

Charter

of the

Town of Newtown

State of Connecticut

ADOPTED OCTOBER 2, 1961

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DRAFT REPORT OCTOBER 7, 2015

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(a) 136 **TOWN OF NEWTOWN**

(a) 137 **PREAMBLE**

(a) 138 **CHARTER**

(a) 139 We, the proprietors and inhabitants of the Town of Newtown, being duly qualified electors
(a) 140 of the State of Connecticut, and in the exercise of those privileges, liberties and powers
(a) 141 which we have enjoyed since the eleventh day of October, 1711, in order to preserve and
(a) 142 protect the property and personal well-being and to promote the individual and general
(a) 143 welfare of all our citizens, do hereby declare that this Charter shall constitute our form of
(a) 144 government.

(a) 145 **CHAPTER 1 INTRODUCTION**

(a) 146 **1-01 Incorporation**

(a) 147 (a) All the inhabitants dwelling within the lawfully defined territorial limits of the Town of
(a) 148 Newtown shall continue to be a body politic and corporate under the name of the "Town of
(a) 149 Newtown", hereinafter called "the Town". As such, it shall have perpetual succession and
(a) 150 may hold and exercise all powers and privileges heretofore exercised by the Town and not
(a) 151 inconsistent with the provisions of this Charter and all powers and privileges conferred
(a) 152 upon towns under the General Statutes of the State of Connecticut.

(a) 153 **1-05 Rights, Obligations and Actions Continued**

(a) 154 (a) All property interests, both real and personal, all actions, causes of action, defenses thereto
(a) 155 and rights of every description and all liens vested or inchoate which the Town possesses as
(a) 156 of the effective date of this Charter shall be continued in the Town. The Town shall continue
(a) 157 to be liable for all debts and obligations of every kind for which the Town is liable on that
(a) 158 date. Nothing herein shall be construed to affect the right of the Town to collect any
(a) 159 assessment, charge, debt or lien. Any rights or obligations of any Town Department that
(a) 160 would fail, lapse or fall into breach by reason of any change in the powers, organizations or
(a) 161 duties of the department resulting from this Charter shall be assumed by the Board of
(a) 162 Selectmen, unless otherwise provided by ordinance, resolution or the terms of this Charter.

(a) 163 **1-10 Powers of Town**

(a) 164 (a) In addition to all powers granted to towns under the State of Connecticut Constitution and
(a) 165 the General Statutes, the Town shall possess all powers granted by this Charter and all
(a) 166 powers proper, incidental or convenient to their exercise. The Town shall also possess the
(a) 167 powers incident to the management of its property, government and affairs, including the
(a) 168 capacity and power to enter into contracts with the United States or any Federal Agency,
(a) 169 and the State of Connecticut or any political instrumentality thereof, for any purposes not
(a) 170 prohibited by law.

(a) 171 **1-15 Effect of Charter**

(a) 172 (a) This Charter shall be the organic law of the Town in the administration of its local affairs.
(a) 173 Special acts and ordinances inconsistent with this Charter and superseded by it shall have
(a) 174 no further force or effect after the effective date of this Charter. Other special acts affecting
(a) 175 the Town, and all other ordinances and resolutions duly adopted and in force before the
(a) 176 effective date of the Charter, remain in force, but shall not apply whenever they conflict with
(a) 177 the provisions of this Charter.

(a) 178 **1-20 Summary of Governance**

(a) 179 (a) The Chief Executive and Administrative Officer of the Town shall be the First Selectman.

(a) 180 (b) The administrative body of the Town shall be the Board of Selectmen.

(a) 181 (c) The legislative body of the Town shall be the Legislative Council.

(a) 182 **1-25 General Provisions**

(a) 183 The following provisions shall apply throughout this Charter unless otherwise specified:

(a) 184 (a) Definitions: The following terms shall have the meaning ascribed to them below.

(a) 185 (1) Financial Impact Statement: The term "Financial Impact Statement" shall describe a
(a) 186 document that includes the analysis of all costs and liabilities to be incurred by the town
(a) 187 as a result of the use of a special appropriation, grant or gift of real or tangible personal
(a) 188 property.

(a) 189 (2) General Statutes: The term "General Statutes" shall be used in this Charter when
(a) 190 referring to the Connecticut General Statutes.

(a) 191 (3) Legislative Council District: The term "Legislative Council District" shall be used in this
(a) 192 Charter as defined in Section 3-10.

(a) 193 (4) Resident Elector: The term "Resident Elector" shall describe a person who is registered
(a) 194 to vote in the Town and whose principal residence is in the Town. A person who has
(a) 195 filed an application for the retention of electoral privileges with the Registrar of Voters
(a) 196 shall be considered a Resident Elector for so long as the application for retention of
(a) 197 elector privileges is in effect.

(a) 198 (5) Town: The term "Town" shall be used in this Charter as defined in Subsection 1-01(a).

(a) 199 (6) Town Body: The term "Town Body" shall include the Legislative Council and each board,
(a) 200 commission, and authority defined herein.

(a) 201 (7) Town Department: The term "Town Department" shall include the offices of Tax
(a) 202 Collector, Town Clerk, Assessor, Registrar of Voters or the Legislative Council, or each
(a) 203 Town Body to which funds are appropriated in the Town Budget, or the Public Works
(a) 204 Department which shall be considered a separate department from the remainder of the
(a) 205 functions for which appropriations are expended by the Board of Selectmen and any
(a) 206 other body or group which is designated a Town Department by the Legislative Council
(a) 207 on or before October 1st in the year prior to the adoption of the Town Budget.

(a) 208 (8) Town Election: The term "Town Election" shall be used for elections held bi-annually on
(a) 209 the Tuesday after the first Monday of November in the odd-numbered years.

(a) 210 (9) Budget related definitions are contained in 5-15(a).

(a) 211 (b) Public Notice: In any instance in which public notice is required the same shall be served by
(a) 212 causing its publication in a newspaper having a substantial circulation in the Town unless a
(a) 213 different method of notice is provided for in the General Statutes, as amended.

(a) 214 **CHAPTER 2 MEMBERSHIP, RULES, AND DUTIES FOR NEWTOWN OFFICES**

(a) 215 **2-01 General Provisions**

- (a) 216 (a) All members and alternates of Town Bodies shall have the powers and duties conferred and
- (a) 217 imposed on them by the General Statutes, the provisions of this Charter, and the regulations
- (a) 218 or by-laws of and for the body on which they serve. Members and alternates of appointive
- (a) 219 Town Bodies shall also be subject to the powers and duties prescribed by ordinance, if such
- (a) 220 ordinance exists.
- (a) 221 (b) The rules contained in the then current edition of Robert's Rules of Order Newly Revised
- (a) 222 shall govern in all cases to which they are applicable and in which they are not inconsistent
- (a) 223 with this Charter and any special rules of order that may be adopted.
- (a) 224 (c) All elected and appointive boards and commissions may make rules for the conduct of their
- (a) 225 meetings and the manner for accomplishing their duties. Such rules shall be filed with the
- (a) 226 Town Clerk.
- (a) 227 (d) The First Selectman shall be an ex officio member of all Town Bodies, but without vote and
- (a) 228 not counted for the purpose of having a quorum except as a member of the Board of
- (a) 229 Selectmen. The First Selectman shall be given reasonable notice of all meetings of Town
- (a) 230 Bodies by their Chairmen or Secretaries, and may in writing appoint another member of the
- (a) 231 Board of Selectmen to represent him or her at any meeting of such Town Body.
- (a) 232 (e) All elective and appointive officers, before they enter on their duties, shall take the oath or
- (a) 233 affirmation prescribed by Article XI, Section 1 of the Constitution of the State of Connecticut,
- (a) 234 as follows: "You do solemnly swear (or affirm, as the case may be) that you will support the
- (a) 235 Constitution of the United States and the Constitution of the State of Connecticut, as long as
- (a) 236 you continue to be a citizen thereof, and that you will faithfully discharge, according to law,
- (a) 237 the duties of the office of _____ to the best of your abilities. So help you God." No other
- (a) 238 oath or affirmation shall be required.

(a) 239 **2-05 Eligibility**

- (a) 240 (a) Unless otherwise specified, only Resident Electors of the Town shall be eligible for election
- (a) 241 to any Town office or appointment to any appointive board. Any person ceasing to be a
- (a) 242 Resident Elector of the Town shall thereupon cease to hold elective or appointive office in
- (a) 243 the Town and the office shall be deemed vacant.
- (a) 244 (b) No person shall hold more than one elective office of the Town at the same time.
- (a) 245 (c) Any Resident Elector of the Town, regardless of whether they have party affiliation, may run
- (a) 246 for public office. Specifics regarding procedures for securing a position on the election ballot
- (a) 247 are available by contacting the Elections Division of the Secretary of the State's Office, the
- (a) 248 Town Clerk's Office, or the Registrar of Voters' Office.
- (a) 249 (d) Specific rules regarding eligibility for certain offices or Town Bodies are contained in the
- (a) 250 following subsections discussing such Town Bodies:
- (a) 251 (1) First Selectman: The First Selectman shall have no other full time employment nor hold
- (a) 252 any paid civil office under the government of the United States, the State of Connecticut,
- (a) 253 or any subdivision thereof, except that of Notary Public and Justice of the Peace.
- (a) 254 (2) Board of Selectmen: No member of the Board of Selectmen, while in office, shall hold or
- (a) 255 be appointed to any other office or employment in the government of the Town.

- (a) 256 (3) Legislative Council: No member of the Legislative Council shall hold or be appointed to
- (a) 257 any other office or Town Body. Except as provided for in Subsection 2-30(b), members
- (a) 258 of the Legislative Council shall reside in the Legislative Council District from which they
- (a) 259 were elected.
- (a) 260 (4) Police Commission: No member of the Board of Police Commissioners shall be a
- (a) 261 member or officer of the Police Department, the Chief of Police, or a member of any
- (a) 262 other Town Body.
- (a) 263 (5) Board of Fire Commissioners: Eligibility to serve on the Fire Commission is described in
- (a) 264 Subsection 2-235(b).
- (a) 265 (6) Building Appeals Board: Members shall be qualified by training and experience on
- (a) 266 matters pertaining to building construction. Subsection 2-05(a) shall not apply.
- (a) 267 (7) Public Building and Site Commission: Members shall include those who are qualified by
- (a) 268 training and experience on matters pertaining to building design, construction or
- (a) 269 contractual instruments.

2-10 Minority Representation

- (a) 270 (a) Except as specifically provided in this section, the maximum number of members of any
- (a) 271 Town Body, whether elected or appointed, who are members of the same political party
- (a) 272 shall be determined in accordance with the provisions of Section 9-167a of the General
- (a) 273 Statutes, as amended. In addition, the maximum number of alternate members for any given
- (a) 274 board or commission shall also conform to the provisions of 9-167a: To Wit:
- (a) 275

Total Membership	Maximum for One Party
3	2
4	3
5	4
6	4
7	5
8	5
9	6
more than 9	2/3rds of total membership

- (a) 276 (b) Exceptions are as follows:
- (a) 277 (1) Legislative Council: The number of members of any one political party who may serve
- (a) 278 on the Legislative Council shall not exceed 3 of the 4 members elected from each
- (a) 279 Legislative Council District.
- (a) 280 (2) Police Commission: The number of members of any one political party who may serve
- (a) 281 on the Police Commission shall not exceed 3.
- (a) 282 (3) Board of Managers of the Edmond Town Hall: At each regular Town Election, 2
- (a) 283 members of the Board of Managers of the Edmond Town Hall shall be elected, neither of
- (a) 284 whom may be members of the same political party.

- (a) 285 (4) Board of Fire Commissioners: Provided members are appointed as set forth in this
- (a) 286 Charter, the Board of Fire Commissioners shall be exempt from the provisions for
- (a) 287 minority representation.
- (a) 288 (5) Board of Ethics: **At no time shall more than 3 regular members and one alternate**
- (a) 289 **member of the Board of Ethics be of the same political party.**
- (a) 290 (6) Public Building and Site Commission: The Public Building and Site Commission shall
- (a) 291 have no more than 4 members and one alternate member from one political party.
- (a) 292 (7) Justices of the Peace: The political affiliation of Justices of the Peace shall be determined
- (a) 293 as provided in the General Statutes [see Section 9-183a, et seq.].

- (a) 294 (c) As provided in Section 9-167a of the General Statutes, minority representation limitations
- (a) 295 in Subsection 2-10(a) shall not apply to regional bodies.

(a) 296 **2-15 Terms and Term Limits**

- (a) 297 (a) **The term lengths and term limits, if any, for every elected official, elected or appointed**
- (a) 298 **members of Town Bodies are set forth in sections establishing said office or Town body.**
- (a) 299 (b) The terms of office of **all elected officials shall commence on the December 1st following**
- (a) 300 **their election unless otherwise provided by a specific provision of this Charter or the**
- (a) 301 **General Statutes. Each elected official shall hold office until a successor is elected and has**
- (a) 302 **qualified.**
- (a) 303 (c) **The terms of office of members of all appointive Town Bodies shall commence on January**
- (a) 304 **7th except for the Trustees of the Cyrenius H. Booth Library whose terms shall commence**
- (a) 305 **on July 1st, or as otherwise required by law.**
- (a) 306 (d) **The terms of appointment to any appointive board, except the Building Appeals Board, shall**
- (a) 307 **not exceed 4 years.**
- (a) 308 (e) The terms of members seated on appointive Town Bodies **shall be established to expire, as**
- (a) 309 **nearly as possible, at regularly staggered annual intervals, unless otherwise provided by**
- (a) 310 **this Charter or by the General Statutes.**

(a) 311 **2-20 Officers of the Legislative Council, Boards, Commissions, and Authorities**

- (a) 312 (a) **The First Selectman shall be the Chairman and shall preside over meetings of the Board of**
- (a) 313 **Selectmen.**
- (a) 314 (b) **All other Town Bodies shall elect from their number a Chairman during the first meeting.**
- (a) 315 (c) The members of the Legislative Council shall also elect from their number a Vice Chairman
- (a) 316 during the first meeting.
- (a) 317 (d) The Board of Education **may elect a Vice Chairman** and shall elect a secretary from its
- (a) 318 members.
- (a) 319 (e) **All other Town Bodies may** elect a Vice Chairman and a Secretary.
- (a) 320 (f) The First Selectman shall not hold office on the Legislative Council or any other Town Body.

(a) 321 **2-25 Voting**

- (a) 322 (a) **It shall be the duty of every member present at a Legislative Council or other Town Body**
- (a) 323 **meeting to vote affirmatively or negatively on each question raised. Should a member have**
- (a) 324 **a conflict of interest, said member shall refrain from discussion and voting. The reason for**
- (a) 325 **the conflict of interest need not be stated nor made part of the record.**

(a) 326 **2-30 Vacancies on the Legislative Council, Town Boards and Commissions**

- (a) 327 (a) A vacancy shall be created in the event that any one of the following occur: the death of a
(a) 328 member; the resignation submitted by a member and filed with the Town Clerk, who shall
(a) 329 immediately notify the Chair of the affected Town Body; a member ceases to meet the
(a) 330 eligibility requirements as described in Section 2-05; or, for appointive boards, a member is
(a) 331 removed for cause. The vacancy shall take effect on the date of such event.
- (a) 332 (b) Should a member of the Legislative Council move from one Legislative Council District to
(a) 333 another, such a move shall not constitute the creation of a vacancy provided that the
(a) 334 member otherwise remains eligible for Town office. Should the member's seat become
(a) 335 vacated subsequent to such move, the vacancy shall be filled by a member appointed from
(a) 336 the district from which the member was originally elected.
- (a) 337 (c) If a person vacating an elective Town Body shall have been elected as a member of a
(a) 338 political party, the vacancy shall be filled by a member of the same political party.
- (a) 339 (d) If a person vacating an appointive Town Body was appointed as a member of a political
(a) 340 party, the vacancy shall be filled by a member of the same political party or by an
(a) 341 unaffiliated Resident Elector. If the newly appointed member is an unaffiliated elector and
(a) 342 must vacate his appointment, the person appointed to fill such a vacancy must be either an
(a) 343 unaffiliated elector or a member of the same political party as the person initially
(a) 344 appointed.

(a) 345 **2-31 Procedures for Filling Vacancies in Elected Town Bodies**

- (a) 346 (a) Legislative Council: A vacancy or vacancies on the Legislative Council shall be filled for the
(a) 347 remainder of the term from among eligible Resident Electors in the Legislative Council
(a) 348 District of the former member as follows:
- (a) 349 (1) Within 30 days of vacancy, by majority vote of the Legislative Council members of the
(a) 350 same political party of the former member;
- (a) 351 (2) After 30 days, by majority vote of the remaining members of the Legislative Council
(a) 352 regardless of party affiliation.
- (a) 353 (3) Should all seats on the Council be simultaneously vacant, then a special election shall be
(a) 354 called to fill all seats.
- (a) 355 (b) Board of Selectmen: A vacancy or vacancies on the Board of Selectmen shall be filled in the
(a) 356 manner prescribed by Section 9-222 of the General Statutes.
- (a) 357 (c) For all other elected Town Bodies, a vacancy or vacancies shall be filled as follows:
- (a) 358 (1) Within 30 days of vacancy, by a majority vote of the authorized membership of the
(a) 359 Board;
- (a) 360 (2) From 31 to 60 days of vacancy, by appointment of the First Selectman with the approval
(a) 361 of the Board of Selectmen.
- (a) 362 (3) Should the number of vacancies leave less than a majority of the authorized
(a) 363 membership, the First Selectman with the approval of the Board of Selectmen, within 30
(a) 364 days, shall fill all existing vacancies.

(a) 365 **2-32 Procedures for Filling Vacancies in Appointive Boards and Commissions**

- (a) 366 (a) Vacancies in offices originally appointed by the First Selectman shall be filled as follows:
- (a) 367 (1) Within 45 days by the First Selectman, with the approval of the Board of Selectmen, or

- (a) 368 (2) After 45 days by the remaining members of such board or commission subject to the
- (a) 369 provisions of Sections 2-05 and 2-10 of this Charter.
- (a) 370 (b) All vacancies in the Cyrenius H. Booth Library Board of Trustees other than those seats
- (a) 371 originally appointed by the First Selectman shall be filled in accordance with the by-laws of
- (a) 372 the Library Board of Trustees.
- (a) 373 (c) Vacancies in the Board of Fire Commissioners shall be filled in accordance with Subsection
- (a) 374 2-235(b) of this Charter.

(a) 375 **2-35 Use of Alternates**

- (a) 376 (a) In the absence of one or more regular members and alternate members exist; present
- (a) 377 regular members of the Commission shall designate alternate(s) to act in the absent
- (a) 378 members' place. Alternates shall be chosen in rotation so that they shall act as nearly equal
- (a) 379 a number of times as possible.

(a) 380 **2-40 Removal for Cause**

- (a) 381 (a) A member of an appointive board or the Building Inspector, Town Assessor or Tax Collector
- (a) 382 may be removed for cause by the First Selectman with the approval of the Board of
- (a) 383 Selectmen.
- (a) 384 (b) The First Selectman, with the approval of the Board of Selectmen, shall adopt a personnel
- (a) 385 policy establishing procedures, consistent with due process, for removal for cause.
- (a) 386 (c) Within 30 days from such removal, any person so removed may, in writing, request a
- (a) 387 hearing before the Legislative Council. Such hearing shall be held within 15 days from the
- (a) 388 date such request is made and such person may appear at the hearing with counsel. After
- (a) 389 such hearing, the decision of the Board of Selectmen may be reversed, modified or upheld
- (a) 390 by said Legislative Council, provided said Legislative Council acts no later than 30 days after
- (a) 391 the conclusion of such hearing.

(a) 392 **2-45 Compensation**

- (a) 393 (a) The Town Clerk shall receive a salary in lieu of all fees and other compensation. The Town
- (a) 394 Clerk's salary shall be set from time to time by the Legislative council.
- (a) 395 (b) The Registrars of Voters shall receive a salary as set from time to time by the Board of
- (a) 396 Selectmen.
- (a) 397 (c) The salary for the First Selectman's term shall be set by the Legislative Council during the
- (a) 398 budget making process of each odd numbered year. The salary may be fixed at different
- (a) 399 rates for each year of the term. The salary shall not be changed during the term of office.
- (a) 400 (d) The members of elected and appointed boards and commissions, except the First Selectman,
- (a) 401 shall serve without compensation. Necessary expenses incurred in the performance of their
- (a) 402 duties may be paid from an appropriation authorized for the purpose.

(a) 403 **2-50 Administrative Clerks**

- (a) 404 (a) All Town Bodies shall have an administrative clerk. Such clerks, as authorized by this
- (a) 405 Charter, shall keep minutes of meetings, record all motions, votes and actions of their
- (a) 406 assigned Town Body, prepare the agenda and notices of all regular and special meetings or
- (a) 407 cancellation of said body at the direction of its Chairman and perform such other duties as
- (a) 408 such Chairman, from time to time, shall direct.

(a) 409 **2-100 Elected Boards, Commissions, and Officers**

(a) 410 There shall be the following elected boards, commissions, and officers.

(a) 411 **2-105 Legislative Council**

(a) 412 (a) Summary of General Responsibilities: All of the legislative powers of the Town conferred by
(a) 413 the General Statutes on Legislative Bodies shall vest in the Legislative Council with the
(a) 414 exception of those items specifically enumerated to other Town Bodies. The Council
(a) 415 determines the annual Budget appropriations and considers special and emergency
(a) 416 appropriations as set forth in 5-15(a). The Legislative Council shall have the power to enact,
(a) 417 amend or repeal ordinances as set forth in CHAPTER 5.

(a) 418 (b) Membership and Terms:

(a) 419 (1) The Legislative Council shall consist of 12 members, 4 of whom shall be elected from
(a) 420 each of 3 Legislative Council Districts, established in accordance with Section 3-10 of
(a) 421 this Charter.

(a) 422 (2) The term of office shall be two years.

(a) 423 (c) The Legislative Council, from time to time, may adopt rules of procedure to govern its
(a) 424 functions not inconsistent with the requirements of this Charter, provided such rules are
(a) 425 adopted by at least 8 affirmative votes.

(a) 426 (d) Meetings – The Legislative Council shall adhere to the following:

(a) 427 (1) The first meeting of the newly elected Legislative Council, chaired by the Town Clerk,
(a) 428 shall be held within 6 days after the members take office.

(a) 429 (2) Regular meetings shall be held twice a month, except when there is no business to
(a) 430 conduct. The chairman shall notify the Town Clerk and the membership of the
(a) 431 cancellation. The Chairman may call special meetings as deemed necessary.

(a) 432 (3) Notice shall be given to all members of the Legislative Council of the time and place at
(a) 433 which all regular and special meetings are to be held. Each notice shall include the
(a) 434 meeting Agenda and shall be delivered at least 3 days before the meeting and filed with
(a) 435 the Town Clerk and made available for public inspection.

(a) 436 (4) The Legislative Council may hold an emergency meeting at the immediate call of the
(a) 437 Chairman. The meeting shall be subject to ratification of the Chairman's decision that
(a) 438 an emergency existed by at least 8 affirmative votes. The nature of the emergency shall
(a) 439 be set forth fully in the minutes of the meeting.

(a) 440 (5) Seven members of the Legislative Council shall constitute a quorum at all meetings for
(a) 441 the transaction of business.

(a) 442 (6) The Agenda of each regular or special meeting of the Legislative Council shall be
(a) 443 prepared by the Chairman. The agenda shall also include any matter or item, including
(a) 444 without limitation any action or ordinance, set forth in a written request filed with the
(a) 445 Chairman not less than 7 days prior to such meeting by:

(a) 446 (i) Any member of the Legislative Council;

(a) 447 (ii) The First Selectman; or

(a) 448 (iii) Not less than 80 Resident Electors of the Town. Any such request filed by 80
(a) 449 Resident Electors shall contain the resolution or ordinance on which action is
(a) 450 sought. Prior to appearing on an agenda, the resolution or ordinance shall be

(a) 451 submitted to the Town Attorney, by the chairman of the Legislative Council, for his
(a) 452 opinion as to the power of the Legislative Council to act thereon. Such opinion or
(a) 453 approval shall not be unreasonably delayed.

(a) 454 (7) Any Resident Elector of the Town may speak during a portion of each regular or special
(a) 455 meeting on any matter on the Agenda of that meeting or any other item, subject to such
(a) 456 conditions, rules and regulations as may be established from time to time by the
(a) 457 Legislative Council, including the right to limit public participation in the working
(a) 458 sessions on the budget.

(a) 459 (8) Subject to appropriate rules of order adopted by the Legislative Council and Connecticut
(a) 460 law on freedom of information, matters not on the Agenda may be discussed. No action
(a) 461 shall be taken by the Legislative Council on any matter unless it appears on the Agenda
(a) 462 sent to Legislative Council members with the notice of the meeting unless emergency
(a) 463 action is required at any regular or special meeting at which it is found by 8 affirmative
(a) 464 votes that an emergency exists or at an emergency meeting called as set forth in
(a) 465 Subsection 2-105(d)(4).

(a) 466 **2-110 First Selectman**

(a) 467 (a) Summary of General Responsibilities: The First Selectman shall be the Chief Executive and
(a) 468 Administrative Officer of the Town and shall have the powers and duties of First Selectmen
(a) 469 prescribed by this Charter and the General Statutes.

(a) 470 (b) The First Selectman shall be responsible to the Board of Selectmen for the administration of
(a) 471 departments under the direct supervision of the Board and shall execute or cause to be
(a) 472 executed regulations or resolutions voted by the Board of Selectmen and Town ordinances
(a) 473 voted by the Legislative Council.

(a) 474 (c) The First Selectman may declare, by resolution, a state of emergency, should he or she find
(a) 475 that a state of emergency exists within the Town, requiring immediate action to protect the
(a) 476 health, safety or general welfare of the citizens. The resolution shall include the exact nature
(a) 477 of the emergency and be simultaneously published by the most effective means available.
(a) 478 The declaration shall be effective for a period of time not to exceed 5 calendar days. The
(a) 479 emergency declaration may be extended by an affirmation by the Legislative Council that a
(a) 480 state of emergency exists. Any proposed actions necessary to deal with such emergency
(a) 481 shall be approved by the Legislative Council. The First Selectman shall take such actions as
(a) 482 are in the best interest of the Town.

(a) 483 (d) At the first meeting following the Town Election, the Board of Selectmen shall choose a
(a) 484 member of the Board who shall serve as Acting First Selectman during the absence,
(a) 485 incapacity or disability of the First Selectman. Such person shall perform all duties during
(a) 486 such time as the Board may designate by resolution or regulation.

(a) 487 **2-115 Board of Selectmen**

(a) 488 (a) Summary of General Responsibilities: The Board of Selectmen shall supervise the
(a) 489 administration of the affairs of the Town, except those matters which by the General
(a) 490 Statutes or this Charter are exclusively committed to the Board of Education or other Town
(a) 491 Bodies. The Board of Selectmen shall also be responsible for coordinating the activities of all
(a) 492 the departments of the Town and for reviewing the present and future needs of the Town.

- (a) 493 (b) Membership and Terms:
- (a) 494 (1) The Board of Selectmen shall consist of the First Selectman and two Selectmen.
- (a) 495 (2) The term of office shall be two years.
- (a) 496 (c) The Board of Selectmen may exercise any of the powers conferred on towns by the General
- (a) 497 Statutes to the extent that the Legislative Council has not already acted by ordinance or
- (a) 498 resolution on such subjects and to the extent that such powers have not otherwise been
- (a) 499 granted or limited by this Charter to other Town Bodies or officers.
- (a) 500 (d) Except for the powers granted to the Board of Education by the General Statutes, the Board
- (a) 501 of Selectmen shall have sole power, subject to the provisions of this Charter and the General
- (a) 502 Statutes to:
- (a) 503 (1) Incur indebtedness in the name of the Town and to provide for the due execution of
- (a) 504 evidences of indebtedness issued by the Town, subject to the provisions of Section 7-10
- (a) 505 of this Charter,
- (a) 506 (2) Provide for the due execution of contracts for the Town, subject to the provisions of
- (a) 507 Subsection 7-15(e) of this Charter,
- (a) 508 (3) Institute, prosecute or compromise any legal action or proceeding by or against the
- (a) 509 Town, subject to the approval of the Legislative Council and, when relevant, the affected
- (a) 510 department or Town Body,
- (a) 511 (4) Defend the Town by legal action or proceeding,
- (a) 512 (5) Apply for any financial assistance by the State of Connecticut and the United States
- (a) 513 Government including grants to fund any appropriation, subject to the provisions of
- (a) 514 Section 6-40 of this Charter,
- (a) 515 (6) Take, purchase, lease, sell, or convey personal property of or for the Town,
- (a) 516 (7) Accept public highways, to approve the layout of public highways and related drainage,
- (a) 517 slope or other easements, to approve the acquisition of real property or interests in real
- (a) 518 property for the purpose of widening or realignment of existing public highways and to
- (a) 519 grant utility easements across town-owned property for the good of the town,
- (a) 520 (8) Discontinue any town-owned public highway,
- (a) 521 (9) Require such reports from any Town Department as may be useful in the performance
- (a) 522 of its duties,
- (a) 523 (10) Submit annually to the Board of Finance a proposed Budget for the next fiscal year
- (a) 524 subject to the provisions of Section 6-05 of this Charter.
- (a) 525 (e) The First Selectman with the approval of the Board of Selectmen may, by resolution,
- (a) 526 establish such advisory or study committees as they find desirable in the discharge of their
- (a) 527 duties. Such committees shall be subject to Minority Representation as set forth in Section
- (a) 528 2-10.
- (a) 529 (f) The Board of Selectmen shall have regular meetings and provide a procedure for calling
- (a) 530 special meetings.
- (a) 531 (g) A majority of the Board of Selectmen shall constitute a quorum for the transaction of any
- (a) 532 business.

- (a) 533 (h) The Board of Selectmen may call joint meetings with other Town Bodies, by resolution or
- (a) 534 regulation, as may be useful in the performance of its duties subject to the provisions the
- (a) 535 General Statutes. It shall be the affirmative obligation of the members of such other Town
- (a) 536 Bodies to attend such joint meetings.

(a) 537 **2-120 Board of Education**

- (a) 538 (a) Summary of General Responsibilities: The Board of Education shall provide and maintain
- (a) 539 quality public elementary and secondary schools and shall provide such educational
- (a) 540 activities as in its judgment will best serve the interests of the Town. The Board of
- (a) 541 Education shall perform all acts required of them by this Charter or as necessary to carry
- (a) 542 into effect the powers and duties imposed upon them by law.

- (a) 543 (b) Membership and Terms:

- (a) 544 (1) The Board of Education shall consist of 7 members.
- (a) 545 (2) The term of office shall be 4 years.

(a) 546 **2-125 Board of Finance**

- (a) 547 (a) Summary of General Responsibilities: The Board of Finance recommends a budget proposal
- (a) 548 and submits it to the Legislative Council for final action as set forth in Section 6-15. In
- (a) 549 addition, the Board advises the Board of Selectmen and Board of Education during the
- (a) 550 budget process and all Town Bodies on preferred financial practices and obligations. The
- (a) 551 Board of Finance also reviews and assesses financial operations including transfers, regular
- (a) 552 and special appropriations.

- (a) 553 (b) Membership and Terms:

- (a) 554 (1) The Board of Finance shall consist of six members.
- (a) 555 (2) The term of office shall be evenly split among two and four year seats following the
- (a) 556 2017 election as provided in Subsection 3-15(e). Thereafter, the term of office for each
- (a) 557 seat shall be four years.

(a) 558 **2-130 Planning and Zoning Commission**

- (a) 559 (a) Summary of General Responsibilities: The Planning and Zoning Commission is responsible
- (a) 560 to promote the orderly and coordinated development of the Town. The Commission
- (a) 561 controls and directs the use and development of property in the Town. The Planning and
- (a) 562 Zoning Commission, subject to the provisions of this Charter, shall have all of the powers
- (a) 563 and duties conferred and imposed by the General Statutes upon both Planning and Zoning
- (a) 564 Commissions. It acts as the Planning Commission for the Borough of Newtown and shall, to
- (a) 565 the extent that it is so empowered by ordinance of the Borough of Newtown, act as Zoning
- (a) 566 Commission for the Borough of Newtown.

- (a) 567 (b) Membership and Terms:

- (a) 568 (1) The Planning and Zoning Commission shall consist of 5 members and three alternates.
- (a) 569 (2) The term of office for members and alternates shall be four years and two years,
- (a) 570 respectively.

- (a) 571 **2-135 Town Clerk**
- (a) 572 (a) Summary of General Responsibilities: The Town Clerk is responsible for administrative
- (a) 573 work for the Town including the maintenance and safe-keeping of a variety of official
- (a) 574 municipal documents; issuance of various licenses and permits; and the recording of
- (a) 575 various documents and vital statistics.
- (a) 576 (b) Membership and Terms:
- (a) 577 (1) There shall be one Town Clerk.
- (a) 578 (2) The term of office shall be four years.
- (a) 579 (c) The Town Clerk shall exercise the powers and perform the duties of a Town Clerk as
- (a) 580 provided by the General Statutes except as hereinafter provided and shall perform such
- (a) 581 other duties as required by this Charter.
- (a) 582 (1) The receipts to be paid to the Town Clerk shall be collected in accordance with the
- (a) 583 provisions of the General Statutes or this Charter or ordinances of this Town and shall
- (a) 584 be deposited with the Finance Director of the Town.
- (a) 585 (2) The Town Clerk shall also keep a record of receipts, which shall show the amounts
- (a) 586 thereof and for what received.

(a) 587 **2-140 Registrars**

- (a) 588 (a) Summary of General Responsibilities: The Registrars are responsible for voter registration
- (a) 589 and the administration of all elections. They also assist candidates, the public, and the
- (a) 590 parties in the preparation of specialized voter lists and individual requests for voter
- (a) 591 information.
- (a) 592 (b) Membership and Terms:
- (a) 593 (1) There shall be two Registrars of Voters for the Town at large, one from each political
- (a) 594 party.
- (a) 595 (2) The term of office shall be four years.

(a) 596 **2-145 Board of Assessment Appeals**

- (a) 597 (a) Summary of General Responsibilities: The Board of Assessment Appeals shall hear and
- (a) 598 decide appeals from property owners regarding the assessment of their property as and
- (a) 599 when provided by the General Statutes.
- (a) 600 (b) Membership and Terms:
- (a) 601 (1) The Board of Assessment Appeals shall consist of three members.
- (a) 602 (2) The term of office shall be four years.

(a) 603 **2-150 Board of Managers of Edmond Town Hall**

- (a) 604 (a) Summary of General Responsibilities: The Board of Managers of the Edmond Town Hall
- (a) 605 shall have the exclusive care and maintenance of Edmond Town Hall and all grounds and
- (a) 606 buildings appurtenant thereto.
- (a) 607 (b) Membership and Terms:
- (a) 608 (1) The Board of Managers of the Edmond Town Hall shall consist of six members.
- (a) 609 (2) The term of office shall be six years.

- (a) 610 (c) The Board shall have all powers and duties prescribed for said Board by Special Act No. 98
- (a) 611 of the 1931 session by which it was created, as amended by Special Act No. 517 of the 1953
- (a) 612 session.

(a) 613 **2-155 Zoning Board of Appeals**

- (a) 614 (a) Summary of General Responsibilities: The Zoning Board of Appeals has powers as provided
- (a) 615 in Section 8-6 of the General Statutes, including but not limited to granting variances of the
- (a) 616 Zoning Regulations and hearing appeals.
- (a) 617 (b) Membership and Terms:
- (a) 618 (1) The Zoning Board of Appeals Board shall consist of five members and three alternates.
- (a) 619 (2) The term of office for the members and the alternates shall be four years, and two years,
- (a) 620 respectively.

(a) 621 **2-160 Board of Police Commissioners**

- (a) 622 (a) Summary of General Responsibilities: The Board of Police Commissioners shall maintain a
- (a) 623 Police Department in the Town and shall appoint a Chief of Police. In addition, the Board of
- (a) 624 Police Commissioners serves as the traffic authority of the Town.
- (a) 625 (b) Membership and Terms:
- (a) 626 (1) The Board of Police Commissioners shall consist of five members.
- (a) 627 (2) The term of office shall be four years.
- (a) 628 (c) The Board of Police Commissioners shall, subject to budgetary limitations, have all of the
- (a) 629 powers now or hereafter granted to boards of police commissioners by the General Statutes
- (a) 630 of Connecticut, and, in addition to and not in limitation thereof, shall have the power to:
- (a) 631 (1) Make all the regulations necessary to organize and maintain the Police Department
- (a) 632 including, without limitation, the establishment of ranks within said Department and
- (a) 633 the duties and responsibilities of each such rank.
- (a) 634 (2) Appoint and promote members and officers of the Police Department in accordance
- (a) 635 with said regulations. Such members and officers shall continue to hold office during
- (a) 636 good behavior.
- (a) 637 (3) Suspend and remove members and officers of the Police Department for cause in
- (a) 638 accordance with said regulations. A violation of the regulations adopted by the Board of
- (a) 639 Police Commissioners shall be sufficient cause for removal.
- (a) 640 (d) The Chief of the Police Department shall not be dismissed unless written notice of the
- (a) 641 specific grounds for such dismissal is given, as well as an opportunity to present a defense,
- (a) 642 personally and by counsel, at a public hearing before the Board of Police Commissioners.
- (a) 643 Such public hearing shall be commenced not less than 5 nor more than 10 days after such
- (a) 644 notice. Any person so dismissed may appeal in the manner described by Section 7-278 of
- (a) 645 the General Statutes.
- (a) 646 (e) The members and officers of the Police Department shall have the authority with respect to
- (a) 647 the service of criminal process and the enforcement of the criminal laws as vested by the
- (a) 648 General Statutes in officers and members of an organized police department or force.

(a) 649 **2-200 Appointive Authorities, Boards, Commissions and Officers**

(a) 650 **2-201 General Provisions**

(a) 651 (a) Board and commission members and authority delegates shall be appointed by the First
(a) 652 Selectman with the approval of the Board of Selectmen unless hereinafter specified. All
(a) 653 appointments to fill unexpired terms shall be for the duration of said unexpired term only.

(a) 654 (1) A First Selectman whose position as First Selectman will end as a result of not being re-
(a) 655 elected the office shall not make appointments from the date of the Town Election to the
(a) 656 end of his/her term. The period from the Town Election to the beginning of the next
(a) 657 term shall not be counted in the 45 days referred to in Subsection 2-32(a).

(a) 658 (b) Appointive boards, other than those required by this of this Charter, may be created,
(a) 659 abolished and consolidated; their powers and duties established, altered and repealed; and
(a) 660 the number and terms of office of their members established and changed by ordinance.

(a) 661 (c) Appointive boards required by this Charter or hereafter created by ordinance other than
(a) 662 the Board of Fire Commissioners and the Board of Ethics may, in their discretion, appoint
(a) 663 associate members, with voice but without vote, for terms no longer than the terms of
(a) 664 members of the appointing board.

(a) 665 **2-205 Aging, Commission on**

(a) 666 (a) Summary of General Responsibilities: There shall be a Commission on Aging to advocate for
(a) 667 seniors and identify the needs of and coordinate services and programs that support the
(a) 668 well-being of Newtown senior residents and act as their agent for other Federal, State or
(a) 669 Town Boards, Commissions or agencies or local private groups to carry out programs for
(a) 670 senior residents.

(a) 671 (b) Membership and Terms:

(a) 672 (1) The Commission shall consist of 9 regular members and 3 alternate members.

(a) 673 (2) The term of office shall be three years for regular members and two years for alternate
(a) 674 members.

(a) 675 **2-210 Building Appeals Board**

(a) 676 (a) Summary of General Responsibilities: The Board of Building Appeals shall hear appeals
(a) 677 related to all building matters.

(a) 678 (b) Membership and Terms:

(a) 679 (1) The Commission shall be composed of five members.

(a) 680 (2) The term of office shall be five years.

(a) 681 (3) No person shall be appointed to more than two consecutive full terms.

(a) 682 (c) No member of said Board shall vote on any question concerning a matter in which he is
(a) 683 engaged as a contractor, material dealer, architect or engineer, or in which he has a
(a) 684 personal interest.

- (a) 685 **2-215 Conservation Commission**
- (a) 686 (a) Summary of General Responsibilities: There shall be a Conservation Commission, as
- (a) 687 established by ordinance, for the development and conservation of natural resources within
- (a) 688 the territorial limits of the Town. The Commission shall advise on the appropriate use and
- (a) 689 management of the natural resources for the Town.
- (a) 690 (b) Membership and Terms:
- (a) 691 (1) The Commission shall consist of 7 members.
- (a) 692 (2) The term of office shall be four years.
- (a) 693 **2-220 Cultural Arts Commission**
- (a) 694 (a) Summary of General Responsibilities: The Newtown Cultural Arts Commission shall exist to
- (a) 695 stimulate, facilitate, coordinate and cooperate with existing organizations for the
- (a) 696 development of the arts. It shall serve as an information center and focal point in the
- (a) 697 community for activities related to the arts.
- (a) 698 (b) Membership and Terms:
- (a) 699 (1) The Commission shall consist of nine members.
- (a) 700 (2) The term of office shall be three years.
- (a) 701 **2-225 Economic Development Commission**
- (a) 702 (a) Summary of General Responsibilities: There shall be an Economic Development
- (a) 703 Commission which will seek to implement orderly and planned economic development
- (a) 704 while always keeping in mind the character of the Town.
- (a) 705 (b) Membership and Terms:
- (a) 706 (1) The Commission shall be composed of nine members
- (a) 707 (2) The term of office shall be three years.
- (a) 708 (3) No person shall be appointed to more than two consecutive full terms.
- (a) 709 **2-230 Ethics, Board of**
- (a) 710 (a) Summary of General Responsibilities: Board of Ethics shall administer the Code of Ethics,
- (a) 711 receive and hear complaints of violations of The Code of Ethics and respond to requests
- (a) 712 from public officials seeking advice on the conformity of actions with the Code of Ethics as
- (a) 713 set forth in CHAPTER 9.
- (a) 714 (b) Membership and Terms:
- (a) 715 (1) The Board of Ethics shall be composed of six regular members and two alternate
- (a) 716 members.
- (a) 717 (2) The term of office shall be four years.
- (a) 718 (3) Members shall serve no more than two consecutive terms. In no event may any member
- (a) 719 serve said Board more than eight years in succession. Any member having served said
- (a) 720 Board for eight years in succession shall be ineligible for reappointment for two years
- (a) 721 after last serving on said Board.
- (a) 722 (4) Each member shall serve until his/her successor has been appointed.
- (a) 723 (c) A quorum shall consist of four members.

(a) 724 **2-235 Fire Commissioners, Board of**

(a) 725 (a) Summary of General Responsibilities: Board of Fire Commissioners shall operate, supervise
(a) 726 and manage the Newtown Fire Department. The Newtown Fire Department consists of all
(a) 727 the volunteer fire companies located within the Town and under the supervision and
(a) 728 management of a Board of Fire Commissioners.

(a) 729 (b) Membership and Terms:

(a) 730 (1) There shall be a Fire Department consisting of all the volunteer fire companies located
(a) 731 within the Town, under the operation, supervision and management of a Board of Fire
(a) 732 Commissioners. Said Board shall be composed of 7 members unless increased in
(a) 733 accordance with Subsection 2-235(b)(1)(iii). Members shall be chosen in the following
(a) 734 manner:

(a) 735 (i) Each volunteer fire company, in accordance with its by-laws and regulations, shall
(a) 736 appoint one member of said Board.

(a) 737 (ii) The full membership of The Board shall meet and appoint civilian commissioners as
(a) 738 may be necessary to constitute the full membership. Appointed civilian members
(a) 739 shall not be members of any Town fire company.

(a) 740 (iii) Each new volunteer fire company admitted to the Fire Department shall be entitled
(a) 741 to appoint one additional new member of said Board and said Board shall also
(a) 742 appoint one additional new civilian member in the manner prescribed in
(a) 743 Subsections 2-235(b)(1)(i) and (ii).

(a) 744 (iv) Should a volunteer fire company fail to appoint a member of said Board, the
(a) 745 commissioners shall within 30 days appoint a civilian member to fill the vacancy
(a) 746 who shall not be a member of any fire company.

(a) 747 (2) The term of office shall be for three years.

(a) 748 (c) The Board of Fire Commissioners shall be responsible for the financial management of the
(a) 749 Fire Department and for the supervision and care of Town apparatus and equipment used
(a) 750 by the Fire Department. It may set specifications which shall be followed in the purchase of
(a) 751 apparatus, equipment and supplies by the Town for the Fire Department.

(a) 752 (d) The organization, government, membership and management of the Fire Department shall
(a) 753 be in accordance with the by-laws and regulations of the departments in effect on the
(a) 754 effective date of this Charter. Such by-laws and regulations may be amended by the Board of
(a) 755 Fire Commissioners. Amendments to the by-laws, however, shall become effective only on
(a) 756 approval by a majority of the volunteer fire companies which are members of the Fire
(a) 757 Department.

(a) 758 (e) The Board of Fire Commissioners shall appoint a fire marshal and may appoint deputy fire
(a) 759 marshals and fire policemen, who shall have the powers and duties prescribed for their
(a) 760 offices by the General Statutes or by ordinance.

(a) 761 **2-240 Inland Wetlands Commission**

(a) 762 (a) Summary of General Responsibilities: There shall be an Inland Wetlands Commission which
(a) 763 shall act as the Town's Aquifer Protection Agency; establish, amend and administer the
(a) 764 Inland Wetlands and Watercourses Regulations; and administer the Forest Practices
(a) 765 Regulations of the Town.

(a) 766 (b) Membership and Terms:

(a) 767 (1) The Commission shall consist of seven members.

(a) 768 (2) The term of office shall be four years.

(a) 769 **2-245 Justices of the Peace**

(a) 770 (a) Summary of General Responsibilities: The powers and responsibilities of the Justices of the
(a) 771 Peace include but are not limited to general oath giving powers, taking of acknowledgments,
(a) 772 joining persons in marriage, and taking depositions.

(a) 773 (b) Membership and Terms:

(a) 774 (1) There shall be 15 justices of the peace selected in accordance with and having the
(a) 775 powers and duties prescribed by the General Statutes.

(a) 776 (2) The term of office shall be 4 years.

(a) 777 **2-250 Parks and Recreation Commission**

(a) 778 (a) Summary of General Responsibilities: The Parks and Receptions Commission shall be
(a) 779 charged with the care, management and supervision of all public parks and other areas set
(a) 780 aside by the Town for recreational purposes or donated to the Town for such use. It shall
(a) 781 undertake and develop such recreational program or programs as the needs of the Town
(a) 782 require, provided there is an appropriation or private donations have been received for this
(a) 783 purpose.

(a) 784 (b) Membership and Terms:

(a) 785 (1) The Parks and Recreation Commission shall consist of 7 members.

(a) 786 (2) The term of office shall be two years.

(a) 787 (c) The Parks and Recreation Commission is empowered to appoint ad hoc committees to assist
(a) 788 with special projects.

(a) 789 **2-255 Pension Commission**

(a) 790 (a) Summary of General Responsibilities: There shall be a Pension Committee, as established by
(a) 791 ordinance, which shall perform the duties set forth in the Other Post-Employment Benefits
(a) 792 (OPEB) Trust Agreement, as amended from time to time, relating to the management of the
(a) 793 assets held in the OPEB Trust. The Commission shall have other powers and duties
(a) 794 consistent with the General Statutes and as prescribed by ordinance.

(a) 795 (b) Membership and Terms:

(a) 796 (1) The Committee shall be composed of seven members.

(a) 797 (2) The term of office shall be two years.

- (a) 798 **2-260 Public Building and Site Commission**
- (a) 799 (a) Summary of General Responsibilities: The Public Building and Site Commission shall have
- (a) 800 control of supervision and construction of building projects including the improvement of
- (a) 801 lands, major new construction, alterations or extensions, furnishing or equipping of a
- (a) 802 building to be used for public purposes.
- (a) 803 (b) Membership and Terms:
- (a) 804 (1) The Commission shall be composed of seven members and two alternate members.
- (a) 805 (2) The term of office shall be four years for both members and alternates.
- (a) 806 (c) The Public Building and Site Commission is empowered to appoint ad hoc committees to
- (a) 807 assist with special projects.

(a) 808 **2-265 Public Safety Committee**

- (a) 809 (a) Summary of General Responsibilities: The Public Safety Committee shall review
- (a) 810 correctional safety and security issues at Garner Correctional Facility which affect the
- (a) 811 Town.
- (a) 812 (b) Membership and Terms:
- (a) 813 (1) The Committee shall be composed of the warden or superintendent of the correctional
- (a) 814 facility. Other representatives shall be filled by the First Selectman in accordance with
- (a) 815 Subsection 2-201(a) of this Charter.
- (a) 816 (2) Representatives appointed by the First Selectman serve at his or her pleasure.

(a) 817 **2-270 Self-Funded Health Insurance Fund Commission**

- (a) 818 (a) Summary of General Responsibilities: The Self-Funded Health Insurance Fund Commission
- (a) 819 shall be the stewards of the Self-Funded Health Insurance Fund.
- (a) 820 (b) Membership and Terms:
- (a) 821 (1) The Commission shall be composed of three regular members and two alternate
- (a) 822 members.
- (a) 823 (2) The term of office shall be three years.
- (a) 824 (3) No person shall be appointed to more than two consecutive full terms.

(a) 825 **2-275 Sustainable Energy Commission**

- (a) 826 (a) Summary of General Responsibilities: The Sustainable Energy Commission shall identify,
- (a) 827 implement, and support renewable energy use, energy efficiency, and energy conservation
- (a) 828 programs in which the Town's residents, businesses, organizations, and Town agencies can
- (a) 829 participate and that may result in cost savings to the Town or school district.
- (a) 830 (b) Membership and Terms:
- (a) 831 (1) The Commission shall be composed of nine members.
- (a) 832 (2) The term of office shall be four years.

(a) 833 **2-280 Trustees of the Cyrenius H. Booth Library, Board of**

(a) 834 (a) Summary of General Responsibilities: The Cyrenius H. Booth Library shall be operated by
(a) 835 the Board of Trustees and the Trustees shall have the status, powers and duties set forth in
(a) 836 Special Act No. 108 of the 1931 session of the General Assembly as amended by Special Act
(a) 837 No. 110 of the 1959 session of the General Assembly, which acts shall remain in full force
(a) 838 and effect, except to the extent superseded or revised by this Charter.

(a) 839 (b) Membership and Terms:

(a) 840 (1) The Board of Trustees shall consist of 16 members of which eight shall be appointed by
(a) 841 the First Selectman with the approval of the Board of Selectmen. The remainder shall be
(a) 842 elected by the vote of the remaining Trustees present and voting at a meeting warned
(a) 843 for the purpose.

(a) 844 (2) The term of office shall be four years.

(a) 845 (3) Trustees shall serve no more than two consecutive full terms. In no event may any
(a) 846 trustee serve more than eight years on the Board in succession. At such time, the
(a) 847 trustee's seat shall be deemed vacant. Any trustee having served for eight years in
(a) 848 succession on said Board shall be ineligible for reappointment for two years after last
(a) 849 serving on said Board.

(a) 850 **2-285 Water and Sewer Authority**

(a) 851 (a) Summary of General Responsibilities: The Water and Sewer Authority shall plan and direct
(a) 852 the development, acquisition, financing, construction, operation and maintenance of such
(a) 853 water supply, water distribution systems, and sewerage systems as may be required to
(a) 854 properly serve the needs of the Town.

(a) 855 (b) Membership and Terms:

(a) 856 (1) The Authority shall be composed of seven members two of whom shall be made on the
(a) 857 recommendation of the Board of Burgesses of the Borough of Newtown.

(a) 858 (2) The term of office shall be four years.

(a) 859 **2-300 Regional Authorities and Boards**

(a) 860 **2-305 Lake Lillinonah Authority**

(a) 861 (a) Summary of General Responsibilities: The Town shall participate in the Lake Lillinonah
(a) 862 Authority to exercise all powers relating to improving water quality, the enforcement of
(a) 863 boating laws on said lake, and such other powers as from time to time may be granted to the
(a) 864 Authority by the legislative bodies of all member towns and the General Statutes.

(a) 865 (b) Membership and Terms:

(a) 866 (1) Member Towns shall be the Town of Newtown and can be other towns having Lake
(a) 867 Lillinonah within their territorial limits.

(a) 868 (2) The Authority shall be composed of three delegates from each member town.

(a) 869 (3) The term of office shall be three years.

(a) 870 **2-310 Lake Zoar Authority**

(a) 871 (a) Summary of General Responsibilities: The Town shall participate in the Lake Zoar Authority
(a) 872 to exercise all powers relating to improving water quality, the enforcement of boating laws
(a) 873 on said lake, and such other powers as from time to time may be granted to the Authority by
(a) 874 the legislative bodies of all member towns and the General Statutes.

(a) 875 (b) Membership and Terms:

(a) 876 (1) Member Towns shall be the Town of Newtown and can be other towns having Lake Zoar
(a) 877 within their territorial limits.

(a) 878 (2) The Authority shall be composed of three delegates from each member town.

(a) 879 (3) The term of office shall be three years.

(a) 880 **2-315 Newtown Health District Health Board**

(a) 881 (a) Summary of General Responsibilities: The Newtown Health District Health Board shall
(a) 882 preserve and improve the status of public health by (1) upholding and enforcing the Public
(a) 883 Health Code of the State of Connecticut and such ordinances and regulations as may be
(a) 884 adopted by the District Board of Health and (2) working with other providers of health
(a) 885 services in the district to better coordinate existing programs and to plan and implement
(a) 886 new health programs.

(a) 887 (b) Membership and Terms:

(a) 888 (1) Each municipality and/or Borough which has voted to become part of the District shall,
(a) 889 by its Board of Selectmen, appoint a representative(s), based on population, to serve on
(a) 890 the District Board of Health and may appoint an alternate to serve in the absence of said
(a) 891 representative(s).

(a) 892 (2) The term of office shall be three years.

(a) 893 **CHAPTER 3 ELECTIONS AND REFERENDA**

(a) 894 **3-05 Town Elections**

(a) 895 (a) The election of Town officials shall take place at the Town Election during such hours as are
(a) 896 established by the General Statutes.

(a) 897 (b) Special elections may be held in accordance with the General Statutes.

(a) 898 **3-10 Legislative Council Districts**

(a) 899 (a) There shall be 3 districts from which Legislative Council members are elected.

(a) 900 (b) The districts as presently established shall continue until the assembly and senatorial
(a) 901 districts of the State of Connecticut are revised in accordance with Article Third, Section 6 of
(a) 902 the Constitution of Connecticut.

(a) 903 (1) Within 60 days of the completion of said revision, the Registrars of Voters shall prepare
(a) 904 proposed Legislative Council District lines for 3 districts having as nearly equal
(a) 905 population as is practicable.

(a) 906 (2) Within 6 months of the completion of each such assembly and senatorial redistricting,
(a) 907 the Legislative Council shall adopt, by 7 affirmative votes, final Legislative Council
(a) 908 District lines.

- (a) 909 **3-15 Election of Boards and Commissions**
- (a) 910 (a) At each regular Town Election, there shall be elected:
- (a) 911 (1) a Board of Selectmen consisting of the First Selectman and 2 Selectmen;
- (a) 912 (2) a Legislative Council consisting of 4 members from each Legislative Council District as
- (a) 913 established in Section 3-10;
- (a) 914 (3) three alternate members of the Planning and Zoning Commission;
- (a) 915 (4) three alternate members of the Zoning Board of Appeals; and
- (a) 916 (5) two members of the Board of Managers of the Edmond Town Hall.
- (a) 917 (b) At each regular Town Election members of the Board of Education, the Planning and Zoning
- (a) 918 Commission, Board of Assessment Appeals, Zoning Board of Appeals, and the Police
- (a) 919 Commission shall be elected and the number to be elected shall be determined by the
- (a) 920 number of members whose terms expire on or before the December 1st after the election.
- (a) 921 (c) At the regular Town Election following the Presidential Election, the Town Clerk shall be
- (a) 922 elected.
- (a) 923 (d) At the Presidential election, there shall be elected Registrars of Voters.
- (a) 924 (e) In the 2017 Town Election, three members of the Board of Finance having two year terms
- (a) 925 and three members of the Board of Finance having four years shall be elected. In the 2019
- (a) 926 Town Election, three members of the Board of Finance having four year terms shall be
- (a) 927 elected. Thereafter, elections for the Board of Finance shall be as set forth in Subsection 3-
- (a) 928 15(b).
- (a) 929 **3-20 Elections for Vacated Seats**
- (a) 930 (a) All vacancies in elective office shall be filled at the next regular Town Election except where
- (a) 931 prohibited by the General Statutes or at a special election called as provided in Section 9-
- (a) 932 164 of the General Statutes by the Board of Selectman or by application of Resident
- (a) 933 Electors.
- (a) 934 (b) The person appointed pursuant to Section 2-31 to fill a vacancy in an elective office shall
- (a) 935 serve only until a successor is elected to fill the vacancy at a special election or at the next
- (a) 936 regular Town Election and has qualified. A person elected to fill a vacancy and a person
- (a) 937 appointed to fill a vacancy, which is not to be filled at the next regular Town Election
- (a) 938 because such election is prohibited by the General Statutes, shall serve the remainder of the
- (a) 939 term.
- (a) 940 **3-25 Referendum**
- (a) 941 (a) An Annual Town Budget Referendum [see Section 6-20(f)(2)] shall be held on the fourth
- (a) 942 Tuesday of April for adoption of the Town Budget. If necessary, additional budget referenda
- (a) 943 shall be held as provided in Subsection 6-25(b). The Legislative Council may recommend a
- (a) 944 referendum to approve Special Appropriations or real property dispositions in excess of the
- (a) 945 Legislative Council's authority as established in Subsection 6-35(e).
- (a) 946 (b) There shall be a right of petition for a referendum from any of the following:
- (a) 947 (1) any Special Appropriation made by the Legislative Council pursuant to Section 6-30(b)
- (a) 948 of this Charter;

- (a) 949 (2) any proposed ordinance rejected, enacted, modified and enacted or repealed by the
(a) 950 Legislative Council pursuant to Section 5-05 of this Charter; and
- (a) 951 (3) any vote by the Legislative Council to acquire, reserve or dispose of real property or an
(a) 952 interest in real property taken in accordance with Subsections 8-05(c)(2) and 8-15(d)
(a) 953 of this Charter.
- (a) 954 (c) The exclusive procedure to obtain a referendum authorized by Subsection 3-25(b) shall be
(a) 955 by [petition signed by at least 5% of the Resident Electors listed in the last-completed](#)
(a) 956 [registry list](#) and filed with the Town Clerk no later than the close of business on the seventh
(a) 957 day following the date on which the Legislative Council acted. The seven day period
(a) 958 commences on the day that notice of the action of the Legislative Council is filed with the
(a) 959 Town Clerk, unless the notice is filed after 12 noon in which case the period will commence
(a) 960 on the next business day.
- (a) 961 (d) The form of any petition shall be submitted to the Town Clerk prior to being circulated and
(a) 962 shall include the following:
- (a) 963 (1) The entire resolution acted upon by the Legislative Council that the petitioners desire to
(a) 964 have acted upon by referendum.
- (a) 965 (2) A statement of the action the Legislative Council took with regard to such resolution.
- (a) 966 (3) A statement that the undersigned petitioners are opposed to the action of the
(a) 967 Legislative Council and petition that the resolution be presented to the voters.
- (a) 968 (4) [A circulator's statement meeting the requirements of the General Statutes shall appear](#)
(a) 969 [on every sheet on which a petitioner's signature appears.](#)
- (a) 970 (5) [The date on which the circulator began to circulate the petition shall be set forth in the](#)
(a) 971 [statement of the circulator.](#)
- (a) 972 (e) [No signatures on any petition circulated prior to the taking of action by the Legislative](#)
(a) 973 [Council shall be counted in determining whether sufficient signatures have been received to](#)
(a) 974 [force a referendum.](#)
- (a) 975 (f) Upon receipt of a timely filed petition for referendum the [Town Clerk shall immediately](#)
(a) 976 [determine the number constituting 5% of the last-completed registry list, verify whether or](#)
(a) 977 [not said number of electors have signed such a petition and report said fact to the Board of](#)
(a) 978 [Selectmen.](#)
- (a) 979 (g) Upon notice from the Town Clerk that a petition bearing sufficient verified signatures has
(a) 980 been received, [the Board of Selectmen shall warn a referendum to be held not less than 7](#)
(a) 981 [nor more than 14 days after the receipt of said petition by the Town Clerk, 5 or more days](#)
(a) 982 [prior to the date of the referendum according to Subsection 1-25\(b\). In computing said 5](#)
(a) 983 [days, the day of the referendum shall be excluded, but the day of publication, Saturdays,](#)
(a) 984 [Sundays and legal holidays shall be included.](#) Eligibility to vote at a referendum shall be
(a) 985 determined by Section 7-6 of the General Statutes. The referendum shall be held between
(a) 986 the hours of 6:00 A.M. and 8:00 P.M. on the date set by the Board of Selectmen.
- (a) 987 (h) [The question to be voted upon by referendum shall be the same resolution as was acted](#)
(a) 988 [upon by the Legislative Council, without amendment.](#)

(a) 989 **CHAPTER 4 ADMINISTRATIVE OFFICERS**

(a) 990 **4-05 Finance Director**

- (a) 991 (a) The First Selectman, with the approval of the Board of Selectmen and the Legislative Council
(a) 992 and with recommendation from the Board of Finance, shall appoint a Finance Director to an
(a) 993 indefinite term. The First Selectman, Board of Selectmen, Board of Finance, and Legislative
(a) 994 Council shall choose and consider all candidates for the position of Finance Director solely
(a) 995 on the basis of such candidate's professional qualifications, character, training, and
(a) 996 experience in the field of financial management.
- (a) 997 (b) The Finance Director shall report to the First Selectman as provided in Subsection 2-110(b)
(a) 998 of this Charter.
- (a) 999 (c) The Finance Director shall:
- (a) 1000 (1) Keep all books of account of the Town and shall establish and maintain a general cost
(a) 1001 accounting system for all Town Departments, consistent with all State Laws and subject
(a) 1002 to the regulations adopted by the Board of Finance and approved by the Legislative
(a) 1003 Council;
- (a) 1004 (2) Have all of the powers and duties imposed by the General Statutes or by special act or
(a) 1005 law on town treasurers, and shall be Treasurer of all funds held by the Town;
- (a) 1006 (3) Receive and have custody of all funds belonging to or under the control of the Town or
(a) 1007 any Town Department or officer and shall make such deposits or investments as he or
(a) 1008 she deems in the best interest of the Town within the limits imposed on such deposits
(a) 1009 or investments by the General Statutes;
- (a) 1010 (4) Determine when to issue authorized notes or bonds consistently with the provisions of
(a) 1011 Section 7-10;
- (a) 1012 (5) Approve or disapprove of requisitions or other requests for disbursements of Town
(a) 1013 Funds as provided for in Section 7-15; No disbursements of Town funds shall be made,
(a) 1014 except as authorized by the Finance Director;
- (a) 1015 (6) Prepare and keep a detailed budget document during the different phases of the Annual
(a) 1016 Budget Process as described in Section 6-10;
- (a) 1017 (7) Prepare Financial Impact Statements for special appropriations, gifts or financial
(a) 1018 assistance, and property acquisition in accordance with Sections 6-30(b), 6-40, 8-05,
(a) 1019 and 8-20;
- (a) 1020 (8) Maintain a 5 year capital improvement plan in accordance with the regulations [see
(a) 1021 Subsection 5-10(b)] of the Legislative Council and shall submit an updated version of
(a) 1022 such plan to the Board of Finance and Legislative Council no later than the fifteenth day
(a) 1023 of January each year;
- (a) 1024 (9) Prepare a cost analysis of all labor contracts, pension plans and insurance plans prior to
(a) 1025 the signing of any such contracts or plans; and
- (a) 1026 (10) Assist in all labor negotiations serving as a consultant to the labor negotiators
(a) 1027 representing the Town.
- (a) 1028 (d) The Finance Director, with the approval of the First Selectman and Board of Selectmen and
(a) 1029 within the limits of the available appropriations, may hire qualified employees and delegate

(a) 1030 specific functions of the aforesaid duties. However, he or she shall at all times remain fully
(a) 1031 responsible for carrying out the duties and responsibilities imposed by this Charter.

(a) 1032 (e) The First Selectman, with the approval of the Board of Selectmen and with the approval of
(a) 1033 the Legislative Council after a hearing before the Council, may remove the Finance Director
(a) 1034 from office, with or without cause.

(a) 1035 **4-10 Tax Collector**

(a) 1036 (a) The First Selectman, with the approval of the Board of Selectmen, shall nominate and
(a) 1037 appoint a Tax Collector to a term of 4 years commencing the first day of February of 1990
(a) 1038 and every February first every 4 years thereafter. The First Selectman and the Board of
(a) 1039 Selectmen shall choose and consider all candidates for the position of Tax Collector solely
(a) 1040 on the basis of such candidate's professional qualifications, character, training and
(a) 1041 experience. The Tax Collector need not be a resident of the Town. The person appointed to
(a) 1042 fill the vacancy shall serve the balance of the unexpired term only. The Tax Collector shall
(a) 1043 have the powers, duties and compensation set forth in the provisions of Subsection 4-10(b)
(a) 1044 of this Charter.

(a) 1045 (b) The Tax Collector shall exercise the powers and duties of a Tax Collector as provided by the
(a) 1046 General Statutes, except as hereinafter provided, and shall perform such other duties as
(a) 1047 required by this Charter. The receipts to be paid to the Tax Collector shall be collected in
(a) 1048 accordance with the provisions of the General Statutes or this Charter or ordinances of this
(a) 1049 Town and shall be deposited with the Finance Director of the Town. The Tax Collector shall
(a) 1050 also keep a record of receipts, which shall show the name of each person from whom money
(a) 1051 is received, the amounts thereof, and for what received. The expenses of the office will be
(a) 1052 provided for in the usual budgetary manner.

(a) 1053 (c) The Tax Collector shall receive a salary in lieu of all fees and other compensation.

(a) 1054 **4-15 Town Assessor**

(a) 1055 (a) The First Selectman, with the approval of the Board of Selectmen, shall appoint an Assessor
(a) 1056 to a term of 4 years who shall be chosen solely on the basis of professional qualifications,
(a) 1057 character, training and experience. The Assessor need not be a resident of the Town.
(a) 1058 Expiration of each 4 year term shall be computed from expiration of the initial term on
(a) 1059 February 28, 1972. The person appointed to fill a vacancy shall serve the balance of the
(a) 1060 unexpired term only. The Assessor shall have the powers and duties prescribed for the
(a) 1061 office by ordinance and the General Statutes.

(a) 1062 (b) The duties and responsibilities of the office, the minimum qualifications for office and the
(a) 1063 methods to be used in the selection of the Assessor, including methods and agencies of
(a) 1064 administration of professional examinations, shall be prescribed by ordinance.

(a) 1065 **4-20 Building Inspector**

(a) 1066 (a) The First Selectman, with the approval of the Board of Selectmen, shall appoint a Building
(a) 1067 Inspector. The Building Inspector shall have the qualifications prescribed by the General
(a) 1068 Statutes and shall have such other qualifications as may be prescribed by ordinance of the
(a) 1069 Board of Selectmen. The Building Inspector shall have such powers and duties as may be
(a) 1070 prescribed by ordinance and by the General Statutes.

- (a) 1071 **4-25 Town Attorney**
- (a) 1072 (a) The First Selectman, with the approval of the Board of Selectmen, may appoint one or more
- (a) 1073 Town Attorneys to furnish such legal services to the Town and its departments as the First
- (a) 1074 Selectman authorizes.
- (a) 1075 (b) The Legislative Council Chairman may appoint, with the approval of the affirmative vote of
- (a) 1076 8 members of the Legislative Council, an attorney to furnish legal services to the Legislative
- (a) 1077 Council.
- (a) 1078 **4-30 Emergency Management Director**
- (a) 1079 (a) The **Emergency Management** Director shall be appointed in accordance with the General
- (a) 1080 Statutes.
- (a) 1081 **4-35 Department of Public Works**
- (a) 1082 (a) There shall exist within the Town a Department of Public Works administered by such
- (a) 1083 employees having such supervisory and administrative functions as may be determined by
- (a) 1084 the First Selectman, with the approval of the Board of Selectmen. The Department of Public
- (a) 1085 Works shall perform such functions regarding the construction and maintenance of
- (a) 1086 highways and the construction and maintenance of town-owned buildings and grounds,
- (a) 1087 other than the Cyrenius H. Booth Library, the Edmond Town Hall and buildings the
- (a) 1088 operation and control of which is vested in the Board of Education, as are assigned to it by
- (a) 1089 the Board of Selectmen. Nothing herein shall be deemed to limit the First Selectman with
- (a) 1090 the approval of the Board of Selectmen from hiring independent contractors to perform
- (a) 1091 such maintenance and construction. The Department of Public Works shall perform such
- (a) 1092 maintenance on the Cyrenius H. Booth Library, the Edmond Town Hall and buildings subject
- (a) 1093 to the operation and control of the Board of Education as is requested by the Trustees of the
- (a) 1094 Cyrenius H. Booth Library, the Board of Managers of the Edmond Town Hall and the Board
- (a) 1095 of Education, provided funds have been appropriated or transferred to the account of the
- (a) 1096 Department of Public Works as are necessary to fulfill the requests of said Trustees and
- (a) 1097 Boards.
- (a) 1098 **4-40 Employees**
- (a) 1099 (a) The First Selectman may establish hours of work, set wages or salaries within the range set
- (a) 1100 by the Board of Selectmen, and hire, suspend or dismiss employees of the Town, except
- (a) 1101 employees of the Board of Education and employees whose employment and removal are
- (a) 1102 otherwise provided for by this Charter or by the General Statutes. The First Selectman may,
- (a) 1103 by written order, delegate this power to other departments of the Town with respect to
- (a) 1104 employees of such departments.
- (a) 1105 (b) Uniform procedures for the recruitment and removal of any class of employees which the
- (a) 1106 First Selectman may hire, suspend or dismiss, a general merit system and a pension plan for
- (a) 1107 employees of the Town may be established by ordinance.
- (a) 1108 (c) All appointed employees of the Town other than those who work for the Board of Education
- (a) 1109 shall report to the First Selectman for administrative purposes.
- (a) 1110 (d) Any employee, other than the Finance Director, who has been suspended or dismissed by
- (a) 1111 the First Selectman and for whom no grievance procedure is provided in a collective
- (a) 1112 bargaining agreement may within 15 days of his removal, request in writing a hearing
- (a) 1113 before the Board of Selectmen which hearing shall be held within 15 days from the date of
- (a) 1114 receipt of such request. The employee may appear at the hearing with counsel. The Board of

- (a) 1115 Selectmen shall, within 15 days after the conclusion of the hearing, act to affirm, modify or
- (a) 1116 reverse the action of the First Selectman.

(a) 1117 **4-45 Regular Constables**

- (a) 1118 (a) Not more than 7 constables shall be appointed by the First Selectman with the approval of
- (a) 1119 the Board of Selectmen for a term of 2 years with no more than a bare majority from any
- (a) 1120 one political party, and they shall have the powers and duties prescribed for constables by
- (a) 1121 this Charter and the General Statutes.

(a) 1122 **4-50 Other Officers and Departments**

- (a) 1123 (a) The First Selectman, with the approval of the Board of Selectmen, shall appoint such other
- (a) 1124 officers, committees or commissions as are required by the General Statutes.
- (a) 1125 (b) The First Selectman, with the approval of the Board of Selectmen, may appoint such other
- (a) 1126 officers as are authorized by the General Statutes or by ordinance, subject to the provision
- (a) 1127 of necessary appropriations.
- (a) 1128 (c) The First Selectman with the approval of the Board of Selectmen may establish and
- (a) 1129 maintain, subject to the provision of necessary appropriations, other departments for the
- (a) 1130 administration of functions of the Town.

(a) 1131 **CHAPTER 5 LEGISLATIVE PROCESSES**

(a) 1132 **5-05 Ordinances**

- (a) 1133 (a) The Legislative Council, by majority vote consisting of at least 6 affirmative votes, shall have
- (a) 1134 the power to make, alter and repeal ordinances not inconsistent with the Constitution or
- (a) 1135 General Statutes of the State of Connecticut or the provisions of this Charter, for the
- (a) 1136 execution of the powers now or hereinafter vested in the Town for the governance of the
- (a) 1137 Town and management of its affairs, the preservation of good order and for the peace,
- (a) 1138 health, welfare and safety of its inhabitants and the protection and security of their
- (a) 1139 property.
- (a) 1140 (b) Prior to action on an ordinance by the Legislative Council it shall conduct a public hearing at
- (a) 1141 which all persons interested shall be given a reasonable opportunity to be heard on the
- (a) 1142 proposed ordinance.
- (a) 1143 (c) Notice of the date, time and place of said hearing and the full text of any proposed ordinance
- (a) 1144 shall be published in a newspaper having a substantial circulation in the Town at least 10
- (a) 1145 days before the day on which such hearing is to be held.
- (a) 1146 (d) Action by the Legislative Council, either repealing, enacting, or modifying and enacting, or
- (a) 1147 refusing to enact a proposed ordinance shall be taken within 30 days of the hearing held
- (a) 1148 thereon.
- (a) 1149 (e) Following action by the Legislative Council, notice of said action shall be according to
- (a) 1150 Subsection 1-25(b) within 21 days of such Legislative Council action and filed with the
- (a) 1151 Town Clerk. If the ordinance was modified and enacted as modified, notice of such action
- (a) 1152 shall include publication of the full text of the ordinance as enacted.
- (a) 1153 (f) Any ordinance enacted shall not become effective sooner than 14 days after the date of
- (a) 1154 publication of such notice and, if no other date is given as the effective date of such
- (a) 1155 ordinance, shall become effective on the fifteenth day after publication. If a referendum is

(a) 1156 called in accordance with the provisions of Subsection 3-25(c) of this Charter, the effective
(a) 1157 date of such ordinance shall be suspended until the date of the day after the referendum.

(a) 1158 (g) The Town may enact ordinances relative to any matter on which the Town is empowered to
(a) 1159 act by law. If the Borough of Newtown has enacted an ordinance on the same subject, the
(a) 1160 ordinance enacted by the Town shall apply only to the portions of the Town outside the
(a) 1161 Borough.

(a) 1162 **5-10 Regulations**

(a) 1163 (a) Where regulations of the Legislative Council are authorized by this Charter, they shall be
(a) 1164 adopted, amended or repealed by majority vote of the Legislative Council, consisting of at
(a) 1165 least 6 affirmative votes. Any proposed regulation, amendment or repeal shall be referred to
(a) 1166 the Board of Selectmen for comment or consultation prior to action. A similar reference
(a) 1167 shall be made to the Board of Education or other Town Department if its interests is
(a) 1168 affected. All regulations regarding financial matters shall be referred for review and
(a) 1169 recommendation to or may originate from the Board of Finance prior to action. Referrals
(a) 1170 can be acted on by the Legislative Council after 90 days. Such financial regulations shall also
(a) 1171 be referred to the Board of Selectman and the Finance Director prior to action.

(a) 1172 (b) The development of the regulation governing the five year Capital Improvement Plan and
(a) 1173 any subsequent amendments to the regulation shall be the duty of the Legislative Council
(a) 1174 with the recommendation of the Board of Finance.

(a) 1175 (c) Following action by the Legislative Council, the full text of the regulation adopted or as
(a) 1176 amended shall be filed with the Town Clerk within 10 days of such action. Regulations
(a) 1177 enacted or amended shall become effective on the fifteenth day after such action.

(a) 1178 **5-15 Emergency Ordinances**

(a) 1179 (a) Any provision of this Charter to the contrary notwithstanding, the Legislative Council may
(a) 1180 by the affirmative vote of two-thirds of its entire authorized membership, enact emergency
(a) 1181 ordinances without a public hearing and without publication or other notice prior to
(a) 1182 enactment and without the right of the voters to petition for a referendum. The reasons for
(a) 1183 such emergency shall be stated explicitly in the vote of the Legislative Council enacting such
(a) 1184 ordinance and the preamble of the ordinance shall set forth the existence and nature of the
(a) 1185 emergency and that the enactment of the ordinance is necessary for the immediate
(a) 1186 protection of the peace, health, welfare or property of the citizens of the Town. An
(a) 1187 emergency ordinance shall become effective immediately upon the notice thereof according
(a) 1188 to Subsection 1-25(b) and upon filing of the same with the Town Clerk. An emergency
(a) 1189 ordinance shall cease to be effective upon the expiration of a period of 60 days after its
(a) 1190 publication unless the ordinance shall be reenacted prior to the expiration of said period in
(a) 1191 accordance with the requirements set forth in Section 5-05 of this Charter, which action
(a) 1192 shall be subject to the right of referendum as set forth in Subsection 3-25(b) of this Charter.

(a) 1193 **CHAPTER 6 BUDGET PROCESSES**

(a) 1194 **6-01 General Provisions**

(a) 1195 (a) The following terms shall have the meaning ascribed to them in the referenced section of
(a) 1196 this Charter:

(a) 1197 (1) Board of Education Budget – Subsection 6-05(a),

(a) 1198 (2) First Selectman’s Budget – Subsection 6-05(b),

(a) 1199 (3) Board of Selectmen’s Budget – Subsection 6-05(b),

(a) 1200 (4) Recommended Board of Finance Budget – Subsection 6-15(c)(3),

(a) 1201 (5) Town Budget – Subsection 6-20(c),

(a) 1202 (6) Annual Town Budget Referendum – Subsection 6-25(a),

(a) 1203 (7) Special Appropriation – Subsection 6-35(a),

(a) 1204 (8) Emergency Appropriation – Subsection 6-35(a).

(a) 1205 **6-02 The Budget Conference**

(a) 1206 (a) Prior to November 1st, town officials responsible for the budget should meet at reasonably
(a) 1207 convenient times and confer. The conferees should discuss and review the status of the
(a) 1208 existing budget, existing programs, goals that are desirable to achieve, expenditures
(a) 1209 required to achieve such goals, the affordability of required expenditures and other subjects
(a) 1210 relevant to the budget. The conferees shall include the First Selectman, Superintendent of
(a) 1211 Schools, the Chair of the Legislative Council and all or selected members of the Board of
(a) 1212 Selectmen, Board of Education, Board of Finance and up to three additional members of the
(a) 1213 Legislative Council.

(a) 1214 **6-05 Preparation of the Board of Selectmen and Board of Education Budget**
(a) 1215 **Proposals**

(a) 1216 (a) Not later than February 14th, in such form and with such supporting data as the Board of
(a) 1217 Finance shall require, the Board of Education shall submit to the Board of Finance an
(a) 1218 itemized estimate of expenditures proposed for the provision and maintenance of quality
(a) 1219 public elementary and secondary schools and an itemized estimate of all revenue other than
(a) 1220 Town appropriations to be received by the Board of Education for its use during the next
(a) 1221 fiscal year (the “Board of Education Budget”).

(a) 1222 (b) At such time and in such manner as the First Selectman may require, every Town
(a) 1223 Department other than the Board of Education shall present to the First Selectman an
(a) 1224 itemized estimate of the expenditures to be made by and revenues to be received by such
(a) 1225 departments during the next fiscal year. After such revisions as the First Selectman may
(a) 1226 make, the First Selectman shall submit a comprehensive estimate of expenditures (the “First
(a) 1227 Selectman’s Budget”) to the Board of Selectmen by February 1st. The estimates shall be
(a) 1228 accompanied by such other reports and information as the Board of Selectmen may require.
(a) 1229 The Board of Selectmen shall then revise the estimates, as it deems desirable, and submit
(a) 1230 the revisions to the Board of Finance in such form and with supporting data as the Board of
(a) 1231 Finance shall require no later than February 14th. (the “Board of Selectmen’s Budget”).

(a) 1232 **6-10 Role of the Finance Director**

- (a) 1233 (a) The Finance Director shall advise all Town Departments participating in the budget process
(a) 1234 at such times and manner as they may reasonably request.
- (a) 1235 (b) The Finance Director shall create and maintain a budget document throughout the budget
(a) 1236 process described in Sections 6-05 through 6-20(f)(2). Said document shall be comprised of
(a) 1237 the proposed Board of Selectmen Budget and a single line item representing the proposed
(a) 1238 Board of Education appropriation. Estimated revenues, including sources of such revenues,
(a) 1239 and an estimated tax levy shall be added by the Finance Director to the budget document.
- (a) 1240 (c) The Finance Director shall be responsible for causing the publication of the proposed
(a) 1241 budgets whenever publication is required by the provisions of this Charter.

(a) 1242 **6-15 Financial Review of the Proposed Budgets by the Board of Finance**

- (a) 1243 (a) The Board of Finance shall conduct a public hearing not later than the first Wednesday in
(a) 1244 March on the proposed budgets and at said hearing or any adjournment thereof it shall hear
(a) 1245 all persons eligible to vote as defined in section 7-6 of the General Statutes who may desire
(a) 1246 to be heard relative to the proposed budgets.
- (a) 1247 (b) The proposed budgets shall be warned according to Subsection 1-25(b) not later than five
(a) 1248 (5) days prior to said hearing. The publication shall include the proposed budgets showing
(a) 1249 in parallel columns, for each item, the sum budgeted for the current fiscal year, the sum
(a) 1250 expended for the prior fiscal year and the sum proposed for the next fiscal year and the
(a) 1251 estimated tax rate for the next fiscal year.
- (a) 1252 (c) The Board of Finance shall hold working sessions and shall revise the proposed budgets as
(a) 1253 it deems desirable. The Board of Finance shall:
- (a) 1254 (1) Make such changes in any estimates or appropriations contained in the proposed
(a) 1255 budgets as it may deem proper;
- (a) 1256 (2) Add appropriations or estimated revenues not contained in the proposed budgets; and
- (a) 1257 (3) Prepare a complete financial plan for the operations of the Town for the next fiscal year
(a) 1258 (the "Recommended Board of Finance Budget") which shall contain at least the
(a) 1259 following:
- (a) 1260 (i) A simple, clear, general summary of the contents, showing estimated revenues and
(a) 1261 total appropriations equal in amount;
- (a) 1262 (ii) The proposed expenditures in detail including provisions for any adjustments to the
(a) 1263 unassigned fund balance for the prior fiscal year, for debt service requirements, and
(a) 1264 for all other expenditures for the next fiscal year, including an appropriation for
(a) 1265 contingencies to be met from current revenues. All proposed expenditures should
(a) 1266 be classified in such manner as the Board of Finance deems desirable;
- (a) 1267 (iii) The estimated proposed revenues and the amount required from taxes, which shall
(a) 1268 be the amounts expected to be received during the next fiscal year; and
- (a) 1269 (iv) An itemized comparative statement by classification of all actual expenditures and
(a) 1270 receipts during the last completed fiscal year and the budget appropriations for the
(a) 1271 current fiscal year as revised to a recent specified date, together with estimated
(a) 1272 revenues for the current fiscal year.
- (a) 1273 (d) The Board of Finance shall submit to the Legislative Council its Recommended Board of
(a) 1274 Finance Budget for the next fiscal year by March 14th.

6-20 Preparation of the Proposed Town Budget by the Legislative Council

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- (a) Upon receipt of the Recommended Board of Finance Budget, the Legislative Council shall cause sufficient copies thereof to be made available for general distribution in the office of the Town Clerk and shall hold a public hearing thereon not later than the last Wednesday in March each year. At least five (5) days prior to said hearing, a notice of the public hearing together with a summary of the budget recommended by the Board of Finance showing proposed expenditures, anticipated revenues by major sources, and the amount of revenue to be raised, shall be warned according to Subsection 1-25(b).
- (b) The Legislative Council shall have the following powers with respect to approval of any item in the proposed Town Budget:
- (1) It shall have the power to reduce any item by a majority of at least six (6) affirmative votes;
- (2) It may increase any item or add items above those provided in the Recommended Board of Finance Budget by an affirmative vote of at least eight (8); and
- (3) The Legislative Council may only add or increase items up to the amounts included in the proposed Board of Selectmen and the Board of Education Budgets inclusive of any amendments made in Subsection 6-20(f).
- (c) No later than the second Wednesday in April, the Legislative Council shall approve a proposed Town Budget to be submitted for final adoption at the Annual Town Budget Referendum (the "Town Budget"). If the Legislative Council shall not have approved a proposed Town Budget on or prior to said date, then the Recommended Board of Finance Budget shall be submitted for adoption at the Annual Budget Referendum.
- (d) If the Board of Finance shall fail to submit a Recommended Board of Finance Budget to the Legislative Council by March 14th, then the proposed Board of Selectmen and Board of Education Budgets shall be considered by the Legislative Council. The Legislative Council shall hold a public hearing on the budgets proposed by the Board of Selectmen and the Board of Education, together with estimated revenues, after giving notice and publication, all as set forth in Subsection 6-20(a). The Legislative Council shall have, when considering and acting upon the proposed Board of Selectmen and Board of Education Budgets, the same powers granted to the Board of Finance under the provisions of Subsection 6-15(c), and shall exercise said powers by a majority of at least six (6) affirmative votes.
- (e) If the Legislative Council approves a project in the Capital Improvement Plan for appropriation and funding for an amount that exceeds the Legislative Council's authority, as established in Subsection 6-35(e), the Legislative Council shall use its best efforts to have the appropriation for the project added to the ballot for the Annual Budget Referendum.
- (f) Prior to the final approval of a proposed Town Budget by the Legislative Council, the Board of Selectmen and the Board of Education may amend the proposed budget(s).
- (1) Prior to the Annual Budget Referendum, amendments shall be submitted to the Board of Finance. If the amendments are approved by the Board of Finance, the Legislative Council shall vote on the amendments as if they were part of the Recommended Board of Finance Budget. Otherwise the amendments shall be voted on by the Legislative Council as reductions, increases or additions, as the case may be, under Subsections 6-20(b)(1), (2) and (3).

- (a) 1318
 - (a) 1319
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- (2) Prior to subsequent budget referenda, if any, amendments made by the Board of Selectman and/or the Board of Education to budget proposals shall not be exceeded by the Legislative Council.

6-25 Annual Town Budget Referendum

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- (a) The proposed Town Budget shall be submitted for adoption at a referendum to be held on the fourth Tuesday of April between the hours of 6:00 A.M. and 8:00 P.M. (the "Annual Town Budget Referendum"). Notice of the Annual Town Budget Referendum and any subsequent referenda, as may be needed, and the proposed Town Budget together with the mil rate estimated to be necessary to fund said budget, shall be filed by the Legislative Council with the Town Clerk and warned according to Subsection 1-25(b) at least five (5) days prior to the Annual Budget Referendum. At the Annual Budget Referendum, the proposed Town Budget shall be voted on as two appropriations; one for the Board of Selectmen, and one for the Board of Education. The two appropriations shall be approved individually by a majority vote. The questions on the Annual Town Budget Referendum ballot shall be as follows:

(a) 1333 Shall the sum of \$ ___ be appropriated for the Board of Selectmen for the fiscal year?

(a) 1334 Shall the sum of \$ ___ be appropriated for the Board of Education for the fiscal year?

(a) 1335

(a) 1336 The Annual Town Budget Referendum ballots shall include two advisory questions as follows:

(a) 1337 If the proposed sum of \$ ___ for the Board of Selectmen is not approved, should the revised budget be higher?"

(a) 1338 Yes ____

(a) 1339 No ____

(a) 1340

(a) 1341 If the proposed sum of \$ ___ for the Board of Education is not approved, should the revised budget be higher?"

(a) 1342 Yes ____

(a) 1343 No ____

(a) 1344

(a) 1345 (b) In the event one appropriation fails and one is approved, the appropriation that is approved shall be considered adopted. In the event that a majority of those voting do not approve one or both appropriations of the proposed Town Budget, the Legislative Council shall amend only the non-approved appropriation or appropriations of the budget.

(a) 1346 (1) The Legislative Council shall reconsider and amend the proposed Town Budget within seven (7) calendar days. When amending the Board of Selectmen Budget, the Legislative Council shall confer with the First Selectman and members of the Board of Selectmen. When amending the Board of Education Budget, it shall confer with members of the Board of Education. The Legislative Council shall request additional financial recommendations from the Board of Finance.

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- (a) 1358 (2) The Legislative Council shall act on changes to a proposed Town Budget not approved,
- (a) 1359 in whole or in part, at a budget referendum as follows:
- (a) 1360 (i) It shall have the power to reduce or increase any item by a majority of at least six
- (a) 1361 (6) affirmative votes;
- (a) 1362 (ii) The Legislative Council may only add or increase items up to the amounts included
- (a) 1363 in the proposed Board of Selectmen and the Board of Education Budgets, inclusive
- (a) 1364 of any amendments made in Subsection 6-20(f).
- (a) 1365 (3) The amended proposed Town Budget shall be filed with the Town Clerk and presented
- (a) 1366 for adoption by vote at a referendum, pursuant to Subsection 6-20(a), not more than
- (a) 1367 fourteen (14) days following the date the proposed Town Budget was filed with the
- (a) 1368 Town Clerk. The ballot for each successive referendum shall include the applicable
- (a) 1369 advisory question(s).
- (a) 1370 (c) When an appropriation of the proposed Town Budget is approved by referendum vote, the
- (a) 1371 action is final and not subject to additional referenda. Similarly if one or both
- (a) 1372 appropriations of the budget fail, Subsection 6-25(b) shall be repeated until both
- (a) 1373 appropriations are approved by referendum vote.
- (a) 1374 (d) When a part or parts have been approved by majority vote, the Board of Selectmen and the
- (a) 1375 Board of Education shall amend the proposed Board of Selectmen or the proposed Board of
- (a) 1376 Education Budget(s) to reflect the voter approved appropriations, which amended budgets
- (a) 1377 shall be available for public inspection.
- (a) 1378 (e) In the event a Town Budget has not been adopted by July 1st, the Town may levy, collect and
- (a) 1379 expend any monies in the manner provided for in the General Statutes.

6-26 Local Questions on Ballot

- (a) 1381 (a) The Legislative Council, with at least 6 affirmative votes, may place local questions on the
- (a) 1382 Annual Town Budget Referendum ballot.

6-30 Laying of Taxes

- (a) 1384 (a) Following the adoption of the Town Budget for the next fiscal year, the Legislative Council
- (a) 1385 shall meet and, with due provision for estimated and uncollectible taxes, abatements and
- (a) 1386 corrections, shall lay such tax on the last completed Grand List at a mil rate that shall be
- (a) 1387 sufficient, with the income from other sources, to meet the estimated expenses of the Town
- (a) 1388 for the next fiscal year. The tax laid shall be based on facts known and estimates made at the
- (a) 1389 time the Legislative Council acts and may be different from the mil rate estimated prior to
- (a) 1390 the Annual Town Budget Referendum or any subsequent referendum even though the
- (a) 1391 budget adopted is the same as the budget recommended to the Annual Town Budget
- (a) 1392 Referendum or any subsequent referendum.
- (a) 1393 (b) The Tax Collector shall collect the tax in accordance with the General Statutes. Taxes shall
- (a) 1394 be delinquent and interest charged in accordance the General Statutes and any amendments
- (a) 1395 thereto. Real estate tax bills of shall be due and payable in 2 semi-annual installments, July 1
- (a) 1396 and January 1.

(a) 1397 **6-35 Special and Emergency Appropriations**

- (a) 1398 (a) A "Special Appropriation" is any appropriation of additional funds made during a fiscal year
(a) 1399 that is supplemental to an adopted Town Budget or capital project. An "Emergency
(a) 1400 Appropriation" is an appropriation required for an unforeseen or extraordinary event or
(a) 1401 threat to public health, safety, or welfare. The Board of Finance shall have an opportunity to
(a) 1402 make a recommendation regarding a proposed Special Appropriation, but such a
(a) 1403 recommendation is not required for an Emergency Appropriation.
- (a) 1404 (b) A request for a Special or Emergency Appropriation may be initiated by the First Selectman
(a) 1405 with the approval of the Board of Selectmen or by the Legislative Council. *The request shall
(a) 1406 include an estimate of the funds required, the reasons therefore, and a proposed method of
(a) 1407 financing. Methods of financing include, without limitation, issuing notes or bonds of the
(a) 1408 Town or laying a special tax on the Grand List last completed.* The Finance Director shall
(a) 1409 prepare a Financial Impact Statement for requests for Special Appropriations.
- (a) 1410 (c) *If the First Selectman initiates an Emergency Appropriation request, the appropriation may
(a) 1411 be approved by a majority vote of the Legislative Council,* otherwise the Emergency
(a) 1412 Appropriation must be approved by the affirmative vote of two-thirds of the entire
(a) 1413 membership of the Legislative Council.
- (a) 1414 (d) The Legislative Council shall request from the Board of Finance a recommendation as to
(a) 1415 whether or not a Special Appropriation, should be made. *The Board of Finance shall provide
(a) 1416 such recommendation within 90 days of the request. The Legislative Council may grant up
(a) 1417 to an addition 90 days upon request. After said number of days,* the Council may act on the
(a) 1418 request without a recommendation from the Board of Finance.
- (a) 1419 (e) The Legislative Council shall have the power to make Special and Emergency
(a) 1420 Appropriations, in an amount not in excess of *\$1,500,000* for any one purpose during a
(a) 1421 fiscal year. Said amount shall be cumulative during the fiscal year as to all appropriations
(a) 1422 related to said purpose. The total of Special and Emergency Appropriations made by the
(a) 1423 Legislative Council for all purposes during a fiscal year shall not exceed an amount equal to
(a) 1424 one mil on the most recently completed Grand List.
- (a) 1425 (f) *The Legislative Council shall have the power to make Special Appropriations of any amount
(a) 1426 that are necessary to implement agreements reached through the process of collective
(a) 1427 bargaining.*
- (a) 1428 (g) The Legislative Council shall recommend to a Town referendum all Special and Emergency
(a) 1429 appropriations that equal or exceed the Legislative Council's authority.
- (a) 1430 (h) *The Board of Finance shall recommend* to the Legislative Council a method of financing the
(a) 1431 Special or Emergency Appropriation that shall be included by the Board of Selectmen in the
(a) 1432 warning of the referendum. *In the case of an Emergency Appropriation and the Board of
(a) 1433 Finance is unable to make such recommendation, the Finance Director shall make said
(a) 1434 recommendation.*
- (a) 1435 (i) *If a Special or Emergency appropriation is voted for a purpose requiring the expenditure or
(a) 1436 encumbrance of funds during a fiscal year for which an annual budget has been adopted but
(a) 1437 the tax has not yet been laid in accordance with Subsection 6-30(a) of this Charter, it may be
(a) 1438 financed by being included in the mil rate for said fiscal year.*

(a) 1439 **6-40 Grants or Other Financial Assistance**

- (a) 1440 (a) Grants and other forms of financial assistance, whether from the State of Connecticut, the
(a) 1441 United States or any other source, shall be subject to review for their financial impact on the
(a) 1442 Town. The Finance Director or the Town Department requesting a grant or other form of
(a) 1443 financial assistance shall submit a Financial Impact Statement to the Board of Finance and
(a) 1444 the Legislative Council that evaluates the impact of the commitments and the conditions
(a) 1445 required of the Town by the grant or financial assistance on present and future Town
(a) 1446 Budgets, Town Plans for Development and Capital Improvement Plans. **The Impact
(a) 1447 statement shall be submitted and reviewed before any action is taken that commits the
(a) 1448 Town to accept said grant or financial assistance.**

(a) 1449 **CHAPTER 7 FINANCIAL PROCESSES**

(a) 1450 **7-05 General Financial Process**

- (a) 1451 (a) The fiscal year of the Town shall begin on July 1st and end on June 30th.
(a) 1452 (b) The system of accounts used by the Town Departments shall be that prescribed by the
(a) 1453 General Statutes as supplemented by regulations adopted by the Board of Finance and
(a) 1454 approved by the Legislative Council and in accordance with generally accepted accounting
(a) 1455 principles. The accounting system shall include a separate account for each appropriation
(a) 1456 showing the amount of the appropriation, the amounts paid or transferred to it, the unpaid
(a) 1457 obligations against it and the unencumbered balance of the appropriation.
(a) 1458 (c) The Legislative Council, **with recommendation from the Board of Finance**, shall annually
(a) 1459 designate an independent, certified public accountant or firm to audit the books and
(a) 1460 accounts of the Town as required by the General Statutes. **Said annual audit shall be
(a) 1461 accepted by the Legislative Council with the recommendation of the Board of Finance.**
(a) 1462 (d) All Town Departments and officers shall report and remit all receipts to the Finance
(a) 1463 Director as often as he or she may deem desirable but not more often than daily.

(a) 1464 **7-10 Bonding**

- (a) 1465 (a) The Finance Director shall seek bids from at least 3 lending institutions for all borrowings
(a) 1466 and the net bid most favorable to the Town must be accepted unless the Finance Director
(a) 1467 believes that it is in the best interest of the Town to reject all such bids, in which case all
(a) 1468 such bids may be rejected. The Finance Director may negotiate refunding and restructuring
(a) 1469 of existing bonds when it is financially advantageous. The re-negotiation may be done
(a) 1470 without securing bids.
(a) 1471 (b) Every resolution for the issue of bonds shall provide for a tax levy for each year to meet all
(a) 1472 serial installments of principal and interest and such amounts shall be included in a tax levy
(a) 1473 for each year until said bond shall have been paid in full.

(a) 1474 **7-15 Disbursements/Purchases**

- (a) 1475 (a) The Board of Finance shall keep under review the budget of the Town and shall by
(a) 1476 regulation prescribe periodic reports of **receipts and** expenditures for which purpose said
(a) 1477 Board of Finance shall have access to the books and records of any such department.
(a) 1478 (b) The regulations adopted by the Board of Finance and approved by the Legislative Council
(a) 1479 shall also designate the forms and procedures for purchase orders to be drawn on the
(a) 1480 Finance Director by the Board of Education and the Board of Selectmen.

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- (c) Neither the Board of Selectmen nor the Board of Education shall draw any order upon the Town unless the Finance Director confirms that there are appropriations within the requesting Department to cover the request.
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- (1) Before any Town funds are expended or encumbered or any contract is entered into, a requisition or other form of expenditure authorization request shall be signed by the department head or other authorized person which then shall be submitted to the Finance Director for approval and issuance of a purchase order. Each order shall designate the object for and the account upon which it is drawn.
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- (2) The Board of Education may make transfers within its own budget and shall report transfers within its budget in writing monthly to the Finance Director.
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- (3) When funds appropriated to the office of the Finance Director are spent or encumbered, purchase orders there for shall be signed by the First Selectman.
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- (4) The Finance Director, or another member of the Purchasing Authority shall issue all Town purchase orders. Further, the purchasing procedures adopted by the Board of Finance and approved by the Legislative Council shall be followed.
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- (d) The Finance Director, in conjunction with the First Selectman, shall be the Purchasing Authority for the Town. All supplies and contracts for services needed by Town Departments other than the Board of Education shall be procured through the Purchasing Authority. Supplies and services needed by the Board of Education may be procured through the Purchasing Authority when feasible.
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- (e) No officer or Town Department shall expend or vote to incur any liability or expense by contract or otherwise, or enter into any contract that would obligate the Town to expend in excess of an approved departmental line item appropriation. For the purpose of this Charter, a line item means any expenditure for the current fiscal year to which the Board of Finance has assigned an appropriation account number. Any officer or member of a Town Department who, without authority from this Charter or the General Statutes, expends or causes to be expended any money of the Town, except in payment of final judgments rendered against the Town, shall be liable in a civil action in the name of the Town, as provided in the General Statutes.
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- (f) All sums not in excess of \$50,000 which may become due and payable to the Town or any of its departments by virtue of any loss or damage suffered by persons or property entrusted to the care, supervision or management of any such department shall be deposited in a special account and segregated by the Finance Director. Thereafter, the Finance Director shall use such sums so segregated to pay any bills incurred in the course of repairing or replacing such loss or damage by the Town Department in question, but such payments shall not exceed the lesser of the amount of money so deposited or the cost of repair or replacement. Any such money which is not so expended within one year from the date of its deposit shall cease to be segregated from the general fund of the Town, unless the Town Department that has incurred the loss or damage, notifies the Finance Director in writing before the expiration of said year that such repairs or replacements have been commenced or will be commenced within 90 days and will be completed on a date which will be specified in the aforesaid written notice, not to exceed 18 months.

- (a) 1523 **7-20 Transfers**
- (a) 1524 (a) During the first 335 days of any fiscal year:
 - (a) 1525 (1) The First Selectman and Finance Director may transfer unexpended and unencumbered
 - (a) 1526 balances of any appropriations within a department to another appropriation for the
 - (a) 1527 same department, which shall not exceed the sum of \$50,000.00. All transfers within a
 - (a) 1528 department that exceed the sum of \$50,000.00 shall require the approval of the Board
 - (a) 1529 of Finance.
 - (a) 1530 (2) Upon the request of the Board of Selectman, the Board of Finance may transfer any
 - (a) 1531 unencumbered appropriation, balance or portion thereof from one department to
 - (a) 1532 another, which shall not exceed the sum of \$200,000.00. When transfers between
 - (a) 1533 departments are proposed which exceed \$200,000.00, the proposed transfers require a
 - (a) 1534 recommendation by the Board of Finance and the approval of the Legislative Council.
 - (a) 1535 The Legislative Council shall not consider such proposed transfers unless accompanied
 - (a) 1536 by a recommendation from the Board of Finance or unless the Board of Finance shall
 - (a) 1537 have failed to make such a recommendation within fifteen (15) days after notification
 - (a) 1538 by the First Selectman of the action taken by the Board of Selectmen.
 - (a) 1539 (3) All appropriations or transfers from a contingency account require a recommendation
 - (a) 1540 by the Board of Finance and the approval of the Legislative Council.
 - (a) 1541 (b) After the first 335 days, upon request of the Finance Director, the Board of Finance shall
 - (a) 1542 have the power to transfer, without limitation, the unexpended and unencumbered
 - (a) 1543 balances of any appropriation for one department to an appropriation for another
 - (a) 1544 department with the approval of the Legislative Council.
 - (a) 1545 (c) Nothing contained in Section 7-15(f) of this Charter shall affect any appropriation contained
 - (a) 1546 in, or transfers within, the budget of the Board of Education.

(a) 1547 **7-25 Financial Impact Statements**

- (a) 1548 (a) The Legislative Council in its regulations shall designate the form of the Financial Impact
- (a) 1549 Statement.
- (a) 1550 (b) No Special Appropriation shall be made, no purchase, grant nor gift of real or tangible
- (a) 1551 personal property shall be accepted by any Town Department, including the Board of
- (a) 1552 Education, until the Board of Finance and Legislative Council have received and have had
- (a) 1553 sufficient time to give due consideration to a Financial Impact Statement.
- (a) 1554 (c) Financial Impact Statements shall be prepared by the Finance Director as set forth in
- (a) 1555 Subsection 4-05(c)(7).

(a) 1556 **CHAPTER 8 ACQUISITION OR DISPOSITION OF REAL PROPERTY**

(a) 1557 **8-01 General Provisions**

- (a) 1558 (a) The Town shall have all the powers set forth in the General Statutes and in this Charter to
- (a) 1559 acquire and dispose of real property.
- (a) 1560 (b) Use of the words "real property" shall be construed to include any definition thereof from
- (a) 1561 any source under Connecticut law and shall include, without limitation, any interest in real
- (a) 1562 property, except that where the interest in real property is a lease then Section 8-20 shall
- (a) 1563 control.

(a) 1564 **8-05 Acquisition of Real Property**

(a) 1565 (a) Prior to consideration of acquisition of real property by purchase or for the nonpayment of
(a) 1566 taxes, the Finance Director shall submit a Financial Impact Statement to the Board of
(a) 1567 Finance and the Legislative Council as provided in Section 7-25.

(a) 1568 (b) **The Town's acquisition of real property includes any of the following methods:**

(a) 1569 (1) **Required dedication to the Town for open space, highways or other purposes by the**
(a) 1570 **Planning and Zoning Commission in connection with approval of the subdivision of**
(a) 1571 **land;**

(a) 1572 (2) **Non-payment of taxes as provided for in the General Statutes, including without**
(a) 1573 **limitation by foreclosure, summary foreclosure or sale by the tax collector to the Town**
(a) 1574 **following a public auction which does not produce a bid in excess of the amount of tax,**
(a) 1575 **interest and fees due and owing on said parcel;**

(a) 1576 (3) **By purchase from the owner or by gift by the owner; and**

(a) 1577 (4) **By exercise of the Town's power of eminent domain.**

(a) 1578 (c) In acquiring real property the following procedure shall be used:

(a) 1579 (1) If the property proposed to be acquired is for purposes for which a mandatory referral
(a) 1580 is required by Section 8-24 of the General Statutes, said referral shall be made before
(a) 1581 any action is taken by the Legislative Council.

(a) 1582 (2) **The Legislative Council, subject to appropriations for the specific purpose and following**
(a) 1583 **the recommendation of the First Selectman with the approval of the Board of Selectmen,**
(a) 1584 **may authorize the purchase or acquisition, including without limitation the acceptance**
(a) 1585 **of gifts, with or without conditions, of real property for all Town purposes. Exceptions**
(a) 1586 **include:**

(a) 1587 (i) Real property acquired for non-payment of taxes,

(a) 1588 (ii) Real property required to be dedicated in connection with the subdivision of real
(a) 1589 property and

(a) 1590 (iii) Acquisition of real property for public highways and related purposes.

(a) 1591 (3) **Following a decision by the Legislative Council to acquire real property, the Board of**
(a) 1592 **Selectmen shall authorize an officer, board or commission to act on behalf of the Town**
(a) 1593 **in such acquisition.**

(a) 1594 (d) The Planning and Zoning Commission shall have the power to **accept on behalf of the Town**
(a) 1595 **all open spaces, parks, playgrounds, real property for the purpose of widening or**
(a) 1596 **realignment of existing public highways, conservation easements, conservation restrictions,**
(a) 1597 **and easements for drainage, slope or similar purposes that it requires to be provided by a**
(a) 1598 **subdivider as a condition of subdivision approval. The subdivision map showing said real**
(a) 1599 **property, restrictions and easements shall not be filed in the Town Clerk's office until all**
(a) 1600 **deeds, easements and restrictions have been properly executed, title is free and clear of all**
(a) 1601 **encumbrances, the town attorney has notified the Town Clerk that said deeds, easements**
(a) 1602 **and restrictions meet said conditions and accomplish the purposes for which they are**
(a) 1603 **required, and said deeds, easements and restrictions, except for a deed for the road which is**
(a) 1604 **to become a public highway, are recorded concurrently with filing the subdivision map.**
(a) 1605 Approval by the commission is not subject to any right of appeal. Title to real property shall
(a) 1606 be conveyed by warranty deed.

(a) 1607 **8-10 Sale or Disposition of Real Property Acquired for Non-Payment of Taxes**

- (a) 1608 (a) Real property acquired for non-payment of taxes shall be sold unless the Legislative Council
- (a) 1609 by a majority of at least seven (7) affirmative votes to retain said property for potential use.
- (a) 1610 (b) If the Legislative Council so votes there shall be a waiting period of 180 days after the vote
- (a) 1611 to permit the Legislative Council to make a final determination whether or not to retain said
- (a) 1612 real property. The Legislative Council may vote at any time to terminate the waiting period.
- (a) 1613 (c) Before making a final determination to retain said real property for a specific town purpose
- (a) 1614 the Legislative Council shall follow the same procedure set forth in Subsection 8-05(c)
- (a) 1615 above as if it were an acquisition of real property rather than a retention.
- (a) 1616 (d) Upon a vote to terminate the waiting period, or upon the expiration of the waiting period
- (a) 1617 without action by the Legislative Council to retain said real property, the First Selectman
- (a) 1618 shall sell said property, taking all steps required by Section 8-15 of this Charter.

(a) 1619 **8-15 Procedure for the Sale of Real Property**

(a) 1620 The Town shall take the following steps in order to sell or dispose of real property:

- (a) 1621 (a) The First Selectman, with the approval of the Board of Selectmen, and the Legislative
- (a) 1622 Council by a majority vote of its entire membership, may propose the sale, exchange or
- (a) 1623 other disposition of town-owned real property. Before any other action is taken on the
- (a) 1624 proposal, the Town shall have notice of the availability of said real property for sale warned
- (a) 1625 according to Subsection 1-25(b); and the property appraised by a licensed real property
- (a) 1626 appraiser who shall submit a written copy of the appraisal to the First Selectman and the
- (a) 1627 Legislative Council in confidence. If the proposal is to sell to, or exchange town-owned land
- (a) 1628 with, an adjacent property owner the impact of the acquisition of the town-owned land on
- (a) 1629 the value of the real property already owned by said owner shall be included in the
- (a) 1630 appraisal in addition to the value of the land being exchanged. If the town-owned property
- (a) 1631 being sold or exchanged is only part of a tract of contiguous land owned by the Town, the
- (a) 1632 appraisal shall also include the impact on the value of the remaining property. The appraisal
- (a) 1633 shall not be disclosed to any other person while negotiations are ongoing. The appraisal
- (a) 1634 shall be open for public inspection if the proposal becomes the subject of a hearing or
- (a) 1635 meeting open to the public.
- (a) 1636 (b) Should the Board of Selectman or the Legislative Council by a majority vote decide to
- (a) 1637 continue the process after receiving the appraisal, the proposal shall be circulated for
- (a) 1638 comment to all boards and commissions having an interest in the sale or disposition of the
- (a) 1639 real property in question, at a minimum the Planning and Zoning, Inland Wetlands, Parks
- (a) 1640 and Recreation, Conservation, and Economic Development Commissions.
- (a) 1641 (c) All dispositions of real property shall require approval of the Legislative Council. Prior to
- (a) 1642 said approval:
 - (a) 1643 (1) The Legislative Council shall have received a written report from all the boards and
 - (a) 1644 commissions which received a referral or after 35 days have passed from the date the
 - (a) 1645 referral was requested and;
 - (a) 1646 (2) The Planning and Zoning Commission shall hold a hearing on the proposal as required
 - (a) 1647 by Section 8-24 of the General Statutes;
 - (a) 1648 (3) The Legislative Council shall hold a hearing on the proposal as required by Section 7-
 - (a) 1649 163e of the General Statutes. Notice of such hearing shall be given by posting a notice in
 - (a) 1650 the Town Clerk's office and on the town website, and on a sign located on the property,

- (a) 1651 at least 15 days prior to the date of the public hearing, and noticed twice according to
(a) 1652 Subsection 1-25(b), the first not more than 15 nor less than 10 days prior to the date of
(a) 1653 the public hearing, and the second not less than 2 days after the first publication and not
(a) 1654 less than 2 days prior to the hearing.
- (a) 1655 (d) Upon meeting said requirements of Subsection 8-15(c), the Legislative Council may vote to
(a) 1656 sell or otherwise dispose of said real property by the requisite number of votes, with or
(a) 1657 without conditions. This vote must include a finding that:
- (a) 1658 (1) The real property in question is excess land not needed for municipal purposes now or
(a) 1659 in the foreseeable future, or
- (a) 1660 (2) The sale or disposition of the town-owned real property is for the purpose of facilitating
(a) 1661 acquisition of improved or unimproved real property for a project already funded which
(a) 1662 is more suited to accomplishing said project than the real property already owned, or
- (a) 1663 (3) In exceptional circumstance fully described in its action, the Legislative Council may
(a) 1664 recommend the sale or disposition of said property to the Board of Selectmen having
(a) 1665 considered factors other than obtaining the highest price, such as considering the
(a) 1666 buyer's binding commitment to use the property for a specific purpose deemed
(a) 1667 beneficial to the town.
- (a) 1668 If the Legislative Council votes to sell or otherwise dispose of said real property, the First
(a) 1669 Selectman is authorized to take all steps necessary to carry out the sale or other disposition
(a) 1670 in accordance with the procedure set forth herein.
- (a) 1671 (e) Where the Legislative Council votes to sell or otherwise dispose of real property having an
(a) 1672 appraised value of \$1,500,000 or more said action shall require approval of a referendum.
- (a) 1673 (f) The First Selectman, with the approval of the Board of Selectmen, shall determine whether a
(a) 1674 sale by public auction or a private sale, with or without listing the property for sale with a
(a) 1675 real estate broker, is in the best interest of the Town.
- (a) 1676 (g) If the decision is made to sell the real property at public auction such sale, including the
(a) 1677 terms thereof, shall be noticed twice according to Subsection 1-25(b), with the first such
(a) 1678 notice at least 30 days prior to the auction date and the last not more than 15 days prior to
(a) 1679 the auction date.
- (a) 1680 (1) The successful bidder at the auction shall submit a deposit of ten percent (10%) of the
(a) 1681 successful bid immediately after the auction is ended, with the balance due within 30
(a) 1682 days of the close of the auction, which date may be extended for up to an additional 30
(a) 1683 days by the Board of Selectmen. If the successful bidder at auction is unable to make
(a) 1684 such ten percent (10%) deposit immediately upon acceptance of his bid, said bidder and
(a) 1685 his/her agent shall be disqualified from future bidding at any re-auction of said real
(a) 1686 property. If said deposit is made but the successful bidder does not close within said
(a) 1687 time limits for any reason, time being of the essence, said deposit shall be retained by
(a) 1688 the Town as liquidated damages, and the Town shall be free to start the sale process
(a) 1689 again.
- (a) 1690 (2) All other terms under which the sale is conducted shall be determined by the First
(a) 1691 Selectman with the concurrence of the auctioneer.
- (a) 1692 (h) If the decision is made to sell the real property by private sale, the price and terms of the
(a) 1693 contract of sale, subject to the terms of this subsection, shall be established by the First
(a) 1694 Selectman with the approval of the Board of Selectmen and confirmed by an affirmative
(a) 1695 vote of at least eight (8) members of the Legislative Council. In setting the price the First

(a) 1696 Selectman shall consider the appraisal required by Subsection 8-15(a). Any such contract of
(a) 1697 sale shall contain a provision to the effect that if the buyer fails to close on the date set for
(a) 1698 closing in the contract (or as extended by agreement between the Town and the buyer) the
(a) 1699 Legislative Council may declare the contract terminated if not closed by a date certain, not
(a) 1700 more than 14 days from the date of the vote, time being of the essence. If the buyer fails to
(a) 1701 close by said "time of the essence" date the buyer shall be in breach of the contract and any
(a) 1702 deposit paid shall be retained by the Town as liquidated damages.

(a) 1703 (i) The requirements of Subsections 8-15(a) through (h) inclusive shall not apply to private
(a) 1704 sales of town-owned land where a written appraisal by an appraiser certified or licensed by
(a) 1705 the State of Connecticut has been obtained and neither the value of the property being sold
(a) 1706 or transferred nor the benefit to the purchaser exceeds \$20,000.00.

(a) 1707 (j) If the transfer of town-owned real property provides consideration, in whole or in part, for
(a) 1708 the acquisition of other real property, said transfer is an in-kind payment, and the value
(a) 1709 thereof must be included for purposes of making an appropriation as if it were a cash
(a) 1710 payment.

(a) 1711 **8-20 Leasing of Real Property**

(a) 1712 (a) All leases shall be negotiated by the First Selectman, with the final, written version subject
(a) 1713 to approval by the Board of Selectmen. The proposed lease shall be executed by the First
(a) 1714 Selectman and the tenant or the landlord, as the case may be, conditioned on the actions set
(a) 1715 forth in Subsections 8-20(c) and (d) taking place.

(a) 1716 (b) Before negotiations are undertaken, the First Selectman shall obtain a written opinion by a
(a) 1717 licensed real estate appraiser of the fair market rent for the real property in question for the
(a) 1718 proposed term and a financial impact statement from the Finance Director. The opinion of
(a) 1719 fair market rent shall be confidential. Where the term of the proposed lease and all options
(a) 1720 to renew is for 5 years or less, it shall be optional with the First Selectman whether or not to
(a) 1721 obtain an opinion of fair market rent.

(a) 1722 (c) If the Board of Selectmen vote to approve the proposed lease, an outline of the lease
(a) 1723 including, without limitation, the rent and term, including all options, shall be circulated to
(a) 1724 the boards and commissions listed in section 8-15(b) for comment. Where the proposed
(a) 1725 lease is of town-owned real property, and following receipt of said comments or after 35
(a) 1726 days without receiving comments, a public hearing on said proposed lease shall be held by
(a) 1727 the Planning and Zoning Commission pursuant to Section 8-24 of the General Statutes, and
(a) 1728 by the Legislative Council pursuant to Section 7-163e of the General Statutes.

(a) 1729 (d) If the Planning and Zoning Commission approves the lease following the Section 8-24
(a) 1730 hearing and the term of the proposed lease, including all options to renew, is for 5 years or
(a) 1731 less, the Legislative Council may vote to reject the proposed lease if it acts within 20 days of
(a) 1732 the close of the later of the two public hearings; otherwise the proposed lease shall take
(a) 1733 effect as written. An affirmative vote of the Legislative Council to enter into the proposed
(a) 1734 lease is required if the term of the proposed lease, including all options to renew, is for
(a) 1735 more than 5 years unless the Planning and Zoning Commission votes to disapprove the
(a) 1736 lease following the Section 8-24 hearing. If disapproved by the Planning and Zoning
(a) 1737 Commission, any such lease shall require the approval of two-thirds of the entire
(a) 1738 membership of the Legislative Council.

(a) 1739 (e) The power to enter into leases of space in the Edmond Town Hall is governed by Special Act
(a) 1740 98 of the 1931 session of the Connecticut General Assembly.

CHAPTER 9 ETHICS COMPLAINTS AND ADVISORY OPINIONS

9-05 Code of Ethics

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- (a) The Code of Ethics shall guard against improper influence or the appearance of improper influence to better ensure public trust in the government. To that end, the Code of Ethics shall set standards on the conduct of all Town officials and employees as necessary or appropriate to prevent a conflict of interest or the appearance of a conflict.
- (b) The Code of Ethics is an ordinance which can be amended in accordance with the procedures for amending ordinances except that the Board of Ethics, without a petition, may propose amendments. In the event that an amendment is so proposed, the Legislative Council shall have 60 days to approve, modify or reject said amendment.
- (c) The Board of Ethics shall be charged with the administration of the Code of Ethics. The Board shall adopt and may amend reasonable rules and regulations for the administration of its proceedings. Prior to adopting or amending said rules and regulations, the Board shall hold a public hearing. Notice of the date, time and place of the public hearing, together with the text of the proposed amendment, shall be warned according to Subsection 1-25(b) not less than 10 days before the date of said hearing. All such rules and regulations, as currently amended, shall be made available at the office of the Town Clerk to any Resident Elector of the Town.
- (d) Whenever an officer, official, or employee of the Town is contemplating taking an action or participating in any proceeding and has any question concerning the conformity of that action or participation with the Code of Ethics, the officer, official or employee shall have the right to seek an advisory opinion of the Board. Such request must be submitted in writing and the resulting advisory opinion from the Board shall be in writing.

9-10 Procedure for Complaints

- (a) The Board of Ethics shall receive complaints of any violations of the Code of Ethics and shall, upon receipt of such complaints, investigate the same and may hold private investigations thereon if, in the opinion of the majority of the Board, said complaint warrants an investigation. Any complaint received by the Board must be in writing and signed by the individual making said complaint. Complaints made to the Board of Ethics shall not be made public unless and until the complaint is found to warrant a hearing. Upon receiving any complaint, the Board shall privately notify in writing the person against who said complaint has been filed, advising the concerned party of the specific nature of the complaint made and being investigated by the Board and the name of the complainant. Upon receipt of said notice from the Board, the party so notified that a complaint has been filed against him/her shall have the right to request a full hearing by the Board. In the event the Board decides that a hearing is required, or the person whose conduct is being called into question requests a hearing, said hearing shall afford the person whose conduct is called into question the right to cross-examine witnesses, to meet and answer the complaint, and to present evidence. No hearing may be conducted with fewer than 4 members of the Board in attendance.
- (b) In the event the Board shall receive complaints against any officer, official or employee of the Town, the investigation and disposition of which have been delegated to other boards or commissions created by the Charter or under the General Statutes, then the Board shall forward the complaint received to the appropriate board or commission. The board or commission to which such complaints are forwarded shall thereafter notify the Board of the disposition made of said complaint.

- (a) 1787 (c) The Board shall report to the Board of Selectmen its finding as to whether or not a violation
- (a) 1788 of the Code of Ethics has occurred, together with recommendation as to dispositions to be
- (a) 1789 made. The First Selectman with the approval of the Board of Selectmen shall thereupon take
- (a) 1790 such action as it may deem appropriate including, but not limited to, removal from office,
- (a) 1791 suspension or censure of the person(s) who is the subject of the complaint or dismissal of
- (a) 1792 the charges, except that elected officials may not be removed or suspended from office.
- (a) 1793 (d) All opinions, finding and recommendations of the Board, whether advisory or at the request
- (a) 1794 of a complainant, shall be kept on file in the office of the Town Clerk.
- (a) 1795 (e) The Legislative Council, by regulation, may prescribe procedures permitting the
- (a) 1796 reimbursement by the Town of any reasonable **out-of-pocket expenses** and attorney's fees
- (a) 1797 incurred in connection with an appearance before the Board of Ethics by an officer, official
- (a) 1798 or employee of the Town.

CHAPTER 10 TRANSITION AND MISCELLANEOUS

10-01 Effective Date

- (a) 1800 (a) As originally adopted this Charter was effective at 12:01 A.M. October 9, 1961.

10-02 Amendment of the Charter

- (a) 1801 (a) This Charter may only be amended in the manner prescribed by the General Statutes.
- (a) 1802 (b) Within 5 years after submission of the report of the most recent Charter Revision
- (a) 1803 Commission, the Legislative Council shall appoint a Charter Revision Commission to review
- (a) 1804 the Charter and any recommendations made by the Legislative Council.
- (a) 1805
- (a) 1806

10-03 Schedules of Superseded Acts

- (a) 1807 (c) The following special acts shall have no force or effect after the effective date of this
- (a) 1808 Charter:
- (a) 1809

Volume and Page of Special Acts

(a) 1810	Board of Finance	Act of April 26, 1917 XVII 940
(a) 1811	Certain Action with respect to organization	
(a) 1812	Validated	Act of March 15, 1943 XXIV 15
(a) 1813	Amendment Authorized	Act of March 25, 1943 XXIV 45
(a) 1814	Amendment Authorized	Act of July 8, 1943 XXIV 359
(a) 1815	As amended	Act of May 22, 1957 XXVIII 413
(a) 1816	Biennial Town Elections	Act of April 21, 1943 XXIV 91
(a) 1817	Police and Fire Departments	Act of March 31, 1943 XXIV 57
(a) 1818	Small Claims Court	Act of April 21, 1943 XXIV 98
(a) 1819	Regional School Districts	Act of December 21, 1949 XXIV 13
(a) 1820	Enactment of Ordinance	Act of April 25, 1957 XXVIII 139
(a) 1821		

(a) 1822 **10-04 Savings Clause**

- (a) 1823 (a) If any section, subsection, sentence, phrase, clause or word of this Charter shall be held
- (a) 1824 invalid by a Court of competent jurisdiction, such holding shall not affect the remainder of
- (a) 1825 this Charter, except to the extent that some other word, clause, phrase, sentence, subsection
- (a) 1826 or section may be inseparably connected in meaning and effect with the section, subsection,
- (a) 1827 sentence, phrase, clause or word to which such holding shall directly apply.

- (a) 1828 (b) Any reference to the General Statutes means as said Statutes may be amended from time to
- (a) 1829 time.

DRAFT REPORT