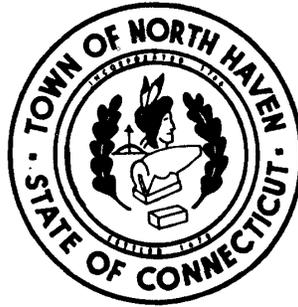


**CHARTER**  
OF THE  
**TOWN OF NORTH HAVEN**  
**CONNECTICUT**





**CHARTER**  
OF THE  
**TOWN OF NORTH HAVEN**  
**CONNECTICUT**

Approved November 4, 1980

Effective January 1, 1981

**NORTH HAVEN CHARTER COMMISSION**

Jean Nelbach, Chairman  
Ruth Ostfeld, Secretary  
Howard Luppi  
Richard Parrett  
Joseph Pellegrino

CHARTER OF THE TOWN OF NORTH HAVEN, CONNECTICUT

TOWN OF NORTH HAVEN

CHARTER

IN ORDER TO provide for the administration of its local affairs,  
and acting pursuant to the Home Rule Law of the State of Connecticut,  
THE TOWN OF NORTH HAVEN, incorporated by Act of the State of  
Connecticut in 1786

adopts this CHARTER:



## TABLE OF CONTENTS

CHAPTER IV.	THE BOARD OF SELECTMEN	15
	Section 401 Composition	15
	Section 402 General Powers and Duties	15
	Section 403 Appointments	15
	Section 404 Organization	15
	Section 405 Procedure	16
	Section 406 Purchase or Sale of Real or Personal Property/Services: Public Bids	16
	Section 407 Removal from Office	17
CHAPTER V.	THE FIRST SELECTMAN	19
	Section 501 General	19
	Section 502 Powers and Duties	19
	Section 503 Vacancies in the Office of First Selectman	20
CHAPTER VI.	APPOINTED PERSONNEL, BOARDS, COMMISSION AND SIMILAR BODIES	21
	Section 601 Appointments	21
	Section 602 Appointive Boards and Commissions	21
	Section 603 Town Attorney	22
	Section 604 Assessor	22
	Section 605 Building Board of Appeals	22
	Section 606 Sewer Commission	23
	Section 607 Other Appointive Officials	23

## TABLE OF CONTENTS

CHAPTER VII.	FINANCE AND TAXATION	24
	Section 701 General Powers of Board of Finance	24
	Section 702 Fiscal Year and Tax Due Dates	24
	Section 703 Budget Preparation	24
	Section 704 Duties of the Board of Finance on Budget	25
	Section 705 Public Hearing on Proposed Budget	26
	Section 706 Annual Budget Town Meeting	26
	Section 707 Expenditures and Accounting	27
	Section 708 Annual Audit	29
	Section 709 Borrowing	29
	Section 710 Assessment	29
CHAPTER VIII.	TOWN EMPLOYEES	31
	Section 801 General	31
CHAPTER IX.	THE TOWN MEETING	32
	Section 901 Legislative Powers	32
	Section 902 Members Entitled to Vote at Town Meetings	32
	Section 903 Special Town Meetings	33
	Section 904 Notice, Organization and Procedure	33
CHAPTER X.	CODE OF ETHICS	35
	Section 1001 General	35
CHAPTER XI.	MISCELLANEOUS PROVISIONS	36
	Section 1101 Computation of Time	36
	Section 1102 Amendment	36
	Section 1103 Rules of Construction and Saving Clause	36
	Section 1104 Effective Date	37

CHAPTER I

CHAPTER I

INCORPORATION AND GENERAL POWERS

Section 101 Incorporation and General Powers

All the inhabitants dwelling within the territorial limits of the town of North Haven, as heretofore, constituted, shall continue to be a body politic and corporate under the name of “The Town of North Haven”, hereinafter in this Charter called “the Town”, and as such shall have perpetual succession and may hold and exercise all powers and privileges heretofore exercised by the Town and not inconsistent with the provisions of the Charter, the additional powers and privileges herein conferred, and all powers and privileges conferred upon towns under the General Statutes of the State of Connecticut.

Section 102 Rights and Obligations

All property, both real and personal, all rights of action and rights of every description and all securities and liens vested or inchoate, whether accrued or not, in the Town as of the date when this Charter shall take effect are continued in the Town and the Town shall continue to be liable for all debts and obligations of every kind for which the Town shall be liable on said date. Nothing herein shall be construed to affect the right of the Town to collect any assessment, charge, debt, or lien. If any contract has been entered into by the Town prior to the effective date of this Charter or any bond or undertaking has been given by or in favor of the Town which contains provisions that the same may be enforced by any Office or Agency therein named, which is hereby abolished, such contracts, bonds, or undertakings shall be in no manner impaired but shall continue in full force and effect and the powers conferred and the duties imposed

CHAPTER I - Section 102 (continued)

with reference to the same upon any such Office or agency shall, except as otherwise provided in this Chapter, thereafter be exercised and discharged by the Town Meeting.

Section 103 General Grant of Powers

In addition to all powers granted to the towns under the Constitution and General Statutes, the Town shall have all powers specifically granted by this Charter and all powers fairly implied in or incident to the powers specifically granted by this Charter. The Town shall also have all other powers incident to the management of the property, government and affairs of the Town, including the power to enter into contracts with the United States, any Federal Agency, and the State of Connecticut or any political subdivision thereof.

Section 104 Effect of Charter

This Charter is the organic law of the Town of North Haven providing for the administration of its local affairs.

CHAPTER II

CHAPTER II

ELECTIONS

Section 201 General

There shall be general town elections on the first Tuesday after the first Monday in November in odd numbered years.

A. At such general town elections, the following shall be elected:

1. A Board of Selectmen, consisting of a First Selectman and two (2) additional members, not more than one (1) of which additional member shall be from any one political party; a Town Clerk/Tax Collector, and a Town Treasurer. Officers in this subsection shall be elected each for a term of two (2) years.
2. Three (3) members of the Board of Education who shall be elected for six (6) year terms, not more than two (2) of whom shall be from any one political party.
3. Three (3) members of the Board of Finance who shall be elected for four (4) year terms, not more than two (2) of whom shall be from any one political party.
4. In 1981 and quadrennially thereafter, three (3) members of the Zoning Board of Appeals who shall be elected for four (4) year terms, not more than two (2) of whom shall be from any one political party.  
  
In 1983 and quadrennially thereafter, two (2) members of the Zoning Board of Appeals and three (3) alternate members of the Zoning Board of Appeals who shall be elected for four (4) year terms, not more than one of the regular members and two (2) of the alternate members shall be from any one political party.

CHAPTER II , Section 201 A. (continued)

5. In 1981 and quadrennially thereafter, two (2) members of the planning and Zoning Commission and three (3) alternate members of the Planning and Zoning Commission who shall be elected for four (4) year terms, not more than one (1) of the regular members and two (2) of the alternates shall be from any one political party.  
  
In 1983 and quadrennially thereafter, three (3) members of the Planning and Zoning Commission who shall be elected for four (4) year terms not more than two (2) of whom shall be from any one political party.
6. In 1981 and quadrennially thereafter, two (2) members of the Board of Tax Review shall be elected for four (4) year terms, not more than one (1) of whom shall be from any one political party.  
  
1983 and quadrennially thereafter, three (3) members of the Board of Tax Review who shall be elected for four (4) year terms, not more than two (2) of whom shall be from any one political party.
7. In 1981 and quadrennially thereafter, three (3) members of the Board of Police Commissioners who shall be elected for four (4) year terms, not more than two (2) of whom shall be from any one political party.  
  
In 1983 and quadrennially thereafter, two (2) members of the Board of Police Commissioners who shall be elected for four (4) year terms, not more than one (1) of whom shall be from any one political party.
8. In 1981 and quadrennially thereafter, three (3) members of the Board of Fire Commissioners who shall be elected

CHAPTER II, Section 201 A.8. (continued)

for four (4) year terms, not more than two (2) of whom shall be from any one political party. In 1983 and quadrennially thereafter, two (2) members of the Board of Fire Commissioners who shall be elected for four (4) year terms, not more than (1) of whom shall be from one political party.

- B. The terms of all elective officers shall commence on the first business day in December, following a general town election. All elective officers shall hold office until their successors are elected and qualified.

Section 202 Eligibility

No person shall be eligible for election or for appointment to any Town office who is not at the time of the election at which the person is a candidate or at the time of such appointment a qualified resident voter of the Town, and any person ceasing to be a qualified resident voter of the Town shall thereupon cease to hold elective or appointive office in the Town, and such office, shall, at the time, be deemed to be vacant provided, however, that with reference to the appointment of a full time assessor as set forth herein, the qualifications to be adopted by Town ordinance may waive or modify such resident or voter qualifications.

Section 203 Minority Representation

When three (3) members of a Board or Commission are to be elected or appointed for a term of years specified by this Charter, not more than two (2) shall be elected or appointed from any one political party. When two (2) or four (4) members of a Board or Commission are to be elected or appointed for a term of years specified by this Charter, not more than one-half (1/2) shall be elected or appointed from any one political party.

Section 204 Breaking a Tie Vote

When, as the result of any general town election under the provisions of this Charter, it is necessary to break a tie, the procedure set forth in the Connecticut General Statutes shall be followed.

Section 205 Vacancies in Elective Offices

- A. Any vacancy in any elective Town office, other than a member of the Board of Selectmen, from whatever cause arising, shall be filled within sixty (60) days by appointment by a majority vote of the Board of Selectmen, provided:
1. No appointments to fill vacancies in elective offices shall be made in the forty (40) days prior to the first Monday in December following a general town election, provided further, nothing in this Charter shall prevent the Board of Selectmen from appointing interim officials to serve the first Monday in December.
  2. In the event of absence or disability or vacancy in the office of Tax Collector or Town Treasurer, the Board of Finance may appoint one of its members Acting Tax Collector or Acting Town Treasurer to serve until the Board of Selectman has made an appointment to the office.
  3. If there is a general town election before the expiration of the term of office of any such person appointed to an elective office under this Section, such office shall be filled by the election of a person for the unexpired portion of the term, otherwise appointments to fill vacancies shall be for the unexpired portion of the term.
- B. Any person appointed to fill a vacancy in an elective office, other than a member of the Board of Selectmen, shall be a

CHAPTER II, Section 205 B. (continued)

member of the same political party, if any, as that in which the vacating member was registered. Any person appointed to fill a vacancy in any appointive office shall be of such political party as will not create a violation of the Minority Representation provisions of the Connecticut General Statutes.

- C. Vacancies in the Board of Selectmen except for the office of First Selectman shall be filled in the manner prescribed in the Connecticut General Statutes.

Section 206 Voting Districts

There shall be such voting districts as from time to time may be created by ordinances.

ELECTED OFFICERS, BOARDS AND COMMISSIONS

Section 301 General Powers and Duties

- A. Except as otherwise provided in this Charter, all elective and appointive town officers (which term “officers” shall include for the purposes of this Charter all board and commission members) shall have the powers and duties prescribed by law. Remuneration, if any, of elective or appointive town officers or clerks of Boards or Commissions, shall be set by the annual town budget or by ordinance, provided that remuneration of any elective or appointive town officer shall not be diminished during his term of office.
- B. Every elective or appointive Board or Commission (except the Board of Selectmen) shall elect from its membership a Chairman, a Vice-Chairman, and a Clerk or Secretary. These officers shall be elected at meetings to be called by the First Selectman and to be held biennially after a general town election, in the month of December for each elective Board and Commission and in the month of January for each appointive Board and Commission.
- C. Any rule or regulation passed by a Board or Commission created under this Charter or passed under ordinance after the effective date of this Charter, shall within ten (10) days of the adoption of the rule or regulation be filed by the Clerk or Secretary of the Board or Commission with the Town Clerk as public record. Any rule or regulation passed by a Board or Commission prior to the effective date of this Charter shall within sixty (60) days after the effective date of this Charter be filed by the Clerk or Secretary of the Board Commission with the Town Clerk as a public record.

CHAPTER III, Section 301 (continued)

- D. Unless a Board or Commission has adopted a rule or regulation to the contrary, or unless the General Statutes provide to the contrary, a quorum for the transaction of business for any Board or Commission shall be three (3) members on a five (5) member Board or Commission, four (4) members on a six (6) or seven (7) member Board or Commission, and five (5) members on a nine (9) member Board or Commission.

Section 302 Elected Town Officers, Boards and Commissions

- A. Town Treasurer
1. The Town Treasurer shall have the powers, duties and responsibilities and exercise the functions of the office of Agent of the Town Deposit Fund prescribed for such office by the Connecticut General Statutes.
  2. The Town Treasurer is authorized for proper consideration to execute in the name of the Town releases or assignments of encumbrances made to or held by the Town and affix the Town seal to them, the consideration received to be paid into the general fund of the Town.
  3. The Town Treasurer shall have the powers, duties and responsibilities set forth in the Connecticut General Statutes as may be applicable.
- B. Town Clerk/Tax Collector, as a single position, shall have the powers of both Town Clerk and Tax Collector and the duties and responsibilities set forth in the Connecticut General Statutes.
- C. There shall be a Planning and Zoning Commission consisting of five (5) members and three (3) alternates, each of whom shall be elected for four (4) year terms. The Commissioners shall exercise the powers and duties granted such bodies

CHAPTER III, Section 302 C. (continued)

under the Connecticut General Statutes and applicable ordinances.

- D. There shall be a Zoning Board of Appeals, consisting of five (5) members and three (3) alternate members, each of whom shall be elected for four (4) year terms. The Board shall exercise the powers and duties granted such body under the Connecticut General Statutes and under applicable ordinances.
- E. There shall be a Board of Police Commissioners consisting of five (5) members, each of whom shall be elected for four (4) year terms. The Board of Police Commissioners shall have the powers, duties and responsibilities and shall be subject to the restrictions and limitations specified in the Connecticut General Statutes with respect to boards of police commissioners as the same may, from time to time, be amended.
- F. There shall be a Board of Fire Commissioners consisting of five (5) members, each of whom shall be elected for four (4) year terms. The Board of Fire Commissioners shall have the powers, duties and responsibilities and shall be subject to the restrictions and limitations specified in the Connecticut General Statutes with respect to boards of fire commissioners or as may be deemed appropriate to such boards.
- G. There shall be a Board of Tax Review consisting of five (5) members, each of whom shall be elected for four (4) year terms. The Board of Tax Review shall meet as prescribed by Connecticut General Statutes to carry on such duties as imposed upon it by such Statutes.

- H. There shall be a Board of Education consisting of nine (9) members, each of whom shall be elected for six (6) year terms  
The Board of Education shall have the powers, duties and responsibilities as provided in accordance with the Connecticut General Statutes.
- I. There shall be a Board of Finance consisting of six (6) members, each of whom shall be elected for four (4) year terms. The Board of Finance shall exercise the powers and duties granted to such Board under Connecticut General Statutes and this Charter.

Section 303 Elected State Officers

- A. There shall be as many Justices of the Peace as permitted by the Connecticut General Statutes and established by ordinance so long as no more than one half (1/2) of said Justices of the Peace shall be from any one political party.  
The Justices of the peace shall be nominated by their respective parties and considered elected unless there is a challenge in which case the primary is the election.
- B. There shall be two (2) Registrars of Voters, one for each major political party. The Registrars of Voters shall be nominated by their respective parties and considered elected unless there is a challenge in which case the primary is the election.
- C. There shall be six (6) Constables, not more than three (3) of whom shall be from any one political party. The Constables shall be nominated by their respective parties and considered elected unless there is a challenge in which case the primary is the election.

CHAPTER IV

CHAPTER IV

BOARD OF SELECTMAN

Section 401 Composition

The Board of Selectmen shall consist of three (3) members, a First Selectman and two (2) members of the Board of Selectmen as specified in Chapter II Section 201 A.1. of this Charter.

Section 402 General Powers and Duties

Except to the extent otherwise specifically provided in the Charter, the Board of Selectmen shall have all powers, duties, and responsibilities heretofore or hereafter conferred upon Boards of Selectmen by any General Statute or applicable Special Act.

Section 403 Appointments

The Board of Selectmen elected at a general town election in November shall appoint all appointive officers who take office in January and February following that general town election. The Board of Selectmen shall fill unexpired terms for all vacancies that may exist on all appointive Boards, Commissions and for any officials, and shall fill all vacancies on elective Boards and Commissions until the next regular Town Election as provided in Section 205 B. above, except a vacancy in the office of First Selectman.

Section 404 Organization

Two (2) members of the Board of Selectmen shall constitute a quorum for transaction of business. Two (2) votes shall be necessary to constitute a majority vote of the Board of Selectmen. Any motion made by a selectman shall not require a second. The Board of Selectmen shall elect a secretary from its members in the month of December following a general town election.

CHAPTER IV (continued)

Section 405 Procedure

- A. The Board of Selectmen shall meet at the call of the First Selectman or at the call of both the two (2) additional members of the Board of Selectmen, acting together, at such time and place as is stated in the call to transact such business as shall be before it.
- B. The Board of Selectmen may require such information from, or joint meetings with, any town officers or agencies as it may find necessary to carry out the duties and responsibilities placed upon it.
- C. The Board of Selectmen shall prepare and publish the Annual Town report. The Board of finance shall certify that financial records in the report are accurate.

Section 406 Purchase or Sale of Real or Personal Property/Services:  
Public Bids

- A. Contracts for the purchases of personal property or for services, except the services of attorneys at law, certified public accountants, licensed engineers, architects, physicians and dentists, for the Town and/or Board of Education shall, if in excess of the amount of \$1000.00, or in any amount in excess thereof which may be increased or decreased by ordinance, be let by public bid by the First Selectman, or the Board of Education, as the case may be.
- B. The Board of Selectmen, shall have the power to purchase real property for the benefit of the Town and to establish the purchase price and other terms and conditions of said purchase by a mortgage deed and note provided, however, that any funds necessary for such purchase shall have been duly appropriated.

- C. The Board of Selectmen shall have the power, subject to Connecticut General Statutes, to sell and convey real or personal property of the Town and to establish the selling price and other terms and conditions of such sale, including the right to accept or give mortgages relating to such purchase or selling price, provided, however, that the sale of any public building of the Town or land dedicated for park or recreational purposes can be sold only after approved by a Town Meeting, the notice of which shall include a legal description of the property or parcel of land to be sold. Written appraisals may be obtained when deemed advisable by the Board of Selectmen.

Section 407 Removal from Office

- A. Whenever any member of the board of Selectmen has reasonable grounds for believing that any elected or appointed officer of the Town is corrupt, incompetent or unfaithful to the duties of his office, or that the requirements of public service demand his removal, the board of Selectmen shall summon said officer to appear before it at a time and place specified in said summons then and there in a public hearing to show cause why he should not be removed from office. Said summons shall contain a detailed written statement of the charges against the officer, and shall be addressed to any sheriff, deputy sheriff, or constable authorized to serve legal process in the Town, with a direction to make personal service of the same upon the summoned officer at least ten (10) days before the time affixed for said hearing. If, after full hearing, the Board of Selectmen by majority vote shall find that the officer in question is corrupt, incompetent, or unfaithful to the duties of his office, or that the requirements of the

public service demand his removal, the First Selectman shall remove such person from office, and shall forthwith file a written order of such removal with the Town Clerk.

- B. Any officer removed from his office by the first Selectman as herein provided may appeal from the order removing him to the appropriate Court, which appeal shall be made returnable to said court not less than fifteen (15) and not more than thirty (30) days from the date of the order of removal and shall be served upon the First Selectman at least five (5) days before the return day thereof. Said court upon return of said appeal shall forthwith fix a time for a hearing thereon at which it shall determine whether the Board of Selectmen has acted arbitrarily, illegally, or so unreasonably as to have abused its discretion, and upon such determination shall award reasonable attorney's fees. No officer or board member removed by the First Selectman shall exercise any of the duties or powers of his office during the pendency of an appeal from the order removing him.
- C. If any person is removed for cause in accordance with this Section, this salary shall terminate insofar as future payments are concerned, he being allowed to retain such salary as has already received.
- D. Nothing in this Section shall prevent an interim appointment by the Board of Selectmen to fill the vacancy created by a removal, provided that the salary for the person appointed to fill the vacancy shall be at a rate not greater than that previously paid to the office holder.

CHAPTER V

CHAPTER V

THE FIRST SELECTMAN

Section 501 General

The first Selectman shall preside over all meetings of the Board of Selectmen and shall be recognized as the official head of the Town for all ceremonial purposes, for military purposes and for the purpose of receiving civil process. The First Selectman shall be the chief executive officer of the Town.

Section 502 Powers and Duties

- A. In addition to the powers and duties prescribed by the Connecticut General Statutes, the First Selectman shall administer all the offices and agencies in charge of persons appointed by the Board of Selectmen and shall supervise and direct the same.
- B. The First selectman shall be responsible for all purchasing done in the name of the town, except for purchases of the Board of Education and the Probate Court.
- C. The First Selectman shall keep full and complete records of the doings of his office and make periodic reports to the Board of Selectmen and the Board of Finance, to keep or cause to be kept complete books of account showing the financial condition and the financial transactions of the Town and to exercise such other powers and duties as may be imposed upon him by the Board of Selectmen and the Town Meeting.
- D. The First Selectman shall be an ex officio member of all Boards and Commissions with vote only in the board of Selectmen, the Board of Finance, the Police Retirement Board and the Sewer Commission.

## CHAPTER V

### Section 503 Vacancies in the Office of First Selectman

- A. During the absence or disability of the First Selectman, the selectman of the same political party as that of the First Selectman shall preside at board meetings and carry out all of the duties of the First Selectman. In the event that such selectman is incapable or refuses to serve as such First Selectman, then an Acting First Selectman shall be chosen by majority vote of the Town Treasurer, the Chairman of the Board of Finance, and the remaining members of the Board of Selectmen. In the event that there is no selectman of the same political party as the absent or disabled First Selectman, an Acting First Selectman shall be chosen by majority vote of the Town Treasurer, the Chairman of the Board of Finance and the selectman receiving the highest number of votes at the last general town election.
- B. Any temporary reduction in the number of members of the Board of Selectmen created by the absence or disability of the First Selectman shall be filled by majority vote of the Town Treasurer, the Chairman of the Board of Finance and the Acting First Selectman. Temporary members of the Board of Selectman so chosen shall remain members until the return of the First Selectman, until a vacancy occurs in the First Selectman's Office, or until the next general town election, whichever is sooner.

APPOINTIVE PERSONNEL, BOARDS, COMMISSIONS, AND SIMILAR BODIES

Section 601 Appointments

The Board of Selectmen shall appoint all such officers as the Town Meeting or the Board of Selectmen may establish or as may be required by the Connecticut General Statutes or applicable Special Acts or Ordinances for terms not to exceed two (2) years, unless otherwise specified. All appointed officials shall take office on the first business day in January following a general town election.

Section 602 Appointive Boards and Commissions

- A. There shall be a Parks and Recreation Commission which shall consist of seven (7) members, each of whom shall be appointed by a majority vote of the Board of Selectmen. The powers, duties and responsibilities of the Parks and Recreation Commission shall be those set forth in the Connecticut General Statutes and applicable ordinances. All members shall be appointed for four (4) year terms following a general town election, two (2) one odd-numbered year and three (3) the next odd-numbered year.
- B. There shall be a Police Retirement Board as established in Connecticut Special Acts.
- C. There shall be, for terms as established by ordinance:
  - 1. An Aging Commission of nine (9) members,
  - 2. A Board of Ethics of five (5) members,
  - 3. A Community Services Commission of nine (9) members, as may be established by ordinance,
  - 4. A Conservation Commission of seven (7) members,
  - 5. An Economic Development Commission of nine (9) members,

CHAPTER VI, Section 602C. (continued)

6. A Housing Authority of five (5) members,
7. An Inland Wetlands Commission of seven (7) members,
8. A Library Board of nine (9) members,

and such other appointed Officers, Boards or Commissions of the Town as the Town Meeting may establish or abolish or as may be required by the Connecticut General Statutes or applicable Special Acts.

Section 603 Town Attorney

The Board of Selectmen, by majority vote, may appoint and may remove, a town attorney and such other assistant town attorneys and special town attorneys as may be required, all of whom shall be attorneys admitted to practice law in this State. The Town Attorney shall have been practicing for at least five (5) years in the State of Connecticut and shall be a resident of the Town of North Haven. Nothing herein provided shall prohibit the Board of Selectmen from appointing a firm of attorneys as the Town Attorney, provided one (1) member of said firm shall have been practicing in the State of Connecticut at least five (5) years and shall be a resident of the Town of North Haven.

Section 604 Assessor

The Board of Selectmen shall appoint a full time Assessor, for a term specified by contract, and such assistants as necessary. The preferred qualifications of the Assessor are to be established by ordinance.

Section 605 Building Board of Appeals

There shall be a Building Board of Appeals with powers as set forth in the Connecticut General Statutes. There shall be Building Officials appointed by the Board of Selectmen whose term, duties and responsibilities are set by the Connecticut General Statutes.

CHAPTER VI (continued)

Section 606 Sewer Commission

There shall be a Board of Sewer Commissioners consisting of six (6) members appointed by a majority vote of the Board of Selectmen for four (4) year terms. The Sewer Commission shall have the powers, duties and responsibilities set forth in the Connecticut General Statutes.

Section 607 Other Appointive Officials

The Board of Selectmen shall appoint all appointive officials and all other officials created thereafter by vacancy or otherwise.

CHAPTER VII

CHAPTER VII

FINANCE AND TAXATION

Section 701 General Powers of Board of Finance

There shall be a Board of Finance consisting of six (6) members each of whom shall be elected for four (4) year terms. The Board of Finance shall exercise the powers and duties granted such a Board under Connecticut General Statutes and this Charter.

Section 702 Fiscal Year and Tax Due Dates

- A. The fiscal year of the town shall commence on July 1 and end on June 30 pursuant to the Uniform Fiscal Year provisions of the Connecticut General Statutes.
- B. The due dates of taxes shall by July 1, and January 1, or other dates as may be set from time to time by ordinance not inconsistent with the Uniform Fiscal year provisions of the General Statutes.

Section 703 Budget Preparation

The head of each Office, Board, Commission or Agency of the Town supported wholly or in part from Town funds, or for which a specific Town appropriation is made, shall ninety (90) days or more before the Annual Budget Town Meeting file with the Board of Selectmen on forms provided by it, a detailed record of expenditures made in the current fiscal year by the Office, Board, Commission or Agency, a detailed estimate of the expenditures to be made thereby in the ensuing fiscal year, a detailed estimate of the revenue, other than tax revenues, to be collected thereby in the ensuing fiscal year, and a projection of expenditures to be made thereby in the five (5) ensuing fiscal years. Such estimates shall be accompanied by a statement, in narrative or

CHAPTER VII, Section 713 (continued)

such other form as the Board of Selectmen may prescribe, of a program or programs showing services, activities and work accomplished during the current fiscal year and to be accomplished during the ensuing fiscal year. The Board of Selectmen shall revise such estimates as it shall deem necessary in the best interests of the town, and shall submit a budget not less than seventy (70) days before the Annual Budget Town Meeting, with the revised estimates compiled, to the Board of Finance. The Board of Selectmen may compile such projections, with recommendations, in the Annual Town Report. The Board of Education shall submit their annual budget to the Board of Finance not less than seventy (70) days before the Annual Budget Town Meeting.

Section 704 Duties of the Board of Finance on the Budget

- A. Not later than thirty-five (35) days before the Annual Budget Town Meeting, the Board of Finance shall prepare a proposed budget consisting of:
1. A statement outlining the proposed financial policy of the town government, describing in connection herewith the important features of the of the proposed budget plan;
  2. Estimates of revenue, presenting in parallel columns the itemized receipts collected in the last completed fiscal year, the receipts collected during the current fiscal year to date, the receipts estimated to be collected during the current fiscal year, and estimates of the receipts, other than from the property tax, to be collected in the ensuing fiscal year.
  3. Itemized expenditures for each Office, Board, Commission or Agency for the last completed fiscal year and estimated expenditures for the current fiscal year to the time of preparing the estimates, total expenditures as estimated

CHAPTER VII, Section 704 A.3. (continued)

for the current fiscal year, the requests of the several Offices, Boards, Commissions or Agencies for the ensuing fiscal year as revised by the Board of Selectmen, and the recommendations of the Board of Finance for the ensuing year for all items.

- B. The Board of Finance shall recommend to the Town those projects to be undertaken during the ensuing fiscal year and a method of financing the same.

Section 705 Public Hearing on Proposed Budget

The Board of Finance shall hold one or more public hearings not later than twenty-one (21) days before the Annual Budget Town Meeting, at which any elector or taxpayer may have an opportunity to be heard regarding the proposed appropriations for the ensuing fiscal year. Sufficient copies of the proposed annual budget shall be made available for the general distribution in the office of the Town Clerk at least five (5) days prior to the public hearing. Following the public hearing or hearings, the Board of Finance shall make such revisions in the proposed budget as it deems desirable.

Section 706 Annual Budget Town Meeting

The Annual Budget Town Meeting shall be a Town Meeting conducted in accordance with the Uniform Fiscal Year provisions of the Connecticut General Statutes and held on the second Monday of May or on such other date as may from time to time be adopted by ordinance not inconsistent with the Uniform Fiscal Year provision of the Connecticut General Statutes. At this meeting the board of Finance shall recommend its proposed budget to the Town. Sufficient copies of the annual budget shall be made available for general distribution in the office of the Town Clerk at least five (5) days prior to the annual budget town meeting. The budget shall become effective when approved by the annual budget meeting, provided,

CHAPTER VII, Section 706 (continued)

that no appropriation shall be made exceeding that for the same purpose recommended by the Board of Finance and no appropriation shall be made for any purpose not so recommended. By majority or more present and voting at such meeting, an amount of money less than that recommended may be appropriated. If not amended, the appropriations recommended by the Board of finance shall be construed as having been appropriated. An official copy of the budget as finally approved shall be filed with the Town Clerk. Within fifteen (15) days after the annual budget meeting, the Board of Finance shall fix the tax rate in mills which shall be levied on the taxable property in the Town of the ensuing fiscal year. In accordance with provisions of the Connecticut General Statutes, the Board of Finance may levy annually a tax not to exceed two mills to be assessed upon the taxable property in the Town at the same time as the regular annual taxes for Town expenses, for the benefit of a fund to be known as the "Capital and Nonrecurring Expenditures Fund", established for the purpose of paying the cost of capital improvements for which the Town is authorized to issue bond and for no other purpose. The Board of Finance shall have the power to transfer from time to time to this fund any portion of the general fund cash surplus not otherwise appropriated. Appropriations for construction or for other permanent improvements, from whatever source derived, shall not lapse until the purpose for which appropriation was made shall have been accomplished or abandoned, provided that any project shall be deemed to have been abandoned if five (5) fiscal years shall elapse without any expenditure from or encumbrance of the appropriation thereof.

Section 707 Expenditures and Accounting

- A. No voucher, claim or charge against the Town other than the Board of Education and Probate Court shall be paid until the

same has been audited under the direction of the First Selectman and approved for correctness and legality.

- B. Checks with the above exceptions shall be drawn by the First Selectmen for the payment of approved claims, which checks shall be valid only when countersigned by the Town Treasurer and one additional member of the Board of Selectmen.
- C. The several Offices, Boards, Commissions or Agencies of the Town shall not involve the Town in any obligation to spend money for any purpose in excess of the amount appropriated therefore unless the matter has been approved in accordance with Section 707 D. hereof, and each order drawn upon the Town Treasurer shall state the Office, Board, Commission or Agency or the appropriation against which it is to be charged. When any Office, Board, Commission or Agency except the Board of Education and Probate Court shall desire to secure a transfer of funds in appropriation from funds set apart for one specific purpose to another, before incurring any expenditure therefor, such Office, Board, Commission or Agency shall make application to the Board of Finance whose duty it shall be to examine the matter, and upon approval of the Board such transfer may be made.
- D. Additional appropriations may be made by the Board of Finance or the town meeting as provided by the Connecticut General Statutes.
- E. Any Office, Board, Commission or Agency may employ any person upon the approval of the First Selectman when such approval is not inconsistent with the Connecticut General Statutes; provided, however, the appropriation of compensation has been made by the Board of Finance, and/or the town meeting pursuant to the Connecticut General Statutes.

CHAPTER VII (continued)

Section 708 Annual Audit

The Board of Finance shall annually designate an independent public accountant or firm of independent public accountants to audit the books and accounts of the town as provided in the Connecticut General Statutes.

Section 709 Borrowing

The Town shall have the power to incur indebtedness by issuing its bonds or notes as provided by the Connecticut General Statutes subject to the provisions of this Section. Bonds and notes shall be issued only upon recommendation of the Board of Finance and approval of a majority of those present and voting at a Town Meeting.

Section 710 Assessment

The Assessor shall operate under the following regulations:

- A. Assessment day is October first each year.
- B. All persons, firms or corporations required to file tax lists of property shall file between October first and November first, inclusive, or if the last day be on Sunday, the next succeeding Monday.
- C. The lists are not to include real estate or motor vehicles.
- D. The ten (10) percent penalty for failure to file lists in the time prescribed by law does not apply to real estate or motor vehicles.
- E. The Assessor, shall, on or before the fifteenth day of December, annually, give each person liable and failing to give in a list of his taxable property notice to appear before him to be examined under oath to his property liable to taxation.

CHAPTER VII, Section 710 (continued)

- F. The Assessor, on or before the thirty-first (31) day of January, annually, shall complete the grand list.
- G. Nothing in this Section shall prevent an extension of time for completion of duties as provided by the Connecticut General Statutes.

## CHAPTER VIII

### CHAPTER VIII

#### TOWN EMPLOYEES

##### Section 801 General

The Board of Selectmen, shall provide and update as necessary the establishment of position descriptions for all Town employees except for the Board of Education. Such descriptions shall include personnel guidelines, job specifications, salary programs and such other provisions as the board of Selectmen may deem to be appropriate and necessary.

CHAPTER IX

CHAPTER IX

THE TOWN MEETING

Section 901 Legislative Powers

Except as otherwise provided in this Charter, the legislative power of the Town shall be vested in the Town Meeting. It shall exercise and perform all the rights, powers, duties and obligations of the Town except as the same may be assigned by this Charter to some other Office, Board, Commission or Agency. These powers shall include, in addition to all other powers, all the powers and duties now or hereafter conferred or imposed by the Connecticut General Statutes upon town meetings. The Town Meeting shall have the power to enact ordinances not inconsistent with this Charter or the Connecticut General Statutes and shall have the power to amend or repeal such ordinances.

In addition to the powers specified in the preceding paragraph the Town Meeting may:

- A. Establish offices, boards, commissions and agencies and set their powers, duties, numbers and terms and qualifications of office consistent with this Charter and Connecticut General Statutes;
- B. Abolish, consolidate, and alter the powers, duties, numbers, terms of any board, commission or agency except those specified elsewhere in this Charter.

Section 902 Members Entitled to Vote at Town Meetings

Members entitled to vote at Town Meetings shall be electors of the Town and all others entitled to vote at a Town Meeting pursuant to Connecticut General Statutes.

CHAPTER IX (continued)

Section 903 Special Town Meeting

Special Town Meetings may be called from time to time by the Board of Selectmen, and as required by this Charter.

Section 904 Notice, Organization and Procedure

- A. Notice of each Town meeting shall be given in accordance with the provisions of the Connecticut General Statutes.
- B. Robert's Rules of Order shall govern the conduct of the Town Meetings.
- C. The business of a meeting of the Town Meeting shall be limited to the matters contained in the warning thereof.
- D. The affirmative vote of a majority of the votes cast in respect to a matter at a valid meeting of the Town Meeting shall be the act of the Town Meeting unless a greater vote is required in respect to such matter by this Charter or by Ordinance or by Connecticut General Statutes or applicable Special Act.
- E. Each ordinance proposed for presentation at a Town Meeting shall be filed in the office of the Town Clerk for public inspection at least five (5) days before the Town Meeting.
- F. Each ordinance passed by the Town Meeting shall be filed in the office of the Town Clerk for public inspection and the Town Clerk shall forthwith cause to be published notice of the fact of its adoption in a newspaper having circulation in the Town.
- G. There shall be a Town Meeting Moderator who shall be the presiding officer of the Town Meeting. In the absence of an ordinance providing for a permanent Town Meeting Moderator, the Town Meeting Moderator shall be elected at each meeting of the Town Meeting by a majority of the members

CHAPTER IX, Section 904 G. (continued)

of the Town Meeting present and voting. The Town Meeting Moderator shall rule on the method to verify the eligibility of those entitled to vote under Section 902.

CHAPTER X

CHAPTER X

CODE OF ETHICS

Section 1001 General

There shall be a Board of Ethics which shall administer the Code of Ethics as provided by ordinance.

MISCELLANEOUS PROVISIONS

Section 1101 Computation of Time

In computing the period of time of any notice under this Charter, the day on which the notice is given shall be excluded and the day on which the matter noticed is to occur shall be included. The same principle shall govern other computations of time for purposes hereof.

Section 1102 Amendment

This Charter may be amended in the manner prescribed by the Connecticut General Statutes.

Section 1103 Rules of Construction and Saving Clause

- A. This Charter is intended to avail, make use of and exercise the full home rule powers of the Town under the Home Rule Act, as amended, and any other statutes now or hereafter enacted, under its inherent home rules powers, under the Constitution of the State of Connecticut and under its reserved power status as a Town antedating the constitution of the United States.
- B. Nothing herein shall be construed as or intended to conflict with or be inconsistent with the Connecticut General Statutes expressing any substantial public policy of the State. This Charter shall be construed as an assertion of the power and authority of the Town to prescribe organic law for the administration of its local affairs.
- C. If any provisions of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in

CHAPTER XI, Section 1103 C. (continued)

which such provision so held invalid may appear, except to the extent that an entire Section may be inseparably connected in meaning and effect with the provision to which such holding shall directly apply.

Section 1104 Effective Date

This Charter shall take effect on January 1, 1981.

