shall remain in full force and effect. Any amendments thereto shall be effective on the effective date provided therein.



Document comparison by Workshare 9 on Thursday, August 31, 2017 5:03:58 PM

Input:	
Document 1 ID	interwovenSite://sgdms.shipman.com/SG/5860307/1
Description	#5860307v1<SG> - Town of Colchester/ Charter to be in effect as of November 2007
Document 2 ID	interwovenSite://sgdms.shipman.com/SG/5921162/1
Description	#5921162v1<SG> - Town of Colchester/ Charter draft received August 31
Rendering set	Standard

Legend:	
<u>Insertion</u>	
Deletion	
Moved from	
<u>Moved to</u>	
Style change	
Format change	
Moved-deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
	Count
Insertions	304
Deletions	362
Moved from	37
Moved to	37
Style change	0
Format changed	0
Total changes	740



Colchester Fire Department

Office of the Fire Marshal

August 25, 2017

To: Art Shilosky, First Selectman
Via: Walter Cox, Fire Chief *Walter Cox* CHVFD
From: Sean Shoemaker, Fire Marshal *SS* WJC

Subj: Colchester Fire Marshal's Office Proposed Fee Schedule

The State of Connecticut allows local fire marshal offices to collect fees for inspections that are required by CGS 29-305. The CT State Fire Safety Code outlines the frequency of inspections for different occupancies based on life hazard. In addition, certain occupancies require additional inspections based on licensing. Attached you will find a proposed fee schedule for inspections of those properties that require the local fire marshal to issue at State of CT Inspection certificate, included on the list are inspection that a required above and beyond the periodic requirements of the CSFSC. While some communities also collect fees for residential inspections, I don't feel that we should impose the additional cost burden onto property owners. Based on the number and frequency of inspections and burning permits issued annually, we can expect a cost recovery in the area of \$4500. Additional, I have a sheet showing the fees collected by other communities as well as the manning of the local fire marshal's offices. The Town of Montville stands out as requiring an annual Operating Permit issued by the Fire Marshal for all commercial properties, including multi-family residential. Please let me know if there is any further documentation or clarification needed.

Colchester Fire Marshal's Office
Proposed Fee Schedule

Proposed fee schedule for annual State of Connecticut Fire Safety Code required inspections:


Large Board and Care	\$150
Group Home	\$50
Liquor License	\$75
Assembly (Inspection Certificate)	\$50
Day Care	\$50
Lodging/Rooming/B&B	\$50
Private Educational	\$50
LPG Filling Stations	\$50
LPG Exchange Stations	\$25

Other inspections:

DCF Code Compliance	\$50
Tents (Permit Req.)	\$50/tent
Blasting Permit	\$60 (fee is existing and set by state)
Fireworks Sales	\$50/location
Burn Permit	\$20 (allows burning 4X in 30 day period)
Underground Tank Removal (commercial properties)	\$25
Re-Inspections Fee	No Charge for first re-inspection 50% of original for subsequent inspections
Investigation Reports	\$10 (plus cost of photos if requested)

Town	Population	FM Off.	Residential	Board & Care	Liquor	Assembly	Day Care	B&B	LPG Station
Colchester	16,608	1 PT		\$50	\$75	\$50	\$50	\$50	\$50
Wilton	18,062	2 FT	\$25/unit	\$50	\$50	\$50	\$100	\$50	\$50
Southbury	19,904	2 FT, 5 PT		\$100	\$75	\$50	\$50	\$100	\$50
Thompsonville	8,577	1 FT			\$60	\$60			\$60
Windham	25,268	1 FT, 2 PT	\$125	\$125	\$125	\$125	\$125	\$125	\$125
Trumbull	36,018	3 FT		\$300/\$100	\$100	\$200	\$50		
Orange	13,956	2 FT, 2 PT		\$250/\$75	\$50	\$50	\$50	\$100	\$50
Lebanon	7,308	2 PT	\$150/\$100	\$150/\$50	\$75		\$35		
Montville	19,571	2 FT	Operating	Permit	Req.	for	All	Bldgs.	

Town of Colchester Interoffice Memorandum

To: Art Shilosky, First Selectman
From: James Paggioli, L.S., Director of Public Works 
CC:
Date: 8-31-2017
Re: Recommendation RFP 2017-04 MSW Disposal

Requests for Priced Proposals for Municipal Solid Waste Disposal (RFP 2017-04) were received for the disposal of MSW generated by the Town of Colchester, beginning October 1, 2017. The proposals are for MSW disposal and do not include transportation of the material to the disposal site. One response was received although there were several requests for the RFP documents. The respondent provided information in regard to the Town's desire to have a contract terms from 1 year, 3 years, and extending for a 5 year period. The only respondent is Willimantic Waste Paper Company, Inc. which is the existing provider of the transportation service and operates a volume reduction plant in Willimantic, CT. Based upon the review of the proposal, I would recommend the 3 year time frame proposal.

Willimantic Waste Paper Company: Year #1 - \$63.00/ ton; Year #2 - \$64.58 / ton; Year #3- \$66.19/ton;

Based upon the submittals I recommend that the Town of Colchester contract with Willimantic Waste Paper Company, Inc. for the 3 year term based upon the following:

- 1) The 3 year contract locks in the price per ton over the term. Initial cost savings per ton is 3% compared with existing rates.
- 2) The material delivered is received by the same vendor that provides transportation services to the Transfer Station Facility. There are three potential final deliver sites which will allow for alternative locations.

Proposed Motion: That the Town of Colchester enters into a contract with Willimantic Waste Paper Company, Inc. for the receivership and disposal of MSW with Willimantic Waste Paper Company, Inc. in accordance with the terms as submitted in response to the Request for Price Proposals Municipal Solid Waste Disposal Town of Colchester, (RFP 2017-04), and that the First Selectman is authorized be to sign such agreement as necessary.

Town of Colchester
127 NORWICH AVENUE, SUITE 201 & 202
COLCHESTER, CT., 06415-1260

Art Shilosky
First Selectman

(860) 537 - 7220
FAX: 537 - 0547

BID FORM

TO: Town of Colchester

The undersigned hereby declares they have carefully examined the requirements of the specifications contained herein, and propose to properly and legally dispose of all solid waste delivered to the proposed facility.

Unit Price per ton of delivered municipal solid waste – contract term 1 year beginning 1 September 2017 through 31 August 2018

In numbers: \$65.00 Per Ton

In words: Sixty Five Dollars Per Ton

Unit Price per ton of delivered municipal solid waste – contract term 3 years beginning 1 September 2017 through 31 August 2020

In numbers: \$64.00 Per Ton*

In words: Sixty Four Dollars Per Ton*

*Rate fixes Year 1. After Year 1, rates subject to a 2.5% increase annually.

Year 1: \$64.00 Per Ton; Year 2: \$65.60 Per Ton; Year 3: \$67.24 Per Ton

Unit Price per ton of delivered municipal solid waste – contract term 5 years beginning 1 September 2017 through 31 August 2022

In numbers: \$63.00 Per Ton*

In words: Sixty Three Dollars Per Ton*

*Rate fixes Years 1 and 2. After Year 2, rates subject to a 2.5% increase annually.

Year 1: \$63.00 Per Ton; Year 2: \$64.58 Per Ton; Year 3: \$66.19 Per Ton; Year 4: \$67.84 Per Ton;
Year 5: \$69.54 Per Ton

Extension Options (describe conditions – e.g., extend for up to 3 years at final year price, extend up to 3 years with annual escalation of 1 percent)

If the Town elects to enter into a 5 year contract term with Willimantic Waste Paper, we would offer and extension up to 3 years with an annual escalation of 2.5 percent.

Year 6: \$71.28 Per Ton; Year 7: \$73.06 Per Ton; Year 8: \$74.89 Per Ton

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Physical Location for delivery of MSW by Town contractor: 3 Options for Disposal Locations

Facility Name: <u>Covanta SECONN</u>	<u>Wheelabrator Lisbon</u>	<u>Willimantic Waste Paper Co., Inc.</u>
Street Address: <u>125 Military Highway</u>	<u>425 South Burnham Highway</u>	<u>1590 West Main Street</u>
City/State: <u>Preston, CT 06365</u>	<u>Lisbon, CT 06351</u>	<u>Willimantic, CT 06226</u>

Ultimate Disposal location:

In addition to the incinerators listed above, Willimantic Waste Paper also markets its
municipal solid wastes to several out of state incinerators and landfills.

EXCEPTIONS AND DEVIATIONS

Bidder shall fully describe any variance, exception and/or deviation. Use additional sheets if required.

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Art Shilosky
First Selectman

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THE UNDERSIGNED FURTHER DECLARES that the signer of this Proposal is:

A. An INDIVIDUAL doing business as:

B. A PARTNERSHIP doing business as:

C. A CORPORATION entitled:

Willimantic Waste Paper Company, Incorporated.

Organized under the laws of the State of:
Connecticut

And having its principal offices at:
1590 West Main Street, Willimantic, CT 06226

The names of all partners of a partnership or the principal officers of a corporation must be submitted upon request.

MAILING ADDRESS OF BIDDER:

PO Box 239

(Street)

Willimantic

(Town/City)

CT

(State)

06226

(Zip)

860-423-4527

(Telephone)

victoria.lindsey@williwaste.com

(Email)

SIGNATURE OF BIDDER:

Willimantic Waste Paper Company, Incorporated

(Name of Individual, Partnership, or Corporation)

7/24/17

(Date)

BY: 

(Signature of Authorized Representative)

Sales Manager

(Title)

Town of Colchester
127 NORWICH AVENUE, SUITE 201 & 202
COLCHESTER, CT., 06415-1260

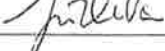
Art Shilosky
First Selectman

(860) 537 - 7220
FAX: 537 - 0547

NON-COLLUSION AFFIDAVIT OF PRIME BIDDER

State of Connecticut)
County of Windham) SS.
Victoria Lindsey, being first duly sworn,
deposes and says that:

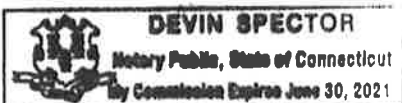
1. She is Sales Manager of Willimantic Waste Paper Company, Incorporated. The bidder that has submitted the attached bid.
2. She is fully informed respecting the preparation and contents of the attached bid and of all pertinent circumstances respecting such Bid;
3. Such Bid is genuine and is not collusive or sham Bid;
4. Neither the said Bidder nor any of its officers, partners, owners, agents, representative, employees, or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other bidder, firm or person to fix the price or prices in the attached Bid or of any other bidder, or to fix any overhead, profit or cost element of the bid prices or the Bid price of any other bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the Town of Colchester or any person interested in the proposed Contract;
5. The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant; and
6. That no Town Official or employee or person whose salary is payable in whole or in part from the Town Treasury is directly or indirectly interested in the Bid, or in the supplies, materials, equipment, work or labor to which it relates, or in any of the profits thereof.

(Signed) Timothy DeVivo 
(Title) Treasurer

Subscribed and sworn to before me this 25th day of July, 2017.

Devin Spector
Notary Public
(Title)

My commission expires June 30, 2021.



Town of Colchester
127 NORWICH AVENUE, SUITE 201 & 202
COLCHESTER, CT., 06415-1260

Art Shilosky
First Selectman

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STATEMENT OF BIDDER'S QUALIFICATIONS

(To be submitted by the Bidder with the Bid)

All questions must be answered and the data given must be clear and comprehensive. This statement must be notarized. If necessary, questions may be answered on separate attached sheets. The Bidder may submit any additional information he/she desires.

1. Name of Bidder: Willimantic Waste Paper Company, Incorporated

2. Bidder's Tax Identification Number: 06-0957117

3. Permanent Main Office Address: 1590 West Main Street, Willimantic, CT 06226

4. When Organized: Incorporated 04/04/1977

5. If a Corporation, Where Incorporated: Willimantic, CT

6. How many years have you been engaged in performing the subject services under your present firm or trade name?
76 Years

7. Contracts on hand: (identify any contract or quantity obligations that could affect your ability to perform the services requested, including DEP authorizations).

Willimantic Waste Paper Co, Inc.

8. General character of work performed by you:

Complete Waste Removal Serves: collection, disposal, recycling and material marketing services.

9. Have you ever failed to complete any work awarded to you? If so, where and why:

Willimantic Waste Paper Co., Inc. has not failed to complete any work awarded.

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10. Have you ever defaulted on a contract? If so, where, when, and why.

Willimantic Waste Paper Co., Inc. has not defaulted on any of its contractual obligations.

The undersigned hereby authorizes and requests any persons, firm, or corporation to furnish any information requested by the Town of Colchester in verification of the recitals comprising this statement of the Bidder's qualifications.

Dated at Bank of America Willimantic this 24th day of July 2017.

Willimantic Waste Paper Company, Inc.
(Name of Bidder)


By: 

Title: Sales Manager

State of Connecticut)
)SS
County of Windham)

Victoria Lindsey being duly sworn, deposes and says that she is the Sales Manager for Willimantic Waste Paper Company, Incorporated and that she answers to the foregoing questions and all statements therein are true and correct.

Subscribed and sworn to before me this 24th day of July 2017


(Notary Public)



My Commission Expires: 8/31/19