CHARTER REVISION COMMISSION
TOWN OF FAIRFIELD

June 20, 2022

Hon. Betsy P. Browne
Town Clerk
Old Town Hall
611 Old Post Road
Fairfield, CT 06824

Hon. Brenda L. Kupchick
First Selectwoman
Sullivan Independence hall
725 Old Post Road
Fairfield, CT 06824

Re: Report and Submission of the Charter Revision Commission

Dear Clerk Browne, First Selectwoman Kupchick, Selectman Flynn and Selectwoman Lefkowitz:

Pursuant to §7-191(b) of the Connecticut General Statutes we are pleased to submit to you the Report of the Charter Revision Commission in the form of a proposed revised Charter for the Town of Fairfield, that was unanimously approved on June 13, 2022 ("Proposed Revised Charter"). This report is the culmination of a Charter revision process that commenced with an organizational meeting on September 22, 2021 and continued with twenty-two additional meetings, including the first statutory public hearing on October 6, 2022, meetings with elected officials and department heads, frequent public comment sessions and correspondence, a number of fact finding meetings and the second statutory hearing on June 2, 2022. The final meeting adjourned on June 13, 2022.

At the outset, we would like to thank our fellow commissioners for their dedication, insights and collegiality throughout this intense process. We also thank Attorney Steven Mednick who expertly guided us through the process based on his vast knowledge and experience with Connecticut municipal law. Our success would not have been possible without the support of our recording secretary, Pru O'Brien, whose dedication and good humor was essential, especially because all but one of our meetings were held virtually. And lastly, we would like to thank the many, many people who provided expert advice or thoughtful comments to the commission on all aspects of the town charter. Although we were not able to accept or act on all comments, we considered them all and they were invaluable in our work.

The review of the current Charter was thorough and comprehensive. The Commission was guided by the proposition that the people of our Town deserve a government that is accountable and best able to meet the demands faced by municipal governments in our time.

Members
Bryan Cafferelli, Chair – Christopher Brogan, Vice Chair – Marlene Battista, Secretary
Jay Gross – Hon. Pamela Iacono – Hon. John Mitola – John Wynne

James Baldwin – Town Attorney Attorney Steven G. Mednick - Counsel

A Foundation for the Future. Fairfield and each municipality in our State has and will continue to face enormous challenges, and the strong consensus of this Commission was that a charter should enable elected officials to look forward in order to set the table for the strong future that the people of this Town deserve. From the beginning, the Commission strived to create a document that is organized, comprehensible and flexible. The Proposed Revised Charter is designed as a constitutional document, or a directory of the relative powers (and constraints) of the government of our Town. Accordingly, the Proposed Revised Charter is driven by the desire to achieve both a great level of accountability and, at the same time, maintain the flexibility to address public needs as they arise. We believe that public officials should be answerable to the people and that the government should be flexible enough to react, in real time, by budget or ordinance to meet the needs of the people.

As we proceeded in this process the Commission reviewed background documents and conducted a number of panel discussions designed to help us develop a context for the changes we debated, some of which we approved and others which were not acted upon. We all came to the task from different backgrounds and political parties with the objective of using our experiences to advance the best interests of the Town.

In order to prepare ourselves for this task, from September through December of 2021 this Commission engaged in a substantial due diligence process in order to ascertain the priority issues. Through December 2021 we received 260 written comments from residents of Fairfield and heard from members of the public at our Public Hearings and public comment sessions. Each comment was catalogued and assigned to the applicable Articles of the Charter, which Commission reviewed and considered when it approved a schedule in December 2021. The major topics that occupied our time were consistent with the information we received from the public and elected officials during our due diligence period:

Budget Process	Town Governance	Boards and Commissions
Department Issues	Procedural Issues	Structure of Charter

This Commission relied on our own due diligence, assisted by Counsel and a wide array of speakers and practitioners who are experts in the municipal field. The following chart shows the Background Documents that were prepared by Counsel and reviewed by CRC during this process.

Number	Background Document
1.	Town Seal Provisions Connecticut Charters
2.	Budget Procedures and Related Matters
3.	Forms of government in Connecticut, including comparative data on elected boards and commissions in Greenwich, Branford, Westport, Darien, West Hartford, Hamden, Meriden; and, Bristol.
4.	Governance Issues: (1) Composition, Organization and Terms of Office; (2) Legislative Body Models; (3) Chief Executive Models (New Britain; Hamden; Bristol: Manchester; and Newtown)
5.	Comparative Capital Budget Provisions in RTM Municipalities
6.	Governance Framework: Current and Proposed Powers
7.	Draft Chief Operating Officer (a/k/a Town Administrator)
8.	Minority Party Representation
9.	Comparative Municipal Reapportionment Provisions in Connecticut

10.	Alternate Approaches to CAO (Stamford, Stratford, Darien, New Haven, Hartford, Bridgeport, Bristol, New Britain, Danbury, West Haven, Milford and East Hartford)

The Commission also held two panel discussions in order to develop the context for the changes we discussed:

Municipal Governance in Connecticut	
Town Governance	• **Joe DeLong**, Executive Director and CEO of CCM; • **Professor Gary Rose**, Sacred Heart University; and, • **Professor Gayle Alberda**, Fairfield University.
Local Practices	• **Hon. James Pascarella,** former Mayor and Legislative Council President, Hamden; • **Hon. Ellen Zoppo-Sassu**, former Mayor, Bristol and town Manager, Enfield; • **Scott Shanley,** former General Manager, Manchester; • **Hon. Dan Salerno,** Treasurer and former Councilmember, New Britain; • **Hon. Dan Rosenthal**, First Selectman, Newtown; and, • **Hon. Jamie Cosgrove**, First Selectman, Branford.

The commissioners addressed a number of issues and had many questions about the forms of government that were available for their consideration: Board of Selectperson/RTM; Mayor/Council; or, Council/Manager. Our current Board of Selectpersons/RTM structure is one step removed from the historic Town Meeting.

Should the Government Be Restructured? With this background, the Commission undertook its review of the structure of government. Reforming a Charter and restructuring a government are not necessarily the same thing. Obviously, in order to restructure you will need to amend the Charter. However, the time-frame for Charter Revision does not afford a Commission sufficient time to make substantial change.

To aid our consideration of different forms of government, we reviewed comparative data on the size of legislative bodies in Connecticut and held informative discussions on the composition of other legislative bodies with representatives of those bodies. The following chart shows some of the significant data that was presented to the Commission during our review.

Municipal Population	Legislative Body	Districts	At-large	Form of Government
148,656	20	10	-	Mayor/Council
135,470	40	20	--	Mayor/Council
134,023	30	30	-	Mayor/Alder
114,493	15	5 (MPR)	-	Mayor/Alder

Municipal Population	Legislative Body	Districts	At-large	Form of Government
91,164	15	5	5	Mayor/Council
85,518	21	7	7	Mayor/Council
74,135	15	5	5	Mayor/Council
64,083	9	-	9	Council/Manager
63,518	230	12	-	RTM
61,512	40	10	-	RTM
61,169	15	9	6	Mayor/Council
60,833	6	3	Mayor	Mayor/Council
60,850	12	4	4	Council/Manager
59,713	9	-	9	Director/Manager
55,854	13	10	3	Mayor/Council
53,355	10	10	-	Mayor/Council
51,045	15	5	-	Mayor/Alder
50.036	9	-	9	Mayor/Council
47,717	12	-	12	Mayor/Council
44,396	9	-	9	Mayor Council
43,501	9	-	9	Council/Manager
42,142	11	4	7	Council/Manager
40,869	8	4	-	Mayor/Alder

The Commission also noted that Fairfield's RTM is one of only six in the state.

Municipality	Population	Size	Districts/At-Large
Greenwich	63,518	230	12
Fairfield	61,512	40 (up to 56)	10
Branford	28,273	30	7[1]
Westport	27,141	36	9
Darien	21,499	100	6
Waterford	19,571	25	4

Clearly, Fairfield, stands out as an untypical form of government compared to its peers. That, in and of itself, does not mandate that Fairfield's structure must change. However, it did indicate to the Commission, and we hope to the leaders and citizens of Fairfield, that a close look is warranted to assure that Fairfield's government is best structured to address the increasingly complicated challenges that face large towns (really, small cities) such as Fairfield. This was the context with which the Commission discussed potential changes to Fairfield's form of government

We debated whether to change the structure of the Fairfield government to either a Town Council/Town Manager or Mayor/Town Council form of government. We also discussed eliminating the Board of Selectman combined with a reduction in the size of the RTM. However, the Commission was unable to reach a consensus on any of these proposals. *In hindsight, we believe the issue of the form of government should be looked at by a multi-partisan group, outside the context of the time-frame of a Charter Revision. Such a group would have sufficient time to carefully study whether there are disadvantages in the current structure, decide on what changes would improve the town,*

[1]The districts are not evenly divided in Branford.

and then gain the support for the changes from the Town political leadership and citizens. Any recommended changes can be then implemented by a charter revision commission.

In the end, *the Commission has not recommended any different governing bodies, has not recommended any enhancement of executive authority nor has it recommended a restructuring of the diffuse administrative system that exists under the current Charter.*

The Commission held many discussions concerning the RTM. There was a consensus to increase the relative power and resources of the RTM if it became a smaller, council-like, body. Those considerations were abandoned when it became clear that there was not sufficient support for reducing numbers to that level. There was considerable support within the Commission for applying minority party representation ("MPR") rules to the RTM districts. However, there was substantial objection, in our comments and at the Public Hearing to the proposal. In the light of the unexpected controversy the Commission unanimously voted to delete MPR from the final proposal in order to obtain a unanimous vote on the full report of the Commission.

The one substantive change that was recommended by a majority of the commission is the reduction of the RTM form forty (40) members to thirty (30) to create a legislative body that is more accountable to the people it represents and better able to address the many issues that need the attention of the Town's legislative body. We understand that many of the same people would oppose such a change, but we feel that the entire citizenry of Fairfield should be given the chance to decide this question.

We would like to stress that the Commission paid attention to the observations and critiques of the many stakeholders who commented throughout the process and listened carefully to private citizens, political office holders and to our panel participants to try to come to our conclusions. While we may not have been able to address all recommended changes, or make changes in a way that pleases everyone, we believe that our proposal reflects the fact that we listened.

The following highlights the more significant changes that the Commission recommends.

A Proposed Revised Charter: Recommendations and Comment

We hope you will support our proposed revised Charter. It is a re-organized document that gives the citizens and office-holders alike the ability to navigate and understand how the government works. When you review the changes we hope you will agree that this documents increases accountability, accessibility and will hopeful result in a more effective government for the people of Fairfield.

Article I
Incorporation, General Powers, Construction, Organization and Standards

Uniform Standards. In this Article the CRC expanded the definitions that are commonly used throughout the Charter so that there is a single point of reference for those terms. Most importantly, we set forth the standards of Meeting or Hearing Notice and Public Notice, so that the Charter does not repeat those standards multiple times in the document. The most significant change is to eliminate mandatory newspaper publication for certain activities, unless required by state law or unless, as a matter of policy, it is determined to be beneficial to the Town.

Standards of Conduct. The Commission thought it was important to establish the high ethical standards of the Town in the first Article. As a result, we recommend that we move Article XI on "Standards and Conduct" to §1.5 in Article I. There were no significant revisions of the provision. However, the Commission recommends that the RTM enact a new ethics ordinance to incorporate a modern code of ethics and replace the very limited current version.

Rules of Order and Civility. A new provision is found in §1.6 of this Article. This issue was raised by members of the Commission concerned about the volume of stories from around the country addressing civil culture and civility in general. This provision stakes out new territory by implementing reasonable guidelines that applicable in both the workplace and public meetings so that they are safe havens for those doing business with the Town and those who seek to influence to town during public debate and deliberations.

Open Meetings and Records. These provisions were moved from Articles VIII and X of the current Charter and now establish a standard for all Boards and commission in the Town, whether elected or appointed.

Article II
Elected Officials and Elections

Clarity. Many of the provisions in the current Article remain with a couple of notable differences. First, the provision recognizes that Title 9 of the General Statutes generally applies to the conduct of elections where not covered by the Special Act provisions incorporation in this Charter. Second, there is a clear delineation in §2.3.A and B of those offices which are elected by the voters of the Town, which is currently found in two separate Articles. Third, there is an easy to understand breakdown of the date of elections and terms of office in 2.3.C of the Charter.

Increased Competition. We believe that we have brought clarity to the Board of Education election cycle in §2.4.C(2) where four candidates stand for office. The

hope is that this minor adjustment will increase the participation and competition to the process.

RTM Size. As noted above, it is the opinion of a majority of the Commission that a smaller RTM would better serve the objectives of accountability, transparency and effectiveness. As a result, we have recommend reducing the size of the RTM from the current standard of up to fifty-six to thirty members selected from ten districts.

Article III
Representative Town Meeting

RTM Structure and Protocols. We have recommended the inclusion of provisions pertaining to the notice of public hearings and the publication of legislation adopted by the RTM. While the Commission did not make any recommended changes it believes that the RTM needs to adopt rules and procedures in order to move toward a more accountable, accessible and relevant legislative body for the people it represents.

The Referendum – The Petition for Overrule. The content of Article XIII entitled "Referenda" has been moved to §3.6 with no change. The referenda or petition process follows legislative action on ordinances or the budget and more logically fits in Article III.

Article IV
Board of Selectpersons and the First Selectperson

The Status Quo. As noted above, the Commission considered recommending the elimination of the Board of Selectpersons and retaining the First Selectperson as the sole elected executive. Executive authority is quite diffuse in Fairfield and the Commission wanted to move toward greater accountability; but could not reach consensus on any major changes. As a result, the Commission has chosen to re-structure the document at the edges, without changing any of the powers held by the various town elected officials.

Additional Contract Authority. Under §4.2.B.(1)(a) the Board of Selectpersons has authority to approve contracts in excess of $100,000 which are exempted from the competitive procurement and solicitation requirements of the Charter. This would not apply to emergency transaction permitted by Law.

Clarification of the Duties of the First Selectperson. When the Commission proposed the modification of the form of government, we proposed a delineation of responsibilities that are common to chief elected officials in Connecticut. We include some of the provisions that are currently in the Charter:

- Direction and supervision of the administration of all Departments and officers and shall be responsible for the administration of all the affairs of the Town in respect to such Departments, a modification of current §6.2.A(3);

- Responsibility for the faithful execution of all laws, provisions of the Charter and Ordinances governing the Town, a recodification of current §6.2.A(4);

- Periodic reporting to the RTM, the ability to convene Special and Emergency RTM Meetings, as set forth in §3.4.D, above, the right to attend and participate in RTM meetings, without voting privileges, as set forth in §4.2.A entitled "Composition;"

- Select, appoint and hire Appointed Town Officers, including department heads, except as otherwise provided for in this Charter or by the General Statutes, in accordance with current appointment authority as set forth in the Charter;

- Acting, or designating another to act, as the bargaining agent for the Town, with the exception of the Board of Education, in all labor and employment matters, including authority to retain the services of labor consultants and attorneys to assist in such matters, in accordance with the Municipal Employee Relations Act under Title 7 of the General Statutes;

- After the election of any Town official of whom an oath is required by law, cause the Town official to be sworn to the faithful discharge of the duties of office, in accordance with §6.2.A(5);

- Upon the request of any Selectperson, inform the Board of Selectpersons of the First Selectperson's actions, in accordance with §6.2.A(6);

- Have the ability to delegate such authority as may be necessary to the Selectpersons or to administrative assistants whose appointment may be authorized by the RTM, in accordance with §6.2.A(7); and,

- Have the ability to convene the members of any or all Departments,Boards and Commissions to review and coordinate activities and to plan operations of the Town government, in accordance with §6.2.A(8).

The Commission also added the following new provisions:

- Annual submission to the Board of Finance a proposed budget, including a capital budget (including the update of the five-year capital plan set forth, below) for the next fiscal year in accordance with the provisions of Article IX of this Charter;

- Preparation and maintenance of the long-term financial and capital planning that takes into account the next five years. The annual plan and

update of the five-year capital plan shall be submitted to the Board of Finance, which shall take the Plan into account during budget deliberations as set forth in Article IX of this Charter;

- Responsibility for keeping the RTM and Board of Finance fully informed on the financial condition of the Town by issuance of quarterly reports of income and expense as to budget items, including grants, receipts, expenditures and changes to said budgeted amounts;

- Determining the availability of state and federal funds and grants on behalf of the Town and advise any of the Town's Departments and Boards and Commissions with respect to obtaining said funds and grants, and periodically report to the RTM and Board of Finance;

Mediation and Resolution of Differences. Throughout this process the Commission recognized the diffusion of executive authority between a broad segment of stakeholders from the Board of Selectmen to the Board of Finance and the other elected Boards and Commissions, as well as some appointed bodies. Section §4.3.explicitly states the First Selectperson responsibility for the mediation and resolution of differences between Boards, Commissions, Departments and other public bodies within the Town government relating to an interpretation and/or coordination of Town policies and procedures. While this is within the inherent authority of the chief executive, and explicit acknowledgement should be useful in resolving differences that might arise.

Town Administrator. The Commission agreed upon the need for professional management and administration to assist the First Selectperson in her day-to-day functions as Chief Executive. The COO or CAO model, which we are calling the Town Administrator, is utilized in larger municipalities, like Hartford and New Haven and smaller communities, like Stratford and Darien. While the Town Administrator serves at the pleasure of the First Selectperson, the objective is to hire an administrator on the basis of substantial executive and administrative experience, education, competencies, and credentials, in management and administration, in accordance with the best practices recommended for local government management by reputable national organizations with subject matter expertise in the management of local government and public administration. We hope that if this provision is accepted, the Town Administrator that is selected becomes someone who would, because of competence and impartiality, become a held over position if a person from a different party becomes First Selectperson.

Staffing Model. As in other town Charters, the Commission believes that a delineation of staff for the First Selectperson deserves to be identified and delineated in §4.3.E of the Charter.

Article V
Other Elected Officers, Boards and Commissions

This Article brings together the Town Clerk and the elected Boards and Commissions of the Town without any revisions, with the exception of some references and consolidations pertaining to vacancies.

Article VI
Appointed Officers and Boards and Commissions

Authority, Qualifications, Professional Standards and Best Practices. This is a transition Article that includes provisions from current Articles II and III. More significantly, this Article attempts to set the tone for the management of the government. For example, in §6.2 sets forth general statements about the authority of appointed Town Officials and establishes a higher standard in the establishment of qualifications of administrators and Department Heads.

Required Cooperation. As you may recall, under §4.3 the Commission has recommended a provision that would create the authority of the chief executive officials to mediate and resolve differences between administrators, where they may arise. In §6.8 we recommend requiring "each Town Officer, Town Official, RTM members and employee of any Department of the Town" to "assist the Boards and Commissions and the pertinent Departments in carrying out the provisions of this section." This means that if a Board or Commission is attached to a Department, "the Department Head shall cooperate with said Board or Commission in formulating and carrying out the operational, management and personnel policies of the Department." Obviously, the objective of these provisions is to create a constitutional standard for cooperation and comity between departments, boards and commissions.

Alteration of Residency Requirements. Assistant Town Attorneys, the Police Chief and Fire Chief are no longer required to be electors, in accordance with §6.1.A.

Articles VII and VIII
Appointed Officers and Appointed Boards, Commissions and Departments

There are no significant changes in Articles VII and VIII, with the exception of some changes in the qualifications of the Director and Departments of Public Works and Director and Departments of Parks and Recreation as well the alteration of the names of the Flood Prevention, Climate resilience and Erosion Control Board.

Article IX
Budget Procedure and Related Matters

Significant reforms in the budget process are recommended for the Charter. Again, the Commission was mindful of the scattered and dispersed points of authority and wanted to clarify the steps in the process to enhance the ability of the public to engage in the process. As with the "mediation and resolution" and "cooperation" provisions in Articles IV and VI, there is an effort to ensure "cooperation" and to require the use of best practices in the budget process in §9.1.A.

This provision also defines in clear terms that the budget is "a delineation of all expected revenues and expenditures and, for the purposes of short- and long-term financial planning, detailed estimates of revenues, capital expenses and operating expenses all as required by this Charter and any Ordinances pertaining thereto." One hall mark of "cooperation" is the obligation of all officials to "embrace principles of accountability, transparency and outreach in order to expand public participation, engagement and trust in the budgetary process of the Town".

There are several new provisions that underscore public accountability:

- A statement that underscores that the budget is a public record that should be widely available to the public for inspection at Town Hall, other designated public facilities and "on-line through social media, the Town web-site and dashboards and email chains to community organizations and members of the public who request such information" (§9.1.C).
- The First Selectperson, Board of Selectpersons, Board of Finance, Board of Education and RTM are required to "develop procedures designed to encourage public participation in the budget process" (§9.1.D).
- The Chief Fiscal Officer is responsible for publishing a budget calendar Budget Calendar "to inform the public of the significant requirements of the budget process" (§9.1.C).

Date of the RTM Annual Budget Meeting (§9.2). The date of the RTM Annual Budget Meeting (a new defined term) is moved to the second (2nd) Monday in May of each year from the current first (1st) Monday in May.

Submission of General Fund and Capital Budget Estimates (§9.3.A). Town Officials and Departments, including the Board of Education (now called "Submitting Parties"), remain responsible for submitting to the First Selectperson: "(a) such items and details of their respective general fund and capital budgets for the next fiscal year; and, (b) any additional information which they possess (including, but not limited to, records, books, accounts, Contracts, reports and other papers and documents as specified by the First Selectperson ("Budget Estimates") all of which,

in the judgment of the First Selectperson, are necessary to discharge the duties imposed upon the First Selectperson by this Charter." New items are italicized.

Submission to the Board of Selectpersons – Budget Address (§9.3.B(1)). These estimates form the basis for the "First Selectperson's Budget Recommendation" that will be submitted to the Board of Selectperson's "not later than the second (2nd) Monday in March. At the time of submission, the First Selectperson will be required to deliver a budget address to the Board of Selectpersons, Board of Finance and RTM.

Joint Meetings of the Board of Selectperson, Board of Finance and RTM (§9.3.B(1)). Following submission and budget address, the First Selectperson is responsible for convening "an initial joint budget Meeting of the Board of Selectpersons and the Board of Finance for the purpose of receiving testimony and information from all Submitting Parties, including the Board of Education on the Budget Recommendation." All subsequent Meetings shall be called to order by the First Selectperson and be facilitated by the Chair of the Board of Finance and shall be conducted in accordance with rules of order to facilitate a comprehensive review to the benefit of the participating bodies and the public. The testimony of the Submitting Parties is expected to "assist the bodies in their respective reviews of the said recommendations and the impact on the Departments and taxpayers".

The Role of the RTM (§9.3.B(1)(b)). The rules established by the Boards of Selectpersons and Finance "may permit expansion of the Meeting to include the RTM in the event RTM committees (not to exceed ten (10) members) would participate as a rotating group of interlocutors to participate in the questioning of the Submitting Parties." The intent of this provision is to encourage participation without creating a group that is too large to carry on a reasonable give and take with the witnesses.

Additional Opportunities for Questioning. The process of Joint Meetings will not undermine the activities of the Board of Finance, RTM and, the Board of Selectpersons. The proposed revisions make it clear that the Board of Selectpersons (§9.4.A), Board of Finance (§9.5.A) and RTM (§9.6.A) will all have additional opportunities to discuss the budget with the Submitting Parties throughout the process. The objective of this first series of meeting is to eliminate redundancy and duplication of effort where possible. The Commission recommends that the RTM create a robust committee system and allow the members of committee to handle the questions for the Submitting Parties over which they have subject-matter jurisdiction.

Submission of the Proposed Executive Budget to the Board of Finance (§9.4.A). The Board of Selectpersons, following the multi-party meetings and any additional meeting it may require, shall approve and submit the Proposed Executive Budget to the Board of Finance, "not later than the fourth (4th) Monday of March." The Charter will retain the current authority of the Board of Finance to control the "form" and "details" of the budget submission.

Variation of procedure (§9.4.B). The Charter will also retain the provision that currently permits the "Board of Selectpersons, with the approval of the Board of

Finance, may modify and vary the budget submission process in the interest of efficiency or in the event of special circumstances". There are also provisions of the General Statutes that permit the revision of budget schedules.

Review of the Budget by the Board of Finance (§9.5). As already stated the Board of Finance "may hold meetings to review the Proposed Executive Budget as it determines necessary" prior to its Public Hearing (§9.4.A). In fact, it is fair to say that the proposed revisions do not modify, alter or change any current provisions of the Charter pertaining to the authority and role of the Board of Finance. The Board will continue to:

- conduct its Public Hearing (§9.4.B) on the Proposed Executive Budget;
- take final action on the Proposed Town Budget (new defined term) at a public meeting where it votes to submit the budget to the RTM, not later than the fourth (4th) Monday in April) (§9.4.C);
- present "the Proposed Town Budget to the RTM for consideration at the RTM Annual Budget Meeting" (§9.4.D); and,
- after the RTM Annual Budget Meeting and receipt of the report on the grand list from the Board of Assessment Appeals, determine the rate of property tax for the next fiscal year (§9.5.E).

Submission of the Proposed Town Budget to RTM (§9.5.C). The Board of Finance submits the Proposed Town Budget to RTM "not later than the fourth (4th) Monday in April". At that time RTM "may hold meetings, as it determines necessary" (§9.6.A) before finance action on the Annual town Budget (new defined term) at the Annual Meeting (§9.6.B).

The remaining provisions of Article IX, "Effect of referendum on the budget" (§9.7), Appeals from the Board of Finance (§9.8). and "Expenditure in excess of appropriation forbidden ((§9.9) remain intact.

Article X
Miscellaneous

In this Article we address the Official Seal by simply indicating that the Town shall adopt and the Town Clerk will have custody of the seal. (§10.1) and we have also recommended a soft mandate to require the Board of Selectpersons to "consider appointing a Charter Revision Commission" no later than April, 2032 or every ten years thereafter (§10.4). This does not preclude periodic review any time the Board of Selectpersons chooses to do so. As noted earlier in this letter, we believe that the Town engage in a thoughtful process to exam potential changes to the structure of Town government prior to the next Charter Revision so that commission can focus on implementing changes around which there has already been established a broad consensus.

CHARTER REVISION COMMISSION
TOWN OF FAIRFIELD

We look forward to appearing before the Board of Selectpersons. It has been our honor to serve the Town of Fairfield.

Respectfully submitted,
FAIRFIELD CHARTER REVISION COMMISSION

By: _____
Bryan Caffarelli
Chair

By: _____
Christopher Brogan
Vice Chair

cc: James Baldwin, Town Attorney
Members of the Fairfield Charter Revision Commission
Steven G. Mednick, Esq., Counsel

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #1:
MUNICIPAL SEALS IN CONNECTICUT

C.G.S. §7-101. Town seal. Each town *shall* provide itself with a seal with the name of the town and the state and the word "seal" inscribed thereon and may place thereon any such other suitable inscription or design *as it determines*. If any town changes any design or inscription upon its seal, a certificate describing such change shall be made and filed by the town clerk of such town with the Secretary of the State. The town clerk shall have the custody of such seal (emphasis added).

The Seal is references in Charter §14.1 where it is noted that it was approved by the Town Meeting.

Municipal Seal Charter Provisions in Connecticut 2021		
Municipality	**Population**	**Applicable Provisions**
Bridgeport	145,639	Ordinances §1.080.010[1]
New Haven	130,331	Charter Article II, §2[2]
Stamford	129,309	Ordinances §3-2[3]
Hartford	123,088	Charter Chapter I, §1[4]
Waterbury	108,276	Charter Chapter 1, Part A, §1A-2[5] /Chapter 3, Part A, §3A-2(b)[6]
Norwalk	88,599	Charter Article I, §1-1[7] /Ordinances Ch. 7 Art II §7-9[8]
Danbury	81,619	Charter, Chapter III, §3-7[9]
New Britain	72,767	Charter Article II, §2.1[10]
West Hartford	63,063	None[11]
Greenwich	62,587	None[12]
Fairfield	61,740	Charter Article XIV, §14.1[13]
Hamden	60,982	None
Bristol	60,218	Charter, §1[14]
Meriden	59,767	None[15]
Manchester	57,805	None[16]
West Haven	54,763	None[17]
Milford	54,328	Defined[18]
Stratford	52,120	Picture included in Ordinances[19]
East Hartford	50,272	None
Middletown	46,511	Ordinances §85-1 and 2[20]
Wallingford	44,596	None[21]
Enfield	44,143	None
Southington	43,781	Ordinances Chapter 144 Articles I and II[22]
Shelton	41,141	None

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[1] **Bridgeport Ord. §1.08.010 - Established—Description.** The seal of the city shall be as follows: in the center is an anvil supporting a shield, within which is a dexter arm suspending a hammer, and above which is shown the rising sun. Above the shield the American eagle, holding in his beak the motto "Industria Crescimus." On the right, a section of bridge and railroad train; on the left, a ship, steamboat, freight houses and elevator. In the foreground, a horn of plenty, cogwheel, fire engine and articles of machinery. In the background, views of factories, churches and other buildings. Encircling the whole are the letters and figures following: "Seal of the city of Bridgeport, Incorporated 1836." Such seal, represented as aforesaid shall be, and is established to be, the common seal of the city.

[2] **New Haven Charter §2. City Incorporated. Corporate Rights** All electors of the State of Connecticut dwelling within the limits hereinafter specified shall be a body politic and corporate by the name the "City of New Haven," and as such, and by that name, they and their successors shall have perpetual succession, and shall be a person in law capable of suing and being sued, pleading and being impleaded in all suits, **may have a common seal and alter or change the same at pleasure**, and shall have power of purchasing, holding and conveying any estate, real and personal, and shall remain absolutely vested with the title to and improvement of all the City lands, tenements, hereditaments, rights and estates, which, since the original incorporation of the City, have become vested in the City, and where the City never has been lawfully divested hitherto.

[3] **Stamford §3-2. – City Seal.** The Seal of the city shall be described as follows: A shield divided into four (4) quarters, the first quarter representing the coat of arms of Stamford in Lincolnshire, England, the second quarter representing in peaceful profile the Indian and the settler, the third quarter representing an old grist mill and fields of grain and the fourth quarter representing two (2) crossed keys, one of ancient design and the other of modern design. Above the shield there shall be an ancient ship and below the shield in a scroll the words "Stamford, Connecticut," and between the scroll and shield the figures "1641."

[4] **Hartford Charter, Chapter I, §1 - Incorporation.** The inhabitants of the State of Connecticut, dwelling within the territorial limits of the City of Hartford (the "City") as the same now are or may hereafter be, shall continue forever hereafter to be a body politic and corporate by the name of the "City of Hartford"; and by that name shall have perpetual succession, and be capable of suing and being sued, pleading and being impleaded, and of purchasing, holding, managing and conveying any estate real or personal; and may have a common seal and change and alter the same at pleasure. By virtue of this Charter said city shall be absolutely vested with, possess and enjoy all lands, tenements, hereditaments, property and rights, choses in action and estates, which at the effective date of this Charter were vested in said city. (Election of 11-5-02)

[5] **Waterbury §1A-2. How Constituted. Corporate Powers**. All the electors of this State of Connecticut ("State", State of Connecticut" or "State") , dwelling within said limits, shall continue to be a body politic and corporate by the name of "The City of Waterbury" (hereinafter referred to as "City"), and by that name they and their successors shall have perpetual succession and shall be capable of suing and being sued, pleading and being impleaded, in all suits and actions, in law or in equity; shall have power to purchase, hold and convey any estate, real or personal; may have a common seal and may change and alter the same at pleasure and shall be and remain absolutely vested with the title to the improvements of all the lands, tenements, hereditaments, rights and estates which, since the original incorporation of the City, have become vested in the City, and whereof the City has never been lawfully divested.

[6] **Waterbury §3A-2. Powers of the Board of Aldermen.** The Board of Aldermen shall have the following powers: (b) to provide a public seal or any alteration thereof.

[7] **Norwalk Charter, Article I, § 1-1. Body politic and corporate.** All the electors of this state, inhabitants of the Town of Norwalk, are hereby declared to be a body politic and corporate under the name of the City of Norwalk, and by that name they and their successors shall

be capable of suing and being sued, pleading and being impleaded in all courts, and of purchasing, holding and conveying any estate, real or personal. Said city may have a common seal and alter the same at pleasure. (Sp. Laws 1913, No. 352, § 1.)

[8] **Norwalk Ordinance Article II, §7-9. Description.** The seal of the city shall be as follows: In a straight line across the center are the words "E Pluribus Unum," at the upper left is a bridge with water flowing thereunder, at the upper right is an old well, and underneath is a monument. Encircling the whole are the letters and figures following: "Seal of the City of Norwalk, Incorporated 1913." Such seal, represented as aforesaid, and substantially as hereinafter shown, is hereby established to be and shall be the common seal of the city.

[9] **Danbury Charter, Chapter III, §3-17. - Procedure for conveying, leasing real estate.** All grants and leases of real estate, belonging to said City signed by the Mayor, sealed with the City seal, and approved by at least two-thirds of the entire membership of the City Council and recorded in the town where the real estate granted or leased lies, shall be effectual to convey such estate

[10] **New Britain, Charter Article II, §2-1 - Incorporation .** All electors of this State dwelling within the limits hereinafter specified shall be a body politic and corporate by the name of the "City", and as such, and by that name, they and their successors shall have perpetual succession, and shall be a person in law capable of suing and being sued, pleading and being impleaded in all suits, may have a common seal and may alter or change the same at pleasure, and shall have the power of purchasing, acquiring by gift, holding and conveying any estate, real and personal, and shall remain absolutely vested with the title of the improvements of all the City lands, tenements, hereditaments, rights and estates which, since the original incorporation of the City, have become vested in the City, and whereof the City never has been lawfully divested.

[11] **West Hartford.** There are references to attaching the seal in various documents.

[12] **Greenwich.** There are references to attaching the seal to various documents.

[13] **Fairfield Charter Article XIV, §14.1. Official Seal.** The official seal of the Town shall be as adopted at a Town Meeting held July 1, 1935, and as certified to the Secretary of the State in accordance with the General Statutes.

[14] **Bristol Charter, §1. - Electors constituted body corporate.** In accordance with Chapter 99 of the General Statutes and Number 352 of the Special Acts of 1911, incorporating the City of Bristol, as the same has been, from time to time, amended, is further amended and codified to read as follows: All of the electors of this state, who are inhabitants of the Town and City of Bristol, shall be a body corporate and politic by the name of the City of Bristol; and by that name, they and their successors, inhabitants of the territory included therein, shall have perpetual succession, be capable of suing and being sued, pleading and being impleaded in all courts, and of possessing, purchasing, receiving, holding and conveying any estate, real or personal. It shall have a corporate seal, designed and approved by the city council, which said council may alter at its pleasure. (Amend. eff. 12-5-13) **Legislative history—**Sp. No. 352, § 1, 1911; Sp. No. 434, § 1, 1931; Sp. No. 489, § 1, 1939.

[15] **Meriden.** There are references to attaching the City seal to various documents.

[16] **Manchester.** Reference to attachment of seal to the issuance of bonds, notes and certificates of indebtedness in the Code §C-19-1.

[17] **West Haven.** Refers to the City Clerk as the keeper of the seal in the Charter Chapter V.

[18] **Milford Charter §1-3.** "Whenever the word "seal" is used, it shall mean the City or Corporate Seal." Numerous references to affixing the City seal.

[19] Stratford The official Town Seal is pictured in the Code of Ordinances.

[20] **Middletown Code of Ordinances §85-1 - Description.** The City shall have a Corporate Seal, the device upon which shall be as follows: in the foreground, a railroad locomotive, with implements of agricultural, manufacturing and mechanical industry; in the middle ground, a river bearing on its surface a steamer and other vessels; and in the background, the rising sun with a landscape, the whole to be surrounded

by the words "City of Middletown, Connecticut." **§85-2 - Custodian and use.** The Seal shall be kept by the Mayor and shall be affixed to or impressed on such documents as may be required by law.

[21] **Wallingford.** There are references to attaching the seal to various documents

[22] **Enfield Code of Ordinances § 144-1. Town seal.** The Official Seal for the Town shall consist of a die casting approximately two inches in diameter which impresses an outer and an inner circle of dots enclosing the words "Town of Southington" and "Connecticut" with two supported vines between the words. Also, a second inner circle approximately 1 1/4 inches in diameter, bearing a replica of the First Congregational Church and the first bolt shop in the Town, the words "Seal" and "Qui transtulit sustinet" and the figures "1779." **§ 144-3. Permission for use required; custodian of seal.**
A. Please be advised that permission is required to reproduce the Town Seal of Southington under Section 7-101 of the Connecticut General Statutes. (1) Section 7-101. Town Seal. Each town shall provide itself with a seal with the name of the town and the state. The Town Clerk shall have custody of such seal. B. Pursuant to Connecticut General Statute § 7-101, the Town Clerk is the custodian of the Town Seal. Accordingly, the following policy and procedure is hereby established for use of the Town Seal. **§144-4. Accepted uses.** A. Use of the Town Seal is restricted to official Town business. Examples of accepted use include, but are not limited to: (1) Certified copies. (2) Proclamations/awards. (3) Town contracts. (4) Letterheads/envelopes. (5) Town website logo. (6) Town-sponsored clothing (such as shirts and hats) or memorabilia (such as key rings and pins). (7) Town-owned equipment. (8) Decals on Town vehicles. B. The Town Seal may not be used by private companies or organizations **§144-5. Procedure.** In order to ensure proper use of the Town Seal, the following procedure is required: A. All requests for use of the Town Seal must be submitted in writing to the Town Manager for review. The request should detail the proposed use of the Town Seal along with a copy of the image to be used. If the image is to be used electronically, a disclaimer shall be posted on the Town of Southington website stating, "Use of the Town Seal is prohibited without the express written permission of the Town Manager." The disclaimer may be revised from time to time as deemed appropriate. B. Upon review of the request by the Town Manager, a decision indicating approval or denial will be forwarded to the requestor within 10 business days after the request has been received. Letters of request along with the decision will be kept on file in the Town Clerk's office.

Budget Issues: Panel Discussion General and Capital Funds: Local Panel
13 January 2022

Jared Schmitt
Chief Fiscal Officer, Fairfield, CT

Hon. Mark McDermott
Moderator, Fairfield RTM

Hon. Jim Brown
Former Chair, Fairfield Board of Finance

Hon. Lori T. Charlton
Chair, Fairfield Board of Finance

Linda Gardner
Former Budget Director

ARTICLE XII - BUDGET PROCEDURE AND RELATED MATTERS

§12.1. Date of annual budget meeting[1].

The RTM shall hold the annual budget meeting on the first Monday in May of each year.

§12.2. Review and recommendation by Board of Selectmen[2].

A. Submission of budgets to Selectmen. All Town officers, boards, commissions, authorities, and departments of the Town entrusted with the expenditure of Town funds, including the Board of Education, shall submit to the First Selectman the items and details of their respective budgets for the next fiscal year. These shall be submitted on or prior to a date designated by the First Selectman, which date shall be early enough for the Selectmen

[1] Current Article XII, §12.1 (2006). Derived from Article XII, §12.1 of the 1997 Charter; and, Chapter III, §6 (second sentence) and Chapter XVII, §4 of the 1947 and 1956 Acts and 1975 Charter.
[2] Current Article XII, §12.2 (2006). Derived from Article XII, §12.2 of the 1997 Charter.

to review, revise, compile and submit its recommendations to the Board of Finance as set forth in Section 12.2.B.

B. Recommendations to Board of Finance. The First Selectman shall review the budgets of all Town officers, boards, commissions, authorities, and departments of the Town required to submit budgets, and shall submit the budgets with recommendations to the Board of Selectmen. The Selectmen shall make recommendations to the Board of Finance regarding each budget reviewed by them. The recommendations of the Selectmen shall be submitted to the Board of Finance not later than two (2) months before the annual budget meeting.

C. Variation of procedure. The Board of Selectmen, with the approval of the Board of Finance, may modify and vary the budget submission process in the interest of efficiency or in the event of special circumstances.

§12.3. Review and recommendation by Board of Finance[3].

A. Submission of budgets to Board of Finance. Each budget shall be in the form, and shall contain the details, required by the Board of Finance from time to time.

B. Public hearing by Board of Finance. The Board of Finance shall hold a public hearing on the budget during the month of March in each year.

C. Publication of final budget. After the public hearing referred to in Paragraph B, the Board of Finance shall hold a public meeting not later than one (1) month before the annual budget meeting at which it shall consider all matters relating to the budget and shall publish the final budget in a newspaper of general circulation in the Town not later than five (5) days before the annual budget meeting.

D. Recommendations to RTM. The Board of Finance shall make its recommendations regarding the budget to the RTM at the annual budget meeting.

E. Determination of property tax rate. After the annual budget meeting and receipt of the report on the

[3] Current Article XII, §12.3 (2006). Derived from Article XII, §12.3 of the 1997 Charter.

grand list from the Board of Assessment Appeals, the Boardof Finance shall determine the rate of property tax for the next fiscal year.

§12.4. Review and determination by the RTM[4].

The RTM may hold meetings to review the budget as it determines necessary before the annual budget meeting. At the annual budget meeting, the RTM shall determine the annual appropriations for the next fiscal year.

§12.5. Effect of referendum on the budget[5].

Any item in the budget referred to a referendum vote as provided in Article XIII of this Charter and disapproved shall be amended to accord with such vote. In the event of a referendum affecting any item contained in the annual Town budget, the time within which the Board of Finance shall determine the Town tax for the year following such appropriation shall be extended to five (5) days after the referendum vote.

§12.6. Appeals from the Board of Finance[6].

A. Appeals to RTM. Any Town officer, board, commission, authority, committee or department of the Town may appeal to the RTM from a vote of the Board of Finance to recommend a reduction in the amount of any request by the Town officer, board, commission, authority, committee, or department for an appropriation of Town funds as part of the annual budget or at another time in the fiscal year, or for a budget transfer. The Town officer, board, commission, authority, committee, or department may appeal to restore the entire amount originally requested or any part of such amount specified in the appeal.

B. Method of appeal. The appeal shall be made in writing and shall be filed with the Town Clerk within ten (10) days after written notice of the vote of the Board of Finance shall have been received by the Town officer,

[4] Current Article XII, §12.4 (2006). Derived from Article XII, §12.4 of the 1997 Charter.
[5] Current Article XII, §12.5 (2006). Derived from Article XII, §12.5 of the 1997 Charter.
[6] Current Article XII, §12.6 (2006). Derived from Article XII, §12.6 of the 1997 Charter.

board, commission, authority, committee or department making the appeal.

C. RTM hearing. Not later than the annual budget meeting if the appeal is from a budget request, or the next regular meeting of the RTM after receiving an appeal from a vote of the Board of Finance in any other case, the RTM shall:

(1) Hold a hearing on such appeal, at which both the Board of Financeand the appellant shall be entitled to be heard;

(2) At the conclusion of the hearing, put the question of sustaining theappeal to a vote.

D. Vote necessary to sustain appeal. If two-thirds or more of the total numberof RTM members present and voting at such meeting shall vote to sustain the appeal, the requested appropriation or transfer shall be made without the recommendation of the Board of Finance, subject, with respect to the appropriation, to referendum as provided in this Charter.

§12.7. Expenditure in excess of appropriation forbidden[7].

No Town officer, board, commission, authority, committee, or department shall expend any sum for any purpose in excess of the amount appropriated by the Town for such purpose unless such expenditure shall first be approved, and appropriate transfers in the budget made, by the Board of Finance.

§12.8. Purchasing authority[8].

The First Selectman and the Purchasing Agent, acting in conjunction, shall be the general purchasing authority of the Town. All supplies, materials, equipment, othercommodities, contracts for public works or services, other than

[7] Current Article XII, §12.7 (2006). Derived from Article XII, §12.7 of the 1997 Charter.
[8] Current Article XII, §12.8 (2006). Derived from Chapter XXI of the 1947 Act; and further amended by §20 of the 1951 Act and affirmed by Chapter XXI of the 1956 Act and Chapter XVIII of the 1975 Charter. Derived from Article XII, §12.8 of the 1997 Charter.

professional services, required by any department, office, agency, board, authority, or commission of the Town, including the Board of Education, shall be purchased by the purchasing authority on a requisition, in such form as the Selectmen may prescribe, signed by the head of the department, office, agency, or chairman of the authority, board, commission or committee. No purchase order shall be issued without the signature of the Purchasing Agent or, in the Purchasing Agent's absence, of the First Selectman.

§12.9. Bidding, requisition, and payment procedures[9].

The Board of Finance shall establish and may amend from time to time procedures and guidelines for bidding on purchases and contracts by the Town as well as procedures for departmental requisition and for payments.

ARTICLE IV - LEGISLATIVE BRANCH

§4.6. Appeals from the Board of Finance[10].

The RTM shall have the power to hear and determine appeals from decisions of the Board of Finance as provided in Section 12.6 of this Charter.

ARTICLE VIII - ELECTED BOARDS AND COMMISSIONS

§8.3. Board of Finance.

A. Composition[11]. The Board of Finance shall consist of nine (9) voting members, no more than six (6) of whom shall be registered with the same political party, and the Boardof Selectmen and the Fiscal Officer, ex

[9] Current Article XII, §12.9 (2006). Derived from Chapter XVIII, §4 and §5 of the 1975 Charter and Article XII, §12.9 of the 1997 Charter.
[10] Current Article IV, §4.6 (2006). Modification of Chapter III, §13 of the 1947 and 1956 Acts and Chapter III, §12 of the 1975; see also, Modification of Chapter XVII, §5 of the 1947 and 1956 Acts and 1975 Charter; and Article IV, §4.6 of the 1997 Charter.
[11] Current Article VIII, §8.3.A (2006). Derived from Chapter XVII, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article VIII, §8.3.A of the 1997 Charter.

officio, without vote.

B. Powers and duties[12]. The Board of Finance shall appoint the outside auditorsand shall have all of the powers and duties conferred by this Charter, by ordinance, and upon boards of finance generally by Chapter 106 of the General Statutes.

C. Clerk of the Board of Finance[13]. The Board of Finance shall appoint a clerk and fix the clerk's salary. The clerk shall hold office at the pleasure of the Board of Finance. The clerk may be part time. The clerk shall:

(1) Keep minutes of Board meetings and be the custodian of its books,papers, and data relating to the conduct of its business;

(2) Be a certified or a licensed public accountant or otherwise have experience in the financial field; and

(3) Have the right to call upon all Town departments, boards, commissions, committees, authorities, and officers for such information as the clerk may reasonably require in connection with the duties of the clerk and responsibilities of the Board of Finance.

D. Assessment system[14]. The Board of Finance shall install and shall modernize from time to time a system by which equitable and just values of taxable property within the Town may be ascertained. The system shall provide, among other things, for the collection of data relating to each parcel of land and to each buildingwithin the Town and for the arrangement of such data in convenient and practical form for the use of the Assessor. The system may provide for the preparation and upkeep oftax maps and land maps, in the discretion of the Board of Finance.

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[12] Current Article VIII, §8.3.B (2006). Derived from Article VIII, §8.3.B of the 1997 Charter.
[13] Current Article VIII, §8.3.C (2006). Modification of Chapter XVII, §3 of the 1947 and 1956 Acts and the 1975 Charter; and Article VIII, §8.3.C of the 1997 Charter.
[14] Current Article VIII, §8.3.D (2006). Modification of Chapter XXII of the 1947 and 1956 Acts and Chapter XXIII of the 1975 Charter, which ratified Special Act No. 511 (1935); Special Act No. 270 (1939); and, Special Act No. 367 (1941); and, Article VIII, §8.3.D of the 1997 Charter.

E. Approval of budgets[15]. The Board of Finance shall approve the Town budget in the manner set forth in Article XII of this Charter.

ARTICLE XIII - REFERENDA

§ 13.1. Petition and time for filing[16].

A. Effective date of certain RTM votes. Any vote of the RTM: (1) authorizing the expenditure for any specific purpose of $150,000 or more[17]; or (2) for the issue of any bonds by the Town[18]; or (3) the adoption, amendment, or repeal of an ordinance[19]; shall not be effective until the date for filing a referendum petition has passed. If within that time a petition for referendum is filed with the Town Clerk, the vote shall not be effective unless and until it has been approved by referendum.

B. Petition forms. Upon the request of any elector, the Town Clerk shall promptly prepare petition forms, which shall be available to any elector at the office ofthe Town Clerk, setting forth the questions sought to be presented on a referendum ballot.

C. Required number of signatures on petitions. To be effective, a petition for referendum must be signed by not less than five (5%) percent of the electors of the Town according to the most recent computer printout available at the time of the action or vote on which a referendum is sought, and must contain the names and

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[15] Current Article VIII, §8.3.E (2006). Modification of Chapter XVII, §4 of the 1947 and 1956 Acts and the 1975 Charter; and, Derived from Article VIII, §8.3.E of the 1997 Charter.
[16] Current Article XIII, §13.1 (2006).
[17] Current Article XIII, §13.1.A(1) (2006). Derived from Chapter III, §9 of the 1947 and 1956 Acts ($25,000.00) and the 1975 Charter ($50,000.00); and Article XIII, §13.1.A(i) of the 1997 Charter ($150,000.00).
[18] Current Article XIII, §13.1.A(2) (2006). Derived from Chapter III, §9 of the 1947 and 1956 Acts and the 1975 Charter; and, Article XIII, §13.1.A(ii) of the 1997 Charter.
[19] Current Article XIII, §13.1.A(3) (2006). Derived from Chapter III, §10 of the 1947 and 1957 Act and 1975 Charter; further amended by §10 of the 1951 Act; and Article XIII, §13.1.A(iii) of the 1997 Charter.

addresses of the signatories.

D. Time and place of filing petitions. A petition requesting that a referendum be held must be filed at the office of the Town Clerk not later than the close of business on the 14th day after the adjournment of the meeting at which the vote was taken. If the fourteenth (14th) day is a day on which the Town Clerk's office is closed, the petition must be filed bythe close of business on the next day that the Town Clerk's office is open.

E. Special requirements for petitions on appropriations and bond issues. All petitions for referendum on any action of the RTM with respect to any bond issue or any appropriation in the amount required for a referendum shall set forth each item as to which a vote is desired, with the amount of the item as approved by the RTM, and the amount to which the petitioners desire it to be decreased or increased. However, no increase shall be proposed in excess of the amount approved for the item in question by the Board of Finance or by the RTM on appeal from the Board of Finance.

§13.2. Manner of holding referendum[20].

A. Certification of Town Clerk. Upon the filing of a petition fulfilling the requirements of Section 13.1, the Town Clerk shall certify that fact promptly to the Board of Selectmen.

B. Date of referendum. The Board of Selectmen shall call a special meetingof all electors of the Town to be held not less than twenty-one (21) days nor more than twenty-eight (28) days afterthe date of certification by the Town Clerk for the sole purpose of voting approval or disapproval of the question or questions presented in the referendum petition.

C. Voting hours and method. For any referendum, the polls shall be opened attwelve o-clock noon and shall be closed at eight o'clock (8:00 PM) in the evening, but the hours for voting may be increased at the discretion of the Board of Selectmen. Voting shall be by voting machine or printed ballot, at the discretion of the Board of

[20] Current Article XIII, §13.2 (2006). Derived from Chapter III, §10 of the 1947 and 1956 Acts and 1975 Charter; further amended by §7 of the 1951 Act and; Article XIII, §13.2 of the 1997 Charter.

Selectmen.

D. Ballots for referendum on ordinance. The ballot labels or ballots used in referenda concerning ordinances shall state the matter to be voted on in substantially the following form: "Shall the following action of the Representative Town Meeting held on (date of the meeting) be approved?" followed by a statement of the action questioned in substantially the same language and form set forth in the records of the RTM. The voting machine or printed ballot shall provide means of voting "yes" or "no" on each question sopresented.

E. Ballots for referendum on appropriation and bond issue. Ballot labels or ballots used for referenda brought on appropriations and bond issues shall present separately each appropriation so referred in substantially one (1) of the following forms:

(1) "Shall a special appropriation, etc. be approved?"; or

(2) "Shall a special appropriation, etc. be (increased) (decreased) to the sum of $_____?"; or

(3) "Shall the following items contained in the annual town budget be approved?;
; or

(4) "Shall the following items contained in the annual town budget be(increased) (decreased) to the sum of $_____?"

F. Vote necessary to pass referenda[21]. In order to reverse or modify the action taken by the RTM, the vote in favor of reversing or modifying the action must both:

(1) Exceed twenty-five (25%) percent of the total number of electors of the Town eligible tovote as of the close of business on the day before the election; and

(2) Constitute a majority of votes cast on the question.

[21] Current Article XIII, §13.2.F. Derived from Chapter III, §11 of the 1947 and 1956 Acts; Chapter III, 11 of the 1975 Charter; and Article XIII, §13.2.F of the 1997 Charter.

FY 2022-2023 BUDGET MEETING DATES	
December 2021 – Early February 2022	First Selectwoman and Budget Team Meet With Departments & Non-Profits to Review Their Proposed Budgets and Also Review Some Department's Proposed Non-Recurring Capital Projects
Early February	First Selectwoman & Budget Team Follow-up With Any Departments or Non-profits on budget proposals
Early February	First Selectwoman & Budget Team Make Adjustments, if needed
Week of February 7	▪ First Selectwoman Finalizes Her Budget Proposal. ▪ First Selectwoman Works on Letter for Proposed Budget Book
February 14 (M)	First Selectwoman's Letter for Proposed Budget Book Due
Feb. 14 –Feb. 18	First Selectwoman Works on Budget Power Point Presentation for 2/23 BOS Budget Hearing #1
February 23 (W.)	BOS Public Budget Hearing #1– 10 am: ▪ First Selectwoman's Budget Power Point Presentation on Her Proposed Budget ▪ Review and Discuss Departments/Non-Profits Proposed Budgets ▪ Public Comment
February 24 (Th.)	BOS Public Budget Hearing #2 – 10 am: ▪ Review and Discuss BOE Proposed Budget ▪ Follow-up with Departments if Needed ▪ Public Comment
February 24 – 25	Finance Department Updates Budget Proposal
February 28 (M)	BOS Public Executive Session. Final Deliberations & Vote – No Public Comment – 10 am

FY 2022-2023 BUDGET MEETING DATES	
March 2 (W)	BOS Submits Its Proposed Budget to BOF via Finance Department
March 7-9	First Selectwoman Works on Revised Power Point for BOF to Include BOS Adjustments
March 10 (Th)	BOF Public Budget Hearing #1 -7:30 pm ▪ First Selectwoman's Budget Power Point Presentation ▪ Discuss and Review Department Budgets (Detailed Schedule TBA)
March 15 (T)	BOF Public Budget Hearing #2 -7:30 pm ▪ Discuss and Review Department Budgets (Detailed Schedule TBA)
March 16 (W)	BOF Public Budget Hearing #3 -7:30 pm ▪ Discuss and Review Department Budgets (Detailed Schedule TBA)
March 22 (T)	BOF Public Budget Hearing #4 -7:30 pm ▪ Discuss and Review Department Budgets (Detailed Schedule TBA)
March 24 (Th.)	BOF Public Budget Hearing #5 -7:30 pm ▪ Discuss and Review Department Budgets (Detailed Schedule TBA)
March 26 (Sat.)	BOF Public Budget Comment Session – 9:30 am (FLHS Auditorium)
March 28 (M)	BOF Follow-Up With Any Departments; BOF Public Executive Session - No Public Comment – 7:30 pm
March 29 (T)	BOF Public Budget Session Potential Snow Day Make-Up – 7:30 pm
March 31 (Th.)	Budget Vote-Public Executive Session - No Public Comment – 7:30 pm

FY 2022-2023 BUDGET MEETING DATES	
April 1 – Early April	Finance Department Updates Budget Proposal For RTM With BOF's Adjustments
Early April	RTM Budget Hearing #1 – Time TBD (Detailed Schedule TBA)
Early April	RTM Budget Hearing #2 – Time TBD (Detailed Schedule TBA)
April 22	Deadline to publish BOF recommended summary budget in newspaper
May 2 (M)	RTM Budget Vote – Time TBD
May 5 (Th.)	BOF Sets Mill Rate – 7:30

CHARTER BUDGET PROCESSES IN RTM MUNICIPALITIES IN CONNECTICUT 2021	
Municipality	**Population**
Greenwich (RTM)	62,587
Fairfield (RTM)	61,740
Branford (RTM)	28,020
Westport (RTM)	28,016
Darien (RTM)	21,742
Unform Fiscal Year	
Fairfield	Not addressed in Charter
Greenwich	Yes[1].
Branford	Yes[2]
Westport	Not addressed in Charter
Darien	Not addressed in Charter
Date of Annual Meeting/Budget Action	
Fairfield	May 1 (§12.1)
Greenwich	On or before May 15
Branford	2nd Tuesday of May[3], may be adjourned from time to time so long as the budget is completed by that date[4]
Westport	1st Monday of May[5]
Darien	Referred to but not established in Charter
Submission of Budget Estimates	
Fairfield	All officers, boards, commissions, authorities and departments shall submit budget to First Selectman on **date determined by 1st Selectman.** (§12.2.A)
Greenwich	Departments and divisions shall submit at such **time as prescribed by the Board of Estimate (General and Capital Funds)[6]**
Branford	Charter is silent although there is a reference to "the needs of …boards or departments" in the public hearing provision set forth below.
Westport	• First Selectman authorized to require departments, offices and agencies (except Board of education) to provide narrative of services[7]. • Department Estimates **(General and Capital Funds)**[8]
Darien	1st Tuesday in March: Submission of Budget Estimate Board of Finance Meeting: (1) Board of Education[9] and (2) Board of Selectmen[10]

Review by Board of Selectmen and Submission of Recommendation to Board of Finance	
Fairfield	• "Early enough" for consideration by the Board of Finance "**not later than 2 months prior to Annual budget meeting"** (§12.2.A and B) • Submission in the form and content required by Board of Finance (§12.3.A) • Charter silent on Capital Funds
Greenwich	Recommendations to the Board of Estimate: prior to 12/1 (General and Capital Funds)[11]
Branford	Not addressed in Charter
Westport	**First Selectman's Budget:** Role of **First Selectman** set forth in Charter: General[12] and Capital[13] Fund (Note: There does not appear to be a formal role for Board of Selectmen)
Darien	2/1 - As set forth in Charter (General and Capital Funds)[14]
Publication of Estimates	
Fairfield	N/A
Greenwich	On or before 4/10[15]
Branford	N/A
Westport	By Board of Finance "at least 5 days prior to the first public hearing"[16]
Darien	Board of Selectmen shall publish estimates during the 2nd week of March[17]
Public Hearing by Board of Finance	
Fairfield	During the month of March (§12.3.B)
Greenwich	On or before 4/10 – notice publication requirement[18]
Branford	Board of Finance - no less than two weeks prior to annual RTM budget meeting[19]
Westport	No date: one or more public hearings on First Selectman's Budget[20]
Darien	2nd Tuesday in March[21]
Approval of Budget by Board of Finance	
Fairfield	Public meeting for action on the budget "not later than one (1) month before the annual budget meeting" (§12.3.C)
Greenwich	• Board of Estimate: After hearing and "on or before " 5/5 a statement of appropriations shall be filed with Town Clerk[22]. • **Failure of Board of Estimate to Act:** Current budget presumed submitted to RTM[23]
Branford	Yes, governed by Charter[24].
Westport	Approval by at least 4 members of Board of Finance (Note: there are 7 members)[25]
Darien	3rd Tuesday in April[26]: Following public hearing[27]

Publication of Final Budget Approved by Board of Finance	
Fairfield	In a newspaper of general circulation not later than five (5) days before the annual budget meeting (§12.3.C)
Greenwich	N/A
Branford	No Charter provision
Westport	Yes, 10 days prior to annual budget meeting, governed by Charter[28]
Darien	Filed with Town Clerk by Board of Finance[29]
Recommendation to RTM	
Fairfield	At the annual meeting (§12.3.D)
Greenwich	On or before 5/15[30]
Branford	Yes, governed by Charter[31].
Westport	Yes, governed by Charter[32]
Darien	Submission to Annual Budget Meeting by Board of Selectmen[33]
Review and Determination by RTM	
Fairfield	At the annual meeting; however, may hold meetings prior to annual meeting (§12.4)
Greenwich	• 5/15[34] • Failure of RTM to Act: Board of Estimate Budget submitted shall be "deemed to be acted upon[35]."
Branford	• Power to decrease, increase or add items to the budget, not in excess of the "total amount recommended by the Board of Finance[36]." • Effect of actions of RTM[37] • Rules Pertaining to Pending Adoption[38]
Westport	• Power over appropriations[39] • Approval of budget[40]
Darien	As set forth in Charter.[41]
Property Tax Rate	
Fairfield	• Board of Finance shall determine following (1) annual town meeting; and (2) receipt of report on grand list from Board of Assessment Appeals. (§12.3.E) • Tax rate determined by Board of Finance within five (5) days following referendum vote (§12.5)
Greenwich	• Board of Estimate on or before 5/25[42] • Failure to determine and levy taxes[43] and failure to fix tax rate[44]
Branford	6/1 by Board of Finance[45]
Westport	By Board of Finance 5 days following referendum[46]
Darien	Board of Finance[47]

Effect of Referendum on the Budget (Overrule)	
Fairfield	Budget changes should reflect disapproved items in referendum. (§12.5)
Greenwich	Appropriations by RTM, subject to referendum by petition[48]
Branford	Appropriations by RTM in excess of $50,000, subject to referendum by petition[49]
Westport	Appropriations by RTM in excess of $500,000, subject to referendum by petition[50]
Darien	Appropriations by RTM, subject to referendum by petition[51]
Appeals of Board of Finance	
Fairfield	• Appeal to RTM, in writing: Applies to Appropriation and Transfers (§12.6.A and B) • RTM Hearing and 2/3 of RTM members present and voting (§12.6.C and D and §4.6)
Greenwich	N/A
Branford	N/A
Westport	Yes, governed by Charter[52].
Darien	N/A
Expenditures in Excess of Appropriation Forbidden	
Fairfield	Board of Finance must approve aby expenditures in excess of the amount appropriated by the Town (§12.7)
Greenwich	Yes, governed by Charter[53]
Branford	Yes, governed by Charter[54]
Westport	No Charter provision
Darien	Yes, governed by Charter[55]
Exension of Time	
Fairfield	Charter permits variation of budget submission process "in the interest of efficiency or in the event of special circumstances (§12.1.C)
Greenwich	Yes, governed by Charter for budget[56] and determination and levying of taxes[57] in accord with Special Act
Branford	No Charter provision
Westport	No Charter provision
Darien	No Charter provision
Emergency/Additional Appropriations	
Fairfield	N/A
Greenwich	Yes, governed by Charter (emergency)[58]
Branford	Yes, governed by Charter (additional)[59]
Westport	No Charter provisions
Darien	Role of Board of Finance[60] Role of Board of Finance, Board of Selectmen and RTM[61]

Uncommitted Appropriations/Unexpended Balances	
Fairfield	N/A
Greenwich	Yes (uncommitted appropriations), governed by Charter (Special Act)[62]
Branford	No Charter provision
Westport	No Charter provision
Darien	Yes (unexpended balances)[63]
Control of Commitments; Requisitions	
Fairfield	Board of Finance is responsible for establishing procedures and guidelines for bidding purchasing and controls as well as requisitions for payments.(§12.9)
Greenwich	Yes, governed by Charter[64], including Board of Education Requisitions by Special Act)[65]
Branford	No Charter provision
Westport	No Charter provision
Darien	No Charter provision
Employment and Periodic Service Contacts	
Fairfield	N/A
Greenwich	Yes, governed by Charter[66]
Branford	No Charter provision
Westport	No Charter provision
Darien	No Charter provisions
Estimate of Proposed Commitments	
Fairfield	
Greenwich	Yes, governed by Charter[67]
Branford	No Charter provision
Westport	No Charter provision
Darien	No Charter provision
Petty Cash Fund	
Fairfield	N/A
Greenwich	Yes, governed by Charter[68]
Branford	No Charter provision
Westport	No Charter provision
Darien	No Charter provision

[1] **Greenwich Charter Sec. 20: Fiscal Year.** The fiscal year shall commence on July 1.

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[2] **Branford Ordinances 47-1: Uniform Fiscal Year Adopted.** Pursuant to the provisions of Chapter 110 of the 1959 Supplement to the General Statutes of Connecticut,[1] the Town of Branford hereby adopts the uniform fiscal year and shall begin a new fiscal year on July 1, 1961.

[3] **Branford Charter Sec. 5.b: Annual budget meeting.** The annual budget meeting of the R.T.M. shall be held on the second Tuesday of May at 8 o'clock P.M. Such meeting shall be held at some suitable place designated by the R.T.M. The first such meeting to be held in May, 1961; see also, **Branford Ordinances §47-2.**

[4] **Branford Charter, Sec. 2.f.4 (first paragraph):** The annual budget meeting of the R.T.M. may adjourn from time to time, provided action shall be taken on the adoption of the appropriations recommended by the Board of Finance before the Friday following the second Tuesday of May.

[5] **Westport Charter, Sec. C5-5.A:** An organization meeting of Representative Town Meeting members shall be held on the first Tuesday in December in each year. The annual budget meeting shall be held on the first Monday of May in each year, and the estimates and recommendations of the Board of Finance shall be submitted to such meeting.

[6] **Greenwich Charter Sec. 21(a): By Departments, Divisions and Officers.** The head of each department and division under the supervision and control of the Board of Education, the Board of Health, the Board of Human Services, the Board of Estimate and Taxation and the First Selectman and all other officers and boards of the Town shall annually prepare and submit to their supervising authority a proposed budget report and an operations plan presenting the proposed financial and operational plans for the ensuing fiscal year. The proposed budgets shall be presented at such time, in such form and with such content as shall be prescribed by the Board of Estimate and Taxation and shall contain such additional information as is requested by the First Selectman or the Board of Estimate and Taxation. Such proposed budgets shall include a detailed estimate of the amount of money which will be required to meet the obligations of the Town for such board, department, office or division to provide for its expenses for the ensuing fiscal year, shall list capital requests separately from operating expenses and shall identify capital items that are anticipated to be requested within at least the next five fiscal years but are not being requested at the present time. The operations plans shall set forth in such form as shall be prescribed by the First Selectman, a concise and comprehensive report of the administrative activities of the board, department, division or office showing services, activities and work accomplished during the current year and to be accomplished in the ensuing fiscal year. Such operations plans shall contain a table of organization for the agency preparing it and shall list any changes in personnel proposed in the budget request for the ensuing fiscal year.

[7] **Westport Charter, Sec. C14-1 – Preparation:** The First Selectman shall require each department, office and agency of the Town supported wholly or partly by Town funds or for which a specific Town appropriation is made, except the Board of Education, to set forth in narrative or in such other prescribed form, a program or programs showing services, activities and work accomplished during the current year and to be accomplished in the ensuing year

[8] **Westport Charter, Sec. C14-2 – Department Estimates:** Under the direction of the First Selectman, the Finance Director shall compile preliminary estimates for the annual operating budget and the annual capital budget. The heads of each department, office or agency of the Town, except the Board of Education, shall file with the Finance Director on prescribed forms detailed estimates of their expenditures and the revenues, other than tax revenue, to be collected thereby in the ensuing fiscal year and such information as may be required by the Board of Selectmen or the First Selectman

[9] **Darien Charter, Sec. 39(a)(1) – Board of Education:** (a) Annually, on the first Tuesday in March, the board of finance shall hold a meeting, at which there shall be submitted the following: (1) The board of education shall submit itemized estimates of the moneys necessary to be

appropriated for the operation of the school system of said town for the fiscal year next ensuing, beginning the first of July annually, and at the same time shall submit to said board of finance for each such item the amount expended in the preceding fiscal year, the amount appropriated for the current fiscal year and the amount expended in the first six months of the current fiscal year.

[10] **Darien Charter, Sec. 39(a)(2) – Board of Selectmen:** (a) Annually, on the first Tuesday in March, the board of finance shall hold a meeting, at which there shall be submitted the following: (2) The board of selectmen shall submit itemized estimates of the moneys necessary to be appropriated for all other expenses of said town for the next ensuing year, beginning the first day of July annually, and at the same time shall submit to said board of finance for each such item the amount expended in the preceding fiscal year, the amount appropriated for the current fiscal year, and the amount expended in the first six months of the current fiscal year. Such estimates shall be published in a legal notice that complies with state law during the second week in March annually.

[11] **Greenwich Charter Sec. 21(b): Review and Revision by First Selectman.** Upon completion of their review, and at such time as shall be prescribed by the First Selectman, such boards, departments, divisions and officers of the Town, shall submit such proposed budgets and operations plans to the First Selectman. The First Selectman shall review all proposed budgets received and shall make such revisions and modifications in such proposed budgets as the First Selectman deems necessary or appropriate, except for the operations budget submitted by the Board of Education, and, unless requested by the Board of Estimate and Taxation, except with respect to fixed charges as proposed by the Board of Estimate and Taxation. The First Selectman shall review all operations plans received and shall make such revisions and modifications in such operations plans as the First Selectman deems necessary or appropriate, except for those submitted by the Board of Education and the Board of Estimate and Taxation, and, with respect to those plans submitted by departments, boards or officers not under the supervision and control of the First Selectman, only after consultation with such department, board or officer affected. Revisions and modifications to such proposed budgets or operations plans by the First Selectman shall not be such as to prevent any Town officer or board from performing or exercising any power, duty or obligation specified or mandated by Town Charter or state statute. In connection with such reviews, the First Selectman shall (1) develop goals and objectives and establish priorities for spending for the ensuing fiscal year; (2) establish priorities with respect to recommended capital spending for all Town agencies; and (3) develop a long-range capital spending plan. **Greenwich Charter Sec. 21(c): Submission to the Board of Estimate.** On or before December 1 in each year, or at such other time as the Board of Estimate and Taxation shall prescribe, the First Selectman, for and on behalf of said boards, departments, divisions and offices and the Board of Education, shall submit to the Board of Estimate and Taxation, with copies to the Budget Overview and Finance Committees of the Representative Town Meeting and such other Committees of the Representative Town Meeting as the Moderator may direct, such proposed budgets, as revised, with such comments as are appropriate, presenting the proposed financial plans for said boards, departments, divisions and offices for the ensuing fiscal year, including detailed estimates of the amount of money which will be required to provide for anticipated operating and capital expenses for the ensuing fiscal year. Such proposed budgets shall be in such form as the Board of Estimate and Taxation shall prescribe. Nothing in this section shall be construed as preventing any board or officer from submitting a request for addition to, or reinstatement of, any item omitted from, or deleted from its budget directly to the Board of Estimate and Taxation in accordance with procedures prescribed by said board.

[12] **Westport Charter, Sec. C14-3.A – Budget Role of First Selectman:** The First Selectman shall present to the Board of Finance an annual operating budget and an annual capital budget consisting of the following: (1) A budget message outlining the financial policy of the Town government. (2) Estimates of revenue. (3) Itemized estimates of expenditures, provided that the Selectman may offer recommendations on but may not make any adjustments in the budget submitted by the Board of Education for the ensuing fiscal year. (4)

Itemized annual capital budget for the ensuing fiscal year. Additional capital items for which information is not available at the time of the budget submission may be amended or added to the capital budget during the fiscal year. Appropriations for items in the capital budget shall only be approved as provided in the Charter. (5) Such other information as may be required by the Board of Finance.

[13] **Westport Charter, Sec. C14-3.B – Capital Budget Role of First Selectman:** The First Selectman shall also annually present a program of proposed capital projects for the next 5 fiscal years. Such program shall be approved by the Board of Selectmen after consultation with the Town Planning and Zoning Commission. Estimates of the costs of such projects shall be submitted by each department, office and agency annually in the form and manner prescribed by the First Selectman.

[14] **Darien Charter, Sec. 43 – Capital. Expenditure Planning:** Not later than February first in each year, the first selectman shall submit to the board of selectmen an outline of the estimated capital expenditures of the town during the next six fiscal years. The board of selectmen shall consider such outline and shall submit to the board of finance, not later than March first in each year, a recommended budget of such capital expenditures including such recommendation as they desire as to the creation of a reserve therefor in the town budget for the ensuing fiscal year.

[15] **Greenwich Charter Sec. 21(d): Publication of estimates.**

[16] **Westport Charter, Sec. C14-4.A – Public Hearing and Copies and Publication of First Selectman's Budget:** The Board of Finance shall hold 1 or more public hearings at which time any elector or taxpayer shall have an opportunity to be heard regarding appropriations for the ensuing fiscal year. (1) Following receipt of the First Selectman's budget, the Board of Finance shall cause sufficient copies of said estimates to be made available for general distribution in the office of the Town Clerk. (2) At least 5 days prior to the first public hearing, the Board of Finance shall cause to be published, in a newspaper published in the Town of Westport or, if none is so published, in a newspaper having a substantial circulation in the Town, a notice of such public hearings and a summary of said proposed budget estimates and shall also show the amount to be raised by taxation. In determining the 5 days, the day of the notice and the day of the public hearing shall not be counted.

[17] **Darien Charter, Sec. 39(a)(2):** "Such estimates shall be published in a legal notice that complies with state law during the second week in March annually."

[18] **Greenwich Charter Sec. 22(a): Hearings.** On or before April 10 in each year, the Board of Estimate and Taxation shall appoint the times when and places where it will hold meetings in the Town for hearings upon the estimates furnished the Board as provided in Section 21 hereof, and shall give notice of such meetings by publication in a newspaper published in the Town and by giving such other public notice as the Board shall deem advisable. At all such meetings and at all adjournments thereof, the Board shall hear all persons who shall desire to be heard relative to such estimates.

[19] **Branford Charter, Sec. 11.e (first sentence) – Public Hearing:** Not less than two weeks before the annual budget meeting of the Representative Town Meeting, said Board shall hold a public hearing, which may adjourn from time to time, at which itemized estimates of the expenditures of the town for the ensuing fiscal year shall be presented, and shall give notice to each board or department of the town of the time and place of meeting to consider the needs of such board or department. After such public hearing, the Board shall hold a public session, at which it shall consider the estimates so presented and any other matter brought to its attention, and shall thereupon prepare an estimate and recommendation of the amount of money necessary to be appropriated for the expenses of the town for the ensuring fiscal year. Such estimate shall include the amount of revenue to be received during the ensuing year from all sources except from taxes to be

raised on the grand list and shall contain an itemized list of the debts and obligations of the town. Such estimate, with the recommendation of the Finance Board, shall be submitted to the Representative Town Meeting for appropriate action in accordance with this Charter. The Board shall set the tax rate in accordance with Section 2f4 of this Charter.

[20] **Westport Charter, Sec. C14-4.A – Public Hearing:** See, above.

[21] **Darien Charter, Sec. 39(b)(first sentence – Public Hearing:** At a meeting held on the second Tuesday in March annually, and at all adjournments thereof, the board of finance shall hear all parties who may desire to be heard relative to any such estimates**.**

[22] **Greenwich Charter Sec. 22(b): Appropriations.** After such hearings and on or before May 5 next ensuing in each year, the Board shall make and file in the office of the Town Clerk a detailed statement of the appropriations which it deems necessary for the expenses and conduct of the affairs of the Town for the ensuing fiscal year, with its reasons for such appropriations. **Greenwich Charter Sec. 22(c): Miscellaneous.** Appropriations may be made to two (2) or more departments jointly if so requested by such departments. Seven (7) affirmative votes of the Board shall be required to determine the proposed appropriations.

[23] **Greenwich Charter Sec. 24: Failure of Board of Estimate to Act.** If the Board of Estimate and Taxation in any year shall fail to perform any of the acts or duties provided in Sections 21, 22 and 23 hereof, as the same have been or may be amended, then, in such event, the several amounts appropriated for ordinary expenses for current purposes in the budget for the current fiscal year, together with the sums necessary for all interest on indebtedness and for the retirement of indebtedness of the Town becoming due during the ensuing fiscal year of the Town, and the sums for State and military taxes and for the special emergency fund for relief, appropriated in the budget for the current fiscal year, and sums equivalent to the temporary borrowings, if any, of the Town outstanding and a sum equal to the deficit in the operations of the Town during the current fiscal year, as such deficit may be estimated by the Town auditors, shall be deemed to be submitted and recommended by the Board of Estimate and Taxation to the Representative Town Meeting, to be held as provided in Section 23, as the same has been or may be amended, for all purposes as though submitted and recommended by the Board of Estimate and Taxation to the Representative Town Meeting, in accordance with the provisions of Section 23, as amended.

[24] **Branford Charter, Sec. 11.e (final paragraph) – Approval:** Such estimate, with the recommendation of the Finance Board, shall be submitted to the Representative Town Meeting for appropriate action in accordance with this Charter. The Board shall set the tax rate in accordance with Section 2f4 of this Charter.

[25] **Westport Charter, Sec. C14-4.B – Approval and Submission to RTM (first sentence):** The Board of Finance shall, by resolution adopted by an affirmative vote of at least 4 members, approve a budget and file the same with the Town Clerk for submission to the Representative Town Meeting for its adoption.

[26] **Darien Charter, Sec. 39(c) – Action by Board of Finance:** Such appropriations and the rate of taxation fixed by the board shall be filed in the town clerk's office on or before the third Tuesday in April annually and legal notice shall be provided in accordance with state law during the fourth week in April annually.

[27] **Darien Charter, Sec. 39(b)(second and third sentences) – Action by Board of Finance:** Said board, at said meeting or at any adjournment thereof, shall make appropriations for the expenses of the town for the year next ensuing, beginning the first day of July. Said board, in its discretion, may make appropriations for paying off any part of the debt of the town, to provide a fund for public improvements and to provide a contingent or emergency fund for expenses of the town not otherwise provided for and shall classify such appropriations under proper heads.

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[28] **Westport Charter, Sec. C14-4.B – Approval and Submission to RTM (second sentence):** The budget, as approved by the Board of Finance, shall be published at least 10 days prior to the annual budget meeting of the Representative Town Meeting. In determining the 10 days, the day of the meeting shall not be counted.

[29] **Darien Charter, Sec. 39(c) - Filed with Town Clerk by Board of Finance:** Such appropriations and the rate of taxation fixed by the board shall be filed in the town clerk's office on or before the third Tuesday in April annually and legal notice shall be provided in accordance with state law during the fourth week in April annually.

[30] **Greenwich Charter Sec. 23: Submission to RTM.** The Board of Estimate and Taxation shall submit the proposed appropriations to a Representative Town Meeting to be held on or before May 15 in each year. Such Meeting shall take action upon such proposed appropriations and make such appropriations as may appear advisable except that no appropriations shall be made exceeding in amount that for the same purpose recommended by the Board, and no appropriation shall be made for any purpose not recommended by the Board. The appropriations so fixed by the Representative Town Meeting shall be the appropriations for the Town for the ensuing fiscal year.

[31] **Branford Charter, Sec. 11.e (final paragraph) – Approval:** Such estimate, with the recommendation of the Finance Board, shall be submitted to the Representative Town Meeting for appropriate action in accordance with this Charter. The Board shall set the tax rate in accordance with Section 2f4 of this Charter.

[32] See, **Westport Charter, Sec. C14-4.B – Approval and Submission to RTM**.

[33] **Darien Charter, Sec. 39(d) – Submitted to Annual Budget Meeting by Board of Selectmen:** Such appropriations and the rate of taxation fixed by said board shall be submitted by the board of selectmen to the next annual budget meeting. Such annual budget meeting may decrease the appropriations or any item thereof, or the rate of taxation fixed by the board of finance, but in no case shall it have the power to increase such appropriations or any item thereof or the rate of taxation. The rate of taxation so reported by said board shall be final and the appropriations recommended shall be the appropriations of the town for the ensuing year, beginning the first day of July, upon acceptance by the annual budget meeting unless such rate of taxation or such appropriations are decreased by such meeting, in which case the action of such meeting shall be final.

[34] **Greenwich Charter Sec. 23: Submission to RTM.**

[35] **Greenwich Charter Sec. 25: Failure of RTM to Act.** If the Representative Town Meeting shall fail, on or before May 15 in any year to take action upon any or all proposed appropriations submitted to it by the Board of Estimate and Taxation as provided in Section 23 hereof, as the same has been or may be amended, such appropriation or appropriations recommended to the Representative Town Meeting by the Board of Estimate and Taxation, not so acted upon, shall be deemed to be acted upon, made and fixed by the Representative Town Meeting and shall be the appropriations, as the case may be, of the Town for the ensuing fiscal year for all purposes.

[36] **Branford Charter, Sec. 2.f (first paragraph) – Appropriation:** The R.T.M. shall have the power to decrease, increase or add items to the budget, but in no case shall the total amount of the budget exceed the total amount recommended by the Board of Finance.

[37] **Branford Charter, Sec. 2.f (second paragraph) – Appropriation:** If no change is made by such Town Meeting in any of such recommendations of said Board of Finance, the appropriation for expenditures of the town so recommended in such list of said Board shall thereupon become the specific appropriations for expenditures for the fiscal year beginning on the following July 1, and, if any change is made by such Town Meeting in any such recommendation of said Board of Finance, the appropriations for expenditures of the town as so recommended and as so altered shall thereupon
become the specific appropriation for expenditures for such fiscal year.

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[38] **Branford Charter, Sec. 2.f.4 (third sentence) – Pending Adoption:** Anything in this subsection to the contrary notwithstanding, pending the adoption of the appropriations for the ensuing fiscal year by the annual budget meeting of the R.T.M., the current operating expenses of the Board of Education from the following July 1 and the current operating expenses of all other departments of the town from the followin July 1, may be paid, provided an appropriation for such expenses shall have been recommended in the budget report submitted by the Board of Finance to said R.T.M. and filed in the office of the Town Clerk.

[39] **Westport Charter, Sec. C14-5– Budget Duties of the RTM and Sec. C5-1.C – Appropriations:** The Representative Town Meeting shall have such powers over appropriations as are provided for Representative Town Meetings by the General Statutes and shall have the power to request recommendations of appropriations of Town funds by the Board of Finance for administrative needs of the Representative Town Meeting and its committees.

[40] **Westport Charter, Sec. C5-9.**C(6**) (first sentence):** The annual appropriation fixed by the Representative Town Meeting shall be appropriations for the ensuing year, except that any item therein referred to a special meeting of the electors as aforesaid and disapproved by vote of such special meeting shall be amended to accord with such vote, subject to the provisions of this section.

[41] **Darien Charter, Sec. 39(d) – Submitted to Annual Budget Meeting by Board of Selectmen:** See, above.

[42] **Greenwich Charter, Sec. 288 – Determination of Tax Rate; Certification:** "After the fixing of appropriations and on or before May 25 in each year, the Board of Estimate and Taxation shall determine the tax rate which shall be laid upon the assessment list then last completed. The rate shall yield in cash taxes sufficient with the other estimated revenue receipts of the Town to meet the appropriations of the Town for the succeeding fiscal year. The Board shall levy and lay a tax at such rate on such list, as the tax for the Town for the succeeding fiscal year. The chairman and clerk of the Board shall forthwith file a certificate of the levying and laying of such tax with the Town Clerk, who shall record such certificate in the Town Meeting record book. (S.A. 347 § 16, 1921; as amended by S.A. 261 § 1, 1931; S.A. 441, 1945; RTM, 1/8/1962.)

[43] **Greenwich, Sec. 289. – Failure of Board to determine and levy taxes:** If the Board of Estimate and Taxation shall fail to determine the tax rate of the Town as provided in Section 288 hereof as the same has been or may be amended, or shall fail duly to levy and lay a tax on the assessment list of the Town as completed, as the tax for such Town for the ensuing fiscal year, or if the chairman and clerk of the Board shall fail to file a certificate of the levying and laying of such tax with the Town Clerk, the State Tax Commissioner, as soon as may be, shall determine the tax rate of the Town for the ensuing fiscal year and shall levy and lay a tax at such rate upon the assessment list of the Town then last completed. Such rate shall yield taxes sufficient with the other estimated income of the Town to meet the appropriations of the town for the ensuing fiscal year and the Tax Commissioner shall file a certificate of the levying and laying of such tax with the Town Clerk, who shall record such certificate in the Representative Town Meeting record book. Such tax shall become due and payable in all respects as though such tax rate had been determined, levied and laid and such certificate has been filed by the Board of Estimate and Taxation in accordance with the provisions of Section 288 hereof as the same has been or may be amended. (S.A. 415 § 3, 1939; as amended by RTM, 1/8/1962.)

[44] **Greenwich, Sec. 291 – Failure to Fix Tax Rate.** In case of the failure of the Board of Estimate and Taxation and of the chairman and clerk of the board and of the Representative Town Meeting duly to act in accordance with the provisions of Section 288 as the same has been or may be amended, and with the provisions of this Article and the State Tax Commissioner shall fail to act in accordance with the provisions of Section 290 so that the tax rate for the Town for the ensuing fiscal year is not fixed on or before June 15 in any year, the tax rate for the Town for the ensuing fiscal year shall be the same as the tax rate for the preceding fiscal year, namely the same as the rate for

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the current fiscal year, in all respects as though the tax rate had been duly determined by the Board of Estimate and Taxation in accordance with the provisions of Section 288 as the same has been or may be amended. In such event, the chairman and clerk of the Board of Estimate and Taxation or the moderator and clerk of the Representative Town Meeting or the Comptroller of the Town shall file a certificate of the levying and laying of a tax at such rate with the Town Clerk, who shall record such certificate in the Representative Town Meeting record book. Such tax shall become due and payable as provided in Section 288 as amended. (S.A. 415 § 5, 1939; as amended by RTM, 1/8/1962.)

[45] **Branford Charter, Sec. 2.f.4 (second sentence) – Tax Rate:** Thereafter, but no later than June 1, the Board of Finance shall determine the rate of taxation for the Town of Branford for the ensuing fiscal year, based upon the appropriations adopted by the R.T.M. and the completed taxable grand list.

[46] **Westport Charter, Sec. C5-9.C**(6) (second sentence): In the event of a referendum affecting any annual appropriation, the time within which the Board of Finance shall lay the Town tax for the year following such appropriation shall be extended to 5 days after the referendum vote.

[47] **Darien Charter, Sec. 39(b)(fourth sentence) – Action by Board of Finance:** Said board shall lay such tax upon the grand list of said town last completed as it shall deem necessary and may fix the time when such tax shall become due and payable.

[48] Greenwich Charter, Sec. 175 – Referendum; Appropriaitons.

Sec. 175. Referendum; appropriations.

(a) When a petition shall be filed asking for the submission to the voters of the Town, of any question as to the annual appropriations for the Town's expenditures for the ensuing year, such petition shall set forth each item of appropriation as to which a question is involved with the amount of the appropriation as approved by the Representative Town Meeting and the amount to which the petitioners desire it to be decreased or increased, provided such increase shall not be above the amount approved by the Board of Estimate and Taxation. A separate question shall be submitted to the voters on each such item of appropriation and shall call for an answer "Yes" or "No." The answer "No" shall mean the sustaining of the appropriation as fixed by the Town Meeting. The answer "Yes" shall mean the fixing of such appropriation at the figure suggested by the petitioners.

(b) The annual appropriation as fixed by the Town Meeting shall be the appropriation for the ensuing year except as to those items upon which the referendum is called for and those items which on the referendum are answered "No" shall remain as fixed by such Town Meeting, and those items which on the referendum are answered "Yes" shall be changed in accordance with the referendum and the appropriation so fixed by the Representative Town Meeting and as so modified by such referendum shall be the appropriation for the ensuing year.

(c) In the event that such right of referendum should be exercised, as above provided with respect to the action or actions of any Representative Town Meeting on the budget of the Town for the ensuing year, so that such action or actions of the Representative Town Meeting cannot be finally determined by May 25 in any year, then the time within which the Board of Estimate and Taxation shall lay the tax shall be extended to five (5) days after such referendum vote.

(S.A. 154 § 7, 1933; as amended by RTM, 3/9/1970.)

[49] **Branford Charter Sec. 7 – Appropriation:** Any vote passed at an R.T.M. authorizing the expenditure for any specific single purpose of fifty thousand dollars or more, or the issue of any bonds by the town, shall not be effective until the expiration of fifteen days after the

adjournment of such meeting, or if within that time a petition for referendum has been filed as hereinafter provided, then unless and until such vote shall be approved by such referendum in the manner hereinafter provided.

Branford Charter Sec. 8 – Referendum: If, at any time before the effective date of any ordinance or amendment thereof, or of any other action or vote described in Section 6 or 7 hereof, a petition, signed by not less than three percent of the electors of each voting district of the town or five percent of the electors of the town at large, containing their names and addresses as they appear on the last-completed registry list, shall be filed with the Selectmen asking that such ordinance, amendment or other action or vote be referred to a vote of the electors of the town, the Selectmen shall forthwith call a special meeting of all such electors, to be held within ten days after receipt of such petition, for the sole purpose of voting approval or disapproval of such ordinance or amendment or of changing the amount of an appropriation or an item thereof in the manner hereinafter provided. At any such special meeting, the polls shall be opened at two o'clock in the afternoon and shall be closed at eight o'clock in the evening, but the hours for voting may be increased at the discretion of the Board of Selectmen. Voting at such meeting shall be by voting machine or printed ballot, at the discretion of the Board of Selectmen. Except as hereinafter provided with respect to referendum affecting town appropriations, the ballot labels or ballots used in such special elections shall state separately each matter to be voted on in substantially the following form; "Shall the following action of a Town Meeting held on (date of the meeting) be approved?" followed by a statement of the action referred to in substantially the same language and form in which the same is set forth in the records of such R.T.M., and the voting machine or printed ballot shall provide means of voting "yes" or "no" on each question so presented. All petitions for referendum on any action of an R.T.M. with respect to any appropriation in the amount required for a referendum under section seven hereof shall set forth each item as to which a vote is desired, with the amount of the item as approved by the R.T.M., and the amount to which the petitioners desire it to be decreased Ballot labels or ballots used for such referendum shall present separately each appropriation so referred, in substantially the following form: "Shall an appropriation approved by the R.T.M. in the sum of $…… for (here the purpose of the appropriation shall be stated be approved", and the voting machine or printed ballot shall provide means of voting "yes" or "no" on each such question so presented. The annual appropriations fixed by the Town Meeting shall be the appropriations for the ensuing year except that any item therein referred to a referendum of the electors as aforesaid, and modified by vote of such referendum of the electors, shall be amended to accord with such vote. In the event a referendum affecting any annual appropriation shall be exercised subsequent to the time fixed by law for laying the town tax, the time within which the town shall lay the town tax for the year following such appropriation as required by law, shall be extended to five days after such referendum vote.

All questions submitted to referendum vote of the electors as hereinbefore provided shall be decided by majority vote of the electors voting thereon, provided no action of an R.T.M. shall be reversed or modified unless the majority vote to so reverse or modify shall exceed in number fifteen percent of the total number of the electors of the town.

[50] **Westport Charter, Sec. C5-9.B – Referendum on appropriations in excess of $500,000.** Any vote passed at a Representative Town Meeting authorizing the expenditure, for any specific single purpose, of $500,000 or more or the issue of any bonds by the Town shall not be effective until the expiration of fourteen days after the adjournment of such meetings. If within that time a petition for referendum has been filed as hereinafter provided, such vote shall not be effective until approved by such referendum. **Sec. C5-9.C(5) Referendums on Appropriations and Bond Issues**. All petitions for a referendum on any action by the Representative Town Meeting with respect to any appropriation in the amount required for a referendum under Subsection B of this section shall set forth each item to be voted on. The dollar amount of the items approved by the Representative Town Meeting and the dollar amount which the petitioners request shall be set forth. No increase shall be proposed in excess of the amount approved for the item in question by the Board of Finance or the Representative

Town Meeting. Ballot labels or ballots used for such referendum shall present separately each appropriation so referred in substantially the following forms: (a) "Shall an appropriation approved by the Representative Town Meeting in the sum of $_____ for (here the purpose of the appropriation shall be stated) be approved?" (b) "Shall an appropriation of $_____ for (here the purpose of the appropriation shall be stated) be increased (or decreased) to the sum of $_____?" (7) Vote. All questions submitted to referendum vote of the electors as hereinabove provided shall be decided by majority vote of the electors voting thereon, provided that the total number of votes cast in such referendum shall be at least 20% of the registered electors of the Town.

[51] **Darien Charter, Sec. 52 (a) – Referendum:** "Any action of the town meeting described in section 50 adopting an ordinance or approving the appropriation or issuance of bonds of fifty thousand dollars ($50,000.00) or more for a single purpose shall be subject to overrule by referendum."

[52] **Westport Charter, Sec. C5-1.D – Review of Board of Finance Action:** If within 65 days of the receipt of any request for the appropriation of Town funds or for the issuance, reissuance, refinancing, repurchase or the call of bonds or other instrument of indebtedness, or for any lease, acquisition or disposition of real property, the Board of Finance fails to recommend such appropriation or issuance, reissuance, refinancing, repurchase or call, in whole or in part, the request may be placed on the agenda of the Representative Town Meeting. The Representative Town Meeting may appropriate such funds or authorize the issuance, reissuance, refinancing, repurchase or the call of bonds or other instruments of indebtedness, or such lease, acquisition or disposition of real property upon the affirmative vote of 70% of the members of the Representative Town Meeting, present and voting, when the number of affirmative votes is not less than the majority of the total membership. In the case of an appropriation to be included in the annual budget, such action shall be taken only at the annual budget meeting. In any other case, such action shall be taken not later than 30 days after notification to the Moderator by the Board of Finance of its action on the appropriation request.

[53] **Greenwich Charter Sec. 30: Expenditures in excess of Appropriations.** (a) No officer of the Town shall expend, or enter into any contract by which the Town shall become liable for, any sum which, with such contracts as are then in force, shall exceed the appropriations for the several departments, or any of them, except in cases of necessity connected with the repair of highways and bridges and then not to exceed in the aggregate Five Hundred Dollars ($500.00) in any fiscal year and except in cases of necessity connected with the care of the Town poor and then not to exceed in the aggregate One Hundred Dollars ($100.00) in any fiscal year. (b) If any occasion arises whereby more money will be actually needed for any department of the Town than has been appropriated, as provided for herein, the Selectmen or the head of such department shall notify the Board of Estimate and Taxation of such fact, and the chairman of the Board shall forthwith call a meeting of the Board to consider the matter of an appropriation for such object. The Board may make such appropriation in an amount not exceeding Five Thousand Dollars ($5,000) or such other greater sum as the Representative Town Meeting may hereafter authorize, for such object, after due inquiry. (c) If the amount required shall exceed Five Thousand Dollars ($5,000), or such other greater sum as the Representative Town Meeting may hereafter authorize, such appropriation shall not be finally made until, upon the recommendation of the Board, the same has been voted by the Town at a meeting called for that purpose. If such appropriation is made after the laying of the tax, unless the income for the current fiscal year is sufficient to meet the same, the amount of such appropriation shall be included and made a part of the next tax levy. (d) No appropriation for one (1) object shall be used for any other object, except that the Board shall have the power to transfer uncommitted balances from one (1) appropriation for a department to another appropriation for the same department. The Board of Estimate and Taxation may also appropriate, within the limits and upon such terms as shall hereafter from time to time be authorized by the Representative Town Meeting, upon recommendation of the Town Attorney, any monies required for the payment, compromise or

settlement of any claim or claims against the Town, and in any case where the approval of any such appropriation by the Representative Town Meeting shall be required by the Representative Town Meeting, the Representative Town Meeting is authorized and empowered to delegate the power to approve the same to a committee of the Representative Town Meeting.

[54] **Branford Charter Sec. 2.f (third paragraph):** The Board of Selectmen, the Board of Education and each officer, board and department of said town shall not incur, and the town in any special Representative Town Meeting shall not vote to incur any liability or expense by contract or otherwise for which said town shall be responsible in excess of the specific appropriations as so determined.

[55] **Darien Charter, Sec. 39(e):** The total amount of appropriations for any one year shall not exceed the estimated income for that year, nor shall the board of selectmen or board of education, nor the town in any special meeting, vote to incur any liability or expense, by contract or otherwise, for which the town shall be responsible, in excess of the appropriations fixed by the board of finance as aforesaid.

[56] **Greenwich Charter Sec. 26: Extension of Time; State Tax Commissioner.** Anything in this Article to the contrary notwithstanding, the State Tax Commissioner may extend the time for the Board of Estimate and Taxation and for the Representative Town Meeting, or either of them, to act under the provisions of Sections 21, 22 and 23 hereof as the same have been or may be amended, but such extensions shall not be for more than five (5) days in any one case. At the expiration of such respective extensions, if any, the provisions of this Article with respect to any act to be performed, or to any failure to act, by the Board of Estimate and Taxation or the Representative Town Meeting, shall apply. (S.A. 415 § 4, 1939.)

[57] **Greenwich Charter Sec. 290: Extension of Time; State Tax Commissioner.** Anything in this Article to the contrary notwithstanding, the State Tax Commissioner may extend the time for the Board of Estimate and Taxation to act under the provisions of Section 288 as the same has been or may be amended. Such extensions shall not be for more than five (5) days in any one case. At the expiration of such respective extensions, if any, the provisions of this Article with respect to any act to be performed, or to any failure to act, by the Board of Estimate and Taxation or the Representative Town Meeting, shall apply. (S.A. 415 § 4, 1939.)

[58] **Greenwich Charter Sec. 28: Appropriations to Emergency Fund.** When there shall be a special emergency, the Town may, on the recommendation of the Board of Estimate and Taxation, make an appropriation to a special emergency fund to be allotted by the Board, from time to time, to and for the purposes of such department or departments which will, in the opinion of the Board, in the execution of its purposes, best secure the objects of such appropriation, with the power in the Board to, from time to time, change any such allotment as to the uncommitted balance thereof.

Greenwich Charter Sec. 34. Emergency Commitments. In case of an emergency a commitment against an uncommitted balance of an appropriation may be made to the extent of not more than Fifty Dollars ($50.00). In such case the commitment shall be, within forty-eight (48) hours, confirmed by a requisition or purchase order therefor, filed in the office of the Comptroller, and signed by the head of the department or some person designated by him for that purpose on whose behalf such commitment shall have been made. The requisition or purchase order shall be certified as above provided and charged against the relative appropriation. (S.A. 301, 1933; as amended by RTM, 1/8/62.)

[59] **Branford Charter, Sec. 2.f.1:** The provisions of Subdivision f of this subsection shall not be construed to prevent the R.T.M. from making further appropriations upon the recommendation of the Board of Finance at a special Representative Town Meeting held after the annual

budget meeting and prior to the laying of the tax for the ensuing fiscal year, and any appropriations made at such special R.T.M. shall be included in the amount to be raised by the tax to be laid by the Board of Finance under the provisions of law.

[60] **Darien Charter, Sec. 39(b)(fith sentence) – Action by Board of Finance:** The contingent or emergency fund, when appropriated by the town, shall be disbursed only at the direction of the board of finance in its discretion, but said fund may not be used directly or indirectly for purposes of acquiring land or buildings without the approval of the representative town meeting.

[61] **Darien Charter, Sec. 40 – Special or Emergency Appropriations: (a)** Special appropriations may be made by the board of finance when there shall have been an omission in an annual appropriation due entirely to oversight or inadvertence, or when said board shall determine that an actual emergency has arisen after it has made the annual appropriations, and the finding of said board as to the existence of such emergency shall be final and conclusive. (b) If any such special appropriation is required, an estimate thereof shall be prepared and submitted to the board of finance at a special meeting called for the purpose, and said board, at such meeting or any adjournment thereof, may make any such appropriation and lay a special tax to meet the same; but no such appropriation shall be made unless a special tax shall be laid sufficient to cover the amount thereof when such appropriation shall be in excess of the unappropriated revenues of the town, except as hereinafter provided. (c) Such appropriation and the rate of taxation, if any, so recommended shall be submitted by the board of selectmen for approval to a regular or special representative town meeting called for that purpose, and such representative town meeting may decrease the appropriation or any item thereof or the rate of taxation recommended by the board of finance, or such representative town meeting may vote not to make such appropriation or levy such special tax; but in no case shall any representative town meeting have power to increase any special appropriation or any rate of taxation recommended by the board of finance, or to so decrease the rate of taxation as to create a deficiency. Such representative town meeting may, in case of a special appropriation recommended and approved as aforesaid, direct that the money necessary to meet the same be borrowed by the board of selectmen on the note or notes of the town instead of laying a special tax therefor as hereinbefore provided the amount so borrowed to be covered in an appropriation to be made by said board of finance and submitted for approval at the annual budget meeting next ensuing. (d) The provisions of this section as to levying a tax shall not apply to any expenditure which is to be met by the proceeds of a bond issue and which shall be authorized by vote of the town at any representative town meeting thereof, and none of the provisions of this act shall be a limitation upon the town in issuing bonds under the provisions of law or expending the proceeds thereof in accordance with the vote of such town.

[62] **Greenwich Charter Sec. 31: Uncommitted Appropriations.** All uncommitted appropriations shall be covered back into the Town Treasury except that uncommitted appropriations for capital improvements may, at the end of any fiscal year, with the approval of the Board, be continued and set up as a reserve for the same purpose, and may be committed against for one (1) fiscal year after the expiration of the fiscal year for which appropriations were originally made. (S.A. 347 § 18, 1921; as amended by S.A. 343 § 4, 1937.)

[63] **Darien Charter, Sec. 41. Unexpended balances**: The board of finance may make transfers of unexpended balances from one appropriation to another, but no amount appropriated for any purpose, whether general or special, shall be used or appropriated for any other purpose unless the saC14-3me is recommended by said board. Said board may also, by resolution, permit any town department to carry over unexpended balances of appropriations made for such department into the fiscal year of such department following that for which the appropriation shall have been made and to expend all or any part of such balance so carried over as though it were a part of an appropriation duly made for such ensuing fiscal year.

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[64] **Greenwich Charter Sec. 32: Control of Commitments.** No commitment, obligation or contract for property, services or any other valuable thing, involving the payment of money, shall be made by any Town official or by any other person on behalf of the Town, for which an appropriation has not been made or in excess of any appropriation for such purpose. No act, document or statement purporting to be such a commitment, obligation or contract of the Town, except in case of an emergency as hereinafter provided, shall be binding upon the Town unless a requisition or purchase order therefor, signed by the head of a department of the Town or some person designated by him for that purpose shall have been filed in the office of the Comptroller and such requisition or purchase order shall have been certified by the Comptroller, or by someone deputized by him for that purpose, as being within the uncommitted balance of an appropriation against which such commitment, obligation or contract shall be properly chargeable.

[65] **Greenwich Charter Sec. 33: Requisitions for Board of Education.** All monies required by the Board of Education, as appropriated for its use during any fiscal year, shall be paid by the Treasurer upon the requisition of such persons, in behalf of the Board of Education, as said Board by law or special vote, certified by the secretary of said Board to the Comptroller, may provide and in the absence of such by-law or special direction upon the requisition of the secretary of said Board. (S.A. 347 § 22, 1921.)

[66] **Greenwich Charter Sec. 35: Employment and periodic service contracts.** (a) This Article shall not prevent the employment by the head of a department of any person for a period and for an amount not in excess of that provided in an appropriation for such purpose. For periodic employment no requisition need be filed until the expiration of each period for which payment for such employment may be due. (b) This Article shall not prevent the making of contracts for periodic service, such as water, electric light and other similar services usually contracted for in advance, for a period and for an amount not in excess of an appropriation provided for such purpose. Such contract shall be filed with the Comptroller immediately when made. For such contracts no requisition or purchase order need be filed until the expiration of each period for which payment on such contracts may be due. (S.A. 201, 1933.)

[67] **Greenwich Charter Sec. 36: Estimates of Proposed Commitments.** In case the exact amount of a proposed commitment cannot be determined at the time a requisition or purchase order therefor is filed, as above provided, such requisition or purchase order shall be for an amount which it is estimated will cover such commitment. A further final requisition or purchase order shall be filed with the Comptroller by the head of the department or some person designated by him for that purpose filing such original requisition or purchase order for the exact amount of such commitment when determined. The excess, if any, shall be charged against the relative appropriation. (S.A. 201, 1933.)

[68] **Greenwich Charter Sec. 37: Petty Cash Fund.** A petty cash fund in an amount approved by the Board of Estimate and Taxation may be advanced out of the uncommitted balance of an appropriation to the head of a department, upon his requisition therefor, for the purpose of meeting the petty expenses of such department. Such fund shall be known as an "imprest petty cash fund" and shall be charged against the relative appropriation and accounted for by the head of the department receiving the same. Vouchers, duly authenticated, representing proper disbursements out of such fund on behalf of the Town shall be filed with the Comptroller by such head of a department for payments made by him out of such fund, and the amount of such vouchers shall be appropriately charged. (S.A. 201, 1933; as amended by RTM, 1/8/62.)

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #3
FORMS OF GOVERNMENT IN CONNECTICUT

TOWN GOVERNANCE ISSUES: PART I

Joe DeLong
Executive Director and CEO, Connecticut Conference of Municipalities
Former State House Majority Leader, West Virginia

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REQUIRED PROVISIONS OF A TOWN CHARTER: C.G.S. §7-193(a)

Legislative Body (§7-193(a)(1)

(A) Town Meeting;
(B) Representative Town Meeting;
(C) Board of Selectmen, Council, Board of Directors, Board of Aldermen or Board of Burgesses; or
(D) A combination of a Town Meeting or Representative Town Meeting and one of the bodies listed in subparagraph (C)[1].

Chief Executive Officer (§7-193(a)(2)

(A) The First Selectman;
(B) Chief administrative officer appointed by the board of selectmen;
(C) Mayor elected by the electors of the municipality;
(D) Warden elected by the electors of the borough;
(E) Town, City or Borough Manager[2] appointed by the board of selectmen, the council, the board of directors, the board of aldermen or the board of burgesses; or,
(F) Chief Administrative Officer appointed by the Mayor.

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[1] In any combination, the body having the greater number of members shall have the power to adopt the annual budget and shall have such other powers as the charter prescribes, and the body having the lesser number of members shall have the power to adopt, amend and repeal ordinances, subject to any limitations imposed by the general statutes or by the charter. The number of members in any elective legislative body, the terms of office of such members and the method by which they are elected shall be prescribed by the charter.
[2] Any municipality having a manager as its chief executive officer may also have a mayor who shall be the presiding officer of its legislative body, shall be the ceremonial head of such municipality and shall have such other powers and duties as the charter prescribes. The powers, duties and term of office of the chief executive officer shall be those prescribed by the general statutes and he shall have such other powers and duties as the charter prescribes.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #3
FORMS OF GOVERNMENT IN CONNECTICUT

Elected Officials									
Positions	**Fairfield**	**Greenwich**	**Branford**	**Westport**	**Darien**	**West Hartford**	**Hamden**	**Meriden**	**Bristol**
1st Selectwoman/Mayor^	Y	Y	Y	Y	Y	TM	Y^	M/TM	Y^
Board of Selectmen	Y	Y	Y	Y	Y	N	N	N	N
RTM/Council+	Y	Y	Y	Y[3]	Y	Y+	Y+	Y+	Y+
Town Clerk	Y	Y	Y	N	Y	Y	Y	Y	N
Registrars of Voters	Y	Y	Y	Y	Y	Y	Y	Y	N
Constables	Y	Y	Y	N	Y	N	N	N	N
Board of Finance*/Board of Estimate~	Y*	Y~	N	Y*	Y*	N	N	N	N
Board of Assessment Appeals	Y	Y	Y	Y	Y	N	N	N	Y
Board of Education	Y	Y	Y	Y	Y	Y	Y	Y	Y
Zoning Board of Appeals	Y	N	N	Y	N	N	N	N	N
ZBA Alternates	Y	N	N		N	N	N	N	N
Town Plan and Zoning Commission	Y	N	N	Y	Y	N	N	N	N
TPZ Alternates	Y	N	N	N	N	N	N	N	N
Town Treasurer	N	Y	Y	N	Y	N	N	N	Y
Tax Collector	N	N	Y	N	Y	N	N	N	N

[3] RTM Is nonpartisan in accordance with Special Act

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #3
FORMS OF GOVERNMENT IN CONNECTICUT

Forms of Government in Connecticut 2022[4]		
Municipality	**Population**	**Form of Government**
Bridgeport	148,654	M/C (4)[5]
Stamford	135,470	M/C (4)[6]
New Haven	134,023	M/C
Hartford	121,054	M/C (4)[7]
Waterbury	114,403	M/C (4)
Norwalk	91,184	M/C
Danbury	86,518	M/C
New Britain	74,135	M/C
West Hartford	64,083	C/TM[8]
Greenwich	63.518	S/RTM[9]
Fairfield	61,512	S/RTM
Hamden	61,169	M/C
Meriden	60,850	C/TM
Bristol	60,833	M/C
Manchester	59,713	C/TM[10]
West Haven	55,584	M/C
Stratford	52,355	M/C[11]
Milford	52,044	M/C
East Hartford	51,045	M/C
Middletown	47,717	M/C
Wallingford	44,396	M/C
Southington	43,501	C/TM
Enfield	42,142	C/TM

[4] This chart does not included municipalities under 10,000 in population
[55] Mayor/Council = M/C; 4 = Four-year term for CEO
[6] Mayor/Board of Representatives/At-Large Board of Finance
[7] Moved from City Manager
[8] Council/Manager = C/TM
[9] Selectmen/RTM = S/RTM
[10] General Manager/Board of Directors
[11] Moved from TM

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #3
FORMS OF GOVERNMENT IN CONNECTICUT

Forms of Government in Connecticut 2022		
Municipality	Population	Form of Government
Shelton	40,869	M/C
Norwich	40,125	C/TM (4)
Groton	38,411	C/TM
Trumbull	36,827	S/C[12]
Torrington	35,515	M/C
Glastonbury	35,159	C/TM
Naugatuck	31,519	M/C
Newington	30,536	C/TM
Vernon	30,215	M/C
Windsor	29,492	C/TM
Cheshire	28,733	C/TM
Branford	28,273	S/RTM
New Milford	28,115	M/C
East Haven	27,923	M/C
New London	26,966	M/C
Wethersfield	27,298	C/TM
Newtown	27,173	S/BoS/Councl
Westport	27,141	S/RTM (4)
South Windsor	26,918	C/TM
Farmington	26,712	C/TM
Mansfield	25,892	C/TM
Ridgefield	25,033	S/Town Meeting
Simsbury	24,517	S/Town Meeting
Windham	24,425	S/Town Meeting
North Haven	24,253	S/Town Meeting
Watertown	22,105	C/TM
Guilford	22,073	S/Town Meeting
Bloomfield	21,535	C/TM
Darien	21,499	S/RTM
Rocky Hill	20,845	C/RTM
New Canaan	20,622	M/C

[12] Selectmen/Council = S/C

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #3
FORMS OF GOVERNMENT IN CONNECTICUT

Forms of Government in Connecticut 2021		
Municipality	**Population**	**Form of Government**
Bethel	20,358	S/Town Meeting
Berlin	20,175	C/TM
Southbury	19,879	S/Town Meeting
Waterford	19,571	S/RTM
Avon	18,032	C/TM
Ansonia	18,918	M/C
Monroe	18,825	S/Town Meeting
East Lyme	18,693	S/Town Meeting
Wilton	18,503	S/Town Meeting
Montville	18,387	M/C (4)
Stonington	18,335	S/Town Meeting
Killingly	17,742	C/TM
Madison	17,691	S/Town Meeting
Brookfield	17,528	S/Town Meeting
Plainville	17,525	C/TM
Seymour	16,748	S/Town Meeting
Ellington	16,426	S/Town Meeting
Wolcott	16,142	M/C
Suffield	15,752	S/Town Meeting
Colchester	15,555	S/Town Meeting
Ledyard	15,413	M/C (4)
Plainfield	14,973	S/Town Meeting
Tolland	14,563	C/TM
Orange	14,280	S/Town Meeting
Cromwell	14,225	C/TM
New Fairfield	13,579	S/Town Meeting
North Branford	13,544	C/TM
Clinton	13,185	S/Town Meeting
East Hampton	12,717	C/TM
Oxford	12,706	S/Town Meeting
Windsor Locks	12,613	S/Town Meeting
Derby	12,325	M/C

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #3
FORMS OF GOVERNMENT IN CONNECTICUT

Forms of Government in Connecticut 2022		
Municipality	**Population**	**Form of Government**
Coventry	12,235	C/TM
Plymouth	11,671	M/C
Stafford	11,472	S/Town Meeting
Griswold	11,402	S/Town Meeting
East Windsor	11,190	S/Town Meeting
Granby	10,903	
Old Saybrook	10,481	S/Town Meeting
Weston	10,354	S/Town Meeting
Somers	10,255	S/Town Meeting
Winchester	10,244	C/TM
Canton	10,124	S/Town Meeting
Prospect	9,401	M/C
Hebron	9,098	S/Town Meeting

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)

TOWN GOVERNANCE ISSUES: PART II

Hon. James Pascarella
Former Mayor and Legislative Council President, Hamden

Hon. Ellen Zoppo-Sassu
Town Manager, Enfield/Former Mayor, Bristol

Scott Shanley
Former General Manager, Manchester

Hon. Dan Salerno
City Treasurer/Former Member - Common Council, New Britain

Hon. Dan Rosenthal
First Selectman, Newtown

Hon. Jamie Cosgrove
First Selectman, Branford

COMPOSITION, ORGANIZATION AND TERMS OF OFFICE

Municipality	Population	Form	Council Composition	Legislative Body Officers	Terms of Office
Bridgeport	148,656	M/C (4)[A]	20 Members (10 Districts)	Mayor Presides[1] Council President[2] Majority and Minority Leaders[3]	Mayor – 4 yrs. Council – 2 yrs. City Clerk – 4 yrs.
Stamford	135,470	M/C (4)[4]	40 Members (20 Districts)	President[5]	Mayor and Board of representatives – 4 yrs.
New Haven	134,023	M/C	30 Members and Ward	President, President Pro tempore and Third Officer[6]	Mayor and Alders – 2 yrs.
Hartford	121,054	M/C (4)[B]	9 Members (At-large)	President[7]	Mayor and Common Council – 4 yrs.
Waterbury	114,493	M/C	15 Members and Districts	President, President Pro tempore, Majority Leader and Minority Leader[8]	Mayor – 4yrs Board of Aldermen – 2yrs.
Norwalk	91,164	M/C	15 Members 2 each from 5 Districts and 5 At-large[9]	Mayor Presides Council President[10]	Mayor and Council – 2 yrs.

[A] Mayor/Council = M/C; 4 = Four-year term for CEO
[B] Moved from City Manager

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)

Municipality	Population	Form	Council Composition	Legislative Body Officers	Terms of Office
Danbury	85,518	M/C	21 Members 2 each from 7 wards and 7 at-large[11]	President[12]	Mayor and Council – 2 yrs.
NEW BRITAIN	74,135	M/C	15 members 2 each from 5 districts and 5 at-large[13]	Mayor presides President Pro Tempore[14]	Mayor and Common Council – 2 yrs.
West Hartford	64,083	C/TM[C]	9 members at-large	Mayor/President of Council[15]	Council – 2 years
Greenwich	63,518	S/RTM[D]	230 members from 12 districts[16]	Moderator	Selectmen[17] and RTM – 2 yrs.
FAIRFIELD	61,512	S/RTM	40 members[E]/ 10 districts	Moderator	Selectmen – 4 yrs. RTM – 2 yrs.
HAMDEN	61,169	M/C	15 members – 9 Districts and 6 at-large	Council President	Mayor and Council – 2 yrs.
BRISTOL	60,833	M/C	6 Council Members 2 each from 3 Districts + Mayor	Mayor Presides[18]	Mayor and Council – 2 yrs.
Meriden	60,850	C/TM	12 members – 2 each from 4 areas and 4 at-large	Mayor Presides[19] (separately elected)	Mayor – 2 years Council – 4 yrs. (split cycle)
MANCHESTER	59,713	C/TM	9 – Directors at-large	Chair (Mayor) and Vice Chair	Directors – 2 yrs.
West Haven	55,854	M/C	13 members - 10 districts and 3 at-large[20]	Chair presides[21] Mayor attends[22].	Mayor and Council – 2 yrs.

[C] Council/Manager = C/TM
[D] Selectmen/RTM = S/RTM
[E] Up to 56.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)

Municipality	Population	Form	Council Composition	Legislative Body Officers	Terms of Office
Milford	51,045	M/C	15 member – 5 districts 3 members from each district	Chair presides[23].	Mayor and Board of Aldermen 2 yrs.
Stratford	53,355	M/C[F]	10 members by district[24]	Chair and Chair Pro tempore[25]	Mayor – 4 yrs. Council – 2 yrs.[26]. Note: Chief Administrative Officer[27]
East Hartford	51,045	M/C	9 members, at-large[28]	Chair (Deputy Mayor), and Vice Chair selected by members[29]	Mayor and Council – 2 yrs.
Middletown	47,717	M/C/	12 members at-large	Mayor, Council President and President Pro-Tempore	Mayor and Council – 4 yrs.
Wallingford	44,396	M/C	9 member, at-large	Chairperson and Vice Chairperson[30]	Mayor and Town Council – 2 yrs.
Southington	43,501	C/TM	9 members	Chair and Vice Chair	Town Council – 2 yrs.
ENFIELD	42,142	C/TM	11 members 7 at-large and 1 for each of the four districts	Chair (Mayor) and Deputy Mayor	Council – 2 yrs.
Shelton	40,869	M/C	8 members, two from each of 4 districts[31]	President and Vice President[32][33]	Mayor and Board of Aldermen – 2 yrs.[34]
Norwich	40,125	C/TM	Mayor and 6 Councilmembers at-large	Mayor presides and votes	Mayor – 4 yrs.[35]. Council – 2 yrs.
Groton	38,411	C/RTM/ TM	45 – RTM members by district 9 Council members at-large[36]	Moderator of RTM Chair of Council (Mayor)	RTM and Council – 2 years

[F] Moved from TM

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)

Municipality	Population	Form	Council Composition	Legislative Body Officers	Terms of Office
Trumbull	36,827	FS/C[G]	21 Council members 3 from each of 7 districts	Chair and Vice Chair	First Selectman and Council – 2 yrs.
Glastonbury	35,159	C/TM	9 Council members at-large	Chair and Vice Chair	Council – 2 yrs.
Torrington	35,515	M/C	6 members, at-large	Mayor presides and breaks tie[37]	Mayor – 4 yrs. Council – 2 yrs.
Naugatuck	31,519	M/C	9 burgesses, at-large[38]	Mayor Presides and votes[39]	Mayor and Board of Burgesses – 2 yrs.
BRANFORD	28,273	S/RTM/Board of Finance[H]	3 Members of Board of Selectmen 30 RTM members by 7 Districts	Moderator	Selectmen and RTM – 2 yrs.
NEWTOWN	27,173	S/TM	3 – Selectmen 12-member Legislative Council 4 elected from each of 3 districts Town Meeting	Chair	Selectmen and Legislative Council – 2 yrs.

[G] 1st Selectmen/Council = S/C/
[H] Board of Finance appointed by Board of Selectmen.

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The Legislative Body - C.G.S. §7-193(a)(1)	
A. Town Meeting	B. Representative Town Meeting
C. Board of Selectmen, Council, Board of Directors, Board of Aldermen or Board of Burgesses	D. A combination of a Town Meeting or Representative Town Meeting and one of the bodies listed in subparagraph (C) [40]

FAIRFIELD CHARTER ARTICLE III – REPRESENTATIVE TOWN MEETING

§3.1. Legislative Power[41].

All legislative power of the Town, including the power to enact ordinances, shall be vested in the RTM, subject to referendum as provided by the terms of this Charter. The RTM shall constitute a continuing body. The RTM may delegate the power to implement or carry into effect any of the powers set forth in this Charter to any Town officer, board, or commission.

§3.2. Membership.

A. Composition[42]. The RTM shall consist of the elected RTM members. In addition, the Selectmen, the Town Clerk, the Town Attorney, any Assistant Town Attorneys, the chairman of the Board of Education, and the members of the Board of Finance shall be ex officio members of the RTM without vote.

B. Right to vote[43]. The right to vote at RTM meetings shall be limited to RTM members elected as provided in **Section 2.6 of this Charter.**

C. Judge of qualification[44]. The RTM shall be the judge of the election and qualifications of its members.

D. Eligibility for membership on the RTM[45]. No elected or appointed Town official (excluding, however, members of advisory boards or commissions and building committees) shall be eligible to serve as a voting member of the RTM, and no voting member of the RTM shall hold any elected or appointed Town office.

E. Change of residence[46]. An RTM member who moves from the Town shall cease to be an RTM member, but an RTM member who moves from the district from which the member was elected to another district may serve until the

next election of RTM members.

F. Compensation[47]. The RTM members as such shall receive no compensation.

§3.3. Annual meetings[48], organization, and elections.

A. Date of organization meeting[49]. An organization meeting of the RTM members shall be held on the fourth Monday in November in each year.

B. Election of Moderator[50]. Each organization meeting shall elect from among its voting members a moderator who shall preside at all RTM meetings and shall hold office for a term of one (1) year and until a successor is elected and has qualified. The Moderator of the RTM shall have all the powers and duties of a moderator of an open town meeting, including those set forth in C.G.S. §§ 7-7 and 7-8 of Chapter 90 of the General Statutes.

C. Deputy Moderator[51]. Each organization meeting shall elect from among its voting members a deputy moderator who shall hold office for a term of one year and untila successor is elected and has qualified. In the event of inability of the Moderator to act, the Deputy shall have all the powers and duties of the Moderator.

D. Clerk[52]. The Town Clerk or, in the event of the Town Clerk's absence, an Assistant Town Clerk, shall act as clerk of all RTM meetings.

E. Moderator Pro-tempore and Clerk Pro-tempore[53]. In the absence of the Moderator and the Deputy Moderator, a moderator pro-tempore may be elected from the voting members of the RTM meeting. In the absence of the Town Clerk and an Assistant Town Clerk, a clerk pro-tempore of the meeting may be elected by the meeting.

F. Rules and committees[54]. The RTM shall have the power to adopt standing rules for the conduct of RTM meetings and the power to appoint such committees as it shall determine.

§3.4. Meetings[55].

A. Quorum[56]. A majority of the RTM members shall constitute a quorum for doing business, provided that a

smaller number may organize temporarily and may adjourn from time to time. No RTM meeting shall adjourn past the date of an election of RTM members. All RTM meetings shall be public.

B. Regular meetings[57]. Regular RTM meetings shall be held at least once a month on a regular meeting day decided upon by the RTM members. However, if there is no business to be acted upon at a regular RTM meeting, the meeting may be dispensed with upon the direction of the Moderator to the Town Clerk who shall notify the RTM members.

C. Special meetings[58]. Special meetings may be held whenever the First Selectman, chairman of the Board of Finance, or the Moderator shall deem them necessary. In addition, a special meeting shall be held within ten (10) days after the submission to the Town Clerk of a written petition for a meeting signed by 1% of the electors of the Town or upon written petition signed by 10 RTM members.

D. Notice[59]. The Town Clerk shall notify all RTM members of the time and place at which each regular or special RTM meeting is to be held. The notice shall be sentby mail at least five (5) days before the meeting, and a copy of such notice shall be published before the meeting in a newspaper having a general circulation in the Town and posted as required by the Freedom of Information Act. The notice shall specify the purposes for which the meeting is to be held, which shall include any business of which the Town Clerk has been notified by the First Selectman, chairman of the Board of Finance, or the Moderator, or which may be proposed in an electors' or RTM members' petition.

§3.5. Ordinances[60].

The Town Clerk shall cause any action of the RTM adopting, amending, or repealing anordinance to be published in proper summary form within one (1) week after the adjournment of the meeting at which such action was taken in a newspaper having a general circulation in the Town. The effective date of the ordinance or repeal shall be fourteen (14) days after the adjournment of the meeting at which it was passed or such later date asmay have been set by the RTM at such meeting, unless a petition for referendumconcerning the ordinance is filed as provided in **Section 13.1 of this Charter**.

§3.6. Appeals from the Board of Finance[61].

The RTM shall have the power to hear and determine appeals from decisions of the Board of Finance as provided in **Section 12.6 of this Charter**.

NEW BRITAIN CHARTER ARTICLE IV – THE COMMON COUNCIL

§4-1 - Legislative Power. The legislative power and authority of the City shall be vested in the Common Council, which shall be comprised as set forth in § 3-3, above. No enumeration of powers contained in this Charter shall be deemed to limit the legislative power of the Common Council as provided for in the General Statutes of the State of Connecticut.

§4-2 - Powers of the Common Council. The Common Council shall have the following powers:

(a) to enact Ordinances in the manner provided in this Charter not inconsistent with law, or this Charter, for the government of the City and the management of its business, for the preservation of good order, peace and health, for the welfare and safety of its inhabitants and the protection and security of their property. It is authorized and empowered, by Ordinance or resolution, to regulate, amplify and define the corporate powers. The Common Council may prescribe fines and penalties for the violation of any Ordinance, and otherwise provide for the enforcement and collection of the same when not inconsistent with law or this Charter.

(b) to establish and maintain a budget system including but not limited to the assessment, levy and collection of taxes for general, special or emergency purposes in the manner prescribed by law, and to adopt the capital and operating budgets of the City and the Board of Education in the manner prescribed by law and this Charter and the operative Ordinances adopted hereunder.

(c) to fill vacancies in elective offices, in the manner provided in this Charter and to impeach or remove from office any elected officer in the manner provided in this Charter.

(d) to establish a procedure for the adoption of fees charged by City departments.

(e) in the name of the City, to receive gifts of money or property in excess of a value to be determined by the Common Council by Ordinance. Gifts of a lesser value may be received by the Mayor or by persons the Mayor may designate, in the name of the City.

(f) to undertake public improvements, approve the issuance of public bonds and other financing instruments related thereto and to assess benefits and damages therefor, in the manner provided for in this Charter or as otherwise provided by law.

(g) to approve the appointment of department heads designated by the Mayor.

(h) to provide for the form and regulate the manner of making contracts including, without restriction the approval or rejection of collective bargaining agreements and arbitration awards, in accordance with the requirements of the General Statutes. In furtherance of this power all parties charged with the responsibility for negotiating any collective bargaining agreement or participating in subsequent arbitration proceedings are required to submit the contract and the arbitration award to the Common Council in manner that assures timely consideration within the provisions of the General Statutes. For these purposes, submission means delivery to the Mayor, in the capacity as Presiding Officer of the Council, the President Pro Tempore and the City Clerk. Said Common Council may establish such other reporting requirements as it deems necessary to carry out the purposes of this provision.

(i) to approve the purchase, sale, or lease of real property.

(j) to grant pensions as may be provided in this Charter, Special Act, Ordinance, or as negotiated under the Municipal Employee Relations Act or other provisions of the General Statutes governing collective bargaining.

(k) by a two thirds vote of the entire membership to investigate any officer, department or agency of the City. The Common Council shall have access to all data kept by the office or department or agency and shall have the power to compel the attendance of witnesses and production of books, papers and any other data, electronic or otherwise, at any meeting of the Common Council or any committee thereof, and for that purpose may issue subpoenas which shall be signed by the President Pro Tempore of the Common Council. The investigation may be conducted by a committee of the Common Council's members appointed for this purpose, provided that not more than half of the members of such committee shall be members of the same political party. Any person who refuses to obey the subpoena of the Common Council or authorized committee shall be fined not more than the amount permitted by the General Statutes or imprisoned not more than the time permitted by the General Statutes, or both. Said fine and penalties shall be set by Ordinance.

(l) by Ordinance, the provision of penalties by fine, not to exceed the amount permitted by the General Statutes, for any one offense to be imposed by the court for the violation of any Ordinance adopted under the authority of this Charter and may provide that each day's continuance of such violation shall constitute a separate offense.

(m) to require any officer or employee of the Town or City to furnish a bond or undertaking conditioned upon honesty and faithful performance of duty and to determine the amount, form, and sufficiency of the sureties thereof.

(n) Any other powers that may be granted by this Charter or by the General Statutes, as amended.

(o) Any other powers that may be granted by this Charter or by the General Statutes, as amended.

§4-3 - The Zoning Powers of the Common Council.

(a) **Zoning Authority of the Common Council**· For the purpose of promoting health, safety, morals or the general welfare of the community or the comfort, happiness and prosperity of the inhabitants thereof, the Common Council of the City is authorized, by Ordinance, to establish building districts and restrictions.

(b) **Powers and Duties: Derived from the General Statutes.** Upon adoption of an Ordinance the Common Council shall have all the powers and duties enumerated in the General Statutes pertaining to zoning. Until such time the Council shall operate in accordance with the terms of the Special Act in existence prior to the effective date of the 2000 amendments to this Charter.

(c) **Rules of Procedure Governing the Zoning Authority.** The Common Council, upon the advice of the Office of the Corporation Counsel, shall, from time to time, adopt rules of procedures governing the conduct of hearings and proceedings regarding said zoning authority. All hearings and meetings relating to said zoning authority shall be subject to a separate call and shall not be conducted on an agenda containing the general legislative business of the Council. In all other respects the provisions of §4-6 of this Charter shall apply to said zoning authority.

§4-4 - Officers of the Common Council.

(a) **Presiding Officer.** The Mayor shall preside at the meetings of the Common Council, and shall not be a member thereof and shall have a vote only in the case of a tie.

(b) **President Pro Tempore.** The Common Council shall biennially choose by a majority vote, from among the members duly qualified a President Pro Tempore of the Common Council who shall perform such duties as may hereinafter be prescribed.

(c) **Clerk.** The City Clerk shall be clerk of the Common Council and shall record its doings.

§4-5 - Meetings. Regular meetings of said Common Council shall be held at such time as may be fixed by the City Ordinances; and said Common Council may be specially convened at any time by the Mayor or the President Pro Tempore of the Common Council, or, upon a petition of a majority of said Common Council, in writing, filed with the City Clerk, a meeting of said Common Council shall be called. Said Common Council shall, at the first regular meeting following the commencement of its term of office, determine the rules of the proceedings, in conformity with the general principles of parliamentary law. Furthermore, said Common Council may, punish its members for disorderly behavior, and, by a vote of three fourths of its members, expel a member for due cause. A majority of all the members of said Common Council shall constitute a quorum for the transaction of business, and the vote upon any question shall be taken by yeas and neas at the request of one-fifth (1/5) of the members present. All meetings at which less than a majority of said Common Council is present may be adjourned to such time as the members present shall see fit.

§4-6 - Procedure for Enacting Ordinances, Resolutions, etc.; when Ordinances effective; approval of Mayor.

(a) Every vote, resolution, order, or Ordinance passed by said Common Council shall be submitted to the Mayor in writing for approval, and, if such vote, resolution, order, or Ordinance shall be disapproved, the same shall be returned to the Common Council at its next meeting, whether an adjourned, regular, or a special meeting, with the objections thereto in writing, and if two-thirds of the members of the entire Common Council shall again pass such vote, resolution, order, or Ordinance, the same shall be valid as if the same had been approved by the Mayor.

(b) If the Mayor shall approve of any vote, resolution, order, or Ordinance, it shall be in writing, and, if the Mayor shall fail to approve or veto any such vote, resolution, order, or Ordinance within ten days after the same shall have been presented to the Mayor for disposition, the same shall become valid and effectual as if the same had been approved by said Mayor.

(c) The City Clerk shall record upon City records all approvals or disapprovals of such votes, resolutions, orders, or Ordinances by the Mayor, and shall attest by signature the fact that such vote, resolution, order, or Ordinance has been

adopted without the signature of the Mayor whenever the Mayor shall fail to approve or disapprove any such vote, resolution, order, or Ordinance within the time limited for the same.

§4-7 - Membership on Other Boards; Conflict of Interest.

(a) **Membership on other Boards; conflict of interest.** No member of the Common Council shall be appointed a member of any Commission or Board, established under Article 7, below, or to any appointive office provided for in this chapter, except President Pro Tempore of the Common Council or Mayor to fill a vacancy. No member of the Common Council shall directly or indirectly become interested in any contract made with said City or any department thereof, except that this provision shall not prevent any member of the Common Council selling to any agents or officials of said City in open competition goods, wares, and merchandise, dealt in customarily by such member and sold to said City at not exceeding current market rates. No member of the Common Council shall be heard to speak upon, nor shall be allowed to vote upon, nor shall be appointed a member of any committee to consider, any matter in which the member has a direct pecuniary interest. Any violation of this provision shall be grounds for expulsion of any member violating the same, and any such contract so entered into shall be null and void.

§4-8 - Publication of Codification of Ordinances. Whenever the Common Council shall approve, adopt, and enact any revision, compilation or codification of the Ordinances of the City, it shall be a sufficient publication of such revision, compilation or codification (and all Ordinances, articles, and sections therein contained) to advertise, at least once in a daily newspaper distributed in said City, the vote or resolution of said Common Council, approving, adopting and enacting such revision, compilation or codification, together with a notice of the City Officer or Officers from whom the printed copies of such revision, compilation or codification may be obtained upon application.

§4-9 - Staff. The Common Council may employ staff and other expert and professional consultants necessary to provide assistance to the members of the Council, on a non-partisan basis. Each staff member deemed necessary to carry out the Common Council's legislative function shall be appointed by a majority decision of the President Pro Tempore, and the Majority and Minority leaders.

§4-10 - Removal from office: Elective Officers and Appointees of the Common Council. The Common Council, after reasonable notice and a hearing before said Common Council, shall be empowered by vote of a majority of the membership of the entire Common Council to remove from office any elective officer of said City or any appointee of said Common Council for dishonesty, incompetency, incapacity, neglect of duty, disobedience of any lawful order of a competent authority, or misfeasance or malfeasance in office. The accused shall have an opportunity to be heard at such hearing.

§4-11 - Compensation of elected officials and other officers. Except as prohibited by the State of Connecticut Constitution the Common Council shall review, establish and Act upon in even-numbered years the rates of compensation for (1) the members of the succeeding Common Council, (2) the Mayor, (3) the Collector of Taxes, (4) the City and Town Clerk, (5) the Registrars of Voters, (6) the Corporation Counsel, (7) the Clerk of Committees, (8) the Treasurer and (9) other officers, department heads and employees subject to the provisions of the budget contract, collective bargaining agreement or other agreement.

NEW BRITAIN CHARTER ARTICLE II – ELECTION AND ELECTORS

§3-3 - Composition of the Common Council. The Common Council shall be comprised of fifteen (15) members, consisting of two (2) members elected from each of five (5) Common Council Districts and five (5) elected at large.

§3-4 - Establishment of Common Council Districts.

(a) No later than thirty (30) days following the completion of reapportionment of the general assembly, as required by the Constitution of the State of Connecticut, as further set forth in the General Statutes the Common Council shall appoint a districting commission ("Appointment Date") consisting of four (4) to eight (8) members, no more than fifty (50) percent of whom shall be members of the same political party. The districting commission shall report to the Common Council no later than seventy (70) days following the Appointment Date, setting forth the recommended boundaries of the five (5) Common Council districts. If the districting commission fails to file its report with the City Clerk by the close of business on the seventieth (70th) day following the Appointment Date, the provisions of subsection (f) of this section shall be invoked.

(b) Common Council districts (1) shall be of substantially equal population and otherwise consistent with all federal and state constitutional and statutory requirements; (2) to the extent possible consistent with the preceding, shall maintain the integrity of recognized neighborhood planning areas; (3) shall be geographically contiguous and compact; and (4) to the extent possible consistent with the preceding, shall be consistent with existing legislative districts.

(c) The districting commission shall be supported in its work by appropriate City staff which shall have available to it the necessary support to facilitate the work of the commission as well as such other professional assistance (subject to appropriation) as it shall choose.

(d) The districting commission shall hold a public hearing at least one week before it submits its report to the Common Council, and shall make a tentative map of its proposed districts available to the public electronically, in hard copy available at the City Clerk's office, and by causing it to be published in one or more newspapers of daily circulation in the City at least three (3) days before the public hearing. The districting commission may modify the tentative districts before submitting its report to the Common Council.

(e) The Common Council shall vote on the establishment of Common Council districts within three (3) weeks of its receipt of the districting commission's report. The Common Council may amend the district boundaries recommended by the districting commission before approving districts, but the districts approved by the Common Council must comply with the standards of subsection (b) of this section. A resolution approving districts must be affirmatively supported by a majority of the members of Common Council, and shall not be subject to veto by the Mayor.

(f) If the districting commission shall fail to file its report as set forth in subsection (a), above, or if the Common Council shall fail to approve Common Council districts within the time limit established by subsection (e), the Mayor shall appoint a three (3) member commission, no more than two (2) of whom shall belong to the same political party, which shall file a report with the City Clerk delineating Common Council District boundaries within three (3) weeks of its appointment. The report of this Commission shall establish the boundaries of Common Council Districts.

Transition Provision. No later than thirty (30) days following the adoption of this Charter Amendment the Common Council shall appoint a districting commission as set forth in §3-4(a). The date of appointment in this Transition Provision shall constitute the "Appointment Date" for purposes of apportioning the Common Council Districts for the 2003 general

municipal election. In all other respects the procedures set forth in §3-4(b)-(f) pertaining to the apportionment of the Common Council Districts shall proceed from the Appointment Date established in this transition provision and shall be in full force and effect. In no event shall the apportionment exceed the time permitted in C.G.S. §9-169f1*.

HAMDEN CHARTER CHAPTER IV: LEGISLATIVE COUNCIL[62]

SECTION 4-1: LEGISLATIVE POWER[63].

The legislative power and authority of the Town shall be vested in the Legislative Council[64]. No enumeration of powers set forth in this Charter shall be deemed to limit the legislative authority of the Council as provided for in the General Statutes[65][66].

SECTION 4-2: OFFICERS OF THE COUNCIL.

A. The members of the Council shall meet on the first Monday after the commencement of their terms of office as provided in §§3-3.A (2) and C (2) of this Charter and shall choose one of its members to be President of the Council and another to be President Pro Tempore of the Council, each for the term of office[67].

B. Such President shall preside over all meetings of the Council and perform such other duties consistent with the office as may be imposed by the Council, but such President shall not vote more than once on any question[68].

C. During the President's absence or disability, the President's duties shall be performed by the President Pro Tempore[69].

SECTION 4-3: PROCEDURES OF THE LEGISLATIVE COUNCIL - PUBLIC PARTICIPATION IN COUNCIL PROCEEDINGS[70].

A. Meetings and Rules of Procedure. The Council shall:

(1) Rules of Procedure: Quorum. Adopt rules of procedure including the creation of such committees as it deems necessary, within forty-five (45) days following the election of members, which rules may be amended from time to time[71].

(a) The rules of the prior Council term shall apply until such rules are adopted.

(b) A majority of the total membership of the Council shall constitute a quorum for the transaction of all business[72].

(2) Regular Meetings and Committee Meetings. Fix the time and place of its regular and committee meetings and shall post such meetings as required by the General Statutes[73]. The Council shall schedule at least one regular meeting and one Committee meeting a month[74].

(3) Special Meetings and Emergency Meetings[75]. At the first meeting of the Council following the Town election, the Council shall provide a method for the calling of Special Meetings in accordance with the General Statutes. Emergency Meetings shall be convened as set forth in §5-5.D of this Charter[76].

B. Public Hearings[77]. At least one public hearing shall be held by the Council or any committee thereof before any Ordinance or Statutory Resolution shall be passed. Meeting Notice of such public hearing shall be given, in accordance with the requirements of the General Statutes.

C. Open Meetings and Public Comment Sessions[78]. All meetings of the Legislative Council shall be open to the public in accordance with the General Statutes[79]. Moreover, there shall be a public comment session prior to the commencement of all regular meetings of the Legislative Council. The time and duration of the public comment sessions shall be determined in accordance with the provisions of *Standing Rules of Order of the Hamden Legislative Council*, adopted in accordance with §4-3.A (1) of this Charter. With respect to the meetings of the standing and special committees and special meetings of the Legislative Council, the public may address any item on the agenda. With respect to the regular meetings of the Legislative Council, the public may address any item on the agenda and any other matters concerning the Town that are within the purview of the Legislative Council.

SECTION 4-4: CLERK OF THE COUNCIL.

A. There shall be a Clerk of the Council, recommended by the President and approved by the Council, whose compensation shall be fixed by the Council, and who shall keep for public inspection copies of every proposed Ordinance and a record of all proceedings including all roll call votes[80].

B. All records so kept shall be authenticated by the signature of such Clerk of the Council or the President of the Council or both[81].

C. The Clerk of the Council shall be responsible for the publication of such notices of hearing and publication of Ordinances, as may be necessary, and perform such other duties as the Council may determine[82].

SECTION 4-5: GENERAL POWERS[83].

In addition to the grant of legislative authority as set forth in the General Statutes, the Legislative Council, by majority vote (unless otherwise set forth in this Charter), shall have the power to:

A. enact, amend or repeal Ordinances, Statutory Resolutions, Resolutions, Orders or Motions consistent with this Charter or the General Statutes[84];

B. create or abolish Boards, Commissions, Departments, Offices and positions, unless required by the Charter or reorganized as permitted by §8-1.C (1) of this Charter, for the preservation of good order, peace, health and safety of the Town and its inhabitants, including the power to enact a code of ethics regulating the conduct of all Officials and employees of said Town[85] ;

C. increase or decrease the budget or any item thereof[86];

D. contract for legislative services, upon action by Order or Motion[87];

E. contract, upon action by Order or Motion, for the use of facilities of the United States or any federal agency, the State and any political subdivision thereof, or may, by agreement, join with any other such political subdivision to provide services and facilities[88];

F. to appropriate, notwithstanding the provisions of this Charter to the contrary, necessary funds for the purpose of meeting a Public Emergency as set forth in §5-5.C of this Charter[89]; and,

G. set the charges, if any, to be made for services by the Town or for the execution of powers vested in the Town as provided in this Charter [90].

In addition to all other powers, for purposes set forth in the General Statutes relating to municipal sewerage systems and to the extent it wishes to exercise such powers, the Council is deemed the body having power to make annual appropriations for the Town[91]. Furthermore, the Council shall have the power and duties which, on the effective date of this Charter, were conferred by Law upon Boards, Commissions and Officials[92] of the Town existing immediately prior to such date except as otherwise specifically provided in this Charter[93].

SECTION 4-6: COUNSEL TO COUNCIL[94].

The Legislative Council may appoint and may remove by majority vote a Counsel, who shall be an attorney, admitted to practice law in this State and shall have been practicing for at least five (5) years. Such Counsel shall have such duties as the Council shall determine. Such Counsel shall receive compensation as fixed by the Legislative Council.

SECTION 4-7: ORDINANCES, STATUTORY RESOLUTIONS, RESOLUTIONS, ORDERS OR MOTIONS: THE ROLE OF THE LEGISLATIVE COUNCIL AND THE MAYOR[95].

A. Transmittal of Legislative Actions to the Mayor. Except in the case of Resolutions, including those relating to the procedures of the Council, every proposed Ordinance, Statutory Resolution, Order or Motion shall be transmitted by the Clerk of the Council to the Mayor for action within five (5) Days after passage by the Council[96]. The provisions of §§4-7 and 4-8 of this Charter shall not apply to the adoption of the Budget Ordinance[97]. The procedures for the adoption of the Budget Ordinance is subject to the provisions of §§10-3 and 10-4 of this Charter[98].

B. Mayoral Action[99]. The Mayor shall return to the Clerk of the Council such Ordinance, Statutory Resolution, Order or Motion within fifteen (15) Days after passage by the Council.

(1) Approval by the Mayor or Failure of the Mayor to Take Action[100]. In the event the Mayor approves or fails to take action within such fifteen (15) Days, such Ordinance, Statutory Resolution, Order or Motion shall

become effective and operational as set forth in this section. In the event the Mayor shall fail to take action upon such matters, the Town Clerk shall endorse such fact upon the official copy of the matter.

(2) Veto by the Mayor[101]**.** Every Ordinance, Statutory Resolution, Order or Motion vetoed by the Mayor shall be returned within the same fifteen (15) Days to the Clerk of the Council with a statement of the reasons for the veto.

C. Legislative Action Following Mayoral Veto[102]**.** Following receipt of the Mayor's veto, any vetoed Ordinance, Statutory Resolution, Order or Motion again approved by an affirmative vote of at least two-thirds (2/3rds) of the Council present and voting at a meeting, shall become effective in accordance with this section.

D. Effective Date.

(1) Ordinances and Statutory Resolutions. Every Ordinance or Statutory Resolution, unless it shall specify a later date, shall become effective on the twenty-first (21st) Day after Public Notice, of Final Action,[103] with the exception that an Ordinance stated to be a public emergency measure which shall be effective immediately, as set forth in §5-5.E (4) of this Charter[*104*].

(2) Resolutions, Orders or Motions[105]**.** Every Resolution, Order or Motion, unless it shall specify a later date, shall become effective upon Final Action.

SECTION 4-8: PUBLIC NOTICE OF FINAL ACTION[106]**.**

A. Public Notice of Final Action. Public Notice regarding Ordinances and Statutory Resolutions shall be provided within ten (10) Days after Final Action[107]. Public Notice of Resolutions, Orders and Motions shall be provided within twenty-four (24) hours of Final Action[108].

B. Public Notice of public emergency Ordinances or measures shall be addressed in §5-5.E of this Charter[109].

C. Every Ordinance and Statutory Resolution, after passage, shall be given a serial number and be officially

recorded and preserved by the Town Clerk as a public record as may be set forth in the General Statutes[110].

SECTION 4-9: PETITION FOR OVERRULE.

A. All Ordinances and Statutory Resolutions of the Council, except fixing the tax rate and the enactment of emergency Ordinances, shall be subject to overrule[111].

(1) If within twenty (20) Days after Final Action, a petition signed by not less than fifteen (15%) percent of the Electors of the Town, as determined from the last official voting list, is filed with the Town Clerk requesting a referendum, the Council shall, at its next regular meeting, fix a time not more than thirty (30) Days after such meeting for such election, which shall be called and held in the manner provided by the General Statutes[112].

(2) Any Ordinance or Statutory Resolution so referred to the voters shall stand approved unless a majority of those voting thereon at such election shall have voted "no" and at least twenty-five percent (25%) of the Electors entitled to vote on the question shall have voted[113].

(3) The Council may by an affirmative vote of at least two-thirds (2/3rds) of those present and voting add non binding referenda to be on the ballot of such election[114].

B. This section shall not apply to the borrowing of funds. The borrowing of funds shall be governed solely by the provisions of §§10-8 and 10-9[115] of this Charter. Moreover, this section shall not apply to the Budget. The Budget overrule shall be governed solely by the provisions of §10-5 of this Charter[116].

SECTION 4-10: SELECTION OF INDEPENDENT AUDITORS[117].

The Council shall designate annually a certified public accountant or firm of certified public accountants, as an independent auditor, to audit the books and accounts of the Town as provided in the General Statutes and in accordance with best practice standards as may be set forth and promulgated by the General Accounting Office ("GAO"), Governmental Accounting Standards Board ("GASB"), Finance Accounting Standard Board ("FASB"), the Government Finance Officers Association ("GFOA")[118], their successor or like-minded professional standard setting organizations addressing the financial

standards for municipalities. The Council shall competitively select independent auditors and require the rotation of such auditors by requiring their replacement by another firm at the conclusion of the audit contract, which shall not exceed a maximum period of six (6) consecutive years.

SECTION 4-11: APPROVAL OF MAYORAL APPOINTMENTS[119].

All appointments made by the Mayor that require approval by the Legislative Council shall be deemed automatically approved if the Council fails to approve or disapprove such appointments within forty-five (45) Days of written notice to its Clerk of such an appointment.

SECTION 4-12: INTERLOCAL AGREEMENTS AND REGIONAL COOPERATION[120].

The Town shall take into cognizance the opportunities to engage in regional initiatives in order to provide the most efficient delivery of services to the Town. In this context, the town should utilize all laws pertaining to regionalism, inter-local agreements and cooperative arrangements.

BRISTOL CHARTER – CITY COUNCIL

Sec. 20. City council meetings[121].

(a) The Mayor and six council members shall constitute the city council.

(b) Such council shall hold a regular meeting once in each month, on a date and time to be fixed by a by-law or ordinance, at which meeting any elector or property owner of such city shall have the right to appear and to be heard as to any business of said city. The mayor shall have the power to call a special meeting any time and the mayor shall call a special meeting when requested by two council members to do so.

(c) The city clerk shall cause a copy of the call for each special meeting to be served upon or mailed to each council member at least twenty-four hours before the hour of such special meeting, but the lack of a call or insufficiency of service shall not invalidate any meeting at which all members are present and none of them objects because of such lack or insufficiency.

(d) Four members of the city council shall constitute a quorum for the transaction of business.

(e) Any member may demand an aye and nay vote on any question to be voted upon and such vote shall be recorded. When such a vote shall be taken, every member present shall vote except when a conflict of interest exists. Except as herein provided otherwise, the city council shall fix the salaries and emoluments of all officials and employees of the City and Town of Bristol except those employed by the board of education.

(f) Nothing in this section shall supersede the General Statutes of the State of Connecticut.

Sec. 21. City council; powers and duties[122].

(a) The legislative power of the city shall be vested exclusively in the city council except as otherwise provided in this charter or by the general statutes. In addition to such powers and duties of the council as are provided by the general statutes or by other provisions of this charter, as amended from time to time, the city council shall have the power subject to the provisions of the initiative and referendum herein, to enact, amend or repeal ordinances not conflicting with the statutes of this state or this charter on any subject or matter concerning the City of Bristol for the efficient and proper carrying out of the city's affairs and maintaining law and order therein by any official, commission, board, agent, employee or by any other group or person duly authorized or for any other proper cause; which ordinances shall have the force of law within said city or within any part or parts, or at such time and places to which their terms are applicable but no such

ordinances shall take effect before fourteen days from the date of its publication in a newspaper of general circulation in said city, except that an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency may be made to take effect upon its passage or before the expiration of said fourteen days. Any ordinance within the above exception shall be so published within three days after its passage.

(b) Every act of said city council creating, altering, or abolishing any agency, commission, office, or employment or assigning or reassigning the same to departments or establishing any rule or regulation for the violation of which a penalty is imposed, or placing any burden upon or limiting the use of private property, shall be by ordinance.

(c) Every ordinance, except an ordinance making a general codification of ordinances, shall be confined to a single subject, which shall be clearly expressed in its title.

(d) All ordinances which amend or repeal existing ordinances shall set forth in full the section or sub-section to be amended or repealed, and if it is to be amended shall indicate the matter to be omitted from the revised section or sub-section by brackets and shall indicate new matter by underscoring or the use of italics.

(e) All proposed ordinances to be introduced shall be written or printed.

(f) An ordinance may be introduced at any regular or special meeting of the city council by the mayor or any other member or committee of said City council. Upon introduction it shall be read provided, however, that the reading of the proposed ordinance may be waived by a unanimous vote of those in attendance at the meeting. The council shall set a day and an hour, not earlier than the seventh day thereafter, at which the council or a committee of the council shall hold a public hearing thereon. Such hearing may be at a regular meeting of the council or at such time and place as the council may order and may be adjourned from time to time. It shall be the duty of the city clerk to publish, except as hereinafter provided, every ordinance introduced, within five business days after its introduction, as a paid advertisement once in a newspaper of general circulation in the city, together with a notice of the time and place at which the public hearing thereon shall be held. Copies of the ordinance shall be kept available for inspection in the office of the city clerk. Following the adoption of an ordinance by the city council, the city clerk shall within five business days publish same. Emergency ordinances for the immediate preservation of public peace, health or safety shall contain a statement describing the emergency and may be introduced and acted upon at any regular meeting, or at any special meeting without a public hearing and without prior publication thereof provided the subject thereof has been included in the notice

for such special meeting.

(g) Newspaper publication may be dispensed with in the case of an ordinance making a general codification of ordinances or in the case of any other ordinance exceeding one newspaper column in length when printed in eight-point type without leads, provided such ordinance has been published in suitable form for distribution and copies thereof made available to the public in the clerk's office. In such cases a description of the ordinance prepared by the city clerk shall be published twice in a newspaper of general circulation in the city of Bristol.

(h) Any ordinance adopted in accordance with the foregoing provisions, which contains an expiration date shall be deemed to have been repealed on such date.

(i) All ordinances not inconsistent with this charter in effect at the time of the effective date of this charter shall continue to remain in effect until repealed or amended in accordance with the foregoing provisions.

Sec. 22. City council; powers concerning streets and lighting[123]. The city council shall have power to provide for suitable lighting wherever it shall deem necessary to regulate the size, shape and finish of poles which may be erected; to regulate all the parades, processions, public assemblages, shows or amusements in public streets; to regulate the naming of streets and numbering of lots and buildings; to regulate coasting and sliding and the use of bicycles and other vehicles on sidewalks; to prevent loitering on streets, sidewalks, spaces between sidewalks or buildings or in or about entrances to public or private buildings, to the obstruction or annoyance of the public; to regulate the placing of signs, banners, marquees, flags, awnings or other obstructions over or upon streets and sidewalks; to regulate the posting or painting of notices, signs or advertisements on the streets or on poles or elsewhere in or adjacent to streets; to regulate the removal of poles from streets; to regulate or prohibit excavations in streets, highways and public grounds for public or private purposes, and the location of any work, temporary or permanent, upon or under the surface thereof; to regulate the disposition of building materials of any description on any sidewalk or highway and the removal of buildings upon or through the same; to prohibit, license or regulate the selling or dispensing of wares or merchandise upon streets, sidewalks or in public places, to regulate planting, removal or care of trees and plants in streets and public places and to make, repair, clean and keep open and safe for public use and travel, free from obstruction, the streets, highways, sidewalks, gutters and public grounds and places in said city and to provide other ordinances for the public welfare.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)

MANCHESTER CHARTER CHAPTER III - BOARD OF DIRECTORS

Sec. 3-1. Board of Directors; general powers[I124].

- The Board of Directors shall, except in matters under the jurisdiction of the Board of Education and except as otherwise specifically provided in this Charter, exercise all the legislative powers of the Town. Further, all legislative rights, powers and duties of the Town and the powers of appointment to all boards, agencies and commissions not otherwise vested by this Charter are exclusively vested in the Board of Directors.

- It shall have, in addition to all powers and duties conferred and imposed upon it by this Charter, all the powers and duties now or hereafter conferred or imposed by the General Statutes on Town boards of selectmen, relating to the abatement of taxes.

- The final authority concerning a budget and tax rate is vested exclusively in the Board of Directors subject to the provisions of §§ 3-10 and 3-13 of this chapter.

- The Board of Directors shall have the power to investigate any and all departments, offices and agencies of the Town. For the purposes of such investigation, the Chairman or Acting Chairman shall have the power to administer oaths and issue subpoenas and, at his request, any judge may issue a capias for the appearance of witnesses and the production of books and papers except as herein provided.

- The Board of Directors shall hold a special meeting to review the administrative performance of the General Manager between June 1 and July 31 of each year.

- Except to the extent to which such powers are conferred upon the Town Planning Commission, the Board of Directors shall exercise the powers hitherto possessed by the Town meeting and the Board of Selectmen relative to the collection of benefits due the Town from the establishment of any building, street, sidewalk or curb or tree line or

[I] NOTE: THE BULLETS WERE ADDED FOR THIS EDIT

benefits accruing from the opening or improvement of any street or highway, including the assessment of a portion of the cost thereof on the owners of abutting property, and such powers are extended to include the construction and assessment of the cost of highways, sidewalks, curbs, gutters, sewers and drains.

- The Board of Directors shall have the power to make, alter and repeal ordinances and bylaws, not inconsistent with this Charter or the General Laws of the state, for the execution of the powers vestedin the Town as provided in Chapter I of this Charter, for the government of the Town and the management of its business and for the preservation of the good order, peace, health and safety of the Town and its inhabitants.

- Such ordinances and bylaws shall be binding upon all the inhabitants of the Town and upon persons coming within its limits, and said Board may provide penalties for breaches thereof not exceeding one hundred dollars ($100.00) for each offense.

- Notwithstanding any other provisions of thisCharter, the Board of Directors, subject to the general laws of the state, shall have the authority to establish, delete or alter departments and divisions comprising the internal organizational structure of the Town deemed necessary to effectively and efficiently perform the duties of those departments and functions specifically mentioned within theprovisions of this Charter and to make such rules and regulations:
  (a) Concerning the creating or abolishing of departments and offices,
  (b) Regulating the internal operation of departments, offices and personnel,
  (c) Fixing the compensation of officers and employees of the Town and the charges, if any, to be made for services rendered by the Town, as it may deem to be in thebest interest of the Town. The Board of Directors shall have the power to designatethe General Manager as the personnel and office manager for the Town and to require that all such office and personnel matters shall be administered by him in accordance with the rules and regulations adopted by the Board of Directors.

- The Board of Directors may fix the charges, if any, to be made for services rendered by the Town or for the execution of powers vested in the Town as provided in Chapter I of this Charter and the General Statutes, as amended. The Board of Directors shall establish ordinances and regulations regarding such charges.

- The Board of Directors shall authorize all purchases of real estate by the Town andall sales of real estate owned by the Town by ordinance, which ordinance shall beenacted in compliance with § 3-8 and shall be subject to the provisions of §§ 3-9 and 3-10, except that all sales and purchases connected with redevelopment and urban renewal as provided in Chapter 130 of the Connecticut General Statutes, Revision of 1958, as amended, and all condemnation proceedings and acquisition,sale or exchange of easements necessitated by public improvement projects of theTown authorized by the Board of Directors are excluded from the operation of thissection.

Sec. 3-2. Number; election; term[125].
The Board of Directors shall consist of nine (9) members elected from the Town at largefor terms of two (2) years, commencing on the third Monday in November in the year oftheir election and until their successors shall have been elected and have qualified.

Sec. 3-3. Compensation[126]. The compensation of the members of the Board of Directors shall be as follows:the Chairman shall be paid three thousand dollars ($3,000.00) annually, the Deputy Chairman and the Secretary shall be paid two thousand four hundred dollars ($2,400.00)annually, and the other members of the Board shall be paid two thousand dollars ($2,000.00) annually, which sums shall be in full compensation for services rendered.

Sec. 3-4. Organization[127]. The Board of Directors shall meet in the afternoon on the third Monday in November, 1969, and biennially thereafter and organize by electing one of its own members to be for a term of two years Chairman of the Board of Directors; one of its own members to be for a term of two years Vice Chairman of the Board of Directors; and one of its own members to be for a term of two years Secretary of the Board of Directors. The memberelected as Chairman shall be the member who received the highest vote count in the biennial election, irrespective of party affiliation or nonaffiliation. The Vice Chairman and Secretary shall be elected by a majority vote of those present.

Sec. 3-5. Chairman and Vice Chairman[128]. The Chairman, who shall be designated as Mayor of Manchester, shall preside at all meetings of the Board and may call special meetings thereof. He shall call special meetings of the Board whenever requested in writing by the General Manager or four (4)members of the Board to do so. He shall be recognized as head of the Town governmentfor all ceremonial purposes and by the Governor for purposes of military law, but shall have no administrative duties. Whenever he shall be absent or otherwise prevented fromserving in any of his official capacities, the Vice Chairman, who shall be designated as the Deputy Mayor of Manchester, shall be Acting Chairman and shall have

all powers ofthe Chairman until the Chairman is able to exercise them. Whenever the Chairman and Vice Chairman shall both be absent or otherwise prevented from serving in any of their official capacities, an Acting Chairman, who shall have all the powers of the Chairman until either the Chairman or Vice Chairman is able to exercise them, shall be elected by the Board.

Sec. 3-6. Secretary[129]. The Secretary shall have charge of keeping a correct public record of all meetings of theBoard, which record shall be open to inspection at all reasonable times by any taxpayer or elector of the Town. Upon authorization by the Board of Directors, the Secretaryor the Chairman may sign, on behalf of the Board, all formal notices and records. The Secretary shall have no power to sign contracts. The Town Clerk may certify the recordsof the Board of Directors as true copies of the records of the Board of Directors as kept by the Secretary.

Sec. 3-7. Meetings; procedure. The Board of Directors shall fix the time and place of its regular meetings and may provide a method for the calling of special meetings, but it shall hold at least one regularmeeting each month. At any such regular meeting, any elector of the Town may be heard in discussion of any subject within the jurisdiction of the Board of Directors. The Board may hold other meetings at such times and places as it may determine, provided all meetings of the Board shall be open to the public and, at any special meeting, no matter shall be considered which was not included in the call for such special meeting. The Board shall determine its own rules of procedure, subject to the provisions of this chapter. The presence of five (5) members shall constitute a quorum, but no ordinance, resolution or vote, except a vote to adjourn or to fix the time and place of its next meeting, shall be adopted by less than five (5) affirmative votes.

Sec. 3-8. Public hearings on ordinances[130]. Before any ordinance or bylaw shall be finally enacted by the Board of Directors, the Board shalt have at least one (1) public hearing at which electors and taxpayers shall have an opportunity to speak for or against its adoption. Notice of such public hearing shall be given at least three (3) times by advertisement in a newspaper having a general circulation within the Town. The final notice of such public hearing shall be at least five (5) days previous to holding the meeting, including the day that notice is given and any Sunday and any legal holiday which may intervene between such notice but not including the day of holding such meeting.

Sec. 3-9. Petition for overrule[131]. No ordinance or bylaw adopted by the Board of Directors, except those making appropriations, or fixing the tax rate, as provided in Chapter V of this Charter, shall become effective until it shall have been advertised in full or summarized in accordancewith provisions contained in State Statutes at least three (3) times in a

newspaper havinga general circulation in the Town and a period of ten (10) days from the date of thethird such advertisement shall have elapsed, during which ten (10) days no petition fora referendum on the ordinance shall have been filed in accordance with the provisionsof this section. If, within ten (10) days after the third publication of any such ordinance,a petition signed by not less than five (5) percent of the electors of the Town, as determined from the latest official lists of the Registrars of Voters, is filed with the TownClerk requesting its reference to a special Town election, the Town Clerk shall, within ten (10) days thereafter, fix the day and the place of such election and certify the same to the General Manager, and such election shall be called and held in accordance with the provisions of the General Statutes and this Charter for calling and holding a Town election. Any ordinance so referred shall become effective upon the conclusion of such election unless a majority of those voting thereat shall have voted in the negative on a "yes" and "no" vote on the question as to whether the ordinance or bylaws should be adopted. Said petition for overrule may be submitted to the electors at a Town electionif said Town election occurs within sixty (60) days of the filing of said petition.

Sec. 3-10. Petition for enactment[132]. Whenever a petition signed by not less than five (5) percent of the electors of the Town,as determined from the latest official lists of the Registrars of Voters, proposing any lawful appropriation, ordinance or bylaw and including the complete text of any such ordinance or bylaw is filed with the Town Clerk requesting its passage, the Town Clerkshall, within ten (10) days thereafter, certify such petition and proposed ordinance or bylaw to the Board of Directors for its consideration. If, within forty-five (45) days from such certification, the Board of Directors shall not have made such appropriation or passed such ordinance or bylaw, or one substantially similar thereto, the Town Clerk shall submit such proposed ordinance or bylaw to the Town Attorney who shall, not laterthan thirty (30) days from the date the Town Clerk submits such proposed ordinanceor bylaw to the Town Attorney, without materially changing its meaning and effect, correct the wording to avoid repetition, illegalities and unconstitutional provisions and assure accuracy and clarity. The Town Clerk shall thereupon fix the day and placeof a special Town election and certify the same to the General Manager, and such special Town election shall be called and held in accordance with the provisions of the General Statutes and this Charter for calling and holding Town elections. The General Manager shall advertise such proposed appropriation, ordinance or bylaw in the same manner as provided for giving notice of a public hearing in § 3-8 of this Charter. If such appropriation, ordinance or bylaw is approved by a majority of those voting thereonat such special election, it shall become effective on the tenth day after such special election. Said petition for enactment may be submitted to the electors at a Town electionif said Town election occurs within ninety (90) days of the filing of said petition.

Sec. 3-11. Revision of existing ordinances. The provisions of §§ 3-8 and 3-9 of this chapter shall not apply to any

ordinance or bylaw adopted by the Board of Directors which is substantially similar in language to any ordinance or bylaw of the Town adopted prior to January 1, 1947, except that the Board of Directors or General Manager is substituted for the Board of Selectmen orthe Chairman of the Board of Directors is substituted for the Chairman of the Board of Selectmen. Any such ordinance or bylaw shall be effective upon passage by the Board of Directors and filing with the Town Clerk without the necessity of public hearing or advertisement.

Sec. 3-12. Joint annual meeting of Board of Directors and Board of Education[133]. The Board of Directors and the Board of Education shall annually during the month of September attend a joint meeting of the Board of Directors and the Board of Education for the purpose of discussing the possible consolidation of similar functions performed independently by each unit of government. Within sixty (60) days of such meetingthe General Manager and Superintendent of Schools shall prepare a written report addressing proposed consolidation efforts discussed by the Boards. Any action to consolidate efforts will require a two-thirds vote of each Board to implement and repeal.

Sec. 3-13. Petition for budget referendum. [Added by referendum 11-4-2008] If, not later than ten days after adoption of the budget in accordance with § 5-6, a petitionsigned by not less than seven percent of the electors of the Town, as determined from the latest official lists of the Registrars of Voters, is filed with the Town Clerk, to reject the budget adopted by the Board of Directors, the Town Clerk shall, within ten days thereafter, fix the day and place of a special Town election to vote on the petition to reject the adopted budget, and certify the same to the General Manager, and such electionshall be called and held in accordance with the provisions of the General Statutes and this Charter for calling and holding a Town election. The day of such special election shall be not more than 35 days after the date of adoption of the budget.

The petition for budget referendum shall be in substantially the following form and shallbe approved by the Town Clerk in accordance with Section 7-9 of the General Statutes before circulation:

WARNING: ALL SIGNATURES SHALL BE IN INK OR INDELIBLE PENCIL

We, the undersigned electors of the Town of Manchester, present this petition requesting that the following question be referred to the voters at a referendum: "Shall the annual budget adopted by the Board of Directors on (here insert date of adoption) take effect as adopted?" We certify that we are electors of the Town of Manchester, residing at the addresses set opposite our names, and that we have not signed this petition more than once.

SIGNATURE PRINTED NAME NUMBER STREET

At the referendum, the electors shall choose one of the following three responses to theballot question:

Yes.

No; the adopted budget is too high.

No; the adopted budget is too low.

If a majority of the votes cast in the referendum are "Yes," or if the total number of votes cast in the referendum is less than 15% of the number of electors of the Town as determined from the latest official lists of the Registrars of Voters, the adopted budget shall take effect in accordance with the provisions of Chapter 5.

Provided that the total number of votes cast in the referendum is 15% or more of the number of electors of the Town, a combined "No" vote by a majority of the electors voting shall reject the adopted budget and require the Board of Directors to adopt a revised budget.

If the adopted budget is rejected, the Board of Directors shall, within seven days after the special election, adopt a revised budget, which may be less or greater than the adopted budget, as the Board shall deem appropriate based on the results of the referendum. The revised budget shall take effect in accordance with the provisions of Chapter 5.

There shall be no more than one budget referendum in any year.

NEWTOWN CHARTER – LEGISLATIVE COUNCIL

Chapter 2, Sec. 2-105 – Legislative Council

(a) Summary of General Responsibilities: All of the legislative powers of the **Town** conferred by the **General Statutes** on Legislative Bodies shall vest in the Legislative Council with the exception of those items specifically enumerated to other **Town Bodies**. The Council determines the annual **Town Budget** and considers **Special** and **Emergency Appropriations** as set forth in CHAPTER 6. The Legislative Council shall have the power to enact, amend or repeal ordinances as set forth in CHAPTER 5.

(b) Membership and Terms:

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

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

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

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

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

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

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

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

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

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

(i) Any member of the Legislative Council;

(ii) The First Selectman; or

(iii) Not less than 80 **Resident Electors** of the **Town**. Any such request filed by 80 **Resident Electors** shall contain the resolution or ordinance on which action is sought. Prior to appearing on an agenda, the resolution or ordinance shall be submitted to the Town Attorney, by the chairman of the Legislative Council, for his opinion as to the power of the Legislative Council to act thereon. Such opinion or approval shall not be unreasonably delayed.

(7) Any **Resident Elector** of the **Town** may speak during a portion of each regular or special meeting on any matter on the Agenda of that meeting or any other item, subject to such conditions, rules and regulations as may be established from time to time by the Legislative Council, including the right to limit

public participation in the working sessions on the budget.

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

Chapter 5, Sec. 5-05 Ordinances

(a) The Legislative Council, by majority vote consisting of at least six (6) affirmative votes, shall have the power to make, alter and repeal ordinances not inconsistent with the Constitution or General Statutes or the provisions of this Charter, for the execution of the powers now or hereinafter vested in the Town for the governance of the Town and management of its affairs, the preservation of good order and for the peace, health, welfare and safety of its inhabitants and the protection and security of their property.

(b) Prior to action on an ordinance by the Legislative Council, it shall conduct a public hearing at which all persons interested shall be given a reasonable opportunity to be heard on the proposed ordinance.

(c) Notice of the date, time and place of said hearing and the full text of any proposed ordinance shall be published in a newspaper having a substantial circulation in the Town at least 10 days before the day on which such hearing is to be held.

(d) Action by the Legislative Council, either repealing, enacting, or modifying and enacting, or refusing to enact a proposed ordinance shall be taken within 30 days of the hearing held thereon.

(e) Following action by the Legislative Council, notice of said action shall be according to Subsection 1-25(b) within 21 days of such Legislative Council action and filed with the Town Clerk. If the ordinance was modified and enacted as modified, notice of such action shall include publication of the full text of the ordinance as enacted.

(f) Any ordinance enacted shall not become effective sooner than 14 days after the date of publication of such notice and, if no other date is given as the effective date of such ordinance, shall become effective on the fifteenth day after publication. If a referendum is called in accordance with the provisions of Subsection 3-25(c) of this Charter, the effective date of such ordinance shall be suspended until the date of the day after the referendum.

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

Chapter 5, Sec. 5-10 Regulations

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

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

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

Chapter 5, Sec. 5-15 Emergency Ordinances

(a) Any provision of this Charter to the contrary notwithstanding, the Legislative Council may by the affirmative vote of at least eight (8) of its members, enact emergency ordinances without a public hearing and without publication or other notice prior to enactment and without the right of the voters to petition for a referendum. The reasons for such emergency shall be stated explicitly in the vote of the Legislative Council enacting such ordinance and the preamble of the

ordinance shall set forth the existence and nature of the emergency and that the enactment of the ordinance is necessary for the immediate protection of the peace, health, welfare or property of the citizens of the Town. An emergency ordinance shall become effective immediately upon the notice thereof according to Subsection 1-25(b) and upon filing of the same with the Town Clerk. An emergency ordinance shall cease to be effective upon the expiration of a period of 60 days after its publication unless the ordinance shall be reenacted prior to the expiration of said period in accordance with the requirements set forth in Section 5-05 of this Charter, which action shall be subject to the right of referendum as set forth in Subsection 3-25(b) of this Charter.

Chief Executive Officer - C.G.S. §7-193(a)(21)	
A. The First Selectman	B. Chief Administrative Office appointed by the Board of Selectman
C. Mayor, elected by the electors of the municipality	D. Warden elected buy the electors of the borough
E. Town, City or Borough Manager[J] appointed by the board of selectmen, the council, the board of directors, the board of aldermen or the board of burgesses	F. Chief Administrative Officer appointed by the Mayor

FAIRFIELD CHARTER ARTICLE IV - BOARD OF SELECTMEN AND FIRST SELECTMAN

§4.1. Board of Selectmen.

A. Composition[134]. The executive branch of the Town government shall consist of the Board of Selectmen and the elected and appointed boards, commissions, Town officers, and employees set forth in **Article VI through Article X** of his Charter.

[J] Any municipality having a manager as its chief executive officer may also have a mayor who shall be the presiding officer of its legislative body, shall be the ceremonial head of such municipality and shall have such other powers and duties as the charter prescribes. The powers, duties and term of office of the chief executive officer shall be those prescribed by the general statutes and he shall have such other powers and duties as the charter prescribes.

B. General powers and duties[135]. The executive authority of the Town shall be vested in the Board of Selectmen, except to the extent such authority is expressly granted to the First Selectman in this Charter. The Board of Selectmen shall have the powers and duties vested in them by the General Statutes, except those expressly vested in the First Selectman by this Charter or by ordinance. In particular:

(1) All contracts to which the Town shall be a party shall be subject to approval of the Board of Selectmen, except contracts authorized to be made by or on behalf of the Board of Education. The Selectmen shall have the power to delegate their authority to other Town officers, employees, and bodies where the contract would be fora duration of less than one month and would involve an expenditure by or income to the Town of less than $10,000. "Contracts" shall mean all contractual relations of the Town, including, without limitation, purchase contracts, lease contracts, and service contracts. This requirement of approval by the Board of Selectmen shall not be construed to eliminate review by other persons or bodies where required by this Charter, by ordinance,or by the General Statutes.

(2) All Town officers, boards, commissions, and employees of the Town appointed by the Board of Selectmen shall be responsible to them for the faithful performance of their respective duties and shall render a report to the Selectmen whenever requested to do so. The Selectmen shall have the power to investigate any and all Town offices, departments and agencies of the Town and for such purpose shall have the power to issue subpoenas[136].

(3) The Selectmen shall review the budgets of all Town officers, commissions, boards, and departments of the Town and make such recommendations in connection with such budgets to the Board of Finance as they deem necessary.

C. Meetings[137]. The Selectmen shall hold their first meeting not later than the fourth (4th) Monday of November after their election. The First Selectman shall be chairman of the Board of Selectmen and shall preside over all of its meetings[138]. The Selectmen shall meet at least twice each month[139].

D. Appointment powers. The Board of Selectmen shall appoint:

(1) Required by Charter[140]: The Town officers, commissions, boards, and employees set forth in **Section**

1.4.B(2) of this Charter and any other directors or department heads for which no other appointment provision is made in this Charter.

(2) Required by General Statutes or Ordinance[141]: ~~The Board of Selectmen shall also appoint~~ The members of any other board, commission, or committee for which no other appointment provision is made in this Charter, or which is required by an ordinance or the General Statutes.

(3) Advisory boards, commissions, and committees[142]. ~~The Selectmen may appoin~~t Such advisory boards, commissions, and committees as they deem necessary or useful from time to time to study and advise on any matters which are the concern of the Town.

E. Membership on boards, commissions, and committees[143]. Except as otherwise expressly provided in **Section 10.13 of this Charter**, each member of the Board of Selectmen shall be an ex officio member, without vote, on all town boards, commissions, and committees.

F. Reorganization of departments[144].

(1) Notwithstanding any provisions of this Charter, the Board of Selectmen may propose to the RTM a resolution which may alter the method of appointment to or organization of any Town office, department, board, commission, or agency of the Town, including combining or separating the duties of such individuals or bodies. The resolution will effect the change when enacted by the RTM in the form of an ordinance.

(2) The ability to make such changes by ordinance shall not apply to the Police Department, the Fire Department, the Board of Library Trustees, any elected Town office, elected Town officer, elected board or commission, and any other office or body where such change by ordinance is specifically prohibited by statute.

(3) If the duties of two (2) or more bodies or Town offices are combinedor separated by ordinance, the existence, the method of appointment, the organization, powers, and duties of the prior Town offices or bodies shall cease as defined in this Charter and shall be as defined in the ordinance.

(4) The method of election to any Town office, board, commission, or agency of the Town may be changed by ordinance as set forth in **Section 6.1.G(1)** of this Charter if the method of election set forth in this Charter is or becomes improper, invalid, or ineffectivebecause of a change in the law or an ambiguity in, or erroneous provision of, this Charter.

§4.2. First Selectman.

A. Executive powers[145]. The First Selectman shall have the powers and duties vested in the office by this Charter and by the General Statutes. In particular, the First Selectman shall:

(1) Devote full time to the duties of the office;

(2) Be the town agent and the chief executive officer of the Town[146];

(3) Direct the administration of all departments and officers;

(4) Be responsible for the faithful execution of all laws and ordinancesgoverning the Town;

(5) After the election of any Town official of whom an oath is requiredby law, cause the Town official to be sworn to the faithful discharge of the duties of office;

(6) Upon the request of any Selectman, inform the Board of Selectmen of the First Selectman's actions;

(7) Have the ability to delegate such authority as may be necessary to the Selectmen or to administrative assistants whose appointment may be authorized by the RTM; and

(8) Have the ability to convene the members of any or all departments,authorities, boards, commissions, and committees to review and coordinate activities and to plan operations of the Town government.

B. Appointment powers[147].

(1) The First Selectman shall appoint the Town officers, commissions,boards, and employees set forth in **Section 1.4.B(1) of this Charter**, and any others required by the General Statutes or by ordinance to be appointed by the First Selectman.

(2) All Town officers, commissions, boards, and employees of the Town appointed solely by the First Selectman shall be responsible to the First Selectman for the faithful performance of their respective duties and shall report to the First Selectman[148].

C. Designation of Acting First Selectman[149]. Immediately upon taking office, the First Selectman shall designate in writing to the Town Clerk the member of the Board of Selectmen authorized to act as First Selectman during the unavailability or temporary disability of the First Selectman and during the period from the date a vacancy occurs until a successor First Selectman takes office under the provisions of **Section _._ of this Charter**. Such designation may be changed in writing from time to time.

§4.3. Compensation of executive branch members[150].

The members of all boards and commissions except the Board of Selectmen shall serve without compensation unless the RTM shall otherwise direct. Except as provided in this Charter or otherwise by law, the compensation of all Town officers shall be fixed by the Board of Selectmen subject to the adoption of the Town budget as provided in **Article XII of this Charter**.

§4.4. Official bonds[151].

The Town Clerk, Town Treasurer, Tax Collector, Building Official, and such other officers or officials as may be required to do so by the Board of Selectmen shall, before entering upon their respective official duties, execute to the Town, in the form prescribed by the Town Attorney, and file with the Town Clerk, a surety company bond in a penal sum to be fixed by the Selectmen, conditioned upon the faithful performance of such official duties. Premiums for such bonds shall be paid by the Town.

§4.5. Regulations[152].

Any Town officer, board, or commission empowered to enact regulations under the provisions of the General Statutes or of this Charter shall hold at least one public hearing before the enactment of such regulations. Except as otherwise provided by statute, the time and place of such hearing together with a copy of the proposed regulations shall be published at least once not more than ten (10) nor less than five (5) days before the date set for such hearing.

Except as otherwise provided by statute, any such regulation shall be superseded by an ordinance adopted by the RTM affecting the same subject matter.

NEW BRITAIN CHARTER ARTICLE V – THE MAYOR

§5-1 - The Authority of the Mayor.

(a) There shall be a Mayor of the City who shall be its Chief Executive and Administrative Officer and all such executive and administrative powers of the City are vested in the Mayor, except as otherwise provided in this Charter or by law.

§5-2 - Powers. The Mayor shall have the power:

(a) to have and exercise all other executive and administrative powers conferred by the laws of the State of Connecticut upon any municipal Chief Executive Officer except as otherwise provided in this Charter.

(b) to exercise within the limits of the City all the emergency powers given to the Chief Executive Officer under the General Statutes of the State of Connecticut.

(c) to appoint any special assistants that the Mayor may deem necessary for the administration of official duties. All such assistants shall serve at the pleasure of the Mayor.

(d) to appoint all officers, department heads and employees of the City with the exception of the employees, experts or professional consultants of the Common Council and as otherwise provided by this Charter, the provisions of the

Ordinance and regulations governing civil service and collective bargaining agreements, if applicable, and to fill, by appointment, a vacancy in any office for which the Mayor shall be given the power to appoint the incumbent to such office.

(e) to appoint all members of Boards and Commissions, except as otherwise designated by the General Statutes, including vacancies; however, if the Mayor fails to fill a vacancy on said Board or Commission within one hundred twenty days following the effective date of that vacancy, then the Common Council shall fill the vacancy within sixty days thereafter by a majority vote of those present. If the Common Council fails to fill the vacancy, then the remaining members of the Commission or Board for which the vacancy exists shall fill the vacancy by appointment. Said appointments are subject to the provisions of the General Statutes governing minority party representation. Moreover, said party enrollment shall be determined in the same manner as the General Statutes delineate entitlement to participation in party caucuses and primaries by electors who transfer from the enrollment list of one party to another.

(f) to preside at all meetings of the Common Council but shall not be a member thereof and shall vote only in the case of a tie.

(g) to approve or veto all actions of the Common Council as enumerated in this Charter.

(h) to call special meetings of the Common Council or any Board or Commission of the City government when deemed expedient and to enforce the attendance of members of the same thereat in the manner herein provided.

(i) to assign any employee of one department to the temporary performance of similar duties in another department whenever the interests of the City require, with the exception of employees of the Common Council.

(j) to administer oaths.

§5-3 - Duties. It shall be the duty of the Mayor to:

(a) cause laws and Ordinances to be executed and enforced and to conserve the peace within the City and to be responsible for the good order of efficient government of the City.

(b) to sign all deeds and all written contracts of the City approved by the Common Council, except as otherwise provided in this Charter, or any department or any office of the City in accordance with authority conferred upon them by this Charter or by the Ordinances, or otherwise by law; provided, the facsimile signature, electronic authorization or other approved form of signature, as approved by the Common Council, of the Mayor or the Treasurer is authorized on all bonds issued by the City.

(c) to sign together with the City Treasurer all bonds and other instruments evidencing City indebtedness.

(d) to see that all contracts and agreements with the City are faithfully kept and performed.

(e) as chief executive officer of the City, to negotiate and enter into such contractual agreements with the employees of the City in a manner governed by the General Statutes.

(f) to submit to the Common Council, at the first regularly scheduled meeting in the month of March in each year, a general statement of the condition, state and situation of the City in relation to its government, finances and improvements, which statement shall be entered on the records of the Common Council and published in such manner as the Common Council may order.

(g) to serve as a member so long as there is no conflict with State law, of all Boards and Commissions established pursuant to State law, this Charter, City Ordinance, or executive order in said City of an executive or administrative nature, but excluding the Civil Service Board, all acts or provisions of the Charter of said City to the contrary notwithstanding. The Mayor's membership is ex officio.

§5-4 - Reorganization Plan. The Mayor may prepare a reorganization plan which provides for the enactment of an Ordinance to alter the organization of any and all of the departments, Boards, Commissions or agencies provided for in this Charter, which plan may provide for the combining or separating of the duties of each, unless specifically prohibited from making such alteration by the Constitution or the General Statutes of the State of Connecticut. The Common Council, upon receipt of a reorganization plan, shall conduct a public hearing, and following said public hearing, may vote to adopt an Ordinance implementing said plan. A two-thirds (2/3) vote of the entire membership shall be required for adoption. The Mayor may recommend amendments or modifications to said Ordinance at any time prior to adoption by the Common

Council.

§5-5 - Requirements. The Mayor shall devote the full time necessary to the duties of the office and shall have no other occupation during the term of office and shall keep the office open during such hours of each business day as the Ordinances of the City shall direct.

§5-6 - Removal and Discipline of Officials and Employees.

(a) **Appointees of the Mayor.** The Mayor is authorized, except as may be otherwise provided, to remove, for cause, and discipline any officer appointed by the Mayor, and the Mayor shall be sole judge of such cause of removal and said order of removal shall state the reason therefore. Officers shall include but not be limited to department heads.

(b) **Employees of the City.** The Mayor or designee may terminate the employment of and discipline any employee of the City except as otherwise provided by the General Statutes, this Charter or collective bargaining agreement, where applicable.

(c) **Procedures.** Rules of Procedure for the removal of said officials and employees shall be prescribed by Ordinance.

§5-7 - Penalty for Hindering the Mayor. If any person shall hinder or obstruct the Mayor in the execution of the duties of office, or, when commanded to assist herein, shall refuse or unreasonably neglect to do so, such offender shall pay a fine not to exceed the amount permitted by the General Statutes, or be imprisoned in a jail not more than the time permitted by the General Statutes, or both.

§5-8 - Acting Mayor, during Temporary Disability or Absence, to Discharge Duties. Whenever the Mayor shall be absent from the City or prevented by sickness or other cause from attending to the duties of office, the President Pro Tempore of the Common Council, and, in the absence of said President Pro Tempore, the following members of the Common Council (in descending order) shall serve as Acting Mayor: the party leader of the Mayor's political party, the leader of the political party having the greatest representation on the Common Council (other than the Mayor's political party) and then to the senior member of said Common Council of the Mayor's party, being the member who has occupied such office

for the greatest number of years. In the case of equal seniority the Common Council shall select said Acting Mayor from among those members of equal seniority. The Acting Mayor shall act as Mayor, and shall possess, exercise, and enjoy all the rights, powers, and duties of the Mayor during the continuance of such absence or inability.

§5-9 - Removal for Total Incapacitation. In case the Mayor of the City shall, by any cause whatsoever, be totally incapacitated physically or mentally for a period exceeding sixty days from performing the duties of Mayor, the Common Council may, after summons and hearing in the same matter concerning officers and employees of the Mayor, remove the Mayor and declare the office of Mayor to be vacant on account of such incapacity for said period, and the person so removed may appeal from the order of removal in the manner provided by Ordinance.

§5-10 - Vacancies in offices of Mayor, Mayor-elect.

(a) **Acting Mayor and Successor Election; Term of Office.** Whenever a vacancy occurs in the office of Mayor when there is greater than six months remaining in the term of office, the President Pro Tempore of the Common Council shall serve as Acting Mayor until a successor is elected at a special election. Said special election shall be called forthwith to fill the vacancy and shall be held no later than forty-five days from the effective date of the vacancy. The person so elected shall assume the office of Mayor on the date of election and serve for the unexpired term. Such successor shall have the rights, powers and duties of Mayor and shall receive the same compensation otherwise due the Mayor. In the event the President Pro Tempore shall serve as Acting Mayor the office of President Pro Tempore of the Common Council and a member of the Common Council shall not be deemed vacant although the Acting Mayor may only participate in Common Council proceedings in accordance with the functions and duties of the Mayor. During the absence of the President Pro Tempore for the purposes of this provision the Common Council may thereupon designate an acting President Pro Tempore.

(b) **Final Six Months of the Term of Office: Succession.** Whenever a vacancy occurs in the office of Mayor, the President Pro Tempore of the Common Council shall at once become Mayor for the unexpired term and shall assume office on the date of vacancy and serve for the unexpired term. Such successor shall have the rights, powers and duties of Mayor and shall receive the same compensation otherwise due the Mayor. In the event the President Pro Tempore shall serve for the remainder of the term of Mayor, the office of the President Pro Tempore of the Common Council and a seat on the Common Council shall become vacant whenever the person holding them shall become Mayor and the Council shall thereupon designate a new or acting President Pro Tempore.

(c) **Death or Incapacity of the Mayor-Elect.** Whenever the Mayor-elect shall die or become permanently incapable of performing the duties of said office between the date of election and the first day of the term for which elected, the Mayor of the City then in office shall continue therein, until the first Tuesday following the election, with all the powers and duties thereto. Thereupon, succession to the Mayoralty shall proceed in the manner provided for in §5-10(a), above.

HAMDEN CHARTER CHAPTER V: THE MAYOR[153]

SECTION 5-1: ELECTION AND QUALIFICATIONS.

At each general Town election, a Mayor shall be chosen by the Electors of the Town. Such Mayor shall be the chief executive officer of the Town and shall receive such compensation as shall be set by the Council. The Mayor shall devote full time to the duties of the office[154].

SECTION 5-2: DUTIES.

The Mayor shall:

A. be responsible for the administration of all Departments[155] and Officials,[156] in charge of persons or Boards and Commissions[157] appointed by the Mayor, and shall oversee and direct the same[158];

B. be an ex-officio, nonvoting member of all Town Boards and Commissions appointed by the Mayor, except the Board of Ethics or where such membership is inconsistent with the General Statutes or this Charter[159];

C. see that the provisions of all Laws, this Charter, the Ordinances and Statutory Resolutions governing the Town are faithfully executed; shall cause to be prepared and printed, within ninety (90) Days after the close of the fiscal year, an annual Town report; shall recommend to the Council such measures as may be deemed necessary or expedient; shall keep the Council fully advised as to the financial condition of the Town; shall prepare and submit to the Council an annual budget and shall exercise such other powers and duties as may be required by Ordinance, Statutory Resolution, Order or Motion of the Legislative Council consistent with the General Statutes and this Charter[160]; and,

D. submit to the Council:

(1) a quarterly report on all contracts executed within the budget limits or other authority established by the Legislative Council[161].

(2) a request for approval by a Majority Vote of the Legislative Council, of any contracts:

(a) in excess of One Hundred Thousand ($100,000.00) Dollars which are exempted from the competitive procurement and solicitation requirements of this Charter and any Ordinances or regulations adopted hereunder. The Legislative Council is authorized to modify the threshold based upon the consumer price index or other like measure indexed for inflation or deflation. This provision shall not apply to emergency transactions, which are addressed in §5-5.C (3) of this Charter[162].

(b) which contain a term which will either fall in multiple fiscal years; or, shall continue for a period longer than twelve (12) months[163].

SECTION 5-3: APPOINTMENTS, TERMS OF OFFICE AND GENERAL POWERS.

A. The Mayor shall, except as otherwise provided in this Charter, appoint and may remove all Department Heads and other Mayoral appointees[164] of the Town as set forth in this Charter[165]. This provision shall not apply to Elected Officials who are Department Heads[166].

B. Unless otherwise provided in this Charter, the terms of all such Department Heads or Mayoral appointees, established by Ordinance or by budget, shall terminate at the same time as the term of the Mayor (unless otherwise subject to the terms of an Employment Contract as set forth in §8-2.C of this Charter); except such appointees may continue to serve until their successors are appointed and qualified.[167].

C. The Mayor may, subject to the approval of the Council, perform the duties of any office under the Mayor's jurisdiction, except those of the Director of Finance in the performance of the duties and powers prescribed by Law to Town Treasurers, as provided in §8-4.A of this Charter[168].

D. As set forth in §8-1.B and C of this Charter, the Mayor shall have the power, subject to the approval of the Council, to provide for the creation of any Department, delegating to said Department any of the powers reserved to the Mayor under this chapter and to appoint a Department Head for such Department thereby created. The Mayor shall have the power to create for a new position, subject to the approval of the Legislative Council[169].

SECTION 5-4: APPOINTMENTS TO BOARDS OR COMMISSIONS[170].

A. When a Vacancy occurs on any appointed Town Board[171] or Commission, the Mayor shall provide Public Notice that such position is Vacant, at least two (2) weeks prior to filling of the position[172]. In addition to the requirement set forth in §7-1.K of this Charter, the Mayor shall publish or post, as the case may be, such notice (1) on the Town web-site; (2) in a conspicuous location available to the public in the office of the Town Clerk and in such location in Town Hall as designated by the Mayor; and, (3) if practicable, in a newspaper of local availability to the residents of the Town[173].

B. The Mayor shall invite the Electors of the Town who are interested in serving to apply by submitting resumes of their qualifications for membership on such Board or Commission to the Town Clerk[174].

C. The Town Clerk shall maintain and submit to the Mayor a list of all candidates for the position[175].

D. The Mayor shall nominate an individual from this list and submit the nomination to the Legislative Council, which shall approve or disapprove the Mayor's selection[176].

SECTION 5-5: EMERGENCY POWERS[177].

A. Declaration of a Public Emergency[178]. A public emergency pertaining to the Town may be declared by the (1) President of the United States: (2) Governor of the State of Connecticut[179]; (3) Mayor; or, (4) upon the affirmative vote of two-thirds (2/3rds) of the Legislative Council present and voting; although there shall be, at least, nine (9) members voting in the affirmative. If practicable, the declaration of Public Emergency by the Mayor or the Council shall set the duration in the event it is expected to last for more than forty-five (45) Days.

(1) Public Emergency. A public emergency is any condition that exists or threatens to arise involving or threatening to damage or injure the lives, health or property[180] of the inhabitants of the Town or curtail Town services necessary to meet the requirements of the emergency.

(2) Termination of Public Emergency. The termination of the emergency shall be determined and

declared by the Mayor or by the affirmative vote of two-thirds (2/3rds) of the Legislative Council present and voting; however, unless asserted in the declaration or otherwise extended, the Public Emergency shall terminate at 11:59:59 P.M. of the forty-fifth (45th) Day following the declaration.

B. Authority of the Mayor[181]. The Mayor shall exercise within the limits of the Town all the emergency powers given to the chief executive officer of a municipality under the General Statutes with regard to the allocation of personnel. Upon declaration of a public emergency, the Mayor may mobilize, organize and direct the forces of the Town and call upon and cooperate with the federal government or the State or its political subdivisions.

C. Appropriations and Expenditures for Emergencies.

(1) Public Emergency Contingency[182]. The Legislative Council may, by Ordinance, establish a maximum amount of funding for public emergencies in a contingency fund within the Town Budget. The Mayor may obligate the Town in an amount not to exceed the maximum amount ("public emergency contingency") to meet or mitigate any declared public emergency. The Mayor shall report any action taken hereunder at the next meeting of the Legislative Council.

(2) Emergency Appropriations. Notwithstanding the provisions of §§10-7.D and E of this Charter, in the event that funds in addition to the public emergency contingency are required to meet or mitigate a declared public emergency, the Mayor shall determine the necessary amount and seek Legislative Council approval, at an Emergency Meeting, to authorize transfers.

(a) Notwithstanding any contrary provisions of this Charter, the Legislative Council may, if necessary, appropriate funds in addition to the public emergency contingency.

(b) The affirmative vote of at least two-thirds (2/3rds) of the members of the Legislative Council is required to authorize any such emergency appropriation[183].

(c) The Order of the Legislative Council approving any emergency appropriation shall specify the nature of the emergency and source of revenue. Unless the Mayor certifies that the emergency threatens the

immediate public health or safety, the Legislative Council shall hold a public hearing on any proposed special or emergency appropriation.

(3) Emergency Expenditures. The Mayor may obligate the Town in an amount of money not to exceed One Hundred Thousand ($100,000.00) Dollars (or such other additional amount as may be approved by the Council) from the public emergency contingency or, if not available from the contingency, from other unexpended funds identified by the Director of Finance, to cope with such public emergency until the Legislative Council convenes. The authority set forth in this provision shall not apply in the event the Legislative Council has not been provided with notice under §5-5.D of this Charter.

D. Emergency Meetings of the Legislative Council. In the event a Public Emergency is declared, the Mayor or President of the Legislative Council may call an emergency meeting of the Council upon three (3) hours notice and may summon Council members to attend such meeting in such manner as the Council may prescribe by Ordinance. Notwithstanding any provision of law or this Charter to the contrary, at such meeting, the Council may transact any item or items of business relevant to such emergency.

E. Public Emergency Ordinances and Measures[184]. Upon the declaration of a Public Emergency, the Legislative Council may enact Public Emergency Ordinances and other measures in order to meet such emergency. Rules and procedures for the adoption of Public Emergency Ordinances and measures shall be governed by the provisions of a Public Emergency Procedural Ordinance which shall establish the terms of Final Action.

(1) Public Hearing and Notice Requirements[185]. No public hearing or Meeting Notice shall be required for any Ordinance stated to be a Public Emergency Ordinance or measure, unless otherwise required by the General Statutes.

(2) Procedural time-frame[186]. The time-frame set forth in §§4-7 through 4-8 of this Charter shall not apply to the adoption of a Public Emergency Ordinance or measure; however, the procedural measures set forth in that provision shall be addressed in the Public Emergency Procedural Ordinance, if practicable.

(3) Requirements[187]. An emergency Ordinance shall contain a specific statement of the emergency and

shall require a Majority Vote of the Legislative Council.

(4) Effective Date[188]. An emergency Ordinance shall become effective immediately upon final action as set forth in the Emergency Procedures Ordinance. However, Public Notice of such Public Emergency Ordinance shall take place promptly following final action[189].

(5) Automatic Repeal of Public Emergency Ordinance or Measure[190]. Every such Public Emergency Ordinance or measure, including any amendments thereto, shall automatically stand repealed at the termination of the forty-fifth (45th) Day following Final Action of said Ordinance.

BRISTOL CHARTER

Sec. 16. The mayor; powers and duties[191].

(a) The mayor shall be the chief executive officer of said city, and, ex officio, a council member. The mayor shall preside at all meetings of the city council. The mayor shall have power to preserve the peace of said city, and may suppress all tumults and riots with force if necessary, and, in the performance of said duty, may, at all times, require the aid of any marshal, constable or police officer, or all of them together, or of any elector of said city, or may call upon the governor for the assistance of the state militia.

(b) The mayor shall exercise general supervision over the official acts and conduct of all officers of said city, and may, at any time, require any such officer to report to the mayor concerning any matter within the mayor's charge and shall take action to cause any such officer to be punished for violation or neglect of duty.

(c) The mayor may, at any time, summon before the mayor any officer of said city for information, consultation and advice upon the affairs of the city.

(d) The mayor shall sign all contracts, bonds or deeds or other instruments requiring the assent of the city and shall take care that the terms of the same are fully performed.

(e) The mayor shall, annually, and from time to time, communicate to the city council such information concerning the affairs of the city, and such suggestions and recommendations relating thereto, as the interest of the city shall, in the mayor's judgment, require.

(f) Immediately upon taking the oath of office, the mayor shall, in writing to the city clerk, designate one of the council members to be acting mayor for the balance of their term in office. The mayor may from time to time revoke such designation and appoint some other council member to be acting mayor, which appointment shall then remain in place for the balance of their term in office. The acting mayor shall have all of the powers and discharge all of the duties of the mayor during the absence of the mayor from the city or during the period of time the mayor is unable to perform the duties of the office except as otherwise specifically provided. In the event both the mayor and the acting mayor are absent from the city

or unable to perform the duties of the office, then, by vote of the majority of the remaining city council members a successor acting mayor shall be selected to serve in such capacity only until the mayor or acting mayor shall return to perform the duties of the office.

(g) For the purpose of Section 16 the definition of unable to perform the duties of the office shall mean:

(1) Court ordered finding;

(2) Any time the mayor is admitted to an acute medical care facility, unless or until the treating physician for the admitted elected official provides certification, in writing to the director of human resources who shall notify the town clerk, that the official is able to perform the duties of the office; or

(3) Any time the mayor shall undergo a medical procedure which shall require the administration of sedation or general anesthesia, unless or until the treating physician for the elected official provides certification, in writing to the director of human resources who shall notify the town clerk, that the official is able to perform the duties of the office.

(h) The mayor shall cause annual written performance appraisals to be conducted for all non-elected department heads.

MANCHESTER CHARTER CHAPTER IV - GENERAL MANAGER

Sec. 4-1. Appointment[192]. At the meeting of the Board of Directors on the first Monday in November, 1948, oras soon thereafter as possible, the Board of Directors shall appoint a General Manager who shall be chosen on the basis of his executive and administrative qualifications withspecial reference to his actual experience in, and his knowledge of, accepted practices inrespect to the duties of his office as herein set forth. At the time of his appointment, he need not be a resident of the Town or state, but within one (1) year of appointment he shall reside within the Town. No member of the Board of Directors shall receive such appointment during the term for which he shall have been elected, nor within one (1) year after the expiration of his term.

Sec. 4-2. Tenure and removal[193]. The General Manager shall be appointed for an indefinite term. He may be removed by the affirmative vote of five (5) members of the Board of Directors. At least thirty (30) days before such removal may be made effective, the Board of Directors shall, by sucha majority vote of its members, adopt a preliminary resolution stating the reasons for theproposed removal, and a copy of such resolution shall forthwith be mailed by registeredmail to the General Manager at his usual place of abode. The General Manager may reply and may appear and be represented by counsel at a public hearing which shall be called by the Board of Directors if requested by the General Manager. Such a request shall be made by the General Manager not more than thirty (30) days after the adoption of such preliminary resolution. Such hearing shall be held not more than twenty (20) days from the date of such request. After such public hearing, the Board of Directors, bymajority vote of all its members, may adopt a resolution removing the General Manager from office, which may be made effectively immediately. If no request for a hearingis made by the General Manager, his removal from office shall be effective thirty-one
(31) days from the date of said preliminary resolution. By the preliminary resolution,the Board of Directors may suspend the General Manager from duty; but he shall be entitled to his regular compensation until he shall have been removed from office, and until such removal he shall have access during regular business hours to all records, filesand documents in the custody of any Town official pertaining to his conduct as GeneralManager. If the General Manager shall be found guilty by any court of misfeasance or malfeasance in office or of any felony, he may be summarily dismissed by the Board ofDirectors, and he shall not be entitled to any salary other than any unpaid balance whichmay be due him.

Sec. 4-3. Salary. The salary of the General Manager shall be fixed by the Board of Directors, and it shall not be decreased except at the beginning of a fiscal year of the Town.

Sec. 4-4. Absence or disability of General Manager. To perform the duties of the General Manager pending the appointment of a General Manager or during his temporary absence or disability, the Board of Directors may appoint an Acting Manager, who shall not be one of its own members, to perform the duties of the General Manager.

Sec. 4-5. General Manager, powers and duties[194]. The General Manager shall be the chief executive officer and the head of the administrative branch of the Town government, and none of the administrative dutiesof the Town shall be performed by any member of the Board of Directors. All administrative rights, powers and duties of the Town not otherwise vested by this Charterare exclusively vested in the General Manager. Except for the appointment of boards, agencies and commissions provided for by the General Statutes and except as herein provided, he shall exercise the powers and perform the duties in and for the Town of Manchester which are conferred and imposed by law upon selectmen, except as to the filling of vacancies in elective offices as set forth in § 2-11 hereof and to the delivery and filing of the welfare reimbursement agreements and liens referred to in Sections 17-280 and 17-281, 1958 Revision of the General Statutes[195]. The service of any process against or notice to the Town, and any notice which the General Statutes may provide, should be served upon the selectmen or any selectman of a Town shall, in the case of theTown of Manchester, be served upon the Town Clerk. The General Manager shall have charge of the preparation of the annual report of the Town required by law, shall attend meetings of the Board of Directors, may participate in any discussion and may make recommendations but shall not have the right to vote at such meetings. In addition to theduties prescribed by this Charter, he shall perform such other duties as may be required of him by the Board of Directors not inconsistent with the provisions of this Charter.

Sec. 4-6. Delegation of authority during vacancy of office. Unless otherwise specially provided for in this Charter, the General Manager shall havethe power to delegate any person to be the acting head of any department, commission, bureau or board appointed by him during the period of any vacancy, absence or disabilityand until a new appointment shall have been made.

NEWTOWN CHARTER - FIRST SELECTMAN AND BOARD OF SELECTMEN

2-110 First Selectman

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

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

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

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

2-115 Board of Selectmen

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

(b) Membership and Terms: (1) The Board of Selectmen shall consist of the First Selectman and two Selectmen. (2) The term of office shall be two years.

(c) The Board of Selectmen may exercise any of the powers conferred on towns by the General Statutes to the extent that the Legislative Council has not already acted by ordinance or resolution on such subjects and to the extent that such powers have not otherwise been granted or limited by this Charter to other Town Bodies or officers.

(d) Except for the powers granted to the Board of Education by the General Statutes, the Board of Selectmen shall have sole power, subject to the provisions of this Charter and the General Statutes to:

(1) Incur indebtedness in the name of the Town and to provide for the due execution of evidences of indebtedness issued by the Town, subject to the provisions of Section 7-10 of this Charter,

(2) Provide for the due execution of contracts for the Town, subject to the provisions of Subsection 7-15(e) of this Charter,

(3) Institute, prosecute or compromise any legal action or proceeding by or against the Town, subject to the approval of the Legislative Council and, when relevant, the affected department or Town Body,

(4) Defend the Town by legal action or proceeding,

(5) Apply for any financial assistance by the State of Connecticut and the United States Government including grants to fund any appropriation, subject to the provisions of Section 6-40 of this Charter,

(6) Take, purchase, lease, sell, or convey tangible personal property of or for the Town. Real Property Acquisition and Disposition is addressed in CHAPTER 8,

(7) Accept public highways, to approve the layout of public highways and related drainage, slope or other easements,

(8) to approve the Acquisition of real property or interests in real property for the purpose of widening or realignment of existing public highways and to grant utility easements across town-owned property for the good of the Town,

(9) Discontinue any town-owned public highway,

(10) Require such reports from any Town Body as may be useful in the performance of its duties,

(11) Submit annually to the Board of Finance a proposed budget for the next fiscal year subject to the provisions of Subsection 6-05(b) of this Charter.

(e) The First Selectman with the approval of the Board of Selectmen may, by resolution, establish such advisory or study committees as they find desirable in the discharge of their duties.

(f) The Board of Selectmen shall have regular meetings and provide a procedure for calling special meetings.

(g) A majority of the Board of Selectmen shall constitute a quorum for the transaction of any business.

(h) The Board of Selectmen may call joint meetings with other Town Bodies, by resolution or regulation, as may be useful in the performance of its duties subject to the provisions the General Statutes.

[1] **Bridgeport Chapter 5, Section 3:** No vote by Mayor to break a tie in election of city council president or adoption of an ordinance.
[2] **Bridgeport Chapter 5, Section 4:** At the beginning of each term of office the city council shall elect from among its members **one council member to be president of the city council** who shall serve for a term until November 30 of the next odd-numbered year or until the president of the council's successor has been elected. The president of the city council shall preside in the absence of the mayor, and when so presiding shall have a casting vote in case of a tie in addition to his/her vote as council member. In the absence of the mayor and the president of the city council at any meeting, the city council may choose one of its members to act as president for the occasion who, when so presiding, shall have a casting vote in case of a tie in addition to his/her vote as council member. In the event of the death, resignation or inability to act of the president of the city council, the council shall elect another president in his place.
[3] **Bridgeport Chapter 5, Section 13.**
[4] Mayor/Board of Representatives/At Large Board of Finance
[5] **Stamford Charter Part 2, Sec. C2-10-10. – President: "**The Board of Representatives, at its Organization Meeting, shall elect from among its members its President to hold office for the term for which the Board was elected. The President shall preside at all meetings of the Board. In the event of the President's absence, the members present may by majority vote elect a Chairperson of the meeting. The President or other Chairperson of the meeting shall have the same right to vote as any member of the Board (Referendum 11-3-1987)"; See also, **Sec. C2-10-11. - Removal of President: "**The President of the Board may be removed from the presidency by a vote of the majority of the entire Board at a Special Meeting duly called for the purpose";" and, **Stamford Charter Part 2 Sec. C2-10-3. - Funds for Investigation: "**The Board of Representatives shall have authority, by a two-thirds (2/3) vote of its entire membership, to incur any expenses which it deems necessary or advisable, in connection with any investigation authorized under Section C2-10-2 of this Charter. Expenses so incurred shall be paid by the Office of Administration on warrant issued by the Mayor and counter-signed by the Clerk of the Board of Representatives. The Board of Representatives may, by a two-thirds (2/3) vote of its entire membership, appropriate funds to cover expenses incurred pursuant to this Section without request for such appropriation by any officer of any department of the City, other than the Board of Representatives.
[6] **New Haven Charter, Article IV, Section 2A.**
[7] **Hartford Charter, Chapter IV, Sec. 4 (b) Election of council president.** Following the administration of the oath of office, the first order of business shall be to elect, by majority vote, from among the council's membership a presiding officer, who shall be designated the council president. The council president shall serve as such for two (2) years, and a member may be elected to an unlimited number of successive two-year terms as council president. The council shall fill any vacancy in the office of council president by election of a new council president, who shall serve for the remainder of the two-year term, from among its members. (1) *Powers and duties of the council president.* The council president shall preside over meetings of the council, without thereby losing the right to vote or to speak as a member of council, and shall have such other powers and obligations as may be assigned to the presiding officer by the council's rules, by ordinance, or by this Charter. (2) *Presiding officer pro tempore.* The council may provide in its rules for the designation of a member to preside in the absence of the council president and, if there is no such provision in the council rules, the council president shall designate a temporary presiding officer whenever the council president is absent from a council meeting. (3) *Succession to the office of mayor.* Subject to the applicable provisions of the General Statutes governing the filling of vacancies in municipal office, in the event that the position of mayor becomes vacant, the council president shall serve as mayor until

the next regularly scheduled municipal general election, or, if not permitted by the General Statutes, for the remainder of the mayor's term. Upon succession to the office of mayor, the council president's position on the council shall be filled as provided in section 4(c)(2) of Chapter III of this Charter. (4) *Removal of the council president.* The council may remove the council president from the presidency at any time by a vote of six (6) members, at a special meeting duly called for that purpose. **Sec. 3 - Power of investigation.** The council, or any committee thereof when so authorized by the council, shall have power to investigate the official conduct of any department or agency of the city government or of any officer or employee thereof. For the purpose of conducting any such investigation and hearings relating to the removal of appointive or elective officers or employees, pursuant to section 3(a) of this chapter, above, any member of the council shall have power to administer oaths and the council or authorized committees thereof may compel the attendance of witnesses and require the production of books and papers. Any person who refuses to obey the subpoena of the council or an authorized committee thereof shall be fined not more than one hundred dollars ($100.00) or imprisoned not more than thirty (30) days or both. The council may appropriate from available funds amounts necessary to cover expenses incurred pursuant to this section.

[8] **Waterbury Charter, Sec. 3B-1 – Organization and Officers of the Board of Aldermen**. **Sec. 3A-1)1_ Board to Investigate departments.** The Board shall have power to investigate all departments, officers and employees and to inquire into any charges that may be preferred, and shall have access to all records thereto appertaining.

[9] **Norwalk Charter Sec. 1-2.1**

[10] **Norwalk Code of Ordinances, Sec. 1-196.**

[11] **Danbury Charter Section 2-2.**

[12] **Danbury Charter Sec. 3-2.** **Section 3-14 INVESTIGATION**. 15 The City Council, or any committee thereof duly appointed for the purpose of conducting an investigation pursuant to this section, which committee shall consist of not less than five (5) members, shall have power to investigate any and all offices and agencies of the City, and any organization spending City funds, and for such purposes shall have the power to call witnesses to appear to testify on any matter under investigation. If any officer, other than an elected officer, or employee of the City shall, after receipt of notice in writing, willfully fail or refuse to appear before the City Council or such duly appointed committee, or having appeared, shall refuse to testify or answer any question concerning the office or official duties of such officer or employee, or concerning the property, government or affairs of the City, his term or tenure of office or employment shall terminate and such office or employment shall be vacant provided, however such officer or employee shall be entitled to any further proceeding or hearing concerning dismissal as may be provided by law. The Council shall have the further power to require any office, agency, or other organization spending City funds to disclose information and account for the spending of such funds. Failure to comply with the Council's request shall be grounds for withholding the expenditure of further funds where not otherwise regulated by law.

[13] **New Britain Charter Sec. 3-3.**

[14] **New Britain Charter Sec. 4-4.**

[15] **West Hartford Chapter III Sec. 1. Chapter XIV, Sec 8 – Investigation of Public Officers:** "The council shall have power to investigate all town officers, departments, commissions, bureaus or boards, and shall have access to all records and papers kept by each town officer, department, commission, bureau or board, and shall have power to compel the attendance of witnesses and the production of books, papers and other evidence at any meeting of the council or any committee thereof. At the request of the council, any judge may issue a capias for the appearance of witnesses and the production of books and papers.

[16] **GREENWICH CHARTER ARTICLE 13. REPRESENTATIVE TOWN MEETING. Sec. 167. Representative Town Meeting; powers**. The Town of Greenwich shall have the capacity to act through and be bound by its Town Meeting members when acting in meeting assembled who shall, when

convened from time to time as herein provided, constitute Representative Town Meetings. The Representative Town Meetings shall exercise exclusively, so far as will conform to the provisions of this Article, all powers vested in the Town, except as otherwise specifically provided by law. Action in conformity with all provisions of law now or hereafter applicable to the transaction of Town affairs in Town Meeting, shall, when taken by any Representative Town Meeting in accordance with the provisions of this Article, have the same force and effect as if such action had been taken in a Town Meeting open to all the voters of the Town as heretofore organized and conducted, except as specifically provided in this Article. Nothing in this Article shall be construed to confer upon the Representative Town Meeting any powers other than those vested in the Town Meeting prior to the creation of the Representative Town Meeting. (S.A. 154 § 8, 1933.). **Sec. 168. Ex officio members.** The following designated officers shall be Representative Town Meeting members ex officio: the Selectmen, the Town Clerk, the Town Attorney, the Chairman of the Board of Education and the members of the Board of Estimate and Taxation. Such ex officio members shall have all the rights and privileges of the elected members, except the right to vote. (S.A. 444 § 2, 1939; as amended by S.A. 341, 1953.). **Sec. 169. Members' qualifications; removal.** (a) The Representative Town Meeting members shall be the judges of the election and qualifications of their members. The members as such shall receive no compensation. No person holding any salaried office or position in the government of the Town or any department, division or office thereof shall be eligible for election as a member. No member of the Representative Town Meeting, except an ex officio member thereof, shall hold any such salaried office or position. (b) A Representative Town Meeting member who shall remove from the Town shall cease to be a Representative Town Meeting member and a Representative Town Meeting member who shall remove from the district from which he was elected to another district may serve until the next annual meeting for the election of Representative Town Meeting members. (S.A. 154 § 3, 1933; as amended by S.A. 444 § 1, 1939.). **Sec. 170. Tie votes for candidates; procedure.** (a) In case of a tie vote under any Section of this Article affecting the election of Town Meeting members, the other members from the district in which the tie vote may occur shall, by ballot, determine which of the tied candidates shall serve as Town Meeting member or members. The moderator of elections shall immediately after an election notify the Town Clerk of any and all such tie votes, giving the names and addresses of the candidates affected. (b) The Town Clerk shall, within two (2) days of such notification by the moderator of elections, call a meeting of the other members from the district or districts in which a tie vote occurs by causing a notice specifying the object, time and place thereof to be mailed to each such member of the particular district not less than three (3) days nor more than five (5) days before the time set for the meeting. At such meeting a majority of the members from the particular district shall constitute a quorum, and they shall elect from among their number a chairman and a clerk whose right to vote at such meeting shall not be affected by their election to their respective offices. The chairman and clerk shall count the ballots and the person or persons receiving the highest number of votes shall be declared elected. The chairman and clerk shall forthwith make a certificate of the choice and file the same with the Town Clerk. (c)The member or members so chosen shall thereupon be deemed elected and qualified as a Town Meeting member or members, subject to the right of all the Town Meeting members to judge of the election and qualification of the members. (S.A. 154 § 2, 1933.). **Sec. 171. Resignations; vacancies.** (a) A Representative Town Meeting member may resign by filing a written resignation with the Town Clerk. Such resignation shall take effect on the date of such filing. (b) Any vacancy in the full number of Representative Town Meeting members from any district, whether arising from a failure of the registered voters thereof to elect, or from any other cause, may be filled by the remaining members of the district from among the registered voters thereof. (c) The Town Clerk shall call a special meeting of such district's members for the purpose of filling any vacancy and shall cause to be mailed to each such member, not less than five (5) days before the time set for the meeting, a notice specifying the object, time and place of the meeting. At such meeting, a majority of the members from such district shall constitute a quorum, and they shall elect from their number a chairman and a clerk whose right to vote at such meeting shall not be affected by their election to their respective offices. The choice to fill any vacancy shall be by ballot, and a majority of the votes cast shall be required for a choice. The chairman and clerk shall count the ballots and shall make a certificate of the choice and forthwith file the

same with the Town Clerk, together with a written acceptance by the member or members so chosen. (d) The chosen member or members shall thereupon be deemed elected and qualified as a Representative Town Meeting member or members, subject to the right of all the Representative Town Meeting members to judge of the election and qualifications of the members. (S.A. 154 §§ 3, 6, 1933; as amended by RTM 10/28/2019.) **Sec. 172. Organization of Representative Town Meeting.** (a) The annual meeting of Representative Town Meeting members shall be held on the third Monday of January 1966, and biennially thereafter. The Representative Town Meeting members shall, at their first annual meeting and biennially thereafter, elect from among their number a Moderator, who shall act as moderator of all Representative Town Meetings. He shall hold office for a term of two (2) years and until his successor shall be elected and shall have qualified. A Moderator pro tempore may be elected by the Representative Town Meeting members from among their number who shall serve in the absence of the moderator. (b) The Town Clerk or the Assistant Town Clerk shall act as clerk of all Representative Town Meetings and, in the absence of both, a clerk pro tempore of the meeting shall be elected by the meeting. (S.A. 154 § 5, 1933; as amended by S.A. 217, 1947; RTM, 10/13/1964.). **Sec. 173. Meetings; procedure.** (a) The Moderator may call a meeting of the members at any time. The Moderator, and, in his absence or inability, the Town Clerk, shall call such meeting upon the request of the first Selectman or the Chairman of the Board of Estimate and Taxation or upon the application of twenty (20) registered voters of the Town to be held within sixty (60) days after receiving such application. The Town Clerk shall notify all Representative Town Meeting members of the time and place at which Representative Town Meetings are to be held. The notices shall be sent by mail at least five (5) days before the meeting and a copy of such notice shall be published in the newspapers published in the Town. Such notice shall specify the object for which the meeting is to be held. (b) One-third (⅓) of the Representative Town Meeting members shall constitute a quorum for doing business; but a smaller number may organize temporarily and may adjourn from time to time, but no Representative Town Meeting shall adjourn over the date of an election of Representative Town Meeting members. All Representative Town Meetings shall be public. (c) Subject to such conditions, rules and regulations as may be determined from time to time by the members of the Representative Town Meeting, any registered voter of the Town who is not a Representative Town Meeting member may speak at any Representative Town Meeting, but shall not vote. (S.A. 154 § 3, 1933; as amended by S.A. 607 § 8, 1951.). **Sec. 174. Referendum; requirements.** (a) A vote passed at any Representative Town Meeting approving any home rule action on which a referendum is not mandatory pursuant to any special act or charter provision conferring home rule on the Town or authorizing the expenditure of Twenty Thousand Dollars ($20,000.00) or more or authorizing the issuance of any bonds by the Town or adopting a new ordinance, or amending an existing ordinance, shall not be operative until after the expiration of five (5) days, exclusive of Sundays and holidays, from the dissolution of the meeting. If, within such five (5) days, a petition, signed by not less than three percent (3%) of the registered voters of the Town, containing their names and addresses as they appear on the list of registered voters, shall be filed with the Selectmen, asking that the question or questions involved in such a vote be submitted to the registered voters of the Town at large, then the Selectmen, after the expiration of five (5) days, shall forthwith call a special meeting for the sole purpose of presenting to the registered voters at large the question or questions so involved. (b) The polls shall be opened at 2:00 P.M. and shall be closed not earlier than 8:00 P.M. All votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the several district meetings in the same manner as in the most recent preceding election; except that if the question or questions are submitted at an election, as that term is defined in Sec. 9-1 of the General Statutes, then the manner provided for such election shall be used. The questions so submitted shall be determined by a majority vote of the registered voters of the Town voting thereon, but no action of the Representative Town Meeting shall be reversed unless at least twenty-five percent (25%) of all the registered voters in the Town, shall vote to so reverse. (c) The questions so submitted shall be stated upon the ballot in substantially the same language and form in which they were stated when presented to such Representative Town Meeting by the Moderator, and as appears from the records of such meeting. If such petition shall not be filed within such period of five (5) days, the vote of the Representative Town Meeting shall become final, binding and effective

upon the expiration of such period for all purposes. (S.A. 154 § 7, 1933; as amended by S.A. 377 § 5, 1955; S.A. 28 § 3, 1965; as amended by RTM, 12/13/76.). **Sec. 175. Referendum; appropriations.** (a) When a petition shall be filed asking for the submission to the voters of the Town, of any question as to the annual appropriations for the Town's expenditures for the ensuing year, such petition shall set forth each item of appropriation as to which a question is involved with the amount of the appropriation as approved by the Representative Town Meeting and the amount to which the petitioners desire it to be decreased or increased, provided such increase shall not be above the amount approved by the Board of Estimate and Taxation. A separate question shall be submitted to the voters on each such item of appropriation and shall call for an answer "Yes" or "No." The answer "No" shall mean the sustaining of the appropriation as fixed by the Town Meeting. The answer "Yes" shall mean the fixing of such appropriation at the figure suggested by the petitioners. (b) The annual appropriation as fixed by the Town Meeting shall be the appropriation for the ensuing year except as to those items upon which the referendum is called for and those items which on the referendum are answered "No" shall remain as fixed by such Town Meeting, and those items which on the referendum are answered "Yes" shall be changed in accordance with the referendum and the appropriation so fixed by the Representative Town Meeting and as so modified by such referendum shall be the appropriation for the ensuing year. (c) In the event that such right of referendum should be exercised, as above provided with respect to the action or actions of any Representative Town Meeting on the budget of the Town for the ensuing year, so that such action or actions of the Representative Town Meeting cannot be finally determined by May 25 in any year, then the time within which the Board of Estimate and Taxation shall lay the tax shall be extended to five (5) days after such referendum vote. (S.A. 154 § 7, 1933; as amended by RTM, 3/9/1970.)

[17] **GREENWICH CHARTER ARTICLE 15. SELECTMEN. Sec. 217. First Selectman; powers and duties.** (a) All administrative functions relative to police, fire, highways, sewers and other public works, building inspection, parks, recreation, law, human resources, parking services, fleet management, information technology and purchasing for such purposes, shall be divided, under the supervision and control of the First Selectman, among administrative departments which shall include the Department of Police, Fire, Public Works, Parks and Recreation, Law, Human Resources, Parking Services, and Fleet Management. The First Selectman shall have the supervision and control, and shall be responsible for the administration, of all the affairs of the Town in respect to such departments, and may fix and determine the internal organization of such departments, the number and kinds of offices and positions, the methods of procedure and, subject to appropriation as otherwise provided by law, the rates of compensation. (b) First Selectman and board of selectmen. The First Selectman shall be the chief executive officer of the town and the town agent and shall devote his full time to the duties of his office. The two selectmen other than the First Selectman who are elected as provided in this act shall, together with the First Selectman, constitute the board of selectmen. The First Selectman shall chair the board of selectmen. The First Selectman shall hold at least one meeting each month with the other selectmen for the purpose of keeping them generally informed of the business of the town. Upon five days' written notice to the First Selectman, either of the two selectmen may place an item on the agenda of a meeting, which item shall be germane to the duties and responsibilities of the board of selectmen. Minutes of such meetings shall be taken and made available for public inspection. The First Selectman shall designate one of the other selectmen to act in his place and stead during his absence. Such Selectman when so acting shall have all of the powers and duties of the First Selectman. (c) Compensation of First Selectman and selectmen. The First Selectman shall be paid a salary appropriate for the chief executive officer and town agent, and the other two selectmen shall be paid salaries commensurate with their duties and responsibilities, but the salary of each of the two selectmen shall be not less than ten percent (10%) of the salary of the First Selectman, subject to the approval of appropriations by the Representative Town Meeting pursuant to Section 23 of the Charter. Provision for such salaries shall be included in the budget report submitted annually by the First Selectman to the board of estimate and taxation. (S.A. 444 § 23, 1939; as amended by S.A. 71 § 1, 1955; RTM, 4/27/1970; RTM, 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.) (RTM, 1/21/1985.) (Board of Selectmen 9/17/1997; RTM, 3/13/1995; RTM, 4/10/2006; RTM, 6/12/2006.). **Sec. 217A. Department of Human Resources; Director of Human Resources.** (a) There

shall be a Department of Human Resources under the direction of a Director of Human Resources who shall be experienced in managing human resources functions necessary for the effective administration of employment functions and administration of the Town benefits program. (i) Subject to Section 223, the Director of Human Resources shall develop and implement personnel policies, procedures, rules and regulations for Town employees. (ii) Except for managerial, confidential, certified and instructional staff of the Board of Education, the Director of Human Resources shall administer all employment functions within the Town as an aide to the Town's appointing authorities. The Director of Human Resources and the Board of Education shall determine which Board of Education positions are managerial. The employment functions of the Director of Human Resources shall exclude the negotiation and administration of collective bargaining agreements and shall include, without limitation, the following functions: a. Recruitment; b. Employment eligibility determinations, testing and assessment; c. Administration of classification processes; d. Administration of the hiring process and procedures; e. Implementation of terms and conditions of employment as may be established from time to time through the collective bargaining process; f. Administration of employee performance review plans and recommendation of modifications to employee performance review plans or procedures; g. Administration of employee discipline and separation in accordance with collective bargaining agreements and Town personnel policies; h. Development of personnel training, employee development and retention processes; i. Maintenance of personnel records and documents; j. Compliance review as to all applicable laws in the area of personnel. (iii) The Board of Education shall be responsible for administration of all employment functions for managerial, confidential, certified and instructional staff of the Board of Education. (iv) Except for the Town's Retirement System, the Director of Human Resources shall administer the Town's benefits program and related budgets for all active and retired Town employees. (b) The Director of Human Resources shall be appointed and may be removed by the Board of Selectmen upon recommendations of the First Selectman as provided in Section 218. (c) Nothing contained in this section shall affect the powers of the Board of Estimate and Taxation under this Charter to administer the financial affairs and budget of the Town of Greenwich. (d) For the purposes of this section, "appointing authorities" shall include the First Selectman, the Board of Estimate and Taxation, the Board of Health, the Board of Human Services, the Planning and Zoning Commission, the Board of Education, the Retirement Board, the Conservation Commission, the Board of Nathaniel Witherell, the Boards of the Greenwich Library and the Perrot Memorial Libraries, the Inland Wetlands and Watercourses Agency, the Commission on Aging, the head of Town departments. (RTM, 6/12/2006; RTM, 3/13/2017.) Editor's note(s)—At RTM held on March 13, 2017, § 217B was redesignated as § 217A. **Sec. 218. Appointments; removals**. (a) The Board of Selectmen may, subject to the provisions of this Article, on the recommendation of the First Selectman, the provisions of Sections 226, 230, and 233 of the Charter notwithstanding, appoint and remove all heads of departments which are under the supervision and control of the First Selectman. The head of each department shall appoint and may remove subordinates in such department, except that any deputy department head so appointed shall be subject to the prior approval of the Board of Selectmen. All appointments and promotions to offices and employment in the administrative service of the Town under the supervision and control of the First Selectman and all measures for the control and regulation of employment therein shall be on the basis of merit and fitness. (b) Any officer or employee appointed or employed in any such department under the provisions of this Article shall not hold office or employment for any definite term and may be removed from his office or employment whenever, in the judgment of the appointing authority, the public interest so requires, provided all provisions of law concerning the removal of members of the Police Department and of paid members of the Fire Department, including the chiefs of such departments, shall remain in full force and effect. (S.A. 444 § 24, 1939; as amended by S.A. 71 § 2, 1955; RTM, 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.) (RTM, 1/21/1985. **Sec. 219. Failure of Representative Town Meeting to appoint.** In the event the Representative Town Meeting shall fail to elect or appoint any officer or the entire membership of any board, after nomination by the Selectmen as provided in this Article, further nominations shall be submitted within a reasonable time by the Selectmen and pending the election of any such entire board or boards, the members thereof elected, if a majority, shall have all the rights, privileges and duties and shall act with full authority as

though the full board had been elected. (S.A. 444 § 39, 1939.). **Sec. 220. Salaries and compensation.** All officers and employees of the Town shall receive such salaries or other compensation as may be provided by law, or by ordinances and resolutions adopted in the same manner as provided by law for other expenditures of the Town. (S.A. 444 § 10, 1939.). **Sec. 221. Divisions and offices.** The work of each department shall be distributed among such divisions or offices as may be established by the boards or officers having the direction and control of such departments, except as otherwise provided by this Article. (S.A. 444 § 11, 1939.). **Sec. 222. Heads of offices and divisions.** Each office or division of any department shall be headed by an officer who shall have the direction and control of its affairs, subject to the direction and control of the head of the department and responsible to him or, in the case of the Finance Department, the Board of Estimate and Taxation. (S.A. 444 § 12, 1939.). **Sec. 223. Administrative regulations.** (a) The First Selectman, the Board of Estimate and Taxation, the Board of Health, the Board of Human Services, and the Board of Education may prescribe such general rules and regulations as they may, respectively, deem necessary or expedient for the conduct of the departments and staff under their respective direction and control, not inconsistent with this Article or Town personnel policies, and except as otherwise provided by law. (b) The head of each department may likewise prescribe such rules and regulations as he may deem necessary or expedient for the proper conduct of the department and for making effective the provisions of law not inconsistent with Town personnel policies or the general rules and regulations prescribed by such boards. (S.A. 444 § 13, 1939.) (Char. Rev. 11/4/1975, eff. 1/1/1978; RTM, 6/12/2006; RTM, 3/13/2017.) **Sec. 224. Reports required.** (a) All boards appointed by the Representative Town Meeting, and all elective officers except Constables, shall prepare and submit to the Representative Town Meeting an annual report of the operations of their several departments and offices. Such reports shall be compiled and published under the supervision of the Board of Estimate and Taxation. (b) The head of each department shall make to the board having the direction and control of such department an annual report of the operations thereof and may, at any time, be required to make any special reports concerning such department. (S.A. 444 § 14, 1939.). **Sec. 225. Bonds required**. The Town Treasurer, Comptroller, Tax Collector, Commissioner of Public Works, Commissioner of Human Services, and all other persons receiving or disbursing the Town's funds shall, except as otherwise provided by special enactment, each give to the Town, upon assuming office and before receiving any Town funds, a bond with a surety company of good standing as a surety thereon, approved as to their respective amounts and as to the respective sureties thereon by the Board of Estimate and Taxation, conditioned for the faithful discharge of the duties of the office of the official giving such bond. The Tax Collector shall give such bond before he receives any tax warrant. The premiums on such bonds shall be paid by the Town Treasurer upon order of the Selectmen. (S.A. 347 § 9, 1921; as amended by S.A. 71 § 3, 1955; RTM, 3/12/1972; RTM, 3/13/2017.). **Sec. 226. Office of Purchasing; procedure.** (a) There shall be an Office of Purchasing under the Purchasing Agent, who shall be appointed and removed by the Selectmen. With the exception of the services of officers and employees of the Town and professional services, all purchases shall be made and all services shall be secured through the Purchasing Agent and by such means and under such procedures as will, so far as practicable, insure competition and the lowest costs consistent with equal quality of goods and services. (b) The provisions hereof shall not apply to such purchases and services as may be excluded from the operation hereof by written direction of the Board of Education to the Purchasing Agent and Comptroller. (S.A. 444 § 36, 1939; as amended by S.A. 71 § 4, 1955; RTM, 3/13/1972.). **Sec. 227. Personal interest disclosure**. No purchase shall be made nor shall services, other than the services as officers and employees of the Town, be secured from any officer or employee of the Town, or from any partnership or corporation of which such officer or employee is a partner or officer, unless such relationship and the fact that such purchase is contemplated shall be made known in writing to the board or officer making such purchase, and notice thereof posted, for at least five (5) days before such purchase be made, in the office of the board or officer making such purchase. (S.A. 444 § 37, 1939.). **Sec. 228. Contracts in triplicate.** All written contracts entered into by any party with the Town shall be made in triplicate. One (1) copy of such contracts shall be filed in the Office of the Comptroller. (S.A. 347 § 11, 1921.).

Sec. 229. Police Department; Commission. (a) The Town shall maintain a Police Department for the Town, which shall be under the supervision and control of the First Selectman. (b) The Board of Selectmen may make rules and regulations for the Police Department and for the discipline of the members of the police force. (S.A. 194 § 14, 1931; as amended by S.A. 435, 1937; S.A. 71 § 6, 1955.) (Char. Rev. 11/4/1975, eff. 1/1/1978.)

Sec. 230. Police Department personnel. (a) The Board of Selectmen may make an appointment to fill any vacancy in the office of the Chief of Police whenever it may occur. The Chief of Police may, subject to the approval of the First Selectman appoint members of the police force together with the officers thereof and fill any vacancies occurring therein, and promote or demote any member of the force, except that appointment of a deputy shall be subject to the prior approval of the Board of Selectman. (b) Each member of the Police Department and any officer thereof shall have power to serve warrants alleging the commission of any criminal offense and to arrest for crime within the limits of the Town. (c) The First Selectman may, after hearing, fine, suspend or expel any member of the Department who is found inefficient, not qualified for his duties, guilty of insubordination or breach of discipline or of the rules and regulations of the Department or conduct unbecoming an officer thereof. Any such members and officers who shall be removed may appeal from the decision of the First Selectman to the Court of Common Pleas. (d) No person shall be appointed a member of the Police Department unless he is of good moral character and habits and has not attained the thirty-first (31) anniversary of his birth and has passed such mental and physical examination as may be required by the First Selectman. (S.A. 194 § 14, 1931; as amended by S.A. 435, 1937; S.A. 71 § 6, 1955; RTM 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.)

Sec. 231. Police Department; appointments of special officers. The Board of Selectmen may appoint or employ such number of Special Police Officers as they may deem necessary to preserve the public peace within the limits of the Town. Such Special Police Officers, during the time for which they shall be appointed, shall have all the powers which constables by law have to serve criminal process and make arrests for crime, and may be paid for their services by the Town. (S.A. 350, 1907; as amended by S.A. 71 § 7. 1955.) (Char. Rev. 11/4/1975, eff. 1/1/1978.)

Sec. 232. Police Department appropriations. Appropriations shall be made for the Police Department in the same manner as for the other departments of the Town and commitments against such appropriations shall be signed by the First Selectman. (S.A. 194 § 14, 1931; as amended by S.A. 71 § 6, 1955; RTM, 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.)

Sec. 233. Fire Department; supervision. (a) The Town shall maintain a Fire Department for the Town, which shall be under the supervision and control of the First Selectman. The Board of Selectmen may make rules and regulations for the Fire Department and for the discipline of the members thereof. (b) The Board of Selectmen may make an appointment to fill any vacancy in the office of Fire Chief whenever it may occur. The Fire Chief, subject to the approval of the First Selectman, may appoint paid members of the Fire Department together with the paid officers thereof and fill vacancies occurring therein, and promote or demote any paid member of the Department, except that the appointment of a deputy shall be subject to the prior approval of the Board of Selectmen. (c) The First Selectman may, after hearing, fine, suspend or expel any paid member of the Department who is found inefficient, not qualified for his duties, guilty of insubordination or breach of discipline or of the rules and regulations of the Department or conduct unbecoming a member thereof. Any such member who is removed may appeal from the Selectmen to the Court of Common Pleas. (d) Appropriations shall be made for the Fire Department in the same manner as for the other departments of the Town and commitments against such appropriations shall be signed by the First Selectman. (S.A. 194 § 13, 1931; as amended by S.A. 71 § 5, 1955; RTM, 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.). **Sec. 234. Special Fire Police; appointment.** (a) The Board of Selectmen may also appoint such Special Fire Police as they may deem necessary to act in conjunction with the Fire Department and under the general supervision of the Fire Chief and also to act as Special Police whenever their services may be required. The Board of Selectmen shall make such rules and regulations as may be necessary for the government, control and maintenance of the Special Fire Police. (b) Any provision of the General Statutes to the contrary notwithstanding, the Board of Selectmen may appoint as such Special Fire Police any non-resident of the State who is a member of the Banksville

Independent Fire-Police Company, Incorporated. (S.A. 194 § 13, 1931; as amended by S.A. 71 § 5, 1955; S.A. 106, 1955.) (Char. Rev. 11/4/1975, eff. 1/1/1978.). **Sec. 235. Law Department.** (a) The head of the Law Department shall be the Town Attorney, who shall be an attorney at law, admitted to practice in all courts of the State, and who shall have practiced law in the State for at least five (5) years. He shall be the legal adviser of, and attorney and counsel for, the Town government and all departments and officers thereof, in matters relating to the Town's interests or their official powers and duties, and shall provide through the office organization all legal services required. The Town Attorney shall be charged with the prosecution of all legal actions for the collection of taxes and other debts and charges due the Town and for the enforcement of any forfeiture or penalty or any other right or claim of the Town or the restraint of any wrong or injury thereto. He shall, on request, prepare all ordinances, resolutions, contracts, bonds and other instruments in writing in which the Town is concerned. (b) No other Town official or other agent of the Town shall obligate the Town for legal services. No payment for legal services shall be made except through the Law Department from the appropriations therefor. (S.A. 444 § 35, 1939; as amended by RTM, 4/16/1974.). **Sec. 236. Traffic Authority; Town property.** The Board of Selectmen shall have the same authority with respect to the control of traffic and parking on any property owned by the Town or leased to it as it has with respect to the control of traffic and parking on the public highways in the Town. In the case of property exclusively under the control of any board or commission which is not subject to the administrative control of the First Selectman, such authority shall only be exercised with the consent of such board or commission. (S.A. 406 § 1, 1953.) (Char. Rev. 11/4/1975, eff. 1/1/1978.). **Sec. 237. Traffic Authority; private property.** The Board of Selectmen may, with the consent of the owner or owners, exercise authority over traffic and parking with respect to any property owned by the Housing Authority of the Town or by any other person. (S.A. 406 § 2, 1953.) (Char. Rev. 11/4/1975, eff. 1/1/1978.) **Sec. 238. Traffic Authority; penalties.** The Board of Selectmen, acting as the Police Commission, shall have authority by ordinance to provide that any person, firm or corporation violating any ordinance or by-law, or any rule or regulation adopted pursuant thereto, relating to traffic or parking in the Town, shall be fined such amount as may be specified therein, not exceeding One Hundred Dollars ($100.00). In any case involving a vehicle parked in violation of any such prohibition or restriction of parking, a police officer or such other official sworn to perform such duties by the Board of Selectmen shall serve upon the operator of vehicle, by delivering to him personally, or by attaching to such vehicle, a notice of parking violation directing such operator to pay the fine authorized by ordinance, by-law, rule or regulation within such time as may be specified in such notice. When any person receives such notice, he may comply therewith and pay to the Town, at the Department of Parking Services, such sum as may be specified in such notice, and that no summons or warrant for arrest shall be issued for any such violation prior to the expiration of such period, nor thereafter, if such operator has complied with such notice and paid the sum within the period.

[18] **Bristol Charter Sec. 16(a)**

[19] **Meriden Charter C4-2**: The Mayor shall be an ex officio member and the presiding officer of the City Council and shall call it to order. He/she shall not have a vote on any matter voted upon by the Council except that, in those situations in which the City Council vote results in a tie, the Mayor shall cast the tie-breaking vote. Notwithstanding the foregoing, the Mayor shall in no event have a vote on any zoning matter or on any matter related to the appointment, suspension or removal of the City Manager. The Mayor shall be recognized as the official head of the Town for ceremonial purposes and military purposes. He or she shall keep informed on City matters and may make reports and recommendations to the City Council and electors of the City on matters of legislative concern and general town policy. The Mayor may recommend and introduce such ordinances, resolutions, motions and other measures to the City Council as he/she may deem necessary or expedient. The Mayor may attend any meeting of any board, commission or other governmental body of the City and shall receive such advance notification of any such meeting as is given to the members of said bodies. He or she shall have the full right of participation in discussions but shall not have the right to vote. The Mayor, as directed by the City Council, shall appoint such special subcommittees of the City Council as are required but shall in no way have the power to make

appointments which are the responsibility of the City Council or Manager, except as provided in § **C3-3J**. The Mayor shall have the power to veto any ordinance, legislative resolution or appropriation adopted by the City Council by returning the same to the City Council within seven calendar days following the adoption of such ordinance, legislative resolution or appropriation with a veto statement in writing of his/her objection thereto. If the City Council by a vote of 2/3 of the entire membership at a special meeting or the next regularly scheduled meeting shall approve said ordinance, legislative resolution or appropriation, it shall thereupon be effective as so originally adopted. Notwithstanding the foregoing, the Mayor shall have no authority to veto any zoning matter or any matter related to the appointment, suspension or removal of the City Manager. The Mayor may affirmatively waive in writing his/her veto authority as to any individual matter voted upon by the City Council.

[20] **West Haven Charter, Chapter II, Sec. 5**.

[21] **West Haven Charter, Chapter IV, Sec. 2**.

[22] **West Haven Charter, Chapter III, Sec. 4(c)**.

[23] **Milford Charter, Article III, Sec. 4 Board of Aldermen—Organization generally; chairman as acting Mayor in absence of same.** [Referendum of 11-5-1963; Referendum of 11-8-1966] "The Board of Aldermen shall meet to organize on the second Tuesday following its election. It shall elect from its membership a chairman, who shall preside at all meetings of the Board of Aldermen. The Chairman of the Board of Aldermen shall have the powers and discharge the duties of the Mayor during the absence of the Mayor or when the Mayor is unable to perform the duties of his office." See also, **Article II, Sec. 8 - Investigation of departments, etc; power of Board of Aldermen.** "The Board of Aldermen shall have the power to investigate any and all departments, offices and agencies of the City and for such purposes shall have the power to issue subpoenas. The Board of Aldermen may request any judge to issue a capias for the appearance of witnesses and production of books and papers".

[24] **Stratford Charter Section 2.2.1**.

[25] **Stratford Charter Section 2.1.5 – Council Chair;** See also, **Section 2.2.15 - Power to Investigate and Procure Information.** "The Council shall have the power to investigate town affairs. In exercising this power, the Council shall have the power to require any town elected or appointed official, officer, director, department head, or employee to furnish the Council or its designee all information, contracts, reports, papers, documents, records, or other material which is in the possession of the elected or appointed official, officer, director, department head, or employee, and which, in the opinion of the Council is necessary to enable the Council to discharge the duties imposed upon it by this Charter, or to properly and completely investigate town affairs. It is hereby made a duty and obligation of all town elected or appointed officials, officers, directors, department heads, and employees to provide the Council with the requested information, contracts, reports, papers, documents, records, or other material when so required by the Council. Notwithstanding any other provision of this Charter, the Council shall have the right to appropriate funds, either by way of the budget or by special appropriation, to fund any costs and expenses which may, in the opinion of the Council, be necessary, proper and required to conduct the investigation or to procure any information, contracts, reports, papers, documents, records, or other material" [Amended 11-4-2008]. See also, **Section 1 1.2.5 – Mayoral duties:** "Attendance at Council meetings with full right of participation in the discussions and deliberation of the Council, but without the right to vote on ordinances and resolutions except in the event of a tie vote of 5-5" [Amended 11-4-2008].

[26] **Stratford Charter Section 32.1.A – Limits.** "Elected Councilmen for the Town of Stratford shall be limited to serving three two-year consecutive terms and elected members of the Planning Commission, Zoning Commission, Board of Zoning Appeals and the Board of Education shall be limited to one four-year term."

[27] **Stratford Charter Section 5.1.1 – Chief Administrative Officer:** "The Chief Administrative Officer (CAO) shall be the chief administrative officer of the Town. As such, he or she shall possess, have and exercise the administrative powers as directed by the Mayor or Acting Mayor, except as otherwise limited by this Charter, state law and/or federal law" [Amended 11-4-2008]. See also, **Section 5.1.2 - Appointment of Chief**

Administrative Officer. "The CAO shall be appointed and may be removed or suspended, with or without pay, by the Mayor. The qualifications of the CAO shall be a Master of Business Administration degree, Master of Public Administration degree, or such other education, general executive and administrative experience and ability as are necessary to perform the duties of the office. The CAO shall be appointed on the basis of such factors including, but not limited to, education, municipal and public experience, professional training, and executive and administrative qualifications, and shall be considered an "at will" employee" [Amended 11-4-2008]; See also, **Section 5.1.3 - Conflicts of Interests:** "The CAO shall devote his or her entire time and business interest to the management of the town's affairs and shall not, during his or her term of office, be an employee of or perform any executive duty for any person, firm, corporation or institution other than the Town of Stratford" See also, **Section 5.1.4 - Powers and Duties:** "The Chief Administrative Officer shall have the powers and duties hereinafter enumerated and shall be directly responsible to the Mayor for the proper administration thereof: **1.** To recommend to the Mayor adoption of such measures as he or she may deem necessary or expedient; **2.** To assist the Mayor in the submission to the Council of the Annual Budget as by this Charter required; **3.** To perform such other duties as may be prescribed by this Charter or required of him or her by the Mayor; **4.** To assist the Mayor in all aspects of labor negotiations, personnel issues, financial management, and any other field of public administration commensurate with his or her knowledge and experience."

[28] **East Hartford Charter Sec. 3.1**.

[29] **East Hartford Charter Sec. 3.2**. See also, Sec. **3.7 Investigation.** "The Town Council shall have the power to investigate any and all departments, offices and agencies of the town and for such purposes shall have the power to call witnesses to appear before the Council to testify on any matter under investigation. There shall be a committee of the Council on investigations and audits, including proportionate minority representation, and such committee shall employ a certified public accountant to develop under its direction a regular council audit program in addition to the independent audit and may employ such other investigatory services as it deems necessary. If any nonelective officer or employee of the town who, upon receipt of adequate notice and opportunity, fails to appear or refuses to testify when so called by the Council, such refusal or failure shall be deemed to be grounds for dismissal from said office or position.

[30] **Wallingford Charter, Chapter IV, Sec. 2;** See also, **Section 10. Investigation: "The Council, by a vote of at least three (3) members, shall have power to investigate any and all departments, offices and agencies of the town." See also, Chapter VII, Sec. 4. Hiring of Outside Counsel: "**Outside attorneys may be employed(a) if participation in the matter by the Department of Law would constitute a violation of the code of professional conduct; (b) if the matter involves a dispute between departments, officers, agencies, boards or commissions of the town; (c) if the matter involves complex or highly specialized legal issues; or (d) if their employment is necessary to assure the timely prosecution or defense of the legal matter of the town. No agency, officer, employee, board, or commission of the town, while acting in an official capacity, shall employ an outside attorney without the prior approval of the Department of Law, except that the Council may, at its discretion, appoint outside counsel to represent the Council on its business."

[31] **Shelton Charter, Sec. 2.4.1(b)**

[32] **Shelton Charter, Sec. 4.2.** See also, **Sec. 4.6. - Investigation.** "The Board and each committee of the Board granted such authority, shall have the power to investigate any matter concerning the City and the public interest and well-being and to call witnesses to appear before the Board to testify on any matter under investigation by the Board."

[33] **Wallingford Charter, Chapter IV, Sec. 2;** See also, **Section 10. Investigation: "The Council, by a vote of at least three (3) members, shall have power to investigate any and all departments, offices and agencies of the town." See also, Chapter VII, Sec. 4. Hiring of Outside Counsel: "**Outside attorneys may be employed(a) if participation in the matter by the Department of Law would constitute a violation of the code of professional conduct; (b) if the matter involves a dispute between departments, officers, agencies, boards or commissions of

the town; (c) if the matter involves complex or highly specialized legal issues; or (d) if their employment is necessary to assure the timely prosecution or defense of the legal matter of the town. No agency, officer, employee, board, or commission of the town, while acting in an official capacity, shall employ an outside attorney without the prior approval of the Department of Law, except that the Council may, at its discretion, appoint outside counsel to represent the Council on its business."

[34] **Shelton Charter, Sec. 2.4.1(a) and (b)**

[35] Norwich – 2 term limit for Mayor Chapter V, Sec. 1(a)

[36] Exception under C.G.S.§ 9-167a applies so there is no minority party representation on City Council. There is on the RT<

[37] **Torrington Charter, Sec. C4-2**. **Sec. C4-4 - Investigatory power.** "The Board of Councilmen may compel any City board, commission, committee, or any member thereof, or any City official or City employee to furnish it with any information or materials which would be of assistance to it in the performance of its functions."

[38] **Naugatuck Charter, Sec. 6.1**

[39] **Naugatuck Charter, Sec. 11.**

[40] In any combination, the body having the greater number of members shall have the power to adopt the annual budget and shall have such other powers as the charter prescribes, and the body having the lesser number of members shall have the power to adopt, amend and repeal ordinances, subject to any limitations imposed by the general statutes or by the charter. The number of members in any elective legislative body, the terms of office of such members and the method by which they are elected shall be prescribed by the charter.

[41] Recodification of current Article IV, §4.1.A (2006). Derived from Chapter III, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article IV, §4.1.A of the 1997 Charter.

[42] Recodification of current Article IV, §4.2.A (2006). Ex officio status of was established in Chapter III, §4 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.2.A of the 1997 Charter for the following: the three Selectmen; the Town Clerk; the Town Counsel; Chair of the Board of Education and the entire Board of Finance.

[43] Recodification of current Article IV, §4.1.B (2006). Derived from Chapter III, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article IV, §4.1.B of the 1997 Charter.

[44] Recodification of current Article IV, §4.2.B (2006). Derived from Chapter III, §4 of the 1947 and 1956 Acts and 1975 Charter; and, and, Article IV, §4.2.B of the 1997 Charter.

[45] Recodification of current Article IV, §4.2.C (2006). Derived from Article IV, §4.2.C of the 1997 Charter.

[46] Recodification of current Article IV, §4.2.D (2006). Derived from Chapter II, §3 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.2.D of the 1997 Charter.

[47] Recodification of current Article IV, §4.2.E (2006). Derived from Chapter II, §4 of the 1947 and 1956 Acts and 1975 Charter; and, and, Article IV, §4.2.E of the 1997 Charter.

[48] Note: There was an annual town meeting and budget meeting in Chapter III, §6 of the 1947 Act; further amended by §6 of the 1951 Special Act, as reaffirmed by Chapter II, §6 of the 1956 Act.

[49] Recodification of current Article IV, §4.4.A (2006). Derived from Chapter III, §6 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.4.A of the 1997 Charter.

[50] Recodification of current Article IV, §4.4.B (2006). Note: Chapter III, §3 and §4 of the 1947 and 1956 Acts and 1975 Charter refer to "presiding officer" and "moderator". The election of the moderator was introduced to the charter in 1975. Derived from Article IV, §4.4.B of the 1997 Charter.

[51] Recodification of current Article IV, §4.4.C (2006). Derived from Article IV, §4.4.C of the 1997 Charter.
[52] Recodification of current Article IV, §4.4.D (2006). Derived from Article IV, §4.4.D of the 1997 Charter.
[53] Recodification of current Article IV, §4.4.E (2006). Derived from Article IV, §4.4.E of the 1997 Charter.
[54] Recodification of current Article IV, §4.4.F (2006). Derived from Article IV, §4.4.F of the 1997 Charter.
[55] Derived from Chapter III, §2 (second sentence) and §4 of the 1947 Act and 1956 Act.
[56] Recodification of current Article IV, §4.3.A (2006). Modification of Chapter III, §4 of the 1947 and 1956 Act, which established a quorum as one-third of the members and 1975 Charter (which established a majority standard); and, Article IV, §4.3.A of the 1997 Charter.
[57] Recodification of current Article IV, §4.3.B (2006). Regular meeting provision established in Chapter III, §4 of the 1947 and 1956 Acts. Further amended by §5 of the 1951 Special Act ("no business" provision) and Chapter III, §4 of the 1975 Charter; and, Article IV, §4.3.B of the 1997 Charter.
[58] Recodification of current Article IV, §4.3.C (2006). Special meeting provision contained in Chapter III, §4 of the 1947 and 1956 Acts, and 1975 Charter; and, Article IV, §4.3.C of the 1997 Charter.
[59] Recodification of current Article IV, §4.3.D (2006). Modification of Chapter III, §2 (third sentence) and §4 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.3.D of the 1997 Charter.
[60] Recodification of current Article IV, §4.5 (2006). Modification of Chapter III, §8 of the 1947 and 1956 Acts and 1975 Charter and Article IV, §4.5 of the 1997 Charter.
[61] Recodification of current Article IV, §4.6 (2006). Modification of Chapter III, §13 of the 1947 and 1956 Acts and Chapter III, §12 of the 1975; see also, Modification of Chapter XVII, §5 of the 1947 and 1956 Acts and 1975 Charter; and Article IV, §4.6 of the 1997 Charter.
[62] 1983 Charter Chapter III.
[63] Modification of 1983 Charter sections 3-1 and 3-5 by moving all references to composition of the Council to proposed section 3-3. Moreover the following provision of section 3-1 (fourth sentence) was repealed since it is contrary to state law: "Unless otherwise specified by State or Federal Law, no members of the Council shall hold any elective or salaried office or position with the State of Connecticut or the Town of Hamden, except those of notary public and justice of the peace".
[64] See, 1983 Charter section 3-5 (first sentence). Required by C.G.S. Sec. 7-193(a)(1)(C).
[65] NEW.
[66] See, C.G.S. §7-193(b), as follows: "Every municipality shall have all municipal officers, departments, boards, Commissions and agencies which are required by the general statutes or by the charter. Each municipality may have any municipal officers, departments, boards, Commissions and agencies which are specifically allowed by the general statutes or which are necessary to carry out any municipal powers, duties or responsibilities under the general statutes. All such officers, departments, boards, Commissions and agencies shall be elected, appointed and organized in the manner provided by the general statutes, except as otherwise provided by the charter or by ordinances or resolutions adopted pursuant to such charter. Any municipality may, by charter or by ordinances or resolutions adopted pursuant to such charter, alter the method of election, appointment or organization of any or all of such officers, departments, boards, Commissions or agencies, including combining or separating the duties of each, unless specifically prohibited from making such alteration by the Constitution or the general statutes". See also, (1) C.G.S. §7-421 entitled "Political activities of classified municipal employees. Candidacy of municipal employees for elective office. Leaves of absence. Service on governmental bodies of the town in which the employee resides"; (2) C.G.S. §7-421a entitled "Inconsistent statutory or charter provisions"; and (3) C.G.S. §7-421b. entitled "Limitation on restrictions of political rights of municipal employees"; and, (4) C.G.S. § 9-210 entitled "Incompatible town offices".
[67] Modification of 1983 Charter section 3-2 (first sentence), adding the phrase: "…for the term of office."

[68] 1983 Charter section 3-2 (second sentence).
[69] Modification of 1983 Charter section 3-2 (third sentence) by replacing "…a member chosen by the Council" with "President Pro Tempore".
[70] Modification of 1983 Charter sections 3-3 and 3-7 entitled "Procedure" and "Public Hearing on Ordinances".
[71] Modification of 1983 Charter section 3-3 (second sentence).
[72] 1983 Charter section 3-3 (fourth sentence).
[73] Modification of 1983 Charter section 3-3 (first sentence).
[74] NEW.
[75] Modification of 1983 Charter section 3-3 (first sentence).
[76] NEW.
[77] Modification of 1983 Charter section 3-7 (first sentence), including the new definition of "Meeting Notice".
[78] NEW. See, C.G.S. §1-225. (Formerly Sec. 1-21) entitled "Meetings of government agencies to be public. Recording of votes. Schedule and agenda of meetings to be filed and posted on web sites. Notice of special meetings. Executive sessions".
[79] Modification of 1983 Charter section 3-3 (third sentence), in lieu of the following: "All meetings of the Council shall be open to the public, except as otherwise permitted by the General Statutes."
[80] Modification of 1983 Charter section 3-4 (first sentence) by replacing "appointed by the Council" with "…recommended by the President and approved by the Council".
[81] 1983 Charter section 3-4 (second sentence).
[82] 1983 Charter section 3-4 (third sentence).
[83] Minor modification of 1983 Charter section 3-5, including moving the general grant of legislative authority to proposed Section 3-1 and modifying the language of the provisions pertaining to the municipal sewerage system to recognize the authority but to make it discretionary since WPCA is currently regional. Also, establishes, a majority standard.
[84] Modification of 1983 Charter section 3-5 (second sentence, first clause).
[85] Modification of 1983 Charter section 3-5 (second sentence, second clause) with the addition of the following clause: "…unless required by the Charter or Charter or reorganized as permitted by §8-1.B (1) of this Charter …".
[86] Modification of 1983 Charter section 3-5 (fourth sentence).
[87] Modification of 1983 Charter section 3-5 (fifth sentence) by replacing "Ordinance" with "Order" or "Motion".
[88] Modification of 1983 Charter section 3-5 (sixth sentence) by replacing "Ordinance or Resolution with "Order or Motion".
[89] NEW.
[90] Modification of 1983 Charter section 3-5 (seventh sentence), by deleting the reference to "…Chapter I…".
[91] Modification of 1983 Charter section 3-5 (eighth sentence).
[92] Replaced "officers" with "and Officials".
[93] 1983 Charter section 3-5 (third sentence).
[94] 1983 Charter section 3-6.
[95] 1983 Charter section 3-8.
[96] Modification of 1983 Charter section 3-8 (first sentence), by replacing the following language: "Except in the case of resolutions relating to the procedures of the Council, every proposed ordinance or resolution shall be presented to the Mayor for approval, veto or acceptance within five (5)

days after adoption by the Council ". The replacement language adds the terms "order or other legislative act"; replaces the term "adoption" with "passage" (akin to the language in the rules of the General Assembly); inserts "business" days; and, utilizes the term "for action" in lieu of "approval, veto or acceptance". It also inserts the Clerk of the Council as the transmitting agent.

[97] NEW.

[98] NEW.

[99] Modification of 1983 Charter section 3-8 (second sentence), by replacing the following language: "Within fifteen (15) business days after adoption by the Council, the Mayor shall approve veto or accept the proposed ordinance or resolution". The replacement language adds "order or other legislative act"; inserts "business" days; and, addresses the specific Mayoral actions in a later provision.

[100] Modification of 1983 Charter section 3-8 (third sentence), by replacing the following language: "Every ordinance and resolution approved by the Mayor and those accepted by the Mayor's not acting to approve or veto such ordinance or resolution within fifteen (15) days shall become effective in accordance with this section". The replacement language adds "order or other legislative act"; utilizes the term "fails to take action" in lieu of "not acting to approve or veto" (veto is addressed in the following provision); add "business" days; and, adds the following sentence: "In the event the Mayor shall fail to take action upon such matters the Town Clerk shall endorse such fact upon the official copy of the matter".

[101] Modification of 1983 Charter section 3-8 (fourth sentence), by replacing the following language: "Every ordinance and resolution vetoed by the Mayor shall be returned within the same fifteen (15) days to the Clerk of the Council with a statement of the reasons for the veto". The replacement language adds "order or other legislative act"; and "business" days.

[102] Modification of 1983 Charter section 3-8 (fifth sentence), by replacing the following language: "Following receipt of the Mayor's veto, any vetoed ordinance or resolution again approved by an affirmative vote of at least two-thirds (2/3) of the Council present and voting at a meeting shall become effective in accordance with this section". The replacement language adds "order or other legislative act".

[103] Consistent with 1983 Charter section 3-9 (second sentence); includes new defined terms "Public Notice" and "Final Action".

[104] Minor modification of 1983 Charter section 3-8 (sixth sentence) by changing "publication" to "Public Notice".

[105] NEW.

[106] Modification of title ("Publication of Ordinances") of 1983 Charter section 3-9.

[107] Consistent with 1983 Charter section 3-9 (first sentence); includes the definition of "Public Notice" in lieu of the "publication" requirement.

[108] NEW.

[109] Derived from 1983 Charter section 3-9 (fourth sentence).

[110] Modification of 1983 Charter section 3-9 (fifth sentence) by adding "Statutory Resolution".

[111] 1983 Charter section 3-10 (first paragraph, first sentence).

[112] Modification of 1983 Charter section 3-10 (first paragraph, second sentence) by reducing the requisite percentage of signatures to 15%. The provision pertaining to "final action" is a in lieu of the following: "…the approval of an Ordinance or resolution by the Mayor, or passage by the Mayor's failure to act, or passage by the Council after the Mayor's disapproval, as provided in §3-8…".

[113] 1983 Charter section 3-10 (first paragraph, third sentence).

[114] 1983 Charter section 3-10 (first paragraph, fourth sentence).

[115] 1983 Charter section 3-10 (second paragraph).

[116] 1983 Charter section 3-10 (third paragraph).

[117] Modification of 1983 Charter section 3-12. Establishes the principal of rotation of independent auditors and the concept of best practices.

[118] See, Government Finance Officers Association (GFOA) reports entitled "Audit Procurement" (1996 and 2002).
[119119] 1983 Charter section 3-13.
[120] NEW.
[121] (Amend. eff. 11-7-89; Amend. eff. 12-8-05; Amend. eff. 12-8-11; Amend. eff. 12-5-13). Legislative history—Sp. No. 352, §§ 15, 19, 1911; Sp. No. 434, §§ 35, 36, 1931; Sp. No. 489, § 21, 1939.
[122] (Amend. eff. 11-4-81; Amend. eff. 12-8-05) Legislative history—Sp. No. 352, § 25, 1911; Sp. No. 434, § 53, 1931; Sp. No. 489, § 22, 1939; Sp. No. 151, § 1, 1943.
[123] Legislative history—Sp. No. 352, § 26, 1911; Sp. No. 434, § 60, 1931; Sp. No. 489, § 23, 1939.

[124] Amended by referendum 10-1-1962; amended by referendum 10-5-1964; amended by referendum4-30-1968; amended by referendum 11-5-1996; amended by referendum11-4-2008].
[125] [Amended by referendum 4-30-1968]
[126] [Amended by referendum 4-30-1968; amended byreferendum 11-3-1981; amended by referendum 11-5-1996]
[127] [Amended by referendum 4-30-1968; amended byreferendum 11-7-1978; amended by referendum 11-4-2008]
[128] [Amended by referendum 10-5-1964;amended by referendum 11-7-1978]
[129] [Amended by referendum 4-30-1968]
[130] [Amended by referendum 4-30-1968]
[131] [Amended by Sp. Act, Jan. Sess., 1949, Sp. No. 475,Sec. 2, 25 C.S.A. 1193; amended by referendum, Ques. 7, 10-6-1958; amended by referendum 4-30-1968; amended by referendum 11-5-1991]
[132] [Amended by Sp. Act, Jan. Sess., 1949, Sp. No. 475, Sec. 3, 25 C.S.A. 1193; amended by referendum, Ques. 7, 10-6-1958; amendedby referendum 4-30-1968; amended by referendum 11-7-1978; amended by referendum 11-5-1991]
[133133] [Added by referendum 11-4-2003]
[134] Recodification of current Article V, §5.1 (2006). Derived from Article V, §5.1 of the 1997 Charter
[135] Recodification of current Article VI, §6.1.C (2006). Derived from Chapter IV, §3(a) and (c) of the 1947 Act and 1956 Act. Note: Subsection 3(b) of both Acts confers the authority of the Board of Sewer Commissioners upon the Board of Selectmen and the Department of Public Works as set forth under Special Act No. 222 (1929); see also, Chapter XXVI of the 1956 Special Act; Chapter IV, §3 and Chapter XXIV of the 1975 Charter; and, Article VI, §6.1.C of the 1997 Charter.
[136] Recodification of current Article VI, §6.1.C(2) (2006). Modification of Chapter IV, §4 of the 1947, 1956 Acts and 1975 Charter; see also, Article VI, §6.1C.ii of the 1997 Charter; and, Article VI, §6.1C.2 of the 2006 Charter. **Please note the Special Act authority to issue subpoenas.**
[137] Recodification of current Article VI, §6.1.B (2006). Derived from Chapter IV, §2 of the 1947 and 1956 Acts and 1975 Charter; and, Article VI, §6.1.B of the 1997 Charter.
[138] Derived from Chapter IV, §1 of the 1947 Act; further amended by §8 of the 1951 Act and affirmed by Chapter IV, §1 of the 1956 Act and the 1975 Charter; and, Article VI, §6.1.B of the 1997 Charter.
[139] Derived from Chapter IV, §2 of the 1947 Act and 1956 Act.
[140] Recodification of current Article VI, §6.1.D (2006) (first sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.

[141] Recodification of current Article VI, §6.1.D (2006) (second sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.
[142] Recodification of current Article VI, §6.1.E (2006). Modification of Chapter XXIV, §3 of the 1947 and 1956 Act; Chapter XXVI, 1 of the 1975 Charter; and, Article VI, §6.1.E of the 1997 Charter.
[143] Recodification of current Article VI, §6.1.F (2006). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.F of the 1997 Charter.
[144] Recodification of current Article VI, §6.1.G (2006). Derived from Chapter II, 11 of the 1975 Charter and Article VI, §6.1.G of the 1997 Charter.
[145] Recodification of current Article VI, §6.2.A (2006). Derived from Article VI, §6.2A of the 1997 Charter.
[146] Recodification of current Article VI, §6.2.A(1) and (2) are derived from Chapter IV, §3(d) of the 1947 and 1956 Acts; Chapter IV, §4 of the 1975 Charter; and, Article VI, §6.2A(1) and (2) of the 1997 Charter.
[147] Recodification of current Article VI, §6.2.B (2006). Derived from Article VI, §6.2B of the 1997 Charter.
[148] Derived from Chapter IV, §3(d) of the 1947 and 1956 Acts.
[149] Recodification of current Article VI, §6.2.C (2006). Derived from Article VI, §6.2.C of the 1997 Charter.
[150] Recodification of current Article V, §5.2 (2006). Derived from Modification of Chapter II, §8 and Chapter IV, §5 of the 1947 Act and 1956 Act; Chapter II, §7 of the 1975 Charter and Article V, §5.2 of the 1997 Charter.
[151] Recodification of current Article V, §5.3 (2006). Derived from Modification of Chapter II, §9 of the 1947 Act and 1956 Act; Chapter II, §9 of the 1975 Charter and Article V, §5.3 of the 1997 Charter.
[152] Recodification of current Article V, §5.4 (2006). Chapter XXVI, §8 of the 1975 Charter; and, Article V, §5.4 of the 1997 Charter.
[153] 1983 Charter Chapter V.
[154] 1983 Charter section 5-1.
[155] "Department" includes the deled term "agencies".
[156] "Officials" replaces "officers".
[157] Modification of 1983 Charter section 5-2, by adding the word "Commissions".
[158] Modification of 1983 Charter section 5-2 (first sentence) by replacing "supervise" with "oversee".
[159] Modification of 1983 Charter section 5-2 (second sentence).
[160] Modification of 1983 Charter section 5-2 (third sentence).
[161] NEW.
[162] Modification of 1983 Charter section 5-2 (fourth sentence) by modifying the threshold amount and adding the following: "…The Legislative Council is authorized to modify the threshold based upon the consumer price index or other like measure indexed for inflation". In addition, the provision makes it clear that the authority is over contracts exempted from the competitive procurement and solicitation requirements of the Charter, in lieu of the language "…that were **negotiated** contract for services with a value over….". It also deletes the following language "…at least sixty (60) Days prior to the effective date of the proposed contract".
[163] Modification of 1983 Charter section 15-4 (third sentence), to include all contracts and reduce the time-frame to 12 months. Moreover, the vote should be by majority in lieu of "…two-thirds (2/3rds) of the Council present and voting".
[164] "Mayoral appointees" replaces "…such officers and employees…".
[165] Modification of 1983 Charter section 5-3 (first sentence) by deleting the following "…as an Ordinance of the Council consistent with this Charter may provide" and replacing with "…set forth in this Charter".

[166] NEW.
[167] Modification of 1983 Charter section 5-3 (second sentence).
[168] Modification of 1983 Charter section 5-3 (third sentence) by repealing the following clause: "…provided in case the Director of Finance is absent or unable to act, the Mayor may countersign checks".
[169] Modification of 1983 Charter section 5-3 (fourth sentence) by adding the opening clause and the second sentence.
[170] Modification of 1983 Charter section 5-5 by adding the following: "In addition to the requirement set forth in §7-1.L of this Charter, the Town Clerk shall publish such notice on the Town web-site, in a conspicuous location available to the public in the office of such Town Clerk and, if practicable, in a newspaper available to residents of the Town".
[171] See, C.G.S. §7-193(b).
[172] Modification of 1983 Charter section 5-5 (first sentence).
[173] NEW.
[174] Modification of 1983 Charter section 5-5 (second sentence).
[175] Modification of 1983 Charter section 5-5 (third sentence).
[176] Modification of 1983 Charter section 5-5 (fourth sentence).
[177] See, C.G.S. §7-521 entitled "Local Emergency Relief Advisory Committee established".
[178] NEW.
[179] See, C.G.S. §28-9 entitled "Civil preparedness emergency; Governor's powers. Modification or suspension of statutes, regulations or other requirements".
[180] See, C.G.S. Sec. 7-148(c)(2)(D).
[181] NEW.
[182] NEW.
[183] See, C.G.S. Sec. 7-148(c)(2)(D), as follows: "Make appropriations for the purpose of meeting a public emergency threatening the lives, health or property of citizens, provided such appropriations shall require a favorable vote of at least two-thirds of the entire membership of the legislative body or, when the legislative body is the town meeting, at least two-thirds of those present and voting".
[184] NEW.
[185] Modification of 1983 Charter section 3-7 (second sentence).
[186] NEW.
[187] NEW.
[188] In lieu of 1983 Charter sections 3-8 (sixth sentence) and 3-9 (third sentence).
[189] Consistent with 1983 Charter section 3-9 (third sentence).
[190] Consistent with 1983 Charter section 3-9 (fourth sentence); 45th day in lien of 61st day.
[191] (Amend. eff. 12-2-10; Amend. eff. 12-8-11; Amend. eff. 12-5-13; Amend. eff. 12-5-19)
Legislative history—Sp. No. 352, §§ 16—18, 1911; Sp. No. 434, §§ 29, 30, 1931; Sp. No. 489, § 16, 1939.
[192][192] **[Amended by referendum 11-4-2003]**
[193] [Amended by referendum 10-5-1964]
[194] Amended by Sp. Act, Jan. Sess.,1949, Sp. No. 475, Sec. 4, 25 C.S.A. 1194, effective 7-1-1949; amended by referendum 10-1-1962; amended

by referendum 10-5-1964; amended by referendum 11-5-1991]

[195] **Editor's Note: See now C.G.S. §§ 17b-125 and 17**

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #5:
CAPITAL BUDGET PROVISIONS

CAPITAL BUDGET PROCESSES IN RTM MUNICIPALITIES IN CONNECTICUT 2021	
Municipality	**Population**
Greenwich (RTM)	62,587
Fairfield (RTM)	61,740
Branford (RTM)	28,020
Westport (RTM)	28,016
Darien (RTM)	21,742

GREENWICH CHARTER SEC. 21. – ANNUAL BUDGET AND OPERATIONS PLANS.

(a) **By Departments, Divisions and Officers.** The head of each department and division under the supervision and control of the Board of Education, the Board of Health, the Board of Human Services, the Board of Estimate and Taxation and the First Selectman and all other officers and boards of the Town shall annually prepare and submit to their supervising authority a proposed budget report and an operations plan presenting the proposed financial and operational plans for the ensuing fiscal year. The proposed budget shall be presented at such time, in such form and with such content as shall be prescribed by the Board of Estimate and Taxation and shall contain such additional information as is requested by the First Selectman or the Board of Estimate and Taxation. Such proposed budget shall include a detailed estimate of the amount of money which will be required to meet the obligations of the Town for such board, department, office or division to provide for its expenses for the ensuing fiscal year, **shall list capital requests separately from operating expenses and shall identify capital items that are anticipated to be requested within at least the next five fiscal years but are not being requested at the present time.** The operations plans shall set forth in such form as shall be prescribed by the First Selectman, a concise and comprehensive report of the administrative activities of the board, department, division or office showing services, activities and work accomplished during the current year and to be accomplished in the ensuing fiscal year. Such operations plans shall contain a table of organization for the agency preparing it and shall list any changes in personnel proposed in the budget request for the ensuing fiscal year.

(b) **Review and Revision by First Selectman.** Upon completion of their review, and at such time as shall be prescribed by the First Selectman, such boards, departments, divisions and officers of the Town, shall submit such proposed budgets and operations plans to the First Selectman. The First Selectman shall review all proposed budgets received and shall make such revisions and modifications in such proposed budget as the First Selectman deems necessary or appropriate, except for the operations budget submitted by the Board of Education, and, unless requested by the Board of Estimate and Taxation, except with respect to fixed charges as proposed by the Board of Estimate and

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #5:
CAPITAL BUDGET PROVISIONS

Taxation. The First Selectman shall review all operations plans received and shall make such revisions and modifications in such operations plans as the First Selectman deems necessary or appropriate, except for those submitted by the Board of Education and the Board of Estimate and Taxation, and, with respect to those plans submitted by departments, boards or officers not under the supervision and control of the First Selectman, only after consultation with such department, board or officer affected. Revisions and modifications to such proposed budgets or operations plans by the First Selectman shall not be such as to prevent any Town officer or board from performing or exercising any power, duty or obligation specified or mandated by Town Charter or state statute. In connection with such reviews, the First Selectman shall (1) develop goals and objectives and establish priorities for spending for the ensuing fiscal year; **(2) establish priorities with respect to recommended capital spending for all Town agencies; and (3) develop a long-range capital spending plan.**

(c) **Submission to the Board of Estimate.** On or before December 1 in each year, or at such other time as the Board of Estimate and Taxation shall prescribe, the First Selectman, for and on behalf of said boards, departments, divisions and offices and the Board of Education, shall submit to the Board of Estimate and Taxation, with copies to the Budget Overview and Finance Committees of the Representative Town Meeting and such other Committees of the Representative Town Meeting as the Moderator may direct, such proposed budgets, as revised, with such comments as are appropriate, presenting the proposed financial plans for said boards, departments, divisions and offices for the ensuing fiscal year, including detailed estimates of the amount of money which will be required to provide for anticipated operating and **capital expenses for the ensuing fiscal year**. Such proposed budgets shall be in such form as the Board of Estimate and Taxation shall prescribe. Nothing in this section shall be construed as preventing any board or officer from submitting a request for addition to, or reinstatement of, any item omitted from, or deleted from its budget directly to the Board of Estimate and Taxation in accordance with procedures prescribed by said board.

(d) **Publication of Estimates.** The Board of Estimate and Taxation shall, on or before April 10 in each year, cause to be published in a newspaper published in the Town, a summary of such estimates.

(S.A. 347 § 13, 1921; as amended by S.A. 343 § 2, 1937; S.A. 444 § 16, 1939; S.A. 172 § 3, 1953; S.A. 71 § 8, 1955; RTM, 5/8/1961; RTM, 1/8/1962, 3/13/1972; Char. Rev. 11/4/1975, eff. 1/1/1978; RTM, 10/14/1980; RTM, 6/9/2003, approved at referendum 11/4/2003; RTM, 3/13/2017.)

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #5:
CAPITAL BUDGET PROVISIONS

BRANFORD CHARTER – NO PROVISIONS. ADDRESSED IN THE CAPITAL FUND ORDINANCE – RTM RULES & ORDINANCES COMMITTEE

Sec 47-4. Expiration of Funds.

(a) All appropriations for operating funds shall transfer to the undesignated general fund balance when the fiscal year for which they were appropriated is closed.

(b) AII funds derived from sources other than the issuance of bonds, notes, or other obligations (such "bonds, notes, or other obligations, hereafter "bonded funds", appropriations for capital funds not derived from bonded funds hereafter "non-bonded funds") shall remain available for two fiscal years beyond the year in which appropriated, unless such time is extended by the Board of Finance and approved by the RTM. At the end of the third fiscal year after their appropriation, where legally possible, any unobligated funds will be transferred to the undesignated general fund, unless specifically extended by the Board of Finance and RTM.

Example: funds appropriated for or in year "x" shall expire and be transferred to the undesignated fund balance when year "x + 2" is closed out by the finance department, generally by September 30 following the end of the fiscal year on June30. If funds are appropriated on April1 of year x, those funds will expire when yearx+2 is closed out. If funds are appropriated in the annual budget for year X in May of the prior fiscal year, those funds will expire when year X+2 is closed out.

(c) All "bonded funds" remaining unobligated at six years after the fiscal year of their authorization shall expire unless those funds had financial activity in the past year, or unless such time is extended by the Board of Finance and approved by the RTM. At the end of the sixth fiscal year after their authorization, any unobligated funds shall be used to pay debt service or, if approved by the Board of Finance and RTM, reallocated to another project.

Example: Bonded funds authorized in year "x" shall expire and be used to pay down debt when year "x + 6" is closed out by the finance department, (generally by September 30 following the end of the fiscal year on June 30. If funds are authorized on April 1 of year "x", those funds shall expire and shall be used to pay debt service or, if approved by the Board of Finance and RTM, reallocated to another project when year "x + 6" is closed out.

(d) **Capital Projects Balance Report -** At least once per year on a recurring schedule to be established by the Finance Department a report will be generated listing the current balances for all of the Town's capital projects. The report

shall include the fund number, project number, project name, and current balance. The report will be posted on the Town website and accessible to the public. Nothing in this section shall preclude a request at any time for timely provision of this information.

WESTPORT CHARTER CHAPTER 14 – BUDGET

§C14-1. - Preparation.

The First Selectman shall require each department, office and agency of the Town supported wholly or partly by Town funds or for which a specific Town appropriation is made, except the Board of Education, to set forth in narrative or in such other prescribed form, a program or programs showing services, activities and work accomplished during the current year and to be accomplished in the ensuing year.

§C14-2. - Departmental Estimates.

Under the direction of the First Selectman, the Finance Director shall compile preliminary estimates for the annual operating budget and **the annual capital budget**. The heads of each department, office or agency of the Town, except the Board of Education, shall file with the Finance Director on prescribed forms detailed estimates of their expenditures and the revenues, other than tax revenue, to be collected thereby in the ensuing fiscal year and such information as may be required by the Board of Selectmen or the First Selectman.

§C14-3. - Budget Duties of First Selectman.

A. The First Selectman shall present to the Board of Finance an annual operating budget and an annual capital budget consisting of the following:

(1) A budget message outlining the financial policy of the Town government.
(2) Estimates of revenue.
(3) Itemized estimates of expenditures, provided that the Selectman may offer recommendations on but may not make any adjustments in the budget submitted by the Board of Education for the ensuing fiscal year.
(4) **Itemized annual capital budget for the ensuing fiscal year. Additional capital items for which information is not available at the time of the budget submission may be amended or added to the capital**

budget during the fiscal year. Appropriations for items in the capital budget shall only be approved as provided in the Charter.

(5) Such other information as may be required by the Board of Finance.

B. **The First Selectman shall also annually present a program of proposed capital projects for the next 5 fiscal years. Such program shall be approved by the Board of Selectmen after consultation with the Town Planning and Zoning Commission. Estimates of the costs of such projects shall be submitted by each department, office and agency annually in the form and manner prescribed by the First Selectman.**

§ C14-4. - Budget Duties of the Board of Finance.

A. The Board of Finance shall hold 1 or more public hearings at which time any elector or taxpayer shall have an opportunity to be heard regarding appropriations for the ensuing fiscal year.

(1) Following receipt of the First Selectman's budget, the Board of Finance shall cause sufficient copies of said estimates to be made available for general distribution in the office of the Town Clerk.

(2) At least 5 days prior to the first public hearing, the Board of Finance shall cause to be published, in a newspaper published in the Town of Westport or, if none is so published, in a newspaper having a substantial circulation in the Town, a notice of such public hearings and a summary of said proposed budget estimates and shall also show the amount to be raised by taxation. In determining the 5 days, the day of the notice and the day of the public hearing shall not be counted.

B. The Board of Finance shall, by resolution adopted by an affirmative vote of at least 4 members, approve a budget and file the same with the Town Clerk for submission to the Representative Town Meeting for its adoption. The budget, as approved by the Board of Finance, shall be published at least 10 days prior to the annual budget meeting of the Representative Town Meeting. In determining the 10 days, the day of the meeting shall not be counted.§ C14-5. - Budget Duties of the Representative Town Meeting.

For provisions regarding the budget duties of the Representative Town Meeting, see Chapter 5, § C5-1, of this Charter.

§ C14-6. - Budget Duties of the Board of Education.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #5:
CAPITAL BUDGET PROVISIONS

In accordance with Section 10-222 of the General Statutes, the Board of Education shall prepare an itemized budget estimate and submit it to the Town. This itemized budget estimate shall be filed with the Finance Director on prescribed forms and shall include detailed estimates of expenditures and revenues, other than tax revenues, to be collected in the ensuing fiscal year and such information as may be required by the Board of Selectmen or the First Selectman, in accordance with Section 10-222 of the General Statutes.

DARIEN CHAPTER XI. FINANCE AND TAXATION

Sec. 39. Budget estimates; appropriations and tax rate.

(a) Annually, on the first Tuesday in March, the board of finance shall hold a meeting, at which there shall be submitted the following:

(1) The board of education shall submit itemized estimates of the moneys necessary to be appropriated for the operation of the school system of said town for the fiscal year next ensuing, beginning the first of July annually, and at the same time shall submit to said board of finance for each such item the amount expended in the preceding fiscal year, the amount appropriated for the current fiscal year and the amount expended in the first six months of the current fiscal year.

(2) The board of selectmen shall submit itemized estimates of the moneys necessary to be appropriated for all other expenses of said town for the next ensuing year, beginning the first day of July annually, and at the same time shall submit to said board of finance for each such item the amount expended in the preceding fiscal year, the amount appropriated for the current fiscal year, and the amount expended in the first six months of the current fiscal year. Such estimates shall be published in a legal notice that complies with state law during the second week in March annually.

(Amd. of 1-22-1973; Amd. of 9-28-2010(1))

(b) At a meeting held on the second Tuesday in March annually, and at all adjournments thereof, the board of finance shall hear all parties who may desire to be heard relative to any such estimates. Said board, at said meeting or at any adjournment thereof, shall make appropriations for the expenses of the town for the year next ensuing, beginning the first day of July. Said board, in its discretion, may make appropriations for paying off any part of the debt of the town, to provide a fund for public improvements and to provide a contingent or emergency fund for expenses of the town not otherwise provided for and shall classify such appropriations under proper heads. Said board shall lay such tax upon the grand list of said town last completed as it shall deem necessary and may fix the time when such tax shall become

due and payable. The contingent or emergency fund, when appropriated by the town, shall be disbursed only at the direction of the board of finance in its discretion, but said fund may not be used directly or indirectly for purposes of acquiring land or buildings without the approval of the representative town meeting.

(c) Such appropriations and the rate of taxation fixed by the board shall be filed in the town clerk's office on or before the third Tuesday in April annually and legal notice shall be provided in accordance with state law during the fourth week in April annually.

(d) Such appropriations and the rate of taxation fixed by said board shall be submitted by the board of selectmen to the next annual budget meeting. Such annual budget meeting may decrease the appropriations or any item thereof, or the rate of taxation fixed by the board of finance, but in no case shall it have the power to increase such appropriations or any item thereof or the rate of taxation. The rate of taxation so reported by said board shall be final and the appropriations recommended shall be the appropriations of the town for the ensuing year, beginning the first day of July, upon acceptance by the annual budget meeting unless such rate of taxation or such appropriations are decreased by such meeting, in which case the action of such meeting shall be final.

(e) The total amount of appropriations for any one year shall not exceed the estimated income for that year, nor shall the board of selectmen or board of education, nor the town in any special meeting, vote to incur any liability or expense, by contract or otherwise, for which the town shall be responsible, in excess of the appropriations fixed by the board of finance as aforesaid.

(Amd. of 9-22-1986; Amd. of 9-28-2010(1))

Darien Charter Chapter XI Sec. 43. – Capital expenditure planning.

Not later than February first in each year, the first selectman shall submit to the board of selectmen an outline of the estimated capital expenditures of the town during the next six fiscal years. The board of selectmen shall consider such outline and shall submit to the board of finance, not later than March first in each year, a recommended budget of such capital expenditures including such recommendation as they desire as to the creation of a reserve therefor in the town budget for the ensuing fiscal year.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #5:
CAPITAL BUDGET PROVISIONS

CAPITAL BUDGET PROCESSES IN MUNICIPALITIES EQUIVALENT IN POPULATION IN CONNECTICUT 2021	
Municipality	**Population**
West Hartford (C/Mgr)	64,083
Fairfield (RTM)	61,740
Hamden (M/C)	61,169
Meriden (C/Mgr.)	60,850
Bristol (M/C)	60,833
Manchester (C/<gr.)	59,713

WEST HARTFORD CHARTER CHAPT. VII, SEC. 3(b)(2) (DUTIES OF THE MANAGER ON THE BUDGET)

Included in the financial plans for all town funds and activities for the ensuing year in the budget presentation the Town Manager shall “indicated in separate sections: (2) Proposed capital expenditures during the ensuing year, detailed for each fund by organization unit when practicable, and the proposed method of financing each such capital expenditure.”

WEST HARTFORD CHARTER CHAPT. VII, SEC. 3(b)(3) (DUTIES OF THE MANAGER ON THE BUDGET)

As part of the budget the manager shall present a program, previously considered and acted upon by the town plan and zoning commission in accordance with Connecticut General Statutes Section 8-24, as amended, of proposed capital projects for the ensuing fiscal year and for the five fiscal years thereafter. Estimates of the cost of such projects shall be submitted by each department, office or agency annuallyin the form and manner prescribed by the manager. The manager shall recommend to the council those projects to be undertaken during the ensuingfiscal year and the method of financing the same.

WEST HARTFORD CHARTER CHAPT. VII, SEC. 4 (DUTIES OF THE COUNCIL ON THE BUDGET)

For the purposes of Chapter 108 ofthe General Statutes, Revision of 1958, as amended, the council shall be deemed to be the budget-making authority and the legislative body of the town and shall have all the powers and duties contained in said Chapter 108 for the creation of a "Reserve Fund forCapital and Nonrecurring Expenditures."

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #5:
CAPITAL BUDGET PROVISIONS

WEST HARTFORD CHARTER CHAPT. VII, SEC. 7(g) (EXPENDITURES AND ACCOUNTING)

Except for appropriations for capital improvements, whether financed from current revenues or from bond issues, all appropriations shall lapse at the end of the budgetyear to the extent that they shall not have been expended or lawfully encumbered. Appropriations for capital improvements shall automatically lapse when the projectfor which the funds were appropriated has been completed or no expenditures havebeen made against the appropriation for a period of three years, or the council shallabandon the project and transfer the funds by resolution either to the capitalimprovement reserve account or to another specific capital improvement appropriation. In no event shall funds appropriated for capital improvements be transferred or used for purposes other than capital improvements, and all monies received from the sale of capital assets shall be added to and become a part of the capital reserve account.

HAMDEN CHAPTER X: BUDGET

SECTION 10-1: FORMULATION AND SUBMISSION OF TOWN BUDGETARY REQUESTS.

A. Submission of Budgetary Request. Prior to the submission of the budget of the Mayor to the Council, each Department of the Town supported wholly or in part of Town funds, including the Board of Education, shall submit to the Mayor and the Director of Finance at such time in such form and containing such information as the Director of Finance may require, a budgetary request showing services, activities and work accomplished during the current fiscal year and to be accomplished during the ensuing fiscal year.

B. Contents of Budgetary Request. The budgetary request shall include a detailed estimate of the expenditures to be made by the Department, and the revenue, other than tax revenues, to be collected in the ensuing fiscal year and such other information as may be required by the Council, the Mayor, or the Director of Finance.

Forms provided by the Director of Finance for the itemized estimates of income and expenditures shall require no less than the following data:

(1) an itemization of all proposed expenditures for services or administration to be provided, including manpower and monetary requirements.

(2) comparative figures for: (a) actual or estimated income, other than income from tax revenues, and expenditures for the current fiscal year; and, (b) Actual income, other than income from tax revenues, and expenditures for the preceding fiscal year, and proposed expenditures for current operations during the ensuing fiscal year.

SECTION 10-2: THE MAYOR, AND THE DIRECTOR OF FINANCE AND THE BUDGET.

A. Mayor Transmits Proposed Town Budget to the Legislative Council. Annually, not later than the eighteenth (18th) Day of March ("Budget Transmittal"), the Mayor, having reviewed or revised the budgetary requests outlined in §10-1 of this Charter, shall present to the Council a budget that shall provide a listing of all Town funds for the appropriate period(s) and a budget message that shall:

(1) explain the budget both in fiscal terms and in terms of work programs;

(2) outline the proposed financial policies of the Town government for the ensuing year;

(3) describe the important features of the budget - including major changes from the current fiscal year;

(4) summarize the Town's debt position; and,

(5) include such other material as the Mayor deems desirable.

B. Contents of the Proposed Town Budget. The Proposed Town Budget shall show:

(1) estimates of revenue, presenting the itemized receipts collected in the preceding fiscal year, the receipts collected during the current fiscal year prior to the time of preparing the estimates, total receipts estimated to be collected during the current fiscal year, and estimates of the receipts to be collected in the ensuing fiscal year; and,

(2) itemized estimates of expenditures, presenting the actual expenditures for each Department for the last completed fiscal year and for the current fiscal year prior to the time of preparing the estimates, total expenditures as estimated for the current fiscal year, and the requests of the several Departments for the ensuing fiscal year.

(3) The contents of the Proposed Town Budget shall also contain:

(a) an estimate of the available surplus or deficit, at the end of the current fiscal year;

(b) proposed expenditures for debt service for the ensuing fiscal year;

(c) the proposed property tax levy for the ensuing fiscal year;

(d) the recommendations of the Mayor and the Director of Finance of the amounts to be appropriated for the ensuing fiscal year for all items, including those of the Board of Education (as outlined in §9-2 of this Charter); and,

(e) such other information as the Council may require. The Mayor shall report to the Council the reason for all such recommendations.

C. Proposed Capital Expenditures. As a part of the annual Proposed Town Budget or as a separate report attached thereto, the Mayor shall present a program of proposed Capital Expenditures for the ensuing fiscal year and for five fiscal years thereafter. Estimates of the cost of such expenditures shall be submitted by each Department annually in the form and manner prescribed by the Mayor and the Director of Finance. The Mayor shall recommend to the Council those expenditures to be undertaken during the ensuing fiscal year and the method of financing the same.

D. Public Inspection. At the time of Budget Transmittal, the Mayor shall make available for public inspection in the Town Clerk's Office and the library system several copies of the Proposed Town Budget and all supportive material and supplements which are available to the Council, in accordance with the Public Notice provisions of this Charter.

SECTION 10-3: LEGISLATIVE ACTION ON THE PROPOSED TOWN BUDGET.

A. Public Hearing(s) on the Proposed Town Budget. Annually, the Council shall hold one or more public hearings not later than the first (1st) Day of May, at which any Elector or taxpayer may have an opportunity to be heard regarding the Proposed Town Budget.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #5:
CAPITAL BUDGET PROVISIONS

(1) Meeting Notice. On or before the twenty-fifth (25th) Day of April, the Council shall cause to be issued a Meeting Notice (including a general summary of the proposed budget) for one or more Public Hearings on the Proposed Town Budget.

(2) Public Inspection. In accordance with the Public Notice provisions of this Charter, the Council shall make available for general distribution to the public of the Town of Hamden, copies of the Proposed Town Budget including the Board of Education budget in detail, containing the Mayor's proposals regarding revenues and expenditures, the comparative figures for the current fiscal year, and the amount to be raised by taxation.

(3) Modification of the Proposed Budget. After the Public Hearing(s) on the Proposed Town Budget, the Council may add or increase programs or amounts and may delete or decrease programs or amounts, except that no items of expenditure required by Law or for debt service may be deleted or decreased.

B. Adoption of the Proposed Town Budget by the Legislative Council. Subject to the provisions of §10-4 of this Charter, the Council shall adopt the Proposed Town Budget not later than the seventeenth (17th) Day of May, and shall make the same available for public inspection in accordance with the Public Notice provisions of this Charter ("Adopted Town Budget").

(1) Establishment of the Tax Levy. At the time the Council adopts said budget, it may also at said time or such later date as the General Statutes may permit, fix the tax rate in mills, which shall be levied on the taxable property in the Town for the ensuing fiscal year.

(2) Failure to Adopt a Town Budget. Should the Council not have adopted a Town Budget within the allotted time, the Proposed Town Budget, as originally submitted by the Mayor, shall be deemed to have been adopted by the Council as the Town Budget Ordinance and the Mayor shall have the right to fix the tax rate and expenditures shall be made in accordance with the budget so adopted, subject to the provisions of §10-5 of this Charter.

(3) Lapsed Funds. Any portion of an annual appropriation unexpended and unencumbered at the close of a budget year shall lapse.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #5:
CAPITAL BUDGET PROVISIONS

SECTION 10-4: APPROVAL, VETO, ACCEPTANCE AND VETO OVERRIDE OF THE ADOPTED TOWN BUDGET.

A. Transmittal of Adopted Town Budget to Mayor. Annually, the Adopted Town Budget shall be transmitted to the Mayor by the Clerk of the Council within five (5) Days after Council action thereon, but not later than the twenty-second (22nd) Day of May, whichever is earlier.

(1) Mayoral Action. Not later than the first (1st) Day of June or within fifteen (15) Days after said transmittal (whichever is earlier), the Mayor shall (a) approve; (b) fail to take action; or (c) veto the Adopted Town Budget. Notwithstanding the foregoing, the Mayor's veto power shall not extend to appropriation items in the Town budget regarding debt service or the auditing of Town Books and accounts. In the event the Mayor fails to take action upon the Adopted Town Budget, the Town Clerk shall endorse such fact upon the official copy of said Town Budget Ordinance.

(2) Legislative Override of Mayoral Veto. The Adopted Town Budget vetoed by the Mayor shall be returned within the same fifteen (15) Days to the Clerk of the Council with a statement of the reasons for the veto.

(a) Following receipt of the Mayor's veto, but not later than the 10th day of June, any vetoed Adopted Town Budget, again approved by an affirmative vote of at least two-thirds (2/3rds) of the Council present and voting at a meeting, shall become effective in accordance with this section at which time the Mayor shall have the right to fix the tax rate and expenditures shall be made in accordance with the budget so adopted, subject to the provisions of §10-5 of this Charter.

(b) In the event the Mayor’s veto is sustained, the Proposed Town Budget, as originally submitted by the Mayor, shall be deemed to have been adopted by the Council as the Town Budget Ordinance and the Mayor shall have the right to fix the tax rate and expenditures shall be made in accordance with the budget so adopted, subject to the provisions of §10-5 of this Charter.

(3) Effective Date of Town Budget Ordinance. The Town Budget Ordinance shall become effective on the twenty-first (21st) Day after Public Notice of Final Action; subject to the provisions of §10-5 of this Charter.

(4) Public Notice. Public Notice of Final Action shall be provided within twenty-four (24) hours of Final Action.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #5:
CAPITAL BUDGET PROVISIONS

SECTION 10-5: PETITION FOR BUDGET OVERRULE.

A. The Town Budget Ordinance, except for fixing the tax rate, shall be subject to overrule. If within twenty (20) Days after Final Action on the budget as provided in §10-4 of this Charter, a petition signed by not less than fifteen (15%) percent of the Electors of the Town, as determined from the last official voting list, is filed with the Town Clerk requesting a referendum, the Council shall, at its next regular meeting, fix a time not more than thirty (30) days after such meeting for such election, which shall be called and held in the manner provided by the General Statutes.

(1) The Council may by a two-thirds (2/3^{rds}) vote of those present and voting, add non binding referenda to be on the ballot of such election.

(2) The budget so referred to the Electors of the Town shall stand approved unless a majority of those voting thereon at such election shall have voted "no" and at least twenty-five (25%) percent of the Electors entitled to vote on the question shall have voted.

B. Temporary financing and spending shall be in accordance with the provisions of the General Statutes.

C. Failure of the Overrule. In the event the conditions set forth in §10-5.A (2) of this Charter are not achieved, the Final Action on the Adopted Town Budget shall be effective immediately as the Town Budget Ordinance, upon the certification of the election results.

D. Success of the Overrule. In the event the conditions set forth in §10-5.A (2) of this Charter are achieved, the Final Action on the Adopted Town Budget shall be null and void. Within fifteen (15) Days thereafter, the Legislative Council and the Mayor shall enact a Town Budget Ordinance in accordance with procedures which shall be established by Ordinance. The procedures shall include, at least one public hearing and, to the extent practicable, follow the process set forth in §§10-3 and 10-4 of this Charter along a compressed time-line; however, preserving the veto and override authority as herein set forth. Moreover, in formulating the Town Budget Ordinance, the Legislative Council and the Mayor shall take cognizance of the results of the budget overrule.

SECTION 10-6: FISCAL YEAR.

The fiscal year of the Town shall begin on the first (1st) Day of July and end on the thirtieth (30th) Day of June next following.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #5:
CAPITAL BUDGET PROVISIONS

SECTION 10-7: EXPENDITURES AND ACCOUNTING.

A. Purchases, Payments, Authorization, Receipt of Funds. The Role of the Director of Finance.

(1) No purchase shall be made on account of the Town except as prescribed by this Charter. The Director of Finance shall record the amount of authorized purchases and contracts for future purchases as encumbrances against the appropriation from which they are to be paid.

(2) No voucher, claim or charge against the Town shall be paid until the same has been audited and approved by the Director of Finance or the Director's agent for correctness and legality. Checks shall be drawn by the Director of Finance for the payment of approved claims.

(3) The Director of Finance shall prescribe the time at which and the manner in which persons receiving money on account of the Town shall pay the same to the Town.

(4) In the absence or inability of the Director of Finance to act with regard to the provisions of §10-7.A of this Charter, the Mayor may designate a person to temporarily act in place of the Director of Finance.

B. The several Departments, Commissions and Boards of the Town, including the Board of Education, shall not involve the Town in any obligation to spend money for any purpose in excess of the amount appropriated therefore until the matter has been approved and voted by the Council.

C. Each order drawn shall state the Department, Board or Commission or the appropriation against which it is to be charged.

D. General and Special Fund Transfers.

(1) Intradepartmental Transfers. On or before the first day of July each year, the Legislative Council shall establish, by Ordinance, an amount of appropriation and restrictions, if any, under the approved budget (general and special funds) which the Mayor or any Public Official of any Department, Commission, Board (except the Board of Education) designated by the Mayor, shall be authorized to transfer between line items within any Department, Commission or Board. Said transfers under this section shall not require approval by the Legislative Council unless the provisions of §10-7.D (1)(b) of this Charter shall apply.

(a) Said Ordinance may establish individual and/or aggregate transfer limitations.

(b) No such transfer in excess of such authorized amount shall be implemented unless it shall be (i) by Order proposed by the Mayor or any Public Official of any Department, Commission or Board designated by the Mayor; and, (ii) approved by majority vote of the Legislative Council.

(2) Interdepartmental Transfers.

(a) Pertaining to the End of Fiscal Year. The Legislative Council, by Order, may authorize the Director of Finance to make during the last ninety (90) Days of a fiscal year, interdepartmental transfers (general and special funds) in an amount that shall be established by the Legislative Council on or before the first day of July each year, by Ordinance.

(b) Transfers of Unencumbered Appropriations. The Council may by Order, upon the approval of the Mayor, transfer any unencumbered appropriations balance or portion thereof from one Department, Board or Commission to another.

(3) Approved Transfers. Each approved transfer shall be described in the monthly financial report prepared in accordance with §8-4.A(1)(d)(iv) of this Charter.

(4) Prohibited Transfers. No transfer shall be made from any appropriations for debt service and other statutory charges.

B. Additional Appropriations. Additional appropriations over and above the total budget may be made from time to time by amendment of the Budget Ordinance by the Council, upon recommendation of the Mayor and certification from the Director of Finance that there is available an unappropriated and unencumbered general fund cash balance to meet such appropriations.

C. Liability of Officials or Employees. If any Official or employee of the Town or the Board of Education shall knowingly incur any obligation or shall authorize or make any expenditure in violation of the provisions of this Charter or take part therein, such action may be cause for removal as set forth in §3-10 of this Charter, civil action or both. In addition, the Town may, by vote of the Legislative Council, undertake to recover from such Official or employee, an amount equal to

such obligation or expenditure so made.

SECTION 10-8: PUBLIC FUNDS AND FINANCE.

A. Issuance Authorized. The Town shall have the power to incur indebtedness by authorizing the issuance of its bonds and notes for such purposes, upon such terms and to such extent as is authorized by the General Statutes and any applicable Special Acts. Said power shall extend to general obligation bonds, bond anticipation notes, temporary notes, emergency bond issues, revenue anticipation notes, tax anticipation notes and other issuances permitted by the General Statutes and applicable Special Acts.

B. Procedures. The Legislative Council shall, by Ordinance, adopt procedures for the authorization, structure and timing of the issuance of bonds and notes for the purposes authorized by the General Statutes, applicable Special Acts and this Charter.

(1) Capital Project Bonds. The vote of the Legislative Council to approve the issuance of Capital Project Bonds shall be by an affirmative vote of two-thirds (2/3rds) of all the members of the Council.

(2) Non-Capital Project Bonds. The vote of the Legislative Council to approve the issuance of Non-Capital Project Bonds shall be by an affirmative vote of two-thirds (2/3rds) of all the members of the Council.

C. Approval of Mayor. Such bonds shall not be authorized unless in accordance with the provisions of §10-8.B (1) or (2), whichever is applicable and approved by the Mayor in accordance with the provisions of this Charter.

SECTION 10-9: REFERENDUM ON BORROWING OF FUNDS.

A. Debt Service Limitation.

(1) Capital Projects. Borrowing for capital projects that will cause the related debt service of the Town to exceed ten (10%) percent of the then current fiscal year's budget shall be submitted to binding referendum.

(2) Non-Capital Projects. Borrowing for non-capital projects that will cause the related debt service of the Town to exceed four (4%) percent of the then current fiscal year’s budget shall be submitted to binding referendum.

B. The referendum shall take place at the next general election or at a special election called for and held in the manner provided by the General Statutes.

C. Approval of the borrowing by the Council shall take place not less than sixty (60) Days prior to such election.

D. Any capital project that would cause the debt service of the Town to exceed ten (10%) percent of the current fiscal year's budget shall not be allowed to proceed past the design stage, and borrowing of funds shall not be allowed to proceed unless a majority of those voting thereof at such election shall have voted in favor thereof.

MERIDEN CHAPTER VIII: NO PROVISIONS IN THE CHARTER RE - CAPITALBUDGET PROCEDURES

MERIDEN CHAPTER VIII, SEC. C8-11(e): CAPITAL IMPROVEMENTS IN "EXPENDITURES AND ACCOUNTING"

Appropriation for construction or for other permanent improvements, from whatever source derived, shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned, provided that any such project shall be deemed to have been abandoned if three fiscal years shall elapse without any expenditure from or encumbrance of the appropriation therefor. Any portion of an annual appropriation remaining unexpended and unencumbered at the close of the budget year shall lapse.

BRISTOL: NO PROVISIONS IN THE CHARTER RE – CAPITAL BUDGET PROCEDURES

MANCHESTER: CHAPTER V, SEC. 5-2

(a) Preparation. [Amended by Sp. Act, Jan. Sess., 1957, Sp. No. 10, Sec. 2, 28 C.S.A. 11, approved 3-8-1957; amended by referendum 11-4-2008]. The General Manager shall prepare and, not less than 110 days prior to the beginning of each fiscal year, shall submit to the Board of Directors a tentative budget for the ensuing fiscal year and an explanatory budget message. Such tentative budget shall, where possible, include a statement of receipts during the last completed fiscal year, the receipts for the first six (6) months of the current fiscal year, an estimation of receipts for the entire fiscal year and an estimation of receipts during the ensuing fiscal year, all itemized in accordance with a classification approved by the Board of Directors. Such budget shall also, where possible, include a statement of the expenditures during the completed fiscal year, the expenditures during the six (6) months of the current fiscal year, an estimation of the expenditures

for the entire current year, the appropriations requested and the recommendations of the General Manager, as itemized by departments and in accordance with a classification by object of expenditure approved by the Board of Directors. Said budget message shall state the reason for any material increase or decrease in the estimate for the coming year of any item of receipts or expenditures from that for the current fiscal year. The Board of Education and each office, department and agency of the Town which requires an appropriation shall, not later than February 14 of each year, submit to the General Manager a request for an appropriation for the ensuing year in accordance with a form prescribed by the General Manager and shall furnish the General Manager with such further information as to receipts and expenditures as he shall require. The request for an appropriation filed by the Board of Education with the General Manager shall be accompanied by a copy thereof for each member of the Board of Directors. Within three (3) days of filing the request for an appropriation, the Chair of the Board of Education may submit a letter to the General Manager requesting joint meeting of the two (2) Boards for the purpose of discussing the appropriation request of the Board of Education and the recommendations of the General Manager. If the Chair of the Board of Education requests this initial joint meeting, the joint meeting shall be held not later than five (5) days before the General Manager submits his tentative budget to the Board of Directors. Following the submittal of the General Manager's tentative budget, but not later than seven (7) days before the adoption of the final budget, a mandatory joint meeting of the two (2) Boards shall be held for the purpose of presenting and discussing the appropriation request of the Board of Education.

(b) **Submission to Board of Directors.** The Manager shall prepare and submit to the Board of Directors a six-year capital improvement program as part of the tentative budget.

(c) **Contents.** The capital improvement program shall include:

(1) A clear general summary of its contents;

(2) A list of all capital improvements for the Town including capital improvements of the Board of Education which are proposed to be undertaken during the six (6) fiscal years next ensuing with appropriate supporting information as to the necessity for such improvements;

(3) Cost estimates, methods of financing, and recommended time schedules for each such improvement; and

(4) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

The above information shall be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

(d) **Definition.** [Amended by referendum 11-8-1960; amended by referendum 10-5-1964; amended by referendum 11-5-1996]. For the purpose of this chapter, "capital improvement program" means a priority schedule of any and all necessary municipal capital improvements projected for a period of not less than six (6) years and so prepared as to show the general description, location and estimated cost of each individual capital improvement and including the proposed method of financing; "capital improvement" means a major improvement or betterment of a nonrecurring nature to the physical plant of the municipality as differentiated from ordinary repairs or maintenance of a recurring nature or the acquisition of any specific item of capital equipment.

WEST HARTFORD CHARTER CHAPT. VII, SEC. 5 (EMERGENCY APPROPRIATIONS)

For the purpose of meeting a public emergency threatening the public peace, life, healthor property within the town, emergency appropriations, the total amount of which shall not exceed three percent of the current tax levy in any one fiscal year, may be made upon the recommendation of the manager and by a vote of not less than two-thirds of the entire membership of the council, provided a public hearing, at which any electoror taxpayer of the town shall have an opportunity to be heard, shall be held prior to making such appropriation, notice of which hearing shall be given in a newspaper havingcirculation in the town not more than ten (10) nor less than five (5) days prior to such hearing. Such hearing and notice of hearing may be waived if the council, by at least two-thirds of its entire membership, shall decide that a delay in making the emergency appropriation would jeopardize the public peace, life, health or property within the town. In the absence of an available unappropriated and unencumbered general fund cash balance to meet such appropriation, additional means of financing shall be provided in such manner, consistent with the provisions of the general statutes and of this charter, asmay be determined by the council.

WEST HARTFORD CHARTER CHAPT. VII, SEC. 3(b)(3) (DUTIES OF THE SCHOOL SUPERINTENDENT ON THE BUDGET)

The superintendent of schools shall have the same duties and follow the same form and procedure with respect to his or her detailed estimate for theeducation department as required of the manager in Section 2 of this chapter for other departmental estimates.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #6
GOVERNANCE FRAMEWORK (2/24/2022)

FRAMEWORK OF DELIBERATIONS

- **What Are Your goals?**
  - Vibrant accountability structure: Delineation of responsibilities
  - Clear administrative operations: A mix of elected officials supplemented by professional management force
  - Planning tools: Multi-year capital budgeting, collective bargaining approaches and strategic planning mechanisms
  - Public access and participation: Robust comment and appointed service opportunities
  - Reduce complexity and byzantine organizational structures
  - What is a realistic approach for government reform?

- **First Selectwoman**
  - Sole Executive Authority? Role of Board of Selectmen?
  - Chief Administrative Officer
  - Appointment Authority and Relation to Boards and Commissions
  - Annual Report
  - Legislative recommendations to RTM
  - Absence, vacancy and succession

- **Legislative Authority of RTM**
  - Investigative and Audit Powers
  - No diminution of legislative authority by Ordinance
  - Assumption of legislative/historic special act authority of Board of Selectmen
  - Adoption of Legislation – Ordinances and Resolutions.
  - Approval Functions/Right of Rejection.

- **Composition of RTM**
  - Smaller more accountable legislative body: 15 members?
  - At-Large, subject to minority party representation or an odd number?
  - District representation (one member per district or odd-number multiple member districts, subject to minority party representation?
  - Hybrid comprised of an at-large component and district representation

- **Organization of the RTM**
  - RTM President/Chair/Moderator as Presiding Officer?

- o RTM Presiding Officer as elected representative of the legislative body, selected by all members of the RTM?

- **Term of Office: 2- years; or 4-year stagger (if hybrid)**
- **Special Meetings of RTM convened by 1st Selectwoman, members of the RTM and, Presiding Officer.**

The Legislative Body - C.G.S. §7-193(a)(1)	
• Town Meeting • Board of Selectmen, Council, Board of Directors, Board of Aldermen or Board of Burgesses	• Representative Town Meeting • A combination of a Town Meeting or Representative Town Meeting and Council, Board of Directors, Board of Aldermen or Board of Burgesses [1]

Fairfield Representative Town Meeting – The Legislative Body
• Composition – up to 56 members – current 40 by Ordinance • No Compensation • Meeting Provisions • Leadership: Moderator, Moderator Pro-tempore, Clerk and Clerk Pro-tempore • Rules and Committee Structure • Ordinance Authority, subject to referendum pursuant to petition to override • Ordinances adopted by RTM supersede regulations adopted by officers, boards or commissions • Appeals from Board of Finance

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #6
GOVERNANCE FRAMEWORK (2/24/2022)

Chief Executive Officer - C.G.S. §7-193(a)(2)

- The First Selectman
- Mayor, elected by the electors of the municipality
- Town, City or Borough Manager[1] appointed by the board of selectmen, the council, the board of directors, the board of aldermen or the board of burgesses
- Chief Administrative Officer appointed by the Board of Selectman
- Warden elected by the electors of the borough
- Chief Administrative Officer appointed by the Mayor

Fairfield First Selectwoman – Chief Executive Officer

- Full time service
- Town agent and chief executive officers
- Direct the administration of all departments and officers
- Responsible for "faithful execution of all laws and ordinances governing the Town
- Responsible for causing "sworn" elected officials "to the faithful discharge of the duties of office"
- Informing the Board of Selectmen of her actions as requested by any member of the Board
- Ability to delegate authority to the Board of Selectmen or such administrative assistants whose appointment may be authorized by the RTM
- Ability to convene members of any department, authorities, boards , commissions and committees to review and coordinate activities and to plan operations of the Town
- Authority to appoint an Acting First Selectwoman
- Appointment authority as set forth in Charter
- All officers, commission, board and employees of Town appointed solely by the First Selectwoman are responsible for the "faithful performance of their respective duties and shall report to the First Selectwoman."

[1] Any municipality having a manager as its chief executive officer may also have a mayor who shall be the presiding officer of its legislative body, shall be the ceremonial head of such municipality and shall have such other powers and duties as the charter prescribes. The powers, duties and term of office of the chief executive officer shall be those prescribed by the general statutes and he shall have such other powers and duties as the charter prescribes.

Fairfield Board of Selectmen and Elected Boards and Commissions – Executive Branch

- Except for Board of Selectmen there shall be no compensation unless the RTM otherwise directs.
- Board of Selectmen possesses such powers as set forth by Charter or C.G.S.
- Leadership: First Selectwoman is the Chair
- Regulatory authority subject to ordinance (on "same subject matter") approved by RTM (pertains to Board of Selectmen and all Boards and Commissions). There is a hearing requirement on the development of regulations.
- **General powers:** (1) Executive authority unless "expressly granted to the First Selectwoman" by the Charter; (2) Powers and duties vested in Board of Selectmen by the C.G.S., except those expressly vesting in the First Selectwoman by Charter or by ordinance
- **Specific Authority pertaining to Contracts:** (1) Approval by Board of Selectmen with exception of Board of Education contracts[2]; (2) Authority to delegate authority to for contracts less than one month in duration or expenditure of less than $10,000. Contract authority does not "eliminate review by other persons or bodies where required by this Charter, by ordinance, or by the General Statutes"
- **Specific Authority pertaining to Officers, Boards, Commissions and Employees appointed by Board of Selectmen:** (1) "for the faithful performance of their respective duties" including a reporting obligation to the Selectmen whenever requested to do so; (2) power to investigate any and all Town offices, departments and agencies of the Town and for such purpose shall havethe power to issue subpoenas.
- **Specific Authority pertaining to Budget: Review** of the budgets of all Town officers, commissions, boards, and departments of the Town and make such **recommendations** in connection with such budgets to the Board of Finance as they deem necessary.
- **Appointment Authority:** As set forth in Charter, required by the C.G.S. or Ordinances or advisory boards, commission and committees created by the Selectmen
- **Ex officio membership, without vote** on all boards, commission and committee, unless otherwise set forth in Charter.
- **Reorganizational authority** pertaining to modifying appointment or altering the organization of any office, department, board, commission or agency of the Town, subject to approval by the RTM in the form of an Ordinance[3]. Does not apply to the Police or Fire Departments, Library Board, any elected office, officer or board or commission; or, any office or body which is protected by C.G.S.

[2] General fund contracts as opposed to capital fund.
[3] A significant authority: "Notwithstanding any provision of the Charter". This provision is interesting in that it seems to override the Charter Revision process as set forth in the statutes. It does not appear to be a hold-over Special Act power. Query what authority exists for the enactment. It may be necessary to state that the reorganization cannot eliminate a service or function that is mandate and which exists in the Charter, only the method of delivering the service or function.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #6
GOVERNANCE FRAMEWORK (2/24/2022)

Executive Authority		
Positions	**Functions**	**Appointing Authority**
Frist Selectman – Chief Executive	Full time administrator of operations	• Town Attorney • Assistant Town Attorney • Fiscal Officer • Controller • Town Treasurer • Director of Community and Economic Development • Director of Human and Social Services • Director of Public Works • Building Official • Director of Parks and Recreation • Purchasing Agent • Director of Human Resources • Conservation Commission/Alternates **Approval upon Recommendation** • Director of Health • Police Chief • Animal Control Officer • Fire Chief • Planning Director • Conservation Director • Town Librarian
Board of Selectmen – Executive Functions	Powers as vested by General Statutes	• Internal Auditors • Assessor • Tax Collector • Tree warden • Police Commission • Fire Commission • Police and Fire Retirement Board

		• Board of Health • Parks and Recreation Commission • Board of Building Appeals • Flood and Erosion Control Board • Ethics Commission • Water Pollution Control Authority • Historic District Commission/Alternates • Human Services Commission • Golf Commission
Board of Education (E) [§6.2.B]	Statutory Functions, generally under Title 10 (Chapter 170)	Elect a Superintendent of Schools
Board of Finance (E) [§6.3.B]	Functions in accordance with those conferred upon non-charter municipalities as set forth in C.G.S. Title 7 (Chapter 106) as well as may be conferred by ordinance	Appoints Outside Auditor
Board of Assessment Appeals (E) [§6.4.B]	Functions in accord with C.G.S. §12-110 to 12-117	None
Planning and Zoning Commission (E) [§6.5]	Functions in accordance with C.G.S. Title 8 (chapters 124 and 126) and 8.5.B(1) – (7)	• Appoints Planning Director with approval of First Selectwoman • May engage such employees and consultants required to carry out its functions
Zoning Board of Appeals/Alternates (E) [§6.6]	Powers conferred upon ZBAs by C.G.S> Title 8 (Chapter 124)	None
Conservation Commission [§8.2.C]	Conservation functions as set forth in Charter and Inland Wetland functions as set forth in C.G.S. Title 22a (Chapter 440)	Appoints • Conservation Director with approval of First Selectwoman; and, • Such employees or consultants it required to carry out its duties
Police Commission [§8.3.B]	Powers conferred upon non-charter municipalities as set forth in C.G.S. §7-276 and other administrative duties set forth in Charter	Appoints • Chief of Police; and, • Animal Control Officer with approval of First Selectwoman

Fire Commission [§8.4.B]	Powers conferred upon non-charter municipalities as set forth in C.G.S. §7-301 and other administrative duties set forth in Charter	Appoints Fire Chief with approval of First Selectwoman
Board of Health [§8.7.D(1) and (2)]	• may make and amend such reasonable rules for the promotion and preservation of the public health, health services in public schools, and sanitation as required, provided the same shall not be inconsistent with the General Statutes, the state public health code, other state departmental regulations, or the ordinances and public health code of the Town. • shall advise the Director of Health in all matters relating to public health, and health services in the schools of the Town, • shall appoint the school and Well Child Clinic medical advisors.	Appoints Director of Health with approval of First Selectwoman
Parks and Recreation Commission [§8.8.B]	Policy-making body for the Parks and Recreation Department, shall • together with the First Selectman supervise the Director of Parks and Recreation, and • assist in establishing requirements and qualifications for personnel needed for the Department.	None
Water Pollution Control Authority [§8.11.C]	As set forth in Charter and statutes	May employ such personnel as may be required for the performance of its functions
Human Services Commission [§8.14.B]	Policy-making body for the Department of Human Services as set forth in Charter	May employ such personnel as may be required for the performance of its functions

Board of Library Trustees [§8.17.C]	As set forth in Charter	Appoints • Town Librarian with approval of First Selectwoman; and, • Assistant librarians, clerks and other employees

Elected Officials									
Positions	**Fairfield**	**Greenwich**	**Branford**	**Westport**	**Darien**	**West Hartford**	**Hamden**	**Meriden**	**Bristol**
1st Selectwoman/Mayor^	Y	Y	Y	Y	Y	TM	Y^	M/TM	Y^
Board of Selectmen	Y	Y	Y	Y	Y	N	N	N	N
RTM/Council+	Y	Y	Y	Y[4]	Y	Y+	Y+	Y+	Y+
Town Clerk	Y	Y	Y	N	Y	Y	Y	Y	N
Registrars of Voters	Y	Y	Y	Y	Y	Y	Y	Y	N
Constables	Y	Y	Y	N	Y	N	N	N	N
Board of Finance*/Board of Estimate~	Y*	Y~	N	Y*	Y*	N	N	N	N
Board of Assessment Appeals	Y	Y	Y	Y	Y	N	N	N	Y
Board of Education	Y	Y	Y	Y	Y	Y	Y	Y	Y
Zoning Board of Appeals	Y	N	N	Y	N	N	N	N	N
ZBA Alternates	Y	N	N		N	N	N	N	N
Town Plan and Zoning Commission	Y	N	N	Y	Y	N	N	N	N
TPZ Alternates	Y	N	N	N	N	N	N	N	N
Town Treasurer	N	Y	Y	N	Y	N	N	N	Y
Tax Collector	N	N	Y	N	Y	N	N	N	N

[4] RTM Is nonpartisan in accordance with Special Act

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #6
GOVERNANCE FRAMEWORK (2/24/2022)

COMPOSITION, ORGANIZATION AND TERMS OF OFFICE					
Municipality	**Population**	**Form**	**Council Composition**	**Legislative Body Officers**	**Terms of Office**
Bridgeport	148,656	M/C (4)[5]	20 Members (10 Districts)	Mayor Presides[2] Council President[3] Majority and Minority Leaders[4]	Mayor – 4 yrs. Council – 2 yrs. City Clerk – 4 yrs.
Stamford	135,470	M/C (4)[5]	40 Members (20 Districts)	President[6]	Mayor and Board of representatives – 4 yrs.
New Haven	134,023	M/C	30 Members and Ward	President, President Pro tempore and Third Officer[7]	Mayor and Alders – 2 yrs.
Hartford	121,054	M/C (4)[6]	9 Members (At-large)	President[8]	Mayor and Common Council – 4 yrs.
Waterbury	114,493	M/C	15 Members and Districts	President, President Pro tempore, Majority Leader and Minority Leader[9]	Mayor – 4yrs Board of Aldermen – 2yrs.
Norwalk	91,164	M/C	15 Members 2 each from 5 Districts and 5 At-large[10]	Mayor Presides Council President[11]	Mayor and Council – 2 yrs.
Danbury	85,518	M/C	21 Members 2 each from 7 wards and 7 at-large[12]	President[13]	Mayor and Council – 2 yrs.
New Britain	74,135	M/C	15 members 2 each from 5 districts and 5 at-large[14]	Mayor presides President Pro Tempore[15]	Mayor and Common Council – 2 yrs.
West Hartford	64,083	C/TM[7]	9 members at-large	Mayor/President of Council[16]	Council – 2 years
Greenwich	63,518	S/RTM[8]	230 members from 12 districts[17]	Moderator	Selectmen[18] and RTM – 2 yrs.

[5] Mayor/Council = M/C; 4 = Four-year term for CEO
[6] Moved from City Manager
[7] Council/Manager = C/TM
[8] Selectmen/RTM = S/RTM

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #6
GOVERNANCE FRAMEWORK (2/24/2022)

Municipality	Population	Form	Council Composition	Legislative Body Officers	Terms of Office
FAIRFIELD	61,512	S/RTM	40 members[9]/ 10 districts	Moderator	Selectmen – 4 yrs. RTM – 2 yrs.
Hamden	61,169	M/C	15 members – 9 Districts and 6 at-large	Council President	Mayor and Council – 2 yrs.
Bristol	60,833	M/C	6 Council Members 2 each from 3 Districts + Mayor	Mayor Presides[19]	Mayor and Council – 2 yrs.
Meriden	60,850	C/TM	12 members – 2 each from 4 areas and 4 at-large	Mayor Presides[20] (separately elected)	Mayor – 2 years Council – 4 yrs. (split cycle)
Manchester	59,713	C/TM	9 – Directors at-large	Chair (Mayor) and Vice Chair	Directors – 2 yrs.
West Haven	55,854	M/C	13 members - 10 districts and 3 at-large[21]	Chair presides[22] Mayor attends[23].	Mayor and Council – 2 yrs.
Milford	51,045	M/C	15 member – 5 districts 3 members from each district	Chair presides[24].	Mayor and Board of Aldermen 2 yrs.
Stratford	53,355	M/C[10]	10 members by district[25]	Chair and Chair Pro tempore[26]	Mayor – 4 yrs. Council – 2 yrs.[27]. Note: Chief Administrative Officer[28]
East Hartford	51,045	M/C	9 members, at-large[29]	Chair (Deputy Mayor), and Vice Chair selected by members[30]	Mayor and Council – 2 yrs.
Middletown	47,717	M/C/	12 members at-large	Mayor, Council President and President Pro-Tempore	Mayor and Council – 4 yrs.
Wallingford	44,396	M/C	9 member, at-large	Chairperson and Vice Chairperson[31]	Mayor and Town Council – 2 yrs.
Southington	43,501	C/TM	9 members	Chair and Vice Chair	Town Council – 2 yrs.

[9] Up to 56.
[10] Moved from TM

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #6
GOVERNANCE FRAMEWORK (2/24/2022)

Municipality	Population	Form	Council Composition	Legislative Body Officers	Terms of Office
Enfield	42,142	C/TM	11 members 7 at-large and 1 for each of the four districts	Chair (Mayor) and Deputy Mayor	Council – 2 yrs.
Shelton	40,869	M/C	8 members, two from each of 4 districts[32]	President and Vice President[33][34]	Mayor and Board of Aldermen – 2 yrs.[35]
Norwich	40,125	C/TM	Mayor and 6 Councilmembers at-large	Mayor presides and votes	Mayor – 4 yrs.[36]. Council – 2 yrs.
Groton	38,411	C/RTM/ TM	45 – RTM members by district 9 Council members at-large[37]	Moderator of RTM Chair of Council (Mayor)	RTM and Council – 2 years
Trumbull	36,827	FS/C[11]	21 Council members 3 from each of 7 districts	Chair and Vice Chair	First Selectman and Council – 2 yrs.
Glastonbury	35,159	C/TM	9 Council members at-large	Chair and Vice Chair	Council – 2 yrs.
Torrington	35,515	M/C	6 members, at-large	Mayor presides and breaks tie[38]	Mayor – 4 yrs. Council – 2 yrs.
Naugatuck	31,519	M/C	9 burgesses, at-large[39]	Mayor Presides and votes[40]	Mayor and Board of Burgesses – 2 yrs.

[11] 1st Selectmen/Council = S/C/

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #6
GOVERNANCE FRAMEWORK (2/24/2022)

Municipality	Population	Form	Council Composition	Legislative Body Officers	Terms of Office
Branford	28,273	S/RTM/Board of Finance[12]	3 Members of Board of Selectmen 30 RTM members by 7 Districts	Moderator	Selectmen and RTM – 2 yrs.
Newtown	27,173	S/TM	3 – Selectmen 12-member Legislative Council 4 elected from each of 3 districts Town Meeting	Chair	Selectmen and Legislative Council – 2 yrs.

[1] In any combination, the body having the greater number of members shall have the power to adopt the annual budget and shall have such other powers as the charter prescribes, and the body having the lesser number of members shall have the power to adopt, amend and repeal ordinances, subject to any limitations imposed by the general statutes or by the charter. The number of members in any elective legislative body, the terms of office of such members and the method by which they are elected shall be prescribed by the charter.

[2] **Bridgeport Chapter 5, Section 3:** No vote by Mayor to break a tie in election of city council president or adoption of an ordinance.

[3] **Bridgeport Chapter 5, Section 4:** At the beginning of each term of office the city council shall elect from among its members **one council member to be president of the city council** who shall serve for a term until November 30 of the next odd-numbered year or until the president of the council's successor has been elected. The president of the city council shall preside in the absence of the mayor, and when so presiding shall have a casting vote in case of a tie in addition to his/her vote as council member. In the absence of the mayor and the president of the city council at any meeting, the city council may choose one of its members to act as president for the occasion who, when so presiding, shall have a casting vote in case of a tie in addition to his/her vote as council member. In the event of the death, resignation or inability to act of the president of the city council, the council shall elect another president in his place.

[4] **Bridgeport Chapter 5, Section 13.**

[5] Mayor/Board of Representatives/At Large Board of Finance

[6] **Stamford Charter Part 2, Sec. C2-10-10. – President: "**The Board of Representatives, at its Organization Meeting, shall elect from among its members its President to hold office for the term for which the Board was elected. The President shall preside at all meetings of the Board. In

[12] Board of Finance appointed by Board of Selectmen.

the event of the President's absence, the members present may by majority vote elect a Chairperson of the meeting. The President or other Chairperson of the meeting shall have the same right to vote as any member of the Board (Referendum 11-3-1987)"; See also, **Sec. C2-10-11. - Removal of President:** **"**The President of the Board may be removed from the presidency by a vote of the majority of the entire Board at a Special Meeting duly called for the purpose";" and, **Stamford Charter Part 2 Sec. C2-10-3. - Funds for Investigation:** **"**The Board of Representatives shall have authority, by a two-thirds (2/3) vote of its entire membership, to incur any expenses which it deems necessary or advisable, in connection with any investigation authorized under Section C2-10-2 of this Charter. Expenses so incurred shall be paid by the Office of Administration on warrant issued by the Mayor and counter-signed by the Clerk of the Board of Representatives. The Board of Representatives may, by a two-thirds (2/3) vote of its entire membership, appropriate funds to cover expenses incurred pursuant to this Section without request for such appropriation by any officer of any department of the City, other than the Board of Representatives.

[7] **New Haven Charter, Article IV, Section 2A.**

[8] **Hartford Charter, Chapter IV, Sec. 4 (b) Election of council president.** Following the administration of the oath of office, the first order of business shall be to elect, by majority vote, from among the council's membership a presiding officer, who shall be designated the council president. The council president shall serve as such for two (2) years, and a member may be elected to an unlimited number of successive two-year terms as council president. The council shall fill any vacancy in the office of council president by election of a new council president, who shall serve for the remainder of the two-year term, from among its members. (1) *Powers and duties of the council president.* The council president shall preside over meetings of the council, without thereby losing the right to vote or to speak as a member of council, and shall have such other powers and obligations as may be assigned to the presiding officer by the council's rules, by ordinance, or by this Charter. (2) *Presiding officer pro tempore.* The council may provide in its rules for the designation of a member to preside in the absence of the council president and, if there is no such provision in the council rules, the council president shall designate a temporary presiding officer whenever the council president is absent from a council meeting. (3) *Succession to the office of mayor.* Subject to the applicable provisions of the General Statutes governing the filling of vacancies in municipal office, in the event that the position of mayor becomes vacant, the council president shall serve as mayor until the next regularly scheduled municipal general election, or, if not permitted by the General Statutes, for the remainder of the mayor's term. Upon succession to the office of mayor, the council president's position on the council shall be filled as provided in section 4(c)(2) of Chapter III of this Charter. (4) *Removal of the council president.* The council may remove the council president from the presidency at any time by a vote of six (6) members, at a special meeting duly called for that purpose. **Sec. 3 - Power of investigation.** The council, or any committee thereof when so authorized by the council, shall have power to investigate the official conduct of any department or agency of the city government or of any officer or employee thereof. For the purpose of conducting any such investigation and hearings relating to the removal of appointive or elective officers or employees, pursuant to section 3(a) of this chapter, above, any member of the council shall have power to administer oaths and the council or authorized committees thereof may compel the attendance of witnesses and require the production of books and papers. Any person who refuses to obey the subpoena of the council or an authorized committee thereof shall be fined not more than one hundred dollars ($100.00) or imprisoned not more than thirty (30) days or both. The council may appropriate from available funds amounts necessary to cover expenses incurred pursuant to this section.

[9] **Waterbury Charter, Sec. 3B-1 – Organization and Officers of the Board of Aldermen**. **Sec. 3A-1)1_ Board to Investigate departments.** The Board shall have power to investigate all departments, officers and employees and to inquire into any charges that may be preferred, and shall have access to all records thereto appertaining.

[10] **Norwalk Charter Sec. 1-2.1**

[11] **Norwalk Code of Ordinances, Sec. 1-196.**

[12] **Danbury Charter Section 2-2.**

[13] **Danbury Charter Sec. 3-2. Section 3-14 INVESTIGATION**. 15 The City Council, or any committee thereof duly appointed for the purpose of conducting an investigation pursuant to this section, which committee shall consist of not less than five (5) members, shall have power to investigate any and all offices and agencies of the City, and any organization spending City funds, and for such purposes shall have the power to call witnesses to appear to testify on any matter under investigation. If any officer, other than an elected officer, or employee of the City shall, after receipt of notice in writing, willfully fail or refuse to appear before the City Council or such duly appointed committee, or having appeared, shall refuse to testify or answer any question concerning the office or official duties of such officer or employee, or concerning the property, government or affairs of the City, his term or tenure of office or employment shall terminate and such office or employment shall be vacant provided, however such officer or employee shall be entitled to any further proceeding or hearing concerning dismissal as may be provided by law. The Council shall have the further power to require any office, agency, or other organization spending City funds to disclose information and account for the spending of such funds. Failure to comply with the Council's request shall be grounds for withholding the expenditure of further funds where not otherwise regulated by law.

[14] **New Britain Charter Sec. 3-3.**

[15] **New Britain Charter Sec. 4-4.**

[16] **West Hartford Chapter III Sec. 1. Chapter XIV, Sec 8 – Investigation of Public Officers:** "The council shall have power to investigate all town officers, departments, commissions, bureaus or boards, and shall have access to all records and papers kept by each town officer, department, commission, bureau or board, and shall have power to compel the attendance of witnesses and the production of books, papers and other evidence at any meeting of the council or any committee thereof. At the request of the council, any judge may issue a capias for the appearance of witnesses and the production of books and papers.

[17] **GREENWICH CHARTER ARTICLE 13. REPRESENTATIVE TOWN MEETING. Sec. 167. Representative Town Meeting; powers**. The Town of Greenwich shall have the capacity to act through and be bound by its Town Meeting members when acting in meeting assembled who shall, when convened from time to time as herein provided, constitute Representative Town Meetings. The Representative Town Meetings shall exercise exclusively, so far as will conform to the provisions of this Article, all powers vested in the Town, except as otherwise specifically provided by law. Action in conformity with all provisions of law now or hereafter applicable to the transaction of Town affairs in Town Meeting, shall, when taken by any Representative Town Meeting in accordance with the provisions of this Article, have the same force and effect as if such action had been taken in a Town Meeting open to all the voters of the Town as heretofore organized and conducted, except as specifically provided in this Article. Nothing in this Article shall be construed to confer upon the Representative Town Meeting any powers other than those vested in the Town Meeting prior to the creation of the Representative Town Meeting. (S.A. 154 § 8, 1933.). **Sec. 168. Ex officio members.** The following designated officers shall be Representative Town Meeting members ex officio: The Selectmen, the Town Clerk, the Town Attorney, the Chairman of the Board of Education and the members of the Board of Estimate and Taxation. Such ex officio members shall have all the rights and privileges of the elected members, except the right to vote. (S.A. 444 § 2, 1939; as amended by S.A. 341, 1953.). **Sec. 169. Members' qualifications; removal.** (a) The Representative Town Meeting members shall be the judges of the election and qualifications of their members. The members as such shall receive no compensation. No person holding any salaried office or position in the government of the Town or any department, division or office thereof shall be eligible for election as a member. No member of the Representative Town Meeting, except an ex officio member thereof, shall hold any such salaried office or position. (b) A Representative Town Meeting member who shall remove from the Town shall cease to be a Representative Town Meeting member and a Representative Town Meeting member who shall remove from the district from which he was elected to another district may serve until the next annual meeting for the election of Representative Town Meeting members. (S.A. 154 § 3, 1933; as amended by S.A. 444 § 1, 1939.). **Sec. 170. Tie votes for candidates; procedure.** (a) In case of a tie vote under any Section of this Article affecting the election of Town Meeting members, the other members from the district in which the tie vote may occur shall, by ballot, determine which of the tied candidates shall serve as Town Meeting member or members. The moderator of elections shall immediately after an election notify the Town Clerk of any and all such tie votes,

giving the names and addresses of the candidates affected. (b) The Town Clerk shall, within two (2) days of such notification by the moderator of elections, call a meeting of the other members from the district or districts in which a tie vote occurs by causing a notice specifying the object, time and place thereof to be mailed to each such member of the particular district not less than three (3) days nor more than five (5) days before the time set for the meeting. At such meeting a majority of the members from the particular district shall constitute a quorum, and they shall elect from among their number a chairman and a clerk whose right to vote at such meeting shall not be affected by their election to their respective offices. The chairman and clerk shall count the ballots and the person or persons receiving the highest number of votes shall be declared elected. The chairman and clerk shall forthwith make a certificate of the choice and file the same with the Town Clerk. (c)The member or members so chosen shall thereupon be deemed elected and qualified as a Town Meeting member or members, subject to the right of all the Town Meeting members to judge of the election and qualification of the members. (S.A. 154 § 2, 1933.). **Sec. 171. Resignations; vacancies.** (a) A Representative Town Meeting member may resign by filing a written resignation with the Town Clerk. Such resignation shall take effect on the date of such filing. (b) Any vacancy in the full number of Representative Town Meeting members from any district, whether arising from a failure of the registered voters thereof to elect, or from any other cause, may be filled by the remaining members of the district from among the registered voters thereof. (c) The Town Clerk shall call a special meeting of such district's members for the purpose of filling any vacancy and shall cause to be mailed to each such member, not less than five (5) days before the time set for the meeting, a notice specifying the object, time and place of the meeting. At such meeting, a majority of the members from such district shall constitute a quorum, and they shall elect from their number a chairman and a clerk whose right to vote at such meeting shall not be affected by their election to their respective offices. The choice to fill any vacancy shall be by ballot, and a majority of the votes cast shall be required for a choice. The chairman and clerk shall count the ballots and shall make a certificate of the choice and forthwith file the same with the Town Clerk, together with a written acceptance by the member or members so chosen. (d) The chosen member or members shall thereupon be deemed elected and qualified as a Representative Town Meeting member or members, subject to the right of all the Representative Town Meeting members to judge of the election and qualifications of the members. (S.A. 154 §§ 3, 6, 1933; as amended by RTM 10/28/2019.) **Sec. 172. Organization of Representative Town Meeting.** (a) The annual meeting of Representative Town Meeting members shall be held on the third Monday of January 1966, and biennially thereafter. The Representative Town Meeting members shall, at their first annual meeting and biennially thereafter, elect from among their number a Moderator, who shall act as moderator of all Representative Town Meetings. He shall hold office for a term of two (2) years and until his successor shall be elected and shall have qualified. A Moderator pro tempore may be elected by the Representative Town Meeting members from among their number who shall serve in the absence of the moderator. (b) The Town Clerk or the Assistant Town Clerk shall act as clerk of all Representative Town Meetings and, in the absence of both, a clerk pro tempore of the meeting shall be elected by the meeting. (S.A. 154 § 5, 1933; as amended by S.A. 217, 1947; RTM, 10/13/1964.). **Sec. 173. Meetings; procedure.** (a) The Moderator may call a meeting of the members at any time. The Moderator, and, in his absence or inability, the Town Clerk, shall call such meeting upon the request of the first Selectman or the Chairman of the Board of Estimate and Taxation or upon the application of twenty (20) registered voters of the Town to be held within sixty (60) days after receiving such application. The Town Clerk shall notify all Representative Town Meeting members of the time and place at which Representative Town Meetings are to be held. The notices shall be sent by mail at least five (5) days before the meeting and a copy of such notice shall be published in the newspapers published in the Town. Such notice shall specify the object for which the meeting is to be held. (b) One-third (⅓) of the Representative Town Meeting members shall constitute a quorum for doing business; but a smaller number may organize temporarily and may adjourn from time to time, but no Representative Town Meeting shall adjourn over the date of an election of Representative Town Meeting members. All Representative Town Meetings shall be public. (c) Subject to such conditions, rules and regulations as may be determined from time to time by the members of the Representative Town Meeting, any registered voter of the Town who is not a Representative Town Meeting member may speak at any Representative Town Meeting, but shall not vote. (S.A. 154 § 3, 1933; as amended by S.A. 607 § 8, 1951.). **Sec. 174. Referendum; requirements.** (a) A vote passed at any Representative Town Meeting approving any home rule

action on which a referendum is not mandatory pursuant to any special act or charter provision conferring home rule on the Town or authorizing the expenditure of Twenty Thousand Dollars ($20,000.00) or more or authorizing the issuance of any bonds by the Town or adopting a new ordinance, or amending an existing ordinance, shall not be operative until after the expiration of five (5) days, exclusive of Sundays and holidays, from the dissolution of the meeting. If, within such five (5) days, a petition, signed by not less than three percent (3%) of the registered voters of the Town, containing their names and addresses as they appear on the list of registered voters, shall be filed with the Selectmen, asking that the question or questions involved in such a vote be submitted to the registered voters of the Town at large, then the Selectmen, after the expiration of five (5) days, shall forthwith call a special meeting for the sole purpose of presenting to the registered voters at large the question or questions so involved. (b)The polls shall be opened at 2:00 P.M. and shall be closed not earlier than 8:00 P.M. All votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the several district meetings in the same manner as in the most recent preceding election; except that if the question or questions are submitted at an election, as that term is defined in Sec. 9-1 of the General Statutes, then the manner provided for such election shall be used. The questions so submitted shall be determined by a majority vote of the registered voters of the Town voting thereon, but no action of the Representative Town Meeting shall be reversed unless at least twenty-five percent (25%) of all the registered voters in the Town, shall vote to so reverse. (c) The questions so submitted shall be stated upon the ballot in substantially the same language and form in which they were stated when presented to such Representative Town Meeting by the Moderator, and as appears from the records of such meeting. If such petition shall not be filed within such period of five (5) days, the vote of the Representative Town Meeting shall become final, binding and effective upon the expiration of such period for all purposes. (S.A. 154 § 7, 1933; as amended by S.A. 377 § 5, 1955; S.A. 28 § 3, 1965; as amended by RTM, 12/13/76.). **Sec. 175. Referendum; appropriations.** (a) When a petition shall be filed asking for the submission to the voters of the Town, of any question as to the annual appropriations for the Town's expenditures for the ensuing year, such petition shall set forth each item of appropriation as to which a question is involved with the amount of the appropriation as approved by the Representative Town Meeting and the amount to which the petitioners desire it to be decreased or increased, provided such increase shall not be above the amount approved by the Board of Estimate and Taxation. A separate question shall be submitted to the voters on each such item of appropriation and shall call for an answer "Yes" or "No." The answer "No" shall mean the sustaining of the appropriation as fixed by the Town Meeting. The answer "Yes" shall mean the fixing of such appropriation at the figure suggested by the petitioners. (b) The annual appropriation as fixed by the Town Meeting shall be the appropriation for the ensuing year except as to those items upon which the referendum is called for and those items which on the referendum are answered "No" shall remain as fixed by such Town Meeting, and those items which on the referendum are answered "Yes" shall be changed in accordance with the referendum and the appropriation so fixed by the Representative Town Meeting and as so modified by such referendum shall be the appropriation for the ensuing year. (c) In the event that such right of referendum should be exercised, as above provided with respect to the action or actions of any Representative Town Meeting on the budget of the Town for the ensuing year, so that such action or actions of the Representative Town Meeting cannot be finally determined by May 25 in any year, then the time within which the Board of Estimate and Taxation shall lay the tax shall be extended to five (5) days after such referendum vote. (S.A. 154 § 7, 1933; as amended by RTM, 3/9/1970.)

[18] **GREENWICH CHARTER ARTICLE 15. SELECTMEN. Sec. 217. First Selectman; powers and duties.** (a) All administrative functions relative to police, fire, highways, sewers and other public works, building inspection, parks, recreation, law, human resources, parking services, fleet management, information technology and purchasing for such purposes, shall be divided, under the supervision and control of the First Selectman, among administrative departments which shall include the Department of Police, Fire, Public Works, Parks and Recreation, Law, Human Resources, Parking Services, and Fleet Management. The First Selectman shall have the supervision and control, and shall be responsible for the administration, of all the affairs of the Town in respect to such departments, and may fix and determine the internal organization of such departments, the number and kinds of offices and positions, the methods of procedure and, subject to appropriation as otherwise provided by law, the rates of compensation. (b) First Selectman and board of selectmen. The First Selectman shall be the chief executive officer of the town and the town agent and shall devote

his full time to the duties of his office. The two selectmen other than the First Selectman who are elected as provided in this act shall, together with the First Selectman, constitute the board of selectmen. The First Selectman shall chair the board of selectmen. The First Selectman shall hold at least one meeting each month with the other selectmen for the purpose of keeping them generally informed of the business of the town. Upon five days' written notice to the First Selectman, either of the two selectmen may place an item on the agenda of a meeting, which item shall be germane to the duties and responsibilities of the board of selectmen. Minutes of such meetings shall be taken and made available for public inspection. The First Selectman shall designate one of the other selectmen to act in his place and stead during his absence. Such Selectman when so acting shall have all of the powers and duties of the First Selectman. (c) Compensation of First Selectman and selectmen. The First Selectman shall be paid a salary appropriate for the chief executive officer and town agent, and the other two selectmen shall be paid salaries commensurate with their duties and responsibilities, but the salary of each of the two selectmen shall be not less than ten percent (10%) of the salary of the First Selectman, subject to the approval of appropriations by the Representative Town Meeting pursuant to Section 23 of the Charter. Provision for such salaries shall be included in the budget report submitted annually by the First Selectman to the board of estimate and taxation. (S.A. 444 § 23, 1939; as amended by S.A. 71 § 1, 1955; RTM, 4/27/1970; RTM, 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.) (RTM, 1/21/1985.) (Board of Selectmen 9/17/1997; RTM, 3/13/1995; RTM, 4/10/2006; RTM, 6/12/2006.). **Sec. 217A. Department of Human Resources; Director of Human Resources.** (a) There shall be a Department of Human Resources under the direction of a Director of Human Resources who shall be experienced in managing human resources functions necessary for the effective administration of employment functions and administration of the Town benefits program. (i) Subject to Section 223, the Director of Human Resources shall develop and implement personnel policies, procedures, rules and regulations for Town employees. (ii) Except for managerial, confidential, certified and instructional staff of the Board of Education, the Director of Human Resources shall administer all employment functions within the Town as an aide to the Town's appointing authorities. The Director of Human Resources and the Board of Education shall determine which Board of Education positions are managerial. The employment functions of the Director of Human Resources shall exclude the negotiation and administration of collective bargaining agreements and shall include, without limitation, the following functions: a. Recruitment; b. Employment eligibility determinations, testing and assessment; c. Administration of classification processes; d. Administration of the hiring process and procedures; e. Implementation of terms and conditions of employment as may be established from time to time through the collective bargaining process; f. Administration of employee performance review plans and recommendation of modifications to employee performance review plans or procedures; g. Administration of employee discipline and separation in accordance with collective bargaining agreements and Town personnel policies; h. Development of personnel training, employee development and retention processes; i. Maintenance of personnel records and documents; j. Compliance review as to all applicable laws in the area of personnel. (iii) The Board of Education shall be responsible for administration of all employment functions for managerial, confidential, certified and instructional staff of the Board of Education. (iv) Except for the Town's Retirement System, the Director of Human Resources shall administer the Town's benefits program and related budgets for all active and retired Town employees. (b) The Director of Human Resources shall be appointed and may be removed by the Board of Selectmen upon recommendations of the First Selectman as provided in Section 218. (c) Nothing contained in this section shall affect the powers of the Board of Estimate and Taxation under this Charter to administer the financial affairs and budget of the Town of Greenwich. (d) For the purposes of this section, "appointing authorities" shall include the First Selectman, the Board of Estimate and Taxation, the Board of Health, the Board of Human Services, the Planning and Zoning Commission, the Board of Education, the Retirement Board, the Conservation Commission, the Board of Nathaniel Witherell, the Boards of the Greenwich Library and the Perrot Memorial Libraries, the Inland Wetlands and Watercourses Agency, the Commission on Aging, the head of Town departments. (RTM, 6/12/2006; RTM, 3/13/2017.) Editor's note(s)—At RTM held on March 13, 2017, § 217B was redesignated as § 217A. **Sec. 218. Appointments; removals**. (a) The Board of Selectmen may, subject to the provisions of this Article, on the recommendation of the First Selectman, the provisions of Sections 226, 230, and 233 of the Charter notwithstanding, appoint and remove all heads of departments which are under the supervision and control of the First Selectman. The head of each department shall appoint

and may remove subordinates in such department, except that any deputy department head so appointed shall be subject to the prior approval of the Board of Selectmen. All appointments and promotions to offices and employment in the administrative service of the Town under the supervision and control of the First Selectman and all measures for the control and regulation of employment therein shall be on the basis of merit and fitness. (b) Any officer or employee appointed or employed in any such department under the provisions of this Article shall not hold office or employment for any definite term and may be removed from his office or employment whenever, in the judgment of the appointing authority, the public interest so requires, provided all provisions of law concerning the removal of members of the Police Department and of paid members of the Fire Department, including the chiefs of such departments, shall remain in full force and effect. (S.A. 444 § 24, 1939; as amended by S.A. 71 § 2, 1955; RTM, 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.) (RTM, 1/21/1985. **Sec. 219. Failure of Representative Town Meeting to appoint.** In the event the Representative Town Meeting shall fail to elect or appoint any officer or the entire membership of any board, after nomination by the Selectmen as provided in this Article, further nominations shall be submitted within a reasonable time by the Selectmen and pending the election of any such entire board or boards, the members thereof elected, if a majority, shall have all the rights, privileges and duties and shall act with full authority as though the full board had been elected. (S.A. 444 § 39, 1939.). **Sec. 220. Salaries and compensation.** All officers and employees of the Town shall receive such salaries or other compensation as may be provided by law, or by ordinances and resolutions adopted in the same manner as provided by law for other expenditures of the Town. (S.A. 444 § 10, 1939.). **Sec. 221. Divisions and offices.** The work of each department shall be distributed among such divisions or offices as may be established by the boards or officers having the direction and control of such departments, except as otherwise provided by this Article. (S.A. 444 § 11, 1939.). **Sec. 222. Heads of offices and divisions.** Each office or division of any department shall be headed by an officer who shall have the direction and control of its affairs, subject to the direction and control of the head of the department and responsible to him or, in the case of the Finance Department, the Board of Estimate and Taxation. (S.A. 444 § 12, 1939.). **Sec. 223. Administrative regulations.** (a) The First Selectman, the Board of Estimate and Taxation, the Board of Health, the Board of Human Services, and the Board of Education may prescribe such general rules and regulations as they may, respectively, deem necessary or expedient for the conduct of the departments and staff under their respective direction and control, not inconsistent with this Article or Town personnel policies, and except as otherwise provided by law. (b) The head of each department may likewise prescribe such rules and regulations as he may deem necessary or expedient for the proper conduct of the department and for making effective the provisions of law not inconsistent with Town personnel policies or the general rules and regulations prescribed by such boards. (S.A. 444 § 13, 1939.) (Char. Rev. 11/4/1975, eff. 1/1/1978; RTM, 6/12/2006; RTM, 3/13/2017.) **Sec. 224. Reports required.** (a) All boards appointed by the Representative Town Meeting, and all elective officers except Constables, shall prepare and submit to the Representative Town Meeting an annual report of the operations of their several departments and offices. Such reports shall be compiled and published under the supervision of the Board of Estimate and Taxation. (b) The head of each department shall make to the board having the direction and control of such department an annual report of the operations thereof and may, at any time, be required to make any special reports concerning such department. (S.A. 444 § 14, 1939.). **Sec. 225. Bonds required**. The Town Treasurer, Comptroller, Tax Collector, Commissioner of Public Works, Commissioner of Human Services, and all other persons receiving or disbursing the Town's funds shall, except as otherwise provided by special enactment, each give to the Town, upon assuming office and before receiving any Town funds, a bond with a surety company of good standing as a surety thereon, approved as to their respective amounts and as to the respective sureties thereon by the Board of Estimate and Taxation, conditioned for the faithful discharge of the duties of the office of the official giving such bond. The Tax Collector shall give such bond before he receives any tax warrant. The premiums on such bonds shall be paid by the Town Treasurer upon order of the Selectmen. (S.A. 347 § 9, 1921; as amended by S.A. 71 § 3, 1955; RTM, 3/12/1972; RTM, 3/13/2017.). **Sec. 226. Office of Purchasing; procedure.** (a) There shall be an Office of Purchasing under the Purchasing Agent, who shall be appointed and removed by the Selectmen. With the exception of the services of officers and employees of the Town and professional services, all purchases shall be made and all services shall be secured through the Purchasing Agent and by such means and under such procedures as will, so far as practicable, insure competition and the

lowest costs consistent with equal quality of goods and services. (b) The provisions hereof shall not apply to such purchases and services as may be excluded from the operation hereof by written direction of the Board of Education to the Purchasing Agent and Comptroller. (S.A. 444 § 36, 1939; as amended by S.A. 71 § 4, 1955; RTM, 3/13/1972.). **Sec. 227. Personal interest disclosure**. No purchase shall be made nor shall services, other than the services as officers and employees of the Town, be secured from any officer or employee of the Town, or from any partnership or corporation of which such officer or employee is a partner or officer, unless such relationship and the fact that such purchase is contemplated shall be made known in writing to the board or officer making such purchase, and notice thereof posted, for at least five (5) days before such purchase be made, in the office of the board or officer making such purchase. (S.A. 444 § 37, 1939.). **Sec. 228. Contracts in triplicate.** All written contracts entered into by any party with the Town shall be made in triplicate. One (1) copy of such contracts shall be filed in the Office of the Comptroller. (S.A. 347 § 11, 1921.).

Sec. 229. Police Department; Commission. (a) The Town shall maintain a Police Department for the Town, which shall be under the supervision and control of the First Selectman. (b) The Board of Selectmen may make rules and regulations for the Police Department and for the discipline of the members of the police force. (S.A. 194 § 14, 1931; as amended by S.A. 435, 1937; S.A. 71 § 6, 1955.) (Char. Rev. 11/4/1975, eff. 1/1/1978.)

Sec. 230. Police Department personnel. (a) The Board of Selectmen may make an appointment to fill any vacancy in the office of the Chief of Police whenever it may occur. The Chief of Police may, subject to the approval of the First Selectman appoint members of the police force together with the officers thereof and fill any vacancies occurring therein, and promote or demote any member of the force, except that appointment of a deputy shall be subject to the prior approval of the Board of Selectman. (b) Each member of the Police Department and any officer thereof shall have power to serve warrants alleging the commission of any criminal offense and to arrest for crime within the limits of the Town. (c) The First Selectman may, after hearing, fine, suspend or expel any member of the Department who is found inefficient, not qualified for his duties, guilty of insubordination or breach of discipline or of the rules and regulations of the Department or conduct unbecoming an officer thereof. Any such members and officers who shall be removed may appeal from the decision of the First Selectman to the Court of Common Pleas. (d) No person shall be appointed a member of the Police Department unless he is of good moral character and habits and has not attained the thirty-first (31) anniversary of his birth and has passed such mental and physical examination as may be required by the First Selectman. (S.A. 194 § 14, 1931; as amended by S.A. 435, 1937; S.A. 71 § 6, 1955; RTM 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.)

Sec. 231. Police Department; appointments of special officers. The Board of Selectmen may appoint or employ such number of Special Police Officers as they may deem necessary to preserve the public peace within the limits of the Town. Such Special Police Officers, during the time for which they shall be appointed, shall have all the powers which constables by law have to serve criminal process and make arrests for crime, and may be paid for their services by the Town. (S.A. 350, 1907; as amended by S.A. 71 § 7. 1955.) (Char. Rev. 11/4/1975, eff. 1/1/1978.)

Sec. 232. Police Department appropriations. Appropriations shall be made for the Police Department in the same manner as for the other departments of the Town and commitments against such appropriations shall be signed by the First Selectman. (S.A. 194 § 14, 1931; as amended by S.A. 71 § 6, 1955; RTM, 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.)

Sec. 233. Fire Department; supervision. (a) The Town shall maintain a Fire Department for the Town, which shall be under the supervision and control of the First Selectman. The Board of Selectmen may make rules and regulations for the Fire Department and for the discipline of the members thereof. (b) The Board of Selectmen may make an appointment to fill any vacancy in the office of Fire Chief whenever it may occur. The Fire Chief, subject to the approval of the First Selectman, may appoint paid members of the Fire Department together with the paid officers thereof and fill vacancies occurring therein, and promote or demote any paid member of the Department, except that the appointment of a deputy shall be subject to the prior approval of the Board of Selectmen. (c) The First Selectman may, after hearing, fine, suspend or expel any paid member of the Department who is found inefficient, not qualified for his duties, guilty of insubordination or breach of discipline or of the rules and regulations of the Department or conduct unbecoming a member thereof. Any such member who is removed may appeal from the Selectmen to the Court of Common

Pleas. (d) Appropriations shall be made for the Fire Department in the same manner as for the other departments of the Town and commitments against such appropriations shall be signed by the First Selectman. (S.A. 194 § 13, 1931; as amended by S.A. 71 § 5, 1955; RTM, 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.). **Sec. 234. Special Fire Police; appointment.** (a) The Board of Selectmen may also appoint such Special Fire Police as they may deem necessary to act in conjunction with the Fire Department and under the general supervision of the Fire Chief and also to act as Special Police whenever their services may be required. The Board of Selectmen shall make such rules and regulations as may be necessary for the government, control and maintenance of the Special Fire Police. (b) Any provision of the General Statutes to the contrary notwithstanding, the Board of Selectmen may appoint as such Special Fire Police any non-resident of the State who is a member of the Banksville Independent Fire-Police Company, Incorporated. (S.A. 194 § 13, 1931; as amended by S.A. 71 § 5, 1955; S.A. 106, 1955.) (Char. Rev. 11/4/1975, eff. 1/1/1978.). **Sec. 235. Law Department.** (a) The head of the Law Department shall be the Town Attorney, who shall be an attorney at law, admitted to practice in all courts of the State, and who shall have practiced law in the State for at least five (5) years. He shall be the legal adviser of, and attorney and counsel for, the Town government and all departments and officers thereof, in matters relating to the Town's interests or their official powers and duties, and shall provide through the office organization all legal services required. The Town Attorney shall be charged with the prosecution of all legal actions for the collection of taxes and other debts and charges due the Town and for the enforcement of any forfeiture or penalty or any other right or claim of the Town or the restraint of any wrong or injury thereto. He shall, on request, prepare all ordinances, resolutions, contracts, bonds and other instruments in writing in which the Town is concerned. (b) No other Town official or other agent of the Town shall obligate the Town for legal services. No payment for legal services shall be made except through the Law Department from the appropriations therefor. (S.A. 444 § 35, 1939; as amended by RTM, 4/16/1974.). **Sec. 236. Traffic Authority; Town property.** The Board of Selectmen shall have the same authority with respect to the control of traffic and parking on any property owned by the Town or leased to it as it has with respect to the control of traffic and parking on the public highways in the Town. In the case of property exclusively under the control of any board or commission which is not subject to the administrative control of the First Selectman, such authority shall only be exercised with the consent of such board or commission. (S.A. 406 § 1, 1953.) (Char. Rev. 11/4/1975, eff. 1/1/1978.). **Sec. 237. Traffic Authority; private property.** The Board of Selectmen may, with the consent of the owner or owners, exercise authority over traffic and parking with respect to any property owned by the Housing Authority of the Town or by any other person. (S.A. 406 § 2, 1953.) (Char. Rev. 11/4/1975, eff. 1/1/1978.) **Sec. 238. Traffic Authority; penalties.** The Board of Selectmen, acting as the Police Commission, shall have authority by ordinance to provide that any person, firm or corporation violating any ordinance or by-law, or any rule or regulation adopted pursuant thereto, relating to traffic or parking in the Town, shall be fined such amount as may be specified therein, not exceeding One Hundred Dollars ($100.00). In any case involving a vehicle parked in violation of any such prohibition or restriction of parking, a police officer or such other official sworn to perform such duties by the Board of Selectmen shall serve upon the operator of vehicle, by delivering to him personally, or by attaching to such vehicle, a notice of parking violation directing such operator to pay the fine authorized by ordinance, by-law, rule or regulation within such time as may be specified in such notice. When any person receives such notice, he may comply therewith and pay to the Town, at the Department of Parking Services, such sum as may be specified in such notice, and that no summons or warrant for arrest shall be issued for any such violation prior to the expiration of such period, nor thereafter, if such operator has complied with such notice and paid the sum within the period.

[19] **Bristol Charter Sec. 16(a)**

[20] **Meriden Charter C4-2**: The Mayor shall be an ex officio member and the presiding officer of the City Council and shall call it to order. He/she shall not have a vote on any matter voted upon by the Council except that, in those situations in which the City Council vote results in a tie, the Mayor shall cast the tie-breaking vote. Notwithstanding the foregoing, the Mayor shall in no event have a vote on any zoning matter or on any matter related to the appointment, suspension or removal of the City Manager. The Mayor shall be recognized as the official head of the Town for ceremonial purposes and military purposes. He or she shall keep informed on City matters and may make reports and recommendations to the City Council

and electors of the City on matters of legislative concern and general town policy. The Mayor may recommend and introduce such ordinances, resolutions, motions and other measures to the City Council as he/she may deem necessary or expedient. The Mayor may attend any meeting of any board, commission or other governmental body of the City and shall receive such advance notification of any such meeting as is given to the members of said bodies. He or she shall have the full right of participation in discussions but shall not have the right to vote. The Mayor, as directed by the City Council, shall appoint such special subcommittees of the City Council as are required but shall in no way have the power to make appointments which are the responsibility of the City Council or Manager, except as provided in § **C3-3J**. The Mayor shall have the power to veto any ordinance, legislative resolution or appropriation adopted by the City Council by returning the same to the City Council within seven calendar days following the adoption of such ordinance, legislative resolution or appropriation with a veto statement in writing of his/her objection thereto. If the City Council by a vote of 2/3 of the entire membership at a special meeting or the next regularly scheduled meeting shall approve said ordinance, legislative resolution or appropriation, it shall thereupon be effective as so originally adopted. Notwithstanding the foregoing, the Mayor shall have no authority to veto any zoning matter or any matter related to the appointment, suspension or removal of the City Manager. The Mayor may affirmatively waive in writing his/her veto authority as to any individual matter voted upon by the City Council.

[21] **West Haven Charter, Chapter II, Sec. 5**.

[22] **West Haven Charter, Chapter IV, Sec. 2**.

[23] **West Haven Charter, Chapter III, Sec. 4(c)**.

[24] **Milford Charter, Article III, Sec. 4 Board of Aldermen—Organization generally; chairman as acting Mayor in absence of same.** [Referendum of 11-5-1963; Referendum of 11-8-1966] "The Board of Aldermen shall meet to organize on the second Tuesday following its election. It shall elect from its membership a chairman, who shall preside at all meetings of the Board of Aldermen. The Chairman of the Board of Aldermen shall have the powers and discharge the duties of the Mayor during the absence of the Mayor or when the Mayor is unable to perform the duties of his office." See also, **Article II, Sec. 8 - Investigation of departments, etc; power of Board of Aldermen.** "The Board of Aldermen shall have the power to investigate any and all departments, offices and agencies of the City and for such purposes shall have the power to issue subpoenas. The Board of Aldermen may request any judge to issue a capias for the appearance of witnesses and production of books and papers".

[25] **Stratford Charter Section 2.2.1**.

[26] **Stratford Charter Section 2.1.5 – Council Chair;** See also, **Section 2.2.15 - Power to Investigate and Procure Information.** "The Council shall have the power to investigate town affairs. In exercising this power, the Council shall have the power to require any town elected or appointed official, officer, director, department head, or employee to furnish the Council or its designee all information, contracts, reports, papers, documents, records, or other material which is in the possession of the elected or appointed official, officer, director, department head, or employee, and which, in the opinion of the Council is necessary to enable the Council to discharge the duties imposed upon it by this Charter, or to properly and completely investigate town affairs. It is hereby made a duty and obligation of all town elected or appointed officials, officers, directors, department heads, and employees to provide the Council with the requested information, contracts, reports, papers, documents, records, or other material when so required by the Council. Notwithstanding any other provision of this Charter, the Council shall have the right to appropriate funds, either by way of the budget or by special appropriation, to fund any costs and expenses which may, in the opinion of the Council, be necessary, proper and required to conduct the investigation or to procure any information, contracts, reports, papers, documents, records, or other material" [Amended 11-4-2008]. See also, **Section 1 1.2.5 – Mayoral duties:** "Attendance at Council meetings with full right of participation in the discussions and deliberation of the Council, but without the right to vote on ordinances and resolutions except in the event of a tie vote of 5-5" [Amended 11-4-2008].

[27] **Stratford Charter Section 32.1.A – Limits.** "Elected Councilmen for the Town of Stratford shall be limited to serving three two-year consecutive terms and elected members of the Planning Commission, Zoning Commission, Board of Zoning Appeals and the Board of Education shall be limited to one four-year term."

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[28] **Stratford Charter Section 5.1.1 – Chief Administrative Officer:** "The Chief Administrative Officer (CAO) shall be the chief administrative officer of the Town. As such, he or she shall possess, have and exercise the administrative powers as directed by the Mayor or Acting Mayor, except as otherwise limited by this Charter, state law and/or federal law" [Amended 11-4-2008]. See also, **Section 5.1.2 - Appointment of Chief Administrative Officer.** "The CAO shall be appointed and may be removed or suspended, with or without pay, by the Mayor. The qualifications of the CAO shall be a Master of Business Administration degree, Master of Public Administration degree, or such other education, general executive and administrative experience and ability as are necessary to perform the duties of the office. The CAO shall be appointed on the basis of such factors including, but not limited to, education, municipal and public experience, professional training, and executive and administrative qualifications, and shall be considered an "at will" employee" [Amended 11-4-2008]; See also, **Section 5.1.3 - Conflicts of Interests:** "The CAO shall devote his or her entire time and business interest to the management of the town's affairs and shall not, during his or her term of office, be an employee of or perform any executive duty for any person, firm, corporation or institution other than the Town of Stratford" See also, **Section 5.1.4 - Powers and Duties:** "The Chief Administrative Officer shall have the powers and duties hereinafter enumerated and shall be directly responsible to the Mayor for the proper administration thereof: **1.** To recommend to the Mayor adoption of such measures as he or she may deem necessary or expedient; **2.** To assist the Mayor in the submission to the Council of the Annual Budget as by this Charter required; **3.** To perform such other duties as may be prescribed by this Charter or required of him or her by the Mayor; **4.** To assist the Mayor in all aspects of labor negotiations, personnel issues, financial management, and any other field of public administration commensurate with his or her knowledge and experience."

[29] **East Hartford Charter Sec. 3.1**.

[30] **East Hartford Charter Sec. 3.2**. See also, Sec. **3.7 Investigation.** "The Town Council shall have the power to investigate any and all departments, offices and agencies of the town and for such purposes shall have the power to call witnesses to appear before the Council to testify on any matter under investigation. There shall be a committee of the Council on investigations and audits, including proportionate minority representation, and such committee shall employ a certified public accountant to develop under its direction a regular council audit program in addition to the independent audit and may employ such other investigatory services as it deems necessary. If any nonelective officer or employee of the town who, upon receipt of adequate notice and opportunity, fails to appear or refuses to testify when so called by the Council, such refusal or failure shall be deemed to be grounds for dismissal from said office or position.

[31] Wallingford Charter, Chapter IV, Sec. 2; See **also,** Section 10. Investigation: "The Council, by a vote of at least three (3) members, shall have power to investigate any and all departments, offices and agencies of the town." See also, Chapter VII, Sec. 4. Hiring of Outside Counsel: "**Outside attorneys may be employed(a) if participation in the matter by the Department of Law would constitute a violation of the code of professional conduct; (b) if the matter involves a dispute between departments, officers, agencies, boards or commissions of the town; (c) if the matter involves complex or highly specialized legal issues; or (d) if their employment is necessary to assure the timely prosecution or defense of the legal matter of the town. No agency, officer, employee, board, or commission of the town, while acting in an official capacity, shall employ an outside attorney without the prior approval of the Department of Law, except that the Council may, at its discretion, appoint outside counsel to represent the Council on its business."**

[32] **Shelton Charter, Sec. 2.4.1(b)**

[33] **Shelton Charter, Sec. 4.2.** See also, **Sec. 4.6. - Investigation.** "The Board and each committee of the Board granted such authority, shall have the power to investigate any matter concerning the City and the public interest and well-being and to call witnesses to appear before the Board to testify on any matter under investigation by the Board."

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[34] Wallingford Charter, Chapter IV, Sec. 2; See **also,** Section 10. Investigation: "The Council, by a vote of at least three (3) members, shall have power to investigate any and all departments, offices and agencies of the town." See also, Chapter VII, Sec. 4. Hiring of Outside Counsel: "**Outside attorneys may be employed(a) if participation in the matter by the Department of Law would constitute a violation of the code of professional conduct; (b) if the matter involves a dispute between departments, officers, agencies, boards or commissions of the town; (c) if the matter involves complex or highly specialized legal issues; or (d) if their employment is necessary to assure the timely prosecution or defense of the legal matter of the town. No agency, officer, employee, board, or commission of the town, while acting in an official capacity, shall employ an outside attorney without the prior approval of the Department of Law, except that the Council may, at its discretion, appoint outside counsel to represent the Council on its business."**
[35] **Shelton Charter, Sec. 2.4.1(a) and (b**)
[36] Norwich – 2 term limit for Mayor Chapter V, Sec. 1(a)
[37] Exception under C.G.S.§ 9-167a applies so there is no minority party representation on City Council. There is on the RT<
[38] **Torrington Charter, Sec. C4-2**. **Sec. C4-4 - Investigatory power.** "The Board of Councilmen may compel any City board, commission, committee, or any member thereof, or any City official or City employee to furnish it with any information or materials which would be of assistance to it in the performance of its functions."
[39] **Naugatuck Charter, Sec. 6.1**
[40] **Naugatuck Charter, Sec. 11.**

FAIRFIELD CHARTER REVISION COMMISSION: BACKGROUND DOCUMENT #7
DRAFT CHIEF OPERATING OFFICER (FEBRUARY 25, 2022)

SECTION 5-6: THE CHIEF OPERATING OFFICER - GOVERNMENT ADMINISTRATION AND OPERATIONS[1].

A. Appointment of the Chief Operating Officer. The Mayor shall appoint the Chief Operating Officer as set forth in §8-2.A of this Charter. The Chief Operating Officer shall serve a term conterminous with the Mayor who appoints said Officer and, notwithstanding the provisions of §8-2.B of this Charter, the Mayor may commence removal proceedings in accordance with the provisions of §3-10 of this Charter.

B. Qualifications. The Chief Operating Officer shall be appointed on the basis of education and experience in the accepted competencies, practices and credentials of local government management in accordance with best practices as set forth by the International City/County Management Association ("ICMA"), National League of Cities ("NLC"), Connecticut Conference of Municipalities ("CCM"), United States Conference of Mayors National Association of Counties ("NACO"); or, Government Finance Officers Association ("GFOA") or any successor organizations thereto.

(1) Ordinance. The Mayor, upon the recommendation of the Director of Personnel, is required to recommend an ordinance, which may be modified from time to time in accordance with the standards established in this Charter, which establishes the job description and qualifications for the Chief Operating Officer. Said Ordinance shall establish academic qualifications which may include but not be limited to at least a master's degree with a concentration in public administration, public affairs, or public policy as well as experience levels in appointed managerial or administrative position in a municipal government.

(a) Transition Provision Pertaining to the Ordinance. The shall propose said Ordinance on or before the 1st Day of January 2022. In the event the Mayor has not submitted said Ordinance by that time, the Legislative Council on its own motion is required to proceed with the adoption of the initial ordinance, with the assistance of the Director of Human Resources on or before March 1, 2022. The position shall be advertised on or before March 10, 2022. This Charter requires appointment of the initial Chief Operating Officer to be no later than July 1, 2022.

(2) Conflicts of Interest. The Chief Operating Officer shall devote his or her entire time and business interest to the management of the town's affairs and shall not, during his or her term of office, be an employee of or perform any executive duty for any person, firm, corporation or institution other than the Town.

C. Powers and Duties. The Chief Operating Officer shall be the chief operating officer of the Town, who shall report directly to the Mayor as the Chief Executive Official of the Town in accordance with the General Statutes. In this respect, the Chief Operating Officer shall:

[1] NEW (Charter Revision of 2011).

(1) Perform such duties as the Mayor may from time to time determine, in addition to those set forth in this Charter and Ordinances. These duties may include administrative and supervisory responsibilities within the authority and under the supervision of the Mayor in respect to any and all personnel and management functions provided for in the approved budget, but reserving always to the Mayor and the Legislative Counsel the final responsibility for policy and for review of viewpoints which department heads and other members of the staff may desire to bring before the Mayor.

(2) Manage, administer, supervise and perform, under the authority of the Mayor all

(a) Operational municipal functions related to, but not necessarily limited to, public works, traffic, parks and recreation, planning, zoning and environmental protection;

(b) Police, fire, health, social services, rescue, emergency medical service and emergency management and, unless otherwise provided by state or federal law, shall be responsible for the oversight of all municipal functions related to the abatement and management of environmental contamination. In doing so, the town Administrator shall be responsible for the supervision of the activities of the Chief of Police and the Fire Chief, and, unless otherwise prohibited by state law, shall be responsible for the functions of the Fire Department and the Office of Emergency Management; and,

(c) Municipal functions related to, but not necessarily limited to, finance, tax assessment and collection, economic development and information technology.

(3) Recommend to the Mayor adoption of such measures as he or she may deem necessary or expedient;

(4) Assist the Mayor in the submission to the Council of the Proposed Town Budget as by this Charter required;

(5) Perform such other duties as may be prescribed by this Charter or required of him or her by the Mayor or by Ordinance;

(6) Assist the Mayor and Board of Education in all aspects of labor negotiations, personnel issues, financial management, and any other field of public administration commensurate with his or her knowledge and experience.

FAIRFIELD CHARTER REVISION COMMISSION: BACKGROUND DOCUMENT #8
MISCELLANEOUS ISSUES (MARCH 10, 2022)

Minority Party Representation.

Relevant Charter Provisions.

Recommendation: Based upon the following information, I believe that the Charter should simply establish a standard that complies with C.G.S. §9-167a. In every case, with the possible exception of the confusion between the two Board of Education provisions, the Charter currently complies with state law and there doesn't appear to be any reason why this should not continue.

The General Rule for Elected Officials and Boards and Commissions. The Charter contains several provision that address the issue of minority party representation. First there is §2.6 entitled **"Minority representation on elected boards and commissions."** The following bulleted provisions set forth the general rules, which appear to set the "bare majority" standard:

- **Even number requirements** (§2.6.A)[1]: "…when an even number of members of a board or commission is to be elected, no political party shall nominate, and no elector shall vote for, more than one-half (1/2) the number of persons to be elected.

- **Uneven number requirements** (§2.6.B)[2]**:** "…when an uneven number of members of a board or commission is to be elected, no political party shall nominate, and no elector shall vote for, more than a bare majority of the number of persons to be elected.

Both of these provisions are derived from the 1997 and 2006 Charters. They do not appear to rooted in any of Fairfield's Special acts.

With to the Board of Education (§2.6.C)[3] each political party is entitled to "nominate, and each elector may vote for, the full number of candidates to be elected." The Charter states that "In the event that more than two (2) candidates, in an election year when four (4) candidates are to be elected, or more than three (3) candidates in a year when five (5) candidates are

[1] Recodification of current Article II, §2.2.A (2006). Derived from Article II, §2.2.A of the 1997 and 2006 Charters.
[2] Recodification of current Article II, §2.2.B (2006). Derived from Article II, §2.2.B of the 1997 and 2006 Charters.
[3] Recodification of current Article II, §2.2.C (2006). Derived from Article II, §2.2.C of the 2006 Charter.

to be elected, receiving the highest number of votes belong to the same political party, the two (2) candidates of four (4), or the three (3) candidates of five (5), receiving the highest number of votes shall be declared elected and the two (2) candidates not of the same political party receiving the highest number of votes shall also be declared elected."

I believe that verbiage translates into the following chart:

Number of candidates to be elected	Maximum number elected with highest number of votes	Number of candidates "not of the same political party" with highest number of votes
4	2	2
5	3	2

Again, the Board of education provisions seems to have its foundation in the 2006 Charter.

The following chart addresses the specific provisions pertaining to "minority party representation" for the elected Boards and Commissions:

Entity	Number of Members	Maximum from same party	Standard
Board of Selectmen (§2.7) [4]	3	2	C.G.S. §9-167a Bare Majority[A]
Board of Education (§6.2) [5]	9[6]	6	C.G.S. §9-167a (2/3rds)[B]
Board of Finance (§6.3) [7]	9	6	C.G.S. §9-167a

[4] Recodification of current Article VI, §6.1.A (2006). Derived from Article VI, §6.1.A of the 1997 Charter.
[5] Derived from Chapter XIX of the 1947 and 1956 Acts; and Chapter XX of the 1975 Charter. Formerly §8.2
[6] Recodification of current Article VIII, §8.2.A (2006). Derived from Article VIII, §8.2.A of the 1997 Charter. Note: The reference to the 1947 and 1956 Special Acts does not refer to the composition of the Board of education. Chapter XIX of the 1947 Charter simply "continues" the Board of Education in existence at the time. Moreover, it refers to Chapter II of the 1947 Special Act to address the issue of election. In Chapter II, Section 1 a six-member board of education is established subject to provisions that strongly imply a "bare majority" standard for the composition of the Board, as follows: "When the number of members of a board or of officers to be elected shall be even, no political party shall nominate and no person shall vote for more than one-half the number to be elected and if the number to be elected shall be uneven, no political party shall nominate and no person shall vote for more than an bare majority of the number to be elected." The Special Act seemed to be straining in the direction of a "bare majority" standard; although as we shall see there was an exception for the Board of Finance.
[7] Recodification of current Article VIII, §8.3.A (2006). Derived from Chapter XVII, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article

			(2/3rds)
Board of Assessment Appeals (§6.4) [8]	5	4	C.G.S. §9-167a[C]
Town Plan and Zoning Commission (§6.5.A)[9] (§6.5.B) [10]	7	5	C.G.S. §9-167a[D]
• Alternates	3	2	C.G.S. §9-167a
Zoning Board of Appeals (§6.6.A) [11] + [12]	5	4[13]	C.G.S. §9-167a
• Alternate	3	2	C.G.S. §9-167a

The General Rule for Permanent Appointed Boards and Commissions: "Bare Majority"[14]. As set forth in §7.2 of the Charter entitled "Minority representation on permanent appointed boards and commissions" there is a "bare majority" standard that applies to appointed board members and commissioners, as follows: "No more than a bare majority of the

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VIII, §8.3.A of the 1997 Charter. See also, Chapter II, §4(c) of the 1947 and 1956 Acts.

[8] Recodification of current Article VIII, §8.4.A (2006). Derived from Article VIII, §8.4.A of the 1997 Charter. **Please note the language of §6.4.A:** "The Board of Assessment Appeals shall consist of five (5) members, to be *elected in accordance with Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.)'"* **Further note the reference to C.G.S. §9-164** is significant because C.G.S. §9-167a "minority representation" falls within the territory of the "et seq" portion of the Charter citation.

[9] Recodification of current Article VIII, §8.5.A (2006). Derived from Chapter XI, §1 of the 1947 Act, which established five members. The October election date was retained in §12 of the 1951 Act and reaffirmed by Chapter XI, §1 of the 1956 Act and the 1975 Charter; and, Article VIII, §8.5.A of the 1997 Charter. **Please note:** At the time of the 1947 Act Chapter XI, Sec. 1 had five members, subject to the following restriction: "Not more than three of the voting members shall be members of the same political party." In the 1956 Act the Commission was increased to seven members, subject to the following restriction: Not more than four of the voting members shall be members of the same political party." The bare majority standard was retained in the 1975 and 1997 Charter. The standard appears to have changed in 2006.

[10] Recodification of current Article VIII, §8.5.B (2006). Modification of Chapter XI, §2 of the 1947 Act. There was also an appeal to the court of common pleas in Chapter XI, §8 of the 1947 Act; further amended by §13 of the 1951 Act. The appeal to the court of common pleas was repeal by §14 of the 1951 Act. Reaffirmed by Chapter XI, §2 of the 1956 Act and the 1975 Charter; and, Article VIII, §8.5.B of the 1997 Charter. **Note:** Similar to the Board of Assessment Appeals the Charter relies on the General Statutes, as follows: "The Town Plan and Zoning Commission shall have all the powers and duties conferred by this Charter, by ordinance, and on zoning commissions and planning commissions generally by Chapter 124 and Chapter 126 of the General Statutes (C.G.S. §8-1 et seq. and §8-18 et seq.)." In Title 8, there is an explicit reference to C.G.S. §9-167a.

[11] Modification of Chapter XII of the 1947 and 1956 Acts and 1975 Charter.

[12] Recodification of current Article VIII, §8.6.A (2006). Derived from Article VIII, §8.6.A of the 1997 Charter.

[13] The current "minority party" standard was not included in Chapter XII §2 of the 1947 and 1956 Acts: "Not more than three members of said board shall be members of the same political party." The standard was increased to "four" in Article IX, §8.6.A of the 1997 Charter and has continued thereafter.

[14] Recodification of current Article III, §3.2 (2006). Derived from Article III, §3.2 of the 1997 Charter.

members of a permanent appointed board or commission shall be members of the same political party. This shall not apply to persons required to serve on a particular board or commission by virtue of holding another position or office in the Town."

The State Statutory Standard.

The General Rule[E]. Under the laws of the State of Connecticut, with exceptions that I will address there is requirement pertaining to "minority representation." In essence the law places a "maximum number" on the representation of any political party members[F] who may serve on any elective or appointive "board, commission, legislative body, committee or similar body of the state or any political subdivision thereof[G]." Fairfield is a political subdivision of the state of Connecticut. In effect, it sets a cap on the number of members from one party, usually the majority party, as follows:

Column I Total Membership	Column II Maximum Number from One Party
3	2
4	3
5	4
6	4
7	5
8	5
9	6
More than 9	Two-thirds of total membership

Exceptions to the Rule. The provisions of C.G.S. §9-167a shall not apply in the following circumstances:

- Where the members of "any such board, commission, committee or body whose members are elected wholly or partially on the basis of a geographical division of the state or political subdivision[H],
- Where there is a "legislative body of a municipality (i) having a town meeting as its legislative body: or under the circumstance *"for which the charter or a special act, on January 1, 1987, provided otherwise* (Emphasis added since this issue will be discussed, below)[I],
- Where "the city council of an unconsolidated city within a town and the town council of such town if the town has

a town council and a representative town meeting, the town charter provides for some form of minority representation in the election of members of the representative town meeting, and the city has a city council and a body having the attributes of a town meeting[J]", or

- Where there is a "board of directors and other officers of any district, as defined in section 7-324, having annual receipts from all sources not in excess of two hundred fifty thousand dollars[K]."

Framework[L]. The statute establishes a protocol for addressing this issue. Prior to the election or appointment, as the case may be, the Municipal Clerk, in the case of an election and the Appointing Authority[M], in the case of an appointment "shall determine the maximum number of members of any political party who may be elected or appointed to such body at such election or appointment." The manner for determining the "maximum number" follows:

> "From the number of members of one political party who are members of such body at the time of the election or appointment, subtract the number of members of such political party whose terms expire prior to the commencement of the terms for which such election or appointment is being held or made and subtract the balance thus arrived at from the appropriate number specified in column II of [C.G.S. §9-167a(a)]."

The mechanics are further set forth in C.G.S. §9-167a(c)[N] and (d)[O].

Additional Exception to the Rule: A Greater Degree of Minority Representation[P]. The law permits a municipality to include in their charter a standard "which provides for a greater degree of minority representation that is provided by this section": "Nothing in this section shall be construed to repeal, modify or prohibit enactment of any general or special act or charter which provides for a greater degree of minority representation than is provided by this section[Q]."

Constables.

Relevant Charter Provisions.

Recommendation: I have no specific recommendation. On the other hand, it has been recommended to reduce the number of Constables from seven to four and that consideration should be paid to appointing such Constables for a term of years with a cap on service.

Constables: Seven elected for two-year terms. The Charter contains several provision that address the creation of the position of Constable. §2.3.C establishes "**Elected Town Officials and their Terms of Office[15]."** §2.3.C(1) sets for the terms of office under a provision entitled **"Officials elected every four years and their terms[16],"** although please note that the terms in both sub-sections (1) and (2) include a variety of terms. In that section the Charter establishes seven (7) Constables subject to a term of two (2) years. The position of Constable is further addressed in §5.2 entitled "Other Elected Officers" which establishes the position of seven (7) Constables[17]. Curiously, the only reference to its functions are contained in sub-section B:

- **Powers and duties (§5.2.B)[18]:** Such "powers and duties prescribed by the General Statutes."
- **Vacancies (§5.2.C)[19].** Vacancies shall be filled in the manner prescribed in Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.).

Constables are exempted from the "single office requirements" as set forth in 2.4.C and 7.1.C.

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[15] Recodification of current Article II, §2.3.B (2006).
[16] Recodification of current Article II, §2.3.C (2006).
[17] Derived from of Chapter II, §1 of the 1947 and 1956 Acts and the 1975 Charter; and Article VII, §7.2.A of the 1997 Charter. Note: At all times since 1947 there have been 7 constables.
[18] Recodification of current Article VII, §7.2.B (2006). Derived from Article VII, §7.2.B of the 1997 Charter.
[19] Recodification of current Article VII, §7.2.C (2006). Derived from Article VII, §7.2.C of the 1997 Charter.

- **§2.4.C Single office requirement for elected Town office**[20]. No person shall be eligible to hold any elected Town office, including membership on any elected board or commission, who is at the same time an elected RTM member, an elected or appointed Town officer, an elected state official, or a member of an elected board or commission or a permanent appointed board or commission. For purposes of this paragraph, the term "Town office" does not include Justices of the Peace or Constables, but does include members of the Board of Education.

- **§7.1.CSingle office requirement for appointed office**[21]**.** Except as otherwise provided in Sections 10.7, 10.9, 10.10, and 10.13 of this Charter, no person shall be eligible to hold any appointed Town office, including membership on any permanent appointed board or commission, who is at the same time an elected RTM member, an elected or appointed Town officer, an elected state official, or a member of an elected board or commission or permanent appointed board or commission. For purposes of this paragraph, the term "Town officer" does not include Justices of the Peace or Constables, but does include members of the Board of Education.

On December 30, 2021 Town Attorney Baldwin reported on a series of discussions with the Chief Clerk of the Probate Court, Diane Auray, pertaining to the Probate Court's use of constables. As an outgrowth of the discussion several approaches were considered:

- **Reduce Constables from 7 to 4:** Due to the lack of work a reduction of the number of constables to four from seven was recommended. Apparently the fees are limited to $60/service and spreading the work among seven constables and the occasional Marshall provides a disincentive. According to the Clerk there were only thirty-six times when service by a Constable was required.

- **Move Elected to Appointed Status.** For some reason the creation of the position of Constables (and some other local officials) is set forth in Title 9 of the General Statutes. The cap of seven Constables is set forth in C.G.S. §9-200. The provision includes a limitation on the number of candidates you may vote for as a back door approach to capping majority representation amongst the Constables, which is unusual since they don't vote on

[20] Recodification of current Article II, §2.1.C (2006). Derived from Article II, §2.1.C of the 1997 and 2006 Charters.
[21] Recodification of current Article III, §3.1.C (2006). Derived from Article III, §3.1.C of the 1997 Charter.

any matters as a body. Another provision C.G.S. §9-185 sets forth the standard for electing the following officials, unless there is a provision accounting for such officials under the Charter or any remaining effect provisions of the Special Acts:

- Board of Assessment Appeals
- Tax Collectors
- Boards of Education[22]
- Selectmen
- Constables
- Library Directors
- Town Clerks
- Registrars of Voters

Under this provision the municipality has the option to appoint "a constable or constables "in lieu of constables to be elected under section 9-189;" see, C.G.S. §9-185(A). I would agree with the Town Attorney that appointment of Constables to their individual offices would not necessarily fall within the requirements of the Minority Party Representation provisions, whether they are elective or appointive do not constitute a "board, commission, legislative body, committee or similar body" of the Town of Fairfield.

From the perspective of the Probate Court the appointed Constables would be better suited to training and best practices pertaining to the service of "people who often have debilitating mental handicaps or physical disabilities." Form time-to-time the conduct of Constables has "reflected poorly upon the court".

If the CRC wants to move in this direction the General Statutes provide for appointment by the chief executive pursuant to an ordinance. Again, I do not believe that minority representation provisions apply. The appointments can be subject to a term which may be capped. The term of an elected official may not.

The Town Attorney also spoke with Tax Collector, Dave Kluczwski, who confirmed that his office does not use Constables and in the limited cases where they need to serve papers they use a State Marshal. The infrequency of use by the Tax Collector further informs the argument for reducing the number of Constables.

[22] subject to C.G.S. 10-223e

Commencement of Terms of Elected Officials and RTM

Relevant Charter Provisions.

Recommendation: It is not clear to me what the issue is with respect to Commencement of Terms.

The General Rule for Terms of Office for Elect Town Officials. Charter §2.3.B. entitled **"Commencement date of terms of Elected Town Officials.** The termsof office shall commence as follows:

(1) Elected Town Officials, including the RTM[23]: On the third Monday in November after their election and qualification and shall continue until their successors have been elected and qualified.

(2) Justices of the Peace[24]. On the first Monday in January after their nomination[25].

(3) Registrars of Voters[26]. On the Wednesday after the first Monday in January after their election.

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[23] Recodification of current Article II, §2.3.D (2006). **Note:** I've included the RTM on the commencement date based on my read of the current Charter. On the other hand, the issue of the commencement of the RTM term may be subject to interpretation based on the language that I have stricken in this provision. I have asked the Town Attorney to join the discussion on this matter.
[24] Recodification of current Article II, §2.3.E (2006).
[25] **Note:** Why "nomination"? I will review the JP statutes for guidance.
[26] Recodification of current Article II, §2.3.F (2006) (second clause).

Resignations and Vacancies[27]

Relevant Charter Provisions.

Recommendation: It is not clear to me what the issue is with respect to Commencement of Terms.

The General Rule for Vacancies in Elected Town Offices, including Boards and Commissions. Charter §2.5.A. addresses the issues of vacancies as follows:

- **Town Clerk[28], Board of Finance, Town Planning and Zoning Commission (including alternates), Zoning Board of Appeals, Board of Education[29], Board of Assessment Appeals, Zoning Board of Appeals (including alternates) (§2.5.A) [30]:** Filled by appointment of the Board of Selectmen until the vacancy can be filled by election.
    - **Vacancy prior to the time in which nominations can be made under Chapter 146 of the General Statutes (C.G.S. 9-164 et seq.) [§2.5.A(1) – First sentence)]. "**The vacancy shall be filled at the next Town election."
    - **Vacancy occurs after such time [§2.5.A(1) - Second sentence].** The vacancy "…may be filled at the next general election for which nominations can be timely made, or at a special election if convened by the Board of Selectmen or upon application by electors as provided in Chapter 146 of the General Statutes (C.G.S. § 9-

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[27] **Note:** See, C.G.S. 9-164
[28] Recodification of current Article VII, 7.1.H (2006). Derived from Article VII, §7.1.H of the 1997 Charter
[29] **Note Pertaining to the Board of Education:** I am assuming that the general provision covers the Board of Education. If not there might be a default to C.G.S. §10-219: "If a vacancy occurs in the office of any member of the local board of education, unless otherwise provided by charter or special act, such vacancy shall be filled by the remaining members of said board until the next regular town election, at which election a successor shall be elected for the unexpired portion of the term, the official ballot specifying the vacancy to be filled."
(1949 Rev., S. 1500, 1502; 1953, S. 950d; 1967, P.A. 173; P.A. 81-257, S. 2, 10.)
History: 1967 act added qualifying phrase "unless otherwise provided by charter or special act"; P.A. 81-257 made filling of vacancy mandatory rather than optional unless otherwise provided by charter or special act by substituting "shall" for "may".
See Sec. 9-1 for applicable definitions.
"Filling a vacancy" as used in section is an "appointment" within meaning of Sec. 1-18a(e)(1). 41 CS 267.
[30] Recodification of current Article II, §2.5. Derived from Chapter II, §7 of the 1947 Act; further amended by §4 of the 1951 Act and Chapter II, §7 of the 1956 Act; Chapter II, §6 and Article II, 2.5 of the 1997 and 2006 Charters.

164 et seq.)."

- **Vacancies Filled for the expired portion of the Term [§2.5.A(2)]:** "Vacancies shall be filled for a term ending at the same time the vacating member's term would have expired.

- **Political Party Affiliation [§2.5.A(3).** "If the person vacating the office was elected as a member of a political party, the vacancy shall be filled during the period of appointment from the membership of the same political party.

- **Long-term illness or disability of First Selectman (§2.5.B) [31].** In addition to the death or resignation of the First Selectman, a vacancy shall exist in the office of First Selectmanif the First Selectman is unable to carry out the duties of office for a period of four (4) consecutive months, as certified at the end of that period by the remaining Selectmen to the Town Clerk. The vacancy shall exist from the date of such certification.

- **Method of filling vacancies on the Board of Selectmen (§2.5.C) [32].** At any time a vacancy occurs on the Board of Selectmen, including First Selectman, a replacement, who shall be registered with the same political party as the person vacating the office, shall be designated by the remaining Selectmen. If the Selectmen designate one (1) of themselves to fill the vacancy, they shall designate another elector to fill the vacancy of Selectman so created. If the vacancy is not filled within thirty (30) days, the vacancy shall be filled in accordance with the procedure set forth in Chapter 146 of the General Statutes for filling vacancies in the office of selectman.

- **Resignation and vacancies on the RTM (§2.5.D) [33].**

  - Any member may resign by filing a written notice of resignation with the Town Clerk and such resignation shall take effect upon the date specified in the notice or, if none is specified, upon the date of filing.

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[31] Recodification of current Article VI, §6.3.A (2006). Derived from Article VI, §6.3.A of the 1997 Charter.
[32] Recodification of current Article VI, §6.3.B (2006). Derived from Article VI, §6.3.B of the 1997 Charter. See also, **Cook-Littman v. Board of Selectmen of the Town of Fairfield**, 328 Conn. 758,778 (Conn. 2018) in which the Court held that this provision took precedence over the provisions of C.G.S. §9-222.
[33] Recodification of current Article II, §2.6.G (2006). Derived from Chapter III, §7 of the 1947 and 1956 Acts and the 1975 Charter; and, Article II, §2.6.G of the 1997 Charter.

- Any vacancy in the office of RTM member from whatever cause arising shall be filled for the unexpired portion of the term at a special meeting of the members of the district in which the vacancy occurs, called for that purpose by the Town Clerk within thirty (30) days after the vacancy occurs.
- If the person previously occupying the office which is vacant was elected as a nominee of a political party, the vacancy shall be filled by a person registeredwith the same political party.
- The Town Clerk shall cause notice of the meeting to be deliveredto each member not less than three (3) days before the time set for the meeting.
- Such meeting shall elect its own chairman and clerk and shall vote by ballot. The election of a member as chairman or clerk shall not disqualify the member from voting.
- A majority of the remaining members from such district shall constitute a quorum, and a majority vote of those present shall elect.
- Each of the remaining members, including the chairman and clerk of the meeting, shall have one (1) vote.
- If for any reason such vacancy is not filled within a thirty-day (30) period, the Town Clerk shall report such vacancy to the Moderator and the matter of filling such vacancy shall be placed on the call of the next regular RTM meeting.
- A majority vote of members of the RTM present and voting on such vacancy shall elect.
- The successful candidate shall be deemed a duly qualified member for the remainder of the unexpired portion of the term upon filing with the Town Clerk a certificate of his election signed by the chairman of such special meeting of the district orby the Moderator of the RTM.

- **Constables and Justices of the Peace (§2.5.E; see also,§5.2.C)[34].** Vacancies in the offices of Constable and Justice of the Peace shall be filled in the manner prescribed in Chapter 146 of the General Statutes (C.G.S. § 9-164

[34] Recodification of current Article VII, §7.2.C (2006). Derived from Article VII, §7.2.C of the 1997 Charter.

et seq.).

- **Resigning from elected office (§2.5.E)** [35]**.** Any elected Town official, except the Town Clerk, may resign by submitting a written notice of resignation to the Town Clerk. The Town Clerk may resign by submitting a written notice of resignation to the Board of Selectmen. The resignation shall become effective on the date specified in the notice of resignation or, if no date is specified, onthe date the notice of resignation is submitted.

[35] Recodification of current Article II, §2.4 (2006).

[A] **§ 9-188. First selectman and selectmen. Election procedure. Dual candidacy prohibited. Minority representation; restricted voting. Tie vote.** Unless otherwise provided by law each town shall, at its regular municipal election, elect a first selectman, who shall be town agent unless otherwise provided by law, and two other selectmen or, in the case of any town having a population of ten thousand or more, not more than six other selectmen. The selectmen so elected shall constitute the board of selectmen for such town. Unless otherwise provided by special act, charter or ordinance the votes cast, including any valid write-in votes, for an unsuccessful candidate for first selectman shall be counted as votes for him as a member of such board, provided no elector may be a candidate for both the office of first selectman and that of selectman by virtue of nomination by a major or minor party or a nominating petition or registration of write-in candidacy, or any combination thereof. The provisions of section 9-167a shall apply to the election of selectmen, except that when the total membership of such board is five, the maximum number who may be members of the same political party shall be three, and provided that for the purpose of determining minority representation, the total membership of such board shall be deemed to include the first selectman, unless otherwise provided by special act or charter. Unless otherwise provided by special act, charter or ordinance, an elector shall not vote for more candidates for the office of selectman than a political party can elect pursuant to section 9-167a, provided that the number of such candidates that an elector can vote for shall be deemed to include the first selectman. If the electors fail to elect a first selectman at any election by reason of an equality of votes, such election for the office of first selectman and the election for selectmen shall stand adjourned and such adjourned election shall be held as provided in section 9-332. The ballots used in such adjourned election shall contain only the names of the candidates for the offices of first selectman and selectman which appeared on the ballot used in the election at which the tie vote resulted for the office of first selectman.

Source: (1949 Rev., S. 510, 515; 1949, S. 106b; 1953, 1955, S. 669d; P.A. 75-249; P.A. 76-173, S. 4; 76-363; P.A. 77-99; 77-578, S. 2, 3, 4; P.A. 79-484; P.A. 80-281, S. 12, 31; P.A. 83-475, S. 18, 43; P.A. 84-319, S. 27, 49; P.A. 11-20, S. 1.)

History: Amended by P.A. 11-0020, S. 1 of the 2011 Regular Session, eff. 5/24/2011.

Case Note: Annotations to former statutes: Whether under Art. 10, Sec. 2, of the constitution, the election of one selectman, only, is lawful. 32 C. 108. The plurality is of the ballots as actually cast, not as originally printed. 60 C. 352. Office of first selectman was created by Rev. St., 1875, Ch. 3, Sec. 2. 46 C. 549; 42 C. 463. History of section and of office of first selectman. 75 Conn. 460. Application to previous form of ballot. 91 C. 365; 102 C. 589; 104 C. 398; 105 C. 259. Cited. 130 C. 714. Election officials justified in refusing to permit plaintiff to vote for two candidates for first selectman. 135 C. 147. The clearly expressed intent of the legislature was that the principal of minority representation should control the results of special elections as well as those of regular elections. 143 Conn. 679.

Annotation to present section: Statute clearly states that unsuccessful candidate for office of first selectman may vie for place on the board; successful candidate for first selectman does not determine political affiliation of majority of board. 21 CS 482.
Conn. Gen. Stat. 9-188 First selectman and selectmen. Election procedure. Dual candidacy prohibited. Minority representation; restricted voting. Tie vote (General Statutes of Connecticut (2022 Edition)'
[B] § 9-204. Minority representation on board of education

(a) Unless otherwise provided by special act or charter provision, including the charter provisions described in subsection (b) of this section, when the number of members to be elected to the board of education for the same term at any election is even, no elector shall vote for more than half that number and when the number of members to be elected to the board of education for the same term at any election is odd, no elector shall vote for more than a bare majority of that number.

(b) Any charter which (1) provides for the election of the members of a board of education at one town election for the same term, (2) incorporates section 9-167a by reference to determine minority representation for such board of education and (3) makes no reference to the number of candidates for which an elector may vote for such board of education shall be deemed to have set the number of candidates an elector may vote for and the number of candidates who may be endorsed by any political party at the maximum levels specified in the table contained in subdivision (1) of subsection (a) of section 9-167a.

Source: (1949 Rev., S. 1500; 1953, S. 685d; P.A. 79-552; P.A. 86-333, S. 29, 32; P.A. 87-534, S. 1, 2.)
Case Note: Cited. 182 Conn. 111; 213 Conn. 216. Conn. Gen. Stat. 9-204 Minority representation on board of education (General Statutes of Connecticut (2022 Edition))

C **§ 9-199. Boards of assessment appeals. Alternate and additional members.** (a) Unless otherwise provided by law, each town shall elect a board of assessment appeals consisting of three members and shall elect such officers at regular municipal elections for terms of four years. Such members of the board of assessment appeals shall hold office for the term for which they are elected and until their successors are elected and have qualified. When the number of members of the board of assessment appeals to be elected by any town is even, no person shall vote for more than one-half the number, and when the number to be elected is odd, no person shall vote for more than a bare majority of the number, provided the legislative body of any town may provide that the electors of such town vote for the full number of members to be elected thereat, any provision of the special acts to the contrary notwithstanding. The candidates in number sufficient to fill such offices who have the highest number of votes shall be elected. Nothing in this section shall be construed to affect the method of rotation of members of a board of assessment appeals legally in effect on October 1, 1976.

(b) The legislative body of a municipality or, in the case of a municipality for which the legislative body is a town meeting or a representative town meeting, the board of selectmen may appoint an alternate for each member of the board of assessment appeals. Each alternate member shall be an elector of the municipality. When seated, an alternate member shall have all the powers and duties of a member of the board of assessment appeals.

(c) Notwithstanding the provisions of subsection (a) of this section or of any special act, municipal charter or home rule ordinance, a municipality may, by ordinance, authorize its legislative body to appoint additional members to the board of assessment appeals for any assessment year.

Source: (1949 Rev., S. 501, 502, 503, 515; 1951, S. 106b; 1953, S. 680d; P.A. 76-173, S. 7; P.A. 95-132, S. 4, 5; 95-283, S. 28, 68; P.A. 00-120, S. 11, 13; P.A. 02-49, S. 4; P.A. 10-84, S. 4.)

History: Amended by P.A. 10-0084, S. 4 of the February 2010 Regular Session, eff. 10/1/2010.

Cross Reference Note: See Sec. 9-167a re minority representation requirements.
Conn. Gen. Stat. 9-199 Boards of assessment appeals. Alternate and additional members (General Statutes of Connecticut (2022 Edition))
[D] **§8-1. Zoning commissions**. (a) Any municipality may, by vote of its legislative body, adopt the provisions of this chapter and exercise through a zoning commission the powers granted hereunder. On and after July 1, 1974, in each municipality, except as otherwise provided by special act or charter provision adopted under chapter 99, the zoning commission shall consist of not less than five nor more than nine members, with minority representation as determined under section 9-167a, who shall be electors of such municipality. The number of such members and the method of selection and removal for cause and terms of office shall be determined by ordinance, provided no such ordinance shall designate the legislative body of such municipality to act as such zoning commission, except that (1) in towns having a population of less than five thousand, the selectmen may be empowered by such ordinance to act as such zoning commission, (2) a legislative body which is acting as a zoning commission prior to July 1, 1974, pursuant to an ordinance, may continue to act as such zoning commission if such municipality has initiated a charter revision pursuant to section 7-188, prior to July 1, 1974, which revision proposes to designate such legislative body as the zoning commission, and such charter revision is approved as provided in section 7-191, and (3) a legislative body which is acting as a zoning commission prior to June 17, 1987, pursuant to a special act may continue to act as such zoning commission. The manner for filling vacancies arising from any cause shall be provided by vote of the legislative body.
Conn. Gen. Stat. 8-1 Zoning commissions (General Statutes of Connecticut (2022 Edition))

[E] See. C.G.S. §9-167a(a)(1).
[F] See. C.G.S. §9-167a(g), as follows: "For the purposes of this section, a person shall be deemed to be a member of the political party on whose enrollment list his name appears on the date of his appointment to, or of his nomination as a candidate for election to, any office specified in subsection (a) of this section, provided any person who has applied for erasure or transfer of his name from an enrollment list shall be considered a member of the party from whose list he has so applied for erasure or transfer for a period of three months from the date of the filing of such application and provided further any person whose candidacy for election to an office is solely as the candidate of a party other than the party with which he is enrolled shall be deemed to be a member of the party of which he is such candidate."
[G] See, C.G.S. §9-167a(f), as follows: "Nothing in this section shall deprive any person who is a member of any such body on July 1, 1960, of the right to remain as a member until the expiration of his term."
[H] See, C.G.S. §9-167a(a)(2)(A)
[I] See, C.G.S. §9-167a(a)(2)(B)
[J] See, C.G.S. §9-167a(a)(2)(C)
[K] See, C.G.S. §9-167a(a)(2)(D)
[L] See, C.G.S. §9-167a(b)
[M] See, C.G.S. §9-167a(h), as follows: "For the purposes of this section, the appointing authority for any member of any board or commission shall notify all other appointing authorities for members of such board or commission of each appointment made, including the name, town of residence and political affiliation of the person appointed, not later than five calendar days after such appointment. Such notification may be transmitted by electronic means."
[N] The provision is set forth in its entirety, as follows: "In the case of any election to any such body, the winner or winners shall be determined as under existing law with the following exception: The municipal clerk shall prepare a list of the candidates ranked from top to bottom according to the number of votes each receives; when the number of members of any one political party who would be elected without regard to this section exceeds the maximum number as determined under subsection (b) of this section, only the candidates of such political party with the highest number of votes

up to the limit of such maximum shall be elected, and the names of the remaining candidates of such political party shall be stricken from the list. The next highest ranking candidates shall be elected up to the number of places to be filled at such election."

[O]The provision is set forth in its entirety, as follows: "(d) If an unexpired portion of a term is to be filled at the same time as a full term, the unexpired term shall be deemed to be filled before the full term for purposes of applying this section. At such time as the minority representation provisions of this section become applicable to any board, commission, committee or body, any vacancy thereafter occurring which is to be filled by appointment shall be filled by the appointment of a member of the same political party as that of the vacating member.

[P] See, C.G.S. §9-167a(e)

[Q] (1959, P.A. 665; 1963, P.A. 592; P.A. 76-173, S. 1; P.A. 77-245, S. 4; P.A. 85-333, S. 1, 2; P.A. 86-400, S. 1, 2; P.A. 87-498, S. 1, 2; P.A. 89-370, S. 14, 15; P.A. 97-154, S. 8, 27; P.A. 16-185, S. 15.)

History: 1963 act added new Subsec. (g) setting forth how membership in a political party is determined for purposes of the section; P.A. 76-173 in Subsec. (d) deleted reference to vacancies to be filled by election, in Subsec. (e) added nothing to "prohibit enactment of" to repeal or modify, and added "charter" to general or special act providing for greater degree of minority representation; P.A. 77-245 changed "town" to "municipal" clerk where appearing; P.A. 85-333 applied section to municipal legislative bodies, except for a municipality having a town meeting as the legislative body, effective January 1, 1986, and applicable to elections held on or after that date; P.A. 86-400 restructured Subsec. (a) to place exceptions in a separate subdivision and added exception for town and city councils in unconsolidated cities within towns under stated circumstances; P.A. 87-498 added, in Subsec. (a)(2), "or (ii) for which the charter or a special act, on January 1, 1987, provided otherwise"; P.A. 89-370 exempted board of directors and other officers of any district, as defined in Sec. 7-324, having annual receipts from all sources not in excess of $250,000 from provisions of section; P.A. 97-154 amended Subsec. (g) by changing period during which applicant for erasure or transfer shall be considered a party member, from six months to three months from application filing date, effective July 1, 1997; P.A. 16-185 amended Subsecs. (a)(2), (b) and (c) to make technical changes and added Subsec. (h) re notification by appointing authority of each appointment made, effective June 7, 2016.

See Sec. 9-183b re nomination procedure for justices of the peace.

See Sec. 9-188 re application of minority representation requirements with respect to selectmen's election.

See Sec. 9-190 re minority major party's registrar of voters.

See Sec. 9-199 re election of town assessors and board of tax review.

See Sec. 9-200 re election of constables.

See Sec. 9-204 re minority representation on board of education.

Statute applies to board of tax review of city of Hartford. 154 C. 237. Second taxing district of city of Norwalk held to be a political subdivision of the state and subject to the provisions of section; definition of "political subdivision" discussed. 155 C. 256. Applicability of statute to a November, 1967, election of the board of aldermen of New Haven held under the direction of the U.S. district court for the district of Connecticut raised by a complaint of candidates in a case brought pursuant to Sec. 9-328; held the New Haven aldermanic election of November, 1967, is solely a creature of the U.S. district court and what candidates were elected is that court's prerogative to determine, especially as it has retained jurisdiction to decide this question. 156 C. 253. Cited. 168 C. 160. Minority representation statute not applicable to local legislative bodies. 175 C. 545. Cited. 182 C. 111; 205 C. 495; 225 C. 378.

Effect of Subsec. (d) is that an appointment of a member of the same political party as that of the vacating member need not be made unless not to make it would cause the maximum number of members on the board permitted to any one party under statute to be exceeded. 25 CS 444. Applies to board of selectmen of city of New London; the one man one vote rule does not apply to election of purely administrative body such as board of selectmen. 28 CS 403. Elected nonenrollee considered party member in light of minority representation rule. 30 CS 74.

Subsec. (d):

Applies only to vacancies occurring in bodies that have already achieved maximum majority representation under Subsec. (a) and then only when the vacating member is of the minority party. 190 C. 39.

Cited. 37 CS 844.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #9
COMPARATIVE REAPPORTIONMENT PROVISIONS

Legislative Body

Fairfield Charter - §2.7. Reapportionment of Voting Districts[1].

After completion of the census of the United States and after any reapportionment of the State General Assembly Districts affecting the Town, voting districts of the Town shall be established by an ordinance proposed by a committee of the RTM composed of an equal number of members from each party such that the population deviation from the largest to the smallest voting district shall not exceed ten (10%) percent. The redistricting ordinance adopted by the RTM shall provide for an equal number of members from each district, and, to the extent practicable within the constraints of this Charter and State General Assembly redistricting, shall provide for districts that are located in only one State General Assembly District.

Westport Charter - §C5-2. - Voting Districts; Basis of Representation; Qualifications.

A. *Establishment of voting districts.* The voting districts of the Town for the election of Representative Town Meeting members shall be as hereinafter provided or as established by ordinance.

B. *Basis of representation.* The number of members of the Representative Town Meeting from each voting district shall be determined by the following formula: Population in each voting district, based on U.S. Census Bureau population data, divided by population of the Town, multiplied by 35, rounded to the nearest whole number. After completion of the Census of the United States and after any reapportionment of the State General Assembly Districts, State Senatorial Districts and Congressional Districts affecting the Town, voting districts of the Town shall be established such that the population deviation from the largest to the smallest voting district shall not exceed ten percent. To the extent practicable, the redistricting ordinance adopted by the Representative Town Meeting shall provide for equitable representation for each voting unit within the constraints of this Charter and State General Assembly redistricting, shall provide for districts that are located in only one State General Assembly District, one State Senatorial District and one Congressional District.

C. *Qualifications for election.* Each Representative Town Meeting member shall be an elector of the Town and a resident of the voting district from which elected. No elected official of the Town, no member of any

[1] 2022 recodification of Article II, §2.A(2) (second sentence) of the 1947 Act and the 1956 Acts.

elected or appointed board or commission of the Town and no official of the Probate or any state court shall be eligible to serve as a member of the Representative Town Meeting. Subject to the provisions of this section, the Representative Town Meeting shall be the judge of the election and qualification of its members.

Westport Charter - §C5-3. - Designation of Voting Districts.

For the purpose of electing Town Meeting Representatives, the current voting districts as set forth in the ordinance, code of the Town of Westport, shall remain in effect until new districts are established by ordinance and successors shall have taken office.

Meriden Charter, § C3-2. Composition and election. [Amended 11-3-1987] The City Council shall be composed of 12 members, except that the 10 members of the City Council elected at the November 1987 municipal election shall serve as such until the expiration of the terms to which they were originally elected. The members of the City Council shall be elected at each biennial municipal election to be held in 1989 and thereafter, in the manner described herein. There shall be four City Council areas, the boundaries and composition of which shall be determined from time to time, but no later than 120 days preceding any municipal election, by the City Council after public hearing. At each biennial municipal election, a City Council member shall be elected from each of four City Council areas, and two City Council members shall be elected on a Citywide at-large basis, all for a term of four years, commencing on the first Monday in December following each municipal election.

Stratford Ord. - § 7.1.5 Creation, Powers and Duties of the Election District Revision Commission.
[Amended 11-4-2008]

The Council shall appoint an Election District Revision Commission which shall consist of three (3) Council Members, with not more than two being members of the same political party, and two (2) registrars of voters. The Election District Revision Commission shall rearrange the boundaries of the existing ten (10) election districts of the Town where necessary, each of which shall encompass not more than ten (10%) per centum and not less than eight (8%) per centum of the total population based on population data for the Town from the most recent decennial census of the United States.

The recommendations of the Commission shall be presented to the Council within ninety (90) days after the appointment of said Commission.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #9
COMPARATIVE REAPPORTIONMENT PROVISIONS

Stratford Ord. Sec. 7.1.6

The Council shall by ordinance establish revised election district boundaries in accordance with the recommendations of the Election District Revision Commission, said ordinance to take effect at least ninety (90) days prior to the next regular Town election. No elected official shall have his or her office vacated by reason of a district boundary change until completion of his or her term of office.

West Haven Charter, Sec. 7: Voting Districts

The City of West Haven shall be divided into ten voting districts, the boundaries of which shall be set by the City Council. Thereafter the City Council when mandated by statute or from time to time may divide and re-divide the City into as many voting districts as it deems necessary.

Bristol Charter, Sec. 5. - City council districts, voting districts and precincts.

(a) The City of Bristol shall be divided into three (3) city council districts. Said council districts shall be defined in accordance with a certain map or plan entitled "Map Showing CT General Assembly Districts Under 2011 Redistricting Plan with Bristol City Council Districts and Bristol Precincts dated December 29, 2011, as revised January 9, 2012 and drawn by the Bristol Public Works Department, Bristol, CT 06010."

(b) The precincts established shall at all times coincide with the voting districts for the election of the general officers of the City of Bristol. The city council may increase or diminish the number of voting districts and alter voting district boundaries as allowed by state statute, provided it maintains the boundaries of the council districts established herein by the above-referenced map.

Bridgeport Charter, Chapter 5 - Section 2. Reapportionment Procedure and Districting.

(a) On or before the fifteenth day of February next following the year in which the decennial census of the United States is taken, the city council shall, by ordinance, establish ten districts which shall be effective on the first day of January next succeeding. Such districts shall be established in conformity with provisions of the general law and by making each such district as equal in population to each other such district as possible, taking into consideration senate and assembly district lines and natural boundaries and divisions.

(b) If the city council fails to adopt a plan of districting by the first day of July next following the year in which the decennial census of the United States is taken, there shall be created a commission on redistricting composed of six members, three of whom shall be appointed by the leader of the majority party on the city council

and three of whom shall be appointed by the leader of the minority party in the city council. In the event that there is only one party on the city council, the minority party members shall be appointed by the registrar of voters whose party is not represented on the city council. Such commission shall forthwith prepare and, not later than the first day of December following its appointment, adopt a plan of districting consistent with the principles set forth in subSection (a) of this section. The affirmative votes of at least four members of such commission shall be required in order to adopt a plan of districting.

(c) A plan of districting adopted pursuant to the provisions of this Section shall remain in effect until the first day of January following the decennial census of the United States.

(d) The city council shall provide suitable polling places in such districts and shall define the boundaries of the area to be served by each polling place. The town clerk, registrar of voters and all other officers of the city shall perform the duties required of them by law with respect to elections in the voting districts.

(e) Notwithstanding the adoption of a plan of districting, council members shall continue to represent the districts from which they were elected for the balance of the term for which they were elected.

East Hartford Charter - Sec. 2.3 Voting Districts. Minority representation on any elective or appointive board, commission, committee or similar body of the town shall be in conformity with the appropriate minority representation provisions of the General Statutes. No political party shall nominate for any elective office a number of candidates exceeding the number it may elect. The number of voting districts and their boundaries shall be established by ordinance in conformity with provisions of the General Statutes.

Board of Selectmen and RTM

Greenwich Charter - §43. – Voting Districts[2].

Except as otherwise provided in Section 9-169 of the General Statutes, the number of voting districts in the Town may from time to time be increased or decreased and the boundaries of any voting district now or hereafter established may be changed or modified by the affirmative vote of a majority of the Board of Selectmen upon approval thereof by the affirmative vote of two-thirds (2/3) of the members of the Representative Town Meeting present at a meeting duly warned for such purpose and at which a quorum is present. Such districts shall be so established as to consist of compact and contiguous territory to be bounded, as far as possible, by the center line of known streets and ways or by other well-defined limits. The Town Clerk shall cause to be posted in the Town

[2] Greenwich: S.A. 154 § 1, 1933; as amended by S.A. 119, 1943; S.A. 298 § 1, 1953.

Hall a map or maps or description of the districts as established or revised from time to time. The registrars of voters shall certify to the Town Clerk, prior to August 1 of each year of a Town election of Town Meeting members, the number of voters registered in each district on July 1 of such year.

Districting Committee

New Britain Charter - §3-3 - Composition of the Common Council.
The Common Council shall be comprised of fifteen (15) members, consisting of two (2) members elected from each of five (5) Common Council Districts and five (5) elected at large.

New Britain Charter - §3-4 - Establishment of Common Council Districts.

(a) No later than thirty (30) days following the completion of reapportionment of the general assembly, as required by the Constitution of the State of Connecticut, as further set forth in the General Statutes the Common Council shall appoint a districting commission ("Appointment Date") consisting of four (4) to eight (8) members, no more than fifty (50) percent of whom shall be members of the same political party. The districting commission shall report to the Common Council no later than seventy (70) days following the Appointment Date, setting forth the recommended boundaries of the five (5) Common Council districts. If the districting commission fails to file its report with the City Clerk by the close of business on the seventieth (70th) day following the Appointment Date, the provisions of subsection (f) of this section shall be invoked.

(b) Common Council districts (1) shall be of substantially equal population and otherwise consistent with all federal and state constitutional and statutory requirements; (2) to the extent possible consistent with the preceding, shall maintain the integrity of recognized neighborhood planning areas; (3) shall be geographically contiguous and compact; and (4) to the extent possible consistent with the preceding, shall be consistent with existing legislative districts.

(c) The districting commission shall be supported in its work by appropriate City staff which shall have available to it the necessary support to facilitate the work of the commission as well as such other professional assistance (subject to appropriation) as it shall choose.

(d) The districting commission shall hold a public hearing at least one week before it submits its report to the Common Council, and shall make a tentative map of its proposed districts available to the public electronically, in hard copy available at the City Clerk's office, and by causing it to be published in one or more newspapers of daily circulation in the City at least three (3) days before the public hearing. The districting commission may modify the tentative districts before submitting its report to the Common Council.

(e) The Common Council shall vote on the establishment of Common Council districts within three (3) weeks of its receipt of the districting commission's report. The Common Council may amend the district boundaries recommended by the districting commission before approving districts, but the districts approved by the Common Council must comply with the standards of subsection (b) of this section. A resolution approving districts must be affirmatively supported by a majority of the members of Common Council, and shall not be subject to veto by the Mayor.

(f) If the districting commission shall fail to file its report as set forth in subsection (a), above, or if the Common Council shall fail to approve Common Council districts within the time limit established by subsection (e), the Mayor shall appoint a three (3) member commission, no more than two (2) of whom shall belong to the same political party, which shall file a report with the City Clerk delineating Common Council District boundaries within three (3) weeks of its appointment. The report of this Commission shall establish the boundaries of Common Council Districts.

Transition Provision. No later than thirty (30) days following the adoption of this Charter Amendment the Common Council shall appoint a districting commission as set forth in §3-4(a). The date of appointment in this Transition Provision shall constitute the "Appointment Date" for purposes of apportioning the Common Council Districts for the 2003 general municipal election. In all other respects the procedures set forth in §3-4(b)-(f) pertaining to the apportionment of the Common Council Districts shall proceed from the Appointment Date established in this transition provision and shall be in full force and effect. In no event shall the apportionment exceed the time permitted in C.G.S. §9-169f1*.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #9
COMPARATIVE REAPPORTIONMENT PROVISIONS

Hamden Charter, §3-7: Reapportionment of Voting Districts[3] .

A. Nine Voting Districts and Standards Pertaining to Reapportionment. The Town shall be divided into nine (9) voting districts, each of which shall be represented by a district representative on the Legislative Council and shall be substantially equal in population consistent with federal constitutional standards. Moreover, said voting districts shall be in as compact and contiguous a form as practicable and shall follow geographical divisions wherever practical in determining voting district boundaries.

B. Final Action on Adoption of a Reapportionment Plan. On or before the date set forth in the General Statutes, the Legislative Council shall adopt a reapportionment plan for such legislative body. At the time of the adoption of this Charter, the reapportionment plan shall be adopted not later than the first (1st) Day of June in the year after the first regular General Assembly election following a reapportionment of the General Assembly.

C. Assembly of Census and State Reapportionment Information and Data. Following the 2010 census and every ten (10) years thereafter, the Town shall commence the process of reapportioning the voting districts. Upon issuance of the reports of the applicable Federal Decennial Census, the Registrars of Voters shall assemble information and data relating to the census and the State redistricting process. Said information and data shall be transmitted at the appropriate time to the participants in the reapportionment process.

D. First Reapportionment Commission. No later than the 1st Day of March of the year following reapportionment of the General Assembly and every ten years thereafter, a Reapportionment Commission shall be appointed by the Legislative Council.

(1) The seven (7) member Commission shall be comprised of (a) the two (2) Registrars of Voters; and, (b) five (5) Electors recommended by the President of the Legislative Council and approved by the Council, no more than two (2) of whom shall be from the same political party.

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[3] In lieu of 1983 Charter Section 2-5. **C.G.S. § 9-169f. Reapportionment required for certain municipal legislative bodies.** Not later than June first in the year after the first regular General Assembly election following a reapportionment of the General Assembly, each municipal legislative body whose members are elected wholly or partially on the basis of a geographical division of the municipality shall adopt a reapportionment plan for such legislative body. Any such municipal reapportionment plan (1) shall be based on population data for the municipality from the most recent decennial census of the United States and (2) may provide for geographical divisions which use the same borders as General Assembly districts in the municipality.

(2) The Commission shall conduct a public hearing on a proposed Ordinance, Report and Reapportionment Plan (the "ORRP"), at least, one week prior to approval and submission to the Council. Hearing Notice shall be provided, at least, five (5) Days prior to the public hearing or as otherwise required by Law (See, §1-4.R); said Notice shall include the contents of the ORRP as well as a copy of a map illustrating the boundary lines of each of the proposed voting districts. On the basis of information elicited at the public hearing, the Commission may thereafter alter the Report and Plan[4].

(3) Approval of the ORRP shall require the affirmative votes of, at least, five (5) members of the Commission[5].

(4) The Commission shall file the ORRP with the Clerk of the Council within six (6) months after appointment and may utilize demographic data (based upon census data) assembled by the Town utilizing the technological resources of the Town and such other resources, facilities and funding the Council may deem desirable to carry out the purposes of this section. Receipt of the ORRP shall be deemed to be the date upon which it is filed with the Clerk of the Council[6].

(5) The ORRP shall recommend and set forth the boundaries of each of the proposed voting districts and, upon recommendation of the Registrars of Voters, include an enumeration of suitable polling places within each district[7].

(6) In the event the Commission fails to submit the ORRP as set forth in §3-7.D(4) of this Charter, then a Second Reapportionment Commission shall be established as set forth in §3-7. F of this Charter[8].

E. Action by the Legislative Council on the Proposal of the First Reapportionment Commission, if any. Within sixty (60) Days following receipt of the ORRP and after a public hearing thereon, the Legislative Council shall accept, reject, or modify the ORRP. Within thirty (30) Days following said legislative action:

(1) If the ORRP is accepted or modified, the Ordinance in conjunction with the ORRP approved by

[4] 2022 recodification of Charter section 3-6.D(2).
[5] 2022 recodification of Charter section 3-6.D(3).
[6] 2022 recodification of Charter section 3-6.D(4).
[7] 2022 recodification of Charter section 3-6.D(5).
[8] 2022 recodification of Charter section 3-6.D(6).

the Legislative Council shall be deemed adopted in compliance with the requirements of the General Statutes and have the full force of law and become effective for the next municipal general election.

(2) If the ORRP is rejected, then a Second Reapportionment Commission shall be established as set forth in §3-7.F of this Charter.

Approval of the ORRP and the Ordinance contained therein shall require an affirmative vote of, at least, two-thirds (2/3rds) of the Council, present and voting.

F. Second Reapportionment Commission. Within fourteen (14) Days following the failure of the Reapportionment Commission to submit the ORRP, as set forth in §3-7.D(6) of this Charter; or, the rejection of the ORRP by the Legislative Council, as set forth in §3-7.E (2) of this Charter, the Mayor shall appoint a Second Reapportionment Commission.

(1) The Commission shall be comprised of nine (9) Electors, as follows: (a) two (2) recommended by the President of the Legislative Council: (b) two (2) recommended by the Council Majority Leader; (c) two (2) recommended by the Council Minority Leader; (d) one (1) upon the Mayor's designation; and (e) the two (2) Registrars of Voters, no more than four (4) of whom shall be from the same political party.

(2) The Commission shall consider the reapportionment of districts in accordance with the standards set forth herein and shall submit a Reapportionment Plan and Ordinance ("RPO") to the Clerk of the Council within ninety (90) Days of the appointment by the Mayor.

(3) The RPO shall not be submitted to the Clerk of the Council unless it is approved by, at least, a majority vote of the entire membership of the Commission[9] . In such an event, the Legislative Council shall act in accordance with §3-7.G(2) of this Charter.

G. Action by the Legislative Council on the Proposal of the Second Reapportionment Commission. Within sixty (60) Days following receipt of the RPO and after a public hearing thereon, the Legislative Council may:

(1) Approve the RPO by an affirmative vote of at least two-thirds (2/3rds) of the Council present and

[9] NEW (2022).

voting, and, following said approval, the districts set forth in the accompanying Ordinance shall be deemed adopted in compliance with the requirements of the General Statutes, and have the full force of law and become effective for the next municipal general election; or,

(2) Reject the RPO; in which event the Council shall formulate and approve by an affirmative vote of at least two-thirds (2/3rds) of the Council present and voting a Redistricting Plan and Ordinance, in accordance with the standards set forth herein and within the statutory time-frame established by the General Statutes and as set forth in §3-7.B of this Charter. If approved, the Ordinance shall be deemed adopted in compliance with the requirements of the General Statutes and shall have the full force of law and become effective for the next municipal general election

H. Failure of the Legislative Council to Adopt an Ordinance Pursuant to §3-7.G(2) of this Charter. In the event the Legislative Council fails to approve an Ordinance in accordance with the provisions of §3-7.G (2) of this Charter, the Ordinance included in the RPO submitted by the Second Reapportionment Commission (see, §3-7.F (2) of this Charter) shall be deemed to be approved by the Legislative Council and shall be deemed adopted in compliance with the requirements of the General Statutes and shall have the full force of law and become effective for the next municipal general election. The effective date shall be deemed to be the final date permitted for enactment of municipal reapportionment by the General Statutes.

I. Notwithstanding the adoption of a plan of redistricting, members of the Legislative Council shall continue to represent the districts from which they were elected for the balance of the term for which they were elected.

Danbury Charter, Chapter II, Sec. 2-4. - Reapportionment of wards and voting districts.
The wards and voting districts as presently established shall continue through the general city election of 1991 and through any special elections which may be held before a reapportionment plan is adopted as provided in this section.

On or before February 15, 1992, and every ten years thereafter, there shall be designated a reapportionment advisory commission which shall prepare a plan to alter the boundaries of the various wards so as to make all wards substantially equal in population consistent with federal constitutional standards.

The reapportionment advisory commission shall consist of five members, all of whom shall be electors of the city. Two members shall be appointed by the majority leader of the City Council, and two members shall be appointed by the minority leader of the City Council, in the event that there are members of no more than two political parties on the City Council. In the event that there are members of more than two political parties, or members of two political parties and members unaffiliated with a political party, the members of the City Council who are not a member of the majority political party shall select one of their number, which person shall designate two members of the commission in lieu of the designation by the minority leader. The four members so designated shall within thirty days unanimously select the fifth member.

On or before the September 30 next occurring, the reapportionment advisory commission shall submit a plan of reapportionment to the City Council, which plan shall be based upon the population figures as reported in the most recent U.S. census. No plan shall be submitted to the City Council unless it is certified by at least three members of the commission. Upon receiving the plan, the City Council shall consider the plan in the same manner as an ordinance. The plan submitted to the Council is of an advisory nature only, and shall not be binding upon the Council.

If the reapportionment advisory commission fails to submit a plan by September 30, the City Council shall prepare its own plan of reapportionment.

In any event, whether or not the reapportionment advisory commission submits a plan by September 30, the City Council shall consider and adopt a plan of reapportionment by March 1 next occurring.

Darien Charter, Chapter XIII, §48 establishes a 100-member RTM,
Darien Charter Appendix B - Part II-Sec. 3. District Representation: The registrars of voters shall certify to the town clerk, not less than forty (40) days before a municipal election, the number of electors registered in each voting district on the sixtieth day before such election. Each district shall elect one (1) town meeting member for each one hundred (100) electors in such district, computed to the nearest one hundred (100), as established by said certification of the registrars; provided the total number of members shall be limited to one hundred (100) by apportioning members among the several voting districts so that the members from a given district shall be the same as the percentile figure, disregarding fractions, which, as of the sixtieth day before such election, the number of electors registered in that district bears to the total number of electors of all districts. However, if as the result of applying the foregoing procedure there is a deficiency in the permitted membership of one hundred (100), one (1)

additional member shall be allowed to as many districts, selected in descending order of the magnitude of the fractions disregarded above, as is necessary to make up that deficiency. The number of town meeting members to be elected from each district shall be the number of replacements necessary because of expiring terms plus or minus the number of seats necessary to make the total membership from each district equal to its allotted representation.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #9
COMPARATIVE REAPPORTIONMENT PROVISIONS

Forms of Government in Connecticut 2022[10]		
Municipality	**Population**	**Form of Government**
Bridgeport	148,654	M/C (4)[11]
Stamford	135,470	M/C (4)[12]
New Haven	134,023	M/C
Hartford	121,054	M/C (4)[13]
Waterbury	114,403	M/C (4)
Norwalk	91,184	M/C
Danbury	86,518	M/C
New Britain	74,135	M/C
West Hartford	64,083	C/TM[14]
Greenwich	63.518	S/RTM[15]
Fairfield	61,512	S/RTM
Hamden	61,169	M/C
Meriden	60,850	C/TM
Bristol	60,833	M/C
Manchester	59,713	C/TM[16]
West Haven	55,584	M/C
Stratford	52,355	M/C[17]
Milford	52,044	M/C
East Hartford	51,045	M/C
Middletown	47,717	M/C
Wallingford	44,396	M/C
Southington	43,501	C/TM
Enfield	42,142	C/TM

[10] This chart does not included municipalities under 10,000 in population
[1111] Mayor/Council = M/C; 4 = Four-year term for CEO
[12] Mayor/Board of Representatives/At-Large Board of Finance
[13] Moved from City Manager
[14] Council/Manager = C/TM
[15] Selectmen/RTM = S/RTM
[16] General Manager/Board of Directors
[17] Moved from TM

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #9
COMPARATIVE REAPPORTIONMENT PROVISIONS

Forms of Government in Connecticut 2022		
Municipality	Population	Form of Government
Shelton	40,869	M/C
Norwich	40,125	C/TM (4)
Groton	38,411	C/TM
Trumbull	36,827	S/C[18]
Torrington	35,515	M/C
Glastonbury	35,159	C/TM
Naugatuck	31,519	M/C
Newington	30,536	C/TM
Vernon	30,215	M/C
Windsor	29,492	C/TM
Cheshire	28,733	C/TM
Branford	28,273	S/RTM
New Milford	28,115	M/C
East Haven	27,923	M/C
New London	26,966	M/C
Wethersfield	27,298	C/TM
Newtown	27,173	S/BoS/Councl
Westport	27,141	S/RTM (4)
South Windsor	26,918	C/TM
Farmington	26,712	C/TM
Mansfield	25,892	C/TM
Ridgefield	25,033	S/Town Meeting
Simsbury	24,517	S/Town Meeting
Windham	24,425	S/Town Meeting
North Haven	24,253	S/Town Meeting
Watertown	22,105	C/TM
Guilford	22,073	S/Town Meeting
Bloomfield	21,535	C/TM
Darien	21,499	S/RTM
Rocky Hill	20,845	C/RTM
New Canaan	20,622	M/C

[18] Selectmen/Council = S/C

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #9
COMPARATIVE REAPPORTIONMENT PROVISIONS

Forms of Government in Connecticut 2022		
Municipality	**Population**	**Form of Government**
Bethel	20,358	S/Town Meeting
Berlin	20,175	C/TM
Southbury	19,879	S/Town Meeting
Waterford	19,571	S/RTM
Avon	18,032	C/TM
Ansonia	18,918	M/C
Monroe	18,825	S/Town Meeting
East Lyme	18,693	S/Town Meeting
Wilton	18,503	S/Town Meeting
Montville	18,387	M/C (4)
Stonington	18,335	S/Town Meeting
Killingly	17,742	C/TM
Madison	17,691	S/Town Meeting
Brookfield	17,528	S/Town Meeting
Plainville	17,525	C/TM
Seymour	16,748	S/Town Meeting
Ellington	16,426	S/Town Meeting
Wolcott	16,142	M/C
Suffield	15,752	S/Town Meeting
Colchester	15,555	S/Town Meeting
Ledyard	15,413	M/C (4)
Plainfield	14,973	S/Town Meeting
Tolland	14,563	C/TM
Orange	14,280	S/Town Meeting
Cromwell	14,225	C/TM
New Fairfield	13,579	S/Town Meeting
North Branford	13,544	C/TM
Clinton	13,185	S/Town Meeting
East Hampton	12,717	C/TM
Oxford	12,706	S/Town Meeting
Windsor Locks	12,613	S/Town Meeting
Derby	12,325	M/C

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #9
COMPARATIVE REAPPORTIONMENT PROVISIONS

Forms of Government in Connecticut 2022		
Municipality	**Population**	**Form of Government**
Coventry	12,235	C/TM
Plymouth	11,671	M/C
Stafford	11,472	S/Town Meeting
Griswold	11,402	S/Town Meeting
East Windsor	11,190	S/Town Meeting
Granby	10,903	
Old Saybrook	10,481	S/Town Meeting
Weston	10,354	S/Town Meeting
Somers	10,255	S/Town Meeting
Winchester	10,244	C/TM
Canton	10,124	S/Town Meeting
Prospect	9,401	M/C
Hebron	9,098	S/Town Meeting

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #10
ALTERNATE APPROACHES TO CHIEF OPERATING OFFICER

CITY OF STAMFORD

Stamford Sec. C5-10-1. - Directors. The City of Stamford shall have the following Directors:

- The Director of Legal Affairs (Corporation Counsel)
- The Director of Public Safety, Health and Welfare
- The Director of Operations
- The Director of Administration (S.A. No. 322, 1953; Referendum 11-8-1977; Referendum 11-3-1987; Referendum 11-7-1995)

Stamford Sec. C5-10-2. - Appointment. The Mayor shall appoint each Director and other administrative official set forth in this Charter or authorized by ordinance in accordance with the provisions of this Charter and shall submit each nomination to the Board of Representatives at its next regular meeting following such nomination. Pending action by the Board, each nominee shall perform duties and exercise the powers of the office for which nominated. In the event that the Board of Representatives rejects a nomination, the Mayor shall submit a new nomination to the Board of Representatives at its next regular meeting; provided that the Mayor may not submit the same name more than two times.

(a) Each Director shall serve at the pleasure of the Mayor and may be removed by the Mayor without cause shown.

(b) The Mayor, subject to the approval of the Board of Representatives, shall appoint the Chief of Police, the Chief of the Fire Department, the Superintendent of Parks and Recreation, and the Director of Health for terms not to exceed five (5) years. (Referendum 11-2-2004; Referendum 11-6-2012)

(c) There shall be such other administrative positions as may be established by ordinance. The Mayor shall make appointments to such other administrative positions, with the approval of the Board of Representatives for terms not more than five years. (Referendum 11-8-1977; Referendum 11-3-1987; Referendum 11-7-1995)

Stamford Division 3
The Office of Operations - Sec. C5-30-1 – Duties. The Director of Operations shall be the head of the Office of Operations and shall be responsible for the administration, supervision and performance of all municipal functions related to, but not necessarily limited to, public works, traffic, parks and recreation, planning, zoning and environmental protection. (Referendum 11-7-1995)

Stamford Division 4

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #10
ALTERNATE APPROACHES TO CHIEF OPERATING OFFICER

The Office of Public Safety, Health and Welfare – Sec. C5-40-1. Duties. The Director of Public Safety, Health and Community Services shall be the head of the Office of Public Safety, Health and Welfare and shall be responsible for the administration, supervision and performance of all municipal functions related to police, fire, health, social services, rescue, emergency medical service and emergency management and, unless otherwise provided by state or federal law, shall be responsible for the oversight of all municipal functions related to the abatement and management of environmental contamination. In doing so, the Director of Public Safety, Health and Welfare shall be responsible for the supervision of the activities of the Chief of Police and the Fire Chief, and, unless otherwise prohibited by state law, shall be responsible for the functions of the Fire Department and the Office of Emergency Management. The Director of Public Safety, Health and Welfare shall to the extent permitted by state law, also be responsible for the supervision of the activities of the Health Director

Stamford Division 5

The Office of Administration – Sec. C5-50-1. Duties. The Director of Administration shall be the head of the Office of Administration and shall be responsible for the administration, supervision and performance of all municipal functions related to, but not necessarily limited to, finance, tax assessment and collection, economic development and information technology.

- **Generally.** The Director of Administration shall be the chief fiscal officer of the City and shall perform accounting of all funds showing all financial transactions for all commissions, boards, departments, offices, agencies, authorities and other entities of the City except the Board of Education and cause internal audits to be performed as necessary. The Director of Administration shall have all the powers and duties conferred or imposed on Town Treasurers by the General Statutes, as amended, is authorized to administer oaths, and shall issue and market all bonds and invest and reinvest idle funds of the City. The Director of Administration shall be responsible for the preparation of the operating and capital budgets as provided in this Charter.

- **Organization**. The finance functions of the Office of Administration may be organized to provide for the following services as may be necessary for the accomplishment of the responsibilities of the Director of Administration:

Accounting	Treasury	Budgeting	Collections
Purchasing	Internal Audit	Grants	Central Services
Data Processing/Information Technology	Assessment	Economic Development	Such other activities as may be necessary for the effective operation of the Office of Administration

TOWN OF STRATFORD

Stratford Sec. 5.1.1: The Chief Administrative Officer (CAO) shall be the chief administrative officer of the Town. As such, he or she shall possess, have and exercise the administrative powers as directed by the Mayor or Acting Mayor, except as otherwise limited by this Charter, state law and/or federal law. [Amended 11-4-2008]

Stratford Sec. 5.1.2: Appointment: The CAO shall be appointed and may be removed or suspended, with or without pay, by the Mayor. The qualifications of the CAO shall be a Master of Business Administration degree, Master of Public Administration degree, or such other education, general executive and administrative experience and ability as are necessary to perform the duties of the office. The CAO shall be appointed on the basis of such factors including, but not limited to, education, municipal and public experience, professional training, and executive and administrative qualifications, and shall be considered an "at will" employee. [Amended 11-4-2008].

Stratford Sec. 5.1.3: Conflicts of Interests. The CAO shall devote his or her entire time and business interest to the management of the town's affairs and shall not, during his or her term of office, be an employee of or perform any executive duty for any person, firm, corporation or institution other than the Town of Stratford.

Stratford Sec. 5.1.4: Powers and Duties. The Chief Administrative Officer shall have the powers and duties hereinafter enumerated and shall be directly responsible to the Mayor for the proper administration thereof:

- To recommend to the Mayor adoption of such measures as he or she may deem necessary or expedient;
- To assist the Mayor in the submission to the Council of the Annual Budget as by this Charter required;
- To perform such other duties as may be prescribed by this Charter or required of him or her by the Mayor;
- To assist the Mayor in all aspects of labor negotiations, personnel issues, financial management, and any other field of public administration commensurate with his or her knowledge and experience.

TOWN OF DARIEN

Darien Sec. 16(a) - Town administrator. The board of selectmen shall appoint the town administrator, who acts as chief administrative officer of the town and serves at the pleasure of said board. The town administrator shall have had training and experience in the administration and management of municipal government.

Darien Sec. 16(b) - Town administrator. The town administrator shall:

(1) Perform such duties as the board of selectmen may from time to time determine. These duties may include administrative and supervisory responsibilities within the authority of the board of selectmen and under the supervision of the first selectman in respect to any and all personnel and management functions provided for in the approved budget of said board, but reserving always to the board of selectmen the final responsibility for policy and for review of viewpoints which department heads and other members of the staff may desire to bring before the first selectman or the full board of selectmen.

(2) Prepare a preliminary annual budget request to include all estimated town expenditures not including expenditures of the board of education. Each department head and agency supported wholly or in part from town funds, or for which a specific town appropriation is made, shall file with the town administrator a detailed estimate of the expenditures to be made by that department or agency and the estimated revenue, other than tax revenues, to be collected by each in the ensuing fiscal year. This preliminary annual budget request shall be submitted to the town administrator for review and adjustment by the board of selectmen.

(3) Serve as assistant purchasing agent for the town and be responsible for administering and recommending amendments to ordinances and related regulations pertaining to procurement and purchasing.

(4) Administer and coordinate the operations of the departments and agencies under the authority of the board of selectmen.

(5) See that programs to evaluate employee performance are established and carried out, and make recommendations relating thereto to the board of selectmen for action.

(6) Carry out such other duties as the first selectman shall assign, where such duties will not conflict with duties assigned by law, to town agencies other than the office of first selectman.

FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #10
ALTERNATE APPROACHES TO CHIEF OPERATING OFFICER

(Amd. of 9-24-1979; Amd. of 9-25-2012(2))

CITY OF NEW HAVEN

New Haven Article III, Sec. 2.A(2). The Mayor shall have power: To appoint as employees of the City, except as otherwise provided by this Charter, up to four (4) Coordinators, as set forth herein, and such Department Heads (and other officials as set forth in Article VI of this Charter) as may be designated by this Charter, Ordinance or other Law, subject to the provisions of Article VI. Said coordinators shall have professional qualifications in such fields as, but not limited to, community development, human services, public administration and public finance, to aid the Mayor in the carrying out of said Mayor's duties as chief executive and administrative officer of the City. Said qualifications shall be prepared in accordance with nationally accepted professional standards and best practices in the applicable field and shall be updated prior to the appointment of such Coordinator.

New Haven Article VI, Sec. 3. (1)(1) - The Appointment of Coordinators, Department Heads and Mayoral Department Appointees. *Subject to Approval by the Board of Alders:* The following Appointed Public Officials shall be appointed by the Mayor, subject to approval by the Board of Alders, as set forth in §1. A (3) of Article IV of this Charter: *(a)* ***the Coordinators as authorized by § 2.A(2) of Article III of this Charter, who shall serve under the direction of the Mayor and are removable at the pleasure of the Mayor****;* and, (b) Chief of Police and Fire Chief, who shall serve subject to the authority of the Mayor. The person in office as Chief of Police and Fire Chief on the effective date of this Charter shall hold office until a successor has been duly appointed and qualified.

CITY OF HARTFORD

Hartford Chapter V, Sec. 2(d). The Mayor shall appoint, subject to section 2(d) of Chapter IV of this Charter (approval by Common Council), ***the chief operating officer***, corporation counsel and the heads of all departments, except as otherwise provided in this Charter or collective bargaining agreement, and such other officers and employees of the city as this Charter or an ordinance of the council consistent therewith may provide. Following October 1 of the year in which there is a mayoral election a mayor shall be entitled to make appointments only for a temporary period ending no later than sixty (60) days following the commencement of the term of office of the new mayor. If the mayor is re-elected this limitation shall not apply after the election. The mayor shall have power to remove any appointee, except a member of the classified service. The mayor may suspend from duty for not more than thirty (30) days any such appointee pending final action.

Hartford Chapter V, Sec. 3(b) – Chief Operating Officer. The budget shall provide for a chief operating officer, who shall be the principal managerial aide to the mayor and shall perform such duties as may be assigned by the mayor. The chief operating officer shall be an unclassified employee of the city and shall be appointed by and serve at the pleasure of the mayor. Said chief operating officer shall be appointed on the basis of substantial executive and administrative experience, qualifications and knowledge.

Hartford Chapter V, Sec. 3(c) – Residency of department heads and chief operating officer. The council may, by ordinance, establish standards for the residency of department heads and chief operating officer, subject to the requirements of the General Statutes. (Election of 11-5-02)

Hartford Chapter V, Sec. 4 – Temporary absence or disability. In the event that the mayor is temporarily absent or disabled and is, because of such absence or disability, unable to the perform the duties of the mayor's office, the council president, or in the president's absence or disability, such member as the council shall designate, shall exercise the power of the mayor, except that until such absence or disability of the mayor has continued for thirty (30) days, the acting mayor shall not have power to appoint or remove officers or employees. The compensation for the acting mayor shall be determined by the council but shall in no event exceed in proportion the salary of the mayor. Absence from the city shall not constitute temporary absence in the event the mayor is in contact with the ***chief operating officer*** by electronic or voice communications. The council shall provide by ordinance a procedure for determining said absence or disability. (Election of 11-5-02).

CITY OF BRIDGEPORT

Bridgeport has a Chief Administrative Officer which is not included in the Charter; however, is referenced in the Ordinances.

Bridgeport Chapter 6, Sec. 1.

(a) There shall be a department of policy and management which shall be responsible for budget analysis, development and administration; operations planning and improvements; program performance evaluation and monitoring; management improvements for all boards, commissions and departments of the city; intergovernmental relations and such other functions as the mayor or the city council may, from time to time, assign to it.

(b) The head of the department shall be a director of policy and management who shall be appointed by and serve at the pleasure of the mayor. The director shall hold a degree in public administration or management, planning,

business administration, government, political science, economics, finance or a similar field or shall possess an equivalent combination of education and experience. The director may, with the approval of the mayor, appoint a deputy director who shall serve at the pleasure of the director. The heads of the various units of the department of policy and management shall be appointed by the director of policy and management, with the approval of the mayor, and shall serve at the pleasure of the director.

(c) The director of policy and management shall be responsible for the general supervision of the operations and management of the several units of the department of policy and management. He/she shall advise and assist the mayor, the city council and the boards, commissions and departments of the city with respect to matters within the jurisdiction of the department of policy and management. The director shall be responsible for the preparation of the department's budget, the supervision of all employees of the department and the preparation of an annual report on the activities of the department of policy and management.

(d) The director of policy and management shall compile the operating and capital budgets for the mayor and shall advise and assist the mayor, the city council and the boards, commissions and departments of the city in matters relating to budget preparation, adoption and administration. The director shall have full power to require each city officer or employee to furnish all the information which they may possess, and to exhibit to all books, contracts, resolutions, reports and other papers and documents in his department or in their possession, requisite, in the director's opinion required to discharge the director's duties, and all city officers shall furnish and exhibit the same in such manner and form as may be prescribed by said director.

OTHER TOWNS

BRISTOL – No Town Administrator
NEW BRITAIN – Director of Finance, subject to merit system (Charter)
DANBURY – Director of Finance, subject to merit system (Charter)
WEST HAVEN – Finance Director, co-terminus with Mayor (Charter)
MILFORD – Director of Finance, appointed by Mayor (Charter)
EAST HARTFORD – appointed by Mayor, co-terminus with Mayor

CHARTER

OF THE

TOWN OF FAIRFIELD

CRC TRANSMITTAL VERSION - APPROVED 13 JUNE 2022

Proposed Revisions to Board of Selectmen
Approved: 13 June 2022[1]

Transmittal to Town Clerk: 20 June 2022

Charter Revision Commission 2021-2022

Bryan Cafferelli
Chair

Christopher Brogan
Vice Chair

Marlene Battista
Secretary

Jay Gross

Hon. Pamela Iacono

Hon. John Mitola

John Wynne

James T. Baldwin
Town Attorney

Steven G. Mednick
Counsel

[1] Please Note: This document remains a draft and will continue to undergo due diligence reviews throughout the entirety of this process. We will continue to clarify and align provisions for the duration. This draft is based upon the 11 January 2022 Reorganizational Baseline. This document remains a work in progress and will be reviewed and refined as the CRC and Board of Selectpersons progresses through the process. Please excuse any errors or inaccuracies. Internal references will continue to be addressed and aligned at the final stage in this process.

CRC TRANSMITTAL VERSION - APPROVED 13 JUNE 2022

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CRC TRANSMITTAL VERSION - APPROVED 13 JUNE 2022

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE I - INCORPORATION, GENERAL POWERS, CONSTRUCTION, ORGANIZATION AND STANDARDS[2]

§1.1. Title[3].

The Charter of the Town of Fairfield (the "Town") shall be the organic Law of the Town in the administration of its local affairs.

§1.2. Incorporation and powers[4].

All the inhabitants dwelling within the Town, as previously constituted, shall continue to be a body politic and corporate under the name of the Town and shall have all powers and privileges and immunities previously exercised by the Town and not inconsistent with this Charter, the additional powers and privileges conferred in this Charter, and all powers and privileges conferred upon towns under the General Statutes of the State of Connecticut as the same may be amended[5].

§1.3. Rights and obligations[6].

All property, both real and personal, all rights of action and rights of every description and all securities and liens vested or inchoate 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 the effective date, whether accrued or not. Nothing shall be construed to affect the right of the Town to collect any assessment, charge, debt, or lien for the construction, alteration, or repair of any public improvement.

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[2] [HISTORY: Adopted by ballot of the Town of Fairfield 11-7-2006, effective 11-27- 2006 ("2006 Charter")[2]. Amendments noted where applicable.] Editor's Note: This enactment supersedes the former Charter adopted by the Representative Town Meeting 11-4-1997, effective 11-24-1997. **Comment from the 2022 Charter Revision Commission:** The annotations set forth herein are not definitive or comprehensive. The effort is a first step in the process of recreating the historical antecedents to the current provisions of the Charter as well as showing the continued impact, if any, of Special Act provision adopted prior to the adoption of the Home Rule Act and Article Tenth of the 1965 Constitution of the State of Connecticut.

[3] NEW (2022).

[4] 2022 recodification of current Article I, §1.1. Derived from Chapter I, §1 of "An Act Concerning a Charter for the Town of Fairfield" (1947) ("1947 Act"). Chapter XXIII of the 1947 Act and 1956 Acts included a Town Court; which was amended by §3 of Special Act No. 382 of the Special Act of 1949: ("1949 Act"); further amended by §21 of "An Act Amending the Charter of the Town of Fairfield" (1951) ("1951 Act"); Chapter I, §1 of "An Act Concerning a Charter for the Town of Fairfield" (1956) ("1956 Act"); Chapter I, §1 of the Charter of Town of Fairfield (1975) ("1975 Charter"); and, Article I, §1.1 of the Charter of the Town of Fairfield (1997)("1997 Charter").

[5] Derived from Chapter I, §3 of the 1947 Special Act. Further amended by §§1 and 2 of the 1951 Act.

[6] 2022 recodification of current Article I, §1.2. Derived from Chapter I, §2 and 3 of the 1947 Act; reenacted by Chapter I, §2 and 3 of the 1956 Act; Chapter I, §2 and 3 of the 1975 Charter; and modified by Article I §1.2 of the 1997 Charter. Chapter I, §4 of the 1947 and 1956 Acts and 1975 Charter included contained a provision vesting the 'legislative power of the Town" in the Representative Town Meeting; said provision as well as the "corporate powers" provision in Chapter I, 3 of the 1947 and 1956 Acts and 1975 Charter were abandoned by the 1997 Charter.

CHARTER OF THE TOWN OF FAIRFIELD

§1.4. Definitions.

A. Definitions and Titles Generally[7]. The definitions contained in the General Statutes of the State of Connecticut shall govern the interpretation of this Charter; unless otherwise defined herein. Articles and Sections are for the purpose of ready reference and shall not be held to limit, extend or effect the interpretation and meaning of the text.

B. Capitalized terms[8]. The following rule has been used in determining which terms in this Charter are capitalized: All references to particular Town officials, as defined, below, and to particular Town Boards and Commissions are capitalized, while general references are not. For example: The Board of Education shall have the powers and duties conferred on boards of education by the General Statutes.

C. Defined terms[9]. The following terms shall have the meanings set forth in this paragraph unless otherwise specified in this Charter:

(1) "Appointed Town Officer[10]" means an employee who heads any Department in the Town, whether established by Charter or the Town Code; has the authority and qualifications set forth in §§6.1 through 6.2 of this Charter; and, is directly accountable to the First Selectperson, unless otherwise set forth in this Charter.

(2) "Board" or "Commission[11]". For the purposes of this Charter and except as otherwise provided by Law, the terms "Board" and "Commission" mean all boards, agencies, commissions, authorities or like entities or bodies of the Town, whether elected or appointed. This term does not include advisory committees, tasks forces or other like entities created by appointing authorities for limited duration, purposes or scope.

(3) "Board of Selectpersons[12]"means the executive authority of the Town as defined in Article IV of this Charter.

(4) "Charter[13]" means the Charter of the Town of Fairfield.

(5) "Contracts" means all contractual relations of the Town (including the Board of Education), including, without limitation, purchase contracts, lease contracts, and service contracts, including but not limited to, agreements, memoranda of understanding, memoranda or agreement, letters of understanding,

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[7] NEW (2022)
[8] 2022 recodification of current Article I, §1.3.A. Derived from Article I, §1.3.A of the 1997 Charter.
[9] 2022 recodification of current Article I, §1.3.B. Derived from Article I, §1.3.B of the 1997 Charter
[10] See, Articles VI and VII.
[11] NEW (2022).
[12] NEW (2022)
[13] NEW (2022)

side letters and other agreements [14].

(6) "Day(s)[15]" means calendar days; unless, otherwise specifically set forth in this Charter. Moreover, where a Day set forth in this Charter falls on a weekend, holiday or day when the Town is closed for business, the deadline shall be extended through the close of the next Town business day; unless otherwise required by law

(7) "Department[16]" means any major functional or administrative division of the Town, including any offices, agencies, bureaus or other descriptions serving such purpose as may be set forth in the budget of the Town. When used within the section establishing or describing the duties of the particular department or its related Board or Commission, the term "Department" shall apply exclusively to the functional division referred to in that section.

(8) "Elected Town Officials" means an individual who holds an elected municipal office as set forth in §2.3.A, and as further set forth in this Charter.

(9) "Elector[17]" shall have the meaning contained in the General Statutes.

(10) "First Selectperson" means the chief executive officer of the municipality, as required by the General Statutes[18] and as set forth in this Charter.

(11) "General Statutes" or C.G.S.[19]" means the official General Statutes of Connecticutunder arrangement of the 1958 Revision as amended and updated, from time to time. Where chapter references are made, they are to chapter designations as of January 1, 2006. In the event a chapter designation is changed by the publishers of the General Statutes, the new chapter references shall be substituted

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[14] 2022 modification and recodification of current Article VI, §6.1.C(1) (2006)(third sentence).
[15] NEW (2022).
[16] NEW (2022).
[17] **Comment of the 2022 Charter Revision Commission.** C.G.S. **§**9-1. Definitions. (e) "Elector" means any person possessing the qualifications prescribed by the Constitution and duly admitted to, and entitled to exercise, the privileges of an elector in a town". C.G.S. **§**9-12. Who may be admitted. (a) Each citizen of the United States who has attained the age of eighteen years, and who is a bona fide resident of the town to which the citizen applies for admission as an elector shall, on approval by the registrars of voters or town clerk of the town of residence of such citizen, as prescribed by law, be an elector, except as provided in subsection (b) of this section. For purposes of this section a person shall be deemed to have attained the age of eighteen years on the day of the person's eighteenth birthday and a person shall be deemed to be a bona fide resident of the town to which the citizen applies for admission as an elector if such person's dwelling unit is located within the geographic boundaries of such town. No mentally incompetent person shall be admitted as an elector. (b) Any citizen who will have attained the age of eighteen years on or before the day of a regular election may apply for admission as an elector. If such citizen is found to be qualified the citizen shall become an elector on the day of the citizen's eighteenth birthday. The registrars shall add the name of any person applying under this subsection, if found qualified, to the registry list and, if applicable, to the enrollment list, together with the effective date of his registration. The registrars may place the name of each such person at the end of the registry and enrollment lists for the voting district.
[18] Required by C.G.S. **§** 7-193(a)(2)(C).
[19] 2022 modification and recodification of current Article I, §1.3.B(4). Derived from Article I, §1.3.B of the 1997 Charter

for the chapter references contained in this Charter.

(12) "Law" means, although is not limited to, decisions of courts and administrative bodies (or any agreements sanctioned by said bodies), federal or state legislative enactments, Ordinances and Regulations, including all applicable rules contained therein.

(13) "Majority Vote of the RTM[20]" means more than half of the votes have been cast by the members at a meeting of the RTM at which a quorum is present.

(14) "Meeting[21]" shall have the meaning set forth in C.G.S. §1-200(2), including meetings by means of electronic equipment, as may be amended from time to time.

(15) "Meeting (or Hearing) Notice[22]" means a notice posted as required by the General Statutes, including posting of regular meetings with the Office of the Secretary of the State and the Town Clerk, as well the requirement pertaining to special and emergency meetings as well as public hearings, in the same manner as set forth in §1.4.C(17) of the Charter, and as may be established by Ordinance or written rules of the RTM or any Board or Commission insofar as such notice requirements are in accordance with the General Statutes. In addition to the above-referenced postings, the Town may post notices on its web-site or notify Elected Town Officials, members of the RTM or members of Boards and Commissions through other electronic media and, if otherwise required by Law, said notice shall be published in a daily newspaper of general circulation distributed in the Town. A Meeting Notice (including public hearings) shall state the time and place thereof and shall be published at a minimum in compliance with the General Statutes or by a more stringent requirement as may be set forth in this Charter. Meeting or Hearing Notice may also be governed by regulatory practices and procedures set forth in the General Statutes[23].

(16) "Ordinances" or "Ordinances of the Town" or "Town Code" means the legislative powers of the Town to (1) establish rules or regulations of general municipal application, the violation of which may result in the imposition of a fine or other penalty; (2) create a permanent local law of general applicability; or (3) accomplish other objectives permitted by the General Statutes as may be enacted in accordance with the provisions of this Charter.

(17) "Public Notice" or "Publication[24]" means a notice for matters other than public meetings or hearings, including the public inspection or availability of any

[20] NEW (2022).
[21] NEW (2022)
[22] NEW (2022).
[23] The 2022 Charter revision deletes current Article IV, §4.3.D (2006). Modification of Chapter III, §2 (third sentence) and §4 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.3.D of the 1997 Charter.
[24] NEW (2022)

documents or data, as may be required by this Charter. Said Public Notice shall be specifically set forth in this Charter or may be governed by the requirements of the General Statutes. Public Notice shall be posted (1) in the Office of the Town Clerk and other public space or location in the Town Hall designated by the Town Clerk in order to assure sufficient disclosure to and access by the public or other public places as may be determined by the Town Clerk; (2) on the Town web-site or through other electronic media by the Town Clerk; and, (3) if otherwise required by Law, by publication in a daily newspaper of general circulation distributed in the Town. Unless otherwise required by Law, newspaper publication is in the discretion of the Town Clerk or the body providing the Public Notice.

(18) "Regulation[25]" means a statement of general applicability approved by a Department or Board or Commission, without regard to its designation, that implements, interprets, or prescribes law or policy, or describes the organization, procedure, or practice requirements of any such Department, Board or Commission or the Laws under which they operate.

(19) "Representative Town Meeting" or "RTM[26]" means the legislative body of the Town, as required by the General Statutes and as specifically set forth in Article III of this Charter.

(20) "Special Acts" or "Special Laws" means the acts of the General Assembly pertinent to the Town.

(21) "State" or "Connecticut" means the State of Connecticut.

(22) "State Constitution" means the Constitution of the State of Connecticut.

(23) "Town" means the Town of Fairfield.

(24) "Town Office" means any position in Town government which is described by this Charter or the Town Code except membership on the Representative Town Meeting[27].

(25) "Town Officer" means an individual elected or appointed to a Town Office, including any Appointed Town Officer whether established by this Charter or the Town Code, other than as a member of a Board, or Commission[28].

(26) "Town Official" means any Town Officer and Board or Commission or the individual members thereof, including any Appointed Town Officer whether established by this Charter or the Town Code[29].

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[25] NEW (2022). Derived from C.G.S. §4-166(16).
[26] NEW (2022) Required by C.G.S. §7-193(a)(1)(C).
[27] 2022 recodification of current Article I, §1.3.B(1). Derived from Article I, §1.3.B of the 1997 Charter
[28] 2022 recodification of current Article I, §1.3.B(2). Derived from Article I, §1.3.B of the 1997 Charter
[29] 2022 recodification of current Article I, §1.3.B(3). Derived from Article I, §1.3.B of the 1997 Charter

(27) Where reference is made to the word "shall" the legislative intention is to make the function a mandatory or imperative obligation for the official or entity charged with an obligation under this Charter or under the Town Code. It is recommended that to avoid any doubt the word "must" should be used in order to impose clarity on the concept of obligation[30].

§1.5. Standards of Conduct[31].

A. Declaration of Policy[32]. Town Officials, RTM members and all employees of the Town shall demonstrate by their example the highest standards of ethical conduct, to the end that the public may justifiably have trust and confidence in the integrity of government. As agents of public purpose, they shall hold their offices or positions for the benefit of the public, shall recognize that the public interest is their primary concern, and shall faithfully discharge the duties of their offices regardless of personal considerations.

B. Conflict of Interest[33]. No Town Official, RTM member or any employee shall:

(1) Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any other form, under circumstances in which it can reasonably be inferred that the gift is intended to influence the Town Official, employee, or member in the performance of official duties; (Nothing in this paragraph shall preclude the solicitation or acceptance of lawful contributions for election campaigns).

(2) Disclose confidential information gained by reason of the office or position or use such information for the personal gain or benefit of anyone;

(3) Knowingly have or acquire any financial interest or any personal beneficial interest, direct or indirect, in any contract or purchase order for any supplies, materials, equipment or contractual services furnished to or used by the Town in connection with any project, matter or thing which comes within the Town Official's, employee's, or RTM member's jurisdiction or the jurisdiction of the Board, Commission or any other body of which the person is a member (unless such interest is acquired through being the lowest responsible bidder after public advertisement); or

(4) Engage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of the official duties orwhich may tend to impair the independence of judgment in the

[30] NEW (2022)
[31] 2022 recodification of current Article XI entitled "Standards of Conduct.
[32] 2022 recodification of current Article XI, §11.1 (2006). Derived from Article XI, §11.1 of the 1997 Charter,
[33] 2022 recodification of current Article XI, §11.2 (2006). Derived from Chapter XXV of the 1975 Charter; and, Article XI, §11.2 of the 1997 Charter,

performance of the Town Official's, employee's, or RTM member's official duties[34].

C. Disclosure of Interest[35]. Any Town Official, RTM member, or employee who possesses or who acquires such private interest as might reasonably tend to create a conflict with the public interest shall make disclosure thereof to such Board, Commission or body and such person shall be disqualified from action on any matter involving the private interest.

D. Fair and Equal Treatment[36]. No Town Official, RTM member, or employee shall use an official position to secure or grant special consideration, treatment, advantage, privilege, or exemption to himself or herself or to any person beyond that which is available to every other person.[37]. This provision is not intended to prevent an RTM member from properly representing the people of the member's district.

E. Penalties and Disciplinary Action for Violations[38]. The failure to comply with, or any violation of, the standards of conduct established by this Charter shall be grounds for the removal from office, discharge from employment of the offending Town Official, RTM member, or employee, and the Board of Selectpersons in its discretion may void any contract entered into or adopted in violation of this Charter. The Board of Selectpersons or the Ethics Commission may recommend disciplinary measures for RTM members who fail to comply with, or who violate, these standards, but the RTM retains the final authority to discipline its members.

§1.6. Rules of Order and Civility[39].

Town Officials and employees shall treat members of the public with respect and expect the same in return in official in-person or virtual/electronic interactions. The Town is committed to maintaining orderly administrative processes and in keeping Town administrative offices free from disruption.

A. The Workplace and Town Operations. In the workplace and other official interactions this Charter promotes mutual respect, civility and orderly conduct among Town employees, Town Officials, Members of the RTM and the public. This section is not intended to deprive any person of his or her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, productive, and harassment-free workplace for Town staff and a safe and non-threatening environment for the public. The Town

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[34] Subsections C. and D. may be derived from Chapter II, §6 of the 1947 and 1956 Acts.
[35] 2022 recodification of current Article XI, §11.3 (2006). Derived from Article XI, §11.3 of the 1997 Charter,
[36] 2022 recodification of current Article XI, §11.4 (2006). Derived from Article XI, §11.4 of the 1997 Charter.
[37] NEW (2022). **Comment of the 2022 Charter Revision Commission:** In the model ethics code of the State of Florida this provision usually includes the following presumption language: " If an official or employee believes his or her accusation to be true, and then learns that it was false, even in part, he or she should apologize in the same forum the accusations were made. A failure to so apologize within a reasonable period of time after learning of the falseness of the accusations will create the presumption that the conduct was fully intentional."
[38] 2022 recodification of current Article XI, §11.5 (2006). Derived from Article XI, §11.5 of the 1997 Charter.
[39] NEW (2022).

encourages all parties to engage in professional, respectful, and courteous communication and discourages hostile, intimidating, or otherwise disruptive actions.

B. Public Meeting Decorum. The Town is committed to the democratic process, the rule of law, individual rights of expression, robust debate, and tolerance for disparate views and the building of better community relationships through increased empathy, greater awareness and decreased reactivity. The Town's elected and appointed Boards and Commissions, the RTM and other public bodies and various community groups all convene public meetings to address, from time to time, controversial issues that may engender passionate and often conflicting opinions. An atmosphere of incivility and disrespect at these meetings can stifle participation and debate, threaten the quality of decisions and undermine the local democratic process.

C. Rules of Order. In order to effectuate these provisions of the Charter, the Town may adopt Ordinances generally governing the conduct of public meetings in accordance with this Charter.

(1) Parliamentary Guidance: The General Rule[40]. Robert's Rules of Order shall, as a general rule, regulate the conduct of all meetings of the RTM and all elected and appointed Boards and Commissions of the Town, unless the RTM or particular Board or Commission otherwise specifies.

(2) Adoption of Rules. Notwithstanding the foregoing, the RTM and each elected and appointed Board and Commission may adopt rules of order in order to conduct public meetings and government business in a civil and orderly environment. The rules shall be adopted by a vote of two-thirds (2/3rd) of the members of the Board or Commission, following review by the Town Attorney to ensure that the rules are based on best practices in parliamentary procedure and consistent with the open meeting requirements of the General Statutes and this Charter.

D. The Role of the Presiding Officer. The Presiding Officer of the RTM and each elected and appointed Board and Commission shall be responsible for maintaining the decorum at public meeting and for the uniform enforcement of rules of order.

E. Compliance with Rules of Order and Decorum. Likewise, all persons who attend a public meeting shall comply with any lawful order of the Presiding Officer to enforce rules of order and decorum. In all circumstance, members of the public and all public officials shall be expected to follow the rules of the body and shall not engage in disorderly conduct, uncivil language or actions as may be defined by Ordinance, Regulation or rules of order of the body.

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[40] Recodification of current Article VIII, §8.1.B(4)[Elected Boards and Commissions]; and, Article X, §10.1.B(4)[Appointed Boards and Commissions] (2006). Derived from Article VIII, §8.1.B and Article X, §10.1.B of the 1997 Charter.

F. Breach of Rules. In the event any person breaches the rules of order pertaining to civility in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of the Meeting, the Presiding Officer shall order that person to cease such conduct. The Presiding Officer has the authority to order a member of the public, public official or member of the body to leave the public meeting in the event of continued violations following an initial order from the presiding officer. If said initial order to cease the offending conduct is not obeyed and said conduct continues in spite of an escalation of additional orders from the Presiding Officer, the party may be removed from the Meeting. Removal of a person at an in-person event may be facilitated by a Sergeant at Arms or law enforcement officer. At a virtual or hybrid meeting the presiding officer may block the person from participation. Members of appointed Boards or Commissions may be subject to removal in accordance with the provisions of §6.7.A of this Charter.

§1.7. Open Meetings and Public Records[41].

A. Records[42]. Each Elected and Appointed Board and Commission shall keep a complete and accurate record of its official acts, votes, meetings, and proceedings and shall have custody of its correspondence, files and other records and shall designate one of its members or its clerk to keep such record. The minutes and recordings of Boards and Commissions shall be public records, in accordance with the General Statutes, and shall be open for public inspection (A) at the office of the Town Clerk, during regular business hours; and, (B) on the Town website in compliance with the requirements of Law.

B. Open and Public Meetings[43]. All Meetings of Elected and Appointed Boards and Commissions and all committees, task forces or other like entities, shall be open to the public except for executive sessions permitted by the General Statutes, and all appointed Boards and Commissions, and all committees, task forces or other like entities shall comply with state freedom of information laws unless otherwise provided by the General Statutes or Law.

[41] NEW (2022).
[42] 2022 recodification and modification of current Article VIII, §8.1.B (2) and Article X, §10.1.B(2), derived from Chapter XXIV, §1 and §2 of the 1947 and 1956 Acts; and, Chapter XXVI, §2 of the 1975 Charter.
[43] 2022 recodification and modification of current Article VIII, §8.1.B(3) and Article X, §10.1.B(3), derived from Chapter II, §6 of the 1947 and 1956 Acts; and, Chapter II, §5 of the 1975 Charter.

CHARTER OF THE TOWN OF FAIRFIELD

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE II - ELECTED OFFICIALS AND ELECTIONS

§2.1. Application of General Statutes[44].

Unless otherwise, specifically set forth in this Charter, the General Statutes, as amended from time to time, relating to elections, including, without limitation, residency requirements and nomination of candidates, shall be applicable to all elections held in accordance with the provisions of this Charter. The nomination and elections of all Federal, State and Town elected officials shall be conducted as prescribed by the General Statutes and as further set forth in this Charter.

§2.2. Rules Pertaining to Electors.

A. Eligibility to Vote[45]. Each Elector of this State who shall reside within the limits of the Town upon the date of any election, and who shall be qualified to vote therein, shall be an Elector of the Town.

B. Eligibility to serve as an Elected Town Official[46]. No person shall be eligible for nomination or election to office as an Elected Town Official who is not an Elector of the Town, in accordance with the General Statutes[47].

C. Prepared Lists of Electors[48]. The Registrars of Voters shall prepare lists of Electors qualified to vote therefore, in the manner prescribed by the State Constitution, the General Statutes and any Special Acts applicable to the Town.

D. Effect of ceasing to be an Elector or Resident of a District: Vacancy; Exception.

(1) General Rule[49]. If any Elected Town Official ceases to be an Elector of the Town, the office shall become vacant, including the position of district representative on the Representative Town Meeting[50].

(2) Exception: Change of Residence[51]. In the event a member of the

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[44] NEW (2022)
[45] NEW (2022).
[46] 2022 recodification of current Article II, §2.1.A (2006). Derived from Chapter II, §3 of the 1947 and 1951 Acts; Chapter II, §7 of the 1956 Act; Chapter II, §3 of the 1975 Charter; and, Article II, §2.1.A of the 1997 and 2006 Charters.
[47] **Comment of the 2022 Charter Revision Commission.** At the time of adoption, the applicable statute is C.G.S. §9-186.
[48] NEW (2022).
[49] 2022 modification and recodification of current Article II, §2.1.B (2006). Derived from Chapter II, §3 of the 1947 and 1951 Acts; Chapter II, §7 of the 1956 Act; Chapter II, §3 of the 1975 Charter; and, Article II, §2.1.B of the 1997 and 2006 Charters.
[50] 2022 recodification and consolidation of current Article IV, §4.2.D (2006).
[51] 2022 recodification and consolidation of current Article IV, §4.2.D (2006). Derived from Chapter II, §3 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.2.D of the 1997 Charter. In addition, this

Representative Town Meeting remains an Elector of the Town yet moves from the district from which the member was elected to serve, said member may continue to serve until the next election of RTM members.

§2.3. Date of Elections and Terms of Office for Elected Offices.

A. Elected Town Officials[52]. The Elected Town Officials are:

(1) The First Selectperson;
(2) Two (2) additional members of the Board of Selectpersons;
(3) Town Clerk:
(4) Nine (9) members of the Board of Finance;
(5) Nine (9) members of the Board of Education;
(6) Seven (7) members of the Town Plan and Zoning Commission;
(7) Three (3) alternate members of the Town Plan and Zoning Commission;
(8) Five (5) members of the Zoning Board of Appeals;
(9) Three (3) alternate members of the Zoning Board of Appeals;
(10) Five (5) members of the Board of Assessment Appeals; and,

The Registrars of Voters are also considered to be Elected Officials. Justices of the Peace are also recognized by this Charter as Elected Officials[53].

B. Representative Town Meeting. There shall be thirty (30) members of the Representative Town Meeting divided amongst ten (10) districts by the RTM as set forth in §3.2.A(1) of this Charter.

C. Date of Town Elections and Term of Office[54]. A meeting of the Electors of the Town for the election of Elected Town Officials shall be held on the first (1st) Tuesday after the first (1st) Monday in November in each odd numbered year, as follows:

(1) In November 2023, and in the odd numbered years thereafter, as the term of office shall fall:

(a) **First Selectperson** for a term of four (4) years[55];
(b) Two (2) additional member of the **Board of Selectpersons** for a term of four (4) years[56];

provision, consolidates and recodifies current Article II, §2.6.B(2) (2006). Derived from Article II, §2.6.B of the 1997 Charter.
[52] NEW (2022).
[53] Recodification of current Article VII, §7.2.A (2006)(Establishment Clause.
[54] 2022 recodification of current Article II, §2.3.A (2006). Derived from Chapter II, §4 of the 1947 Act, which included a Monday election day. The November election dated was established in §4 of the 1951 Act and reconfirmed in Chapter II, §4 of the 1956 Acts and 1975 Charter and Article II, 2.3 A of the 1997 and 2006 Charters.
[55] 2022 recodification of current §1.4.A. and §2.3.C (2006). Note: The four-year term commenced in 2007.
[56] 2022 recodification of current §1.4.A and §2.3.C (2006). Note: The four-year term commenced in 2007.

(c) Thirty (30) members of the **Representative Town Meeting**, for a term of two (2) years, as further set forth in §3.2.A of this Charter[57];

(d) **Town Clerk**, for a term of four (4) years[58];

(e) Three (3) members of the **Board of Finance**, for a term of six (6) years, as further set forth in §5.3.A and §5.5 of this Charter[59];

(f) Five (5) members of the **Board of Education**, for a term of four (4) years, as further set forth in in §5.3.A and §5.4 of this Charter[60];

(g) Three (3) members of the **Town Plan and Zoning Commission** for a term of four (4) years, as further set forth in §5.3.A and §5.7 of this Charter[61];

(h) One (1) member of the **Town Plan and Zoning Commission** for a term of two (2) years, as further set forth in §5.3.A and §5.7 of this Charter[62];

(i) Three (3) members of the **Zoning Board of Appeals**, for a term of four (4) years, as further set forth in §5.3.A and §5.8 of this Charter[63];

(j) One (1) member of the **Zoning Board of Appeals**, for a term of two (2) years, as further set forth in §5.3.A and §5.8 of this Charter[64]; and,

(k) Two (2) members of the **Board of Assessment Appeals**, for a term of four (4) years, as further set forth in §5.3.A and §5.6 of this Charter[65].

(2) In November 2025, and in the odd numbered years thereafter, as the term of office shall fall:

(a) Three (3) members of the **Board of Finance**, for a term of six (6) years, as further set forth in §5.3.A and §5.5 A of this Charter[66];

(b) Four (4) members of the **Board of Education**, for a term of four (4) years, as further set forth in in §5.3.A and §5.4 of this

[57] 2022 recodification of current §1.4.A and §2.6.E (2006). Also, recodification of current Article II, §2.6.E (2006). Note: The term provisions were established in Chapter III, §3(c) of the 1947 and 1956 Acts and 1975 Charter. There was also a general provision for terms of office for elective officials in Chapter II, §5 of the 1947 and 1956 Acts and the Chapter.

[58] 2022 recodification of current §1.4.A. and §2.3.C (2006). Note: The four-year term commenced in 2007.

[59] 2022 recodification and clarification of current §1.4.A and §2.3.B (2006).

[60] 2022 recodification and clarification of current §1.4.A and §2.3.C (2006).

[61] 2022 recodification of current §1.4.A and §2.3.B (2006).

[62] 2022 recodification of current §1.4.A and §2.3.B (2006).

[63] 2022 recodification of current §1.4.A and §2.3.C (2006)

[64] 2022 recodification of current §1.4.A and §2.3.C (2006).

[65] 2022 recodification of current §1.4.A and §2.3.C (2006).

[66] 2022 recodification and clarification of current §1.4.A and §2.3.B (2006).

Charter[67];

(c) Three (3) members of the **Town Plan and Zoning Commission** for a term of four (4) years as further set forth in §5.3.A and §5.7 of this Charter[68];

(d) Three (3) alternate members of the **Town Plan and Zoning Commission**, for a term of four (4) years, as further set forth in §5.3.A and §5.7 of this Charter[69];

(e) Two (2) members of the **Zoning Board of Appeals**, for a term of four (4) years, as further set forth in §5.3.A and §5.8 of this Charter[70];

(f) Three (3) alternate members of the **Zoning Board of Appeals**, for a term of four (4) years, as further set forth in §5.3.A and §5.8 of this Charter[71];

(g) Three (3) members of the **Board of Assessment Appeals**, for a term of four (4) years, as further set forth in §5.3.A and §5.8 of this Charter[72]; and,

(h) All Elected Town Officials and members of the RTM, for a term of two (2) years, as further set forth in §3.2.C(1)(c), (h) and (j) of this Charter[73].

(3) In November 2027, and in the odd numbered years thereafter, as the term of office shall fall:

(a) Three (3) members of the **Board of Finance**, for a term of six (6) years, as further set forth in §6.3.A of this Charter[74]; and,

(b) All Elected Town Officials and members of the RTM as set forth in §2.3.C(1) of this Charter, who serve for a term of two (2) or four (4) years, as the case may be[75].

(4) Terms of Justices of the Peace[76]. The forty-five (45) Justices of the Peace[77], selected as provided in the General Statutes[78], shall serve a four (4) year term. They shall have such powers as set forth in the General Statutes[79].

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[67] 2022 recodification and clarification of current §1.4.A and §2.3.C (2006).
[68] 2022 recodification of current §1.4.A and §2.3.B (2006).
[69] 2022 recodification of current §1.4.A and §2.3.C (2006).
[70] 2022 recodification of current §1.4.A and §2.3.C (2006).
[71] 2022 recodification of current §1.4.A and §2.3.C (2006).
[72] 2022 recodification of current §1.4.A and §2.3.C (2006).
[73] NEW (2022).
[74] 2022 recodification and clarification of current §1.4.A and §2.3.A.
[75] NEW (2022).
[76] 2022 recodification of current Article II, §2.3.E (2006); see also current Article VII 7.2.A (2006)(Establishment Clause). Derived from Chapter II, §1 of the 1947 Act, included 14 justices of the peace.
[77] Derived from Chapter II, §1 of the 1947 Act, included 14 justices of the peace.
[78] **Comment of the 2022 Charter Revision Commission.** At the time of adoption of the Charter, the applicable statutes are C.G.S. §9-183a, b and c and §9-444.
[79] 2022 recodification of current Article VII, 7.2.B (2006)((“Powers and Duties Clause”).

(5) State Election – Registrar of Voters[80]. The Registrars of Voters shall be elected at state elections every four (4) years[81], as provided in the General Statutes and shall have such powers duties as set forth in the General Statutes[82].

D. Commencement Date of Terms of Elected Town Officials. Terms of office of all Elected Town Officials declared elected and qualified hereunder shall commence:

(1) Elected Town Officials, including the RTM[83]: On the third Monday in November and shall continue until their successors have been elected or otherwise chosen and qualified.

(2) State Office - Terms of Justices of the Peace[84]. On the first Monday in January after their nomination.

(3) Terms of Registrars of Voters[85]. On the Wednesday after the first Monday in January after their election.

§2.4. Minority representation on elected Boards and Commissions.

A. Even number requirements[86]. Except as provided below with respect to the Board of Education, when an even number of members of a Board or Commission is to be elected, no political party shall nominate, and no Elector shall vote for, more than one-half (1/2) the number of persons to be elected.

B. Uneven number requirements[87]. Except as provided below with respect to the Board of Education, when an uneven number of members of a Board or Commission is to be elected, no political party shall nominate, and no Elector shall vote for, more than a bare majority of the number of persons to be elected.

C. Board of Education[88].

(1) As pertains to §2.3.B(1)(f). In an election where five (5) candidates

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[80] 2022 modification and recodification of current Article II, §2.3.F (2006)(first clause).
[81] **Comment of the 2022 Charter Revision Commission;** The baseline commencement date was 2008.
[82] **Comment of the 2022 Charter Revision Commission:** At the time of adoption of the Charter the Registrars of Voters is governed by C.G.S. 9-190 and 9-190a (state election cycle). Within Chapter 146; see, C.G.S. §9-164 et seq.)
[83] 2022 recodification of current Article II, §2.3.D (2006).
[84] 2022 recodification and modification of current Article II, §2.3.E (2006), in compliance with C.G.S. §9-183b.
[85] 2022 recodification of current Article II, §2.3.F (2006)(second clause).
[86] 2022 recodification of current Article II, §2.2.A (2006). Derived from Article II, §2.2.A of the 1997 and 2006 Charters.
[87] 2022 recodification of current Article II, §2.2.B (2006). Derived from Article II, §2.2.B of the 1997 and 2006 Charters.
[88] 2022 recodification of current Article II, §2.2.C (2006). Derived from Article II, §2.2.C of the 2006 Charter.

shall be elected to the Board of Education, the Electors shall vote for up to five (5) candidates for the Board of Education. Each major or minor party, as defined by the General Statutes and petitioning candidates (if permitted by the General Statutes) ("Political Party") may nominate up to three (3) candidates. At such time as candidates representing one Political Party have been declared elected to three (3) seats, two (2) candidates not of the same Political Party as the party securing said three seats, shall be declared elected according to their vote count.

(2) As pertains to §2.3.B(2)(b): In an election where four (4) candidates shall be elected to the Board of Education, the Electors shall vote for up to four (4) candidates for the Board of Education. Each major or minor party, as defined by the General Statutes and petitioning candidates (if permitted by the General Statutes) may nominate up to three (3) candidates. At such time as candidates representing one Political Party have been declared elected to three (3) seats, one (1) candidate not of the same Political Party as the party securing said three seats, shall be declared elected according to his or her vote count.

§2.5. Single office requirement for Elected Town Officials[89].

No person shall be eligible to serve as an Elected Town Official, including membership on any elected Board or Commission, who is at the same time an RTM member, Town Official or an elected state official. For purposes of this paragraph, the term "Town office" does not include Justices of the Peace, but does include members of the Board of Education.

§2.6. Vacancies in elected offices.

A. Generally[90]. Except as provided in §2.6.D, with respect to the RTM and §4.6 of this Charter with respect to the First Selectperson and Board of Selectpersons, a vacancy in any elected Town Office[91], including membership on elected Boards and Commissions, shall be filled by the Board of Selectpersons until the vacancy can be filled by election, as follows:

(1) The vacancy shall be filled at the next Town election if the vacancy occurs prior to the time in which nominations can be made under Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.). If the vacancy occurs after such time, it may be filled at the next municipal general election for which nominations can be timely made, or at a special election if convened by the Board of Selectpersons or upon application by Electors as provided in Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.).

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[89] 2022 recodification of current Article II, §2.1.C (2006). Derived from Article II, §2.1.C of the 1997 and 2006 Charters.

[90] 2022 modification and recodification of current Article II, §2.5. Derived from Chapter II, §7 of the 1947 Act; further amended by §4 of the 1951 Act and Chapter II, §7 of the 1956 Act; Chapter II, §6 and Article II, 2.5 of the 1997 and 2006 Charters.

[91] 2022 recodification of current Article VII, 7.1.H. (2006). Derived from Article VII, §7.1.H of the 1997 Charter

(2) Vacancies shall be filled for a term ending at the same time the vacating member's term would have expired.

(3) If the person vacating the office was elected as a member of a political party, the vacancy shall be filled during the period of appointment from the membership of the same political party.

B. Vacancies in the Office of Justice of the Peace[92]. Vacancies in the office of Justice of the Peace shall be filled in the manner prescribed in Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.).

C. Long-term illness or disability of First Selectperson[93]. In addition to the death or resignation of the First Selectperson, a vacancy shall exist in the office of First Selectperson, in the event the First Selectperson is unable to carry out the duties of office for a period of four (4) consecutive months, as certified at the end of that period by the remaining Selectpersons to the Town Clerk. The vacancy shall exist from the date of such certification.

D. Method of filling vacancies on the Board of Selectpersons[94]. At any time a vacancy occurs on the Board of Selectpersons, including First Selectperson, a replacement, who shall be registered with the same political party as the person vacating the office, shall be designated by the remaining Selectpersons. If the Selectpersons designate one (1) of themselves to fill the vacancy, they shall designate another Elector to fill the vacancy of Selectperson so created. If the vacancy is not filled within thirty (30) Days, the vacancy shall be filled in accordance with the procedure set forth in Chapter 146 of the General Statutes for filling vacancies in the office of Selectperson.

E. Resignation and vacancies on the RTM[95].

(1) Any member may resign by filing a written notice of resignation with the Town Clerk and such resignation shall take effect upon the date specified in the notice or, if none is specified, upon the date of filing.

(2) Any vacancy in the office of RTM member from whatever cause arising shall be filled for the unexpired portion of the term at a special meeting of the members of the district in which the vacancy occurs, called for that purpose by the Town Clerk within thirty (30) Days after the vacancy occurs, in accordance with the requirements under this Charter pertaining to Meeting Notice.

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[92] 2022 recodification of current Article VII, §7.2.C (2006). Derived from Article VII, §7.2.C of the 1997 Charter.
[93] 2022 recodification of current Article VI, §6.3.A (2006). Derived from Article VI, §6.3.A of the 1997 Charter.
[94] 2022 recodification of current Article VI, §6.3.B (2006). Derived from Article VI, §6.3.B of the 1997 Charter. See also, **Cook-Littman v. Board of Selectmen of the Town of Fairfield**, 328 Conn. 758,778 (Conn. 2018) in which the Court held that this provision took precedence over the provisions of C.G.S. §9-222.
[95] 2022 recodification of current Article II, §2.6.G (2006). Derived from Chapter III, §7 of the 1947 and 1956 Acts and the 1975 Charter; and, Article II, §2.6.G of the 1997 Charter.

(3) If the person previously occupying the office which is vacant was elected as a nominee of a political party, the vacancy shall be filled by a person registered with the same political party.

(4) The Town Clerk shall provide Meeting Notice, as defined in this Charter, to be delivered to each member not less than three (3) Days prior to the time set for the meeting.

(5) Such meeting shall elect its own chair and clerk and shall vote by ballot. The election of a member as chair or clerk shall not disqualify the member from voting.

(6) A majority of the remaining members from such district shall constitute a quorum, and a majority vote of those present shall elect.

(7) Each of the remaining members, including the chair and clerk of the meeting, shall have one (1) vote.

(8) If for any reason such vacancy is not filled within a thirty-day (30) period, the Town Clerk shall report such vacancy to the Moderator and the matter of filling such Vacancy shall be placed on the call of the next regular RTM meeting.

(9) A Majority Vote of the RTM shall elect a successor on such Vacancy.

(10) The successful candidate shall be deemed a duly qualified member for the remainder of the unexpired portion of the term upon filing with the Town Clerk a certificate of his election signed by the chair of such special meeting of the district or bythe Moderator of the RTM.

F. Resigning from elected office[96]. Any elected Town official, except the Town Clerk, may resign by submitting a written notice of resignation to the Town Clerk. The Town Clerk may resign by submitting a written notice of resignation to the Board of Selectpersons. The resignation shall become effective on the date specified in the notice of resignation or, if no date is specified, on the date the notice of resignation is received by the Town Clerk or the Board of Selectpersons, as the case may be.

§2.7. Composition and Election of the Board of Selectpersons and First Selectperson[97].

A. There shall be a Board of Selectpersons which shall consist of the First Selectperson and two (2) other Selectpersons, no more than two (2) of whom shall be registered with the same political party[98].

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[96] 2022 recodification of current Article II, §2.4 (2006).
[97] 2022 recodification of current Article VI, §6.1.A (2006). Derived from Article VI, §6.1.A of the 1997 Charter.
[98] 2022 recodification of current Article VI, §6.1.A(1) (2006). Derived from Article VI, §6.1.A of the 1997 Charter.

B. Each major or minor political party, as defined by the General Statutes, and petitioning candidates (if permitted by the General Statutes) may nominate not more than one (1) candidate for First Selectperson and not more than one (1) candidate for Selectperson. Candidates shall be listed separately on the ballot[99].

C. Each Elector may vote for one (1) candidate for First Selectperson and no more than one (1) candidate for Selectperson[100].

D. The candidate for First Selectperson receiving the highest number of votes shall be elected First Selectperson. The next two (2) candidates, whether for First Selectperson or Selectperson, receiving the highest number of votes shall be elected to the two (2) remaining Selectperson positions[101].

E. If the candidate receiving the second or third most votes does not take office, then the next highest ranking candidate shall be deemed elected to the office taking into consideration the provisions of §2.7.A of this Charter pertaining to minority party representation[102].

§2.8. Procedures for RTM elections[103].

A. Nomination[104].

(1) By a political party. The nomination of candidates as members of the RTM shall be in the same manner as provided for the nomination of Elected Town Officials in Chapter 153 of the General Statutes (C.G.S. § 9-372 et seq.). No political party shall nominate more candidates for each district than the total number of members to which a district is entitled.

(2) By petition.

(a) Nomination of a candidate for the RTM may also be made by petition signed in ink on forms approved and provided by the Town Clerk. The petition shall be signed by not less than one (1%) percent of the Electors in

[99] 2022 recodification of current Article VI, §6.1.A(2) (2006). Derived from Article VI, §6.1.A of the 1997 Charter.
[100] 2022 recodification of current Article VI, §6.1.A(3) (2006). Derived from Article VI, §6.1.A of the 1997 Charter.
[101] 2022 recodification of current Article VI, §6.1.A(4) (2006). Derived from Article VI, §6.1.A of the 1997 Charter.
[102] 2022 recodification of current Article VI, §6.1.A(5) (2006). Derived from Article VI, §6.1.A of the 1997 Charter.
[103] Derived from Chapter II, §1 and §4 of the 1947 and 1956 Acts and 1975 Charter. Note: At the time elective officers were nominated and elected as in the special act or, if silent, on the basis of the General Statutes.
[104] 2022 recodification of current Article II, §2.6.C (2006). Petition provision set forth in Chapter III, §5 of the 1947 and 1956 Acts and the 1975 Charter; and, Article II, §2.6.C of the 1997 Charter.

the district in which the candidate resides and filed with the Town Clerk not less than fifty-five (55) Days prior to the election.

(b) No petition shall be valid in respect to any candidate whose written acceptance is not noted on or attached to the petition when filed.

(c) No signature on a petition shall be valid or counted if the signer thereof shall have signed other petitions on file with the Town Clerk for more than the number of candidates which a political party may nominate under this Charter for the district in which such signer resides.

(d) A petition may contain more than one (1) name but not more names than the number of candidates to which the district is entitled.

(3) The Town Clerk, within the time prescribed by Chapter 153 of the General Statutes (C.G.S. § 9-372 et seq.), shall certify and transmit the names of candidates duly nominated to the Secretary of the State.

B. Election[105].

(1) At each biennial election for the election of RTM members voting shall be governed by the provisions of the General Statutes as to voting by ballots and voting machines, except as modified by this Charter.

(2) Electors shall vote for the total number of RTM members to be elected in the district in which the Elector resides in accordance with the provisions of the Ordinance establishing districts[106].

(3) The chief election moderator shall forthwith after a biennial election of RTM members, file in the Town Clerk's office a list of members elected, by districts, together with their respective addresses. The Town Clerk shall, upon receipt of such list, forthwith notify all members, in accordance with the notice requirements of this Charter.

C. Procedures for tied elections[107].

(1) In case of a tie vote affecting the election of RTM members, the other newly elected and reelected members from the district in which the tie vote occurs

[105] 2022 recodification of current Article II, §2.6.D (2006). Modification of Chapter III, §2 (fourth sentence) of the 1947 and 1956 Acts and Chapter III, §5 of the 1975 Charter: "The provisions of the general statutes relating to voting at elections, so far as the same are not inconsistent with this act, shall apply to all elections in the town under this act". The fifth sentence of §2 of the 1947 and 1956 Acts pertaining to certification of voters prior to an election is not in the current charter. There are also elaborate provisions §3 that do not appear in the current charter. Derived from Article II, §2.6.D of the 1997 Charter.
[106] 2022 modification and recodification of Chapter II, §1 of the 1947 Act.
[107] 2022 recodification of current Article II, §2.6.F (2006). Note: Tie vote procedures established in Chapter III, §3(d) of the 1947 and 1956 Acts and the 1975 Charter; and, Article II, §2.6.F of the 1997 Charter.

shall by ballot determine which of the tied candidates shall serve as RTM member or members.

(2) The chief election moderator shall immediately after an election notify the Town Clerk of any and all tie votes, giving the names and addresses of the candidates affected.

(3) The Town Clerk shall forthwith call a meeting of the other newly elected and reelected members from the district or districts in which a tie vote occurs by causing a notice, in accordance with the notice requirements of this Charter, specifying the object, time and place thereof to each such member not less than three (3) Days before the time set for the meeting.

(4) At such meeting a majority of the members from the particular district shall constitute a quorum, and they shall elect from among their number a chair and a clerk whose right to vote at such meeting shall not be affected by their election to their respective offices.

(5) The chair and clerk shall count the ballots and the person or persons receiving the highest number of votes shall be declared elected. The chair and clerk shall forthwith make a certificate of the choice and file the same with the Town Clerk.

(6) The member or members so chosen shall thereupon be deemed elected and qualified as an RTM member or members, subject to the right of the RTM to judge the election and qualification of members as set forth in §4.2.B of this Charter.

(7) If a tie vote occurs at such meeting the chair and clerk shall forthwith certify same to the Town Clerk, and the matter of breaking such tie vote shall be placed on the call and voted upon by the RTM at its organizational meeting.

CHARTER OF THE TOWN OF FAIRFIELD

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE III – REPRESENTATIVE TOWN MEETING

§3.1. Legislative Body[108].

The legislative power of the Town, including the power to enact Ordinances, shall be vested in the RTM, subject to referendum as provided by the terms of this Charter. The RTM shall constitute a continuing body. The RTM may delegate the power to implement or carry into effect any of the powers set forth in this Charter to any Town Official.

§3.2. Membership.

A. Districts and Basis of Representation[109].

(1) Districts.

(a) The members of the RTM shall be elected by districts[110].

(b) There shall be ten (10) voting districts of the Town, which shall be reapportioned as set forth in §3.2.B, for the election of RTM members and shall be as established by Ordinance adopted by the RTM[111].

(c) The RTM shall consist of thirty (30) members[112].

(d) A district representative on the Representative Town Meeting, upon election, shall be an Elector of the Town and a resident of the district from which elected, subject to the provisions of §3.2.A(1)(d)[113],

(e) In the event a member of the Representative Town Meeting remains an Elector of the Town yet moves from the district from which the member was elected to serve, said member may continue to serve until the next election of RTM members[114].

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[108] 2022 recodification of current Article IV, §4.1.A (2006). Derived from Chapter III, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article IV, §4.1.A of the 1997 Charter.

[109] NEW (2022). In lieu of current Article II, §2.6.A(1) (first sentence) of the 1947 Act and the 1956 Acts, which reads as follows: "The voting districts of the Town, including the number of districts, for the election of RTM members shall be as established by ordinance adopted by the RTM." Further in lieu of current Article II, §2.6.A(3) (third sentence) of the 1947 Act and the 1956 Acts, which reads as follows: "The RTM shall consist of not more than 56 members."

[110] 2022 recodification of current Article II, §2.6.B(1) (2006). Derived from Article II, §2.6.B of the 1997 Charter.

[111] 2022 modification and recodification of Article II, §2 (first sentence) of the 1947 Act and the 1956 Acts.

[112] 2022 modification and recodification of Article II, §2.6.A(3).

[113] 2022 modification and recodification of current Article II, §2.6.B(2) (2006). Derived from Article II, §2.6.B of the 1997 Charter.

[114] 2022 recodification and consolidation of current Article IV, §4.2.D (2006). Derived from Chapter II, §3 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.2.D of the 1997 Charter. In addition, this provision, consolidates and recodifies current Article II, §2.6.B(2) (2006). Derived from Article II, §2.6.B of the 1997 Charter.

(f) No Elected Town Official, Appointed Town Officer of Board or Commission member (excluding, however, members of advisory committees, task forces or like entities, as referred to in §1.4.C(2) of this Charter) shall be eligible to serve as a voting member of the RTM, and no voting member of the RTM shall hold any other elected or appointed Town Office[115].

(2) Reapportionment of Voting Districts[116]. After completion of the census of the United States and after any reapportionment of the State General Assembly Districts affecting the Town, voting districts of the Town shall be established by an Ordinance proposed by a committee of the RTM composed of an equal number of members from each party such that the population deviation from the largest to the smallest voting district shall not exceed ten (10%) percent. The redistricting Ordinance adopted by the RTM shall provide for an equal number of members from each district, and, to the extent practicable within the constraints of this Charter and State General Assembly redistricting, shall provide for districts that are located in only one State General Assembly District.

B. Ex-officio non-voting members of the RTM[117]. The RTM shall consist of the elected RTM members. In addition, the First Selectperson, the Town Clerk, the Town Attorney, any Assistant Town Attorneys (in the event they are Electors), the chair of the Board of Education, and the members of the Board of Finance shall be ex officio members of the RTM without vote.

C. Right to vote[118]. The right to vote at RTM meetings shall be limited to RTM members elected as provided in §2.3.B of this Charter.

D. Judge of qualification[119]. The RTM shall be the judge of the election and qualifications of its members.

E. Compensation[120]. The RTM members as such shall receive no

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[115] 2022 recodification and modification of current Article II, §2.6.B(3) (2006). Derived from Article II, §2.6.B of the 1997 Charter. and Article IV, §4.2.C (2006). Derived from Article IV, §4.2.C of the 1997 Charter. Consolidates and replaces Article II, §2.6.B(3) (2006), which is derived from Article II, §2.6.B of the 1997 Charter, which reads as follows: "Each RTM member shall fulfill the eligibility requirements of 4.2.D at the time of election."

[116] 2022 recodification of Article II, §2.6.A(2) (second sentence) of the 1947 Act and the 1956 Acts.

[117] 2022 recodification of current Article IV, §4.2.A (2006) entitled "Composition." Ex officio status of was established in Chapter III, §4 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.2.A of the 1997 Charter for the following: the three Selectmen; the Town Clerk; the Town Counsel; Chair of the Board of Education and the entire Board of Finance.

[118] 2022 recodification of current Article IV, §4.1.B (2006). Derived from Chapter III, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article IV, §4.1.B of the 1997 Charter.

[119] 2022 recodification of current Article IV, §4.2.B (2006). Derived from Chapter III, §4 of the 1947 and 1956 Acts and 1975 Charter; and, and, Article IV, §4.2.B of the 1997 Charter.

[120] 2022 recodification of current Article IV, §4.2.E (2006). Derived from Chapter II, §4 of the 1947 and 1956 Acts and 1975 Charter; and, and, Article IV, §4.2.E of the 1997 Charter.

compensation.

§3.3. Annual meetings[121], organization, and elections.

A. Date of organization meeting[122]. An organization meeting of the RTM members shall be held on the fourth Monday in November in each year.

B. Election of Moderator: Duties[123]. Each organization meeting shall elect, by a vote of the Majority of the RTM, a Moderator. The Moderator shall preside at all RTM meetings and shall hold office for a term of one (1) year and until a successor is elected and has qualified. The Moderator of the RTM shall:

(1) Preside over all meetings of the RTM and perform such others duties consistent with the office as may be imposed by the RTM, but such Moderator shall not vote more than once on any question; and,

(2) Perform such duties consistent with the office or as may be imposed by a Majority Vote of the RTM.

C. Deputy Moderator[124]. Each organization meeting shall elect, by a Majority Vote of the RTM, from among its voting members a Deputy Moderator who shall hold office for a term of one year and until a successor is elected and has qualified. In the event of inability of the Moderator to act, the Deputy shall have all the powers and duties of the Moderator.

D. Clerk[125]. The Town Clerk or, in the event of the Town Clerk's absence, an Assistant Town Clerk, shall act as clerk of all RTM meetings.

E. Moderator Pro-tempore and Clerk Pro-tempore[126]. In the absence of the Moderator and the Deputy Moderator, a Moderator Pro-Tempore may be elected, by a Majority Vote of the RTM. In the absence of the Town Clerk and an Assistant Town Clerk, a clerk pro-tempore for the meeting may be elected, by a Majority Vote of the RTM, at the meeting.

F. Rules and Committees of the RTM[127]. The RTM shall have the authority to

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[121] Note: There was an annual town meeting and budget meeting in Chapter III, §6 of the 1947 Act; further amended by §6 of the 1951 Special Act, as reaffirmed by Chapter II, §6 of the 1956 Act.
[122] 2022 recodification of current Article IV, §4.4.A (2006). Derived from Chapter III, §6 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.4.A of the 1997 Charter.
[123] 2022 recodification and modification of current Article IV, §4.4.B (2006). Note: Chapter III, §3 and §4 of the 1947 and 1956 Acts and 1975 Charter refer to “presiding officer” and “moderator”. The election of the moderator was introduced to the charter in 1975. Derived from Article IV, §4.4.B of the 1997 Charter.
[124] 2022 recodification of current Article IV, §4.4.C (2006). Derived from Article IV, §4.4.C of the 1997 Charter.
[125] 2022 recodification of current Article IV, §4.4.D (2006). Derived from Article IV, §4.4.D of the 1997 Charter.
[126] 2022 recodification of current Article IV, §4.4.E (2006). Derived from Article IV, §4.4.E of the 1997 Charter.
[127] 2022 recodification of current Article IV, §4.4.F (2006) (First clause). Derived from Article IV, §4.4.F of the

adopt standing rules for the conduct of RTM meetings and the power to appoint such committees as it shall determine.

G. Parliamentarian[128]. The Moderator may appoint a parliamentarian.

§3.4. Meetings of the RTM.

A. Quorum[129]. A majority of the entire membership of the RTM shall constitute a quorum for doing business, provided that a smaller number may organize temporarily and may adjourn from time to time. No RTM meeting shall adjourn past the date of an election of RTM members.

B. Open Meetings[130]. All RTM meetings shall be public.

C. Regular meetings[131]. Regular RTM meetings shall be held at least once a month on a regular meeting day decided upon by a Majority Vote of the RTM. However, if there is no business to be acted upon at a regular RTM meeting, the meeting may be dispensed with upon the direction of the Moderator to the Town Clerk who shall notify the RTM members and the public.

D. Special and Emergency Meetings[132]. Special meetings may be held whenever the First Selectperson, Chair of the Board of Finance, or the Moderator shall deem them necessary. In addition, a special meeting shall be held within ten (10) days after the submission to the Town Clerk of a written petition for a meeting signed by one (1%) percent of the electors of the Town or upon written petition signed by ten (10) RTM members.

E. Public Hearings. Notice[133]. At least one (1) public hearing shall be held by the RTM or any committee thereof before any Ordinance shall be passed. Meeting Notice of such public hearing shall be given, in accordance with the requirements of the General Statutes; or this Charter, if the standard is stricter.

F. Meeting Notice[134]. The Town Clerk shall notify all RTM members of the time

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1997 Charter.

[128] NEW (2022)

[129] 2022 recodification of current Article IV, §4.3.A (2006) (First sentence). Modification of Chapter III, §4 of the 1947 and 1956 Act, which established a quorum as one-third of the members and 1975 Charter (which established a majority standard); and, Article IV, §4.3.A of the 1997 Charter.

[130] 2022 recodification of current Article IV, §4.3.A (2006) (Second sentence). Modification of Chapter III, §4 of the 1947 and 1956 Act, which established a quorum as one-third of the members and 1975 Charter (which established a majority standard); and, Article IV, §4.3.A of the 1997 Charter.

[131] 2022 minor modification and recodification of current Article IV, §4.3.B (2006). Regular meeting provision established in Chapter III, §4 of the 1947 and 1956 Acts. Further amended by §5 of the 1951 Special Act ("no business" provision) and Chapter III, §4 of the 1975 Charter; and, Article IV, §4.3.B of the 1997 Charter.

[132] 2022 recodification of current Article IV, §4.3.C (2006). Special meeting provision contained in Chapter III, §4 of the 1947 and 1956 Acts, and 1975 Charter; and, Article IV, §4.3.C of the 1997 Charter.

[133] NEW (2022)

[134] 2022 recodification of current Article IV, §4.3.D (2006). Modification of Chapter III, §2 (third sentence) and

and place at which each regular or special RTM meeting is to be held, in accordance with the notice requirements of this Charter.

§3.5. Ordinances, Resolutions, Orders or Motions:

A. Public Notice of Final Action[135]. The Town Clerk shall cause any action of the RTM adopting, amending, or repealing an Ordinance to be published in summary form within one (1) week after the adjournment of the meeting at which such action was taken, in accordance with §1.4.C(17) of this Charter. The effective date of the adoption or repeal of the Ordinance shall be fourteen (14) Days after the adjournment of the meeting at which it was passed or such later date as may have been set by the RTM at such meeting, unless a petition for referendum concerning an Ordinance is filed as provided in §3.6 of this Article.

B. Publication and Posting of Adopted Legislation[136]. All legislation, after final passage, shall be given a serial number by the Clerk of the RTM and be recorded by the Town Clerk and shall be properly indexed. Within five (5) Days after final passage, as provided in §3.5.A of this Charter, the Town Clerk shall transmit for publication on the Town website and notice that such legislation is on file in the Office of the Town Clerk and is available for examination in accordance with §1.4.C(17) of this Charter.

§3.6 Petition for Overrule (Referendum)[137].

A. Petition and time for filing[138].

(1) Effective date of certain RTM votes. Any vote of the RTM: (1) authorizing the expenditure for any specific purpose of $500,000 or more[139]; or (2) for the issue of any bonds by the Town[140]; or (3) the adoption, amendment, or repeal of an Ordinance[141]; shall not be effective until the date for filing a referendum petition has passed. If within that time a petition for referendum is filed with the Town Clerk, the vote shall not be effective unless and until it has been approved by referendum.

(2) Petition forms. Upon the request of any Elector, the Town Clerk shall

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§4 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.3.D of the 1997 Charter.

[135] 2022 recodification of current Article IV, §4.5 (2006). Modification of Chapter III, §8 of the 1947 and 1956 Acts and 1975 Charter and Article IV, §4.5 of the 1997 Charter.

[136] NEW (2022)

[137] Current Article XII.

[138] 2022 recodification of current Article XIII, §13.1 (2006).

[139] 2022 recodification of current Article XIII, §13.1.A(1) (2006). Derived from Chapter III, §9 of the 1947 and 1956 Acts ($25,000.00) and the 1975 Charter ($50,000.00); and Article XIII, §13.1.A(i) of the 1997 Charter ($150,000.00).

[140] 2022 recodification of current Article XIII, §13.1.A(2) (2006). Derived from Chapter III, §9 of the 1947 and 1956 Acts and the 1975 Charter; and, Article XIII, §13.1.A(ii) of the 1997 Charter.

[141] 2022 recodification of current Article XIII, §13.1.A(3) (2006). Derived from Chapter III, §10 of the 1947 and 1957 Act and 1975 Charter; further amended by §10 of the 1951 Act; and Article XIII, §13.1.A(iii) of the 1997 Charter.

promptly prepare petition forms, which shall be available to any Elector at the office of the Town Clerk, setting forth the questions sought to be presented on a referendum ballot.

(3) Required number of signatures on petitions. To be effective, a petition for referendum must be signed by not less than five (5%) percent of the Electors of the Town according to the most recent voter enrollment list available at the time of the action or vote on which a referendum is sought, and must contain the names and addresses of the signatories.

(4) Time and place of filing petitions. A petition requesting that a referendum be held must be filed at the office of the Town Clerk not later than the close of business on the fourteenth (14th) day after the adjournment of the meeting at which the vote was taken. If the fourteenth (14th) day is a day on which the Town Clerk's office is closed, the petition must be filed bythe close of business on the next day that the Town Clerk's office is open.

(5) Special requirements for petitions on appropriations and bond issues. All petitions for referendum on any action of the RTM with respect to any bond issue or any appropriation in the amount required for a referendum shall set forth each item as to which a vote is desired, with the amount of the item as approved by the RTM, and the amount to which the petitioners desire it to be decreased or increased. However, no increase shall be proposed in excess of the amount approved for the item in question by the Board of Finance or by the RTM on appeal from the Board of Finance.

B. Manner of holding referendum[142].

(1) Certification of Town Clerk. Upon the filing of a petition fulfilling the requirements of §3.6 of this Charter, the Town Clerk shall certify that fact promptly to the Board of Selectpersons.

(2) Date of referendum. The Board of Selectpersons shall call a special election for all Electors of the Town to be held not less than twenty-one (21) Days nor more than twenty-eight (28) Days after the date of certification by the Town Clerk for the sole purpose of voting approval or disapproval of the question or questions presented in the referendum petition.

(3) Voting hours and method. For any referendum, the polls shall be opened at twelve o-clock (12:00 P.M.) noon and shall be closed at eight o'clock (8:00 PM) in the evening, but the hours for voting may be increased at the discretion of the Board of Selectpersons. Voting shall be by voting machine or printed ballot, at the discretion of the Board of Selectpersons.

[142] 2022 recodification of current Article XIII, §13.2 (2006). Derived from Chapter III, §10 of the 1947 and 1956 Acts and 1975 Charter; further amended by §7 of the 1951 Act and; Article XIII, §13.2 of the 1997 Charter.

(4) Ballots for referendum on Ordinance. The ballot labels or ballots used in referenda concerning Ordinances shall state the matter to be voted on in substantially the following form: "Shall the following action of the Representative Town Meeting held on (date of the meeting) be approved?" followed by a statement of the action questioned in substantially the same language and form set forth in the records of the RTM. The voting machine or printed ballot shall provide means of voting "yes" or "no" on each question sopresented.

(5) Ballots for referendum on appropriation and bond issue. Ballot labels or ballots used for referenda brought on appropriations and bond issues shall present separately each appropriation so referred in substantially one (1) of the following forms:

(a) "Shall a special appropriation, etc. be approved?"; or
(b) "Shall a special appropriation, etc. be (increased) (decreased) to the sum of $_____?"; or
(c) "Shall the following items contained in the annual town budget be approved?; or
(d) "Shall the following items contained in the annual town budget be(increased) (decreased) to the sum of $_____?"

(6) Vote necessary to pass referenda[143]. In order to reverse or modify the action taken by the RTM, the vote in favor of reversing or modifying the action must both:

(a) Exceed twenty-five (25%) percent of the total number of Electors of the Town eligible tovote as of the close of business on the day before the election; and
(b) Constitute a majority of votes cast on the question.

§3.7. Appeals from the Board of Finance[144].

The RTM shall have the power to hear and determine appeals from decisions of the Board of Finance as provided in §9.8 of this Charter.

§3.8. Vacancies in the RTM[145].

Any vacancy in the RTM shall be filled as set forth in §2.6.A of this Charter.

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[143] 2022 recodification of current Article XIII, §13.2.F. Derived from Chapter III, §11 of the 1947 and 1956 Acts; Chapter III, 11 of the 1975 Charter; and Article XIII, §13.2.F of the 1997 Charter.
[144] 2022 recodification of current Article IV, §4.6 (2006). Modification of Chapter III, §13 of the 1947 and 1956 Acts and Chapter III, §12 of the 1975; see also, Modification of Chapter XVII, §5 of the 1947 and 1956 Acts and 1975 Charter; and Article IV, §4.6 of the 1997 Charter.
[145] NEW (2022).

CHARTER OF THE TOWN OF FAIRFIELD

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE IV - BOARD OF SELECTPERSONS AND THE FIRST SELECTPERSON

§4.1. Executive Authority.

A. The Executive Branch[146]. The executive branch of the Town government shall consist of the First Selectperson and the Board of Selectpersons and the elected and appointed Boards and Commissions, Elected Town Officials or Appointed Town Officers, and employees set forth in this Charter.

B. The First Selectperson[147]. The First Selectperson shall be the chief executive officer of the Town as well as the town agent[148] and shall have the powers and duties vested in the office by this Charter and the General Statutes. The First Selectperson shall devote full time to the duties of the office[149].

C. Election and Qualifications. The First Selectperson and Board of Selectpersons shall be chosen by the Electors of the Town, as set forth in §2.3.C(1)(a) and 2.3.C(3)(b) and (3)(b) and §2.7 of this Charter[150].

§4.2. The Board of Selectpersons.

A. Meetings[151]. The Selectpersons shall hold their first meeting not later than the fourth (4th) Monday of November after their election. The First Selectperson shall be chair of the Board of Selectpersons and shall preside over all of its meetings[152]. The Selectpersons shall meet at least twice each month, unless there is no business to be conducted[153].

B. General powers and duties[154]. The executive authority of the Town shall be vested in the Board of Selectpersons, except to the extent such authority is expressly granted to the First Selectperson in this Charter. The Board of Selectpersons shall have the

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[146] 2022 recodification of current Article V, §5.1 (2006). Derived from Article V, §5.1 of the 1997 Charter
[147] 2022 recodification of current Article VI, §6.2.A (2006). Derived from Article VI, §6.2A of the 1997 Charter.
[148] 2022 recodification of current Article VI, §6.2.A(2) which is derived from Chapter IV, §3(d) of the 1947 and 1956 Acts; Chapter IV, §4 of the 1975 Charter; and, Article VI, §6.2A(1) and (2) of the 1997 Charter.
[149] 2022 recodification of current Article VI, §6.2.A(1) which is derived from Chapter IV, §3(d) of the 1947 and 1956 Acts; Chapter IV, §4 of the 1975 Charter; and, Article VI, §6.2A(1) and (2) of the 1997 Charter.
[150] NEW (2022)
[151] 2022 recodification of current Article VI, §6.1.B (2006). Derived from Chapter IV, §2 of the 1947 and 1956 Acts and 1975 Charter; and, Article VI, §6.1.B of the 1997 Charter.
[152] Derived from Chapter IV, §1 of the 1947 Act; further amended by §8 of the 1951 Act and affirmed by Chapter IV, §1 of the 1956 Act and the 1975 Charter; and, Article VI, §6.1.B of the 1997 Charter.
[153] Derived from Chapter IV, §2 of the 1947 Act and 1956 Act.
[154] 2022 recodification of current Article VI, §6.1.C (2006). Derived from Chapter IV, §3(a) and (c) of the 1947 Act and 1956 Act. Note: Subsection 3(b) of both Acts confers the authority of the Board of Sewer Commissioners upon the Board of Selectmen and the Department of Public Works as set forth under Special Act No. 222 (1929); see also, Chapter XXVI of the 1956 Special Act; Chapter IV, §3 and Chapter XXIV of the 1975 Charter; and, Article VI, §6.1.C of the 1997 Charter.

powers and duties vested in them by the General Statutes, except those expressly vested in the First Selectperson by this Charter or by Ordinance. In particular:

(1) Contracts.

(a) All Contracts in excess of One Hundred Thousand ($100,000.00) Dollars, which are exempted from the competitive procurement and solicitation requirements of this Charter and any Ordinances or Regulations adopted hereunder[155] to which the Town (including the Board of Education) shall be a party shall be subject to approval of the majority vote of the Board of Selectpersons[156]. This provision shall not apply to emergency transactions, permitted by the General Statutes, this Charter or Ordinance[157].

(b) The Selectpersons shall have the power to delegate their authority to other Town Officers, employees, and bodies where the contract would be for a duration of less than three (3) months and would involve an expenditure by or income to the Town of less than Twenty-five Thousand ($25,000) Dollars and is in the line item under the jurisdiction of such Town Officer or employee[158].

(c) The approval requirement by the Board of Selectpersons, set forth in this sub-paragraph, shall not be construed to eliminate review by other persons or bodies where required by this Charter, by Ordinance, the General Statutes or, otherwise provided by Law[159].

(2) Oversight of Appointees: Subpoena Authority[160]. All Town Officials and employees of the Town appointed by the Board of Selectpersons shall be responsible to them for the faithful performance of their respective duties and shall render a report to the Selectpersons whenever requested to do so. The Selectpersons shall have the power to investigate any and all Town offices and Departments of the Town and for such purpose shall have the power to issue subpoenas.

(3) Budget Review and Recommendation[161]. The Board of Selectpersons shall review the budgets of all Elected Town Officials, Appointed Town Officers, Boards, Commissions, and Departments of the Town and make such recommendations in connection with such budgets to the Board of Finance as they deem necessary.

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[155] NEW (2022).
[156] 2022 modification and recodification of current Article VI, §6.1.C(1) (2006)(first sentence).
[157] NEW (2022).
[158] 2022 modification and recodification of current Article VI, §6.1.C(1) (2006)(second sentence).
[159] 2022 recodification of current Article VI, §6.1.C(1) (2006)(fourth sentence).
[160] 2022 recodification of current Article VI, §6.1.C(2) (2006)(First sentence). Modification of Chapter IV, §4 of the 1947, 1956 Acts and 1975 Charter; see also, Article VI, §6.1C.ii of the 1997 Charter; and, Article VI, §6.1.C(2) of the 2006 Charter . **Please note the Special Act authority to issue subpoenas.**
[161] 2022 recodification of current Article VI, §6.1.C(3) (2006).

(4) Appointment powers. The Board of Selectpersons shall appoint:

(a) Required by Charter[162]: The Town Officials and employees set forth in this Charter, any others required by the General Statutes or by Ordinance[163] to be appointed by the Board of Selectpersons and any other for which no other appointment provision is made in the General Statutes, this Charter or the Ordinances.

(b) Required by General Statutes or Ordinance[164]: The members of any other Board or Commission which is required by an Ordinance or the General Statutes.

(c) Advisory committees, task forces or other similar entities[165]. Such advisory committees, task forces or other similar entities, as they deem necessary or useful from time to time to study and advise on any Town matters which are the concern of the Board.

(5) Membership on Boards, Commissions, and committees[166]. Except as otherwise expressly provided in §8.11 of this Charter, each member of the Board of Selectpersons shall be an ex officio member, without vote, on all Town Boards, Commissions, and committees.

(6) Reorganization of Departments[167].

(a) Notwithstanding any provisions of this Charter, the Board of Selectpersons may propose to the RTM a Resolution which may alter the method of appointment to or organization of any Town office, Department, Board or Commission of the Town, including combining or separating the duties of such individuals or bodies. The Resolution will effect the change when enacted by the RTM in the form of an Ordinance.

(b) The ability to make such changes by Ordinance shall not apply to the Police Department, the Fire Department, the Board of Library Trustees, any Elected Town Official, Elected Board or Commission, and any other office or body where such change by Ordinance is specifically prohibited by statute.

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[162] 2022 recodification of current Article VI, §6.1.D (2006) (first sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.
[163] 2022 recodification and modification of current Article VI, §6.1.D (2006) (second sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.
[164] 2022 recodification of current Article VI, §6.1.D (2006) (second sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.
[165] 2022 recodification of current Article VI, §6.1.E (2006). Modification of Chapter XXIV, §3 of the 1947 and 1956 Act; Chapter XXVI, 1 of the 1975 Charter; and, Article VI, §6.1.E of the 1997 Charter. .
[166] 2022 recodification of current Article VI, §6.1.F (2006). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.F of the 1997 Charter.
[167] 2022 recodification of current Article VI, §6.1.G (2006). Derived from Chapter II, 11 of the 1975 Charter and Article VI, §6.1.G of the 1997 Charter.

(c) If the duties of two (2) or more bodies or Town offices are combined or separated by Ordinance, the existence, the method of appointment, the organization, powers, and duties of the prior Town offices or bodies shall cease as defined in this Charter and shall be as defined in the Ordinance.

(d) The method of election to any Town office, Board, Commission, or agency of the Town may be changed by Ordinance, as set forth in §4.2.B(6)(a) of this Charter, if the method of election set forth in this Charter is or becomes improper, invalid, or ineffective because of a change in the law or an ambiguity in, or erroneous provision of, this Charter.

§4.3. Powers and Duties of the First Selectperson.

A. Executive Powers[168]. The day-to-day executive and management authority of the Town shall be vested in the First Selectperson. The First Selectperson shall have the powers and duties vested by Law.

B. Duties. The First Selectperson shall:

(1) Direct and supervise[169] the administration of all Departments and officers[170] and shall be responsible for the administration of all the affairs of the Town in respect to such Departments[171];

(2) Be responsible for the faithful execution of all laws, provisions of the Charter and Ordinances governing the Town[172];

(3) Make periodic reports to the RTM and may convene Special and Emergency RTM Meetings, as set forth in §3.4.D, attend and participate in RTM meetings, but shall have no vote[173];

(4) Submit annually to the Board of Finance a proposed budget, including a capital budget (including the update of the five-year capital plan set forth, below) for the next fiscal year in accordance with the provisions of Article IX of this

[168] 2022 recodification of current Article VI, §6.1.C (2006). Derived from Chapter IV, §3(a) and (c) of the 1947 Act and 1956 Act. Note: Subsection 3(b) of both Acts confers the authority of the Board of Sewer Commissioners upon the Board of Selectmen and the Department of Public Works as set forth under Special Act No. 222 (1929); see also, Chapter XXVI of the 1956 Special Act; Chapter IV, §3 and Chapter XXIV of the 1975 Charter; and, Article VI, §6.1.C of the 1997 Charter.
[169] NEW (2022)
[170] 2022 recodification of current Article VI, §6.2.A(3).
[171] NEW (2022).
[172] 2022 recodification of current Article VI, §6.2.A(4).
[173] 2022 modification and recognition of current Article IV, §4.2.A (2006) entitled "Composition" which permits the First Selectperson to participate in RTM meetings.

Charter[174].

(5) Prepare and maintain a long-term financial and capital planning that takes into account the next five years. The annual plan and update of the five-year capital plan shall be submitted to the Board of Finance, which shall take the Plan into account during budget deliberations as set forth in Article IX of this Charter[175].

(6) Keep the RTM and Board of Finance fully informed on the financial condition of the Town by issuance of quarterly reports of income and expense as to budget items, including grants, receipts, expenditures and changes to said budgeted amounts[176].

(7) Select, appoint and hire Appointed Town Officers, including department heads, except as otherwise provided for in this Charter or by the General Statutes[177];

(8) Investigate the availability of state and federal funds and grants on behalf of the Town and advise any of the Town's Departments and Boards and Commissions with respect to obtaining said funds and grants, and periodically report to the RTM and Board of Finance[178];

(9) Act, or designate another, as the bargaining agent for the Town, with the exception of the Board of Education, in all labor and employment matters, including authority to retain the services of labor consultants and attorneys to assist in such matters[179];

(10) After the election of any Town official of whom an oath is required by law, cause the Town official to be sworn to the faithful discharge of the duties of office[180];

(11) Upon the request of any Selectperson, inform the Board of Selectpersons of the First Selectperson's actions[181];

(12) Have the ability to delegate such authority as may be necessary to the Selectpersons or to administrative assistants whose appointment may be authorized by the RTM[182]; and

(13) Have the ability to convene the members of any or all Departments,

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[174] NEW (2022).
[175] NEW (2022)
[176] NEW (2022)
[177] 2022 recognition of current Article IX requirements of the First Selectperson.
[178] NEW (2022).
[179] NEW (2022). Pursuant to the Municipal Employee Relations Act under the General Statutes.
[180] 2022 recodification of current Article VI, §6.2.A(5).
[181] 2022 recodification of current Article VI, §6.2.A(6).
[182] 2022 recodification and modification of current Article VI, §6.2.A(7).

Boards and Commissions to review and coordinate activities and to plan operations of the Town government[183].

The First Selectperson shall have such additional powers and shall perform such other duties as may from time to time be required by Ordinance, provided that the same are not inconsistent with this Charter or the provisions of the Connecticut General Statutes.

C. Appointment powers[184].

(1) The First Selectperson shall appoint the Appointed Town Officers, Boards and Commission members, and employees set forth in Articles VII and VIII of the Charter, any others required by the General Statutes or by Ordinance[185] to be appointed by the First Selectperson and any other for which no other appointment provision is made in this Charter[186].

(2) All Appointed Town Officers, Board and Commission members and employees of the Town appointed solely by the First Selectperson shall be responsible to the First Selectperson for the faithful performance of their respective duties and shall report to the First Selectperson[187].

(3) Mediation and Resolution of Differences[188]. The First Selectperson shall be responsible for the mediation and resolution of differences between Boards, Commissions, Departments and other public bodies within the Town government relating to an interpretation and/or coordination of Town policies and procedures.

D. Designation of Acting First Selectperson[189]. Immediately upon taking office, the First Selectperson shall designate, in writing, to the Town Clerk the member of the Board of Selectpersons authorized to act as First Selectperson during the unavailability or temporary disability of the First Selectperson and during the period from the date a vacancy occurs until a successor First Selectperson takes office under the provisions of §§2.6.C and D of this Charter. Such designation may be changed in writing from time to time.

E. Staff[190]. The First Selectperson is entitled to appoint a chief of staff and administrative assistant, or equivalent positions. All assistants and staff appointed by the

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[183] 2022 recodification of current Article VI, §6.2.A(8).
[184] 2022 recodification of current Article VI, §6.2.B (2006). Derived from Article VI, §6.2B of the 1997 Charter. 2022 recodification and modification of current Article VI, §6.1.D (2006) (first sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.
[185] 2022 recodification and modification of current Article VI, §6.1.D (2006) (second sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.
[186] 2022 recodification of current Article VI, 6.2.B(1)(2006).
[187] Derived from Chapter IV, §3(d) of the 1947 and 1956 Acts.
[188] NEW (2022).
[189] 2022 recodification of current Article VI, §6.2.C (2006). Derived from Article VI, §6.2.C of the 1997 Charter.
[190] NEW (2022).

First Selectperson shall serve at the pleasure of the First Selectperson.

F. Town Administrator[191].

(1) Appointment and Duties. The First Selectperson shall appoint a Town Administrator, who shall be the principal advisor to the First Selectperson for the management of Town Departments, and shall perform such duties as may be assigned by the First Selectperson.

(2) Term. The administrator shall be an unclassified employee of the town and serve at the pleasure of the First Selectperson.

(3) Experience. Said administrator shall be appointed on the basis of substantial executive and administrative experience, education, competencies, and credentials, in management and administration, in accordance with the best practices recommended for local government management by reputable national organizations with subject matter expertise in the management of local government and public administration[192].

(4) Qualifications. Said qualifications shall be prepared by the Director of Human Resources, who shall also prequalify candidates for the position prior to interview by the First Selectperson.

G. Purchasing authority[193]. The First Selectperson and the Purchasing Agent, acting in conjunction, shall be the general purchasing authority of the Town. All supplies, materials, equipment, othercommodities, Contracts for public works or services, other than professional services, required by any department, office, agency, board, authority, or commission of the Town, including the Board of Education, shall be purchased by the purchasing authority on a requisition, in such form as the Selectpersons may prescribe, signed by the head of the Department, office, agency, or chair of the Board or Commission or other like entities. No purchase order shall be issued without the signature of the Purchasing Agent or, in the Purchasing Agent's absence, of the First Selectperson.

§4.4. Compensation of executive branch members[194].

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[191] NEW (2022).

[192] **Comment of the 2022 Charter Revision Commission.** The following organizations meet the criteria set forth in the Charter at the time of deliberations and approval: such as the Government Finance Officers Association, the International City/County Management Association, National League of Cities, National Academy of Public Administrators, the IBM Center for the Business of Government, International Public Management Association for Human resources and other equivalent or successor organizations

[193] Recodification of current Article XII, §12.8 (2006). Derived from Chapter XXI of the 1947 Act; and further amended by §20 of the 1951 Act and affirmed by Chapter XXI of the 1956 Act and Chapter XVIII of the 1975 Charter. Derived from Article XII, §12.8 of the 1997 Charter.

[194] 2022 Recodification of current Article V, §5.2 (2006). Derived from Modification of Chapter II, §8 and Chapter IV, §5 of the 1947 Act and 1956 Act; Chapter II, §7 of the 1975 Charter and Article V, §5.2 of the 1997 Charter.

The members of all Boards and Commissions except the Board of Selectperson shall serve without compensation unless the RTM shall otherwise direct. Except as provided in this Charter or otherwise by Law, the compensation of all Town Officials shall be fixed by the Board of Selectpersons subject to the adoption of the Town Budget as provided in Article IX of this Charter[195].

§4.5. Regulations[196].

Any Town Official empowered to enact Regulations under the provisions of the General Statutes or of this Charter shall hold at least one (1) public hearing before the enactment of such Regulations. Except as otherwise provided by statute, the time and place of such hearing together with a copy of the proposed Regulations shall be published at least once not more than ten (10) nor less than five (5) Days before the date set for such hearing.

Except as otherwise provided by statute, any such Regulation shall be superseded by an Ordinance adopted by the RTM affecting the same subject matter.

§4.6. Absence, Disability, Vacancy in the Office of First Selectperson.

Any vacancy in the Office of the First Selectperson shall be addressed as set forth in §2.6.D of this Charter.

[195] 2022 repeal of current Article V, §5.3 (2006)("Official Bonds"). Derived from Modification of Chapter II, §9 of the 1947 Act and 1956 Act; Chapter II, §9 of the 1975 Charter and Article V, §5.3 of the 1997 Charter.
[196] 2022 Recodification of current Article V, §5.4 (2006). Chapter XXVI, §8 of the 1975 Charter; and, Article V, §5.4 of the 1997 Charter.

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE V – OTHER ELECTED OFFICERS, BOARDS AND COMMISSIONS

§ 5.1. Town Clerk[197].

A. Establishment and election[198]. There shall be a Town Clerk elected at the times and for the term set forth in §2.3.A(3) and §2.3.C(1)(d) of this Charter.

B. Powers and duties[199]. The Town Clerk shall have the powers and duties prescribed by this Charter, by Ordinance, and by the General Statutes. In particular, the Town Clerk shall:

(1) Devote full time to the duties of the office;

(2) Collect the fees or compensation provided by the General Statutes to be paid to the Town Clerk;

(3) Deposit all money required to be collected by the Town Clerk with the Chief Fiscal Officer, with whom the Town Clerk shall file a full statement of receipts at the time of each deposit; and

(4) Provide, as may be requested, a receipt for all money received to the person from whom it was received.

C. Staffing[200]. All expenses of the Town Clerk's office, including necessary clerical assistance and Assistant Town Clerks, shall be paid by the Town within the limit of the appropriation therefor.

D. Assistant Town Clerks[201]. The Town Clerk may appoint Assistant Town Clerks who shall be under the supervision of the Town Clerk and shall perform such duties as the Town Clerk specifies.

E. Compensation[202]. In lieu of all fees and other compensation, the Town Clerk shall receive a salary fixed by the Board of Finance.

F. Ordinances and votes[203]. The Town Clerk shall publish notice of action concerning Ordinances in accordance with this Charter. All Ordinances and RTM votes shall be recorded by the Town Clerk in records kept for the purpose.

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[197] Derived from Chapter VII of the 1947 and 1956 Acts and 1975 Charter.
[198] 2022 recodification of current Article VII, §7.1.A (2006). Derived from Article VII, §7.1.A of the 1997 Charter.
[199] 2022 recodification of current Article VII, §7.1.B (2006). Derived from Article VII, §7.1.B of the 1997 Charter.
[200] 2022 recodification of current Article VII, §7.1.C (2006). Derived from Article VII, §7.1.C of the 1997 Charter.
[201] 2022 recodification of current Article VII, §7.1.D (2006). Derived from Article VII, §7.1.D of the 1997 Charter.
[202] 2022 recodification of current Article VII, §7.1.E (2006). Derived from Article VII, §7.1.E of the 1997 Charter.
[203] 2022 recodification of current Article VII, §7.1.F (2006). Derived from Article VII, §7.1.F of the 1997 Charter.

G. Reports to Assessor and Tax Collector[204]. The Town Clerk shall promptly file with the Assessor and Tax Collector a complete abstract of all deeds and conveyances of land or of personal property, or of certificates of intention to transfer personal property, placed in the custody of the Town Clerk for record.

H. Vacancy[205]. A Vacancy in the Office of the Town Clerk shall be filled as set forth in §2.6.A of this Charter.

§5.2. Justices of the Peace.

A. Establishment and election[206]. There shall be forty-five (45) Justices of the Peace[207] elected or nominated in the manner and for the terms prescribed in §2.3.A and C of this Charter.

B. Powers and duties[208]. Justices of the Peace shall have the powers and duties prescribed by the General Statutes for their respective offices.

C. Vacancies[209]. Vacancies shall be filled as set forth in §2.6.B. of this Charter.

§5.3. Elected Boards and Commissions: In General.

A. Establishment and election[210]. There shall be a Board of Education, Board of Finance, Board of Assessment Appeals, Town Plan and Zoning Commission, and Zoning Board of Appeals. The members of each Board and Commission shall be elected at the times and for the terms set forth in §2.3.A and C of this Charter.

B. Meetings

(1) All elected Boards and Commissions, except the Board of Assessment Appeals, shall hold at least ten (10) Regular Meetings a year and shall give annual notice of such meetings as required by the General Statutes. Officers of each Board and Commission, except the RTM, shall be elected annually at an

[204] 2022 recodification of current Article VII, §7.1.G (2006). Derived from Article VII, §7.1.G of the 1997 Charter.
[205] 2022 recodification and modification of current Article VII, §7.1.H (2006). Derived from Article VII, §7.1.H of the 1997 Charter.
[206] 2022 modification and recodification of current Article VII, §7.2.A (2006). Derived from Article VII, §7.2.A of the 1997 Charter.
[207] Chapter II, §1 of the 1947 Act, included 14 justices of the peace; the number was raised to 18 in Chapter II, §1 of the 1956 Act; and then to 30 in Chapter II, §1 of the 1975 Charter; and them, 45 in Article VII, §7.2.A of the 1997 Charter.
[208] 2022 modification and recodification of current Article VII, §7.2.B (2006). Derived from Article VII, §7.2.B of the 1997 Charter.
[209] 2022 recodification and modification of current Article VII, §7.2.C (2006). Derived from Article VII, §7.2.C of the 1997 Charter.
[210] 2022 recodification of current Article VIII, §8.1.A (2006). Derived from Article VIII, §8.1.A of the 1997 Charter.

organization meeting so noticed with the Town Clerk held in the month of December[211]..

(2) All elected Boards and Commissions shall comply with the provisions of §1.5 and §1.6 of this Charter[212].

C. Vacancies. A vacancy in the membership of any elected Board or Commission shall be filled in the manner prescribed in §2.6 of this Charter.

§5.4. Board of Education[213].

A. Composition[214]. The Board of Education shall consist of nine (9) members, for staggered terms, as set forth in §2.3.A(5) and §2.3.C(1)(f) and C(2)(b) of this Charter, no more than six (6) of whom shall be registered with the same political party.

B. Powers and duties[215]. The Board of Education shall have all the powers and duties conferred on boards of education generally by Chapter 170 of the General Statutes.

§5.5. Board of Finance.

A. Composition[216]. The Board of Finance shall consist of nine (9) voting members, for staggered terms, as set forth in §2.3.A(4), §2.3.C(1)(e) and §2.3.C(2)(a) of this Charter, no more than six (6) of whom shall be registered with the same political party, and the Board of Selectpersons and the Fiscal Officer, ex officio, without vote.

B. Powers and duties[217]. The Board of Finance shall appoint the outside auditors and shall have all of the powers and duties conferred by this Charter, by Ordinance, and upon boards of finance generally by Chapter 106 of the General Statutes.

C. Clerk of the Board of Finance[218]. The Board of Finance shall appoint a clerk and fix the clerk's salary. The clerk shall hold office at the pleasure of the Board of Finance. The clerk may be part time. The clerk shall:

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[211] 2022 recodification of current Article VIII, §8.1.B (2006). Derived from Article VIII, §8.1.B of the 1997 Charter.
[212] NEW (2022)
[213] Derived from Chapter XIX of the 1947 and 1956 Acts; and Chapter XX of the 1975 Charter.
[214] 2022 recodification and minor modification of current Article VIII, §8.2.A (2006). Derived from Article VIII, §8.2.A of the 1997 Charter.
[215] 2022 recodification of current Article VIII, §8.2.B (2006). Derived from Article VIII, §8.2.B of the 1997 Charter.
[216] 2022 recodification and minor modification of current Article VIII, §8.3.A (2006). Derived from Chapter XVII, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article VIII, §8.3.A of the 1997 Charter. See also, Chapter II, §4(c) of the 1947 and 1956 Acts.
[217] 2022 recodification of current Article VIII, §8.3.B (2006). Derived from Article VIII, §8.3.B of the 1997 Charter.
[218] 2022 recodification of current Article VIII, §8.3.C (2006). Modification of Chapter XVII, §3 of the 1947 and 1956 Acts and the 1975 Charter; and Article VIII, §8.3.C of the 1997 Charter.

(1) Keep minutes of Board meetings and be the custodian of its records, papers, and data relating to the conduct of its business;

(2) Be a certified or a licensed public accountant or otherwise have credentials, licenses and or certification and experience in the financial field; and

(3) Have the right to call upon all Town Departments, Boards and Commissions and officers for such information as the clerk may reasonably require in connection with the duties of the clerk and responsibilities of the Board of Finance[219]..

D. Approval of budgets[220]. The Board of Finance shall approve the Town budget in the manner set forth in Article IX of this Charter.

E. Bidding, requisition, and payment procedures[221]. The Board of Finance shall establish and may amend from time to time procedures and guidelines for bidding on purchases and Contracts by the Town as well as procedures for departmental requisition and for payments.

§5.6. Board of Assessment Appeals.

A. Composition[222]. The Board of Assessment Appeals shall consist of five (5) members, for staggered terms as set forth in §2.3.A(10), §2.3.C(1)(k) and §2.3.C(2)(g) of this Charter, and to be elected in accordance with Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.).

B. Powers and duties[223]. The Board of Assessment Appeals shall have all the powers and duties conferred on boards of assessment appeals generally by §§12-110 to 12-117 of Chapter 203 of the General Statutes.

§5.7. Town Plan and Zoning Commission.

A. Composition[224]. The Town Plan and Zoning Commission shall consist of

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[219] 2022 recodification and modification of current Article VIII, §8.3.D (2006). Modification of Chapter XXII of the 1947 and 1956 Acts and Chapter XXIII of the 1975 Charter, which ratified Special Act No. 511 (1935); Special Act No. 270 (1939); and, Special Act No. 367 (1941); and, Article VIII, §8.3.D of the 1997 Charter.

[220] 2022 recodification of current Article VIII, §8.3.E (2006). Modification of Chapter XVII, §4 of the 1947 and 1956 Acts and the 1975 Charter; and, Derived from Article VIII, §8.3.E of the 1997 Charter.

[221] Recodification of current Article XII, §12.9 (2006). Derived from Chapter XVIII, §4 and §5 of the 1975 Charter and Article XII, §12.9 of the 1997 Charter.

[222] 2022 recodification and minor modification of current Article VIII, §8.4.A (2006). Derived from Article VIII, §8.4.A of the 1997 Charter.

[223] 2022 Recodification of current Article VIII, §8.4.B (2006). Derived from Article VIII, §8.4.B of the 1997 Charter.

[224] 2022 recodification and minor modification of current Article VIII, §8.5.A (2006). Derived from Chapter XI, §1 of the 1947 Act, which established five members. The Board was expanded to seven members under the

seven (7) voting members, for staggered terms as set forth in §2.3.A(6) and §2.3.C(1)(g) and (h); and, §2.3.C(2)(c) and (d) of this Charter, no more than five (5) of whom shall be registered with the same political party. There shall be three (3) alternate members of the Town Plan and Zoning Commission, as set forth in §2.3.A(7) of this Charter, no more than two (2) of whom shall be registered with the same political party.

B. Powers and duties[225]. The Town Plan and Zoning Commission shall have all the powers and duties conferred by this Charter, by Ordinance, and on zoning commissions and planning commissions generally by Chapter 124 and Chapter 126 of the General Statutes (C.G.S. §8-1 et seq. and §8-18 et seq.). In particular, the Town Plan and Zoning Commission shall:

(1) Prepare, adopt, and amend the plan of conservation and development of the Town, or amend any master plan previously adopted[226];

(2) Have control over the subdivision of land[227];

(3) Make studies and recommendations on matters affecting health, recreation, traffic, and other needs of the Town dependent on, or related to, the master plan;

(4) Consider and report upon the design, location, and relation to the master plan of all new public ways, buildings, bridges, and other public places and structures[228];

(5) Consider and report upon the layout of new developments in the Town[229];

(6) Make detailed plans for the improvement, reconditioning, or development of areas which in its judgment contain special problems or show a trend toward lower land values; and

(7) Make such other studies, recommendations, and inclusions in the

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1956 Act. The October election date was retained in §12 of the 1951 Act and reaffirmed by Chapter XI, §1 of the 1956 Act and the 1975 Charter; and, Article VIII, §8.5.A of the 1997 Charter.

[225] 2022 recodification of current Article VIII, §8.5.B (2006). Modification of Chapter XI, §2 of the 1947 Act. There was also an appeal to the court of common pleas in Chapter XI, §8 of the 1947 Act; further amended by §13 of the 1951 Act. The appeal to the court of common pleas was repeal by §14 of the 1951 Act. Reaffirmed by Chapter XI, §2 of the 1956 Act and the 1975 Charter; and, Article VIII, §8.5.B of the 1997 Charter..

[226] Replacement of Chapter XI, §3 of the 1947 Act and 1956 Act.

[227] Replacement of Chapter XI, §5 of the 1947 Act. At the time a definition of "subdivision" was included in Chapter XI, §7 of the 1947 Act, which was repealed by §14 of the 1951 Act, along with §5; as reaffirmed by Chapter XI of the 1956 Act.

[228] Replacement of Chapter XI, §6 of the 1947 Act; Chapter XI, §5 of the 1956 Act; and Chapter XI, §4 of the 1975 Charter.

[229] Replacement of Chapter XI, §4 of the 1947 and 1956 Acts and Chapter XI, §5 of the 1975 Charter.

master plan as will in its judgment be beneficial to the Town[230].

C. Appointment of Planning Director[231]. The Town Plan and Zoning Commission shall appoint a Planning Director who has been approved by the First Selectperson.

D. Other employees and consultants[232]. The Town Plan and Zoning Commission may engage such employees and consultants as it requires to carry out its duties, including a zoning enforcement officer and assistants who, subject to the general supervision of the Planning Director, shall enforce all Laws, Ordinances, and Regulations relating to zoning and planning, and shall have such other duties as the Town Plan and Zoning Commission or the Planning Director may prescribe.

§5.8. Zoning Board of Appeals[233].

A. Composition[234]. The Zoning Board of Appeals shall consist of five (5) regular members, for staggered terms as set forth in §2.3.A(9), §2.3.C(1)(i) and (j); and, §2.3.C(2)(e) of this Charter, no more than four (4) of whom shall be registered with the same political party[235], and three (3) alternates, as set forth in §2.3.C(2)(f) of this Charter, no more than two (2) of whom shall be registered with the same political party.

B. Powers and duties[236]. The Zoning Board of Appeals shall have the powers and duties conferred on zoning boards of appeals generally by §§ 8-5 to 8-7e of Chapter 124 of the General Statutes.

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[230] Replacement of Chapter XI, §3 of the 1947 Act. §2 and 3 of the 1947 Act were repealed by §15 and 16 of the 1951 Act.

[231] 2022 recodification of current Article VIII, §8.5.C (2006). Derived from Article VIII, §8.5.C of the 1997 Charter.

[232] 2022 recodification of current Article VIII, §8.5.D (2006). Derived from Article VIII, §8.5.D of the 1997 Charter.

[233] Modification of Chapter XII of the 1947 and 1956 Acts and 1975 Charter.

[234] 2022 recodification and minor modification of current Article VIII, §8.6.A (2006). Derived from Article VIII, §8.6.A of the 1997 Charter. The

[235] The current "minority party" standard was not included in Chapter XII §2 of the 1947 and 1956 Acts: "Not more than three members of said board shall be members of the same political party." The standard was increased to "four" in Article IX, §8.6.A of the 1997 Charter and has continued thereafter.

[236] 2022 Recodification of current Article VIII, §8.6.B (2006). Derived from Article VIII, §8.6.B of the 1997 Charter.

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE VI - APPOINTED OFFICERS AND BOARDS AND COMMISSIONS IN GENERAL

§6.1. Eligibility for appointed Town Office[237].

A. Elector requirements for Certain Appointed Town Officers and Members of Boards and Commissions; Exception[238]. No person not at the time an Elector of the Town shall be eligible for appointment to any appointed Board or Commission or to the office of Town Treasurer, Constable or Town Attorney. Persons serving as Chief of Police or Fire Chief must be or become a resident of the State of Connecticut, in accordance with the requirements of the respective appointing authorities.

B. Effect of ceasing to be an Elector[239]. If any Appointed Town Officer required to be an Elector of the Town or any member of an appointed Board or Commission ceases to be an Elector of the Town, the office shall then become vacant.

C. Single office requirement for appointed office[240]. Except as otherwise provided in §§8.5, 8.7, 8.8, and 8.11 of this Charter, no person shall be eligible to hold any appointed Town Office, including appointed members of any Board or Commission, who is at the same time an elected RTM member, Town Officer, an elected state official, or a member of an elected Board or Commission or permanent appointed Board or Commission. For purposes of this paragraph, the term "Town officer" does not include Justices of the Peace or Constables.

D. Eligibility for reappointment[241]. No person shall be appointed to more than two successive full terms on the same appointed Board or Commission, but such person shall be eligible for reappointment after an interval of not less than one (1) year except as otherwise provided in §§8.14 and 8.15 of this Charter, with respect to the Ethics Commission and Golf Commission, respectively, or by Ordinance.

§6.2. Authority and Qualification of Appointed Town Officers[242].

A. Authority of Appointed Town Officers, including department heads[243]. Once appointed as described in this Charter, Appointed Town Officers, including department heads shall, unless otherwise set forth in this Charter or Law, appoint, hire, discipline and remove all deputies, assistants and other employees of the Department and subject to (1) the authority of the First Selectperson or other appointing or supervisory

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[237] Derived from Chapter II, §3 of the 1947 and 1956 Acts and 1975 Charter.
[238] 2022 modification and recodification of current Article III, §3.1.A (2006). Derived from Article III, §3.1.A of the 1997 Charter.
[239] 2022 recodification of current Article III, §3.1.B (2006). Derived from Article III, §3.1.B of the 1997 Charter.
[240] 2022 recodification of current Article III, §3.1.C (2006). Derived from Article III, §3.1.C of the 1997 Charter.
[241] 2022 recodification of current Article III, §3.1.D (2006). Modification of Article III, §3.1.D of the 1997 Charter.
[242] NEW (2022).
[243] NEW (2022).

authority; (2) any specific provisions of this Charter or Law pertaining to the authority of Appointed Town Officer, including department heads and the relationship with a governing Board or Commission; and, (3) any applicable collective bargaining agreements.

B. Qualifications of Appointed Town Officers, including department heads[244]. The job qualifications of all Appointed Town Officers, including department heads, in addition to those enumerated in this Charter, by the General Statutes or Special Act shall be prepared by the Director of Human Resources. Said job qualifications shall be prepared in accordance with nationally accepted professional standards and best practices in the applicable field and shall be reviewed and updated, if necessary, every four (4) years and whenever a Vacancy occurs in the position.

§6.3. Minority representation on Boards and Commissions[245].

Unless other expressly set forth in this Charter, no more than a bare majority of the members of a Board or Commission shall be members of the same political party. This shall not apply to persons required to serve on a particular Board or Commission by virtue of holding another position or office in the Town.

§6.4. Terms of office[246].

A. General Rule: Appointed Town Officers and Board and Commission Members. Unless otherwise provided by the General Statutes, this Charter or by Ordinance the terms of office of all Appointed Town Officers and appointed members of Boards and Commissions shall commence on the fourth (4th) Monday in November, and shall continue for the terms set forth in Articles VII and VIII of this Charter. Notwithstanding the foregoing, in the event that there is a vacancy and the Town Official which possesses the authority to make an appointment ("Appointing Authority") does not appoint a new Appointed Town Officer or Board or Commission member by the fourth (4th) Monday in November after the municipal general election of the Appointing Authority, the incumbent shall serve as a continuing Appointed Town Officer or Board or Commission member until either the Appointing Authority fills the vacancy or until the sixty-fifth (65th) day after the fourth (4th) Monday in November, whichever occurs first.

B. Exception: Golf Commission, Ethics Commission and Board of Library Trustees. The members of the Ethics Commission and the Golf Commission shall commence their terms on April 1 in the year of their appointment for the duration of their term and shall only remain on said Commission if reappointed. Likewise, the Board of Library Trustees shall commence their terms on July 1 of their year of appointment for the duration of their term as set forth in 8.16 of this Charter.

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[244] NEW (2022).
[245] 2022 recodification of current Article III, §3.2 (2006). Derived from Article III, §3.2 of the 1997 Charter.
[246] 2022 modification and recodification of current Article III, §3.3 (2006). Derived from Article III, §3.3 of the 1997 Charter.

§6.5. Resigning from appointed office[247].

Any Appointed Town officer or appointed Board or Commission member may resign by submitting a written notice of resignation to the Town Clerk. The resignation shall become effective on the date specified in the notice of resignation or, if no date is specified, on the date the notice of resignation is submitted.

§6.6. Vacancies in appointed office[248].

Unless otherwise set forth in the General Statutes or otherwise in this Charter, Vacancies in appointed Town offices and membership on all Appointed Town Offices and Boards and Commissions shall be filled by the Appointing Authority. Persons so appointed shall serve for the remainder of the term of the position vacated.

§6.7. Removal from appointed office for cause.

A. Board or Commission[249]. Any Appointed Town Officer or member of any appointed Board or Commission may, except as otherwise provided in the General Statutes or this Charter, be removed for cause by the Appointing Authority (including instances where Boards and Commissions have appointment authority), unless other set forth by Law provided, notice shall first begiven in writing of the specific grounds for removal and the individual shall be given an opportunity to be heard in defense, alone or with counsel of the individual's choice, at a hearing before the Appointing Authority, held not more than ten (10) and not less than five (5) Days after transmittal of such notice in accordance with §1.4.C(15). The hearing shall be held in accordance with the Freedom of Information Act (Chapter 14 of the General Statutes, C.G.S. §1-200 et seq.). Appeals may be taken where provided by statute.

B. Department Head or Director[250]. Unless this Charter provides that a particular department head or director may be removed without cause, the Board of Selectpersons by unanimous vote of all of its members shall have the power to remove for cause any Department Head, or any director or employee appointed by a Board or Commission, provided notice and opportunity for a hearing before the Board of Selectpersons following the same protocols as set forth in this §6.7.A of this Charter, and such hearing is held in accordance with the Freedom of Information Act.

§6.8. Required Cooperation[251].

Each Town Officer, RTM members and employee of any Department of the Town shall assist the Boards and Commissions and the pertinent Departments in carrying out the

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[247] 2022 recodification of current Article III, §3.4 (2006). Derived from Article III, §3.4 of the 1997 Charter.
[248] 2022 recodification of current Article III, §3.5 (2006). Derived from Article III, §3.5 of the 1997 Charter.
[249] 2022 recodification of current Article III, §3.6.A (2006). Derived from Modification of Chapter II, §6 of the 1947 and 1956 Acts; Chapter II, §12 of the 1975 Charter; and, Article III, §3.6.A of the 1997 Charter.
[250] 2022 recodification of current Article III, §3.6.B (2006). Derived from Article III, §3.6.B of the 1997 Charter.
[251] NEW (2022)

provisions of this section. Furthermore, in the event a Board or Commission is attached to a Department, the Department Head shall cooperate with said Board or Commission in formulating and carrying out the operational, management and personnel policies of the Department.

§6.9. Compliance[252].

All appointed Boards and Commissions shall comply with the provisions of §§1.5 through 1.7 of this Charter.

§6.10. Creation of Boards and Commissions[253].

In addition to those appointed Boards and Commissions established by this Charter, the RTM may, on its own initiative; or at the recommendation of the First Selectperson, by Ordinance, establish any additional Boards and Commissions of the Town.

[252] NEW (2022)
[253] NEW (2022)

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE VII - APPOINTED TOWN OFFICERS

§7.1. Appointed Town Officers[254].

There shall be the following Appointed Town Officers as necessary:

A. Officers Appointed by the First Selectperson[255]. The First Selectperson shall appoint the Appointed Town Officers listed in §§7.2 through 7.12 of this Charter and §§4.3.E and F of this Charter.

Town Attorney
Fiscal Officer
Town Treasurer
Director of Public Works
Director of Human and Social Services
Director of Parks and Recreation
Town Administrator
Chief of Staff
Assistant Town Attorney
Controller
Director of Community and Economic Development
Building Official
Purchasing Agent
Director of Human Resources

B. Officers appointed by the Board of Selectpersons[256]. The Board of Selectpersons shall appoint the Appointed Town Officers listed in §§7.13 through 7.17 of this Charter.

Internal Auditors
Tax Collector
Constables
Assessor
Tree Warden

C. Officers appointed by other bodies[257]. The Appointed Town Officers hereunder shall be appointed by the bodies specified in §§7.18 through 7.24 of this Charter.

Director of Health
Fire Chief
Animal Control Officer
Town Librarian
Chief of Police
Planning Director
Conservation Director

Officers Appointed by the First Selectperson

§7.2. Town Attorney[258].

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[254] 2022 recodification of current Article IX, §9.1 (2006). Derived from Article IX, §9.1 of the 1997 Charter.
[255] 2022 modification and recodification of current Article IX, §9.2 (2006). Derived from Article IX, §9.2 of the 1997 Charter.
[256] 2022 recodification of current Article IX, §9.14 (2006). Derived from Article IX, §9.12 of the 1997 Charter.
[257] 2022 recodification of current Article IX, §9.19 (2006). Derived from Article IX, §9.17 of the 1997 Charter.
[258] 2022 recodification of current Article IX, §9.3 (2006). Modification of Chapter VI of the 1947 Act; further amended by §9 of the 1951 Special Act and reaffirmed by Chapter VI of the 1956 Act and 1975 Charter.

A. Appointment and qualifications. The Town Attorney shall be appointed by the First Selectperson and shall be an attorney admitted to practice in the State who has practiced in the State for at least five (5) years. The Town Attorney may be removed by the First Selectperson without cause.

B. Compensation. The Town Attorney shall receive the compensation approved by the Board of Selectpersons within the appropriations made for the Town Attorney.

C. Duties. The Town Attorney shall:

(1) Be the legal advisor of, and counsel and attorney for, the Town and all Town Departments, Town Officials and the RTM, providing all necessary legal services in matters relating to the Town's interests or the official powers and duties of the Town officers and employees;

(2) Prepare or review all Contracts and other instruments to which the Town is a party or in which it has an interest;

(3) Upon the request of the Board of Selectpersons, or of any other Town Officer, Board or Commission, give a written opinion on any question of law relating to the powers and duties of the officer or body making the request;

(4) Upon the direction of the Board of Selectpersons, appear for the Town or any Town Officers, Boards and Commissions, or Departments in any litigation or any other action brought by or against the Town or any Town Officials; and

(5) Prosecute or defend, appeal from or defend appeals from, and make settlements of, litigation and claims, as the Board of Selectpersons direct.

§7.3. Assistant Town Attorneys[259].

A. Number of positions and appointment. The Board of Selectpersons, with the consent of the RTM, shall determine from time to time the number of Assistant Town Attorneys necessary to effectively carry out the legal business of the Town and shall increase or reduce the number of Assistant Town Attorney positions to the number determined to be necessary. The First Selectperson may then appoint the Assistant Town Attorneys and may remove Assistant Town Attorneys without cause.

B. Qualifications. Each Assistant Town Attorney shall be an attorney admitted to practice in the State.

C. Duties. The Assistant Town Attorneys shall have the duties assigned to them by, and shall be under the supervision of, the Town Attorney.

[259] 2022 recodification of current Article IX, §9.4 (2006). Derived from Article IX, §9.4 of the 1997 Charter.

§7.4. Fiscal Officer and Controller[260].

A. Appointment and qualifications. The Fiscal Officer shall be appointed by the First Selectperson and shall be a certified or a licensed public accountant or otherwise have experience in the financial field, in accordance with the provisions of §6.2.B of this Charter.

B. Duties of the Fiscal Officer. The Fiscal Officer shall:

(1) Establish and supervise a central accounting and internal auditing system;

(2) Be responsible for, and conduct a continuously current accounting of, the financial activities of the Town, including the Board of education;

(3) Audit, before payment, all payrolls, bills, invoices and claims drawn against the Town, including the Board of Education; and

(4) Countersign and approve each requisition to be paid by the Town.

C. Duties of the Controller. The Controller shall have the same qualifications as the Fiscal Officer and shall have the duties assigned by, and be under the supervision of, the Fiscal Officer. The Controller may countersign requisitions in the absence of the Fiscal Officer.

§7.5. Town Treasurer[261].

A. Appointment and eligibility. The Town Treasurer shall be appointed by the First Selectperson and may be removed by the First Selectperson without cause. The Fiscal Officer may also serve as Town Treasurer. No person employed by or in the Purchasing Department may at the same time be Town Treasurer.

B. Duties. The Town Treasurer shall have the duties conferred on town treasurers by Chapter 94 of the General Statutes (C.G.S. § 7-79 et seq.) and shall serve as an ex officio member of the Board of Library Trustees. The Town Treasurer may be part-time.

§7.6. Director of Public Works[262].

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[260] 2022 modification and recodification of current Article IX, §9.5 (2006). Derived from Article IX, §9.5 of the 1997 Charter.
[261] 2022 recodification of current Article IX, §9.6 (2006). Derived from Article IX, §9.6 of the 1997 Charter.
[262] 2022 modification and recodification of current Article IX, §9.7 (2006). Modification of Chapter IX of the 1947 Act and 1956 Act. Section 1 of the Act established the powers and duties of a Town Engineer as the director of the Department. Section 3 established the position of the Superintendent of Highways and Bridges. Section 4 addressed engineering issues; see, also Chapter IX of the 1975 Charter; and, Article IX, §9.7 of the 1997 Charter.

A. Appointment and qualifications. The Director of Public Works shall be appointed by the First Selectperson in accordance with any requirements set forth in the General Statutes and in accordance with the provisions of §6.2.B of this Charter.

B. Duties. The Director of Public Works shall:

(1) Administer and supervise the Department of Public Works;

(2) Have charge and control of all buildings, materials, apparatus, equipment, and documents of the Department of Public Works;

(3) Follow Town Human Resources policies and procedures to assign a Town Engineer who shall be chief technical advisor of the Town and all Departments, except the Board of Education, in all matters concerning the physical development of the Town and the design, construction, and maintenance of its physical plant;

(4) Be an ex officio member without vote of the Town Plan and Zoning Commission with respect to planning, the Parks and Recreation Commission and the Flood Prevention, Climate Resilience and Erosion Control Board or, in the alternative may appoint a designee on said Board;

(5) Have the ability to make and enforce reasonable rules and regulations not inconsistent with this Charter or the General Statutes necessary to efficiently exercise all powers and duties imposed on the Director of Public Works and the Department of Public Works;

(6) At the request of the Selectpersons, furnish technical advice reasonably required for the physical functioning of the Town or its government; and

(7) Perform other reasonable and related duties as directed by the Selectpersons.

C. Assistants. The Director of Public Works may request that the First Selectperson engage superintendents and assistants to the Director of Public Works.

§7.7. Building Official[263].

A. Appointment and term. The Building Official shall be appointed by the First Selectpersons and shall serve for a term of four (4) years.

B. Number of Assistant Building Officials and Building Inspectors. The First Selectperson and the Building Official shall determine from time to time the number of

[263] 2022 recodification of current Article IX, §9.8 (2006). Modification of Chapter X, §1 of the 1947 Act which established a Board of Building Commissioner (§§1-4); the position of Building Inspector (§5); and, Article IX, §9.8 ("Building Inspectors") of the 1997 Charter.

Assistant Building Officials and Building Inspectors necessary to carry out the duties of the Building Department and, subject to appropriation, shall increase or decrease the number accordingly.

C. Duties.

(1) The Building Official and the Assistant Building Officials shall have the duties conferred by this Charter and on building officials generally by Chapter 541 of the General Statutes (C.G.S. § 29-250 et seq.).

(2) In particular, the Building Official and the Assistant Building Officials, under the supervision of the Building Official, shall:

(a) Inspect, supervise, regulate, and control the construction, reconstruction, altering, repairing, demolition, and removal of all structures within the Town;

(b) By diligent search and inspection, enforce all Laws, Ordinances, and Regulations governing the construction of buildings and other structures;

(c) Enforce the provisions of the Town building code;

(d) Cooperate and coordinate with the Fire Marshal in inspecting structures and enforcing provisions of the Town building code where fire safety may be a factor; and

(e) Keep complete public records of all applications made to them and of all permits and certificates of approval or occupancy issued by them and any other records required under Chapter 541.

D. Building Inspectors[264]. Building Inspectors shall perform such duties as the Building Official shall assign within the scope permitted by Law.

§7.8. Purchasing Agent[265].

A. Appointment and qualifications. The Purchasing Agent shall be appointed by the First Selectperson and shall have a background in business or purchasing and procurement.

B. Duties. The Purchasing Agent shall have the duties set forth in §4.3.G of this Charter and such other duties as may be prescribed by the First Selectperson.

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[264] 2022 recodification of current Article IX, §9.8.D (2006). Modification of Chapter X, §6 of the 1947 and 1956 Acts; and, Article IX, §9.8.D of the 1997 Charter.
[265] 2022 recodification of current Article IX, §9.9 (2006). Derived from Article IX, §9.9 of the 1997 Charter.

§7.9. Director of Human and Social Services[266].

A. Appointment and qualifications. The Director of Human and Social Services shall be appointed by the First Selectperson and shall be trained in social services.

B. Duties. The Director of Human and Social Services shall:

(1) Administer and supervise a Department of Human Services;

(2) Prescribe the duties of subordinates and employees;

(3) Coordinate the work of the Department of Human Services with that of other government agencies, private social service organizations, and other entities on social services matters as authorized by the General statutes, including matters which relate to the aging, people with disabilities, veterans, youth and underserved populations of the Town;

(4) Perform other duties prescribed by the Human Services Commission and the First Selectperson; and

(5) Report to the First Selectperson on matters of administration and operation and to the Human Services Commission on matters of policy.

§7.10. Director of Parks and Recreation[267].

A. Appointment and qualifications. The Director of Parks and Recreation shall be appointed by the First Selectperson and shall have such qualifications as may be established by the Parks and Recreation Commission.

B. Duties. The Director of Parks and Recreation shall:

(1) Administer and supervise the Parks and Recreation Department;

(2) Recommend policy to the Parks and Recreation Commission;

(3) Submit to the Parks and Recreation Commission plans for the development and maintenance of public cemeteries, parks, playgrounds, beaches, beach facilities, marina facilities, public gardens, and other recreational areas of the Town, except for areas and facilities under the control of the Board of Education, the Golf Commission, or the Harbor Management Commission;

(4) Submit to the Golf Commission, the Board of Education, and the Harbor Management Commission plans for the development and maintenance of

[266] 2022 recodification of current Article IX, §9.10 (2006). Derived from Article IX, §9.10 of the 1997 Charter ("Director of Human Services").
[267] 2022 recodification of current Article IX, §9.11 (2006). Derived from Article IX, §9.11 of the 1997 Charter.

recreational areas under the control of the Golf Commission, Board of Education, or the Harbor Management Commission.

(5) Submit to the Parks and Recreation Commission plans for recreation programs in the Town, except programs run by the Board of Education or the Golf Commission;

(6) Implement the plans approved by the Parks and Recreation Commission;

(7) Coordinate the maintenance of parks and recreation facilities with the Department of Public Works;

(8) Coordinate any recreational activities in Town open space areas with the Conservation Commission;

(9) Perform such other duties as directed by the Parks and Recreation Commission or the First Selectperson; and

(10) Report to the First Selectperson on matters of administration and operation and to the Parks and Recreation Commission on matters of policy.

If the Golf Commission or Harbor Management Commission ceases to exist, reference to that Commission in this section of this Charter shall be inoperative.

§7.11. Director of Community and Economic Development[268].

A. Appointment and supervision. The Director of Community and Economic Development shall be appointed by the First Selectperson and shall report to the First Selectperson and may be removed by the First Selectperson without cause.

B. Duties. The Director of Community and Economic Development shall have such duties as determined by the First Selectperson so as to manage and supervise policies and programs relating to economic development and affordable housing and any federal or state programs associated with such issues.

C. Liaison to Economic Development Commission and Affordable Housing Committee. The Director of Community and Economic Development shall serve as a liaison to the Economic Development Commission and the First Selectperson's Affordable Housing Committee.

§7.12. Director of Human Resources[269].

[268] 2022 recodification of current Article IX, §9.12 (2006).
[269] 2022 recodification of current Article IX, §9.13 (2006).

A. Appointment and supervision. The Director of Human Resources shall be appointed by the First Selectperson and shall report to the First Selectperson.

B. Duties. The Director of Human Resources shall have such duties as determined by the First Selectperson so as to manage and supervise policies and programs relating to all Town personnel practices, policies, and functions and all risk management functions associated with such issues.

Officers Appointed by the Board of Selectpersons

§7.13. Internal Auditor or Auditors[270].

A. Number. The Board of Selectpersons shall appoint at least one (1) Internal Auditor and shall determine from time to time the number of Internal Auditors necessary to carry out the duties of the office and shall accordingly increase or decrease the number of Internal Auditors appointed.

B. Duties. The Internal Auditor or Auditors shall:

(1) Monitor the Departments, officers, employees, Boards and Commissions of the Town for fiscal policy compliance;

(2) Report on a regular basis to the Fiscal Officer; and

(3) Make reports to the Board of Selectpersons and the Board of Finance semi-annually and at any other times requested by either board.

§7.14. Assessor[271].

The Assessor shall be appointed by the Board of Selectpersons and shall have the powers and duties conferred on assessors generally by Chapter 203 of the General Statutes (C.G.S. § 12-40 et seq.), and, on request of the Board of Finance, shall report in writing concerning any matters pertaining to those duties. The Assessor shall have and maintain the certification required by § 12-40a of Chapter 203 of the General Statutes.

§7.15. Tax Collector[272].

A. Appointment and supervision. The Tax Collector shall be appointed by the Board of Selectpersons and shall act under the direction and control of the Fiscal Officer.

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[270] 2022 recodification of current Article IX, §9.15 (2006). Derived from Article IX, §9.13 of the 1997 Charter.
[271] 2022 recodification of current Article IX, §9.16 (2006). Modification of Chapter XVII, §6 and §8 of the 1947 and 1956 Acts and Chapter XVII, §6 and §7 of the 1975 Charter; and, Derived from Article IX, §9.14 of the 1997 Charter.
[272] 2022 recodification of current Article IX, §9.17 (2006). Modification of Chapter XVII, §7 and §8 of the 1947 and 1956 Acts and Chapter XVII, §8 of the 1975 Charter; and, Article IX, §9.15 of the 1997 Charter.

B. Duties. The Tax Collector shall have the powers and duties conferred in this Charter, by Ordinance, and on tax collectors generally by Chapter 204 of the General Statutes (C.G.S. § 12-122 et seq.).

C. Delinquency list. The Tax Collector shall present annually, and at any other time the Board of Finance requires, a list of all amounts remaining unpaid on the rate bill for nine (9) months after becoming due. The list shall contain the name and address of each delinquent taxpayer, the amount of the tax, and, as a separate item, the interestand other charges due.

§7.16. Tree Warden[273].

The Tree Warden shall be appointed by the Board of Selectpersons and shall have a term of two years or as otherwise provided by the General Statutes. The Tree Warden shall have the powers and duties conferred by Ordinance and on tree wardens generally as set forth in the General Statutes[274].

§7.17. Constables[275].

A. Appointment[276]. There shall be four (4) Constables appointed by the Board of Selectpersons for staggered terms of four (4) years, subject to the transition provision. No more than two (2) shall be from the same political party.

> **Transitional Provision.** On or about December 1, 2023, the Board of Selectpersons shall appoint two (2) members to a term of four (4) years and two (2) members to a term of two (2) years. On and after December 1, 2025, all Constables shall be appointed to a term of four (4) years.

B. Powers and duties[277]**.** Constables shall have the powers and duties prescribed by the General Statutes for their respective offices.

C. Vacancies[278]**.** Vacancies shall be addressed as set forth in §6.6 of this Charter.

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[273] 2022 modification and recodification of current Article IX, §9.18 (2006). Derived from Article IX, §9.16 of the 1997 Charter.

[274] **Comment of the 2022 Charter Revision Commission.** At the time of the adoption of this Charter, C.G.S. §23-58 permits a "term of two years." The duties are set forth in C.G.S. §23-59 et seq.).

[275] 2022 modification and recodification of current Article IX, §9.13 (2006).

[276] 2022 modification and recodification of current Article VII, §7.2.A and B (2006)(Establishment and Powers and Duties Clauses). Derived from of Chapter II, §1 of the 1947 and 1956 Acts and the 1975 Charter; and Article VII, §7.2.A of the 1997 Charter. Note: At all times since 1947 there have been 7 constables.

[277] 2022 modification and recodification of current Article VII, §7.2.B (2006). Derived from Article VII, §7.2.B of the 1997 Charter.

[278] 2022 recodification and modification of current Article VII, §7.2.C (2006). Derived from Article VII, §7.2.C of the 1997 Charter.

Officers appointed by other bodies.

§7.18. Director of Health[279].

A. Appointment and term. The Director of Health shall be appointed by the Board of Health with the approval of the First Selectperson and shall serve for a term of four (4) years.

B. Qualifications[280]. The Director of Health shall be appointed in accordance with the requirements of the General Statutes and in accordance with the provisions of §6.2.B of this Charter.

C. Powers and duties. The Director of Health shall have the powers and the duties conferred by this Charter, by Ordinance, and by the rules and Regulations of the Board of Health, and on town directors of health generally by Chapter 368e of theGeneral Statutes (C.G.S. §19a-200 et seq.) and state codes and Regulations.

D. Supervision. The Director of Health shall report to the First Selectperson on matters of administration and operation and to the Board of Health on matters of policy.

§7.19. Chief of Police[281].

A. Appointment. The Chief of Police shall be appointed by the Police Commission, with the approval of the First Selectperson, from among the three (3) highest scoring candidates who have passed a competitive examination for Chief of Police.

B. Powers and duties. The Chief of Police shall:

(1) Be the executive officer of the Police Department;

(2) Have authority to direct and control the conduct of all members and other employees of the Police Department; and

(3) Keep all records required by Law and by the Police Commission.

C. Departmental discipline. Subject to a contrary provision of a collective bargaining agreement, disobedience to the lawful orders of the Chief of Police shall be grounds for disciplinary action by the Police Commission. The Chief of Police shall have the power without consulting the Police Commission to impose fines of not more than two (2) Days' pay or suspension of not more than one (1) week for disobedience to the Chief's

[279] 2022 modification and recodification of current Article IX, §9.20 (2006). Derived from Chapter VIII, §3 of the 1947 and 1956 Acts and 1975 Charter; and, Derived from Article IX, §9.18 of the 1997 Charter.

[280] **Comment of the 2022 Charter Revision Commission:** At the time of adoption of this Charter the qualifications are set forth in Chapter 368e of the General Statutes (C.G.S. §19a-200 et seq.).

[281] 2022 recodification of current Article IX, §9.21 (2006). Derived from Article IX, §9.19 of the 1997 Charter.

lawful orders or for violations of the rules and Regulations of the Police Department[282]. The Chief of Police may recommend to the Police Commission that it take more severe disciplinary action.

D. Supervision. The Chief of Police shall report to the First Selectperson on matters of administration and operation and to the Police Commission on matters of policy.

§7.20. Fire Chief[283].

A. Appointment. The Fire Chief shall be appointed by the Fire Commission, with the approval of the First Selectperson, from the three (3) highest scoring candidates who have passed a competitive examination for Fire Chief.

B. Powers and duties. The Fire Chief shall:

(1) Be the executive officer of the Fire Department;

(2) Have authority to direct and control the conduct of all members ofthe Fire Department; and

(3) Keep the records required by Law and by the Fire Commission.

C. Departmental discipline. Subject to a contrary provision of a collective bargaining agreement, disobedience to lawful orders of the Fire Chief shall be grounds for disciplinary action by the Fire Commission. The Fire Chief shall have power without consulting the Fire Commission to impose fines of not more than two (2) Days' pay or suspension for not more than one (1) week for disobedience to lawful orders or for violations of the rules and Regulations of the Fire Department. The Fire Chief may recommend tothe Fire Commission that it take more severe disciplinary action.

D. Supervision. The Fire Chief shall report to the First Selectperson on matters of administration and operation and to the Fire Commission on matters of policy.

§7.21. Planning Director[284].

A. Appointment. The Planning Director shall be appointed by the Town Plan and Zoning Commission with the approval of the First Selectperson.

B. Duties. The Planning Director shall have the duties prescribed by the Town Plan and Zoning Commission and the First Selectperson.

C. Supervision. The Planning Director shall report to the First Selectperson on

[282] Derived from §3 of the 1945 Act; amended by §24 of the 1951 Act.
[283] 2022 recodification of current Article IX, §9.22 (2006). Derived from Article IX, §9.20 of the 1997 Charter.
[284] 2022 recodification of current Article IX, §9.23 (2006). Derived from Article IX, §9.21 of the 1997 Charter.

matters of administration and operation and to the Town Plan and Zoning Commission on matters of policy.

§7.22. Animal Control Officer[285].

A. Appointment and supervision. The Animal Control Officer shall be appointed by the Police Commission and shall report to the Chief of Police.

B. Powers and duties. The Animal Control Officer shall have the powers and duties prescribed by the Police Commission and conferred on animal control officers generally by Chapter 435 of the General Statutes.

§7.23. Conservation Director[286].

A. Appointment. The Conservation Director shall be appointed by the Conservation Commission with the approval of the First Selectperson.

B. Duties. The Conservation Director shall have the duties prescribed by the Conservation Commission and the First Selectperson.

C. Supervision. The Conservation Director shall report to the First Selectperson on matters of administration and operation and to the Conservation Commission on matters of policy.

§7.24. Town Librarian[287].

A. Appointment and qualifications. The Town Librarian shall be appointed by the Board of Library Trustees, with the approval of the First Selectperson, and shall have such qualifications as may be required by the Board of Library Trustees.

B. Duties. The Town Librarian shall:

(1) Report to and have such duties as are defined by the Board of Library Trustees on matters of policy, and by the First Selectperson on matters of administration.

(2) Manage and supervise policy, programs and personnel relating to all public town libraries.

(3) Have responsibilities as set forth by the Board of Library Trustees pursuant to Sections 8.17.C.

[285] 2022 recodification of current Article IX, §9.24 (2006). Derived from Article IX, §9.22 of the 1997 Charter.
[286] 2022 recodification of current Article IX, §9.25 (2006). Derived from Article IX, §9.23 of the 1997 Charter.
[287] 2022 recodification of current Article IX, §9.26 (2006).

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE VIII - SPECIFIC APPOINTED BOARDS AND COMMISSIONS, AND DEPARTMENTS

§8.1. Boards and Commissions[288].

A. Permanent Bodies Appointed by the First Selectperson[289]. The First Selectperson shall appoint the members of the bodies listed in this sub-section and in Section 8.2 of this Charter in the numbers and for the terms set forth therein: Conservation Commission.

B. Permanent Bodies Appointed by the Board of Selectpersons[290]. The Board of Selectpersons shall appoint the members of the bodies listed in this sub-section and in Sections 8.3 through 8.14 of this Charter in the numbers and for the terms set forth therein:

Police Commission and Dept.	Fire Commission and Department
Police and Fire Retirement Board	Parks and Recreation Commission
Board of Health/Public Health Dept.	Flood Prevention, Climate Resilience and Erosion Control Board
Board of Building Appeals	
Water Pollution Control Authority	Historic District Commission
Human Services Commission and Dept.	Golf Commission

C. Boards and Commissions Appointed by the Board of Selectpersons and Approved by RTM[291]. The Board of Selectpersons shall appoint the members of the body listed in this sub-section and in Sections 8.15 of this Charter in the numbers and for the terms set forth therein: Ethics Commission.

D. Self-Perpetuating Boards and Commissions approved by the Board of Selectpersons[292]. The Board of Selectpersons shall approve the members of the body listed in this sub-section and in Sections 8.16 of this Charter in the numbers and for the terms set forth therein: Board of Library Trustees.

E. Meetings[293].

(1) All appointed Boards and Commissions except the Ethics Commission and the Board of Building Appeals shall hold at least ten (10) regular stated meetings

[288] 2022 recodification of current Article X, §10.1.A (2006). Derived from Article X, §10.1.A of the 1997 Charter.
[289] 2022 recodification of current Article X, §10.2 (2006). Derived from Article X, §10.2 of the 1997 Charter.
[290] 2022 recodification of current Article X, §10.4 (2006). Derived from Article X, §10.4 of the 1997 Charter.
[291] NEW (2022).
[292] NEW (2022).
[293] 2022 recodification of current Article X, §10.1.B (2006). Derived from Article X, §10.1.B of the 1997 Charter.

a year and shall give annual notice of such meetings as required by the General Statutes. The Ethics Commission and the Board of Building Appeals shall meet when they have business to transact. Officers of each Board and Commission shall be elected annually at an organization meeting so noticed by the Town Clerk held in the month of December, with the exception of the Ethics and Golf Commissions, shall be elected annually in the month of April. No person sitting on a Board or Commission at the designation of another Board or Commission may be elected an officer of the Board or Commission to which he or she has been designated.

F. Vacancies[294]. Vacancies shall be filled as set forth in §6.6 of this Charter.

Bodies appointed by the First Selectperson.

§8.2. Conservation Commission[295].

A. Members and terms. The Conservation Commission shall consist of seven (7) members, not more than four (4) of whom shall be registered with the same political party, and three alternate members, not more than two (2) of whom shall be registered with the same political party. Both members and alternate members shall be appointed by the First Selectperson for a term of five (5) years. Members' terms shall be staggered so that no more than two (2) members' terms expire in one (1) year. Alternate members' terms need not be staggered.

B. Powers and duties (Conservation Functions).

(1) The Conservation Commission shall have all of the powers and duties conferred by this Charter, by Ordinance, and on conservation commissions generally by §7-131a of Chapter 97 of the General Statutes.

(2) In order to carry out its powers, the Conservation Commission shall:

(a) Conserve, develop, supervise, and regulate natural resources, including water resources and open space land in the Town;

(b) Conduct investigations into the use and possible use of land in the Town;

(c) Keep an index of all open areas, publicly or privately owned, for the purpose of obtaining information on the proper use of such areas;

(d) Have the ability to recommend to appropriate agencies plans

[294] 2022 revision and recodification of current Article X, §10.1.C (2006). Derived from Article X, §10.1.C of the 1997 Charter.
[295] 2022 recodification of current Article X, §10.3 (2006). Derived from Article X, §10.3 of the 1997 Charter.

and programs for the development and use of open areas;

(e) Have the ability, as approved by the RTM, to acquire land and easements in the name of the Town and promulgate rules and regulations, including but not limited to the establishment of reasonable charges for the use of land andeasements, for any of its purposes; and

(f) Have the ability to coordinate the activities of unofficial bodies organized for similar purposes.

C. Powers and duties (Inland Wetland Functions). The Conservation Commission shall have the powers and duties conferred by this Charter, by ordinance, and on inland wetlands and watercourses agencies generally by §§ 22a-42 to 22-44 of Chapter 440 of the General Statutes. In particular, the Commission shall:

(1) Provide for the protection, preservation, maintenance and use of inland wetlands and watercourses, for their conservation, economic, aesthetic, recreational, and other public and private uses and values in order to provide to the citizens of the Town an orderly process to balance the need for the economic growth of the Town and the use of its land with the need to protect the environment and its natural resources;

(2) Adopt, amend and promulgate such Regulations as are necessary to protect and define the inland wetlands and watercourses;

(3) Develop a comprehensive program in furtherance of its purposes;

(4) Advise, consult and cooperate with other agencies of the Town, State and Federal governments;

(5) Encourage and conduct studies and investigations and disseminate relevant information; and

(6) Inventory and evaluate the inland wetlands and watercourses in such form as it deems best suited to effect its purposes.

D. Director and other employees or consultants. The Commission shall appoint a Director with the approval of the First Selectperson. The Commission shall have the power to engage such employees or consultants as it requires to carry out its duties, including a wetlands administrator and assistants who, subject to the general supervision of the Director, shall enforce all Laws, ordinances and Regulations relating to matters over which it has jurisdiction and who shall have such other duties as the Commission or the Director may prescribe.

CHARTER OF THE TOWN OF FAIRFIELD

Permanent bodies appointed by the Board of Selectpersons.

§8.3. Police Commission and Department[296].

A. Members and terms. The Police Commission shall consist of seven (7) members appointed by the Board of Selectpersons, no more than four (4) of whom shall be registered with the same political party. Each member shall have a term of five (5) years with the terms staggered so that not more than two (2) terms expire in one (1) year.

B. Powers and duties. The Police Commission shall have the powers and duties conferred on police commissions generally by §7-276 of Chapter 104 of the General Statutes, except as those may be limited by this Charter. In particular, the Police Commission shall:

(1) Have general management supervision of the Police Department of the Town and of all property and equipment used by or in connection with the operation of the Department;

(2) Make rules and Regulations consistent with the General Statutes and this Charter for the governance of the Police Department and its personnel, and may prescribe penalties for violations of its rules and Regulations;

(3) Subject to the provisions in this Charter regarding appointment of the Chief of Police, have sole power to appoint and promote to all positions in the Police Department, which appointments and promotions shall be made on the basis of merit;

(4) Determine the qualifications for each rank and grade in the Police Department; and

(5) Within the appropriations made for that purpose determine the number of officers and other employees of the Police Department and of the several ranks and grades and their compensation.

C. Appointment of Acting Chief. During the absence or disability of the Chief of Police, the Police Commission may designate a member of the Department as Acting Chief of Police to perform the duties of the Chief of Police.

D. Appointment of special officers. Special officers for the protection of specified private property and special traffic duty or for the preservation of peace may be appointed by the Commission under such rules and Regulations as the Commission shall from time to time establish. Such officers shall serve at the pleasure of the Commission

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[296] 2022 recodification of current Article X, §10.5 (2006). Derived from Chapter XIV of the 1947 Act, based upon §1 of Special Act No. 186 (1945); further amended by §23 of the 1951 Act and affirmed by Chapter XIV of the 1956 Act and the 1975 Charter; and, Article X, §10.5 of the 1997 Charter.

and in any event for terms not to exceed one (1) year unless re-appointed.

§8.4. Fire Commission and Department[297].

A. Members and terms. The Fire Commission shall consist of seven (7) members appointed by the Board of Selectpersons, no more than four (4) of whom shall be members ofthe same political party. Each member shall have a term of five (5) years with the terms staggered so that no more than two terms expire in one (1) year.

B. Powers and duties. The Fire Commission shall have all the powers and duties conferred on fire commissions generally by §7-301 of Chapter 104 of the General Statutes, except as those may be limited by this Charter. In particular, the Fire Commission shall:

(1) Have general management and supervision of the Fire Department of the Town and of all property and equipment used by or in connection with the operation of the Department, including the hydrants used for fire purposes;

(2) Make rules and Regulations consistent with the General Statutes and this Charter for the governance of the Fire Department and its personnel, and may prescribe penalties for violations of its rules and Regulations;

(3) Subject to the provisions in this Charter regarding appointment of the Fire Chief, have sole power to appoint and promote to all positions in the Department, and all appointments and promotions in the Fire Department shall be made on the basis ofmerit;

(4) Determine the qualifications for each rank and grade in the Fire Department; and

(5) Within the limits of the appropriations made for that purpose,determine the number of persons employed by the Department and of the several ranks and grades and their compensation.

C. Appointment of Acting Fire Chief. During the absence or disability of the Fire Chief, the Commission may designate a member of the Department as Acting Fire Chief to perform the duties of the Fire Chief.

§8.5. Police and Fire Retirement Board[298].

A. Members and terms. The Police and Fire Retirement Board shall consist of

[297] 2022 recodification of current Article X, §10.6 (2006). Modification of Chapter XV of the 1947 and 1956 Acts and 1975 Charter. At the time the Commission membership was based upon the fire districts in town. Derived from Article X, §10.6 of the 1997 Charter.

[298] 2022 recodification of current Article X, §10.7 (2006). Derived from Chapter XXI of the 1975 Charter and Article X, §10.7 of the 1997 Charter.

seven (7) members: The First Selectperson (who shall be Chair), the Fiscal Officer, three (3) members appointed by the Board of Selectpersons for a term of three (3) years, and one (1) member to serve for a period of one (1) year, to be elected by the members of the Fire Department and members of the Police Department, respectively. No more than two (2) of three (3) members appointed by the Board of Selectpersons shall be registered with one (1) political party and their terms shall be staggered so that not more than two (2) terms expire in one (1) year.

B. Powers and duties. The Police and Fire Retirement Board shall be the trustees of the retirement fund created under the existing police and fire retirement system for regular firefighters and police officers employed by the Town and shall have full control and management of the fund, with the power to invest and reinvest the same in accordance with the General Statutes respecting the investment of trust funds. The Police and Fire Retirement Board shall be responsible for assuring that the administration of the Police and Retirement plan is in strict accordance with the plan documents.

C. Annual report. On or before January 1 of each year, the Police and Fire Retirement Board shall file an annual report with the Board of Selectpersons showing the financial condition of the police and fire retirement system as of the end of the last-completed fiscal year, including an actuarial evaluation of assets and liabilities, and setting forth such other facts, recommendations and data as may be of value to the members of the police and fire retirement system of the Town.

D. Changes in retirement system. Before any change in the police and fire retirement system negotiated under the General Statutes is submitted for consideration to the Board of Finance, and for action to the RTM, the First Selectperson shall secure a written actuarial evaluation and report of such change.

§8.6. Department of Public Works[299].

The Department of Public Works shall have all of the administrative powers and duties vested in the Town by this Charter or by the General Statutes with respect to the following functions of the Town:

A. The construction, reconstruction, care, maintenance, operation, altering, paving, repairing, draining, cleaning, snow clearance, lighting, and inspection of all Town streets, highways, bridges, sidewalks, curbs, street signs, guide posts, dams, incinerators, dumps, water supply, sewerage systems, and other public improvements of all buildings and equipment owned or used by the Town, except school buildings and equipment, police and fire equipment, and buildings and equipment under the control of the Board of Library Trustees;

B. The removal of encroachments and, together with the Tree Warden, the planting, preservation, care and removal of trees, shrubs and other vegetation within

[299] 2022 recodification of current Article X, §10.8 (2006). Derived from Article X, §8 of the 1997 Charter.

highways, or public places, or on Town property;

C. The maintenance, care and improvement of, and construction work required in connection with, public cemeteries, parks, playgrounds, beaches, marina facilities, and recreational areas of the Town, as requested by the Selectpersons, the Parks and Recreation Commission, the Conservation Commission, the Board of Education, or other bodies as may be designated by Ordinance.

D. The custody of all maps of the Town not otherwise entrusted to any other Department or Town Official; and

E. The maintenance of maps or other records showing highways, building or veranda lines, street profiles, and plans and profiles of storm and sanitary sewers.

§8.7. Board of Health and Public Health Department[300].

A. Members and terms of the Board of Health[301]. The Board of Health shall consist of seven (7) members, five (5) of them appointed by the Board of Selectpersons for four (4) year terms, one (1) designated by the Board of Education from its members, and one (1) designated by the Human Services Commission from its members. At least one (1) of the members so appointed shall be a physician. At least two (2) additional members shall be licensed health care professionals. Not more than three (3) of the members appointed by the Board of Selectpersons shall be registered with the same political party and their terms shall be staggered so that no more than two (2) terms expire in one (1) year. The members designated by the Board of Education and by the Human Services Commission shall not serve beyond their tenure on the appointing bodies.

B. Organization. The Board of Health shall be the general policy-making body for the Public Health Department and shall make all necessary rules and regulations for its administration.

C. Personnel[302]. The Public Health Department shall consist of a Director of Health and such sanitarians, nurses, dental hygienists, secretaries, clerks and other personnel as may be necessary to operate the Department, including such physicians as may be temporarily engaged from time to time.

D. Powers and duties.

(1) The Board of Health may make and amend such reasonable rules for the promotion and preservation of the public health, health services in public schools, and sanitation as required, provided the same shall not be inconsistent with the General Statutes, the state public health code, other state departmental regulations,

[300] 2022 recodification of current Article X, §10.9 (2006). Derived from Article X, §10.9 of the 1997 Charter.
[301] Derived from Chapter VIII, §1 of the 1947 Act; as further amended by §10 of the 1951 Act and reaffirmed by Chapter VIII, §1 of the 1956 Act and the 1975 Charter.
[302] Derived from Chapter VIII, §2 of the 1947 Act and the 1956 Act.

or the ordinances and public health code of the Town.

(2) The Board of Health shall advise the Director of Health in all matters relating to public health, and health services in the schools of the Town, and shall appoint the school and Well Child Clinic medical advisors.

§8.8. Parks and Recreation Commission[303].

A. Members and terms.

(1) The Parks and Recreation Commission shall consist of nine (9) voting members, eight (8) of whom shall be appointed by the Board of Selectpersons and one (1) of whom shall be a member of the Board of Education designated by the Board of Education to serve on the Parks and Recreation Commission. Notwithstanding §6.3 of this Charter, no more than five (5) of the members appointed by the Board of Selectpersons shall belong to the same political party. The Director of Parks and Recreation and the Director of Public Works shall serve on the Parks and Recreation Commission ex officio without vote.

(2) The term of office of the members appointed by the Board of Selectpersons shall be five (5) years with terms staggered so that no more than two (2) members are appointed in any one year.

B. Powers and duties. The Parks and Recreation Commission shall be the policy-making body for the Parks and Recreation Department, shall together with the First Selectperson supervise the Director of Parks and Recreation, and shall assist in establishing requirements and qualifications for personnel needed for the Department.

C. Department. The Parks and Recreation Department shall consist of a Director of Parks and Recreation and such other personnel as may be necessary to operate the Department.

§8.9. Board of Building Appeals[304].

A. Members and terms. The Board of Building Appeals shall consist of five (5) members appointed by the Board of Selectpersons, no more than three (3) of whom shall be registered with the same political party. The members shall have terms of five (5) years, which shall be staggered so that no more than one (1) term expires in one (1) year.

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[303] 2022 recodification of current Article X, §10.10 (2006). Derived from Chapter XIII of the 1947 and 1956 Acts and the Charter of 1975. At the time the Commission consisted of five members; as further amended by §17 of the 1951 Act. A Board of Recreation existed under Chapter XVI of the 1947 Act and 1975 Charter; §1 was amended and §4 was repealed by §§18 and 19 of the 1951 Act. Chapter XVI, §2 remained in effect under the 1956 Act. Derived from Article X, §10.10 of the 1997 Charter.

[304] 2022 recodification of current Article X, §10.11 (2006). See, §2 of Chapter X of the 1947 Act ("Board of Building Commissioners"); further amended by §11 of the 1951 Act and reaffirmed by Chapter X of the 1956 Act and the 1975 Charter; and, Article X, §10.11 of the 1997 Charter.

B. Qualifications. The members shall have the qualifications set forth in the State Building Code.

C. Powers and duties. The Board of Building Appeals shall have the powers and duties conferred on boards of building appeals generally by § 29-266 of Chapter 541 of the General Statutes, including hearing appeals from the decisions of the Building Inspector.

§8.10. Flood Prevention, Climate Resilience and Erosion Control Board[305].

A. Members and terms. The Flood Prevention, Climate Resilience and Erosion Control Board shall consist of five (5) members appointed by the Board of Selectpersons, no more than three (3) of whom shall be registered with the same political party. The members shall have terms of five (5) years, which shall be staggered so that not more than one (1) term expires in one (1) year. The Director of Public Works, or a designee appointed by the Director, shall be a non-voting ex officio member of the Board.

B. Powers and duties. Said Board shall have the powers and duties conferred on flood and erosion control boards generally by §25-84 through 25-94 of Chapter 477 of the General Statutes, as amended.

C. Alternate Members. There shall be three (3) alternate members of the Board, no more than two (2) of whom shall be registered with the same political party. Alternate members shall have terms of three (3) years, which shall be staggered so that not more than one (1) term expires in one year. Such alternate members shall, when seated as herein provided, have all the powers and duties set forth for such board and its members. If a regular member is absent or is disqualified, the chairman of the board shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting"

Transitional Provision. On or about the fourth (4th) Monday of November 2022, the Board of Selectpersons shall appoint an alternate to a term of three (3) years; an alternate to a term of two (2) years; and, an alternate to a term of one (1) year. On and after the fourth (4th) Monday of November 2023, as their terms expire, alternates shall be appointed to a term of three (3) years.

§8.11. Water Pollution Control Authority[306].

A. Members and terms. The Water Pollution Control Authority shall consist of

[305] 2022 modification and recodification of current Article X, §10.12 (2006). Derived from Article X, §10.12 of the 1997 Charter. Comment of the 2022 Charter Revision Commission: The change in title corresponds to the legislative changes made in P.A. 21-115.

[306] 2022 modification and recodification of current Article X, §10.13 (2006). Derived from Article X, §10.13 of the 1997 Charter.

seven (7) members, one (1) of whom shall be a member of the Board of Selectpersons, and six (6) of whom shall be appointed by the Board of Selectpersons. No more than four (4) of the members appointed by the Board of Selectpersons shall be registered with the same political party. The members appointed by the Board of Selectpersons shall have terms of four (4) years, which shall be staggered so that not more than two (2) terms expire in one (1) year. The Fiscal Officer shall be a member ex officio, without vote.

B. Organization and personnel. For purposes of this Charter, the Water Pollution Control Authority shall be deemed a commission except where any provision of this Charter of general application to commissions conflicts with a provision of the General Statutes concerning water pollution control authorities. The Water Pollution Control Authority may establish rules and adopt bylaws for the transaction of its business. The clerk of the Water Pollution Control Authority shall keep a record of its proceedings and shall be custodian of all books, papers and other documents of the Water Pollution Control Authority. The Water Pollution Control Authority may employ such personnel as may be required for the performance of its duties and may fix their compensation.

C. Powers and duties. The Water Pollution Control Authority shall have the power to:

(1) Operate, maintain and manage, and through the Department of Public Works, plan, lay out, acquire, construct, reconstruct, equip, repair, maintain, supervise and manage and, through the Department of Public Works, operate a sewerage system;

(2) Acquire, by purchase, condemnation or otherwise, any real property or interest in real property which it shall determine to be necessary for use in connection with such sewerage system;

(3) Apportion and assess the whole or any part of the cost of acquiring, constructing or reconstructing any sewerage system or portion thereof upon the lands and buildings in the Town which, in its judgment, shall be especially benefited by the system (whether they abut on such system or not), and upon the owners of such lands and buildings and fix the time when such assessments shall be due and payable and provide that they may be paid in such number of substantially equal annual installments, not exceeding thirty (30), as it shall determine;

(4) Establish and from time to time revise just and equitable charges or rates for connection with and use of the sewerage system;

(5) Order any owner or occupant of any real estate to which the sewerage system is available to connect the drainage and sewerage thereof with the system and to disconnect, fill up and destroy any cesspool, privy vault, drain or other arrangement on such real estate for the reception of such drainage or sewerage; and

(6) Generally, to have and possess all of the powers and duties conferred upon water pollution control authorities by the General Statutes.

§8.12. Historic District Commission[307].

A. Members and terms. The Historic District Commission shall consist of five (5) members, no more than three (3) of whom shall be registered with the same political party, and three (3) alternate members, no more than two (2) of whom shall be registered with the same political party. Both members and alternate members shall be appointed by the Board of Selectpersons, with the advice and consent of the RTM. Terms of membership shall be for five (5) years and shall be staggered so that no more than one (1) member's term and one (1) alternate member's term expires in each year.

B. Powers and duties. The Historic District Commission shall have the powers and duties conferred upon historic district commissions and historic properties commissions generally by Chapter 97a of the General Statutes (C.G.S. §7-147a et seq.).

§8.13. Human Services Commission and Department[308].

A. Members and terms. The Human Services Commission shall consist of nine (9) members appointed by the Board of Selectpersons, not more than five (5) members of whom shall be registered with the same political party. Members shall have terms of four (4) years which shall be staggered so that no more than four (4) terms expire in one (1) year. The Human Services Commission shall represent those social services matters in accordance with the authority set forth under the General Statutes or otherwise by Law, including matters which relate to the aging, people with disabilities, veterans, youth and underserved populations; unless other committee, task force or Board or Commission has been authorized to specifically address any particular social service matter. The Commission may form its own committees with additional persons to assist and advise the Human Services Commission in matters which concern the conditions and needs of aging and of people with disabilities.

B. Powers and duties. The Human Services Commission shall be the policy-making body for the Department of Human Services.

C. Department of Human Services.

(1) Powers and duties. The Department of Human Services, together with the Board of Selectpersons, shall have all the powers and duties relating to social services granted to and imposed upon towns by the General Statutes. The Department of Human Services shall act on behalf of the Town in all social service matters in conjunction with State and Federal agencies. Social service matters involving community health issues shall be coordinated with the Public Health

[307] 2022 recodification of current Article X, §10.14 (2006). Derived from Article X, §10.14 of the 1997 Charter.
[308] 2022 recodification of current Article X, §10.16 (2006). Derived from Article X, §10.16 of the 1997 Charter.

Department.

(2) Acceptance and use of private donations. The Department of Human Services shall have the power to accept on behalf of the Town donations of any kind to be used generally or specifically for its purposes and to carry out any specific wishes of a donor. The power to accept donations shall not be construed to eliminate the authority any other Town Official or the RTM may have to review specific donations. All donated monies shall be delivered to the Town Treasurer to be maintained in a special account subject to the order of the Department of Human Services, in accordance with the terms of the gift in each instance.

§8.14. Golf Commission[309].

A. Members and terms. The Golf Commission shall consist of seven (7) members appointed by the Board of Selectpersons, no more than four (4) of whom shall be registered with same political party. Each member shall have a term of five (5) years, commencing April 1, with the terms staggered so that no more than two (2) terms expire in the same year. No member shall be eligible for reappointment to the Golf Commission for a period of five (5) years after the end of his or her term.

B. Powers and duties. The Golf Commission shall be the policy-making body for the Par 3 Golf Course and the H. Smith Richardson Golf Course. It shall have the following powers, subject to appropriation:

(1) To make, amend and repeal bylaws, rules and regulations relative to play, hours of operation, fees, charges, and all other decisions necessary for the successful operation of those courses;

(2) To fix and revise from time to time and to charge and collect fees, rents and other charges for the use of any golf course facilities on behalf of the Town in an amount sufficient to maintain operating and maintenance expenses.

Appointed by Board of Selectpersons and Approved by RTM

§8.15. Ethics Commission[310].

A. Members and terms.

(1) The Ethics Commission shall consist of five (5) members, appointed by unanimous vote of the Board of Selectpersons and confirmed by a Majority Vote of the RTM. No more than three (3) members shall be registered with the same political party.

[309] 2022 recodification of current Article X, §10.18 (2006). Derived from Article X, §10.18 of the 1997 Charter.
[310] 2022 recodification of current Article X, §10.15 (2006). Derived from Article X, §10.15 of the 1997 Charter.

(2) Notice of appointment shall be served by the Board of Selectpersons upon the Moderator of the RTM and the Town Clerk. A vote for approval or rejection of each person appointed shall be taken at an RTM meeting held more than ten (10) Days after service of the notice on the Town Clerk. Failure to vote within sixty (60) Days of the service on the Town Clerk shall be deemed to be approval and confirmation by the RTM. If any appointment is rejected by the RTM, the Board of Selectpersons shall within twenty-one (21) Days after the rejection notify the RTM Moderator and Town Clerk of further appointments to replace the rejected appointments. The RTM shall then vote on the new appointments. These too shall be deemed approved and confirmed if not voted upon within sixty (60) Days of the notice.

(3) The terms shall commence on April 1. Terms of members shall be two (2) years and shall be staggered so that no more than three (3) terms expire in one (1) year. No member may serve more than the shorter of two (2) terms or one (1) term plus a partial term created by filling a vacancy for an unexpired term.

Transitional Provision. On or about July 1, 2024, the Board of Selectpersons shall appoint two (2) members to a term ending on March 30, 2025; said vacancy shall be filled on April 1, 2025 for a term of two (2) years. On or about July 1, 2023, the Board of Selectpersons shall appoint three (3) members to a term ending on March 30, 2024; said vacancy shall be filled on April 1, 2024 for a term of two (2) years.

B. Powers and duties. The Ethics Commission shall:

(1) Receive complaints alleging violations of the Standards of Conduct or any ordinance establishing a Code of Ethics for Town Officials and employees;

(2) Upon sworn complaint or upon the vote of three (3) members, investigate the actions and conduct of Town Officials, members of the RTM, and employees of the Town to determine whether there is probable cause that a violation has occurred of the Standards of Conduct or Code of Ethics;

(3) On its own motion issue general opinions and interpretations of the Standards of Conduct or the Code of Ethics;

(4) Upon the request of a principal officer of a Department, or any member of a Town Board or Commission, or any member of the RTM render an advisory opinion with respect to any specific relevant situation under the Standards of Conduct or Code of Ethics;

(5) Consider written requests for advisory opinions referred by a department head with respect to any problem submitted to the department head in writing by an employee in the Department (whose name need not be disclosed to the Ethics Commission) concerning that employee's duties in relationship to the

Standards of Conduct or Code of Ethics where the department head elects not to decide the issue within the Department;

(6) Adopt such regulations as it deems advisable to assure procedures for the orderly and prompt performance of the Commission's duties;

(7) Upon a finding of probable cause initiate hearings to determine whether there has been a violation of the Standards of Conduct or Code of Ethics;

(8) Have the power to retain its own counsel, administer oaths, issue subpoenas and subpoenas *duces tecum* (enforceable upon application to the Superior Court) to compel the attendance of persons at hearings and the production of books, documents, records, and papers; and

(9) Upon finding of a violation of the Standards of Conduct or Code of Ethics, at its discretion, recommend appropriate disciplinary action to the Board of Selectpersons or appropriate Appointed Town Officers, including department heads.

C. Procedure.

(1) On complaints.

(a) In any investigation to determine probable cause the Ethics Commission shall honor all requests for confidentiality, consistent with the requirements of State Law. Unless a finding of probable cause is made or the individual against whom a complaint is filed requests it, complaints alleging a violation of the Standards of Conduct or Code of Ethics shall not be disclosed by the Ethics Commission.

(b) Any person accused of a violation shall have the right to appear and be heard by the Ethics Commission and to offer any information which may tend to show there is no probable cause to believe the person has violated any provision of the Standards of Conduct or the Code of Ethics.

(c) The Ethics Commission shall, not later than ten (10) Days after the termination of its probable cause investigation, notify the complaining person and the person against whom the complaint was made that the investigation has been terminated and the results.

(d) At hearings after a finding of probable cause, the Ethics Commission shall afford the person accused the protection of due process consistent with that established for state agencies under the "Connecticut Uniform Administrative Procedures Act," including but not limited to the right to be represented by counsel, the right to call and examine witnesses, the right to the production of evidence by subpoena, the right to introduce exhibits, and the right to cross-examine opposing witnesses.

(e) In the absence of extraordinary circumstances, the hearing shall be held within ninety (90) Days of the initiation of the investigation. The Ethics Commission shall, not later than thirty (30) Days after the close of the hearing, publish its findings together with a memorandum of its reasons. Any recommendation for disciplinary action shall be contained in the findings.

(f) An individual directly involved or directly affected by the action taken as a result of the Ethics Commission's findings or recommendation may seek judicial review of such action and of the Ethics Commission's findings or recommendation unless the action taken was a referral of the matter to proper authorities for criminal prosecution.

(2) On requests for advisory opinions. Within forty-five (45) Days from the receipt of a request for an advisory opinion, the Ethics Commission shall either render the opinion or advise as to when the opinion shall be rendered.

D. Quorum. A quorum for the Ethics Commission shall be not less than four (4) members in attendance. All members who attended all hearings on the matter, and all members who certify that they have read or heard the entire transcript of the hearing they did not attend, shall be eligible to vote on the proposed Ethics Commission action. The Ethics Commission shall find no person in violation of any provision of the Standards of Conduct or Code of Ethics except upon the concurring vote of three-fourths (3/4^{ths}) of those members voting.

Self-Perpetuating Board Approved by Board of Selectpersons

§8.16. Board of Library Trustees[311].

A. Members and terms. Commencing on July 1, 2028, the Board of Library Trustees shall consist of the Chief Fiscal Officer, ex officio without vote, and six (6) trustees appointed by the Board of Library Trustees, with the approval of the Board of Selectpersons, to terms of three (3) years staggered as follows:

(1) Two (2) members to a term of three (3) years commencing on the 1st day of July 2026 through June 30, 2029; and, thereafter as the term may fall;

(2) Two (2) members to a term of three (3) years commencing on the 1st day of July 2027 through June 30, 2030; and, thereafter as the term may fall; and

(3) Two (2) members[312] to a term of three (3) years commencing on the 1st day of July 2028 through June 30, 2031; and, thereafter as the term may fall.

[311] 2022 recodification of current Article X, §10.17 (2006). Derived from §1 of the 1949 Act and, further amended by §22 of the 1951 Act; and; Chapter XXV of the 1956 Special Act; Chapter XXII of the 1975 Charter; and, Article X, §10.17 of the 1997 Charter.
[312] A member is currently serving a term of 7/1/22-6/30/28.

Transitional Provision. In the interim, the Board of Library Trustees shall appoint, subject to the approval of the Board of Selectpersons:

(1) On or about July 1, 2023[313], one (1) member shall be appointed to a term of three (3) years, ending on June 30, 2026;

(2) On or about July 1, 2024[314], one (1) member shall be appointed to a term of two (2) years, ending on June 30, 2026;

(3) On or about July 1, 2025[315], one (1) member shall be appointed to a term of two (2) years, ending on June 30, 2027;

(4) On or about July 1, 2026[316], one (1) member shall be appointed to a term of one (1) year, ending on June 30, 2027; and

(5) On or about July 1, 2027[317], one (1) member shall be appointed to a term of one (1) ending on June 30, 2028.

B. Vacancy and reappointment limitation. Any vacancy in the Board of Library Trustees, from any cause other than the expiration of a term, shall be filled for the remainder of the term by appointment by the remaining trustees, with the approval of the Board of Selectpersons.

C. Powers and duties. The Board of Library Trustees shall:

(1) Manage, control, maintain, and operate all property of the Town devoted to library purposes, except such property as may be under the jurisdiction of the Board of Education;

(2) Identify and adopt written policies to govern the operation and programs of the Library;

(3) Seek adequate funds to carry out Library operations and monitor the use of those funds to provide Library services;

(4) Turn over money which may be collected from revenue generating services to the Town Treasurer;

(5) Subject to appropriation appoint a Town Librarian with the approval of

[313] A member is currently serving a term of 7/1/17-6/30/23.
[314] A member is currently serving a term of 7/1/18-6/30/24.
[315] A member is currently serving a term of 7/1/19-6/30/25.
[316] A member is currently serving a term of 7/1/20-6/30/26.
[317] A member is currently serving a term of 7/1/21-6/30/27.

the First Selectperson and maintain a regular performance appraisal process; and,

(6) Ensure that the Library has a strategic plan with implementation and evaluation components.

D. Acceptance and use of private donations.

(1) Acceptance and use. Subject to the provisions contained in this Charter and in the General Statutes, the Board of Library Trustees may accept any gift of property of any character upon any terms and conditions which the donor may prescribe and which may be acceptable to the Board of Library Trustees, provided no gift which imposes upon the Town an obligation to incur any expense in order to keep, use or maintain the gift may be accepted by the Board of Library Trustees unless it is approved by the RTM. The Board of Library Trustees may establish one (1) or more library funds with any of such property and shall have the exclusive control and management of, may hold title to, and may manage and invest and reinvest, the property in accordance with the Laws of the State governing the investment of trust funds.

(2) Management of funds. Subject to the terms and conditions upon which any of such property or funds shall be held, the Board of Library Trustees is permitted to use the gross income for capital improvements to the library or for such special purposes as may be required to comply with the terms and conditions of any gift or by state standards. The principal within the funds is not to be used for operational budgeting purposes and is governed and managed solely by the Board of Trustees. The use of any principal within the funds is to be used only for capital investment improvements (outside of annual operating budgets) and thus voted on by the Board of Trustees. Subject to appropriation, the Board of Library Trustees may employ such agents, experts, and other personnel as it may deem advisable in connection with the administration and management of any of such property or funds.

CHARTER OF THE TOWN OF FAIRFIELD

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE IX - BUDGET PROCEDURE AND RELATED MATTERS

§9.1. The Budget Process[318].

A. Cooperation of Town Officials and Employees[319]. The First Selectperson, Board of Selectpersons, Board of Finance, the Board of Education and RTM are required to work together, in good faith, throughout the year in order to develop and approve a Town budget. The budget shall include a delineation of all expected revenues and expenditures and, for the purposes of short- and long-term financial planning, detailed estimates of revenues, capital expenses and operating expenses all as required by this Charter and any Ordinances pertaining thereto. Each of these officials and employees of the Town are required to utilize best practices in the field of municipal and public finance, in order to comply with Law and with the generally accepted accounting principles (or such successor policies thereto) and shall embrace principles of accountability, transparency and outreach in order to expand public participation, engagement and trust in the budgetary process of the Town.

B. Fiscal year[320]. The fiscal year of the Town shall commence on July 1 and conclude on June 30 unless otherwise set forth in the General Statutes.

C. Budget a public record: Public Inspection[321]. The entire budget, comprised of the general fund budget and capital budget, shall be a public record in the office of the Town Clerk and shall be open to public inspection at other designated public facilities including libraries and schools, as may be determined by the First Selectperson, Board of Selectpersons, Board of Education or the RTM. Moreover, the First Selectperson shall provide access on-line through social media, the Town web-site and dashboards and email chains to community organizations and members of the public who request such information.

D. Public Engagement[322]. The First Selectperson, Board of Selectpersons, Board of Finance, Board of Education and RTM shall develop procedures designed to encourage public participation in the budget process.

E. Budget Calendar[323]. Not later than the second (2nd) Meeting of the Board of Selectpersons, in January of each year, the Chief Fiscal Officer shall, in accordance with §9.1.A of this Charter, following consultation with the First Selectperson, the Chair of the Board of Finance and Moderator of the RTM, cause to be published a budget calendar in order to inform the public of the significant requirements of the budget process, including but not limited to:

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[318] NEW (2022).
[319] NEW (2022).
[320] NEW (2022).
[321] NEW (2022).
[322] NEW (2022).
[323] NEW (2022).

(1) Submission of Budget Estimates by Submitting Parties, as set forth in §9.3.A of this Charter;

(2) Date(s) of the Joint Review of the First Selectperson's Initial Recommendations by the Board of Selectperson, Board of Finance and RTM, as set forth in §9.3.B of this Charter;

(3) Recommendation of the Proposed Executive Budget to the Board of Finance, as set forth in §9.4.A of this Charter;

(4) Date of the Public Hearing of the Board of Finance as set forth in §9.5.B of this Charter;

(5) Date of Adoption of the Proposed Town Budget as set forth in §9.5.C of this Charter;

(6) Date of the Annual Budget Meeting and Final RTM Action on the Approved Annual Town Budget, as set forth in §§9.2 and 9.6.B of this Chapter;

(7) Proposed date of Board of Finance, as shall be set by the Board of Finance, determination of property tax rate as set forth in §§9.5.E and 9.7 of this Charter.

§9.2. Date of annual budget meeting[324].

The RTM shall hold the annual budget meeting on the second (2nd) Monday in May of each year ("RTM Annual Budget Meeting").

§9.3. Annual Budget Estimates.

A. Submission of General Fund and Capital Budget Estimates to the First Selectperson[325]. All Town Officials and Departments of the Town, including the Board of Education ("Submitting Parties"), shall submit to the First Selectperson[326]:

(1) such items and details of their respective general fund and capital budgets for the next fiscal year[327]; and,

(2) any additional information which they possess (including, but not

[324] 2022 modification and recodification of current Article XII, §12.1 (2006). Derived from Article XII, §12.1 of the 1997 Charter; and, Chapter III, §6 (second sentence) and Chapter XVII, §4 of the 1947 and 1956 Acts and 1975 Charter.
[325] 2022 modification and recodification of current Article XII, §12.2,A (2006). Derived from Article XII, §12.2 of the 1997 Charter.
[326] 2022 modification and recodification of current Article XII, §12.2,A (2006)(First sentence). Derived from Article XII, §12.2 of the 1997 Charter.
[327] 2022 modification and recodification of current Article XII, §12.2,A (2006)(First sentence) setting forth the definition of Budget Estimate". Derived from Article XII, §12.2 of the 1997 Charter.

limited to, records, books, accounts, Contracts, reports and other papers and documents as specified by the First Selectperson ("Budget Estimates") all of which, in the judgment of the First Selectperson, are necessary to discharge the duties imposed upon the First Selectperson by this Charter.

Said Budget Estimates shall be submitted on or prior to a date designated by the First Selectperson, which date shall be early enough for the First Selectperson to review, revise, compile and transmit recommendations to the Board of Selectpersons, Board of Finance and RTM for purposes of Joint Budget Meetings with said Submitting Parties ("First Selectperson's Budget Recommendation" or "Budget Recommendation")[328].

B. Presentation before Joint Meetings of the Board of Selectpersons, Board of Finance and RTM[329].

(1) First Selectperson's Budget Recommendation. Not later than second (2nd) Monday in March, the First Selectpersons' Budget Recommendation shall be submitted to the Board of Selectpersons for consideration and to the Board of Finance and RTM for initial review. At such time the First Selectperson shall address said Budget Recommendation before a joint meeting of the Board of Selectpersons, Board of Finance and RTM.

(2) Multi-Board Budget Meetings. Following submission and budget address, the First Selectperson shall convene an initial joint budget Meeting of the Board of Selectpersons and the Board of Finance for the purpose of receiving testimony and information from all Submitting Parties, including the Board of Education on the Budget Recommendation. Said testimony shall assist the bodies in their respective reviews of the said recommendations and the impact on the Departments and taxpayers.

(a) All subsequent Meetings shall be called to order by the First Selectperson and be facilitated by the Chair of the Board of Finance and shall be conducted in accordance with rules of order to facilitate a comprehensive review to the benefit of the participating bodies and the public[330].

(b) The rules may permit expansion of the Meeting to include the RTM in the event RTM committees (not to exceed ten (10) members) would participate as a rotating group of interlocutors to participate in the questioning of the Submitting Parties.

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[328] 2022 modification and recodification of current Article XII, §12.2.A (2006)(Second sentence). Derived from Article XII, §12.2 of the 1997 Charter.

[329] NEW (2022)

[330] **Comment of the 2022 Charter Revision Commission:** Both the Board of Finance and RTM will have additional opportunities to discuss the budget with the First Selectperson and Submitting Parties throughout the process. The objective of this first series of meetings is to eliminate redundancy and duplication of effort where possible. We recommend the RTM create a robust committee system and allow the members of committee to handle the questions for the Submitting Parties over which they have subject-matter jurisdiction.

§9.4. Review and recommendation by Board of Selectpersons to the Board of Finance.

A. Proposed Executive Budget; Submission to Board of Finance[331]**.** Following the joint meetings, set forth in §9.3.B, and any other meetings it deems necessary to review the First Selectperson's Budget Recommendation, the Board of Selectpersons shall make recommendation of a Proposed Executive Budget to the Board of Finance, not later than the fourth (4th) Monday of March. The Proposed Executive Budget shall be in the form, and shall contain the details, required by the Board of Finance from time to time[332].

B. Variation of procedure[333]**.** The Board of Selectpersons, with the approval of the Board of Finance, may modify and vary the budget submission process in the interest of efficiency or in the event of special circumstances.

§9.5. Review and recommendation by Board of Finance.

A. Further examination[334]**.** The Board of Finance may hold meetings to review the Proposed Executive Budget as it determines necessary prior to the Public Hearing set forth in §9.5.B of this Charter.

B. Public hearing by Board of Finance[335]**.** The Board of Finance shall hold a public hearing on the Proposed Executive Budget prior to the public meeting set forth in §9.5.C of this Charter.

C. Proposed Town Budget: Submission to RTM[336]**.** After the public hearing as set forth in §9.5.B of this Charter, the Board of Finance shall hold a public meeting not later than the fourth (4th) Monday in April at which time it shall act upon all matters relating to the Proposed Executive Budget. Thereafter, the Board of Finance's Proposed Town Budget shall be submitted to the RTM.

D. Board of Finance Presentation of the Proposed Town Budget to RTM[337]**.** The Board of Finance shall present the Proposed Town Budget to the RTM for consideration at the RTM Annual Budget Meeting.

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[331] 2022 modification and recodification of current Article XII, §12.2.B (2006). Derived from Article XII, §12.2 of the 1997 Charter.
[332] 2022 Recodification of current Article XII, §12.3.A (2006). Derived from Article XII, §12.3 of the 1997 Charter.
[333] 2022 Recodification of current Article XII, §12.2.C (2006). Derived from Article XII, §12.2 of the 1997 Charter.
[334] NEW (2022).
[335] 2022 modification and recodification of current Article XII, §12.3.B (2006). Derived from Article XII, §12.3 of the 1997 Charter.
[336] 2022 modification and recodification of current Article XII, §12.3.C (2006). Derived from Article XII, §12.3 of the 1997 Charter.
[337] 2022 modification and recodification of current Article XII, §12.3.D (2006). Derived from Article XII, §12.3 of the 1997 Charter.

E. Determination of property tax rate[338]**.** After the RTM Annual Budget Meeting and receipt of the report on the grand list from the Board of Assessment Appeals, the Board of Finance shall determine the rate of property tax for the next fiscal year, taking into account the provisions of §9.7.

§9.6. Review and determination by the RTM: Approved Annual Town Budget.

A. RTM Deliberations and Further Examination[339]**.** The RTM may hold meetings, as it determines necessary before the Annual Budget Meeting.

B. The Approved Annual Town Budget[340]**.** At the Annual Meeting, the RTM shall act upon the Annual Town Budget for the next fiscal year:

§9.7. Effect of referendum on the budget[341]**.**

Any item in the Approved Annual Town Budget referred to a referendum vote as provided in §3.6 of this Charter and disapproved shall be amended to accord with such vote. In the event of a referendum affecting any item contained in the annual Town budget, the time within which the Board of Finance shall determine the Town tax for the year following such appropriation shall be extended to five (5) Days after the referendum vote.

§9.8. Appeals from the Board of Finance.

A. Appeals to RTM[342]**.** Any Town Official (where a Board or Commission, by majority vote of its members) or Department of the Town may appeal to the RTM from a vote of the Board of Finance to recommend a reduction in the amount of any request by said Town Official or Department for an appropriation of Town funds as part of the annual budget process or at another time in the fiscal year, or for a budget transfer. The Town Official (where a Board or Commission, by a majority vote of its members) or Department may appeal to restore the entire amount originally requested or any part of such amount specified in the appeal.

B. Method of appeal[343]**.** The appeal shall be made in writing and shall be filed with the Town Clerk within ten (10) Days after written notice of the vote of the Board of Finance shall have been received by the Town Official or Department making the appeal.

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[338] 2022 modification and recodification of current Article XII, §12.3.E (2006). Derived from Article XII, §12.3 of the 1997 Charter.
[339] 2022 modification and recodification of current Article XII, §12.4 (2006)(First sentence). Derived from Article XII, §12.4 of the 1997 Charter.
[340] 2022 modification and recodification of current Article XII, §12.4 (2006)(Second sentence). Derived from Article XII, §12.4 of the 1997 Charter.
[341] 2022 modification and recodification of current Article XII, §12.5 (2006). Derived from Article XII, §12.5 of the 1997 Charter.
[342] 2022 modification and recodification of current Article XII, §12.6.A (2006). Derived from Article XII, §12.6 of the 1997 Charter.
[343] Recodification of current Article XII, §12.6.B (2006). Derived from Article XII, §12.6 of the 1997 Charter.

C. RTM hearing[344]**.** Not later than the date of the RTM Annual Budget Meeting if the appeal is from a budget request, or the next regular meeting of the RTM after receiving an appeal from a vote of the Board of Finance in any other case, the RTM shall:

(1) Hold a hearing on such appeal, at which both the Board of Finance and the appellant shall be entitled to be heard;

(2) At the conclusion of the hearing, put the question of sustaining the appeal to a vote.

D. Vote necessary to sustain appeal[345]**.** If two-thirds or more of the total number of RTM members present and voting at such meeting shall vote to sustain the appeal, the requested appropriation or transfer shall be made without the recommendation of the Board of Finance, subject, with respect to the appropriation, to referendum as provided in this Charter.

§9.9. Expenditure in excess of appropriation forbidden[346].

No Town Official or Department shall expend any sum for any purpose in excess of the amount appropriated by the Town for such purpose unless such expenditure shall first be approved, and appropriate transfers in the budget made, by the Board of Finance.

[344] 2022 modification and recodification of current Article XII, §12.6.C (2006). Derived from Article XII, §12.6 of the 1997 Charter.
[345] 2022 modification and recodification of current Article XII, §12.6.C (2006). Derived from Article XII, §12.6 of the 1997 Charter.
[346] Recodification of current Article XII, §12.7 (2006). Derived from Article XII, §12.7 of the 1997 Charter.

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE X - MISCELLANEOUS

§10.1. Official Seal[347].

The Town shall adopt, by Ordinance, a Town Seal with such suitable inscription or design as it determines. Said seal shall be filed with the Office of the Secretary of the State by the Town Clerk. The Town Clerk shall have custody of the seal.

§10.2. Existing ordinances[348].

All ordinances of the Town shall continue in full force and effect, except as they are inconsistent with the provisions of this Charter.

§10.3. Separate provisions[349].

If any provision of this Charter is declared by a court of competent jurisdiction to be void or unconstitutional, such action shall not affect the validity of any other provision.

§10.4. Periodic Review of the Charter[350].

No later than April of 2032, and no more than every ten (10) years thereafter, the Board of Selectpersons shall consider appointing a Charter Revision Commission, pursuant to the General Statutes. Nothing in this section limits the right of the Board of Selectpersons to appoint one or more Charter Revision Commissions other than the Commission required by this section, but no such Commission shall be appointed if its appointment would preclude the Board of Selectpersons from appointing a Commission as required by this section.

§10.5. Submission and effective date[351].

This Charter shall be submitted to the Electors of the Town at the general election to be held Tuesday, November 8, 2022. Voting shall be in accordance with the Laws of the State of Connecticut and the proposed Charter may be submitted in the form of one (1) or several questions as determined by the Board of Selectpersons. The Charter or such portions thereof as may be approved by the Electors of the Town shall take effect on November 27, 2022, with the exception of provisions pertaining to the term of office, composition of the entity or functions of an elected official, which shall be adjusted as set forth herein.

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[347] 2022 modification and recodification of current Article XIV, §14.1. Derived from Chapter XXIV, §4 of the 1947 and 1956 Acts; and Chapter XXVI, §4 of the 1975 Charter. See, C.G.S. §7-101.

[348] 2022 recodification of current Article XIV, §14.2. Derived from Chapter XXIV, §5 of the 1947 and 1956 Acts; and Chapter XXVI, §5 of the 1975 Charter.

[349] 2022 recodification of current Article XIV, §14.3. Derived from Chapter XXIV, §6 of the 1947 and 1956 Acts; and Chapter XXVI, §6 of the 1975 Charter.

[350] NEW (2022).

[351] 2022 recodification of current Article XIV, §14.4. Derived from Chapter XXIV, §7 of the 1947 and 1956 Acts; and, and Chapter XXVI, §9 of the 1975 Charter.

CHARTER

OF THE

TOWN OF FAIRFIELD

~~Adopted 11/7/2006 Effective 11/27/2006~~

CRC TRANSMITTAL VERSION - 13 JUNE 2022

~~CHARTER REVISION COMMISSION WORKING VERSION 1~~

~~22 September 2021/Annotation Update 31 December 2021~~

Proposed Revisions to Board of Selectmen Approved: 13 June 2022[1]

Transmittal to Town Clerk: __ June 2022

Charter Revision Commission 2021-2022

Bryan Cafferelli
Chair

Christopher Brogan
Vice Chair

Marlene Battista
Secretary

Jay Gross

Hon. Pamela Iacono

Hon. John Mitola

John Wynne

James T. Baldwin
Town Attorney

Steven G. Mednick
Counsel

CRC TRANSMITTAL VERSION - 13 JUNE 2022

[1] Please Note: This document remains a draft and will continue to undergo due diligence reviews throughout the entirety of this process. We will continue to clarify and align provisions for the duration. This draft is based upon the 11 January 2022 Reorganizational Baseline. This document remains a work in progress and will be reviewed and refined as the CRC and Board of Selectpersons progresses through the process. Please excuse any errors or inaccuracies. Internal references will continued to be addressed and aligned at the final stage in this process.

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CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE I - INCORPORATION, GENERAL POWERS, ~~AND~~ CONSTRUCTION, ORGANIZATION AND STANDARDS[2]

§1.1. Title[3].

The Charter of the Town of Fairfield (the "Town") shall be the organic Law of the Town in the administration of its local affairs.

§1.2. Incorporation and powers[4].

All the inhabitants dwelling within the Town~~ of Fairfield~~, as previously constituted, shall continue to be a body politic and corporate under the name of the "Town~~ of Fairfield" (the "Town")~~ and shall have all powers and privileges and immunities previously exercised by the Town and not inconsistent with this Charter, the additional powers and privileges conferred in this Charter, and all powers and privileges conferred upon towns under the General Statutes of the State of Connecticut ~~(the "State")~~ as the same may be amended[5].

§1.~~2~~3. Rights and obligations[6].

All property, both real and personal, all rights of action and rights of every description and all securities and liens vested or inchoate 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 the effective date, whether accrued or not. Nothing shall be construed to affect the right of the Town to collect any assessment, charge, debt, or lien for the construction, alteration, or repair of

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[2] [HISTORY: Adopted by ballot of the Town of Fairfield 11-7-2006, effective 11-27- 2006 ("2006 Charter")[2]. Amendments noted where applicable.] Editor's Note: This enactment supersedes the former Charter adopted by the Representative Town Meeting 11-4-1997, effective 11-24-1997. **Comment from the 2022 Charter Revision Commission:** The annotations set forth herein are not definitive or comprehensive. The effort is a first step in the process of recreating the historical antecedents to the current provisions of the Charter as well as showing the continued impact, if any, of Special Act provision adopted prior to the adoption of the Home Rule Act and Article Tenth of the 1965 Constitution of the State of Connecticut.

[3] NEW (2022).

[4] ~~Current~~2022 recodification of current Article I, §1.1. Derived from Chapter I, §1 of "An Act Concerning a Charter for the Town of Fairfield" (1947) ("1947 Act"). Chapter XXIII of the 1947 Act and 1956 Acts included a Town Court; which was amended by §3 of Special Act No. 382 of the Special Act of 1949: ("1949 Act"); further amended by §21 of "An Act Amending the Charter of the Town of Fairfield" (1951) ("1951 Act"); Chapter I, §1 of "An Act Concerning a Charter for the Town of Fairfield" (1956) ("1956 Act"); Chapter I, §1 of the Charter of Town of Fairfield (1975) ("1975 Charter"); and, Article I, §1.1 of the Charter of the Town of Fairfield (1997)("1997 Charter").

[5] Derived from Chapter I, §3 of the 1947 Special Act. Further amended by §§1 and 2 of the 1951 Act.

[6] ~~Current~~2022 recodification of current Article I, §1.2. Derived from Chapter I, §2 and 3 of the 1947 Act; reenacted by Chapter I, §2 and 3 of the 1956 Act; Chapter I, §2 and 3 of the 1975 Charter; and modified by Article I §1.2 of the 1997 Charter. Chapter I, §4 of the 1947 and 1956 Acts and 1975 Charter included contained a provision vesting the 'legislative power of the Town" in the Representative Town Meeting; said provision as well as the "corporate powers" provision in Chapter I, 3 of the 1947 and 1956 Acts and 1975 Charter were abandoned by the 1997 Charter.

any public improvement.

§1.~~3~~4. Definitions.

A. Definitions and Titles Generally[7]. The definitions contained in the General Statutes of the State of Connecticut shall govern the interpretation of this Charter; unless otherwise defined herein. Articles and Sections are for the purpose of ready reference and shall not be held to limit, extend or effect the interpretation and meaning of the text.

~~A.~~**B. Capitalized terms[8]**. The following rule has been used in determining which terms in this Charter are capitalized: All references to particular Town officials, as defined, below, and to particular Town ~~authorities, boards,~~Boards and ~~commissions~~Commissions are capitalized, while general references are not. For example: The Board of Education shall have the powers and duties conferred on boards of education by the General Statutes.

~~B.~~**C. Defined terms[9].** The following terms shall have the meanings set forth in this paragraph unless otherwise specified in this Charter:

(1) ~~"~~"Appointed Town ~~Office"~~Officer[10]" means an employee who heads any ~~position~~Department in the Town~~ government which is described~~, whether established by Charter or the Town Code; has the authority and qualifications set forth in §§6.1 through 6.2 of this Charter; and, is directly accountable to the First Selectperson, unless otherwise set forth in this Charter.

(2) "Board" or "Commission[11]". For the purposes of this Charter and except ~~membership~~as otherwise provided by Law, the terms "Board" and "Commission" mean all boards, agencies, commissions, authorities or like entities or bodies of the Town, whether elected or appointed. This term does not include advisory committees, tasks forces or other like entities created by appointing authorities for limited duration, purposes or scope.

(3) "Board of Selectpersons[12]"means the executive authority of the Town as defined in Article IV of this Charter.

(4) "Charter[13]" means the Charter of the Town of Fairfield.

(5) "Contracts" means all contractual relations of the Town (including the Board of Education), including, without limitation, purchase contracts, lease contracts, and service contracts, including but not limited to, agreements,

[7] NEW (2022)
[8] ~~Current~~2022 recodification of current Article I, §1.3.A. Derived from Article I, §1.3.A of the 1997 Charter.
[9] ~~Current~~2022 recodification of current Article I, §1.3.B. Derived from Article I, §1.3.B of the 1997 Charter
[10] See, Articles VI and VII.
[11] NEW (2022).
[12] NEW (2022)
[13] NEW (2022)

memoranda of understanding, memoranda or agreement, letters of understanding, side letters and other agreements [14].

~~(1)~~**(6)** "Day(s)[15]" means calendar days; unless, otherwise specifically set forth in this Charter. Moreover, where a Day set forth in this Charter falls on ~~the Representative Town Meeting.~~a weekend, holiday or day when the Town is closed for business, the deadline shall be extended through the close of the next Town business day; unless otherwise required by law

(7) ~~"Town Officer"~~"Department[16]" means any major functional or administrative division of the Town, including any offices, agencies, bureaus or other descriptions serving such purpose as may be set forth in the budget of the Town. When used within the section establishing or describing the duties of the particular department or its related Board or Commission, the term "Department" shall apply exclusively to the functional division referred to in that section.

~~(2)~~**(8)** "Elected Town Officials" means an individual who holds an elected ~~or appointed to a Town~~municipal office ~~other than as a member of an authority, board, or commission~~as set forth in §2.3.A, and as further set forth in this Charter.

~~(3) "Town Official" means any Town officer and any member of an authority, board, or commission.~~

(9) ~~"~~"Elector[17]" shall have the meaning contained in the General Statutes.

(10) "First Selectperson" means the chief executive officer of the municipality, as required by the General Statutes[18] and as set forth in this Charter.

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[14] 2022 modification and recodification of current Article VI, §6.1.C(1) (2006)(third sentence).
[15] NEW (2022).
[16] NEW (2022).
[17] **Comment of the 2022 Charter Revision Commission.** C.G.S. **§**9-1. Definitions. (e) "Elector" means any person possessing the qualifications prescribed by the Constitution and duly admitted to, and entitled to exercise, the privileges of an elector in a town". C.G.S. **§**9-12. Who may be admitted. (a) Each citizen of the United States who has attained the age of eighteen years, and who is a bona fide resident of the town to which the citizen applies for admission as an elector shall, on approval by the registrars of voters or town clerk of the town of residence of such citizen, as prescribed by law, be an elector, except as provided in subsection (b) of this section. For purposes of this section a person shall be deemed to have attained the age of eighteen years on the day of the person's eighteenth birthday and a person shall be deemed to be a bona fide resident of the town to which the citizen applies for admission as an elector if such person's dwelling unit is located within the geographic boundaries of such town. No mentally incompetent person shall be admitted as an elector. (b) Any citizen who will have attained the age of eighteen years on or before the day of a regular election may apply for admission as an elector. If such citizen is found to be qualified the citizen shall become an elector on the day of the citizen's eighteenth birthday. The registrars shall add the name of any person applying under this subsection, if found qualified, to the registry list and, if applicable, to the enrollment list, together with the effective date of his registration. The registrars may place the name of each such person at the end of the registry and enrollment lists for the voting district.
[18] Required by C.G.S. **§** 7-193(a)(2)(C).

(4)(11) "General Statutes" or C.G.S.[19]" means the official General Statutes of Connecticut under arrangement of the 1958 Revision as amended and updated, from time to time. Where chapter references are made, they are to chapter designations as of January 1, 2006. In the event a chapter designation is changed by the publishers of the General Statutes, the new chapter references shall be substituted for the chapter references contained in this Charter.

§ 1.4. Organization of Town Government[20].

(12) The government of the Town shall consist of the following Town officers"Law" means, although is not limited to, decisions of courts and administrative bodies as well as other Town officers and (or any agreements sanctioned by said bodies not described in this Charter but designated by ordinance or), federal or state legislative enactments, Ordinances and Regulations, including all applicable rules contained therein.

(13) "Majority Vote of the RTM[21]" means more than half of the votes have been cast by the members at a meeting of the RTM at which a quorum is present.

(14) "Meeting[22]" shall have the meaning set forth in C.G.S. §1-200(2), including meetings by means of electronic equipment, as may be amended from time to time.

(15) "Meeting (or Hearing) Notice[23]" means a notice posted as required by the General Statutes:, including posting of regular meetings with the Office of the Secretary of the State and the Town Clerk, as well the requirement pertaining to special and emergency meetings as well as public hearings, in the same manner as set forth in §1.4.C(17) of the Charter, and as may be established by Ordinance or written rules of the RTM or any Board or Commission insofar as such notice requirements are in accordance with the General Statutes. In addition to the above-referenced postings, the Town may post notices on its web-site or notify Elected Town Officials, members of the RTM or members of Boards and Commissions through other electronic media and, if otherwise required by Law, said notice shall be published in a daily newspaper of general circulation distributed in the Town. A Meeting Notice (including public hearings) shall state the time and place thereof and shall be published at a minimum in compliance with the General Statutes or by a more stringent requirement as may be set forth in this Charter. Meeting or Hearing Notice may also be governed by regulatory practices and procedures set forth in the General Statutes[24].

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[19] 2022 modification and recodification of current Article I, §1.3.B(4). Derived from Article I, §1.3.B of the 1997 Charter

[20] Current Article I, §1.4. Derived from Article I, §1.4 of the 1997 Charter

[21] NEW (2022).

[22] NEW (2022)

[23] NEW (2022).

[24] The 2022 Charter revision deletes current Article IV, §4.3.D (2006). Modification of Chapter III, §2 (third sentence) and §4 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.3.D of the 1997 Charter.

(16) "Ordinances" or "Ordinances of the Town" or "Town Code" means the legislative powers of the Town to (1) establish rules or regulations of general municipal application, the violation of which may result in the imposition of a fine or other penalty; (2) create a permanent local law of general applicability; or (3) accomplish other objectives permitted by the General Statutes as may be enacted in accordance with the provisions of this Charter.

(17) "Public Notice" or "Publication[25]" means a notice for matters other than public meetings or hearings, including the public inspection or availability of any documents or data, as may be required by this Charter. Said Public Notice shall be specifically set forth in this Charter or may be governed by the requirements of the General Statutes. Public Notice shall be posted (1) in the Office of the Town Clerk and other public space or location in the Town Hall designated by the Town Clerk in order to assure sufficient disclosure to and access by the public or other public places as may be determined by the Town Clerk; (2) on the Town web-site or through other electronic media by the Town Clerk; and, (3) if otherwise required by Law, by publication in a daily newspaper of general circulation distributed in the Town. Unless otherwise required by Law, newspaper publication is in the discretion of the Town Clerk or the body providing the Public Notice.

(18) "Regulation[26]" means a statement of general applicability approved by a Department or Board or Commission, without regard to its designation, that implements, interprets, or prescribes law or policy, or describes the organization, procedure, or practice requirements of any such Department, Board or Commission or the Laws under which they operate.

(19) "Representative Town Meeting" or "RTM[27]" means the legislative body of the Town, as required by the General Statutes and as specifically set forth in Article III of this Charter.

(20) "Special Acts" or "Special Laws" means the acts of the General Assembly pertinent to the Town.

(21) "State" or "Connecticut" means the State of Connecticut.

(22) "State Constitution" means the Constitution of the State of Connecticut.

(23) "Town" means the Town of Fairfield.

(24) "Town Office" means any position in Town government which is described by this Charter or the Town Code except membership on the

[25] NEW (2022)
[26] NEW (2022). Derived from C.G.S. §4-166(16).
[27] NEW (2022) Required by C.G.S. §7-193(a)(1)(C).

Representative Town Meeting[28].

(25) "Town Officer" means an individual elected or appointed to a Town Office, including any Appointed Town Officer whether established by this Charter or the Town Code, other than as a member of a Board, or Commission[29].

(26) "Town Official" means any Town Officer and Board or Commission or the individual members thereof, including any Appointed Town Officer whether established by this Charter or the Town Code[30].

(27) Where reference is made to the word "shall" the legislative intention is to make the function a mandatory or imperative obligation for the official or entity charged with an obligation under this Charter or under the Town Code. It is recommended that to avoid any doubt the word "must" should be used in order to impose clarity on the concept of obligation[31].

§1.5. Standards of Conduct[32].

A. Declaration of Policy[33]. Town Officials, RTM members and all employees of the Town shall demonstrate by their example the highest standards of ethical conduct, to the end that the public may justifiably have trust and confidence in the integrity of government. As agents of public purpose, they shall hold their offices or positions for the benefit of the public, shall recognize that the public interest is their primary concern, and shall faithfully discharge the duties of their offices regardless of personal considerations.

B. Conflict of Interest[34]. No Town Official, RTM member or any employee shall:

(1) Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any other form, under circumstances in which it can reasonably be inferred that the gift is intended to influence the Town Official, employee, or member in the performance of official duties; (Nothing in this paragraph shall preclude the solicitation or acceptance of lawful contributions for election campaigns).

(2) Disclose confidential information gained by reason of the office or position or use such information for the personal gain or benefit of anyone;

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[28] 2022 recodification of current Article I, §1.3.B(1). Derived from Article I, §1.3.B of the 1997 Charter
[29] 2022 recodification of current Article I, §1.3.B(2). Derived from Article I, §1.3.B of the 1997 Charter
[30] 2022 recodification of current Article I, §1.3.B(3). Derived from Article I, §1.3.B of the 1997 Charter
[31] NEW (2022)
[32] 2022 recodification of current Article XI entitled "Standards of Conduct.
[33] 2022 recodification of current Article XI, §11.1 (2006). Derived from Article XI, §11.1 of the 1997 Charter,
[34] 2022 recodification of current Article XI, §11.2 (2006). Derived from Chapter XXV of the 1975 Charter; and, Article XI, §11.2 of the 1997 Charter,

(3) Knowingly have or acquire any financial interest or any personal beneficial interest, direct or indirect, in any contract or purchase order for any supplies, materials, equipment or contractual services furnished to or used by the Town in connection with any project, matter or thing which comes within the Town Official's, employee's, or RTM member's jurisdiction or the jurisdiction of the Board, Commission or any other body of which the person is a member (unless such interest is acquired through being the lowest responsible bidder after public advertisement); or

(4) Engage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of the official duties orwhich may tend to impair the independence of judgment in the performance of the Town Official's, employee's, or RTM member's official duties[35].

C. Disclosure of Interest[36]. Any Town Official, RTM member, or employee who possesses or who acquires such private interest as might reasonably tend to create a conflict with the public interest shall make disclosure thereof to such Board, Commission or body and such person shall be disqualified from action on any matter involving the private interest.

D. Fair and Equal Treatment[37]. No Town Official, RTM member, or employee shall use an official position to secure or grant special consideration, treatment, advantage, privilege, or exemption to himself or herself or to any person beyond that which is available to every other person.[38]. This provision is not intended to prevent an RTM member from properly representing the people of the member's district.

~~**A. Elected Positions[39].**~~

~~**Number**~~	~~**Body of Position**~~	~~**Term**~~
~~56 (max.)~~	~~Representative Town Meeting~~	~~2 years[40]~~
~~3~~	~~Board of Selectmen~~	~~4 years[41]~~

[35] Subsections C. and D. may be derived from Chapter II, §6 of the 1947 and 1956 Acts.
[36] 2022 recodification of current Article XI, §11.3 (2006). Derived from Article XI, §11.3 of the 1997 Charter,
[37] 2022 recodification of current Article XI, §11.4 (2006). Derived from Article XI, §11.4 of the 1997 Charter.
[38] NEW (2022). **Comment of the 2022 Charter Revision Commission:** In the model ethics code of the State of Florida this provision usually includes the following presumption language: " If an official or employee believes his or her accusation to be true, and then learns that it was false, even in part, he or she should apologize in the same forum the accusations were made. A failure to so apologize within a reasonable period of time after learning of the falseness of the accusations will create the presumption that the conduct was fully intentional."
~~[39] Current Article I, §1.4.A. Derived from Article I, §1.4.A of the 1997 Charter.~~
~~[40] Derived from Chapter I, §4 and Chapter II, §1 and §4(b) of the 1947 and 1956 Acts; and, Chapter I, §4 and Chapter II, §1 and §4(c) of the 1975 Charter.~~
~~[41] Derived from Chapter II, §1 and §4(b) of the 1947 and 1956 Acts; as, reenacted in Chapter II, §1 and §4(c) of the 1975 Charter and Article I, §1.5.A of the 1999 Charter [3 members – two year term]. The four year term was adopted in the 2006 Charter.~~

~~1~~	~~Town Clerk~~	~~4 years~~[42]
~~2~~	~~Registrars of Voters~~	~~4 years~~[43]
~~7~~	~~Constables~~	~~2 years~~[44]
~~9~~	~~Board of Finance~~	~~6 years~~[45]
~~5~~	~~Board of Assessment Appeals~~	~~4 years~~[46]
~~9~~	~~Board of Education~~	~~4 years~~[47]
~~5~~	~~Zoning Board of Appeals~~	~~4 or 2 years~~[48]
~~3~~	~~Zoning Board of Appeals Alternates~~	~~4 years~~
~~7~~	~~Town Plan and Zoning Commission~~	~~4 or 2 years~~[49]
~~3~~	~~Town Plan and Zoning Commission Alternates~~	~~4 years~~

~~B. Appointed Positions~~[50]~~.~~

~~(1) Appointed by the First Selectman:~~

~~Number~~	~~Body of Position~~	~~Term~~
~~1~~	~~Town Attorney~~[51]	
~~Indefinite~~	~~Assistant Town Attorneys~~[52]	
~~1~~	~~Fiscal Officer~~[53]	

~~[42] Derived from Chapter II, §1 and §4(b) and Chapter VII of the 1947 and 1956 Acts; as reenacted by Chapter II, §1 and §4(c) and Chapter VII of the 1975 Act; Article I, §1.4.A, Article II, §2.3.B and Article VII, §7.1 of the 1997 Charter.~~

~~[43] Derived from Chapter II, §1 and §4(b) of the 1947 and 1956 Acts; as, reenacted in Chapter II, §1 and §4(c) of the 1975 Charter and Article I, §1.4.A of the 1999 Charter. Note: There were two Registrars of Voters. The four year term was adopted in the 2006 Charter.~~

~~[44] Derived from Chapter II, §1 and §4(b) of the 1947 and 1956 Acts; as, reenacted in Chapter II, §1 and §4(c) of the 1975 Charter and Article I, §1.4.A of the 1999 Charter.~~

~~[45] Derived from Chapter II, §1 and §4(c) of the 1947 and 1956 Acts; as, reenacted in Chapter II, §1 and §4(d) of the 1975 Charter and Article I, §1.4.A of the 1997 Charter [9 members].~~

~~[46] Derived from Article I, §1.4.A of the 1997 Charter.~~

~~[47] Derived from Chapter II, §1 and 4(e) of the 1947 and 1956 Acts [six-year term]. Amended by Chapter II, §1 and §4(e) of the 1975 Charter (four-year term) and Article I, §1.4.A of the 1997 Charter [six-year term]. The current four-year term was adopted in the 2006 Charter.~~

~~[48] Note: The ZBA was an appointed Board; see, Chapter II, §2 of the 1947 and 1956 Acts. The elected ZBA was enacted in Chapter II, §4(g) of the 1975 Charter and Article I, §1.4.A of the 1997 and 2006 Charter.~~

~~[49] Derived from Chapter II, §1 and 4(e) of the 1947 and 1956 Acts [six-year term]. A two-member Board of Tax Review and an appointed Chair were included in said 1947 Charter; see also, Chapter XVIII of the 1947 and 1956 Acts and, Chapter II, §1 of the 1956 Act and Chapter XIX of the 1975 Charter. Further reenacted in Chapter II, §1 and §4(h) and (i) of the 1975 Charter and Article I, §1.4.A of the 1997 and 2006 Charters.~~

~~[50] Current Article I, §1.4.B (2006).~~

~~[51] Derived form Chapter II, §2 of the 1947 and 1956 Acts and Chapter II, 2 of the 1975 Charter and Article I, §1.B.i of the 1997 and 2006 Charters, respectively. The was also a Director of Welfare (see also, Chapter V of the 1947 Act and 1956 Act), Town Engineer, Dog Warden and a three-member Retirement Board, all appointed by the Board of Selectmen; a Building Inspector appointed by the Building Commission; a Highway Superintendent appointed by the Director of Public Works; and, a Town Health Officer appointed by the Board of Health. The Retirement Board was included in Chapter XX of the 1947 Act and 1956 Act.~~

~~[52] See, prior fn.~~

~~[53] Derived from Article II, 2 of the 1975 Charter and Article I, §1.B.i of the 1997 and 2006 Charters respectively. Note: the position of Assistant Fiscal Officer was set forth in the 1997 Charter.~~

~~1~~	~~Controller~~[54]	
~~1~~	~~Town Treasurer~~[55]	
~~1~~	~~Director of Community and Economic~~[56]~~-~~ ~~Development~~	
~~1~~	~~Director of Human and Social Services~~[57]	
~~1~~	~~Director of Public Works~~[58]	
~~1~~	~~Building Official~~[59]	~~4 years~~
~~1~~	~~Director of Parks and Recreation~~[60]	
~~1~~	~~Purchasing Agent~~[61]	
~~1~~	~~Director of Human Resources~~[62]	
~~7~~	~~Conservation Commission~~[63]	~~5 years~~
~~3~~	~~Conservation Commission Alternates~~[64]	~~5 years~~

~~(2) Appointed by the Board of Selectmen~~[65]~~:~~

~~Number~~	~~Body of Position~~	~~Term~~
~~1 or more~~	~~Internal Auditors~~[66]	
~~1~~	~~Assessor~~[67]	
~~1~~	~~Tax Collector~~[68]	
~~1~~	~~Tree Warden~~[69]	~~1 year~~
~~7~~	~~Police Commission~~	~~5 years~~[70]~~-~~

[54] ~~Current Article I, §1.4.B.i (2006).~~

[55] ~~Derived from Chapter II, §2 of the 1947 and 1956 Act. Treasurer was an elected official. The Treasurer became an appoint officer in Chapter II, §2 of the 1997 Charter and Article I, §1.B.i of the 2006 Charter. Note: There was an Assistant Treasurer list in the 1975 and 1997 Charters.~~

[56] ~~Current Article I, §1.B.i (2006).~~

[57] ~~Current Article I, §1.B.i (2006).~~

[58] ~~Derived from Chapter II, §2 of the 1947 and 1956 Acts [delineated as the "town engineer and director of public works"]; reenacted as the Director of Public Works in Chapter II, §2 of the 1975 Charter and Article I, §4.2.B.i of the 2006 Charter.~~

[59] ~~Derived from Chapter II, §2 of the 1947 and 1956 Acts. Note: The Building Inspector was eliminated in the 1975 Charter yet included in Article I, §1.4.B.i of the 1997 Charter. Note: The "Building Official" was, again, set forth in Article I, §1.4.B.i of the 1997 and, as "Building Inspectors" in the 2006 Charter. Note: Is this the equivalent to the Building Official?~~

[60] ~~Derived from Article I, §1.4.B.i of the 1997 and 2006 Charters.~~

[61] ~~Derived from Article I, §1.4.B.i of the 1997 and 2006 Charters.~~

[62] ~~Derived from Article I, §1.4.B.i of the 1997 and 2006 Charters~~

[63] ~~Derived from Article I, §1.4.B.i of the 1997 and 2006 Charters.~~

[64] ~~See, fn, above.~~

[65] ~~Chapter II, §2 of the 1947 and 1956 Actsincluded an appointed Zoning Board of Appeals and Building commission.~~

[66] ~~Derived from Article I, §1.4.B.ii of the 1997 and 2006 Charters~~

[67] ~~Derived from Chapter II, §2 of the 1947 and 1956 Acts, appointed by the Board of Finance. Thereafter appointed by the Board of Selectmen in Chapter II, §2 of the 1975 Charter and Article I, §1.4.B.ii of the 1997 and 2006 Charters.~~

[68] ~~Derived from Chapter II, §2 of the 1947 Act and 1956 Acts, appointed by the Board of Finance. Appointed by the Board of Selectmen in Article I, §1.4.B.ii of the 1997 and 2006 Charters,~~

[69] ~~Derived from Article I, §1.4.B.ii of the 1997 and 2006 Charters.~~

[70] ~~See Appendix for transition to increased membership. Modification of Chapter II, §2 of the 1947 and 1957 Acts and reaffirmed in Chapter II, §2 of the 1975 Charter and Article I, §1.4.B.ii of the 1997 and 2006 Charters. Note: There were~~

~~7~~	~~Fire Commission~~	~~5 years~~[71]
~~7~~	~~Police and Fire Retirement Board~~	~~3 or 1 years~~[72]
~~7~~	~~Board of Health~~	~~4 years~~[73]
~~8~~	~~Parks and Recreation Commission~~	~~5 years~~[74]
~~5~~	~~Board of Building Appeals~~	~~5 years~~[75]
~~5~~	~~Flood and Erosion Control Board~~	~~5 years~~[76]
~~5~~	~~Ethics Commission~~	~~2 years~~[77]
~~7~~	~~Water Pollution Control Authority~~	~~4 years~~[78]
~~5~~	~~Historic District Commission~~	~~5 years~~[79]
~~3~~	~~Historic District Commission Alternates~~	~~5 years~~
~~9~~	~~Human Services Commission~~	~~4 years~~[80]
~~7~~	~~Golf Commission~~	~~5 years~~[81]

~~(3) Appointed by Other Bodies:~~

~~Number~~	~~Position~~	~~Appointing Authority~~	~~Term~~
~~1~~	~~Director of Health~~	~~Board of Health~~	~~4 years~~[82]
~~1~~	~~Chief of Police~~	~~Police Commission~~[83]	
~~1~~	~~Fire Chief~~	~~Fire Commission~~[84]	
~~1~~	~~Planning Director~~	~~Town Plan and Zoning Commission~~[85]	

~~five Police Commissioners.~~

[71] ~~Derived from Chapter II, §2 of the 1947 and 1957 Acts and reaffirmed in Chapter II, §2 of the 1975 Charter and Article I, §1.4.B.ii of the 1997 and 2006 Charters. See Appendix for transition to increased membership.~~

[72] ~~Derived from Article I, §1.4.B.ii of the 1997 and 2006 Charters. Selectmen appoint 3 members for 3 years; police and fire department members each appoint 1 member for 1 year. The final 2 members are the First Selectman and the Fiscal Officer. Note: A Retirement Board if enumerated in earlier versions of the Charter.~~

[73] ~~Derived from Chapter II, §2 of the 1947 and 1956 Acts and 1975 Charter and Article I, §1.4.B.ii of the 1997 and 2006 Charters. Selectmen appoint 5 members for 4 years; Board of Education and Human Services Commission each appoints 1 of its members, whose terms may not last beyond their terms on the Board of Education and Human Services Commission, respectively.~~

[74] ~~Derived from Chapter II, §2 of the 1947 and 1956 Acts and 1975 Charter (Separate Parks and recreation Commissions) and Article I, §1.4.B.ii of the 1997 and 2006 Charters. Selectmen appoint 8 members for 5 years; Board of Education appoints 1 of its members. Derived from Chapter II, §2 of the 1947 Act where there were five Park Commissioners and three members of the Board of Recreation. Reenacted by Chapter II, §2 of the 1956 Act.~~

[75] ~~Derived from Chapter II, §2 of the 1975 Charter and Article I, §1.4.B.ii of the 1997 and 2006 Charters.~~

[76] ~~Derived from Article I, §1.4.B.ii of the 1997 and 2006 Charters.~~

[77] ~~Derived from Chapter II, §2 of the 1947 and 1956 Acts and 1975 Charter and Article I, §1.4.B.ii of the 1997 and 2006 Charters. Requires RTM approval.~~

[78] ~~Derived from Article I, §1.4.B.ii of the 1997 and 2006 Charters. 1 position is held by a member of the Board of Selectmen.~~

[79] ~~Derived from Article I, §1.4.B.ii of the 1997 and 2006 Charters.~~

[80] ~~Derived from Article I, §1.4.B.ii of the 1997 and 2006 Charters.~~

[81] ~~Current Article I, §1.4.B.ii (2006).~~

[82] ~~With the approval of the First Selectman. Derived from Chapter II, §2 of the 1947 and 1956 Acts and reaffirmed in Chapter II, §2 of the 1975 Charter and Article I, §1.4.B.ii of the 1997 and 2006 Charters~~

[83] ~~With the approval of the First Selectman. Derived from Article I, §1.4.B.iii of the 1997 and 2006 Charters.~~

[84] ~~With the approval of the First Selectman. Derived from Article I, §1.4.B.iii of the 1997 and 2006 Charters.~~

[85] ~~With the approval of the First Selectman. Derived from Article I, §1.4.B.iii of the 1997 and 2006 Charters.~~

~~1~~	~~Animal Control Officer~~	~~Police Commission~~[86]	
~~1~~	~~Conservation Director~~	~~Conservation Commission~~[87]	
~~7~~	~~Board of Library Trustees~~	~~Board of Library Trustees~~	~~6 years~~[88]
~~1~~	~~Town Librarian~~	~~Board of Library Trustees~~[89]	

~~.~~

E. Penalties and Disciplinary Action for Violations[90]. The failure to comply with, or any violation of, the standards of conduct established by this Charter shall be grounds for the removal from office, discharge from employment of the offending Town Official, RTM member, or employee, and the Board of Selectpersons in its discretion may void any contract entered into or adopted in violation of this Charter. The Board of Selectpersons or the Ethics Commission may recommend disciplinary measures for RTM members who fail to comply with, or who violate, these standards, but the RTM retains the final authority to discipline its members.

§1.6. Rules of Order and Civility[91].

Town Officials and employees shall treat members of the public with respect and expect the same in return in official in-person or virtual/electronic interactions. The Town is committed to maintaining orderly administrative processes and in keeping Town administrative offices free from disruption.

A. The Workplace and Town Operations. In the workplace and other official interactions this Charter promotes mutual respect, civility and orderly conduct among Town employees, Town Officials, Members of the RTM and the public. This section is not intended to deprive any person of his or her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe, productive, and harassment-free workplace for Town staff and a safe and non-threatening environment for the public. The Town encourages all parties to engage in professional, respectful, and courteous communication and discourages hostile, intimidating, or otherwise disruptive actions.

B. Public Meeting Decorum. The Town is committed to the democratic process, the rule of law, individual rights of expression, robust debate, and tolerance for disparate views and the building of better community relationships through increased empathy, greater awareness and decreased reactivity. The Town's elected and appointed

[86] ~~Derived from Article I, §1.4.B.iii (2006 Charter).~~
[87] ~~With the approval of the First Selectman. Derived from Article I, §1.4.B.iii of the 2006 Charter.~~
[88] ~~With the approval of the Board of Selectmen; 1 of the positions is held bythe Town Treasurer. Derived from Article I, §1.4.B.iii of the 2006 Charter.~~
[89] ~~With the approval of the First Selectman.~~
[90] 2022 recodification of current Article XI, §11.5 (2006). Derived from Article XI, §11.5 of the 1997 Charter.
[91] NEW (2022).

Boards and Commissions, the RTM and other public bodies and various community groups all convene public meetings to address, from time to time, controversial issues that may engender passionate and often conflicting opinions. An atmosphere of incivility and disrespect at these meetings can stifle participation and debate, threaten the quality of decisions and undermine the local democratic process.

C. Rules of Order. In order to effectuate these provisions of the Charter, the Town may adopt Ordinances generally governing the conduct of public meetings in accordance with this Charter.

(1) Parliamentary Guidance: The General Rule[92]. Robert's Rules of Order shall, as a general rule, regulate the conduct of all meetings of the RTM and all elected and appointed Boards and Commissions of the Town, unless the RTM or particular Board or Commission otherwise specifies.

(2) Adoption of Rules. Notwithstanding the foregoing, the RTM and each elected and appointed Board and Commission may adopt rules of order in order to conduct public meetings and government business in a civil and orderly environment. The rules shall be adopted by a vote of two-thirds (2/3rd) of the members of the Board or Commission, following review by the Town Attorney to ensure that the rules are based on best practices in parliamentary procedure and consistent with the open meeting requirements of the General Statutes and this Charter.

D. The Role of the Presiding Officer. The Presiding Officer of the RTM and each elected and appointed Board and Commission shall be responsible for maintaining the decorum at public meeting and for the uniform enforcement of rules of order.

E. Compliance with Rules of Order and Decorum. Likewise, all persons who attend a public meeting shall comply with any lawful order of the Presiding Officer to enforce rules of order and decorum. In all circumstance, members of the public and all public officials shall be expected to follow the rules of the body and shall not engage in disorderly conduct, uncivil language or actions as may be defined by Ordinance, Regulation or rules of order of the body.

F. Breach of Rules. In the event any person breaches the rules of order pertaining to civility in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of the Meeting, the Presiding Officer shall order that person to cease such conduct. The Presiding Officer has the authority to order a member of the public, public official or member of the body to leave the public meeting in the event of continued violations following an initial order from the presiding officer. If said initial order to cease the offending conduct is not obeyed and said conduct continues in spite of an escalation of additional orders from the Presiding Officer, the party may be removed from the Meeting. Removal of a person at

[92] Recodification of current Article VIII, §8.1.B(4)[Elected Boards and Commissions]; and, Article X, §10.1.B(4)[Appointed Boards and Commissions] (2006). Derived from Article VIII, §8.1.B and Article X, §10.1.B of the 1997 Charter.

an in-person event may be facilitated by a Sergeant at Arms or law enforcement officer. At a virtual or hybrid meeting the presiding officer may block the person from participation. Members of appointed Boards or Commissions may be subject to removal in accordance with the provisions of §6.7.A of this Charter.

§1.7. Open Meetings and Public Records[93].

A. Records[94]. Each Elected and Appointed Board and Commission shall keep a complete and accurate record of its official acts, votes, meetings, and proceedings and shall have custody of its correspondence, files and other records and shall designate one of its members or its clerk to keep such record. The minutes and recordings of Boards and Commissions shall be public records, in accordance with the General Statutes, and shall be open for public inspection (A) at the office of the Town Clerk, during regular business hours; and, (B) on the Town website in compliance with the requirements of Law.

B. Open and Public Meetings[95]. All Meetings of Elected and Appointed Boards and Commissions and all committees, task forces or other like entities, shall be open to the public except for executive sessions permitted by the General Statutes, and all appointed Boards and Commissions, and all committees, task forces or other like entities shall comply with state freedom of information laws unless otherwise provided by the General Statutes or Law.

[93] NEW (2022).
[94] 2022 recodification and modification of current Article VIII, §8.1.B (2) and Article X, §10.1.B(2), derived from Chapter XXIV, §1 and §2 of the 1947 and 1956 Acts; and, Chapter XXVI, §2 of the 1975 Charter.
[95] 2022 recodification and modification of current Article VIII, §8.1.B(3) and Article X, §10.1.B(3), derived from Chapter II, §6 of the 1947 and 1956 Acts; and, Chapter II, §5 of the 1975 Charter.

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE II - ELECTED OFFICIALS AND ELECTIONS

§2.1. Application of General Statutes[96].

Unless otherwise, specifically set forth in this Charter, the General Statutes, as amended from time to time, relating to elections, including, without limitation, residency requirements and nomination of candidates, shall be applicable to all elections held in accordance with the provisions of this Charter. The nomination and elections of all Federal, State and Town elected officials shall be conducted as prescribed by the General Statutes and as further set forth in this Charter.

§2.2. Rules Pertaining to Electors.

Eligibility ~~for elected Town office~~[97]~~.~~

A. to Vote[98]. Each Elector ~~**requirement for elected**~~ of this State who shall reside within the limits of the Town ~~**office**[99]**.** No person not an elector~~upon the date of any election, and who shall be qualified to vote therein, shall be an Elector of the Town ~~at the time of election~~.

~~A.~~B. Eligibility to serve as an Elected Town Official[100]. No person shall be eligible for ~~election to any Town office~~nomination or election to office as an Elected Town Official who is not an Elector of the Town, in accordance with the General Statutes[101].

C. Prepared Lists of Electors[102]. The Registrars of Voters shall prepare lists of Electors qualified to vote therefore, in the manner prescribed by the State Constitution, the General Statutes and any Special Acts applicable to the Town.

D. Effect of ceasing to be an ~~elector~~Elector or Resident of a District: Vacancy; Exception.

~~B.~~(1) General Rule[103]. If any ~~elected~~Elected Town ~~official~~Official ceases to

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[96] NEW (2022)

[97] ~~Derived from Chapter II, §3 of the 1947 Act and 1956 Act.~~

[98] NEW (2022).

[99] ~~Current Article II, §2.1.A (2006). Derived from Chapter II, §3 of the 1947 and 1951 Acts; Chapter II, §7 of the 1956 Act; Chapter II, §3 of the 1975 Charter; and, Article II, §2.1.A of the 1997 and 2006 Charters.~~

[100] 2022 recodification of current Article II, §2.1.A (2006). Derived from Chapter II, §3 of the 1947 and 1951 Acts; Chapter II, §7 of the 1956 Act; Chapter II, §3 of the 1975 Charter; and, Article II, §2.1.A of the 1997 and 2006 Charters.

[101] **Comment of the 2022 Charter Revision Commission.** At the time of adoption, the applicable statute is C.G.S. §9-186.

[102] NEW (2022).

[103] ~~Current~~ 2022 modification and recodification of current Article II, §2.1.B (2006). Derived from Chapter II, §3 of the 1947 and 1951 Acts; Chapter II, §7 of the 1956 Act; Chapter II, §3 of the 1975 Charter; and, Article II, §2.1.B of the 1997 and 2006 Charters.

be an ~~elector~~Elector of the Town, the office shall become vacant, including the position of district representative on the Representative Town Meeting[104].

(2) Exception: Change of Residence[105]. In the event a member of the Representative Town Meeting remains an Elector of the Town yet moves from the district from which the member was elected to serve, said member may continue to serve until the next election of RTM members.

§2.3. Date of Elections and Terms of Office for Elected Offices.

A. Elected Town Officials[106]. The Elected Town Officials are:

(1) The First Selectperson;
(2) Two (2) additional members of the Board of Selectpersons;
(3) Town Clerk:
(4) Nine (9) members of the Board of Finance;
(5) Nine (9) members of the Board of Education;
(6) Seven (7) members of the Town Plan and Zoning Commission;
(7) Three (3) alternate members of the Town Plan and Zoning Commission;
(8) Five (5) members of the Zoning Board of Appeals;
(9) Three (3) alternate members of the Zoning Board of Appeals;
(10) Five (5) members of the Board of Assessment Appeals; and,

The Registrars of Voters are also considered to be Elected Officials. Justices of the Peace are also recognized by this Charter as Elected Officials[107].

B. Representative Town Meeting. There shall be thirty (30) members of the Representative Town Meeting divided amongst ten (10) districts by the RTM as set forth in §3.2.A(1) of this Charter.

C. Date of Town Elections and Term of Office[108]. A meeting of the Electors of the Town for the election of Elected Town Officials shall be held on the first (1st) Tuesday after the first (1st) Monday in November in each odd numbered year, as follows:

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[104] 2022 recodification and consolidation of current Article IV, §4.2.D (2006).
[105] 2022 recodification and consolidation of current Article IV, §4.2.D (2006). Derived from Chapter II, §3 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.2.D of the 1997 Charter. In addition, this provision, consolidates and recodifies current Article II, §2.6.B(2) (2006). Derived from Article II, §2.6.B of the 1997 Charter.
[106] NEW (2022).
[107] Recodification of current Article VII, §7.2.A (2006)(Establishment Clause.
[108] 2022 recodification of current Article II, §2.3.A (2006). Derived from Chapter II, §4 of the 1947 Act, which included a Monday election day. The November election dated was established in §4 of the 1951 Act and reconfirmed in Chapter II, §4 of the 1956 Acts and 1975 Charter and Article II, 2.3 A of the 1997 and 2006 Charters.

(1) In November 2023, and in the odd numbered years thereafter, as the term of office shall fall:

(a) **First Selectperson** for a term of four (4) years[109];
(b) Two (2) additional member of the **Board of Selectpersons** for a term of four (4) years[110];
(c) Thirty (30) members of the **Representative Town Meeting**, for a term of two (2) years, as further set forth in §3.2.A of this Charter[111];
(d) **Town Clerk**, for a term of four (4) years[112];
(e) Three (3) members of the **Board of Finance**, for a term of six (6) years, as further set forth in §5.3.A and §5.5 of this Charter[113];
(f) Five (5) members of the **Board of Education**, for a term of four (4) years, as further set forth in in §5.3.A and §5.4 of this Charter[114];
(g) Three (3) members of the **Town Plan and Zoning Commission** for a term of four (4) years, as further set forth in §5.3.A and §5.7 of this Charter[115];
(h) One (1) member of the **Town Plan and Zoning Commission** for a term of two (2) years, as further set forth in §5.3.A and §5.7 of this Charter[116];
(i) Three (3) members of the **Zoning Board of Appeals**, for a term of four (4) years, as further set forth in §5.3.A and §5.8 of this Charter[117];
(j) One (1) member of the **Zoning Board of Appeals**, for a term of two (2) years, as further set forth in §5.3.A and §5.8 of this Charter[118]; and,
(k) Two (2) members of the **Board of Assessment Appeals**, for a term of four (4) years, as further set forth in §5.3.A and §5.6 of this Charter[119].

(2) In November 2025, and in the odd numbered years thereafter, as the

[109] 2022 recodification of current §1.4.A. and §2.3.C (2006). Note: The four-year term commenced in 2007.
[110] 2022 recodification of current §1.4.A and §2.3.C (2006). Note: The four-year term commenced in 2007.
[111] 2022 recodification of current §1.4.A and §2.6.E (2006). Also, recodification of current Article II, §2.6.E (2006). Note: The term provisions were established in Chapter III, §3(c) of the 1947 and 1956 Acts and 1975 Charter. There was also a general provision for terms of office for elective officials in Chapter II, §5 of the 1947 and 1956 Acts and the Chapter.
[112] 2022 recodification of current §1.4.A. and §2.3.C (2006). Note: The four-year term commenced in 2007.
[113] 2022 recodification and clarification of current §1.4.A and §2.3.B (2006).
[114] 2022 recodification and clarification of current §1.4.A and §2.3.C (2006).
[115] 2022 recodification of current §1.4.A and §2.3.B (2006).
[116] 2022 recodification of current §1.4.A and §2.3.B (2006).
[117] 2022 recodification of current §1.4.A and §2.3.C (2006)
[118] 2022 recodification of current §1.4.A and §2.3.C (2006).
[119] 2022 recodification of current §1.4.A and §2.3.C (2006).

term of office shall fall:

(a) Three (3) members of the **Board of Finance**, for a term of six (6) years, as further set forth in §5.3.A and §5.5 A of this Charter[120];

(b) Four (4) members of the **Board of Education**, for a term of four (4) years, as further set forth in in §5.3.A and §5.4 of this Charter[121];

(c) Three (3) members of the **Town Plan and Zoning Commission** for a term of four (4) years as further set forth in §5.3.A and §5.7 of this Charter[122];

(d) Three (3) alternate members of the **Town Plan and Zoning Commission**, for a term of four (4) years, as further set forth in §5.3.A and §5.7 of this Charter[123];

(e) Two (2) members of the **Zoning Board of Appeals**, for a term of four (4) years, as further set forth in §5.3.A and §5.8 of this Charter[124];

(f) Three (3) alternate members of the **Zoning Board of Appeals**, for a term of four (4) years, as further set forth in §5.3.A and §5.8 of this Charter[125];

(g) Three (3) members of the **Board of Assessment Appeals**, for a term of four (4) years, as further set forth in §5.3.A and §5.8 of this Charter[126]; and,

(h) All Elected Town Officials and members of the RTM, for a term of two (2) years, as further set forth in §3.2.C(1)(c), (h) and (j) of this Charter[127].

(3) In November 2027, and in the odd numbered years thereafter, as the term of office shall fall:

(a) Three (3) members of the **Board of Finance**, for a term of six (6) years, as further set forth in §6.3.A of this Charter[128]; and,

(b) All Elected Town Officials and members of the RTM as set forth in §2.3.C(1) of this Charter, who serve for a term of two (2) or four (4) years, as the case may be[129].

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[120] 2022 recodification and clarification of current §1.4.A and §2.3.B (2006).
[121] 2022 recodification and clarification of current §1.4.A and §2.3.C (2006).
[122] 2022 recodification of current §1.4.A and §2.3.B (2006).
[123] 2022 recodification of current §1.4.A and §2.3.C (2006).
[124] 2022 recodification of current §1.4.A and §2.3.C (2006).
[125] 2022 recodification of current §1.4.A and §2.3.C (2006).
[126] 2022 recodification of current §1.4.A and §2.3.C (2006).
[127] NEW (2022).
[128] 2022 recodification and clarification of current §1.4.A and §2.3.A.
[129] NEW (2022).

(4) Terms of Justices of the Peace[130]. The forty-five (45) Justices of the Peace[131], selected as provided in the General Statutes[132], shall serve a four (4) year term. They shall have such powers as set forth in the General Statutes[133].

(5) State Election – Registrar of Voters[134]**.** The Registrars of Voters shall be elected at state elections every four (4) years[135], as provided in the General Statutes and shall have such powers duties as set forth in the General Statutes[136].

~~**C. Single office requirement for elected Town office**[137]. No person shall be eligible to hold any elected Town office, including membership on any elected board or commission, who is at the same time an elected RTM member, an elected or appointed Town officer, an elected state official, or a member of an elected board or commission or a permanent appointed board or commission. For purposes of this paragraph, the term "Town office" does not include Justices of the Peace or Constables, but does include members of the Board of Education.~~

D. §2.2Date of Terms of Elected Town Officials. Terms of office of all Elected Town Officials declared elected and qualified hereunder shall commence:

(1) Elected Town Officials, including the RTM[138]**:** On the third Monday in November and shall continue until their successors have been elected or otherwise chosen and qualified.

(2) State Office - Terms of Justices of the Peace[139]. On the first Monday in January after their nomination.

(3) Terms of Registrars of Voters[140]**.** On the Wednesday after the first Monday in January after their election.

§2.4. Minority representation on elected ~~boards~~Boards and ~~commissions~~Commissions.

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[130] 2022 recodification of current Article II, §2.3.E (2006); see also current Article VII 7.2.A (2006)(Establishment Clause). Derived from Chapter II, §1 of the 1947 Act, included 14 justices of the peace.
[131] Derived from Chapter II, §1 of the 1947 Act, included 14 justices of the peace.
[132] **Comment of the 2022 Charter Revision Commission.** At the time of adoption of the Charter, the applicable statutes are C.G.S. §9-183a, b and c and §9-444.
[133] 2022 recodification of current Article VII, 7.2.B (2006)((“Powers and Duties Clause”).
[134] 2022 modification and recodification of current Article II, §2.3.F (2006)(first clause).
[135] **Comment of the 2022 Charter Revision Commission;** The baseline commencement date was 2008.
[136] **Comment of the 2022 Charter Revision Commission:** At the time of adoption of the Charter the Registrars of Voters is governed by C.G.S. 9-190 and 9-190a (state election cycle). Within Chapter 146; see, C.G.S. §9-164 et seq.)
[137] ~~Current Article II, §2.1.C (2006). Derived from Article II, §2.1.C of the 1997 and 2006 Charters.~~
[138] 2022 recodification of current Article II, §2.3.D (2006).
[139] 2022 recodification and modification of current Article II, §2.3.E (2006), in compliance with C.G.S. §9-183b.
[140] 2022 recodification of current Article II, §2.3.F (2006)(second clause).

A. Even number requirements[141]. Except as provided below with respect to the Board of Education, when an even number of members of a ~~board~~Board or ~~commission~~Commission is to be elected, no political party shall nominate, and no ~~elector~~Elector shall vote for, more than one-half (1/2) the number of persons to be elected.

B. Uneven number requirements[142]. Except as provided below with respect to the Board of Education, when an uneven number of members of a ~~board~~Board or ~~commission~~Commission is to be elected, no political party shall nominate, and no ~~elector~~Elector shall vote for, more than a bare majority of the number of persons to be elected.

C. Board of Education[143]. ~~Each political party may nominate, and each elector may vote for, the full number of candidates~~

~~C.~~(1) As pertains to ~~be elected.~~**§2.3.B(1)(f).** In ~~the event that more than two (2) candidates, in~~ an election ~~year when four (4) candidates are to be elected, or more than three (3) candidates in a year when~~where five (5) candidates ~~are to be elected, receiving the highest number of votes belong to the same political party, the two (2) candidates of four (4), or the three (3) candidates of~~ shall be elected to the Board of Education, the Electors shall vote for up to five (5) ~~, receiving the highest number of votes shall be declared elected and the~~candidates for the Board of Education. Each major or minor party, as defined by the General Statutes and petitioning candidates (if permitted by the General Statutes) ("Political Party") may nominate up to three (3) candidates. At such time as candidates representing one Political Party have been declared elected to three (3) seats, two (2) candidates not of the same ~~political~~ Political Party as the party ~~receiving the highest number of votes~~securing said three seats, shall ~~also~~ be declared elected according to the order of their vote count.

(2) As pertains to §2.3.B(2)(b): In an election where four (4) candidates shall be elected to the Board of Education, the Electors shall vote for up to four (4) candidates for the Board of Education. Each major or minor party, as defined by the General Statutes and petitioning candidates (if permitted by the General Statutes) may nominate up to three (3) candidates. At such time as candidates representing one Political Party have been declared elected to three (3) seats, one (1) candidate not of the same Political Party as the party securing said three seats, shall be declared elected according to the order of his or her vote count.

§2.5. Single office requirement for Elected Town Officials[144].

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[141] ~~Current~~2022 recodification of current Article II, §2.2.A (2006). Derived from Article II, §2.2.A of the 1997 and 2006 Charters.

[142] ~~Current~~2022 recodification of current Article II, §2.2.B (2006). Derived from Article II, §2.2.B of the 1997 and 2006 Charters.

[143] ~~Current~~2022 recodification of current Article II, §2.2.C (2006). Derived from Article II, §2.2.C of the 2006 Charter.

[144] 2022 recodification of current Article II, §2.1.C (2006). Derived from Article II, §2.1.C of the 1997 and 2006 Charters.

No person shall be eligible to serve as an Elected Town Official, including membership on any elected Board or Commission, who is at the same time an RTM member, Town Official or an elected state official. For purposes of this paragraph, the term "Town office" does not include Justices of the Peace, but does include members of the Board of Education.

§2.6. Vacancies in elected offices.

A. Generally[145]. Except as provided in §2.6.D, with respect to the RTM and §4.6 of this Charter with respect to the First Selectperson and Board of Selectpersons, a vacancy in any elected Town Office[146], including membership on elected Boards and Commissions, shall be filled by the Board of Selectpersons until the vacancy can be filled by election, as follows:

The vacancy shall be filled at the next Town election if the vacancy occurs prior to the time in which nominations can be made under Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.). ~~**§2.3. Town elections and terms of office.**~~

~~**A. Date of Town elections[147].** A meeting of the electors of the Town for the election of elected Town officials and members of the Representative Town Meeting ("RTM") shall be held on the first Tuesday after the first (1st) Monday in November in each odd numbered year.~~

~~**B. Officials elected at each Town election and their terms[148].** At each Town election, all members of the RTM and the Constables shall be elected for the terms set forth in Section 1.4.A. In addition, at each Town election members of elected boards and commissions shall be elected in the number and for the terms indicated:~~

~~Number~~	~~Body of Position~~	~~Term~~
~~3~~	~~Board of Finance~~	~~6 years~~
~~3~~	~~Town Plan and Zoning Commission~~	~~4 years~~
~~1~~	~~Town Plan and Zoning Commission~~	~~2 years~~
~~1~~	~~Zoning Board of Appeals~~	~~2 years~~
~~7~~	~~Constables~~	~~2 years~~

~~**C. Officials elected every four years and their terms[149].** At Town elections everyfour (4) years, the Town Clerk and the number of members of elected boards and commissions to be~~

[145] 2022 modification and recodification of current Article II, §2.5. Derived from Chapter II, §7 of the 1947 Act; further amended by §4 of the 1951 Act and Chapter II, §7 of the 1956 Act; Chapter II, §6 and Article II, 2.5 of the 1997 and 2006 Charters.

[146] 2022 recodification of current Article VII, 7.1.H. (2006). Derived from Article VII, §7.1.H of the 1997 Charter

~~[147] Current Article II, §2.3.A (2006). Derived from Chapter II, §4 of the 1947 Act, which included a Mon day election day. The November election dated was established in §4 of the 1951 Act and reconfirmed in Chapter II, §4 of the 1956 Acts and 1975 Charter and Article II, 2.3 A of the 1997 and 2006 Charters.~~

~~[148] Current Article II, §2.3.B (2006).~~

~~[149] Current Article II, §2.3.C (2006).~~

elected shall be:

Number	Body of Position	Term
3	Board of Selectmen	4 years[150]
1	Town Clerk	4 years[151]
5	Board of Education	4 years[152]
4	Board of Education	4 years[153]
3	Board of Assessment Appeals	4 years
2	Board of Assessment Appeals	4 years
1	Zoning Board of Appeals	4 years
3	Zoning Board of Appeals	4 years
3	Zoning Board of Appeals Alternates	4 years
3	Town Plan and Zoning Alternates	4 years

If the vacancy occurs after such time, it may be filled

D. Commencement date of terms of elected officials and the RTM[154]. The terms of office of elected Town officials, except the Registrars of Voters, and the RTM shall commence on the third Monday in November after their election and qualification and shall continue until their successors have been elected and qualified.

E. Nomination and terms of Justices of the Peace[155]. Forty-five (45) Justices of the Peace[156] shall be nominated as provided in Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.) and by ordinance and shall serve a four (4) year term beginning on the first Monday in January after their nomination.

(1) **Election and terms of Registrars of Voters**[157]**.** The Registrars of Voters shall be elected at state elections every four (4) years beginning in 2008the next municipal general election for which nominations can be timely made, or at a special election if convened by the Board of Selectpersons or upon application by Electors as provided in Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.).

(2) Vacancies shall be filled for a term ending at the same time the vacating member's term would have expired.

(3) If the person vacating the office was elected as a member of a political party, the vacancy shall be filled during the period of appointment from the membership of the same political party.

[150] Every four years beginning in 2007.
[151] Every four years beginning in 2007.
[152] Every four years beginning in 2011 (See Appendix for Transition Procedures)
[153] Every four years beginning in 2013 (See Appendix for Transition Procedures).
[154] Current Article II, §2.3.D (2006).
[155] Current Article II, §2.3.E (2006).
[156] Derived from Chapter II, §1 of the 1947 Act, included 14 justices of the peace.
[157] Current Article II, §2.3.F (2006).

B. ~~.) and~~**Vacancies in the Office of Justice of the Peace**[158]**.** Vacancies in the office of Justice of the Peace shall be filled in the manner prescribed in Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.).

C. Long-term illness or disability of First Selectperson[159]**.** In addition to the death or resignation of the First Selectperson, a vacancy shall exist in the office of First Selectperson, in the event the First Selectperson is unable to carry out the duties of office for a period of four (4) consecutive months, as certified at the end of that period by the remaining Selectpersons to the Town Clerk. The vacancy shall exist from the date of such certification.

D. Method of filling vacancies on the Board of ~~serve a four (4) year term beginning~~**Selectpersons**[160]**.** At any time a vacancy occurs on the ~~Wednesday after the first Monday~~Board of Selectpersons, including First Selectperson, a replacement, who shall be registered with the same political party as the person vacating the office, shall be designated by the remaining Selectpersons. If the Selectpersons designate one (1) of themselves to fill the vacancy, they shall designate another Elector to fill the vacancy of Selectperson so created. If the vacancy is not filled within thirty (30) Days, the vacancy shall be filled in accordance with the procedure set forth in Chapter 146 of the General Statutes for filling vacancies in the office of Selectperson.

E. Resignation and vacancies on the RTM[161]**.**

(1) Any member may resign by filing a written notice of resignation with the Town Clerk and such resignation shall take effect upon the date specified in the notice or, if none is specified, upon the date of filing.

(2) Any vacancy in the office of RTM member from whatever cause arising shall be filled for the unexpired portion of the term at a special meeting of the members of the district in which the vacancy occurs, called for that purpose by the Town Clerk within thirty (30) Days after the vacancy occurs, in accordance with the requirements under this Charter pertaining to Meeting Notice.

(3) If the person previously occupying the office which is vacant was elected as a nominee of a political party, the vacancy shall be filled by a person registered with the same political party.

(4) ~~January after their~~The Town Clerk shall provide Meeting Notice, as defined in this Charter, to be delivered to each member not less than three (3) Days prior to the time set for the meeting.

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[158] 2022 recodification of current Article VII, §7.2.C (2006). Derived from Article VII, §7.2.C of the 1997 Charter.
[159] 2022 recodification of current Article VI, §6.3.A (2006). Derived from Article VI, §6.3.A of the 1997 Charter.
[160] 2022 recodification of current Article VI, §6.3.B (2006). Derived from Article VI, §6.3.B of the 1997 Charter. See also, **Cook-Littman v. Board of Selectmen of the Town of Fairfield**, 328 Conn. 758,778 (Conn. 2018) in which the Court held that this provision took precedence over the provisions of C.G.S. §9-222.
[161] 2022 recodification of current Article II, §2.6.G (2006). Derived from Chapter III, §7 of the 1947 and 1956 Acts and the 1975 Charter; and, Article II, §2.6.G of the 1997 Charter.

(5) Such meeting shall elect its own chair and clerk and shall vote by ballot. The election of a member as chair or clerk shall not disqualify the member from voting.

(6) A majority of the remaining members from such district shall constitute a quorum, and a majority vote of those present shall elect.

(7) Each of the remaining members, including the chair and clerk of the meeting, shall have one (1) vote.

(8) If for any reason such vacancy is not filled within a thirty-day (30) period, the Town Clerk shall report such vacancy to the Moderator and the matter of filling such Vacancy shall be placed on the call of the next regular RTM meeting.

(9) A Majority Vote of the RTM shall elect a successor on such Vacancy.

~~**A.**~~ The successful candidate shall be deemed a duly qualified member for the remainder of the unexpired portion of the term upon filing with the Town Clerk a certificate of his election signed by the ~~.~~

(10) ~~**§2.4.**~~ chair of such special meeting of the district or bythe Moderator of the RTM.

Resigning from elected office[162].

F. Any elected Town official, except the Town Clerk, may resign by submitting a written notice of resignation to the Town Clerk. The Town Clerk may resign by submitting a written notice of resignation to the Board of ~~Selectmen.~~Selectpersons. The resignation shall become effective on the date specified in the notice of resignation or, if no date is specified, on the date the notice of resignation is ~~submitted~~received by the Town Clerk or the Board of Selectpersons, as the case may be.

§2.~~5. Vacancies in elected offices[163].~~

~~**(1)** Except as provided in Section 6.3 of this Charter with respect to the~~ **7. Composition and Election of the Board of** ~~Selectmen, Section 2.6.G with respect to the RTM, and as otherwise directed by statute, a vacancy in any elected Town office, including membership on elected boards~~**Selectpersons and** ~~commissions, shall be filled by the Board of Selectmen until the vacancy can be filled by election. The vacancy shall be filled at the next Town election if the vacancy occurs prior to the time in which nominations can be made under Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.). If the vacancy occurs after such time, it may be filled at the next general~~

[162] ~~Current~~2022 recodification of current Article II, §2.4 (2006).

[163] ~~Current Article II, §2.5. Derived from Chapter II, §7 of the 1947 Act; further amended by §4 of the 1951 Act and Chapter II, §7 of the 1956 Act; Chapter II, §6 and Article II, 2.5 of the 1997 and 2006 Charters.~~

~~election for which nominations can be timely made, or at a special election if convened by the Board of Selectmen or upon application by electors as provided in Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.). Vacancies shall be filled for a term ending at the same time the vacating member's term would have expired. If the person vacating the office was elected as a member of a political party, the vacancy shall be filled during the period of appointment from the membership of the same political party.~~

First Selectperson[164].

A. There shall be a Board of Selectpersons which shall consist of the First Selectperson and two (2) other Selectpersons, no more than two (2) of whom shall be registered with the same political party[165].

B. Each major or minor political party, as defined by the General Statutes, and petitioning candidates (if permitted by the General Statutes) may nominate not more than one (1) candidate for First Selectperson and not more than one (1) candidate for Selectperson. Candidates shall be listed separately on the ballot[166].

C. Each ~~§2.6~~Elector may vote for one (1) candidate for First Selectperson and no more than one (1) candidate for Selectperson[167].

D. The candidate for First Selectperson receiving the highest number of votes shall be elected First Selectperson. The next two (2) candidates, whether for First Selectperson or Selectperson, receiving the highest number of votes shall be elected to the two (2) remaining Selectperson positions[168].

E. If the candidate receiving the second or third most votes does not take office, then the next highest ranking candidate shall be deemed elected to the office taking into consideration the provisions of §2.7.A of this Charter pertaining to minority party representation[169].

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[164] 2022 recodification of current Article VI, §6.1.A (2006). Derived from Article VI, §6.1.A of the 1997 Charter.
[165] 2022 recodification of current Article VI, §6.1.A(1) (2006). Derived from Article VI, §6.1.A of the 1997 Charter.
[166] 2022 recodification of current Article VI, §6.1.A(2) (2006). Derived from Article VI, §6.1.A of the 1997 Charter.
[167] 2022 recodification of current Article VI, §6.1.A(3) (2006). Derived from Article VI, §6.1.A of the 1997 Charter.
[168] 2022 recodification of current Article VI, §6.1.A(4) (2006). Derived from Article VI, §6.1.A of the 1997 Charter.
[169] 2022 recodification of current Article VI, §6.1.A(5) (2006). Derived from Article VI, §6.1.A of the 1997 Charter.

§2.8. Procedures for RTM elections[170].

~~**A. Districts and basis of representation[171].**~~

~~**(1)** The voting districts of the Town, including the number of districts, for the election of RTM members shall be as established by ordinance adopted by the RTM[172].~~

~~**(2)** After completion of the census of the United States and after any reapportionment of the State General Assembly Districts affecting the Town, voting districts of the Town shall be established by an ordinance proposed by a committee of the RTM composed of an equal number of members from each party such that the population deviation from the largest to the smallest voting district shall not exceed ten (10%) percent. The redistricting ordinance adopted by the RTM shall provide for an equal number of members from each district, and, to the extent practicable within the constraints of this Charter and State General Assembly redistricting, shall provide for districts that are located in only one State General Assembly District.~~

~~The RTM shall consist of not more than 56 members.~~

~~**B. Qualification[173].**~~

~~**(0)** The members of the RTM shall be elected by districts.~~

~~**(0)** Each RTM member shall be an elector of the Town and a resident of the district from which elected. The effect of ceasing to be a resident of the district from which the member was elected or of ceasing to be an elector is prescribed in Section 4.2.D.~~

~~**(0)** Each RTM member shall fulfill the eligibility requirements of Section 4.2.C at the time of election.~~

~~C.~~A. Nomination[174].

(1) By a political party. The nomination of candidates as members of the RTM shall be in the same manner as provided for the nomination of Elected Town ~~officers~~Officials in Chapter 153 of the General Statutes (C.G.S. § 9-372 et seq.). No political party shall nominate more candidates for each district than the total number of members to which a district is entitled.

(2) By petition.

[170] Derived from Chapter II, §1 and §4 of the 1947 and 1956 Acts and 1975 Charter. Note: At the time elective officers were nominated and elected as in the special act or, if silent, on the basis of the General Statutes.
~~[171] Current Article II, §2.6.A (2006). Derived from Article II, §2.6.A of the 1997 Charter.~~
~~[172] Modification of Chapter II, §2 (first sentence) of the 1947 Act and the 1956 Acts.~~
~~[173] Current Article II, §2.6.B (2006). Derived from Article II, §2.6.B of the 1997 Charter.~~
[174] ~~Current~~ 2022 recodification of current Article II, §2.6.C (2006). Petition provision set forth in Chapter III, §5 of the 1947 and 1956 Acts and the 1975 Charter; and, Article II, §2.6.C of the 1997 Charter.

(a) Nomination of a candidate for the RTM may also be made by petition signed in ink on forms approved and provided by the Town Clerk. The petition shall be signed by not less than one (1%) percent of the ~~electors~~Electors in the district in which the candidate resides and filed with the Town Clerk not less than fifty-five (55) ~~days~~Days prior to the election.

(b) No petition shall be valid in respect to any candidate whose written acceptance is not noted on or attached to the petition when filed.

(c) No signature on a petition shall be valid or counted if the signer thereof shall have signed other petitions on file with the Town Clerk for more than the number of candidates which a political party may nominate under this Charter for the district in which such signer resides.

(d) A petition may contain more than one (1) name but not more names than the number of candidates to which the district is entitled.

(3) The Town Clerk, within the time prescribed by Chapter 153 of the General Statutes (C.G.S. § 9-372 et seq.), shall certify and transmit the names of candidates duly nominated to the Secretary of the State.

~~D.~~B. Election[175].

(1) At each biennial election for the election of RTM members voting shall be governed by the provisions of the General Statutes as to voting by ballots and voting machines, except as modified by this Charter.

~~(2) No elector~~Electors shall vote for ~~more than~~ the total number of RTM members to be elected in the district in which the ~~elector~~Elector resides[176].

~~(4)~~(2) ~~The number of candidates~~ in ~~each district equal to~~accordance with the ~~number~~provisions of ~~RTM members for~~ the ~~district who have polled the highest number of votes shall be declared elected~~Ordinance establishing districts[177][S1].

(3) The chief election moderator shall forthwith after a biennial election of RTM members, file in the Town Clerk's office a list of members elected, by districts, together with their respective addresses. The Town Clerk shall, upon receipt of such

[175] ~~Current~~ 2022 recodification of current Article II, §2.6.D (2006). Modification of Chapter III, §2 (fourth sentence) of the 1947 and 1956 Acts and Chapter III, §5 of the 1975 Charter: "The provisions of the general statutes relating to voting at elections, so far as the same are not inconsistent with this act, shall apply to all elections in the town under this act". The fifth sentence of §2 of the 1947 and 1956 Acts pertaining to certification of voters prior to an election is not in the current charter. There are also elaborate provisions §3 that do not appear in the current charter. Derived from Article II, §2.6.D of the 1997 Charter.

[176] ~~Modification of Chapter II, §1 of the 1947 Act.~~

[177] 2022 modification and recodification of Chapter II, §1 of the 1947 Act.

list, forthwith notify all members, in accordance with the notice requirements of this Charter.

C. Procedures for tied elections[178].

(1) In case of a tie vote affecting the election of RTM members, the other newly elected and reelected members from the district in which the tie vote occurs shall by ballot determine which of the tied candidates shall serve as RTM member or members.

(2) The chief election moderator shall immediately after an election notify the Town Clerk of any and all tie votes, giving the names and addresses of the candidates affected.

~~(6) The chief election moderator shall forthwith after a biennial election of RTM members, file in the Town Clerk's office a list of members elected, by districts, together with their respective addresses. The Town Clerk shall, upon receipt of such list, forthwith notify all members by mail of their election.~~

~~**E. Term of office[179].** The RTM members elected from each district shall hold office for two (2) years and until their successors shall be elected and shall have qualified.~~

~~**F.A. Procedures for tied elections[180].**~~

~~**(2)(1)** In case of a tie vote affecting the election of RTM members, the other newly elected and reelected members from the district in which the tie vote occurs shall by ballot determine which of the tied candidates shall serve as RTM member or members.~~

~~**(4)(1)** The chief election moderator shall immediately after an election notify the Town Clerk of any and all tie votes, giving the names and addresses of the candidates affected.~~

~~(6)~~**(3)** The Town Clerk shall forthwith call a meeting of the other newly elected and reelected members from the district or districts in which a tie vote occurs by causing a notice, in accordance with the notice requirements of this Charter,

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[178] Current 2022 recodification of current Article II, §2.6.F (2006). Note: Tie vote procedures established in Chapter III, §3(d) of the 1947 and 1956 Acts and the 1975 Charter; and, Article II, §2.6.F of the 1997 Charter.

~~[179] Current Article II, §2.6.E (2006). Note: The term provisions were established in Chapter III, §3(c) of the 1947 and 1956 Acts and 1975 Charter. There was also a general provision for terms of office for elective officials in Chapter II, §5 of the 1947 and 1956 Acts and the Chapter II, §4 of the 1975 Charter. Derived from Article II, §2.6.E of the 1997 Charter.~~

~~[180] Current 2022 recodification of current Article II, §2.6.F (2006). Note: Tie vote procedures established in Chapter III, §3(d) of the 1947 and 1956 Acts and the 1975 Charter; and, Article II, §2.6.F of the 1997 Charter.~~

specifying the object, time and place thereof to ~~be mailed to~~ each such member not less than three (3) ~~days~~Days before the time set for the meeting.

~~(7)~~(4) At such meeting a majority of the members from the particular district shall constitute a quorum, and they shall elect from among their number a ~~chairman~~chair and a clerk whose right to vote at such meeting shall not be affected by theirelection to their respective offices.

~~(8)~~(5) The ~~chairman~~chair and clerk shall count the ballots and the person or persons receiving the highest number of votes shall be declared elected. The ~~chairman~~chair and clerk shall forthwith make a certificate of the choice and file the same with the Town Clerk.

~~(9)~~(6) The member or members so chosen shall thereupon be deemed elected and qualified as an RTM member or members, subject to the right of the RTM to judge the election and qualification of members as set forth in ~~Section~~ §4.2.B of this Charter.

~~(10)~~(7) If a tie vote occurs at such meeting the ~~chairman~~chair and clerk shall forthwith certify same to the Town Clerk, and the matter of breaking such tie vote shall be placed on the call and voted upon by the RTM at its organizational meeting.

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE III – REPRESENTATIVE TOWN MEETING

§3.1. Legislative Body[181].

The legislative power of the Town, including the power to enact Ordinances, shall be vested in the RTM, subject to referendum as provided by the terms of this Charter. The RTM shall constitute a continuing body. The RTM may delegate the power to implement or carry into effect any of the powers set forth in this Charter to any Town Official.

§3.2. Membership.

C.A. ~~Resignation~~Districts and ~~vacancies~~Basis of Representation[182].

~~**(1)** Any member may resign by filing a written notice of resignation with the Town Clerk and such resignation shall take effect upon the date specified in the notice or, if none is specified, upon the date of filing.~~

~~(2) Any vacancy in the office of RTM member from whatever cause arising shall be filled for the unexpired portion of the term at a special meeting of the members of the district in which the vacancy occurs, called for that purpose by the Town Clerk within thirty (30) days after the vacancy occurs.~~

~~**(3)**(1) If the person previously occupying the office which is vacant was elected as a nominee of a political party, the vacancy shall be filled by a person registered with the same political party.~~

~~The Town Clerk~~

(1) Districts.

(a) The members of the RTM shall be elected by districts[183].

~~(4)~~ There shall ~~cause notice~~be ten (10) voting districts of the ~~meeting to be deliveredto each member not less than three (3) days before the time~~Town, which shall be reapportioned as set forth in §3.2.B, for the ~~meeting.~~

~~**(5)**(1) Such meeting shall elect its own chairman and clerk and shall vote by ballot. The~~ election of ~~a member as chairman or clerk shall not disqualify the member from~~

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[181] 2022 recodification of current Article IV, §4.1.A (2006). Derived from Chapter III, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article IV, §4.1.A of the 1997 Charter.

[182] ~~Current Article II, §2.6.G (2006). Derived from Chapter III, §7 of the 1947 and 1956 Acts and the 1975 Charter; and, Article II, §2.6.G of the 1997 Charter~~ . NEW (2022). In lieu of current Article II, §2.6.A(1) (first sentence) of the 1947 Act and the 1956 Acts, which reads as follows: "The voting districts of the Town, including the number of districts, for the election of RTM members shall be as established by ordinance adopted by the RTM." Further in lieu of current Article II, §2.6.A(3) (third sentence) of the 1947 Act and the 1956 Acts, which reads as follows: "The RTM shall consist of not more than 56 members."

[183] 2022 recodification of current Article II, §2.6.B(1) (2006). Derived from Article II, §2.6.B of the 1997 Charter.

voting.

(6)(1) A majority of the remaining members from such district shall constitute a quorum, and a majority vote of those present shall elect.

(7) Each of the remaining members, including the chairman and clerk of the meeting, shall have one (1) vote.

(8) If for any reason such vacancy is not filled within a thirty-day (30) period, the Town Clerk shall report such vacancy to the Moderator and the matter of filling such vacancy shall be placed on the call of the next regular RTM meeting.

(9)(1) A majority vote of members of the RTM present and voting on such vacancy shall elect.

(10) The successful candidate shall be deemed a duly qualified member for the remainder of the unexpired portion of the term upon filing with the Town Clerk a certificate of his election signed by the chairman of such special meeting of the district orby the Moderator of the RTM.

(b) Eligibility for reelection[184]. RTM members and shall be as established by Ordinance adopted by the RTM[185] [S2].

(c) The RTM shall consist of thirty (30) members[186].

(d) A district representative on the Representative Town Meeting, upon election, shall be an Elector of the Town and a resident of the district from which elected, subject to the provisions of §3.2.A(1)(d)[187],

(e) In the event a member of the Representative Town Meeting remains an Elector of the Town yet moves from the district from which the member was elected to serve, said member may continue to serve until the next election of RTM members[188].

(f) No Elected Town Official, Appointed Town Officer of Board or Commission member (excluding, however, members of advisory

[184] Current Article II, §2.6.H (2006). Derived from Chapter III, 3(e) of the 1947 and 1956 Acts and 1975 Charter; and Article II, §2.6.H of the 1997 Charter.

[185] 2022 modification and recodification of Article II, §2 (first sentence) of the 1947 Act and the 1956 Acts.

[186] 2022 modification and recodification of Article II, §2.6.A(3).

[187] 2022 modification and recodification of current Article II, §2.6.B(2) (2006). Derived from Article II, §2.6.B of the 1997 Charter.

[188] 2022 recodification and consolidation of current Article IV, §4.2.D (2006). Derived from Chapter II, §3 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.2.D of the 1997 Charter. In addition, this provision, consolidates and recodifies current Article II, §2.6.B(2) (2006). Derived from Article II, §2.6.B of the 1997 Charter.

committees, task forces or like entities, as referred to in §1.4.C(2) of this Charter) shall be eligible to serve as a voting member of the RTM, and no voting member of the RTM shall hold any other elected or appointed Town Office[189].

(2) Reapportionment of Voting Districts[190]**.** After completion of the census of the United States and after any reapportionment of the State General Assembly Districts affecting the Town, voting districts of the Town shall be established by an Ordinance proposed by a committee of the RTM composed of an equal number of members from each party such that the population deviation from the largest to the smallest voting district shall not exceed ten (10%) percent. The redistricting Ordinance adopted by the RTM shall provide for an equal number of members from each district, and, to the extent practicable within the constraints of this Charter and State General Assembly redistricting, shall provide for districts that are located in only one State General Assembly District.

B. Ex-officio non-voting members of the RTM[191]**.** The RTM shall consist of the elected RTM members. In addition, the First Selectperson, the Town Clerk, the Town Attorney, any Assistant Town Attorneys (in the event they are Electors), the chair of the Board of Education, and the members of the Board of Finance shall be ex officio members of the RTM without vote.

C. Right to vote[192]**.** The right to vote at RTM meetings shall be limited to RTM members elected as provided in §2.3.B of this Charter.

D. Judge of qualification[193]**.** The RTM shall be the judge of the election and qualifications of its members.

E. Compensation[194]**.** The RTM members as such shall receive no compensation.

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[189] 2022 recodification and modification of current Article II, §2.6.B(3) (2006). Derived from Article II, §2.6.B of the 1997 Charter. and Article IV, §4.2.C (2006). Derived from Article IV, §4.2.C of the 1997 Charter. Consolidates and replaces Article II, §2.6.B(3) (2006), which is derived from Article II, §2.6.B of the 1997 Charter, which reads as follows: "Each RTM member shall fulfill the eligibility requirements of 4.2.D at the time of election."

[190] 2022 recodification of Article II, §2.6.A(2) (second sentence) of the 1947 Act and the 1956 Acts.

[191] 2022 recodification of current Article IV, §4.2.A (2006) entitled "Composition." Ex officio status of was established in Chapter III, §4 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.2.A of the 1997 Charter for the following: the three Selectmen; the Town Clerk; the Town Counsel; Chair of the Board of Education and the entire Board of Finance.

[192] Current 2022 recodification of current Article IV, §4.1.B (2006). Derived from Chapter III, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article IV, §4.1.B of the 1997 Charter...

[193] Current 2022 recodification of current Article IV, §4.2.B (2006). Derived from Chapter III, §4 of the 1947 and 1956 Acts and 1975 Charter; and, and, Article IV, §4.2.B of the 1997 Charter...

[194] Current 2022 recodification of current Article IV, §4.2.E (2006). Derived from Chapter II, §4 of the 1947 and 1956 Acts and 1975 Charter; and, and, Article IV, §4.2.E of the 1997 Charter.

§3.3. Annual meetings[195], organization, and elections.

A. Date of organization meeting[196]. An organization meeting of the RTM members shall be held on the fourth Monday in November in each year.

B. Election of Moderator: Duties[197]. Each organization meeting shall elect, by a vote of the Majority of the RTM, a Moderator. The Moderator shall preside at all RTM meetings and shall hold office for a term of one (1) year and until a successor is elected and has qualified. The Moderator of the RTM shall:

(1) Preside over all meetings of the RTM and perform such others duties consistent with the office as may be imposed by the RTM, but such Moderator shall not vote more than once on any question; and,

(2) Perform such duties consistent with the office or as may be imposed by a Majority Vote of the RTM.

C. Deputy Moderator[198]. Each organization meeting shall elect, by a Majority Vote of the RTM, from among its voting members a Deputy Moderator who shall hold office for a term of one year and until a successor is elected and has qualified. In the event of inability of the Moderator to act, the Deputy shall have all the powers and duties of the Moderator.

D. Clerk[199]. The Town Clerk or, in the event of the Town Clerk's absence, an Assistant Town Clerk, shall act as clerk of all RTM meetings.

E. Moderator Pro-tempore and Clerk Pro-tempore[200]. In the absence of the Moderator and the Deputy Moderator, a Moderator Pro-Tempore may be elected, by a Majority Vote of the RTM. In the absence of the Town Clerk and an Assistant Town Clerk, a clerk pro-tempore for the meeting may be elected, by a Majority Vote of the RTM, at the meeting.

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[195] Note: There was an annual town meeting and budget meeting in Chapter III, §6 of the 1947 Act; further amended by §6 of the 1951 Special Act, as reaffirmed by Chapter II, §6 of the 1956 Act.
[196] Current 2022 recodification of current Article IV, §4.4.A (2006). Derived from Chapter III, §6 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.4.A of the 1997 Charter.
[197] 2022 recodification and modification of current Article IV, §4.4.B (2006). Note: Chapter III, §3 and §4 of the 1947 and 1956 Acts and 1975 Charter refer to "presiding officer" and "moderator". The election of the moderator was introduced to the charter in 1975. Derived from Article IV, §4.4.B of the 1997 Charter.
[198] Current2022 recodification of current Article IV, §4.4.C (2006). Derived from Article IV, §4.4.C of the 1997 Charter.
[199] Current2022 recodification of current Article IV, §4.4.D (2006). Derived from Article IV, §4.4.D of the 1997 Charter.
[200] Current2022 recodification of current Article IV, §4.4.E (2006). Derived from Article IV, §4.4.E of the 1997 Charter.

~~H.~~F. Rules and Committees of the RTM[201]. The RTM shall have the authority to adopt standing rules for ~~reelection~~the conduct of RTM meetings and the power to appoint such committees as it shall determine.

G. Parliamentarian[202]. The Moderator may appoint a parliamentarian.

§3.4. Meetings of the RTM.

A. Quorum[203]. A majority of the entire membership of the RTM shall constitute a quorum for doing business, provided that a smaller number may organize temporarily and may adjourn from time to time. No RTM meeting shall adjourn past the date of an election of RTM members.

B. Open Meetings[204]. All RTM meetings shall be public.

C. Regular meetings[205]. Regular RTM meetings shall be held at least once a month on a regular meeting day decided upon by a Majority Vote of the RTM. However, if there is no business to be acted upon at a regular RTM meeting, the meeting may be dispensed with upon the direction of the Moderator to the Town Clerk who shall notify the RTM members and the public.

D. Special and Emergency Meetings[206]. Special meetings may be held whenever the First Selectperson, Chair of the Board of Finance, or the Moderator shall deem them necessary. In addition, a special meeting shall be held within ten (10) days after the submission to the Town Clerk of a written petition for a meeting signed by one (1%) percent of the electors of the Town or upon written petition signed by ten (10) RTM members.

E. Public Hearings. Notice[207]. At least one (1) public hearing shall be held by the RTM or any committee thereof before any Ordinance shall be passed. Meeting Notice of such public hearing shall be given, in accordance with the requirements of the General

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[201] 2022 recodification of current Article IV, §4.4.F (2006) (First clause). Derived from Article IV, §4.4.F of the 1997 Charter.
[202] NEW (2022)
[203] Current2022 recodification of current Article IV, §4.3.A (2006) (First sentence). Modification of Chapter III, §4 of the 1947 and 1956 Act, which established a quorum as one-third of the members and 1975 Charter (which established a majority standard); and, Article IV, §4.3.A of the 1997 Charter.
[204] 2022 recodification of current Article IV, §4.3.A (2006) (Second sentence). Modification of Chapter III, §4 of the 1947 and 1956 Act, which established a quorum as one-third of the members and 1975 Charter (which established a majority standard); and, Article IV, §4.3.A of the 1997 Charter.
[205] Current 2022 minor modification and recodification of current Article IV, §4.3.B (2006). Regular meeting provision established in Chapter III, §4 of the 1947 and 1956 Acts. Further amended by §5 of the 1951 Special Act ("no business" provision) and Chapter III, §4 of the 1975 Charter; and, Article IV, §4.3.B of the 1997 Charter.
[206] 2022 recodification of current Article IV, §4.3.C (2006). Special meeting provision contained in Chapter III, §4 of the 1947 and 1956 Acts, and 1975 Charter; and, Article IV, §4.3.C of the 1997 Charter.
[207] NEW (2022)

Statutes; or this Charter, if the standard is stricter.

F. Meeting Notice[208]. The Town Clerk shall notify all RTM members of the time and place at which each regular or special RTM meeting is to be held, in accordance with the notice requirements of this Charter.

§3.5. Ordinances, Resolutions, Orders or Motions:

A. Public Notice of Final Action[209]. The Town Clerk shall cause any action of the RTM adopting, amending, or repealing an Ordinance to be published in summary form within one (1) week after the adjournment of the meeting at which such action was taken, in accordance with §1.4.C(17) of this Charter. The effective date of the adoption or repeal of the Ordinance shall be fourteen (14) Days after the adjournment of the meeting at which it was passed or such later date as may have been set by the RTM at such meeting, unless a petition for referendum concerning an Ordinance is filed as provided in §3.6 of this Article.

B. Publication and Posting of Adopted Legislation[210]. All legislation, after final passage, shall be given a serial number by the Clerk of the RTM and be recorded by the Town Clerk and shall be properly indexed. Within five (5) Days after final passage, as provided in §3.5.A of this Charter, the Town Clerk shall transmit for publication on the Town website and notice that such legislation is on file in the Office of the Town Clerk and is available for examination in accordance with §1.4.C(17) of this Charter.

§3.6 Petition for Overrule (Referendum)[211].

A. Petition and time for filing212:

(1) Effective date of certain RTM votes. Any vote of the RTM: (1) authorizing the expenditure for any specific purpose of $500,000 or more[213]; or (2) for the issue of any bonds by the Town[214]; or (3) the adoption, amendment, or repeal of an Ordinance[215]; shall not be effective until the date for filing a referendum petition has passed. If within that time a petition for referendum is filed with the Town Clerk,

[208] 2022 recodification of current Article IV, §4.3.D (2006). Modification of Chapter III, §2 (third sentence) and §4 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.3.D of the 1997 Charter.
[209] 2022 recodification of current Article IV, §4.5 (2006). Modification of Chapter III, §8 of the 1947 and 1956 Acts and 1975 Charter and Article IV, §4.5 of the 1997 Charter.
[210] NEW (2022)
[211] Current Article XII.
[212] Current2022 recodification of current Article XIII, §13.1 (2006).
[213] 2022 recodification of current Article XIII, §13.1.A(1) (2006). Derived from Chapter III, §9 of the 1947 and 1956 Acts ($25,000.00) and the 1975 Charter ($50,000.00); and Article XIII, §13.1.A(i) of the 1997 Charter ($150,000.00).
[214] 2022 recodification of current Article XIII, §13.1.A(2) (2006). Derived from Chapter III, §9 of the 1947 and 1956 Acts and the 1975 Charter; and, Article XIII, §13.1.A(ii) of the 1997 Charter.
[215] 2022 recodification of current Article XIII, §13.1.A(3) (2006). Derived from Chapter III, §10 of the 1947 and 1957 Act and 1975 Charter; further amended by §10 of the 1951 Act; and Article XIII, §13.1.A(iii) of the 1997 Charter.

the vote shall not be effective unless and until it has been approved by referendum.

(2) Petition forms. Upon the request of any Elector, the Town Clerk shall promptly prepare petition forms, which shall be available to any Elector at the office of the Town Clerk, setting forth the questions sought to be presented on a referendum ballot.

(3) Required number of signatures on petitions. To be effective, a petition for referendum must be signed by not less than five (5%) percent of the Electors of the Town according to the most recent voter enrollment list available at the time of the action or vote on which a referendum is sought, and must contain the names and addresses of the signatories.

(4) Time and place of filing petitions. A petition requesting that a referendum be held must be filed at the office of the Town Clerk not later than the close of business on the fourteenth (14th) day after the adjournment of the meeting at which the vote was taken. If the fourteenth (14th) day is a day on which the Town Clerk's office is closed, the petition must be filed bythe close of business on the next day that the Town Clerk's office is open.

(5) Special requirements for petitions on appropriations and bond issues. All petitions for referendum on any action of the RTM with respect to any bond issue or any appropriation in the amount required for a referendum shall set forth each item as to which a vote is desired, with the amount of the item as approved by the RTM, and the amount to which the petitioners desire it to be decreased or increased. However, no increase shall be proposed in excess of the amount approved for the item in question by the Board of Finance or by the RTM on appeal from the Board of Finance.

B. Manner of holding referendum[216]**.**

(1) Certification of Town Clerk. Upon the filing of a petition fulfilling the requirements of §3.6 of this Charter, the Town Clerk shall certify that fact promptly to the Board of Selectpersons.

(2) Date of referendum. The Board of Selectpersons shall call a special election for all Electors of the Town to be held not less than twenty-one (21) Days nor more than twenty-eight (28) Days after the date of certification by the Town Clerk for the sole purpose of voting approval or disapproval of the question or questions presented in the referendum petition.

(3) Voting hours and method. For any referendum, the polls shall be opened at twelve o-clock (12:00 P.M.) noon and shall be closed at eight o'clock

[216] Current 2022 recodification of current Article XIII, §13.2 (2006). Derived from Chapter III, §10 of the 1947 and 1956 Acts and 1975 Charter; further amended by §7 of the 1951 Act and; Article XIII, §13.2 of the 1997 Charter.

(8:00 PM) in the evening, but the hours for voting may be increased at the discretion of the Board of Selectpersons. Voting shall be by voting machine or printed ballot, at the discretion of the Board of Selectpersons.

(4) Ballots for referendum on Ordinance. The ballot labels or ballots used in referenda concerning Ordinances shall state the matter to be voted on in substantially the following form: "Shall the following action of the Representative Town Meeting held on (date of the meeting) be approved?" followed by a statement of the action questioned in substantially the same language and form set forth in the records of the RTM. The voting machine or printed ballot shall provide means of voting "yes" or "no" on each question sopresented.

(5) Ballots for referendum on appropriation and bond issue. Ballot labels or ballots used for referenda brought on appropriations and bond issues shall present separately each appropriation so referred in substantially one (1) of the following forms:

(a) "Shall a special appropriation, etc. be approved?"; or
(b) "Shall a special appropriation, etc. be (increased) (decreased) to the sum of $_____?"; or
(c) "Shall the following items contained in the annual town budget be approved?; or
(d) "Shall the following items contained in the annual town budget be(increased) (decreased) to the sum of $_____?"

(6) Vote necessary to pass referenda[217]. In order to reverse or modify the action taken by the RTM, the vote in favor of reversing or modifying the action must both:

(a) Exceed twenty-five (25%) percent of the total number of Electors of the Town eligible tovote as of the close of business on the day before the election; and
(b) Constitute a majority of votes cast on the question.

[217] Current 2022 recodification of current Article XIII, §13.2.F. Derived from Chapter III, §11 of the 1947 and 1956 Acts; Chapter III, 11 of the 1975 Charter; and Article XIII, §13.2.F of the 1997 Charter.

§3.7. Appeals from the Board of Finance[218].

The RTM shall have the power to hear and determine appeals from decisions of the Board of Finance as provided in §9.8 of this Charter.

§3.8. Vacancies in the RTM[219].

Any vacancy in the RTM shall be filled as set forth in §2.6.A of this Charter.

[218] 2022 recodification of current Article IV, §4.6 (2006). Modification of Chapter III, §13 of the 1947 and 1956 Acts and Chapter III, §12 of the 1975; see also, Modification of Chapter XVII, §5 of the 1947 and 1956 Acts and 1975 Charter; and Article IV, §4.6 of the 1997 Charter.
[219] NEW (2022).

ARTICLE IV - BOARD OF SELECTPERSONS AND THE FIRST SELECTPERSON

§4.1. Executive Authority.

A. The Executive Branch[220]. The executive branch of the Town government shall consist of the First Selectperson and the Board of Selectpersons and the elected and appointed Boards and Commissions, Elected Town Officials or Appointed Town Officers, and employees set forth in this Charter.

B. The First Selectperson[221]. The First Selectperson shall be the chief executive officer of the Town as well as the town agent[222] and shall have the powers and duties vested in the office by this Charter and the General Statutes. The First Selectperson shall devote full time to the duties of the office[223].

C. Election and Qualifications. The First Selectperson and Board of Selectpersons shall be chosen by the Electors of the Town, as set forth in §2.3.C(1)(a) and 2.3.C(3)(b) and (3)(b) and §2.7 of this Charter[224].

§4.2. The Board of Selectpersons.

A. Meetings[225]. The Selectpersons shall hold their first meeting not later than the fourth (4th) Monday of November after their election. The First Selectperson shall be chair of the Board of Selectpersons and shall preside over all of its meetings[226]. The Selectpersons shall meet at least twice each month, unless there is no business to be conducted[227].

B. General powers and duties[228]. The executive authority of the Town shall be vested in the Board of Selectpersons, except to the extent such authority is expressly

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[220] 2022 recodification of current Article V, §5.1 (2006). Derived from Article V, §5.1 of the 1997 Charter

[221] 2022 recodification of current Article VI, §6.2.A (2006). Derived from Article VI, §6.2A of the 1997 Charter.

[222] 2022 recodification of current Article VI, §6.2.A(2) which is derived from Chapter IV, §3(d) of the 1947 and 1956 Acts; Chapter IV, §4 of the 1975 Charter; and, Article VI, §6.2A(1) and (2) of the 1997 Charter.

[223] 2022 recodification of current Article VI, §6.2.A(1) which is derived from Chapter IV, §3(d) of the 1947 and 1956 Acts; Chapter IV, §4 of the 1975 Charter; and, Article VI, §6.2A(1) and (2) of the 1997 Charter.

[224] NEW (2022)

[225] 2022 recodification of current Article VI, §6.1.B (2006). Derived from Chapter IV, §2 of the 1947 and 1956 Acts and 1975 Charter; and, Article VI, §6.1.B of the 1997 Charter.

[226] Derived from Chapter IV, §1 of the 1947 Act; further amended by §8 of the 1951 Act and affirmed by Chapter IV, §1 of the 1956 Act and the 1975 Charter; and, Article VI, §6.1.B of the 1997 Charter.

[227] Derived from Chapter IV, §2 of the 1947 Act and 1956 Act.

[228] 2022 recodification of current Article VI, §6.1.C (2006). Derived from Chapter IV, §3(a) and (c) of the 1947 Act and 1956 Act. Note: Subsection 3(b) of both Acts confers the authority of the Board of Sewer Commissioners upon the Board of Selectmen and the Department of Public Works as set forth under Special Act No. 222 (1929); see also, Chapter XXVI of the 1956 Special Act; Chapter IV, §3 and Chapter XXIV of the 1975 Charter; and, Article VI, §6.1.C of the 1997 Charter.

granted to the First Selectperson in this Charter. The Board of Selectpersons shall have the powers and duties vested in them by the General Statutes, except those expressly vested in the First Selectperson by this Charter or by Ordinance. In particular:

(1) Contracts.

(a) All Contracts in excess of One Hundred Thousand ($100,000.00) Dollars, which are exempted from the competitive procurement and solicitation requirements of this Charter and any Ordinances or Regulations adopted hereunder[229] to which the Town (including the Board of Education) shall be a party shall be subject to approval of the majority vote of the Board of Selectpersons[230]. This provision shall not apply to emergency transactions, permitted by the General Statutes, this Charter or Ordinance[231].

(b) The Selectpersons shall have the power to delegate their authority to other Town Officers, employees, and bodies where the contract would be for a duration of less than three (3) months and would involve an expenditure by or income to the Town of less than Twenty-five Thousand ($25,000) Dollars and is in the line item under the jurisdiction of such Town Officer or employee[232].

(c) The approval requirement by the Board of Selectpersons, set forth in this sub-paragraph, shall not be construed to eliminate review by other persons or bodies where required by this Charter, by Ordinance, the General Statutes or, otherwise provided by Law[233].

(2) Oversight of Appointees: Subpoena Authority[234]. All Town Officials and employees of the Town appointed by the Board of Selectpersons shall be responsible to them for the faithful performance of their respective duties and shall render a report to the Selectpersons whenever requested to do so. The Selectpersons shall have the power to investigate any and all Town offices and Departments of the Town and for such purpose shall have the power to issue subpoenas.

(3) Budget Review and Recommendation[235]. The Board of Selectpersons shall review the budgets of all Elected Town Officials, Appointed Town Officers, Boards, Commissions, and Departments of the Town and make such

[229] NEW (2022).
[230] 2022 modification and recodification of current Article VI, §6.1.C(1) (2006)(first sentence).
[231] NEW (2022).
[232] 2022 modification and recodification of current Article VI, §6.1.C(1) (2006)(second sentence).
[233] 2022 recodification of current Article VI, §6.1.C(1) (2006)(fourth sentence).
[234] 2022 recodification of current Article VI, §6.1.C(2) (2006)(First sentence). Modification of Chapter IV, §4 of the 1947, 1956 Acts and 1975 Charter; see also, Article VI, §6.1C.ii of the 1997 Charter; and, Article VI, §6.1.C(2) of the 2006 Charter . **Please note the Special Act authority to issue subpoenas.**
[235] 2022 recodification of current Article VI, §6.1.C(3) (2006).

recommendations in connection with such budgets to the Board of Finance as they deem necessary.

(4) Appointment powers. The Board of Selectpersons shall appoint:

(a) Required by Charter[236]: The Town Officials and employees set forth in this Charter, any others required by the General Statutes or by Ordinance[237] to be appointed by the Board of Selectpersons and any other for which no other appointment provision is made in the General Statutes, this Charter or the Ordinances.

(b) Required by General Statutes or Ordinance[238]: The members of any other Board or Commission which is required by an Ordinance or the General Statutes.

(c) Advisory committees, task forces or other similar entities[239]. Such advisory committees, task forces or other similar entities, as they deem necessary or useful from time to time to study and advise on any Town matters which are the concern of the Board.

(5) Membership on Boards, Commissions, and committees[240]. Except as otherwise expressly provided in §8.11 of this Charter, each member of the Board of Selectpersons shall be an ex officio member, without vote, on all Town Boards, Commissions, and committees.

(6) Reorganization of Departments[241].

(a) Notwithstanding any provisions of this Charter, the Board of Selectpersons may propose to the RTM a Resolution which may alter the method of appointment to or organization of any Town office, Department, Board or Commission of the Town, including combining or separating the duties of such individuals or bodies. The Resolution will effect the change when enacted by the RTM in the form of an Ordinance.

(b) The ability to make such changes by Ordinance shall not apply to the Police Department, the Fire Department, the Board of Library Trustees,

[236] 2022 recodification of current Article VI, §6.1.D (2006) (first sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.
[237] 2022 recodification and modification of current Article VI, §6.1.D (2006) (second sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.
[238] 2022 recodification of current Article VI, §6.1.D (2006) (second sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.
[239] 2022 recodification of current Article VI, §6.1.E (2006). Modification of Chapter XXIV, §3 of the 1947 and 1956 Act; Chapter XXVI, 1 of the 1975 Charter; and, Article VI, §6.1.E of the 1997 Charter. .
[240] 2022 recodification of current Article VI, §6.1.F (2006). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.F of the 1997 Charter.
[241] 2022 recodification of current Article VI, §6.1.G (2006). Derived from Chapter II, 11 of the 1975 Charter and Article VI, §6.1.G of the 1997 Charter.

any Elected Town Official, Elected Board or Commission, and any other office or body where such change by Ordinance is specifically prohibited by statute.

(c) If the duties of two (2) or more bodies or Town offices are combined or separated by Ordinance, the existence, the method of appointment, the organization, powers, and duties of the prior Town offices or bodies shall cease as defined in this Charter and shall be as defined in the Ordinance.

(d) The method of election to any Town office, Board, Commission, or agency of the Town may be changed by Ordinance, as set forth in §4.2.B(6)(a) of this Charter, if the method of election set forth in this Charter is or becomes improper, invalid, or ineffective because of a change in the law or an ambiguity in, or erroneous provision of, this Charter.

§4.3. Powers and Duties of the First Selectperson.

A. Executive Powers[242]. The day-to-day executive and management authority of the Town shall be vested in the First Selectperson. The First Selectperson shall have the powers and duties vested by Law.

B. Duties. The First Selectperson shall:

(1) Direct and supervise[243] the administration of all Departments and officers[244] and shall be responsible for the administration of all the affairs of the Town in respect to such Departments[245];

(2) Be responsible for the faithful execution of all laws, provisions of the Charter and Ordinances governing the Town[246];

(3) Make periodic reports to the RTM and may convene Special and Emergency RTM Meetings, as set forth in §3.4.D, attend and participate in RTM meetings, but shall have no vote[247];

(4) Submit annually to the Board of Finance a proposed budget, including a capital budget (including the update of the five-year capital plan set forth, below)

[242] 2022 recodification of current Article VI, §6.1.C (2006). Derived from Chapter IV, §3(a) and (c) of the 1947 Act and 1956 Act. Note: Subsection 3(b) of both Acts confers the authority of the Board of Sewer Commissioners upon the Board of Selectmen and the Department of Public Works as set forth under Special Act No. 222 (1929); see also, Chapter XXVI of the 1956 Special Act; Chapter IV, §3 and Chapter XXIV of the 1975 Charter; and, Article VI, §6.1.C of the 1997 Charter.
[243] NEW (2022)
[244] 2022 recodification of current Article VI, §6.2.A(3).
[245] NEW (2022).
[246] 2022 recodification of current Article VI, §6.2.A(4).
[247] 2022 modification and recognition of current Article IV, §4.2.A (2006) entitled "Composition" which permits the First Selectperson to participate in RTM meetings.

for the next fiscal year in accordance with the provisions of Article IX of this Charter[248].

(5) Prepare and maintain a long-term financial and capital planning that takes into account the next five years[S3]. The annual plan and update of the five-year capital plan shall be submitted to the Board of Finance, which shall take the Plan into account during budget deliberations as set forth in Article IX of this Charter[249].

(6) Keep the RTM and Board of Finance fully informed on the financial condition of the Town by issuance of quarterly reports of income and expense as to budget items, including grants, receipts, expenditures and changes to said budgeted amounts[250].

(7) Select, appoint and hire Appointed Town Officers, including department heads, except as otherwise provided for in this Charter or by the General Statutes[251];

(8) Investigate the availability of state and federal funds and grants on behalf of the Town and advise any of the Town's Departments and Boards and Commissions with respect to obtaining said funds and grants, and periodically report to the RTM and Board of Finance[252];

(9) Act, or designate another, as the bargaining agent for the Town, with the exception of the Board of Education, in all labor and employment matters, including authority to retain the services of labor consultants and attorneys to assist in such matters[253];

(10) After the election of any Town official of whom an oath is required by law, cause the Town official to be sworn to the faithful discharge of the duties of office[254];

(11) Upon the request of any Selectperson, inform the Board of Selectpersons of the First Selectperson's actions[255];

(12) Have the ability to delegate such authority as may be necessary to the Selectpersons or to administrative assistants whose appointment may be

[248] NEW (2022).
[249] NEW (2022)
[250] NEW (2022)
[251] 2022 recognition of current Article IX requirements of the First Selectperson.
[252] NEW (2022).
[253] NEW (2022). Pursuant to the Municipal Employee Relations Act under the General Statutes.
[254] 2022 recodification of current Article VI, §6.2.A(5).
[255] 2022 recodification of current Article VI, §6.2.A(6).

authorized by the RTM[256]; and

(13) Have the ability to convene the members of any or all Departments, Boards and Commissions to review and coordinate activities and to plan operations of the Town government[257].

The First Selectperson shall have such additional powers and shall perform such other duties as may from time to time be required by Ordinance, provided that the same are not inconsistent with this Charter or the provisions of the Connecticut General Statutes.

C. Appointment powers[258].

(1) The First Selectperson shall appoint the Appointed Town Officers, Boards and Commission members, and employees set forth in Articles VII and VIII of the Charter, any others required by the General Statutes or by Ordinance[259] to be appointed by the First Selectperson and any other for which no other appointment provision is made in this Charter[260].

(2) All Appointed Town Officers, Board and Commission members and employees of the Town appointed solely by the First Selectperson shall be responsible to the First Selectperson for the faithful performance of their respective duties and shall report to the First Selectperson[261].

(3) Mediation and Resolution of Differences[262]. The First Selectperson shall be responsible for the mediation and resolution of differences between Boards, Commissions, Departments and other public bodies within the Town government relating to an interpretation and/or coordination of Town policies and procedures.

D. Designation of Acting First Selectperson[263]. Immediately upon taking office, the First Selectperson shall designate, in writing, to the Town Clerk the member of the Board of Selectpersons authorized to act as First Selectperson during the unavailability or temporary disability of the First Selectperson and during the period from the date a vacancy occurs until a successor First Selectperson takes office under the provisions of §§2.6.C and D of this Charter. Such designation may be changed in writing from time to

[256] 2022 recodification and modification of current Article VI, §6.2.A(7).
[257] 2022 recodification of current Article VI, §6.2.A(8).
[258] Current2022 recodification of current Article VI, §6.2.B (2006). Derived from Article VI, §6.2B of the 1997 Charter. 2022 recodification and modification of current Article VI, §6.1.D (2006) (first sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.
[259] 2022 recodification and modification of current Article VI, §6.1.D (2006) (second sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.
[260] 2022 recodification of current Article VI, 6.2.B(1)(2006).
[261] Derived from Chapter IV, §3(d) of the 1947 and 1956 Acts.
[262] NEW (2022).
[263] 2022 recodification of current Article VI, §6.2.C (2006). Derived from Article VI, §6.2.C of the 1997 Charter.

time.

E. Staff[264]. The First Selectperson is entitled to appoint a chief of staff and administrative assistant, or equivalent positions[S4]. All assistants and staff appointed by the First Selectperson shall serve at the pleasure of the First Selectperson.

F. Town Administrator[265].

(1) Appointment and Duties. The First Selectperson shall appoint a Town Administrator, who shall be the principal advisor to the First Selectperson for the management of Town Departments, and shall perform such duties as may be assigned by the First Selectperson[S5].

(2) Term. The administrator shall be an unclassified employee of the town and serve at the pleasure of the First Selectperson.

(3) Experience. Said administrator shall be appointed on the basis of substantial executive and administrative experience, education, competencies, and credentials, in management and administration, in accordance with the best practices recommended for local government management by reputable national organizations with subject matter expertise in the management of local government and public administration[266].

(4) Qualifications. Said qualifications shall be prepared by the Director of Human Resources, who shall also prequalify candidates for the position prior to interview by the First Selectperson.

G. Purchasing authority[267]. The First Selectperson and the Purchasing Agent, acting in conjunction, shall be the general purchasing authority of the Town. All supplies, materials, equipment, othercommodities, Contracts for public works or services, other than professional services, required by any department, office, agency, board, authority, or commission of the Town, including the Board of Education, shall be purchased by the purchasing authority on a requisition, in such form as the Selectpersons may prescribe, signed by the head of the Department, office, agency, or chair of the Board or Commission or other like entities. No purchase order shall be issued without the signature of the Purchasing Agent or, in the Purchasing Agent's absence, of the First Selectperson.

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[264] NEW (2022).
[265] NEW (2022).
[266] **Comment of the 2022 Charter Revision Commission.** The following organizations meet the criteria set forth in the Charter at the time of deliberations and approval: such as the Government Finance Officers Association, the International City/County Management Association, National League of Cities, National Academy of Public Administrators, the IBM Center for the Business of Government, International Public Management Association for Human resources and other equivalent or successor organizations
[267] Recodification of current Article XII, §12.8 (2006). Derived from Chapter XXI of the 1947 Act; and further amended by §20 of the 1951 Act and affirmed by Chapter XXI of the 1956 Act and Chapter XVIII of the 1975 Charter. Derived from Article XII, §12.8 of the 1997 Charter.

§4.4. Compensation of executive branch members[268].

The members of all Boards and Commissions except the Board of Selectperson shall serve without compensation unless the RTM shall otherwise direct. Except as provided in this Charter or otherwise by Law, the compensation of all Town Officials shall be fixed by the Board of Selectpersons subject to the adoption of the Town Budget as provided in Article IX of this Charter[269].

§4.5. Regulations[270].

Any Town Official empowered to enact Regulations under the provisions of the General Statutes or of this Charter shall hold at least one (1) public hearing before the enactment of such Regulations. Except as otherwise provided by statute, the time and place of such hearing together with a copy of the proposed Regulations shall be published at least once not more than ten (10) nor less than five (5) Days before the date set for such hearing.

Except as otherwise provided by statute, any such Regulation shall be superseded by an Ordinance adopted by the RTM affecting the same subject matter.

§4.6. Absence, Disability, Vacancy in the Office of First Selectperson.

Any vacancy in the Office of the First Selectperson shall be addressed as set forth in §2.6.D of this Charter.

[268] 2022 Recodification of current Article V, §5.2 (2006). Derived from Modification of Chapter II, §8 and Chapter IV, §5 of the 1947 Act and 1956 Act; Chapter II, §7 of the 1975 Charter and Article V, §5.2 of the 1997 Charter.

[269] 2022 repeal of current Article V, §5.3 (2006)("Official Bonds"). Derived from Modification of Chapter II, §9 of the 1947 Act and 1956 Act; Chapter II, §9 of the 1975 Charter and Article V, §5.3 of the 1997 Charter.

[270] 2022 Recodification of current Article V, §5.4 (2006). Chapter XXVI, §8 of the 1975 Charter; and, Article V, §5.4 of the 1997 Charter.

ARTICLE V – OTHER ELECTED OFFICERS, BOARDS AND COMMISSIONS

§ 5.1. Town Clerk[271].

A. Establishment and election[272]. There shall be a Town Clerk elected at the times and for the term set forth in §2.3.A(3) and §2.3.C(1)(d) of this Charter.

B. Powers and duties[273]. The Town Clerk shall have the powers and duties prescribed by this Charter, by Ordinance, and by the General Statutes. In particular, the Town Clerk shall:

(1) Devote full time to the duties of the office;

(2) Collect the fees or compensation provided by the General Statutes to be paid to the Town Clerk;

(3) Deposit all money required to be collected by the Town Clerk with the Chief Fiscal Officer, with whom the Town Clerk shall file a full statement of receipts at the time of each deposit; and

(4) Provide, as may be requested, a receipt for all money received to the person from whom it was received.

C. Staffing[274]. All expenses of the Town Clerk's office, including necessary clerical assistance and Assistant Town Clerks, shall be paid by the Town within the limit of the appropriation therefor.

D. Assistant Town Clerks[275]. The Town Clerk may appoint Assistant Town Clerks who shall be under the supervision of the Town Clerk and shall perform such duties as the Town Clerk specifies.

E. Compensation[276]. In lieu of all fees and other compensation, the Town Clerk shall receive a salary fixed by the Board of Finance.

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[271] Derived from Chapter VII of the 1947 and 1956 Acts and 1975 Charter.
[272] Current2022 recodification of current Article VII, §7.1.A (2006). Derived from Article VII, §7.1.A of the 1997 Charter.
[273] Current2022 recodification of current Article VIII, §8.4VII, §7.1.B (2006). Derived from Article VIII, §8.4VII, §7.1.B of the 1997 Charter.
[274] Current2022 recodification of current Article VII, §7.1.C (2006). Derived from Article VII, §7.1.C of the 1997 Charter.
[275] Current2022 recodification of current Article VII, §7.1.D (2006). Derived from Article VII, §7.1.D of the 1997 Charter.
[276] Current2022 recodification of current Article VII, §7.1.E (2006). Derived from Article VII, §7.1.E of the 1997 Charter.

F. Ordinances and votes[277]. The Town Clerk shall publish notice of action concerning Ordinances in accordance with this Charter. All Ordinances and RTM votes shall be recorded by the Town Clerk in records kept for the purpose.

G. Reports to Assessor and Tax Collector[278]. The Town Clerk shall promptly file with the Assessor and Tax Collector a complete abstract of all deeds and conveyances of land or of personal property, or of certificates of intention to transfer personal property, placed in the custody of the Town Clerk for record.

H. Vacancy[279]. A Vacancy in the Office of the Town Clerk shall be filled as set forth in §2.6.A of this Charter.

§5.2. Justices of the Peace.

A. Establishment and election[280]. There shall be forty-five (45) Justices of the Peace[281] elected or nominated in the manner and for the terms prescribed in §2.3.A and C of this Charter.

B. Powers and duties[282]. Justices of the Peace shall have the powers and duties prescribed by the General Statutes for their respective offices.

C. Vacancies[283]. Vacancies shall be filled as set forth in §2.6.B. of this Charter.

§5.3. Elected Boards and Commissions: In General.

A. Establishment and election[284]. There shall be a Board of Education, Board of Finance, Board of Assessment Appeals, Town Plan and Zoning Commission,

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[277] Current2022 recodification of current Article VII, §7.1.F (2006). Derived from Article VII, §7.1.F of the 1997 Charter.

[278] Current2022 recodification of current Article VII, §7.1.G (2006). Derived from Article VII, §7.1.G of the 1997 Charter.

[279] Current2022 recodification and modification of current Article VII, §7.1.H (2006). Derived from Article VII, §7.1.H of the 1997 Charter.

[280] 2022 modification and recodification of current Article VII, §7.2.A (2006). Derived from Article VII, §7.2.A of the 1997 Charter.

[281] Chapter II, §1 of the 1947 Act, included 14 justices of the peace; the number was raised to 18 in Chapter II, §1 of the 1956 Act; and then to 30 in Chapter II, §1 of the 1975 Charter; and them, 45 in Article VII, §7.2.A of the 1997 Charter.

[282] Current Article VIII, §8.5.B (2006). Modification of Chapter XI, §2 of the 1947 Act. There was also an appeal to the court of common pleas in Chapter XI, §8 of the 1947 Act; further amended by §13 of the 1951 Act. The appeal to the court of common pleas was repeal by §14 of the 1951 Act. Reaffirmed by Chapter XI, §2 of the 1956 Act and the 1975 Charter; and, Article VIII, §8.5.B of the 1997 Charter.. 2022 modification and recodification of current Article VII, §7.2.B (2006). Derived from Article VII, §7.2.B of the 1997 Charter.

[283] Current2022 recodification and modification of current Article VII, §7.2.C (2006). Derived from Article VII, §7.2.C of the 1997 Charter.

[284] Current2022 recodification of current Article VII, §7.2VIII, §8.1.A (2006). Derived from Article VII, §7.2VIII, §8.1.A of the 1997 Charter.

and Zoning Board of Appeals. The members of each Board and Commission shall be elected at the times and for the terms set forth in §2.3.A and C of this Charter.

B. Meetings

(1) All elected Boards and Commissions, except the Board of Assessment Appeals, shall hold at least ten (10) Regular Meetings a year and shall give annual notice of such meetings as required by the General Statutes. Officers of each Board and Commission, except the RTM, shall be elected annually at an organization meeting so noticed with the Town Clerk held in the month of December[285]..

(2) All elected Boards and Commissions shall comply with the provisions of §1.5 and §1.6 of this Charter[286].

C. Vacancies. A vacancy in the membership of any elected Board or Commission shall be filled in the manner prescribed in §2.6 of this Charter.

§5.4. Board of Education[287].

A. Composition[288]. The Board of Education shall consist of nine (9) members, for staggered terms, as set forth in §2.3.A(5) and §2.3.C(1)(f) and C(2)(b) of this Charter, no more than six (6) of whom shall be registered with the same political party.

B. Powers and duties[289]. The Board of Education shall have all the powers and duties conferred on boards of education generally by Chapter 170 of the General Statutes.

§5.5. Board of Finance.

A. Composition[290]. The Board of Finance shall consist of nine (9) voting members, for staggered terms, as set forth in §2.3.A(4), §2.3.C(1)(e) and §2.3.C(2)(a) of this Charter, no more than six (6) of whom shall be registered with the same political party, and the Board of Selectpersons and the Fiscal Officer, ex officio, without vote.

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[285] 2022 recodification of current Article VIII, §8.1.B (2006). Derived from Article VIII, §8.1.B of the 1997 Charter.
[286] NEW (2022)
[287] Derived from Chapter XIX of the 1947 and 1956 Acts; and Chapter XX of the 1975 Charter.
[288] Current2022 recodification and minor modification of current Article V, §5.1VIII, §8.2.A (2006). Derived from Article V, §5.1VIII, §8.2.A of the 1997 Charter.
[289] Current2022 recodification of current Article VIII, §8.2.B (2006). Derived from Article VIII, §8.2.B of the 1997 Charter.
[290] 2022 recodification and minor modification of current Article VIII, §8.3.A (2006). Derived from Chapter XVII, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article VIII, §8.3.A of the 1997 Charter. See also, Chapter II, §4(c) of the 1947 and 1956 Acts.

B. Powers and duties[291]**.** The Board of Finance shall appoint the outside auditors and shall have all of the powers and duties conferred by this Charter, by Ordinance, and upon boards of finance generally by Chapter 106 of the General Statutes.

C. Clerk of the Board of Finance[292]**.** The Board of Finance shall appoint a clerk and fix the clerk's salary. The clerk shall hold office at the pleasure of the Board of Finance. The clerk may be part time. The clerk shall:

(1) Keep minutes of Board meetings and be the custodian of its records, papers, and data relating to the conduct of its business;

(2) Be a certified or a licensed public accountant or otherwise have credentials, licenses and or certification and experience in the financial field; and

(3) Have the right to call upon all Town Departments, Boards and Commissions and officers for such information as the clerk may reasonably require in connection with the duties of the clerk and responsibilities of the Board of Finance[293]..

D. Approval of budgets[294]**.** The Board of Finance shall approve the Town budget in the manner set forth in Article IX of this Charter.

E. Bidding, requisition, and payment procedures[295]**.** The Board of Finance shall establish and may amend from time to time procedures and guidelines for bidding on purchases and Contracts by the Town as well as procedures for departmental requisition and for payments.

§5.6. Board of Assessment Appeals.

A. Composition[296]. The Board of Assessment Appeals shall consist of five (5) members, for staggered terms as set forth in §2.3.A(10), §2.3.C(1)(k) and §2.3.C(2)(g) of this Charter, and to be elected in accordance with Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.).

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[291] 2022 recodification of current Article VIII, §8.3.B (2006). Derived from Article VIII, §8.3.B of the 1997 Charter.

[292] Current 2022 recodification of current Article VIII, §8.3.C (2006). Modification of Chapter XVII, §3 of the 1947 and 1956 Acts and the 1975 Charter; and Article VIII, §8.3.C of the 1997 Charter.

[293] 2022 recodification and modification of current Article VIII, §8.3.D (2006). Modification of Chapter XXII of the 1947 and 1956 Acts and Chapter XXIII of the 1975 Charter, which ratified Special Act No. 511 (1935); Special Act No. 270 (1939); and, Special Act No. 367 (1941); and, Article VIII, §8.3.D of the 1997 Charter.

[294] Current 2022 recodification of current Article VIII, §8.3.E (2006). Modification of Chapter XVII, §4 of the 1947 and 1956 Acts and the 1975 Charter; and, Derived from Article VIII, §8.3.E of the 1997 Charter.

[295] Recodification of current Article XII, §12.9 (2006). Derived from Chapter XVIII, §4 and §5 of the 1975 Charter and Article XII, §12.9 of the 1997 Charter.

[296] Current2022 recodification and minor modification of current Article VIII, §8.24.A (2006). Derived from Article VIII, §8.24.A of the 1997 Charter.

B. Powers and duties[297]. The Board of Assessment Appeals shall have all the powers and duties conferred on boards of assessment appeals generally by §§12-110 to 12-117 of Chapter 203 of the General Statutes.

§5.7. Town Plan and Zoning Commission.

A. Composition[298]. The Town Plan and Zoning Commission shall consist of seven (7) voting members, for staggered terms as set forth in §2.3.A(6) and §2.3.C(1)(g) and (h); and, §2.3.C(2)(c) and (d) of this Charter, no more than five (5) of whom shall be registered with the same political party. There shall be three (3) alternate members of the Town Plan and Zoning Commission, as set forth in §2.3.A(7) of this Charter, no more than two (2) of whom shall be registered with the same political party.

B. Powers and duties[299]. The Town Plan and Zoning Commission shall have all the powers and duties conferred by this Charter, by Ordinance, and on zoning commissions and planning commissions generally by Chapter 124 and Chapter 126 of the General Statutes (C.G.S. §8-1 et seq. and §8-18 et seq.). In particular, the Town Plan and Zoning Commission shall:

(1) Prepare, adopt, and amend the plan of conservation and development[S6] of the Town, or amend any master plan previously adopted[300];

(2) Have control over the subdivision of land[301];

(3) Make studies and recommendations on matters affecting health, recreation, traffic, and other needs of the Town dependent on, or related to, the master plan;

(4) Consider and report upon the design, location, and relation to the master plan of all new public ways, buildings, bridges, and other public places and

[297] 2022 Recodification of current Article VIII, §8.4.B (2006). Derived from Article VIII, §8.4.B of the 1997 Charter.

[298] Current2022 recodification and minor modification of current Article VIII, §8.35.A (2006). Derived from Chapter XVIIXI, §1 of the 1947 and Act, which established five members. The Board was expanded to seven members under the 1956 ActsAct. The October election date was retained in §12 of the 1951 Act and reaffirmed by Chapter XI, §1 of the 1956 Act and the 1975 Charter; and, Article VIII, §8.35.A of the 1997 Charter.

[299] 2022 recodification of current Article VIII, §8.5.B (2006). Modification of Chapter XI, §2 of the 1947 Act. There was also an appeal to the court of common pleas in Chapter XI, §8 of the 1947 Act; further amended by §13 of the 1951 Act. The appeal to the court of common pleas was repeal by §14 of the 1951 Act. Reaffirmed by Chapter XI, §2 of the 1956 Act and the 1975 Charter; and, Article VIII, §8.5.B of the 1997 Charter..

[300] Replacement of Chapter XI, §3 of the 1947 Act and 1956 Act.

[301] Replacement of Chapter XI, §5 of the 1947 Act. At the time a definition of "subdivision" was included in Chapter XI, §7 of the 1947 Act, which was repealed by §14 of the 1951 Act, along with §5; as reaffirmed by Chapter XI of the 1956 Act.

structures[302];

(5) Consider and report upon the layout of new developments in the Town[303];

(6) Make detailed plans for the improvement, reconditioning, or development of areas which in its judgment contain special problems or show a trend toward lower land values; and

(7) Make such other studies, recommendations, and inclusions in the master plan as will in its judgment be beneficial to the Town[304].

C. Appointment of Planning Director[305]. The Town Plan and Zoning Commission shall appoint a Planning Director who has been approved by the First Selectperson.

D. Other employees and consultants[306]. The Town Plan and Zoning Commission may engage such employees and consultants as it requires to carry out its duties, including a zoning enforcement officer and assistants who, subject to the general supervision of the Planning Director, shall enforce all Laws, Ordinances, and Regulations relating to zoning and planning, and shall have such other duties as the Town Plan and Zoning Commission or the Planning Director may prescribe.

§5.8. Zoning Board of Appeals[307].

A. Composition[308]. The Zoning Board of Appeals shall consist of five (5) regular members, for staggered terms as set forth in §2.3.A(9), §2.3.C(1)(i) and (j); and, §2.3.C(2)(e) of this Charter, no more than four (4) of whom shall be registered with the same political party[309], and three (3) alternates, as set forth in §2.3.C(2)(f) of this Charter, no more than two (2) of whom shall be registered with the same political party.

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[302] Replacement of Chapter XI, §6 of the 1947 Act; Chapter XI, §5 of the 1956 Act; and Chapter XI, §4 of the 1975 Charter.
[303] Replacement of Chapter XI, §4 of the 1947 and 1956 Acts and Chapter XI, §5 of the 1975 Charter.
[304] Replacement of Chapter XI, §3 of the 1947 Act. Sections §2 and 3 of the 1947 Act were repealed by §15 and 16 of the 1951 Act.
[305] Current2022 recodification of current Article VIII, §8.5.C (2006). Derived from Article VIII, §8.5.C of the 1997 Charter.
[306] 2022 recodification of current Article VIII, §8.5.D (2006). Derived from Article VIII, §8.5.D of the 1997 Charter.
[307] Modification of Chapter XII of the 1947 and 1956 Acts and 1975 Charter.
[308] Current2022 recodification and minor modification of current Article VIII, §8.46.A (2006). Derived from Article VIII, §8.46.A of the 1997 Charter. The
[309] The current "minority party" standard was not included in Chapter XII §2 of the 1947 and 1956 Acts: "Not more than three members of said board shall be members of the same political party." The standard was increased to "four" in Article IX, §8.6.A of the 1997 Charter and has continued thereafter.

B. Powers and duties[310]**.** The Zoning Board of Appeals shall have the powers and duties conferred on zoning boards of appeals generally by §§ 8-5 to 8-7e of Chapter 124 of the General Statutes.

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[310] Current2022 Recodification of current Article VIII, §8.6.B (2006). Derived from Article VIII, §8.6.B of the 1997 Charter.

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE VI - APPOINTED OFFICERS AND ~~PERMANENT~~ BOARDS AND COMMISSIONS IN GENERAL

§ ~~3~~6.1. Eligibility for appointed Town ~~office~~Office[311].

A. Elector ~~requirement~~requirements for ~~appointed~~Certain Appointed Town ~~officials~~Officers and Members of Boards and Commissions; Exception[312]. No person not at the time an ~~elector~~Elector of the Town shall be eligible for appointment to any appointed ~~board~~Board or ~~commission~~Commission or to the office of Town Treasurer, ~~Town Attorney,~~Constable or ~~Assistant~~ Town Attorney. Persons serving as Chief of Police or Fire Chief must be or become ~~an elector of the Town within six (6) months after the time they take office~~a resident of the State of Connecticut, in accordance with the requirements of the respective appointing authorities.

B. Effect of ceasing to be an ~~elector~~Elector[313]. If any ~~appointed~~Appointed Town ~~officer~~Officer required to be an ~~elector~~Elector of the Town or any member of an appointed ~~board~~Board or ~~commission~~Commission ceases to be an ~~elector~~Elector of the Town, the office shall then become vacant.

C. Single office requirement for appointed office[314]. Except as otherwise provided in ~~Sections 10~~§§8.5, 8.7, ~~10.9, 10.10~~8.8, and ~~10.13~~8.11 of this Charter, no person shall be eligible to hold any appointed Town ~~office~~Office, including ~~membership on~~ appointed members of any ~~permanent appointed board~~ Board or ~~commission~~Commission, who is at the same time an elected RTM member, ~~an elected or appointed~~ Town ~~officer~~Officer, an elected state official, or a member of an elected ~~board or commission~~Board or Commission or permanent appointed Board or ~~permanent appointed board or commission.~~Commission. For purposes of this paragraph, the term "Town officer" does not include Justices of the Peace or Constables~~, but does include members of the Board of Education~~.

D. Eligibility for reappointment[315]. No person shall be appointed to more than two successive full terms on the same ~~permanent~~ appointed ~~board~~Board or ~~commission~~Commission, but such person shall be eligible for reappointment after an interval of not less than one (1) year except as otherwise provided in ~~Section 10~~§§8.14 and 8.15 of this Charter, with respect to the Ethics Commission~~, Section 10.17 with respect to the Board of Library Trustees, Section 10.18 with respect to the~~ and Golf Commission, respectively, or by ~~ordinance~~Ordinance.

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311 Derived from Chapter II, §3 of the 1947 and 1956 Acts and 1975 Charter.

312 ~~Current~~2022 modification and recodification of current Article III, §3.1.A (2006). Derived from Article III, §3.1.A of the 1997 Charter.

313 ~~Current~~2022 recodification of current Article III, §3.1.B (2006). Derived from Article III, §3.1.B of the 1997 Charter.

314 ~~Current~~2022 recodification of current Article III, §3.1.C (2006). Derived from Article III, §3.1.C of the 1997 Charter.

315 ~~Current~~2022 recodification of current Article III, §3.1.D (2006). Modification of Article III, §3.1.~~DA~~D of the 1997 Charter.

§36.2. Authority and Qualification of Appointed Town Officers[316].

A. Authority of Appointed Town Officers, including department heads[317]. Once appointed as described in this Charter, Appointed Town Officers, including department heads shall, unless otherwise set forth in this Charter or Law, appoint, hire, discipline and remove all deputies, assistants and other employees of the Department and subject to (1) the authority of the First Selectperson or other appointing or supervisory authority; (2) any specific provisions of this Charter or Law pertaining to the authority of Appointed Town Officer, including department heads and the relationship with a governing Board or Commission; and, (3) any applicable collective bargaining agreements.

B. Qualifications of Appointed Town Officers, including department heads[318]. The job qualifications of all Appointed Town Officers, including department heads, in addition to those enumerated in this Charter, by the General Statutes or Special Act shall be prepared by [S7]the Director of Human Resources. Said job qualifications shall be prepared in accordance with nationally accepted professional standards and best practices in the applicable field and shall be reviewed and updated, if necessary, every four (4) years and whenever a Vacancy occurs in the position.

§6.3. Minority representation on permanent appointed boards and commissionsBoards and Commissions[319].

NoUnless other expressly set forth in this Charter, no more than a bare majority of the members of a permanent appointed board or commissionBoard or Commission shall be members of the same political party. This shall not apply to persons required to serve on a particular boardBoard or commissionCommission by virtue of holding another position or office in the Town.

§3.36.4. Terms of office[320].

A. General Rule: Appointed Town Officers and Board and Commission Members. Unless otherwise provided by ordinance and except for members of the Ethics Commission, whose terms shall commence on July 1, and the Golf Commission, whose terms commence April 1,the General Statutes, this Charter or by Ordinance the terms of office of all Appointed Town Officers and appointed Town officers and members of permanent appointed boardsBoards and commissionsCommissions shall commence on the fourth (4th) Monday in November, and shall continue for the termterms set forth in Section 1.4.B. HowevertArticles VII and VIII of this Charter. Notwithstanding the foregoing, in the event that there is a

316 NEW (2022).
317 NEW (2022).
318 NEW (2022).
319 Current2022 recodification of current Article III, §3.2 (2006). Derived from Article III, §3.2 of the 1997 Charter.
320 Current2022 modification and recodification of current Article III, §3.3 (2006). Derived from Article III, §3.3 of the 1997 Charter.

vacancy and the ~~appointing authority~~ Town Official which possesses the authority to make an appointment ("Appointing Authority") does not appoint a new Appointed Town ~~officer~~Officer or Board or Commission member by the fourth (4th) Monday in November after ~~an~~the municipal general election~~, the former appointee~~ of the Appointing Authority, the incumbent shall serve as a continuing Appointed Town ~~officer~~Officer or Board or Commission member until either the ~~appointing authority~~Appointing Authority fills the vacancy or until the sixty-fifth (65th) day after the fourth (4th) Monday in November, whichever occurs first.

B. ~~§3.4~~Exception: Golf Commission, Ethics Commission and Board of Library Trustees. The members of the Ethics Commission and the Golf Commission shall commence their terms on April 1 in the year of their appointment for the duration of their term and shall only remain on said Commission if reappointed. Likewise, the Board of Library Trustees shall commence their terms on July 1 of their year of appointment for the duration of their term as set forth in 8[S8].16 of this Charter.

§6.5. Resigning from appointed office[321].

Any ~~appointed~~Appointed Town officer or appointed Board or Commission member~~ of a permanent appointed board or commission~~ may resign by submitting a written notice of resignation to the Town Clerk. The resignation shall become effective on the date specified in the notice of resignation or, if no date is specified, on the date the notice of resignation is submitted.

§~~3.5~~6.6. Vacancies in appointed office[322].

Unless otherwise set forth in the General Statutes or otherwise in this Charter, Vacancies in appointed Town offices and membership on ~~appointed boards~~all Appointed Town Offices and ~~commissions~~Boards and Commissions shall be filled by the ~~board, commission, or officer having the power to make the original appointment.~~Appointing Authority. Persons so appointed shall serve for the remainder of the term of the position vacated.

§~~3.~~6.7. Removal from appointed office for cause.

A. Board or Commission[323]. Any ~~appointed~~Appointed Town ~~officer~~Officer or member of any appointed ~~board~~Board or ~~commission~~Commission may, except as otherwise provided in the General Statutes or this Charter, be removed for cause by the ~~appointing Town officer or board;~~Appointing Authority (including instances where Boards and Commissions have appointment authority), unless other set forth by Law provided, notice shall first begiven in writing of the specific grounds for removal and the individual shall be

[321] ~~Current~~2022 recodification of current Article III, §3.4 (2006). Derived from Article III, §3.4 of the 1997 Charter.
[322] ~~Current~~2022 recodification of current Article III, §3.5 (2006). Derived from Article III, §3.5 of the 1997 Charter.
[323] ~~Current~~ 2022 recodification of current Article III, §3.6.A (2006). Derived from Modification of Chapter II, §6 of the 1947 and 1956 Acts; Chapter II, §12 of the 1975 Charter; and, Article III, §3.6.A of the 1997 Charter.

given an opportunity to be heard in defense, alone or with counsel of the individual's choice, at a hearing before the ~~appointing Town officer or board~~Appointing Authority, held not more than ten (10) and not less than five (5) ~~days~~Days after ~~delivery~~transmittal of such notice, in accordance with §1.4.C(15). The hearing shall be held in accordance with the Freedom of Information Act (Chapter 14 of the General Statutes, C.G.S. §1-200 et seq.). Appeals may be taken where provided by statute.

B. Department Head or Director[324]. Unless this Charter provides that a particular department head or director may be removed without cause, the Board of ~~Selectmen~~Selectpersons by unanimous vote of all of its members shall have the power to remove for cause any ~~department head~~Department Head, or any director or employee appointed by a ~~board~~Board or ~~commission~~Commission, provided notice and opportunity for a hearing before the Board of ~~Selectmen be given~~Selectpersons following the same protocols as set forth in this ~~Section 3.~~§6.7.A of this Charter, and such hearing is held in accordance with the Freedom of Information Act.

[324] ~~Current~~2022 recodification of current Article III, §3.6.B (2006). Derived from Article III, §3.6.B of the 1997 Charter.

ARTIC Article XIII, §13.2.F. LE IV – LEGISLATIVE BRANCH

§4.1. Representative Town Meeting.

A. Legislative power[325]. Chapter II, §2 All legislative power of the Town, including the power to enact ordinances, shall be vested in the RTM, subject to referendum as provided by the terms of this Charter. The RTM shall constitute a continuing body. The RTM may delegate the power to implement or carry into effect any of the powers set forth in this Charter to any Town officer, board, or commission.

Right to vote[326]. The right to vote at RTM meetings shall be limited to RTM members elected as provided in Section 2.

§6.8. Required Cooperation[327].

Each Town Officer, RTM members and employee of any Department of the Town shall assist the Boards and Commissions and the pertinent Departments in carrying out the provisions of this section. Furthermore, in the event a Board or Commission is attached to a Department, the Department Head shall cooperate with said Board or Commission in formulating and carrying out the operational, management and personnel policies of the Department.

§6.9. Compliance[328].

All appointed Boards and Commissions shall comply with the provisions of §§1.5 through 1.7 of this Charter.

§6.10. Creation of Boards and Commissions[329].

B. In addition to those appointed Boards and Commissions established by this Charter.

§4.2. Membership.

A. Composition[330]. The RTM shall consist of the elected RTM members. In addition, the Selectmen, the Town Clerk, the Town Attorney, any Assistant Town Attorneys, RTM

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[325] Current Article IV, §4.1.A (2006). Derived from Chapter III, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article IV, §4.1.A of the 1997 Charter.

[326] Current 2022 recodification of current Article IV, §4.1.B (2006). Derived from Chapter III, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article IV, §4.1.B of the 1997 Charter...

[327] NEW (2022)

[328] NEW (2022)

[329] NEW (2022)

[330] Current Article IV, §4.2.A (2006). Ex officio status of was established in Chapter III, §4 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.2.A of the 1997 Charter for the following: the three Selectmen; the Town Clerk; the Town Counsel; Chair of the Board of Education and the entire Board of Finance.

may, on its own initiative; or at the chairmanrecommendation of the Board of Education, and the members of the Board of Finance shall be ex officio members of the RTM without vote.

B.A. Judge of qualification[331]**.** The RTM shall be the judge of the election and qualifications of its members.

C. Eligibility for membership on the RTM[332]**.** No elected or appointed Town official (excluding, however, members of advisory boards or commissions and building committees) shall be eligible to serve as a voting member of the RTM, and no voting member of the RTM shall hold any elected or appointed Town office.

D. Change of residence[333]**.** An RTM member who moves from the Town shall cease to be an RTM member, but an RTM member who moves from the district from which the member was elected to another district may serve until the next election of RTM members.

E.A. Compensation[334]**.** The RTM members as such shall receive no compensation.

§4.3. Meetings[335]**.**

C.A. Quorum[336]**.** A majority of the RTM members shall constitute a quorum for doing business, provided that a smaller number may organize temporarily and may adjourn from time to time. No RTM meeting shall adjourn past the date of an election of RTM members. All RTM meetings shall be public.

E. Regular meetings[337]**.** Regular RTM meetings shall be held at least once a month on a regular meeting day decided upon by the RTM members. However, if there is no business to be acted upon at a regular RTM meeting, the meeting may be dispensed with upon the direction of the Moderator to the Town Clerk who shall notify the RTM members.

G. Special meetings[338]**.** Special meetings may be held whenever the First Selectman, chairman

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[331] Current 2022 recodification of current Article IV, §4.2.B (2006). Derived from Chapter III, §4 of the 1947 and 1956 Acts and 1975 Charter; and, and, Article IV, §4.2.B of the 1997 Charter...

[332] Current Article IV, §4.2.C (2006). Derived from Article IV, §4.2.C of the 1997 Charter.

[333] Current Article IV, §4.2.D (2006). Derived from Chapter II, §3 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.2.D of the 1997 Charter.

[334] Current 2022 recodification of current Article IV, §4.2.E (2006). Derived from Chapter II, §4 of the 1947 and 1956 Acts and 1975 Charter; and, and, Article IV, §4.2.E of the 1997 Charter.

[335] Derived from Chapter III, §2 (second sentence) and §4 of the 1947 Act and 1956 Act.

[336] Current2022 recodification of current Article IV, §4.3.A (2006) (First sentence). Modification of Chapter III, §4 of the 1947 and 1956 Act, which established a quorum as one-third of the members and 1975 Charter (which established a majority standard); and, Article IV, §4.3.A of the 1997 Charter.

[337] Current 2022 minor modification and recodification of current Article IV, §4.3.B (2006). Regular meeting provision established in Chapter III, §4 of the 1947 and 1956 Acts. Further amended by §5 of the 1951 Special Act ("no business" provision) and Chapter III, §4 of the 1975 Charter; and, Article IV, §4.3.B of the 1997 Charter.

[338] Current Article IV, §4.3.C (2006). Special meeting provision contained in Chapter III, §4 of the 1947 and 1956 Acts,

of the Board of Finance, or the Moderator shall deem them necessary. In addition, a special meeting shall be held within ten (10) days after the submission to the Town Clerk of a written petition for a meeting signed by 1% of the electors of the Town or upon written petition signed by 10 RTM members.Selectperson, by Ordinance, establish any additional Boards and Commissions of the Town.

H. Notice[339]. The Town Clerk shall notify all RTM members of the time and place at which each regular or special RTM meeting is to be held. The notice shall be sentby mail at least five (5) days before the meeting, and a copy of such notice shall be published before the meeting in a newspaper having a general circulation in the Town and posted as required by the Freedom of Information Act. The notice shall specify the purposes for which the meeting is to be held, which shall include any business of which the Town Clerk has been notified by the First Selectman, chairman of the Board of Finance, or the Moderator, or which may be proposed in an electors' or RTM members' petition.

§4.4. Annual meetings[340], organization, and elections.

A. Date of organization meeting[341]. An organization meeting of the RTM members shall be held on the fourth Monday in November in each year.

B.(1)Election of Moderator[342]. Each organization meeting shall elect from among its voting members a moderator who shall preside at all RTM meetings and shall hold office for a term of one (1) year and until a successor is elected and has qualified. The Moderator of the RTM shall have all the powers and duties of a moderator of an open town meeting, including those set forth in C.G.S. §§ 7-7 and 7-8 of Chapter 90 of the General Statutes.

C.A. Deputy Moderator[343]. Each organization meeting shall elect from among its voting members a deputy moderator who shall hold office for a term of one year and untila successor is elected and has qualified. In the event of inability of the Moderator to act, the Deputy shall have all the powers and duties of the Moderator.

D.A. Clerk[344]. The Town Clerk or, in the event of the Town Clerk's absence, an Assistant Town Clerk, shall act as clerk of all RTM meetings.

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and 1975 Charter; and, Article IV, §4.3.C of the 1997 Charter.

[339] Current Article IV, §4.3.D (2006). Modification of Chapter III, §2 (third sentence) and §4 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.3.D of the 1997 Charter.

[340] Note: There was an annual town meeting and budget meeting in Chapter III, §6 of the 1947 Act; further amended by §6 of the 1951 Special Act, as reaffirmed by Chapter II, §6 of the 1956 Act.

[341] Current 2022 recodification of current Article IV, §4.4.A (2006). Derived from Chapter III, §6 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.4.A of the 1997 Charter.

[342] Current Article IV, §4.4.B (2006). Note: Chapter III, §3 and §4 of the 1947 and 1956 Acts and 1975 Charter refer to "presiding officer" and "moderator". Derived from Article IV, §4.4.B of the 1997 Charter.

[343] Current2022 recodification of current Article IV, §4.4.C (2006). Derived from Article IV, §4.4.C of the 1997 Charter.

[344] Current2022 recodification of current Article IV, §4.4.D (2006). Derived from Article IV, §4.4.D of the 1997 Charter.

E. Moderator Pro-tempore and Clerk Pro-tempore[345]**.** In the absence of the Moderator and the Deputy Moderator, a moderator pro-tempore may be elected from the voting members of the RTM meeting. In the absence of the Town Clerk and an Assistant Town Clerk, a clerk pro-tempore of the meeting may be elected by the meeting.

F. Rules and committees[346]**.** The RTM shall have the power to adopt standing rules for the conduct of RTM meetings and the power to appoint such committees as it shall determine.

§ 4.5. Ordinances[347]**.**

The Town Clerk shall cause any action of the RTM adopting, amending, or repealing anordinance to be published in proper summary form within one (1) week after the adjournment of the meeting at which such action was taken in a newspaper having a general circulation in the Town. The effective date of the ordinance or repeal shall be fourteen (14) days after the adjournment of the meeting at which it was passed or such later date asmay have been set by the RTM at such meeting, unless a petition for referendumconcerning the ordinance is filed as provided in Section 13.1 of this Charter.

§4.6. Appeals from the Board of Finance[348]**.**

The RTM shall have the power to hear and determine appeals from decisions of the Board of Finance as provided in Section 12.6 of this Charter.

[345] Current2022 recodification of current Article IV, §4.4.E (2006). Derived from Article IV, §4.4.E of the 1997 Charter.
[346] Current Article IV, §4.4.F (2006). Derived from Article IV, §4.4.F of the 1997 Charter.
[347] Current Article IV, §4.5 (2006). Modification of Chapter III, §8 of the 1947 and 1956 Acts and 1975 Charter and Article IV, §4.5 of the 1997 Charter.
[348] Current Article IV, §4.6 (2006). Modification of Chapter III, §13 of the 1947 and 1956 Acts and Chapter III, §12 of the 1975; see also, Modification of Chapter XVII, §5 of the 1947 and 1956 Acts and 1975 Charter; and Article IV, §4.6 of the 1997 Charter.

~~ARTICLE V - EXECUTIVE BRANCH IN GENERAL~~

~~§5.1. Composition[349].~~

~~The executive branch of the Town government shall consist of the Board of Selectmen and the elected and appointed boards, commissions, Town officers, and employees set forth in Article VI through Article X of this Charter.~~

~~§5.2. Compensation of executive branch members[350].~~

~~The members of all boards and commissions except the Board of Selectmen shall serve without compensation unless the RTM shall otherwise direct. Except as provided in this Charter or otherwise by law, the compensation of all Town officers shall be fixed by the Board of Selectmen subject to the adoption of the Town budget as provided in Article XII of this Charter.~~

~~§5.3. Official bonds[351].~~

~~The Town Clerk, Town Treasurer, Tax Collector, Building Official, and such other officers or officials as may be required to do so by the Board of Selectmen shall, before entering upon their respective official duties, execute to the Town, in the form prescribed by the Town Attorney, and file with the Town Clerk, a surety company bond in a penal sum to be fixed by the Selectmen, conditioned upon the faithful performance of such official duties. Premiums for such bonds shall be paid by the Town.~~

~~§5.4. Regulations[352].~~

~~Any Town officer, board, or commission empowered to enact regulations under the provisions of the General Statutes or of this Charter shall hold at least one public hearing before the enactment of such regulations. Except as otherwise provided by statute, the time and place of such hearing together with a copy of the proposed regulations shall be published at least once not more than ten (10) nor less than five (5) days before the date set for such hearing.~~

~~Except as otherwise provided by statute, any such regulation shall be superseded by an ordinance adopted by the RTM affecting the same subject matter.~~

~~[349] Current2022 recodification and minor modification of current Article V, §5.1VIII, §8.2.A (2006). Derived from Article V, §5.1VIII, §8.2.A of the 1997 Charter.~~

~~[350] Current Article V, §5.2 (2006). Derived from Modification of Chapter II, §8 and Chapter IV, §5 of the 1947 Act and 1956 Act; Chapter II, §7 of the 1975 Charter and Article V, §5.2 of the 1997 Charter.~~

~~[351] Current Article V, §5.3 (2006). Derived from Modification of Chapter II, §9 of the 1947 Act and 1956 Act; Chapter II, §9 of the 1975 Charter and Article V, §5.3 of the 1997 Charter.~~

~~[352] Current Article V, §5.4 (2006). Chapter XXVI, §8 of the 1975 Charter; and, Article V, §5.4 of the 1997 Charter.~~

CHARTER OF THE TOWN OF FAIRFIELD

~~ARTICLE VI - BOARD OF SELECTMEN AND FIRST SELECTMAN~~

~~§6.1. Board of Selectmen.~~

~~A. Composition and Election[353].~~

~~(0) There shall be a Board of Selectmen which shall consist of the First Selectman and two (2) other Selectmen, no more than two (2) of whom shall be registered with the same political party.~~

~~(0) Each political party may nominate not more than one (1) candidate forFirst Selectman and not more than one (1) candidate for Selectman. Candidates shall be listed separately on the ballot.~~

~~(0) Each elector may vote for one (1) candidate for First Selectman and no more than one (1) candidate for Selectman.~~

~~(0) The candidate for First Selectman receiving the highest number of votes shall be elected First Selectman. The two (2) of the remaining candidates, whether for First Selectman or Selectman, receiving the highest number of votes shall be elected to the two (2) remaining Selectmen positions.~~

~~(0) If the minority party candidate receiving the most votes does not take office, then the other minority party candidate shall be deemed elected to the office.~~

~~**B. Meetings[354].** The Selectmen shall hold their first meeting not later than the fourth (4th) Monday of November after their election. The First Selectman shall be chairman of the Board of Selectmen and shall preside over all of its meetings[355]. The Selectmen shall meet at least twice each month[356].~~

~~**C. General powers and duties[357].** The executive authority of the Town shall be vested in the Board of Selectmen, except to the extent such authority is expressly granted to the First Selectman in this Charter. The Board of Selectmen shall have the powers and duties vested in them by the General Statutes, except those expressly vested in the First Selectman by this Charter or by~~

~~[353] Current Article VI, §6.1.A (2006). Derived from Article VI, §6.1.A of the 1997 Charter.~~

~~[354] Current Article VI, §6.1.B (2006). Derived from Chapter IV, §2 of the 1947 and 1956 Acts and 1975 Charter; and, Article VI, §6.1.B of the 1997 Charter.~~

~~[355] Derived from Chapter IV, §1 of the 1947 Act; further amended by §8 of the 1951 Act and affirmed by Chapter IV, §1 of the 1956 Act and the 1975 Charter; and, Article VI, §6.1.B of the 1997 Charter.~~

~~[356] Derived from Chapter IV, §2 of the 1947 Act and 1956 Act.~~

~~[357] Current Article VI, §6.1.C (2006). Derived from Chapter IV, §3(a) and (c) of the 1947 Act and 1956 Act. Note: Subsection 3(b) of both Acts confers the authority of the Board of Sewer Commissioners upon the Board of Selectmen and the Department of Public Works as set forth under Special Act No. 222 (1929); see also, Chapter XXVI of the 1956 Special Act; Chapter IV, §3 and Chapter XXIV of the 1975 Charter; and, Article VI, §6.1.C of the 1997 Charter.~~

ordinance. In particular:

(1) All contracts to which the Town shall be a party shall be subject to approval of the Board of Selectmen, except contracts authorized to be made by or on behalf of the Board of Education. The Selectmen shall have the power to delegate their authority to other Town officers, employees, and bodies where the contract would be fora duration of less than one month and would involve an expenditure by or income to the Town of less than $10,000. "Contracts" shall mean all contractual relations of the Town, including, without limitation, purchase contracts, lease contracts, and service contracts. This requirement of approval by the Board of Selectmen shall not be construed toeliminate review by other persons or bodies where required by this Charter, by ordinance,or by the General Statutes.

(2) All Town officers, boards, commissions, and employees of the Town appointed by the Board of Selectmen shall be responsible to them for the faithful performance of their respective duties and shall render a report to the Selectmen whenever requested to do so. The Selectmen shall have the power to investigate any and all Town offices, departments and agencies of the Town and for such purpose shall have the power to issue subpoenas[358].

The Selectmen shall review the budgets of all Town officers, commissions, boards, and departments of the Town and make such recommendations in connection with such budgets to the Board of Finance as they deem necessary.

D. **Appointment powers**[359]. The Board of Selectmen shall appoint the Town officers, commissions, boards, and employees set forth in Section 1.4.B(2) and any other directors or department heads for which no other appointment provision is made in this Charter. The Board of Selectmen shall also appoint the members of any other board, commission, or committee for which no other appointment provision is made in this Charter, or which is required by an ordinance or the General Statutes.

E.(a)**Advisory boards, commissions, and committees**[360]. The Selectmen may appoint such advisory boards, commissions, and committees as they deem necessary or useful from time to time to study and advise on any matters which are the concern of the Town.

F. **Membership on boards, commissions, and committees**[361]. Except as otherwise expressly provided in Section 10.13 of this Charter, each member of the Board of Selectmen shall

[358] Current Article VI, §6.1.C(2) (2006). Modification of Chapter IV, §4 of the 1947, 1956 Acts and 1975 Charter; see also, Article VI, §6.1C.ii of the 1997 Charter; and, Article VI, §6.1C.2 of the 2006 Charter . **Please note the Special Act authority to issue subpoenas.**

[359] Current Article VI, §6.1.D (2006). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.

[360] Current Article VI, §6.1.E (2006). Modification of Chapter XXIV, §3 of the 1947 and 1956 Act; Chapter XXVI, 1 of the 1975 Charter; and, Article VI, §6.1.E of the 1997 Charter. .

[361] Current Article VI, §6.1.F (2006). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.F of the 1997 Charter.

be an ex officio member, without vote, on all town boards, commissions, and committees.

G. Reorganization of departments[362].

Notwithstanding any provisions of this Charter, the Board of Selectmen may propose to the RTM a resolution which may alter the method of appointment to or organization of any Town office, department, board, commission, or agency of the Town, including combining or separating the duties of such individuals or bodies. The resolution will effect the change when enacted by the RTM in the form of an ordinance.

(1) The ability to make such changes by ordinance shall not apply to the Police Department, the Fire Department, the Board of Library Trustees, any elected Town office, elected Town officer, elected board or commission, and any other office or body where such change by ordinance is specifically prohibited by statute.

(1) If the duties of two (2) or more bodies or Town offices are combinedor separated by ordinance, the existence, the method of appointment, the organization, powers, and duties of the prior Town offices or bodies shall cease as defined in this Charter and shall be as defined in the ordinance.

(2)(a) The method of election to any Town office, board, commission, or agency of the Town may be changed by ordinance as set forth in Section 6.1.G(1) if the method of election set forth in this Charter is or becomes improper, invalid, or ineffectivebecause of a change in the law or an ambiguity in, or erroneous provision of, this Charter.

§6.2. First Selectman.

A. Executive powers[363]. The First Selectman shall have the powers and duties vested in the office by this Charter and by the General Statutes. In particular, the First Selectman shall:

(0) Devote full time to the duties of the office;

(1) Be the town agent and the chief executive officer of the Town[364];

(2)(1) Direct the administration of all departments and officers;

(3)(1) Be responsible for the faithful execution of all laws and ordinances governing the Town;

(3) After the election of any Town official of whom an oath is required by

[362] Current Article VI, §6.1.G (2006). Derived from Chapter II, 11 of the 1975 Charter and Article VI, §6.1.G of the 1997 Charter.

[363] Current Article VI, §6.2.A (2006). Derived from Article VI, §6.2A of the 1997 Charter.

[364] Current Article VI, §6.2.A(1) and (2) are derived from Chapter IV, §3(d) of the 1947 and 1956 Acts; Chapter IV, §4 of the 1975 Charter; and, Article VI, §6.2A(1) and (2) of the 1997 Charter.

law, cause the Town official to be sworn to the faithful discharge of the duties of office;

(4)(1) Upon the request of any Selectman, inform the Board of Selectmen of the First Selectman's actions;

(5) Have the ability to delegate such authority as may be necessary to the Selectmen or to administrative assistants whose appointment may be authorized by the RTM; and

(6) Have the ability to convene the members of any or all departments,authorities, boards, commissions, and committees to review and coordinate activities and to plan operations of the Town government.

B.A. Appointment powers[365].

The First Selectman shall appoint the Town officers, commissions,boards, and employees set forth in Section 1.4.B(1), and any others required by the General Statutes or by ordinance to be appointed by the First Selectman.

(2)(1) All Town officers, commissions, boards, and employees of the Town appointed solely by the First Selectman shall be responsible to the First Selectman for the faithful performance of their respective duties and shall report to the First Selectman[366].

C.A. Designation of Acting First Selectman[367]. Immediately upon taking office, the First Selectman shall designate in writing to the Town Clerk the member of the Board of Selectmen authorized to act as First Selectman during the unavailability or temporary disability of the First Selectman and during the period from the date a vacancy occurs until a successor First Selectman takes office under the provisions of Section 6.3 of this Charter. Such designation may be changed in writing from time to time.

§6.3. Vacancies on the Board of Selectmen.

A. Long-term illness or disability of First Selectman[368]. In addition to the death or resignation of the First Selectman, a vacancy shall exist in the office of First Selectmanif the First Selectman is unable to carry out the duties of office for a period of four (4) consecutive months, as certified at the end of that period by the remaining Selectmen to the Town Clerk. The vacancy shall exist from the date of such certification.

Method of filling vacancies on the Board of Selectmen[369]. At any time a vacancy occurs on the

[365] Current2022 recodification of current Article VI, §6.2.B (2006). Derived from Article VI, §6.2B of the 1997 Charter. 2022 recodification and modification of current Article VI, §6.1.D (2006) (first sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.

[366] Derived from Chapter IV, §3(d) of the 1947 and 1956 Acts.

[367] Current Article VI, §6.2.C (2006). Derived from Article VI, §6.2.C of the 1997 Charter.

[368] Current Article VI, §6.3.A (2006). Derived from Article VI, §6.3.A of the 1997 Charter.

[369] Current Article VI, §6.3.B (2006). Derived from Article VI, §6.3.B of the 1997 Charter. See also, **Cook Littman v.**

~~Board of Selectmen, including First Selectman, a replacement, who shall be registered with the same political party as the person vacating the office, shall be designated by the remaining Selectmen. If the Selectmen designate one (1) of themselves to fill the vacancy, they shall designate another elector to fill the vacancy of Selectman so created. If the vacancy is not filled within thirty (30) days, the vacancy shall be filled in accordance with the procedure set forth in Chapter 146 of the General Statutes for filling vacancies in the office of selectman.~~

~~**Board of Selectmen of the Town of Fairfield**, 328 Conn. 758,778 (Conn. 2018) in which the Court held that this provision took precedence over the provisions of C.G.S. §9-222.~~

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE VII - ~~ELECTED OFFICERS~~

~~§ 7.1. Town Clerk[370].~~

~~A. Establishment and election[371]. There shall be a town clerk elected at the fnrsand for the term set forth in Section 2.3.C.~~

~~B.A. Powers and duties[372]. The Town Clerk shall have the powers and duties prescribed by this Charter, by ordinance, and by the General Statutes. In particular, the Town Clerk shall:~~

~~(1) Devote full time to the duties of the office;~~

~~(1) Collect the fees or compensation provided by the General Statutes to be paid to the Town Clerk;~~

~~(2) Deposit all money required to be collected by the Town Clerk with the Town Treasurer, with whom the Town Clerk shall file a full statement of receipts at the time of each deposit; and~~

~~(3)(1) Give a receipt for all money received to the person from whom it was received.~~

~~C.A. Staffing[373]. All expenses of the Town Clerk's office, including necessary clerical assistance and Assistant Town Clerks, shall be paid by the Town within the limit of the appropriation therefor.~~

~~D.A. Assistant Town Clerks[374]. The Town Clerk may appoint Assistant Town Clerks. Assistant Town Clerks shall be under the supervision of the Town Clerk and shall perform such duties as the Town Clerk specifies.~~

~~E.A. Compensation[375]. In lieu of all fees and other compensation, the Town Clerk shall receive a salary fixed by the Board of Finance.~~

~~F. Ordinances and votes[376]. The Town Clerk shall publish notice of action~~

~~[370] Derived from Chapter VII of the 1947 and 1956 Acts and 1975 Charter.~~
~~[371] Current2022 recodification of current Article VII, §7.1.A (2006). Derived from Article VII, §7.1.A of the 1997 Charter.~~
~~[372] Current Article VII, §7.1.B (2006). Derived from Article VII, §7.1.B of the 1997 Charter.~~
~~[373] Current2022 recodification of current Article VII, §7.1.C (2006). Derived from Article VII, §7.1.C of the 1997 Charter.~~
~~[374] Current2022 recodification of current Article VII, §7.1.D (2006). Derived from Article VII, §7.1.D of the 1997 Charter.~~
~~[375] Current2022 recodification of current Article VII, §7.1.E (2006). Derived from Article VII, §7.1.E of the 1997 Charter.~~
~~[376] Current2022 recodification of current Article VII, §7.1.F (2006). Derived from Article VII, §7.1.F of the 1997 Charter.~~

concerning ordinances in accordance with this Charter. All ordinances and RTM votes shall be recorded by the Town Clerk in books kept for the purpose.

G.A. Reports to Assessor and Tax Collector[377]**.** The Town Clerk shall promptly file with the Assessor and Tax Collector a complete abstract of all deeds and conveyances of land or of personal property, or of certificates of intention to transfer personal property, placed in the custody of the Town Clerk for record.

H. Vacancy[378]**.** A vacancy in the office of Town Clerk shall be filled by the Board of Selectmen from a member of the same political party until the next election where the vacancy can be filled.

§ 7.2. Other elected officers.

A. Establishment and election[379]**.** There shall be seven (7) Constables[380] and forty-five (45) Justices of the Peace[381] elected or nominated in the manner and for the terms prescribed in Section 2.3.

B. Powers and duties[382]**.** Constables and Justices of the Peace shall have the powers and duties prescribed by the General Statutes for their respective offices.

C. Vacancies[383]**.** Vacancies in the offices of Constable and Justice of the Peace shall be filled in the manner prescribed in Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.).

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[377] Current2022 recodification of current Article VII, §7.1.G (2006). Derived from Article VII, §7.1.G of the 1997 Charter.

[378] Current2022 recodification and modification of current Article VII, §7.1.H (2006). Derived from Article VII, §7.1.H of the 1997 Charter.

[379] Current2022 recodification of current Article VII, §7.2VIII, §8.1.A (2006). Derived from Article VII, §7.2VIII, §8.1.A of the 1997 Charter.

[380] Derived from of Chapter II, §1 of the 1947 and 1956 Acts and the 1975 Charter; and Article VII, §7.2.A of the 1997 Charter. Note: At all times since 1947 there have been 7 constables.

[381] Chapter II, §1 of the 1947 Act, included 14 justices of the peace; the number was raised to 18 in Chapter II, §1 of the 1956 Act; and then to 30 in Chapter II, §1 of the 1975 Charter; and them, 45 in Article VII, §7.2.A of the 1997 Charter.

[382] Current Article VII, §7.2.B (2006). Derived from Article VII, §7.2.B of the 1997 Charter.

[383] Current2022 recodification and modification of current Article VII, §7.2.C (2006). Derived from Article VII, §7.2.C of the 1997 Charter.

CHARTER OF THE TOWN OF FAIRFIELD

~~ARTICLE VIII - ELECTED BOARDS AND COMMISSIONS~~

~~§8.1. In General.~~

~~**A. Establishment and election**[384]**.** There shall be a board of education, a board of finance, a board of assessment appeals, a town plan and zoning commission, and a zoning board of appeals. The members of each board and commission shall be elected at the times and for the terms set forth in Section 2.3 of this Charter.~~

~~**B. Meetings**[385]**.**~~

~~**(1)** All elected boards and commissions, except the Board of Assessment Appeals, shall hold at least ten (10) regular stated meetings a year and shall give annual notice of such meetings as required by the General Statutes. Officers of each board and commission, except the Board of Selectmen, shall be elected annually at an organization meeting so noticed by the Town Clerk held in the month of December.~~

~~Each elected board and commission shall keep an accurate record of all its official acts, votes, meetings, and proceedings and shall designate one of its members or its clerk to keep such record. The minutes and records of boards and commissions shall be public records and shall be open for public inspection at the office of the Town Clerk, or in the office, if any, of the department involved, during regular business hours[386].~~

~~**(3)** All regular meetings of elected boards and commissions shall be open to the public except for executive sessions permitted by the General Statutes, and all elected boards and commissions shall comply with state freedom of information laws[387].~~

~~**(4)** Robert's Rules of Order shall regulate the conduct of all meetings of elected boards and commissions unless a particular board or commission otherwise specifies.~~

~~**B. Vacancies.** A vacancy in the membership of any elected board or commission shall be filled in the manner prescribed in Section 2.5 of this Charter.~~

~~§8.2. Board of Education[388].~~

~~**A. Composition**[389]**.** The Board of Education shall consist of nine (9) members, no more than six (6) of whom shall be registered with the same political party.~~

~~[384] Current Article VIII, §8.1.A (2006). Derived from Article VIII, §8.1.A of the 1997 Charter.~~
~~[385] Current Article VIII, §8.1.B (2006). Derived from Article VIII, §8.1.B of the 1997 Charter.~~
~~[386] Modification of Chapter XXIV, §1 and §2 of the 1947 and 1956 Acts; and, Chapter XXVI, §2 of the 19675 Charter.~~
~~[387] Derived from Chapter II, §6 of the 1947 and 1956 Acts; and Chapter II, §5 of the 1975 Charter.~~
~~[388] Derived from Chapter XIX of the 1947 and 1956 Acts; and Chapter XX of the 1975 Charter.~~
~~[389] Current2022 recodification and minor modification of current Article VIII, §8.24.A (2006). Derived from Article VIII, §8.24.A of the 1997 Charter.~~

~~B.~~A. ~~Powers and duties[390].~~ ~~The Board of Education shall have all the powers and duties conferred on boards of education generally by Chapter 170 of the General Statutes.~~

~~§8.3. Board of Finance.~~

~~A. Composition[391].~~ ~~The Board of Finance shall consist of nine (9) voting members, no more than six (6) of whom shall be registered with the same political party, and the Boardof Selectmen and the Fiscal Officer, ex officio, without vote.~~

~~B. Powers and duties[392].~~ ~~The Board of Finance shall appoint the outside auditorsand shall have all of the powers and duties conferred by this Charter, by ordinance, and upon boards of finance generally by Chapter 106 of the General Statutes.~~

~~C.~~A. ~~Clerk of the Board of Finance[393].~~ ~~The Board of Finance shall appoint a clerk and fix the clerk's salary. The clerk shall hold office at the pleasure of the Board of Finance. The clerk may be part time. The clerk shall:~~

~~Keep minutes of Board meetings and be the custodian of its books,papers, and data relating to the conduct of its business;~~

~~(1) Be a certified or a licensed public accountant or otherwise have experience in the financial field; and~~

~~(1) Have the right to call upon all Town departments, boards, commissions, committees, authorities, and officers for such information as the clerk may reasonably require in connection with the duties of the clerk and responsibilities of the Board of Finance.~~

~~D. Assessment system[394].~~ ~~The Board of Finance shall install and shall modernize from time to time a system by which equitable and just values of taxable property within the Town may be ascertained. The system shall provide, among other things, for the collection of data relating to each parcel of land and to each buildingwithin the Town and for the arrangement of such data in convenient and practical form for the use of the Assessor. The system may provide for the~~

~~390 Current2022 recodification of current Article VIII, §8.2.B (2006). Derived from Article VIII, §8.2.B of the 1997 Charter.~~

~~391 Current2022 recodification and minor modification of current Article VIII, §8.35.A (2006). Derived from Chapter XVIIXI, §1 of the 1947 and Act, which established five members. The Board was expanded to seven members under the 1956 ActsAct. The October election date was retained in §12 of the 1951 Act and reaffirmed by Chapter XI, §1 of the 1956 Act and the 1975 Charter; and, Article VIII, §8.35.A of the 1997 Charter.~~

~~392 Current Article VIII, §8.3.B (2006). Derived from Article VIII, §8.3.B of the 1997 Charter.~~

~~393 Current 2022 recodification of current Article VIII, §8.3.C (2006). Modification of Chapter XVII, §3 of the 1947 and 1956 Acts and the 1975 Charter; and Article VIII, §8.3.C of the 1997 Charter.~~

~~394 Current Article VIII, §8.3.D (2006). Modification of Chapter XXII of the 1947 and 1956 Acts and Chapter XXIII of the 1975 Charter, which ratified Special Act No. 511 (1935); Special Act No. 270 (1939); and, Special Act No. 367 (1941); and, Article VIII, §8.3.D of the 1997 Charter.~~

preparation and upkeep of tax maps and land maps, in the discretion of the Board of Finance.

E. Approval of budgets[395]. The Board of Finance shall approve the Town budget in the manner set forth in Article XII of this Charter.

§8.4. Board of Assessment Appeals.

A. Composition[396]. The Board of Assessment Appeals shall consist of five (5) members, to be elected in accordance with Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.).

B.A. Powers and duties[397]. The Board of Assessment Appeals shall have all the powers and duties conferred on boards of assessment appeals generally by §§ 12-110 to 12-117 of Chapter 203 of the General Statutes.

§8.5. Town Plan and Zoning Commission.

A. Composition[398]. The Town Plan and Zoning Commission shall consist of seven (7) voting members, no more than five (5) of whom shall be registered with the same political party. There shall be three (3) alternate members of the Town Plan and Zoning Commission, no more than two (2) of whom shall be registered with the same political party.

B.A. Powers and duties[399]. The Town Plan and Zoning Commission shall have all the powers and duties conferred by this Charter, by ordinance, and on zoning commissions and planning commissions generally by Chapter 124 and Chapter 126 of the General Statutes (C.G.S. §8-1 et seq. and §8-18 et seq.). In particular, the Town Plan and Zoning Commission shall:

(1) Prepare, adopt, and amend a master plan for the development of the Town, or amend any master plan previously adopted[400];

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[395] Current 2022 recodification of current Article VIII, §8.3.E (2006). Modification of Chapter XVII, §4 of the 1947 and 1956 Acts and the 1975 Charter; and, Derived from Article VIII, §8.3.E of the 1997 Charter.

[396] Current2022 recodification and minor modification of current Article VIII, §8.46.A (2006). Derived from Article VIII, §8.46.A of the 1997 Charter. The

[397] Current2022 recodification of current Article VIII, §8.4VII, §7.1.B (2006). Derived from Article VIII, §8.4VII, §7.1.B of the 1997 Charter.

[398] Current Article VIII, §8.5.A (2006). Derived from Chapter XI, §1 of the 1947 Act, which established five members. The October election date was retained in §12 of the 1951 Act and reaffirmed by Chapter XI, §1 of the 1956 Act and the 1975 Charter; and, Article VIII, §8.5.A of the 1997 Charter.

[399] Current Article VIII, §8.5.B (2006). Modification of Chapter XI, §2 of the 1947 Act. There was also an appeal to the court of common pleas in Chapter XI, §8 of the 1947 Act; further amended by §13 of the 1951 Act. The appeal to the court of common pleas was repeal by §14 of the 1951 Act. Reaffirmed by Chapter XI, §2 of the 1956 Act and the 1975 Charter; and, Article VIII, §8.5.B of the 1997 Charter.. 2022 modification and recodification of current Article VII, §7.2.B (2006). Derived from Article VII, §7.2.B of the 1997 Charter.

[400] Replacement of Chapter XI, §3 of the 1947 Act and 1956 Act.

~~(2)(1) Have control over the subdivision of land[401];~~

~~(3)(1) Make studies and recommendations on matters affecting health, recreation, traffic, and other needs of the Town dependent on, or related to, the master plan;~~

~~(1) Consider and report upon the design, location, and relation to the master plan of all new public ways, buildings, bridges, and other public places and structures[402];~~

~~(5)(1) Consider and report upon the layout of new developments in the Town[403];~~

~~(5)(1) Make detailed plans for the improvement, reconditioning, or development of areas which in its judgment contain special problems or show a trend toward lower land values; and~~

~~(5)(1) Make such other studies, recommendations, and inclusions in the master plan as will in its judgment be beneficial to the Town[404].~~

~~C. **Appointment of Planning Director[405].** The Town Plan and Zoning Commission shall appoint a Planning Director who has been approved by the First Selectman.~~

~~D. **Other employees and consultants[406].** The Town Plan and Zoning Commission may engage such employees and consultants as it requires to carry out its duties, including a zoning enforcement officer and assistants who, subject to the general supervision of the Planning Director, shall enforce all laws, ordinances, and regulations relating to zoning and planning, and shall have such other duties as the Town Plan and Zoning Commission or the Planning Director may prescribe.~~

~~§8.6. Zoning Board of Appeals[407].~~

~~A. **Composition[408].** The Zoning Board of Appeals shall consist of five (5) regular~~

~~[401] Replacement of Chapter XI, §5 of the 1947 Act. At the time a definition of "subdivision" was included in Chapter XI, §7 of the 1947 Act, which was repealed by §14 of the 1951 Act, along with §5; as reaffirmed by Chapter XI of the 1956 Act.~~

~~[402] Replacement of Chapter XI, §6 of the 1947 Act; Chapter XI, §5 of the 1956 Act; and Chapter XI, §4 of the 1975 Charter.~~

~~[403] Replacement of Chapter XI, §4 of the 1947 and 1956 Acts and Chapter XI, §5 of the 1975 Charter.~~

~~[404] Replacement of Chapter XI, §3 of the 1947 Act. Sections §2 and 3 of the 1947 Act were repealed by §15 and 16 of the 1951 Act.~~

~~[405] Current2022 recodification of current Article VIII, §8.5.C (2006). Derived from Article VIII, §8.5.C of the 1997 Charter.~~

~~[406] Current Article VIII, §8.5.D (2006). Derived from Article VIII, §8.5.D of the 1997 Charter.~~

~~[407] Modification of Chapter XII of the 1947 and 1956 Acts and 1975 Charter .~~

~~[408] Current Article VIII, §8.6.A (2006). Derived from Article VIII, §8.6.A of the 1997 Charter.~~

~~members, no more than four (4) of whom shall be registered with the same political party, and three (3) alternates, no more than two (2) of whom shall be registered with the same political party.~~

~~**B.A. Powers and duties**[409]**.** The Zoning Board of Appeals shall have the powers and duties conferred on zoning boards of appeals generally by §§ 8-5 to 8-7c of Chapter 124 of the General Statutes.~~

[409] ~~Current2022 Recodification of current Article VIII, §8.6.B (2006). Derived from Article VIII, §8.6.B of the 1997 Charter.~~

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE IX – APPOINTED TOWN OFFICERS

§97.1. Establishment Appointed Town Officers[410].

There shall be the following appointedAppointed Town officers as necessary:

A. A Town Attorney;
B. Assistant Town Attorneys;
B. A Fiscal Officer;
B. A Controller;
B. A Town Treasurer;
B. A Director of Community and Economic Development;
B. A Director of Public Works;
B. A Building Official;
B. A Director of Human and Social Services;
B. A Purchasing Agent;
B. A Director of Parks and Recreation;
B. A Director of Human Resources;
B. Internal Auditor(s);
B. An Assessor;
B. A Tax Collector;
B. A Tree Warden;
B. A Director of Health;
B. A Chief of Police;
B. A Fire Chief;
B. A Planning Director;
B. An Animal Control Officer;
B. A Conservation Director; and
B. A Town Librarian.

§9.2. Officers appointed by the First Selectman[411].as necessary:

Officers Appointed by the First Selectperson[412]. The First SelectmanSelectperson shall appoint the Appointed Town officersOfficers listed in Sections 9.1.A§ §7.2 through L.

A. § 97.12 of this Charter and §§4.3.E and F of this Charter.

Town Attorney	Assistant Town Attorney
Fiscal Officer	Controller
Town Treasurer	Director of Community and Economic Development
Director of Public Works	

[410] Current2022 recodification of current Article IX, §9.1 (2006). Derived from Article IX, §9.1 of the 1997 Charter.
[411] Current Article IX, §9.2 (2006). Derived from Article IX, §9.2 of the 1997 Charter.
[412] 2022 modification and recodification of current Article IX, §9.2 (2006). Derived from Article IX, §9.2 of the 1997 Charter.

Director of Human and Social Services
Director of Parks and Recreation
Town Administrator
Chief of Staff
Building Official
Purchasing Agent
Director of Human Resources

B. Officers appointed by the Board of Selectpersons[413]. The Board of Selectpersons shall appoint the Appointed Town Officers listed in §§7.13 through 7.17 of this Charter.

Internal Auditors
Tax Collector
Constables
Assessor
Tree Warden

C. Officers appointed by other bodies[414]. The Appointed Town Officers hereunder shall be appointed by the bodies specified in §§7.18 through 7.24 of this Charter.

Director of Health
Fire Chief
Animal Control Officer
Town Librarian
Chief of Police
Planning Director
Conservation Director

Officers Appointed by the First Selectperson

§7.2. Town Attorney[415].

A. Appointment and qualifications. The Town Attorney shall be appointed by the First ~~Selectman~~Selectperson and shall be an attorney admitted to practice in the State who has practiced in the State for at least five (5) years. The Town Attorney may be removed by the First ~~Selectman~~Selectperson without cause.

B. Compensation. The Town Attorney shall receive the compensation approved by the Board of ~~Selectmen~~Selectpersons within the appropriations made for the Town Attorney.

C. Duties. The Town Attorney shall:

(1) Be the legal advisor of, and counsel and attorney for, the Town and all Town ~~departments~~Departments, Town Officials and ~~Town officials~~the RTM, providing all necessary legal services in matters relating to the Town's interests or the official powers and duties of the Town ~~officials~~officers and employees;

(2) Prepare or review all ~~contracts~~Contracts and other instruments to which

[413] 2022 recodification of current Article IX, §9.14 (2006). Derived from Article IX, §9.12 of the 1997 Charter.
[414] 2022 recodification of current Article IX, §9.19 (2006). Derived from Article IX, §9.17 of the 1997 Charter.
[415] ~~Current~~ 2022 recodification of current Article IX, §9.3 (2006). Modification of Chapter VI of the 1947 Act; further amended by §9 of the 1951 Special Act and reaffirmed by Chapter VI of the 1956 Act and 1975 Charter.

the Town is a party or in which it has an interest;

(3) Upon the request of the Board of ~~Selectmen~~Selectpersons, or of any other Town ~~officer, board, commission,~~Officer, Board or ~~authority~~Commission, give a written opinion on any question of law relating to the powers and duties of the officer or body making the request;

(4) Upon the direction of the Board of ~~Selectmen~~Selectpersons, appear for the Town or any ~~of its officers, boards, commissions~~Town Officers, Boards and Commissions, or ~~authorities~~Departments in any litigation or any other action brought by or against the Town or any Town ~~officials~~Officials; and

(5) Prosecute or defend, appeal from or defend appeals from, and make settlements of, litigation and claims, as the Board of ~~Selectmen~~Selectpersons direct.

§~~9.4~~7.3. Assistant Town Attorneys[416].

A. Number of positions and appointment. The Board of ~~Selectmen~~Selectpersons, with the consent of the RTM, shall determine from time to time the number of Assistant Town Attorneys necessary to effectively carry out the legal business of the Town and shall increase or reduce the number of Assistant Town Attorney positions to the number determined to be necessary. The First ~~Selectman~~Selectperson may then appoint the Assistant Town Attorneys and may remove Assistant Town Attorneys without cause.

B. Qualifications. Each Assistant Town Attorney shall be an attorney admitted to practice in the State.

C. Duties. The Assistant Town Attorneys shall have the duties assigned to them by, and shall be under the supervision of, the Town Attorney.

§~~9.5~~7.4. Fiscal Officer and Controller[417].

A. Appointment and qualifications. The Fiscal Officer shall be appointed by the First ~~Selectman~~Selectperson and shall be a certified or a licensed public accountant or otherwise have experience in the financial field, in accordance with the provisions of §6.2.B of this Charter.

B. Duties of the Fiscal Officer. The Fiscal Officer shall:

(1) Establish and supervise a central accounting and internal auditing system;

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[416] ~~Current~~2022 recodification of current Article IX, §9.4 (2006). Derived from Article IX, §9.4 of the 1997 Charter.

[417] ~~Current~~2022 modification and recodification of current Article IX, §9.5 (2006). Derived from Article IX, §9.5 of the 1997 Charter.

(2) Be responsible for, and conduct a continuously current accounting of, the financial activities of the Town, including the Board of education;

(3) Audit, before payment, all payrolls, bills, invoices and claims drawn against the Town, including the Board of Education; and

(4) Countersign and approve each requisition to be paid by the Town.

C. Duties of the Controller. The Controller shall have the same qualifications as the Fiscal Officer and shall have the duties assigned by, and be under the supervision of, the Fiscal Officer. The Controller may countersign requisitions in the absence of the Fiscal Officer.

§ ~~9.6~~7.5. Town Treasurer[418].

A. Appointment and eligibility. The Town Treasurer shall be appointed by the First ~~Selectman~~Selectperson and may be removed by the First ~~Selectman~~Selectperson without cause. The Fiscal Officer may also serve as Town Treasurer. No person employed by or in the Purchasing Department may at the same time be Town Treasurer.

B. Duties. The Town Treasurer shall have the duties conferred on town treasurers by Chapter 94 of the General Statutes (C.G.S. § 7-79 et seq.) and shall serve as an ex officio member of the Board of Library Trustees. The Town Treasurer may be part-time.

§~~9.~~7.6. Director of Public Works[419].

A. Appointment and qualifications. The Director of Public Works shall be appointed by the First ~~Selectman and shall be a professional engineer registered~~Selectperson in accordance with any requirements set forth in the ~~State~~General Statutes and in accordance with the provisions of §6.2.B of this Charter.

B. Duties. The Director of Public Works shall:

(1) Administer and supervise the Department of Public Works;

(2) Have charge and control of all buildings, materials, apparatus, equipment, and documents of the Department of Public Works;

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[418] ~~Current~~2022 recodification of current Article IX, §9.6 (2006). Derived from Article IX, §9.6 of the 1997 Charter.

[419] ~~Current~~2022 modification and recodification of current Article IX, §9.7 (2006). Modification of Chapter IX of the 1947 Act and 1956 Act. Section 1 of the Act established the powers and duties of a Town Engineer as the director of the Department. Section 3 established the position of the Superintendent of Highways and Bridges. Section 4 addressed engineering issues; see, also Chapter IX of the 1975 Charter; and, Article IX, §9.7 of the 1997 Charter.

(3) ~~Be~~Follow Town Human Resources policies and procedures to assign[S9] a Town Engineer who shall be chief technical advisor of the Town and all ~~departments~~Departments, except the Board of Education, in all matters concerning the physical development of the Town and the design, construction, and maintenance of its physical plant;

(4) Be an ex officio member without vote of the Town Plan and Zoning Commission with respect to planning ~~and of~~, the Parks and Recreation Commission and the Flood Prevention, Climate Resilience and Erosion Control Board or, in the alternative may appoint a designee on said Board;

(5) Have the ability to make and enforce reasonable rules and regulations not inconsistent with this Charter or the General Statutes necessary to efficiently exercise all powers and duties imposed on the Director of Public Works and the Department of Public Works;

(6) At the request of the ~~Selectmen~~Selectpersons, furnish technical advice reasonably required for the physical functioning of the Town or its government; and

(7) Perform other reasonable and related duties as directed by the Selectpersons.
~~Selectmen.~~

C. Assistants. The Director of Public Works may request that the First ~~Selectman~~Selectperson engage superintendents and assistants to the Director of Public Works.

§~~9.8~~7.7. Building Official[420].

A. Appointment and term. The Building Official shall be appointed by the First ~~Selectmen~~Selectpersons and shall serve for a term of four (4) years.

B. Number of Assistant Building Officials and Building Inspectors. The First ~~Selectman~~Selectperson and the Building Official shall determine from time to time the number of Assistant Building Officials and Building Inspectors necessary to carry out the duties of the Building Department and, subject to appropriation, shall increase or decrease the number accordingly.

C. Duties.

(1) The Building Official and the Assistant Building Officials shall have the duties conferred by this Charter and on building officials generally by Chapter 541 of

[420] ~~Current~~ 2022 recodification of current Article IX, §9.8 (2006). Modification of Chapter X, §1 of the 1947 Act which established a Board of Building Commissioner (§§1-4); the position of Building Inspector (§5); and, Article IX, §9.8 ("Building Inspectors") of the 1997 Charter.

the General Statutes (C.G.S. § 29-250 et seq.).

(2) In particular, the Building Official and the Assistant Building Officials, under the supervision of the Building Official, shall:

(a) Inspect, supervise, regulate, and control the construction, reconstruction, altering, repairing, demolition, and removal of all structures within the Town;

(b) By diligent search and inspection, enforce all ~~laws, ordinances~~Laws, Ordinances, and ~~regulations~~Regulations governing the construction of buildings and other structures;

(c) Enforce the provisions of the Town building code;

(d) Cooperate and coordinate with the Fire Marshal in inspecting structures and enforcing provisions of the Town building code where fire safety may be a factor; and

(e) Keep complete public records of all applications made to them and of all permits and certificates of approval or occupancy issued by them and any other records required under Chapter 541.

D. Building Inspectors[421]. Building Inspectors shall perform such duties as the Building Official shall assign within the scope permitted by ~~law~~Law.

§~~9.9~~7.8. Purchasing Agent[422].

A. Appointment and qualifications. The Purchasing Agent shall be appointed by the First ~~Selectman~~Selectperson and shall have a background in business or purchasing and procurement.

B. Duties. The Purchasing Agent shall have the duties set forth in ~~Section 12.8~~§4.3.G of this Charter and such other duties as may be prescribed by the First ~~Selectman~~Selectperson.

§7.9~~.10~~. Director of Human and Social Services[423].

A. Appointment and qualifications. The Director of Human and Social Services shall be appointed by the First ~~Selectman~~Selectperson and shall be trained in social

[421] ~~Current~~ 2022 recodification of current Article IX, §9.8.D (2006). Modification of Chapter X, §6 of the 1947 and 1956 Acts; and, Article IX, §9.8.D of the 1997 Charter.
[422] ~~Current~~2022 recodification of current Article IX, §9.9 (2006). Derived from Article IX, §9.9 of the 1997 Charter.
[423] ~~Current~~ 2022 recodification of current Article IX, §9.10 (2006). Derived from Article IX, §9.10 of the 1997 Charter ("Director of Human Services").

services.

B. Duties. The Director of Human and Social Services shall:

(1) Administer and supervise a Department of Human Services;

(2) Prescribe the duties of subordinates and employees;

(3) Coordinate the work of the Department of Human Services with that of other government agencies, private social service organizations, and ~~special commissions for service to the aging and disabled in~~other entities on social services matters as authorized by the General statutes, including matters which relate to the aging, people with disabilities, veterans, youth and underserved populations of the Town;

(4) Perform other duties prescribed by the Human Services Commission and the First ~~Selectman~~Selectperson; and

(5) Report to the First ~~Selectman~~Selectperson on matters of administration and operation and to the Human Services Commission on matters of policy.

§~~9.11.~~ 7.10. Director of Parks and Recreation[424].

A. Appointment and qualifications. The Director of Parks and Recreation shall be appointed by the First ~~Selectmen~~Selectperson and shall have such qualifications as may be established by the Parks and Recreation Commission.

B. Duties. The Director of Parks and Recreation shall:

(1) Administer and supervise the Parks and Recreation Department;

(2) Recommend policy to the Parks and Recreation Commission;

(3) Submit to the Parks and Recreation Commission plans for the development and maintenance of public cemeteries, parks, playgrounds, beaches, beach facilities, marina facilities, public gardens, and other recreational areas of the Town, except for areas and facilities under the control of the Board of Education, the Golf Commission, or the Harbor Management Commission;

(4) Submit to the Golf Commission, the Board of Education, and the Harbor Management Commission plans for the development and maintenance of recreational areas under the control of the Golf Commission, Board of Education, or the Harbor Management Commission.

[424] ~~Current~~2022 recodification of current Article IX, §9.11 (2006). Derived from Article IX, §9.11 of the 1997 Charter.

(5) Submit to the Parks and Recreation Commission plans for recreation programs in the Town, except programs run by the Board of Education or the Golf Commission;

~~**(6)** Submit to the Golf Commission, the Board of Education, and the Harbor Management Commission plans for recreation programs of the Town involving facilities under the control of the Golf Commission, Board of Education, or the Harbor Management Commission.~~

~~**(8)**~~**(6)** Implement the plans approved by the Parks and Recreation Commission;
~~Commission;~~

~~**(9)**~~**(7)** Coordinate the maintenance of parks and recreation facilities with the Department of Public Works ~~which shall supervise all maintenance and construction~~;

~~**(10)**~~**(8)** Coordinate any recreational activities in Town open space areas with the Conservation Commission;

~~**(11)**~~**(9)** Perform such other duties as directed by the Parks and Recreation Commission or the First ~~Selectman~~Selectperson; and

~~**(12)**~~**(10)** Report to the First ~~Selectman~~Selectperson on matters of administration and operation and to the Parks and Recreation Commission on matters of policy.

If the Golf Commission or Harbor Management Commission ceases to exist, reference to that Commission in this ~~Section 9.11.B~~section of this Charter shall be inoperative.

§~~9.12~~7.11. Director of Community and Economic Development[425].

A. Appointment and supervision. The Director of Community and Economic Development shall be appointed by the First ~~Selectman~~Selectperson and shall report to the First ~~Selectman~~Selectperson and may be removed by the First ~~Selectman~~Selectperson without cause.

B. Duties. The Director of Community and Economic Development shall have such duties as determined by the First ~~Selectman~~Selectperson so as to manage and supervise policies and programs relating to economic development and affordable housing and any federal or state programs associated with such issues.

C. Liaison to Economic Development Commission and Affordable Housing ~~Task Force~~Committee[S10]. The Director of Community and Economic Development shall

[425] ~~Current~~2022 recodification of current Article IX, §9.12 (2006).

serve as a liaison to the Economic Development Commission and the First ~~Selectman's~~Selectperson's Affordable Housing ~~Task Force~~Committee.

§ ~~9.13~~7.12. Director of Human Resources[426].

A. Appointment and supervision. The Director of Human Resources shall be appointed by the First ~~Selectman~~Selectperson and shall report to the First ~~Selectman~~Selectperson.

B. Duties. The Director of Human Resources shall have such duties as determined by the First ~~Selectman~~Selectperson so as to manage and supervise policies and programs relating to all Town personnel practices, policies, and functions and all risk management functions associated with such issues.

~~§9.14.~~ Officers ~~appointed~~Appointed by the Board of ~~Selectmen~~[427].Selectpersons

~~The Board of Selectmen shall appoint the Town officers listed in Sections 9.1.M through P of this Charter.~~

~~§9.15~~§7.13. Internal Auditor or Auditors[428].

A. Number. The Board of ~~Selectmen~~Selectpersons shall appoint at least one (1) Internal Auditor and shall determine from time to time the number of Internal Auditors necessary to carry out the duties of the office and shall accordingly increase or decrease the number of Internal Auditors appointed.

B. Duties. The Internal Auditor or Auditors shall:

(1) Monitor the ~~departments~~Departments, officers, employees, ~~boards,~~Boards and ~~commissions~~Commissions of the Town for fiscal policy compliance;

(2) Report on a regular basis to the Fiscal Officer; and

(3) Make reports to the Board of ~~Selectmen~~Selectpersons and the Board of Finance semi-annually and at any other times requested by either board.

§~~9.16~~7.14. Assessor[429].

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426 ~~Current~~2022 recodification of current Article IX, §9.13 (2006).

427 ~~Current Article IX, §9.14 (2006). Derived from Article IX, §9.12 of the 1997 Charter.~~

428 ~~Current~~2022 recodification of current Article IX, §9.15 (2006). Derived from Article IX, §9.13 of the 1997 Charter.

429 ~~Current~~ 2022 recodification of current Article IX, §9.16 (2006). Modification of Chapter XVII, §6 and §8 of the 1947 and 1956 Acts and Chapter XVII, §6 and §7 of the 1975 Charter; and, Derived from Article IX, §9.14 of the 1997 Charter.

The Assessor shall be appointed by the Board of ~~Selectmen~~Selectpersons and shall have the powers and duties conferred on assessors generally by Chapter 203 of the General Statutes (C.G.S. § 12-40 et seq.), and, on request of the Board of Finance, shall report in writing concerning any matters pertaining to those duties. The Assessor shall have and maintain the certification required by § 12-40a of Chapter 203 of the General Statutes.

§~~9.17~~7.15. Tax Collector[430].

A. Appointment and supervision. The Tax Collector shall be appointed by the Board of ~~Selectman~~Selectpersons and shall act under the direction and control of the Fiscal Officer.

B. Duties. The Tax Collector shall have the powers and duties conferred in this Charter, by ~~ordinance~~Ordinance, and on tax collectors generally by Chapter 204 of the General Statutes (C.G.S. § 12-122 et seq.).

C. Delinquency list. The Tax Collector shall present annually, and at any other time the Board of Finance requires, a list of all amounts remaining unpaid on the rate bill for nine (9) months after becoming due. The list shall contain the name and address of each delinquent taxpayer, the amount of the tax, and, as a separate item, the interestand other charges due.

~~**D. Accounting method.** The Tax Collector shall use the double-entry system of accounting for keeping records approved by the State Commissioner of Revenue Services. However, the Tax Collector shall not be required to post collection of taxes and assessments in the tax book or tax rate bills.~~

~~**D. Special exemption.** Subject to the continuing approval of the State Commissioner of Revenue Services, any provisions of the General Statutes or of any special act inconsistent with this Section 9.17 shall not be applicable to the Town or the Tax Collector.~~

~~§9.18~~§7.16. Tree Warden[431].

The Tree Warden shall be appointed by the Board of ~~Selectmen~~Selectpersons and shall have a term of ~~one (1) year.~~two years or as otherwise provided by the General Statutes. The Tree Warden shall have the powers and duties conferred by ~~ordinance~~Ordinance and on tree wardens generally ~~by Chapter 451 of~~as set forth in the General Statutes ~~(C.G.S. §23-58 et seq.).~~[432].

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[430] ~~Current~~ 2022 recodification of current Article IX, §9.17 (2006). Modification of Chapter XVII, §7 and §8 of the 1947 and 1956 Acts and Chapter XVII, §8 of the 1975 Charter; and, Article IX, §9.15 of the 1997 Charter.
[431] ~~Current~~2022 modification and recodification of current Article IX, §9.18 (2006). Derived from Article IX, §9.16 of the 1997 Charter.
[432] **Comment of the 2022 Charter Revision Commission.** At the time of the adoption of this Charter, C.G.S. §23-58 permits a "term of two years." The duties are set forth in C.G.S. §23-59 et seq.).

§~~9.19. Officers~~7.17. Constables[433].

A. Appointment[434]. There shall be four (4) Constables appointed by ~~other bodies~~[435]:the Board of Selectpersons for staggered terms of four (4) years, subject to the transition provision. No more than two (2) shall be from the same political party.

~~The Town officers listed in Sections 9.Q through W~~**Transitional Provision.** On or about December 1~~.Q through W~~, 2023, the Board of Selectpersons shall appoint two (2) members to a term of four (4) years and two (2) members to a term of two (2) years. On and after December 1, 2025, all Constables shall be appointed to a term of four (4) years.

B. Powers and duties[436]**.** Constables shall have the powers and duties prescribed by the ~~bodies specified in Sections 9.20 through 9.26~~General Statutes for their respective offices.

C. Vacancies[437]**.** Vacancies shall be addressed as set forth in §6.6 of this Charter.

~~§9.20~~Officers appointed by other bodies.

§7.18. Director of Health[438].

A. Appointment and term. The Director of Health shall be appointed by the Board of Health with the approval of the First ~~Selectman~~Selectperson and shall serve for a term of four (4) years.

B. Qualifications[439]**.** The Director of Health shall be ~~a licensed physician or otherwise shall possess~~appointed in accordance with the ~~qualifications set forth in Chapter 368e~~requirements of the General Statutes ~~(C.G.S. §19a-200 et seq.).~~and in accordance with the provisions of §6.2.B of this Charter.

C. Powers and duties. The Director of Health shall have the powers and the

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[433] 2022 modification and recodification of current Article IX, §9.13 (2006).

[434] 2022 modification and recodification of current Article VII, §7.2.A and B (2006)(Establishment and Powers and Duties Clauses). Derived from of Chapter II, §1 of the 1947 and 1956 Acts and the 1975 Charter; and Article VII, §7.2.A of the 1997 Charter. Note: At all times since 1947 there have been 7 constables.

[435] ~~Current Article IX, §9.19 (2006). Derived from Article IX, §9.17 of the 1997 Charter.~~

[436] 2022 modification and recodification of current Article VII, §7.2.B (2006). Derived from Article VII, §7.2.B of the 1997 Charter.

[437] 2022 recodification and modification of current Article VII, §7.2.C (2006). Derived from Article VII, §7.2.C of the 1997 Charter.

[438] ~~Current~~ 2022 modification and recodification of current Article IX, §9.20 (2006). Derived from Chapter VIII, §3 of the 1947 and 1956 Acts and 1975 Charter; and, Derived from Article IX, §9.18 of the 1997 Charter.

[439] **Comment of the 2022 Charter Revision Commission:** At the time of adoption of this Charter the qualifications are set forth in Chapter 368e of the General Statutes (C.G.S. §19a-200 et seq.).

duties conferred by this Charter, by ~~ordinance~~Ordinance, and by the rules and ~~regulations~~Regulations of the Board of Health, and on town directors of health generally by Chapter 368e of the General Statutes (C.G.S. §19a-200 et seq.) and state codes and ~~regulations~~Regulations.

D. Supervision. The Director of Health shall report to the First ~~Selectman~~Selectperson on matters of administration and operation and to the Board of Health on matters of policy.

§~~9.21~~7.19. Chief of Police[440].

A. Appointment. The Chief of Police shall be appointed by the Police Commission, with the approval of the First ~~Selectman~~Selectperson, from among the three (3) highest scoring candidates who have passed a competitive examination for Chief of Police.

B. Powers and duties. The Chief of Police shall:

(1) Be the executive officer of the Police Department;

(2) Have authority to direct and control the conduct of all members and other employees of the Police Department; and

(3) Keep all records required by ~~law~~Law and by the Police Commission.

C. Departmental discipline. Subject to a contrary provision of a collective bargaining agreement, disobedience to the lawful orders of the Chief of Police shall be grounds for disciplinary action by the Police Commission. The Chief of Police shall have the power without consulting the Police Commission to impose fines of not more than two (2) ~~days'~~Days' pay or suspension of not more than one (1) week for disobedience to the Chief's lawful orders or for violations of the rules and ~~regulations~~Regulations of the Police Department[441]. The Chief of Police may recommend to the Police Commission that it take more severe disciplinary action.

D. Supervision. The Chief of Police shall report to the First ~~Selectman~~Selectperson on matters of administration and operation and to the Police Commission on matters of policy.

§~~9.22~~7.20. Fire Chief[442].

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[440] ~~Current~~2022 recodification of current Article IX, §9.21 (2006). Derived from Article IX, §9.19 of the 1997 Charter.
[441] Derived from §3 of the 1945 Act; amended by §24 of the 1951 Act.
[442] ~~Current~~2022 recodification of current Article IX, §9.22 (2006). Derived from Article IX, §9.20 of the 1997 Charter.

A. Appointment. The Fire Chief shall be appointed by the Fire Commission, with the approval of the First ~~Selectman~~Selectperson, from the three (3) highest scoring candidates who have passed a competitive examination for Fire Chief.

B. Powers and duties. The Fire Chief shall:

(1) Be the executive officer of the Fire Department;

(2) Have authority to direct and control the conduct of all members ofthe Fire Department; and

(3) Keep the records required by ~~law~~Law and by the Fire Commission.

C. Departmental discipline. Subject to a contrary provision of a collective bargaining agreement, disobedience to lawful orders of the Fire Chief shall be grounds for disciplinary action by the Fire Commission. The Fire Chief shall have power without consulting the Fire Commission to impose fines of not more than two (2) ~~days'~~Days' pay or suspension for not more than one (1) week for disobedience to lawful orders or for violations of the rules and ~~regulations~~Regulations of the Fire Department. The Fire Chief may recommend tothe Fire Commission that it take more severe disciplinary action.

D. Supervision. The Fire Chief shall report to the First ~~Selectman~~Selectperson on matters of administration and operation and to the Fire Commission on matters of policy.

§ ~~9.23~~7.21. Planning Director[443].

A. Appointment. The Planning Director shall be appointed by the Town Plan and Zoning Commission with the approval of the First ~~Selectman~~Selectperson.

B. Duties. The Planning Director shall have the duties prescribed by the Town Plan and Zoning Commission and the First ~~Selectman~~Selectperson.

C. Supervision. The Planning Director shall report to the First ~~Selectman~~Selectperson on matters of administration and operation and to the Town Plan and Zoning Commission onmatters of policy.

§~~9.24~~7.22. Animal Control Officer[444].

A. Appointment and supervision. The Animal Control Officer shall be appointed by the Police Commission and shall report to the Chief of Police.

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[443] ~~Current~~2022 recodification of current Article IX, §9.23 (2006). Derived from Article IX, §9.21 of the 1997 Charter.

[444] ~~Current~~2022 recodification of current Article IX, §9.24 (2006). Derived from Article IX, §9.22 of the 1997 Charter.

B. Powers and duties. The Animal Control Officer shall have the powers and duties prescribed by the Police Commission and conferred on animal control officers generally by Chapter 435 of the General Statutes.

§~~9.25.~~7.23. Conservation Director[445].

A. Appointment. The Conservation Director shall be appointed by the Conservation Commission with the approval of the First ~~Selectman~~Selectperson.

B. Duties. The Conservation Director shall have the duties prescribed by the Conservation Commission and the First ~~Selectman~~Selectperson.

C. Supervision. The Conservation Director shall report to the First ~~Selectman~~Selectpersonon matters of administration and operation and to the Conservation Commission on matters of policy.

§~~9.26~~7.24. Town Librarian[446].

A. Appointment and qualifications. The Town Librarian shall be appointed by the Board of Library Trustees, with the approval of the First ~~Selectman~~Selectperson, and shall have such qualifications as may be required by the Board of Library Trustees.

B. Duties. The Town Librarian shall:

(1) Report to and have such duties as are defined by the Board of Library Trustees on matters of policy, and by the First ~~Selectman~~Selectperson on matters of administration.

(2) Manage and supervise policy, programs and personnel relating to all public town libraries.

(3) Have responsibilities as set forth by the Board of Library Trustees pursuant to Sections ~~10~~8.17.C~~(5) and (6).~~.

[445] ~~Current~~2022 recodification of current Article IX, §9.25 (2006). Derived from Article IX, §9.23 of the 1997 Charter.

[446] ~~Current~~2022 recodification of current Article IX, §9.26 (2006).

CHARTER OF THE TOWN OF FAIRFIELD

ARTICLE ~~X~~VIII - SPECIFIC ~~PERMANENT~~ APPOINTED BOARDS~~, AUTHORITIES,~~ AND COMMISSIONS, AND DEPARTMENTS

§~~10~~8.1. ~~In General~~Boards and Commissions[447].

~~**A. Establishment[448].** There shall be the following permanent appointed boardsand commissions, authorities, and departments:~~

~~**(0) A conservation commission;**~~
~~**(0) A police commission and department;**~~
~~**(0) A fire commission and department;**~~
~~**(0) A police and fire retirement board;**~~
~~**(0) A department of public works;**~~
~~**(0) A board of health and public health department;**~~
~~**(0) A parks and recreation commission;**~~
~~**(0) A board of building appeals;**~~
~~**(0) A flood and erosion control board;**~~
~~**(0) A water pollution control authority;**~~
~~**(0) An historic district commission;**~~
~~**(0) An ethics commission;**~~
~~**(0) A human services commission and department;**~~
~~**(0) A board of library trustees; and**~~
~~**(0) A golf commission.**~~

A. Permanent Bodies Appointed by the First Selectperson[449]. The First Selectperson shall appoint the members of the bodies listed in this sub-section and in Section 8.2 of this Charter in the numbers and for the terms set forth therein: Conservation Commission.

B. Permanent Bodies Appointed by the Board of Selectpersons[450]. The Board of Selectpersons shall appoint the members of the bodies listed in this sub-section and in Sections 8.3 through 8.14 of this Charter in the numbers and for the terms set forth therein:

Police Commission and Dept.
Police and Fire Retirement Board
Board of Health/Public Health Dept.
Board of Building Appeals
Fire Commission and Department
Parks and Recreation Commission
Flood Prevention, Climate Resilience and Erosion Control Board

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447 2022 recodification of current Article X, §10.1.A (2006). Derived from Article X, §10.1.A of the 1997 Charter.
~~448 Current Article X, §10.1.A (2006). Derived from Article X, §10.1.A of the 1997 Charter.~~
449 2022 recodification of current Article X, §10.2 (2006). Derived from Article X, §10.2 of the 1997 Charter.
450 2022 recodification of current Article X, §10.4 (2006). Derived from Article X, §10.4 of the 1997 Charter.

Water Pollution Control Authority
Human Services Commission and Dept.
Historic District Commission
Golf Commission

C. Boards and Commissions Appointed by the Board of Selectpersons and Approved by RTM[451]. The Board of Selectpersons shall appoint the members of the body listed in this sub-section and in Sections 8.15 of this Charter in the numbers and for the terms set forth therein: Ethics Commission.

D. Self-Perpetuating Boards and Commissions approved by the Board of Selectpersons[452]. The Board of Selectpersons shall approve the members of the body listed in this sub-section and in Sections 8.16 of this Charter in the numbers and for the terms set forth therein: Board of Library Trustees.

~~R.~~E. Meetings[453].

(1) All appointed ~~boards~~Boards and ~~commissions~~Commissions except the Ethics Commission and the Board of Building Appeals shall hold at least ten (10) regular stated meetings a year and shall give annual notice of such meetings as required by the General Statutes. The Ethics Commission and the Board of Building Appeals shall meet when they have business to transact. Officers of each ~~board~~Board and ~~commission~~Commission shall be elected annually at an organization meeting so noticed by the Town Clerk held in the month of December~~.~~, with the exception of the Ethics and Golf Commissions, shall be elected annually in the month of April. No person sitting on a ~~board~~Board or ~~commission~~Commission at the designation of another ~~board~~Board or ~~commission~~Commission may be elected an officer of the ~~board~~Board or ~~commission~~Commission to which he or she has been designated.

~~**(0)** Each appointed board and commission shall keep an accurate record of all its official acts, votes, meetings, and proceedings and shall designate one (1) of its members or its clerk to keep such record. The minutes and records of such boards and commissions shall be public records and shall be open for public inspection at the office of the Town Clerk or of the department involved during regular business hours[454].~~

~~**(0)** All regular meetings of boards and commissions shall be open to the public except for executive sessions permitted by the General Statutes, and all appointed boards, and commissions, and committees shall comply with state freedom of information laws unless otherwise provided by statute[455].~~

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[451] NEW (2022).
[452] NEW (2022).
[453] ~~Current~~2022 recodification of current Article X, §10.1.B (2006). Derived from Article X, §10.1.B of the 1997 Charter.
[454] ~~Derived from Chapter XXIV, §2 of the 1947 and 1956 Special Acts; Chapter XXVI, §2 of the 1975 Charter.~~
[455] ~~Derived from Chapter II, §6 of the 1947 and 1956 Acts.~~

~~(0) Robert's Rules of Order shall regulate the conduct of all meetingsof boards and commissions unless a particular board or commission otherwise stipulates.~~

~~Y.~~F. **Vacancies**[456]**.** ~~A vacancy in the membership of any permanent appointed authority, board, or commission~~ Vacancies shall be filled ~~in the manner prescribed in Section 3.5~~as set forth in §6.6 of this Charter.

~~§10.2.~~ Bodies appointed by the First ~~Selectman~~[457]**Selectperson.**

~~The First Selectman shall appoint the members of the bodies listed in Section 10.1.A(1) of this Charter in the numbers and for the terms set forth in Section 10.3 of this Charter.~~

~~§10.3~~§8.2. Conservation Commission[458]**.**

A. Members and terms. The Conservation Commission shall consist of seven (7) members, not more than four (4) of whom shall be registered with the same political party, and three alternate members, not more than two (2) of whom shall be registered with the same political party. Both members and alternate members shall be appointed by the First ~~Selectman~~Selectperson for a term of five (5) years. Members' terms shall be staggered so that no more than two (2) members' terms expire in one (1) year. Alternate members' terms need not be staggered.

B. Powers and duties (Conservation Functions).

(1) The Conservation Commission shall have all of the powers and duties conferred by this Charter, by ~~ordinance~~Ordinance, and on conservation commissions generally by §~~-~~7-131a of Chapter 97 of the General Statutes.

(2) In order to carry out its powers, the Conservation Commission shall:

(a) Conserve, develop, supervise, and regulate natural resources, including water resources and open space land in the Town;

(b) Conduct investigations into the use and possible use of land in the Town;

(c) Keep an index of all open areas, publicly or privately owned, for the purpose of obtaining information on the proper use of such areas;

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[456] ~~Current~~2022 revision and recodification of current Article X, §10.1.C (2006). Derived from Article X, §10.1.C of the 1997 Charter.

[457] ~~Current Article X, §10.2 (2006). Derived from Article X, §10.2 of the 1997 Charter.~~

[458] ~~Current~~2022 recodification of current Article X, §10.3 (2006). Derived from Article X, §10.3 of the 1997 Charter.

(d) Have the ability to recommend to appropriate agencies plans and programs for the development and use of open areas;

(e) Have the ability, as approved by the RTM, to acquire land and easements in the name of the Town and promulgate rules and regulations, including but not limited to the establishment of reasonable charges for the use of land andeasements, for any of its purposes; and

(f) Have the ability to coordinate the activities of unofficial bodies organized for similar purposes.

C. Powers and duties (Inland Wetland Functions). The Conservation Commission shall have the powers and duties conferred by this Charter, by ordinance, and on inland wetlands and watercourses agencies generally by §§ 22a-42 to 22-44 of Chapter 440 of the General Statutes. In particular, the Commission shall:

(1) Provide for the protection, preservation, maintenance and use of inland wetlands and watercourses, for their conservation, economic, aesthetic, recreational, and other public and private uses and values in order to provide to the citizens of the Town an orderly process to balance the need for the economic growth of the Town and the use of its land with the need to protect the environment and its natural resources;

(2) Adopt, amend and promulgate such ~~regulations~~Regulations as are necessary to protect and define the inland wetlands and watercourses;

(3) Develop a comprehensive program in furtherance of its purposes;

(4) Advise, consult and cooperate with other agencies of the Town, State and Federal governments;

(5) Encourage and conduct studies and investigations and disseminate relevant information; and

(6) Inventory and evaluate the inland wetlands and watercourses in such form as it deems best suited to effect its purposes.

D. Director and other employees or consultants. The Commission shall appoint a Director with the approval of the First ~~Selectman~~Selectperson. The Commission shall have the power to engage such employees or consultants as it requires to carry out its duties, including a wetlands administrator and assistants who, subject to the general supervision of the Director, shall enforce all ~~laws~~Laws, ordinances and ~~regulations~~Regulations relating to matters over which it has jurisdiction and who shall have such other duties as the Commission or the Director may prescribe.

§10.4. Permanent bodies appointed by the Board of Selectmen[459]Selectpersons.

The Board of Selectmen shall appoint the members of the bodies listed in Sections 10.1.A(2) through (15) of this Charter in the numbers and for the terms set forth in Sections 10.5 through 10.18 of this Charter.

§10.5§8.3. Police Commission and Department[460].

A. Members and terms. The Police Commission shall consist of seven (7) members appointed by the Board of SelectmenSelectpersons, no more than four (4) of whom shall be registered with the same political party. Each member shall have a term of five (5) years with the terms staggered so that not more than two (2) terms expire in one (1) year.

B. Powers and duties. The Police Commission shall have the powers and duties conferred on police commissions generally by §7-276 of Chapter 104 of the General Statutes, except as those may be limited by this Charter. In particular, the Police Commission shall:

(1) Have general management supervision of the Police Department of the Town and of all property and equipment used by or in connection with the operation of the departmentDepartment;

(2) Make rules and regulationsRegulations consistent with the General Statutes and this Charter for the governance of the Police Department and its personnel, and may prescribe penalties for violations of its rules and regulationsRegulations;

(3) Subject to the provisions in this Charter regarding appointment of the Chief of Police, have sole power to appoint and promote to all positions in the Police Department, which appointments and promotions shall be made on the basis of merit;

(4) Determine the qualifications for each rank and grade in the Police Department; and

(5) Within the appropriations made for that purpose determine the number of officers and other employees of the Police Department and of the several ranks and grades and their compensation.

C. Appointment of Acting Chief. During the absence or disability of the Chief

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[459] Current Article X, §10.4 (2006). Derived from Article X, §10.4 of the 1997 Charter.

[460] Current 2022 recodification of current Article X, §10.5 (2006). Derived from Chapter XIV of the 1947 Act, based upon §1 of Special Act No. 186 (1945); further amended by §23 of the 1951 Act and affirmed by Chapter XIV of the 1956 Act and the 1975 Charter; and, Article X, §10.5 of the 1997 Charter.

of Police, the Police Commission may designate a member of the ~~department~~Department as Acting Chief of Police to perform the duties of the Chief of Police.

D. Appointment of special officers. Special officers for the protection of specified private property and special traffic duty or for the preservation of peace may be appointed by the Commission under such rules and ~~regulations~~Regulations as the Commission shall from time to time establish. Such officers shall serve at the pleasure of the Commission and in any event for terms not to exceed one (1) year unless re-appointed.

§~~10.6.~~ 8.4. Fire Commission and Department[461].

A. Members and terms. The Fire Commission shall consist of seven (7) members appointed by the Board of ~~Selectmen~~Selectpersons, no more than four (4) of whom shall be members ofthe same political party. Each member shall have a term of five (5) years with the terms staggered so that no more than two terms expire in one (1) year.

B. Powers and duties. The Fire Commission shall have all the powers and duties conferred on fire commissions generally by §7-301 of Chapter 104 of the General Statutes, except as those may be limited by this Charter. In particular, the Fire Commission shall:

(1) Have general management and supervision of the Fire Department of the Town and of all property and equipment used by or in connection with the operation of the ~~department~~Department, including the hydrants used for fire purposes;

(2) Make rules and ~~regulations~~Regulations consistent with the General Statutes and this Charter for the governance of the Fire Department and its personnel, and may prescribe penalties for violations of its rules and ~~regulations~~Regulations;

(3) Subject to the provisions in this Charter regarding appointment of the Fire Chief, have sole power to appoint and promote to all positions in the ~~department~~Department, and all appointments and promotions in the Fire Department shall be made on the basis ofmerit;

(4) Determine the qualifications for each rank and grade in the Fire Department; and

(5) Within the limits of the appropriations made for that purpose,determine the number of persons employed by the ~~department~~Department and of the several ranks and grades and their compensation.

C. Appointment of Acting Fire Chief. During the absence or disability of the

[461] ~~Current~~ 2022 recodification of current Article X, §10.6 (2006). Modification of Chapter XV of the 1947 and 1956 Acts and 1975 Charter. At the time the Commission membership was based upon the fire districts in town. Derived from Article X, §10.6 of the 1997 Charter.

Fire Chief, the Commission may designate a member of the ~~department~~Department as Acting Fire Chief to perform the duties of the Fire Chief.

§~~10.7~~8.5. Police and Fire Retirement Board[462].

A. Members and terms. The Police and Fire Retirement Board shall consist of seven (7) members: The First ~~Selectman~~Selectperson (who shall be ~~Chairman~~Chair), the Fiscal Officer, three (3) members appointed by the Board of ~~Selectmen~~Selectpersons for a term of three (3) years, and one (1) member to serve for a period of one (1) year, to be elected by the members of the Fire Department and members of the Police Department, respectively. No more than two (2) of ~~the~~ three (3) members appointed by the Board of ~~Selectmen~~Selectpersons shall be registered with one (1) political party and their terms shall be staggered so that not more than two (2) terms expire in one (1) year.

B. Powers and duties. The Police and Fire Retirement Board shall be the trustees of the retirement fund created under the existing police and fire retirement system for regular firefighters and police officers employed by the Town and shall have full control and management of the fund, with the power to invest and reinvest the same in accordance with the General Statutes respecting the investment of trust funds. The Police and Fire Retirement Board shall be responsible for assuring that the administration of the Police and Retirement plan is in strict accordance with the plan documents.

C. Annual report. On or before January 1 of each year, the Police and Fire Retirement Board shall file an annual report with the Board of ~~Selectmen~~Selectpersons showing the financial condition of the police and fire retirement system as of the end of the last- completed fiscal year, including an actuarial evaluation of assets and liabilities, and setting forth such other facts, recommendations and data as may be of value to the members of the police and fire retirement system of the Town.

D. Changes in retirement system. Before any change in the police and fire retirement system negotiated under the General Statutes is submitted for consideration to the Board of Finance, and for action to the RTM, the First ~~Selectman~~Selectperson shall secure a written actuarial evaluation and report of such change.

§~~10.~~8.6. Department of Public Works[463].

The Department of Public Works shall have all of the administrative powers and duties vested in the Town by this Charter or by the General Statutes with respect to the following functions of the Town:

A. The construction, reconstruction, care, maintenance, operation, altering, paving, repairing, draining, cleaning, snow clearance, lighting, and inspection of all

[462] ~~Current~~ 2022 recodification of current Article X, §10.7 (2006). Derived from Chapter XXI of the 1975 Charter and Article X, §10.7 of the 1997 Charter.
[463] ~~Current~~2022 recodification of current Article X, §10.8 (2006). Derived from Article X, §8 of the 1997 Charter.

~~public~~Town streets, highways, bridges, sidewalks, curbs, street signs, guide posts, dams, incinerators, dumps, water supply, sewerage systems, and other public improvements~~, and~~ of all buildings and equipment owned or used by the Town, except school buildings and equipment, police and fire equipment, and buildings and equipment under the control of the Board of Library Trustees;

B. The removal of encroachments and, together with the Tree Warden, the planting, preservation, care and removal of trees, shrubs and other vegetation within highways, or public places, or on Town property;

C. The maintenance, care and improvement of, and construction work required in connection with, public cemeteries, parks, playgrounds, beaches, marina facilities, and recreational areas of the Town, as requested by the ~~Selectmen~~Selectpersons, the Parks and Recreation Commission, the Conservation Commission, the Board of Education, or other bodies as may be designated by ~~ordinance~~Ordinance.

D. The custody of all maps of the Town not otherwise entrusted to any other ~~department, commission, board, authority,~~Department or Town ~~officer~~Official; and

E. The maintenance of maps or other records showing highways, building or veranda lines, street profiles, and plans and profiles of storm and sanitary sewers.

§~~10.9~~8.7. Board of Health and Public Health Department[464].

A. Members and terms of the Board of Health[465]. The Board of Health shall consist of seven (7) members, five (5) of them appointed by the Board of ~~Selectmen~~Selectpersons for four (4) year terms, one (1) designated by the Board of Education from its members, and one (1) designated by the Human Services Commission from its members. At least one (1) of the members so appointed shall be a physician. At least two (2) additional members shall be licensed health care professionals. Not more than three (3) of the members appointed by the Board of ~~Selectmen~~Selectpersons shall be registered with the same political party and their terms shall be staggered so that no more than two (2) terms expire in one (1) year. The members designated by the Board of Education and by the Human Services Commission shall not serve beyond their tenure on the appointing bodies.

B. Organization. The Board of Health shall be the general policy-making body for the Public Health Department and shall make all necessary rules and regulations for its administration.

C. Personnel[466]. The Public Health Department shall consist of a Director of

[464] ~~Current~~2022 recodification of current Article X, §10.9 (2006). Derived from Article X, §10.9 of the 1997 Charter.
[465] Derived from Chapter VIII, §1 of the 1947 Act; as further amended by §10 of the 1951 Act and reaffirmed by Chapter VIII, §1 of the 1956 Act and the 1975 Charter.
[466] Derived from Chapter VIII, §2 of the 1947 Act and the 1956 Act.

Health and such sanitarians, nurses, dental hygienists, secretaries, clerks and other personnel as may be necessary to operate the ~~department~~Department, including such physicians as may be temporarily engaged from time to time.

D. Powers and duties.

(1) The Board of Health may make and amend such reasonable rules for the promotion and preservation of the public health, health services in public schools, and sanitation as required, provided the same shall not be inconsistent with the General Statutes, the state public health code, other state departmental regulations, or the ordinances and public health code of the Town.

(2) The Board of Health shall advise the Director of Health in all matters relating to public health, and health services in the schools of the Town, and shall appoint the school and Well Child Clinic medical advisors.

§~~10.10.~~ 8.8. Parks and Recreation Commission[467].

A. Members and terms.

(1) The Parks and Recreation Commission shall consist of nine (9) voting members, eight (8) of whom shall be appointed by the Board of ~~Selectmen~~Selectpersons and one (1) of whom shall be a member of the Board of Education designated by the Board of Education to serve on the Parks and Recreation Commission. Notwithstanding ~~Section~~ §6.3~~.2~~ of this Charter, no more than five (5) of the members appointed by the Board of ~~Selectman~~Selectpersons shall belong to the same political party. The Director of Parks and Recreation and the Director of Public Works shall serve on the Parks and Recreation Commission ex officio without vote.

(2) The term of office of the members appointed by the Board of ~~Selectmen~~Selectpersons shall be five (5) years with terms staggered so that no more than two (2) members are appointed in any one year.

B. Powers and duties. The Parks and Recreation Commission shall be the policy-making body for the Parks and Recreation Department, shall together with the First ~~Selectman~~Selectperson supervise the Director of Parks and Recreation, and shall assist in establishing requirements and qualifications for personnel needed for the Department.

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[467] ~~Current~~ 2022 recodification of current Article X, §10.10 (2006). Derived from Chapter XIII of the 1947 and 1956 Acts and the Charter of 1975. At the time the Commission consisted of five members; as further amended by §17 of the 1951 Act. A Board of Recreation existed under Chapter XVI of the 1947 Act and 1975 Charter; §1 was amended and §4 was repealed by §§18 and 19 of the 1951 Act. Chapter XVI, §2 remained in effect under the 1956 Act. Derived from Article X, §10.10 of the 1997 Charter.

C. Department. The Parks and Recreation Department shall consist of a Director of Parks and Recreation and such other personnel as may be necessary to operate the ~~department~~Department.

§~~10.11.~~ 8.9. Board of Building Appeals[468].

A. Members and terms. The Board of Building Appeals shall consist of five (5) members appointed by the Board of ~~Selectmen~~Selectpersons, no more than three (3) of whom shall be registered with the same political party. The members shall have terms of five (5) years, which shall be staggered so that no more than one (1) term expires in one (1) year.

B. Qualifications. The members shall have the qualifications set forth in the State Building Code.

C. Powers and duties. The Board of Building Appeals shall have the powers and duties conferred on boards of building appeals generally by § 29-266 of Chapter 541 of the General Statutes, including hearing appeals from the decisions of the Building Inspector.

§8.10.~~12.~~ Flood Prevention, Climate Resilience and Erosion Control Board[469].

A. Members and terms. The Flood Prevention, Climate Resilience and Erosion Control Board shall consist of five (5) members appointed by the Board of ~~Selectmen~~Selectpersons, no more than three (3) of whom shall be registered with the same political party. The members shall have terms of five (5) years, which shall be staggered so that not more than one (1) term expires in one (1) year. The Director of Public Works, or a designee appointed by the Director, shall be a non-voting ex officio member of the Board.

B. Powers and duties. ~~The Flood and Erosion Control~~Said Board shall have the powers and duties conferred on flood and erosion control boards generally by §25-84 through 25-94 of Chapter 477 of the General Statutes, as amended.

~~**C. Temporary members.** If any member of the Board is disqualified from participating in any appraisal of damages or assessment of benefits, the remaining members of the Board shall appoint an elector as a temporary board member. The temporary board member shall have all of the powers and duties of the disqualified member, but only with respect to the matter as to which the member is disqualified.~~

C. §~~10.13~~Alternate Members. There shall be three (3) alternate members of

[468] ~~Current~~ 2022 recodification of current Article X, §10.11 (2006). See, §2 of Chapter X of the 1947 Act ("Board of Building Commissioners"); further amended by §11 of the 1951 Act and reaffirmed by Chapter X of the 1956 Act and the 1975 Charter; and, Article X, §10.11 of the 1997 Charter.

[469] ~~Current~~2022 modification and recodification of current Article X, §10.12 (2006). Derived from Article X, §10.12 of the 1997 Charter. Comment of the 2022 Charter Revision Commission: The change in title corresponds to the legislative changes made in P.A. 21-115.

the Board, no more than two (2) of whom shall be registered with the same political party. Alternate members shall have terms of three (3) years, which shall be staggered so that not more than one (1) term expires in one year. Such alternate members shall, when seated as herein provided, have all the powers and duties set forth for such board and its members. If a regular member is absent or is disqualified, the chairman of the board shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting"

Transitional Provision. On or about the fourth (4th) Monday of November 2022, the Board of Selectpersons shall appoint an alternate to a term of three (3) years; an alternate to a term of two (2) years; and, an alternate to a term of one (1) year. On and after the fourth (4th) Monday of November 2023, as their terms expire, alternates shall be appointed to a term of three (3) years.

§8.11. Water Pollution Control Authority[470].

A. Members and terms. The Water Pollution Control Authority shall consist of seven (7) members, one (1) of whom shall be a member of the Board of ~~Selectmen~~Selectpersons, and six (6) of whom shall be appointed by the Board of ~~Selectmen.~~Selectpersons. No more than four (4) of the members appointed by the Board of ~~Selectmen~~Selectpersons shall be registered with the same political party. The members appointed by the Board of ~~Selectmen~~Selectpersons shall have terms of four (4) years, which shall be staggered so that not more than two (2) terms expire in one (1) year. The Fiscal Officer shall be a member ex officio, without vote.

B. Organization and personnel. For purposes of this Charter, the Water Pollution Control Authority shall be deemed a commission except where any provision of this Charter of general application to commissions conflicts with a provision of the General Statutes concerning water pollution control authorities. The Water Pollution Control Authority may establish rules and adopt bylaws for the transaction of its business. The clerk of the Water Pollution Control Authority shall keep a record of its proceedings and shall be custodian of all books, papers and other documents of the Water Pollution Control Authority. The Water Pollution Control Authority may employ such personnel as may be required for the performance of its duties and may fix their compensation.

C. Powers and duties. The Water Pollution Control Authority shall have the power to:

(1) ~~Plan~~Operate, maintain and manage, and through the Department of Public Works, plan, lay out, acquire, construct, reconstruct, equip, repair, maintain, supervise and manage and, through the Department of Public Works, operate a sewerage system;

[470] ~~Current~~2022 modification and recodification of current Article X, §10.13 (2006). Derived from Article X, §10.13 of the 1997 Charter.

(2) Acquire, by purchase, condemnation or otherwise, any real property or interest in real property which it shall determine to be necessary for use in connection with such sewerage system;

(3) Apportion and assess the whole or any part of the cost of acquiring, constructing or reconstructing any sewerage system or portion thereof upon the lands and buildings in the Town which, in its judgment, shall be especially benefited by the system (whether they abut on such system or not), and upon the owners of such lands and buildings and fix the time when such assessments shall be due and payable and provide that they may be paid in such number of substantially equal annual installments, not exceeding thirty (30), as it shall determine;

(4) Establish and from time to time revise just and equitable charges or rates for connection with and use of the sewerage system;

(5) Order any owner or occupant of any real estate to which the sewerage system is available to connect the drainage and sewerage thereof with the system and to disconnect, fill up and destroy any cesspool, privy vault, drain or other arrangement on such real estate for the reception of such drainage or sewerage; and

(6) Generally, to have and possess all of the powers and duties conferred upon water pollution control authorities by the General Statutes.

§~~10.14~~8.12. Historic District Commission[471].

A. Members and terms. The Historic District Commission shall consist of five (5) members, no more than three (3) of whom shall be registered with the same political party, and three (3) alternate members, no more than two (2) of whom shall be registered with the same political party. Both members and alternate members shall be appointed by the Board of ~~Selectmen~~Selectpersons, with the advice and consent of the RTM. Terms of membership shall be for five (5) years and shall be staggered so that no more than one (1) member's term and one (1) alternate member's term expires in each year.

B. Powers and duties. The Historic District Commission shall have the powers and duties conferred upon historic district commissions and historic properties commissions generally by Chapter 97a of the General Statutes (C.G.S. §7-147a et seq.).

§8.13. Human Services Commission and Department[472].

A. Members and terms. The Human Services Commission shall consist of nine (9) members appointed by the Board of Selectpersons, not more than five (5) members of

[471] ~~Current~~2022 recodification of current Article X, §10.14 (2006). Derived from Article X, §10.14 of the 1997 Charter.

[472] 2022 recodification of current Article X, §10.16 (2006). Derived from Article X, §10.16 of the 1997 Charter.

whom shall be registered with the same political party. Members shall have terms of four (4) years which shall be staggered so that no more than four (4) terms expire in one (1) year. The Human Services Commission shall represent those social services matters in accordance with the authority set forth under the General Statutes or otherwise by Law, including matters which relate to the aging, people with disabilities, veterans, youth and underserved populations; unless other committee, task force or Board or Commission has been authorized to specifically address any particular social service matter. The Commission may form its own committees with additional persons to assist and advise the Human Services Commission in matters which concern the conditions and needs of aging and of people with disabilities.

B. Powers and duties. The Human Services Commission shall be the policy-making body for the Department of Human Services.

C. Department of Human Services.

(1) Powers and duties. The Department of Human Services, together with the Board of Selectpersons, shall have all the powers and duties relating to social services granted to and imposed upon towns by the General Statutes. The Department of Human Services shall act on behalf of the Town in all social service matters in conjunction with State and Federal agencies. Social service matters involving community health issues shall be coordinated with the Public Health Department.

(2) Acceptance and use of private donations. The Department of Human Services shall have the power to accept on behalf of the Town donations of any kind to be used generally or specifically for its purposes and to carry out any specific wishes of a donor. The power to accept donations shall not be construed to eliminate the authority any other Town Official or the RTM may have to review specific donations. All donated monies shall be delivered to the Town Treasurer to be maintained in a special account subject to the order of the Department of Human Services, in accordance with the terms of the gift in each instance.

§8.14. Golf Commission[473].

A. Members and terms. The Golf Commission shall consist of seven (7) members appointed by the Board of Selectpersons, no more than four (4) of whom shall be registered with same political party. Each member shall have a term of five (5) years, commencing April 1, with the terms staggered so that no more than two (2) terms expire in the same year. No member shall be eligible for reappointment to the Golf Commission for a period of five (5) years after the end of his or her term.

B. Powers and duties. The Golf Commission shall be the policy-making body

[473] Current2022 recodification of current Article X, §10.18 (2006). Derived from Article X, §10.18 of the 1997 Charter.

for the Par 3 Golf Course and the H. Smith Richardson Golf Course. It shall have the following powers, subject to appropriation:

(1) To make, amend and repeal bylaws, rules and regulations relative to play, hours of operation, fees, charges, and all other decisions necessary for the successful operation of those courses;

(2) To fix and revise from time to time and to charge and collect fees, rents and other charges for the use of any golf course facilities on behalf of the Town in an amount sufficient to maintain operating and maintenance expenses.

~~10~~Appointed by Board of Selectpersons and Approved by RTM

§8.15. Ethics Commission[474].

A. Members and terms.

(1) The Ethics Commission shall consist of five (5) members, appointed by unanimous vote of the Board of ~~Selectmen~~Selectpersons and confirmed by ~~majority vote~~a Majority Vote of the RTM. No more than three (3) members shall be registered with the same political party.

(2) Notice of appointment shall be served by the Board of ~~Selectmen~~Selectpersons upon the Moderator of the RTM and the Town Clerk. A vote for approval or rejection of each person appointed shall be taken at an RTM meeting held more than ten (10) ~~days~~Days after service of the notice on the Town Clerk. Failure to vote within sixty (60) ~~days~~Days of the service on the Town Clerk shall be deemed to be approval and confirmation by the RTM. If any appointment is rejected by the RTM, the Board of ~~Selectmen~~Selectpersons shall within twenty-one (21) ~~days~~Days after the rejection notify the RTM Moderator and Town Clerk of further appointments to replace the rejected appointments. The RTM shall then vote on the new appointments. These too shall be deemed approved and confirmed if not voted upon within sixty (60) ~~days~~Days of the notice.

(3) The terms shall commence on ~~July~~April 1. Terms of members shall be two (2) years and shall be staggered so that no more than three (3) terms expire in one (1) year. No member may serve more than the shorter of two (2) terms or one (1) term plus a partial term created by filling a vacancy for an unexpired term.

Transitional Provision[S11]**.** On or about July 1, 2024, the Board of Selectpersons shall appoint two (2) members to a term ending on March 30, 2025; said vacancy shall be filled on April 1, 2025 for a term of two (2) years. On or about July 1, 2023, the Board of Selectpersons shall appoint three (3)

[474] ~~Current~~2022 recodification of current Article X, §10.15 (2006). Derived from Article X, §10.15 of the 1997 Charter.

members to a term ending on March 30, 2024; said vacancy shall be filled on April 1, 2024 for a term of two (2) years.

B. Powers and duties. The Ethics Commission shall:

(1) Receive complaints alleging violations of the Standards of Conduct or any ordinance establishing a Code of Ethics for Town ~~officials~~Officials and employees;

(2) Upon sworn complaint or upon the vote of three (3) members, investigate the actions and conduct of ~~elected and appointed~~ Town ~~officials~~Officials, members of the RTM, and employees of the Town to determine whether there is probable cause that a violation has occurred of the Standards of Conduct or Code of Ethics;

(3) On its own motion issue general opinions and interpretations of the Standards of Conduct or the Code of Ethics;

(4) Upon the request of a principal officer of a ~~department~~Department, or any member of a Town ~~authority, board, commission,~~Board or ~~committee~~Commission, or any member of the RTM render an advisory opinion with respect to any specific relevant situation under the Standards of Conduct or Code of Ethics;

(5) Consider written requests for advisory opinions referred by a department head with respect to any problem submitted to the department head in writing by an employee in the ~~department~~Department (whose name need not be disclosed to the Ethics Commission) concerning that employee's duties in relationship to the Standards of Conduct or Code of Ethics where the department head elects not to decide the issue within the ~~department~~Department;

(6) Adopt such regulations as it deems advisable to assure procedures for the orderly and prompt performance of the Commission's duties;

(7) Upon a finding of probable cause initiate hearings to determine whether there has been a violation of the Standards of Conduct or Code of Ethics;

(8) Have the power to retain its own counsel, administer oaths, issue subpoenas and subpoenas *duces tecum* (enforceable upon application to the Superior Court) to compel the attendance of persons at hearings and the production of books, documents, records, and papers; and

(9) Upon finding of a violation of the Standards of Conduct or Code of Ethics, at its discretion, recommend appropriate disciplinary action to the Board of ~~Selectmen~~Selectpersons or appropriate Appointed Town Officers, including department heads.

C. Procedure.

(1) On complaints.

(a) In any investigation to determine probable cause the Ethics Commission shall honor all requests for confidentiality, consistent with the requirements of State ~~law~~Law. Unless a finding of probable cause is made or the individual against whom a complaint is filed requests it, complaints alleging a violation of the Standards of Conduct or Code of Ethics shall not be disclosed by the Ethics Commission.

(b) Any person accused of a violation shall have the right to appear and be heard by the Ethics Commission and to offer any information which may tend to show there is no probable cause to believe the person has violated any provision of the Standards of Conduct or the Code of Ethics.

(c) The Ethics Commission shall, not later than ten (10~~ days~~) Days after the termination of its probable cause investigation, notify the complaining person and the person against whom the complaint was made that the investigation has been terminated and the results.

(d) At hearings after a finding of probable cause, the Ethics Commission shall afford the person accused the protection of due process consistent with that established for state agencies under the "Connecticut Uniform Administrative Procedures Act," including but not limited to the right to be represented by counsel, the right to call and examine witnesses, the right to the production of evidence by subpoena, the right to introduce exhibits, and the right to cross-examine opposing witnesses.

(e) In the absence of extraordinary circumstances, the hearing shall be held within ninety (90~~ days~~) Days of the initiation of the investigation. The Ethics Commission shall, not later than thirty (30~~ days~~) Days after the close of the hearing, publish its findings together with a memorandum of its reasons. Any recommendation for disciplinary action shall be contained in the findings.

(f) An individual directly involved or directly affected by the action taken as a result of the Ethics Commission's findings or recommendation may seek judicial review of such action and of the Ethics Commission's findings or recommendation unless the action taken was a referral of the matter to proper authorities for criminal prosecution.

(2) On requests for advisory opinions. Within forty-five (45) ~~days~~Days from the receipt of a request for an advisory opinion, the Ethics Commission shall either render the opinion or advise as to when the opinion shall be rendered.

D. Quorum. A quorum for the Ethics Commission shall be not less than four (4) members in attendance. All members who attended all hearings on the matter, and all members who certify that they have read or heard the entire transcript of the hearing they did not attend, shall be eligible to vote on the proposed Ethics Commission action. The Ethics Commission shall find no person in violation of any provision of the Standards of Conduct or Code of Ethics except upon the concurring vote of three-fourths (3/4ths) of those members voting.

~~§10.16. Human Services Commission and Department[475].~~

~~**A. Members and terms.** The Human Services Commission shall consist of nine (9) members appointed by the Board of Selectmen, not more than five (5) members of whom shall be registered with the same political party. Members shall have terms of four (4) years which shall be staggered so that no more than four (4) terms expire in one (1) year. The Human Services Commission shall have members representing the interests of the aging and the handicapped and may form its own committees with additional persons to assist and advise the Human Services Commission in matters which concern the conditions and needs of aging and of handicapped persons.~~

~~**A. Powers and duties.** The Human Services Commission shall be the policy-making body for the Department of Human Services.~~

~~**B.**~~**A. Department of Human Services.**

~~**(0)**~~**(1) Powers and duties.** ~~The Department of Human Services, together with the Board of Selectmen, shall have all the powers and duties relating to social services granted to and imposed upon towns by the General Statutes. The Department of Human Services shall act on behalf of the Town in all social service matters in conjunction with State and Federal agencies. Social service matters involving communityhealth issues shall be coordinated with the Public Health Department.~~

~~**Acceptance and use of private donations.** The Department of Human Services shall have the power to accept on behalf of the Town donations of any kind to be used generally or specifically for its purposes and to carry out any specific wishes of a donor. The power to accept donations shall not be construed to eliminate the authority any other Town officer or body may have to review specific donations. All donated monies shall be delivered to the Town Treasurer to be maintained in a special account subject to the order of the Department of Human Services, in accordance withthe terms of~~ **Self-Perpetuating Board Approved by Board of Selectpersons**

~~**(1)**~~ **§8.16**~~gift in each instance.~~

[475] ~~Current Article X, §10.16 (2006). Derived from Article X, §10.16 of the 1997 Charter.~~

§10.17. Board of Library Trustees[476].

A. Members and terms. The Commencing on July 1, 2028, the Board of Library Trustees shall consist of the Town TreasurerChief Fiscal Officer, ex officio without vote, and six (6) trustees appointed in the following manner: Annually,by the Board of Library Trustees, with the approval of the Board of SelectmenSelectpersons, shall appoint one trustee to serve forsaid members to terms of three (3) years staggered as follows:[S12]

A.(1) Two (2) members to a term of six (6three (3) years. commencing on the 1st day of July 2026 through June 30, 2029; and, thereafter as the term may fall;

(2) Two (2) members to a term of three (3) years commencing on the 1st day of July 2027 through June 30, 2030; and, thereafter as the term may fall; and

(3) Two (2) members[477] to a term of three (3) years commencing on the 1st day of July 2028 through June 30, 2031; and, thereafter as the term may fall.

Transitional Provision. In the interim, the Board of Library Trustees shall appoint, subject to the approval of the Board of Selectpersons:

(1) On or about July 1, 2023[478], one (1) member shall be appointed to a term of three (3) years, ending on June 30, 2026;

(2) On or about July 1, 2024[479], one (1) member shall be appointed to a term of two (2) years, ending on June 30, 2026;

(3) On or about July 1, 2025[480], one (1) member shall be appointed to a term of two (2) years, ending on June 30, 2027;

(4) On or about July 1, 2026[481], one (1) member shall be appointed to a term of one (1) year, ending on June 30, 2027; and

(5) On or about July 1, 2027[482], one (1) member shall be appointed to a term of one (1) ending on June 30, 2028.

B. Vacancy and reappointment limitation. Any vacancy in the Board of Library Trustees, from any cause other than the expiration of a term, shall be filled for the remainder

[476] Current 2022 recodification of current Article X, §10.17 (2006). Derived from §1 of the 1949 Act and, further amended by §22 of the 1951 Act; and; Chapter XXV of the 1956 Special Act; Chapter XXII of the 1975 Charter; and, Article X, §10.17 of the 1997 Charter.

[477] A member is currently serving a term of 7/1/22-6/30/28.

[478] A member is currently serving a term of 7/1/17-6/30/23.

[479] A member is currently serving a term of 7/1/18-6/30/24.

[480] A member is currently serving a term of 7/1/19-6/30/25.

[481] A member is currently serving a term of 7/1/20-6/30/26.

[482] A member is currently serving a term of 7/1/21-6/30/27.

of the term by appointment by the remaining trustees, with the approval of the Board of ~~Selectmen. No person who has served a full six (6) year term as trustee shall be eligible for reappointment to the Board of Library Trustees until after the lapse of one (1) year from the expiration of that person's term of office~~Selectpersons.

C. Powers and duties. The Board of Library Trustees shall:

(1) Manage, control, maintain, and operate all property of the Town devoted to library purposes, except such property as may be under the jurisdiction of the Board of Education;

(2) ~~Establish~~Identify and ~~enforce reasonable fines~~ adopt written policies to govern the operation and ~~penalties for the violation~~programs of ~~its rules~~the Library;

~~**(2)**~~**(3)** Seek adequate funds to carry out Library operations and ~~regulations~~monitor the use of those funds to provide Library services;

~~**(3)** In addition to its free library services, have the ability to provide for the rental of books, periodicals, motion pictures, exhibits, or other library facilities;~~

(4) Turn over money which may be collected ~~in the enforcement of fines and penalties~~from revenue generating services to the Town Treasurer;

(5) Subject to appropriation~~, (a)~~ appoint a Town Librarian with the approval of the First ~~Selectman, and (b) appoint such assistant librarians, clerks, andother employees as may be necessary to~~ Selectperson and maintain ~~and operate the library facilities;~~a regular performance appraisal process; and,

~~**(6)** Determine the duties, terms of service, and the compensation of library employees; and~~

~~**(8)** Purchase such books, periodicals, publications, materials and supplies as may be useful or necessary for the operation of the library facilities of the Town.~~

(6) Ensure that the Library has a strategic plan with implementation and evaluation components.

D. Acceptance and use of private donations.

(1) Acceptance and use. Subject to the provisions contained in this Charter and in the General Statutes, the Board of Library Trustees may accept any gift of property of any character upon any terms and conditions which the donor may prescribe and which may be acceptable to the Board of Library Trustees, provided no gift which imposes upon the Town an obligation to incur any expense in order to keep, use or maintain the gift may be accepted by the Board of Library Trustees unless it is approved by the RTM. The Board of Library Trustees may establish one (1) or more library funds withany of such property and shall have the exclusive control and management of, may hold title to, and may manage and invest and

reinvest, the property in accordance with the~~laws~~Laws of the State governing the investment of trust funds.

(2) Management of funds. Subject to the terms and conditions upon which any of such property or funds shall be held, the Board of Library Trustees ~~shall transfer~~is permitted to use the gross income ~~at least quarterly~~for capital improvements to the ~~Town Treasurer to be expended by the Town for general library purposes~~library or for such special purposes as may be required to comply with the terms and conditions of any gift~~. To the extent permitted~~ or by state standards. The principal within the funds is not to be used for operational budgeting purposes and is governed and managed solely by the ~~termsand conditions upon which any of the property or funds may have been received, the~~ Board of ~~Library~~ Trustees ~~may transfer to the Town Treasurer the whole or~~. The use of any ~~part of the~~ principal ~~of any library fund~~within the funds is to be ~~expended~~used only for capital investment improvements (outside of annual operating budgets) and thus voted on by the ~~Town for general library purposes~~Board of Trustees. Subject to appropriation, the Board of Library Trustees may employ such agents, experts, and other personnel as it may deem advisable in connection with the administration and management of any of such property or funds.

~~§10.18. Golf Commission[483].~~

~~.A. Members and terms. The Golf Commission shall consist of seven (7) members appointed by the Board of Selectmen, no more than four (4) of whom shall be registered with same political party. Each member shall have a term of five (5) years, commencing April 1, with the terms staggered so that no more than two (2) terms expire in the same year. No member shall be eligible for reappointment to the Golf Commission for a period of five (5) years after the end of his or her term.~~

~~.A. Powers and duties. The Golf Commission shall be the policy making body for the Par 3 Golf Course and the H. Smith Richardson Golf Course. It shall have the following powers, subject to appropriation:~~

~~(0)(1) To make, amend and repeal bylaws, rules and regulations relative to play, hours of operation, fees, charges, and all other decisions necessary for the successful operation of those courses;~~

~~(0)(1) To fix and revise from time to time and to charge and collect fees, rents and other charges for the use of any golf course facilities on behalf of the Town in an amount sufficient to maintain operating and maintenance expenses.~~

~~483 Current2022 recodification of current Article X, §10.18 (2006). Derived from Article X, §10.18 of the 1997 Charter.~~

CHARTER OF THE TOWN OF FAIRFIELD

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ARTICLE ~~XI - STANDARDS OF CONDUCT~~IX - BUDGET PROCEDURE AND RELATED MATTERS

§~~11~~9.1. ~~Declaration~~ The Budget Process[484].

A. Cooperation of ~~policy~~[485]Town Officials and Employees[486]. The First Selectperson, Board of Selectpersons, Board of Finance, the Board of Education and RTM are required to work together, in good faith, throughout the year in order to develop and approve a Town budget. The budget shall include a delineation of all expected revenues and expenditures and, for the purposes of short- and long-term financial planning, detailed estimates of revenues, capital expenses and operating expenses all as required by this Charter and any Ordinances pertaining thereto. Each of these officials and employees of the Town are required to utilize best practices in the field of municipal and public finance, in order to comply with Law and with the generally accepted accounting principles (or such successor policies thereto) and shall embrace principles of accountability, transparency and outreach in order to expand public participation, engagement and trust in the budgetary process of the Town.

~~**A.** Elected and appointed Town officers, RTM members, members of boards, commissions, authorities, and committees, and all employees of the Town shall demonstrate by their example the highest standards of ethical conduct, to the end that the public may justifiably have trust and confidence in the integrity of government. As agents of public purpose, they shall hold their offices or positions for the benefit of the public, shall recognize that the public interest is their primary concern, and shall faithfully discharge the duties of their offices regardless of personal considerations.~~

~~**§11.2. Conflicts**~~**Fiscal year[487].** The fiscal year of ~~**interest**[488].~~

~~No elected or appointed~~ the Town ~~officer or employee or RTM member or any member of any authority, board, commission, or committee~~ shall~~:~~

~~**G.**~~**B.** ~~Solicit or accept any gift, directly or indirectly, whether~~ commence on July 1 and conclude on June 30 unless otherwise set forth in the ~~form of money, loan, gratuity, favor, service, thing or promise, or in any other form, under circumstances in which it can reasonably be inferred that the gift is intended to influence the Town officer, employee, or member in the performance of official duties; (Nothing inthis paragraph shall preclude the solicitation or acceptance of lawful contributions for election campaigns~~General Statutes.

~~**G.(1)** Disclose confidential information gained by reason of the office or position or use such information for the personal gain or benefit of anyone;~~

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484 NEW (2022).
~~485 Current Article XI, §11.1 (2006). Derived from Article XI, §11.1 of the 1997 Charter,~~
486 NEW (2022).
487 NEW (2022).
~~488 Current Article XI, §11.2 (2006). Derived from Chapter XXV of the 1975 Charter; and, Article XI, §11.2 of the 1997 Charter,~~

~~H. Knowingly have or acquire any financial interest or any personal beneficial interest, direct or indirect, in any contract or purchase order for any supplies, materials, equipment or contractual services furnished to or used by the Town in connection with any project, matter or thing which comes within the Town officer's, employee's, or member's jurisdiction or the jurisdiction of the board, commission, authority, committee or body of which the person is a member (unless such interest is acquired through being the lowest responsible bidder after public advertisement); or~~

~~I. Engage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of the official duties orwhich may tend to impair the independence of judgment in the performance of the Town officer's, employee's, or member's official duties[489].~~

~~§11.3. Disclosure of interest[490].~~

~~Any elected or appointed Town officer or employee, RTM member, or member of any board, commission, authority, or committee who possesses or who acquires such private interest as might reasonably tend to create a conflict with the public interest shall make disclosure thereof to such board, commission, authority, committee, or body and such person shall be disqualified from action on any matter involving the private interest.~~

~~§ 11.4. Fair and equal treatment[491].~~

~~A. No elected or appointed Town officer or employee, RTM member, or member of any board, commission, authority or committee shall use an official position to secure or grant special consideration, treatment, advantage, privilege, or exemption to himself or herself or to any person beyond that which is available to every other person. This provision is not intended to prevent an RTM member from properly representing the people of the member's district.~~

~~§11.5. Penalties and disciplinary action for violations[492].~~

~~The failure to comply with, or any violation of, the standards of conduct established by this Charter shall be grounds for the removal from office or discharge from employment of the offending Town officer, employee, RTM member, or member of any board, commission, authority, or committee and the Board of Selectmen in its discretion may void any contract entered into or adopted in violation of this Charter. The Board of Selectmen or the Ethics Commission may recommend disciplinary measures for RTM members who fail to comply with, or who violate, these standards, but the RTM retains the final authority to discipline its members.~~

~~[489] Subsections C. and D. may be derived from Chapter II, §6 of the 1947 and 1956 Acts.~~
~~[490] Current Article XI, §11.3 (2006). Derived from Article XI, §11.3 of the 1997 Charter,~~
~~[491] Current Article XI, §11.4 (2006). Derived from Article XI, §11.4 of the 1997 Charter,~~
~~[492] Current Article XI, §11.5 (2006). Derived from Article XI, §11.5 of the 1997 Charter,~~

~~ARTICLE XII - BUDGET PROCEDURE AND RELATED MATTERS~~

~~§12.1~~

C. Budget a public record: Public Inspection[493]. The entire budget, comprised of the general fund budget and capital budget, shall be a public record in the office of the Town Clerk and shall be open to public inspection at other designated public facilities including libraries and schools, as may be determined by the First Selectperson, Board of Selectpersons, Board of Education or the RTM. Moreover, the First Selectperson shall provide access on-line through social media, the Town web-site and dashboards and email chains to community organizations and members of the public who request such information.

D. Public Engagement[494]. The First Selectperson, Board of Selectpersons, Board of Finance, Board of Education and RTM shall develop procedures designed to encourage public participation in the budget process.

E. Budget Calendar[495]. Not later than the second (2nd) Meeting of the Board of Selectpersons, in January of each year, the Chief Fiscal Officer shall, in accordance with §9.1.A of this Charter, following consultation with the First Selectperson, the Chair of the Board of Finance and Moderator of the RTM[S13], cause to be published a budget calendar in order to inform the public of the significant requirements of the budget process, including but not limited to:

(1) Submission of Budget Estimates by Submitting Parties, as set forth in §9.3.A of this Charter;

(2) Date(s) of the Joint Review of the First Selectperson's Initial Recommendations by the Board of Selectperson, Board of Finance and RTM, as set forth in §9.3.B of this Charter;

(3) Recommendation of the Proposed Executive Budget to the Board of Finance, as set forth in §9.4.A of this Charter;

(4) Date of the Public Hearing of the Board of Finance as set forth in §9.5.B of this Charter;

(5) Date of Adoption of the Proposed Town Budget as set forth in §9.5.C of this Charter;

(6) Date of the Annual Budget Meeting and Final RTM Action on the Approved Annual Town Budget, as set forth in §§9.2 and 9.6.B of this Chapter;

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[493] NEW (2022).
[494] NEW (2022).
[495] NEW (2022).

(7) Proposed date of Board of Finance, as shall be set by the Board of Finance, determination of property tax rate as set forth in §§9.5.E and 9.7 of this Charter.

§9.2. Date of annual budget meeting[496].

The RTM shall hold the annual budget meeting on the ~~first~~second (2nd) Monday in May of each~~year.~~ year ("RTM Annual Budget Meeting").

~~**§12.2. Review and recommendation by Board of Selectmen[497].**~~

§9.3. Annual Budget Estimates.

A. Submission of ~~budgets~~General Fund and Capital Budget Estimates to ~~Selectmen.~~the First Selectperson[498]. All Town ~~officers, boards, commissions, authorities,~~Officials and ~~departments~~Departments of the Town~~ entrusted with the expenditure of Town funds~~, including the Board of Education~~,~~ ("Submitting Parties"), shall submit to the First ~~Selectman the~~ Selectperson[499]:

(1) such items and ~~d4tails~~details of their respective general fund and capital budgets for the next fiscal year~~. These~~[500]; and,

(2) any additional information which they possess (including, but not limited to, records, books, accounts, Contracts, reports and other papers and documents as specified by the First Selectperson ("Budget Estimates") all of which, in the judgment of the First Selectperson, are necessary to discharge the duties imposed upon the First Selectperson by this Charter.

~~**A.**~~Said Budget Estimates shall be submitted on or prior to a date designated by the First ~~Selectman~~Selectperson, which date shall be early enough for the ~~Selectmen~~First Selectperson to review, revise, compile and ~~submit its~~transmit recommendations to the Board of Selectpersons, Board of Finance ~~as set forth in Section 12.2B~~and RTM for purposes of a Multi-Board Budget Workshop with said Submitting Parties ("First Selectperson's Budget Recommendation" or "Budget Recommendation")[501].

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496 ~~Current~~2022 modification and recodification of current Article XII, §12.1 (2006). Derived from Article XII, §12.1 of the 1997 Charter~~.~~; and, Chapter III, §6 (second sentence) and Chapter XVII, §4 of the 1947 and 1956 Acts and 1975 Charter.

~~497 Current Article XII, §12.2 (2006). Derived from Article XII, §12.2 of the 1997 Charter.~~

498 2022 modification and recodification of current Article XII, §12.2,A (2006). Derived from Article XII, §12.2 of the 1997 Charter.

499 2022 modification and recodification of current Article XII, §12.2,A (2006)(First sentence). Derived from Article XII, §12.2 of the 1997 Charter.

500 2022 modification and recodification of current Article XII, §12.2,A (2006)(First sentence) setting forth the definition of Budget Estimate". Derived from Article XII, §12.2 of the 1997 Charter.

501 2022 modification and recodification of current Article XII, §12.2.A (2006)(Second sentence). Derived from

~~**B. Recommendations to Board of Finance.** The First Selectman shall review the budgets of all Town officers, boards, commissions, authorities, and departments of the Town required to submit budgets, and shall submit the budgets with recommendations to the Board of Selectmen. The Selectmen shall make recommendations to the Board of Finance regarding each budget reviewed by them. The recommendations of the Selectmen shall be submitted to the Board of Finance not later than two (2) months before the annual budget meeting.~~

B. Presentation before Joint Meetings of the Board of Selectpersons, Board of Finance and RTM[502].

(1) First Selectperson's Budget Recommendation. Not later than second (2nd) Monday in March, the First Selectpersons' Budget Recommendation shall be submitted to the Board of Selectpersons for consideration and to the Board of Finance and RTM for initial review. At such time the First Selectperson shall address said Budget Recommendation before a joint meeting of the Board of Selectpersons, Board of Finance and RTM.

(2) Multi-Board Budget Meetings. Following submission and budget address, the First Selectperson shall convene an initial joint budget Meeting of the Board of Selectpersons and the Board of Finance for the purpose of receiving testimony and information from all Submitting Parties, including the Board of Education on the Budget Recommendation. Said testimony shall assist the bodies in their respective reviews of the said recommendations and the impact on the Departments and taxpayers.

(a) All subsequent Meetings shall be called to order by the First Selectperson and be facilitated by the Chair of the Board of Finance and shall be conducted in accordance with rules of order to facilitate a comprehensive review to the benefit of the participating bodies and the public[503] [S14].

(b) The rules may permit expansion of the Meeting to include the RTM in the event RTM committees (not to exceed ten (10) members) would participate as a rotating group of interlocutors to participate in the questioning of the Submitting Parties.

§9.4. Review and recommendation by Board of Selectpersons to the Board of Finance.

Article XII, §12.2 of the 1997 Charter.

[502] NEW (2022)

[503] **Comment of the 2022 Charter Revision Commission:** Both the Board of Finance and RTM will have additional opportunities to discuss the budget with the First Selectperson and Submitting Parties throughout the process. The objective of this first session is to eliminate redundancy and duplication of effort where possible. We recommend the RTM create a robust committee system and allow the members of committee to handle the questions for the Submitting Parties over which they have subject-matter jurisdiction.

A. Proposed Executive Budget; Submission to Board of Finance[504]**.** Following the joint meetings, set forth in §9.3.B, and any other meetings it deems necessary to review the First Selectperson's Budget Recommendation, the Board of Selectpersons shall make recommendation of a Proposed Executive Budget to the Board of Finance, not later than the fourth (4th) Monday of March. The Proposed Executive Budget shall be in the form, and shall contain the details, required by the Board of Finance from time to time[505].

C.B. Variation of procedure[506]**.** The Board of Selectmen Selectpersons, with the approval of the Board of Finance, may modify and vary the budget submission process in the interest of efficiency or in the event of special circumstances.

§12.39.5. Review and recommendation by Board of Finance[507]**.**

A. Submission of budgets to Board of Finance. Each budget shall be in the form, and shall contain the details, required by the Board of Finance from time to time.

A. Further examination[508]**.** The Board of Finance may hold meetings to review the Proposed Executive Budget as it determines necessary prior to the Public Hearing set forth in §9.5.B of this Charter.

C.B. Public hearing by Board of Finance[509]**.** The Board of Finance shall hold a public hearing on the budget during the month of March in each year Proposed Executive Budget prior to the public meeting set forth in §9.5.C of this Charter.

C. Publication of final budget. Proposed Town Budget: Submission to RTM[510]**.** After the public hearing referred to as set forth in Paragraph §9.5.B of this Charter, the Board of Finance shall hold a public meeting not later than one (1) month before the annual budget meeting the fourth (4th) Monday in April at which time it shall consider act upon all matters relating to the budget and shall publish the final budget in a newspaper of general circulation in Proposed Executive Budget. Thereafter, the Board of Finance's Proposed Town Budget shall be submitted to the RTM.

D. Board of Finance Presentation of the Proposed Town not later than five (5) days before the annual budget meeting.

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504 2022 modification and recodification of current Article XII, §12.2.B (2006). Derived from Article XII, §12.2 of the 1997 Charter.

505 2022 Recodification of current Article XII, §12.3.A (2006). Derived from Article XII, §12.3 of the 1997 Charter.

506 2022 Recodification of current Article XII, §12.2.C (2006). Derived from Article XII, §12.2 of the 1997 Charter.

507 Current Article XII, §12.3 (2006). Derived from Article XII, §12.3 of the 1997 Charter.

508 NEW (2022).

509 2022 modification and recodification of current Article XII, §12.3.B (2006). Derived from Article XII, §12.3 of the 1997 Charter.

510 2022 modification and recodification of current Article XII, §12.3.C (2006). Derived from Article XII, §12.3 of the 1997 Charter.

~~E.~~D. ~~Recommendations~~Budget to RTM[511]. The Board of Finance shall ~~make its recommendations regarding~~ present the Proposed Town Budget to the ~~budget to the~~ RTM for consideration at the ~~annual budget meeting~~RTM Annual Budget Meeting.

~~F.~~E. Determination of property tax rate[512]. After the ~~annual budget meeting~~RTM Annual Budget Meeting and receipt of the report on the grand list from the Board of Assessment Appeals, the Board of Finance shall determine the rate of property tax for the next fiscal year, taking into account the provisions of §9.7.

§~~12.4~~9.6. Review and determination by the RTM[513]: Approved Annual Town Budget.

A. RTM Deliberations and Further Examination[514]. The RTM may hold meetings ~~to review the budget~~, as it determines necessary before the ~~annual budget meeting.~~Public Hearing set forth in §9.6.C of this Charter and the Annual Budget Meeting.

B. The Approved Annual Town Budget[515]. At the ~~annual budget meeting~~Annual Meeting, the RTM shall ~~determine~~act upon the ~~annual appropriations~~Annual Town Budget for the next fiscal year~~.~~:

§~~12.5~~9.7. Effect of referendum on the budget[516].

Any item in the ~~budget~~Approved Annual Town Budget referred to a referendum vote as provided in ~~Article XIII~~§3.6 of this Charter and disapproved shall be amended to accord with such vote. In the event of a referendum affecting any item contained in the annual Town budget, the time within which the Board of Finance shall determine the Town tax for the year following such appropriation shall be extended to five (5) ~~days~~Days after the referendum vote.

§~~12.6~~9.8. Appeals from the Board of Finance[517].

A. Appeals to RTM[518]. Any Town ~~officer, board, commission, authority, committee~~ Official (where a Board or ~~department~~Commission, by majority vote of its members) or

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[511] 2022 modification and recodification of current Article XII, §12.3.D (2006). Derived from Article XII, §12.3 of the 1997 Charter.

[512] 2022 modification and recodification of current Article XII, §12.3.E (2006). Derived from Article XII, §12.3 of the 1997 Charter.

[513] ~~Current Article XII, §12.4 (2006). Derived from Article XII, §12.4 of the 1997 Charter.~~

[514] 2022 modification and recodification of current Article XII, §12.4 (2006)(First sentence). Derived from Article XII, §12.4 of the 1997 Charter.

[515] 2022 modification and recodification of current Article XII, §12.4 (2006)(Second sentence). Derived from Article XII, §12.4 of the 1997 Charter.

[516] ~~Current~~2022 modification and recodification of current Article XII, §12.5 (2006). Derived from Article XII, §12.5 of the 1997 Charter.

[517] ~~Current Article XII, §12.6 (2006). Derived from Article XII, §12.6 of the 1997 Charter.~~

[518] 2022 modification and recodification of current Article XII, §12.6.A (2006). Derived from Article XII, §12.6 of the 1997 Charter.

Department of the Town may appeal to the RTM from a vote of the Board of Finance to recommend a reduction in the amount of any request by ~~the~~said Town ~~officer, board, commission, authority, committee, or department~~Official or Department for an appropriation of Town funds as part of the annual budget process or at another time in the fiscal year, or for a budget transfer. The Town ~~officer, board, commission, authority, committee, or department~~Official (where a Board or Commission, by a majority vote of its members) or Department may appeal to restore the entire amount originally requested or any part of such amount specified in the appeal.

B. Method of appeal[519]**.** The appeal shall be made in writing and shall be filed with the Town Clerk within ten (10) ~~days~~Days after written notice of the vote of the Board of Finance shall have been received by the Town ~~officer, board, commission, authority, committee~~Official or ~~department~~Department making the appeal.

C. RTM hearing[520]**.** Not later than the ~~annual budget meeting~~date of the RTM Annual Budget Meeting if the appeal is from a budget request, or the next regular meeting of the RTM after receiving an appeal from a vote of the Board of Finance in any other case, the RTM shall:

(1) Hold a hearing on such appeal, at which both the Board of Finance and the appellant shall be entitled to be heard;

[519] Recodification of current Article XII, §12.6.B (2006). Derived from Article XII, §12.6 of the 1997 Charter.
[520] 2022 modification and recodification of current Article XII, §12.6.C (2006). Derived from Article XII, §12.6 of the 1997 Charter.

(2) At the conclusion of the hearing, put the question of sustaining the appeal to a vote.

D. Vote necessary to sustain appeal[521]**.** If two-thirds or more of the total number of RTM members present and voting at such meeting shall vote to sustain the appeal, the requested appropriation or transfer shall be made without the recommendation of the Board of Finance, subject, with respect to the appropriation, to referendum as provided in this Charter.

§~~12.7~~9.9. Expenditure in excess of appropriation forbidden[522]**.**

No Town ~~officer, board, commission, authority, committee,~~Official or ~~department~~Department shall expend any sum for any purpose in excess of the amount appropriated by the Town for such purpose unless such expenditure shall first be approved, and appropriate transfers in the budget made, by the Board of Finance.

~~**§12.8. Purchasing authority**[523]~~**.**

~~The First Selectman and the Purchasing Agent, acting in conjunction, shall be the general purchasing authority of the Town. All supplies, materials, equipment, othercommodities, contracts for public works or services, other than professional services, required by any department, office, agency, board, authority, or commission of the Town,including the Board of Education, shall be purchased by the purchasing authority on a requisition, in such form as the Selectmen may prescribe, signed by the head of the department, office, agency, or chairman of the authority, board, commission or committee. No purchase order shall be issued without the signature of the Purchasing Agent or, in the Purchasing Agent's absence, of the First Selectman.~~

~~**§12.9. Bidding, requisition, and payment procedures**[524]~~**.**

~~The Board of Finance shall establish and may amend from time to time procedures and guidelines for bidding on purchases and contracts by the Town as well as procedures for departmental requisition and for payments.~~

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[521] 2022 modification and recodification of current Article XII, §12.6.C (2006). Derived from Article XII, §12.6 of the 1997 Charter.

[522] ~~Current~~Recodification of current Article XII, §12.7 (2006). Derived from Article XII, §12.7 of the 1997 Charter.

[523] ~~Current Article XII, §12.8 (2006). Derived from Chapter XXI of the 1947 Act; and further amended by §20 of the 1951 Act and affirmed by Chapter XXI of the 1956 Act and Chapter XVIII of the 1975 Charter. Derived from Article XII, §12.8 of the 1997 Charter.~~

[524] ~~Current Article XII, §12.9 (2006). Derived from Chapter XVIII, §4 and §5 of the 1975 Charter and Article XII, §12.9 of the 1997 Charter.~~

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ARTICLE ~~XIII – REFERENDA~~

~~A. § 13.1. Petition and time for filing~~[525]

~~A.(1) Effective date of certain RTM votes.~~ ~~Any vote of the RTM: (1) authorizing the expenditure for any specific purpose of $150,000 or more~~[526]~~; or (2) for the issue of any bonds by the Town~~[527]~~; or (3) the adoption, amendment, or repeal of an ordinance~~[528]~~; shall not be effective until the date for filing a referendum petition has passed. If within that time a petition for referendum is filed with the Town Clerk, the vote shall not be effective unless and until it has been approved by referendum.~~

~~B. Petition forms.~~ ~~Upon the request of any elector, the Town Clerk shall promptly prepare petition forms, which shall be available to any elector at the office ofthe Town Clerk, setting forth the questions sought to be presented on a referendum ballot.~~

~~C. Required number of signatures on petitions.~~ ~~To be effective, a petition for referendum must be signed by not less than 5% of the electors of the Town according to the most recent computer printout available at the time of the action or vote on which a referendum is sought, and must contain the names and addresses of the signatories.~~

~~D.(1) Time and place of filing petitions.~~ ~~A petition requesting that a referendum be held must be filed at the office of the Town Clerk not later than the close of business on the 14th day after the adjournment of the meeting at which the vote was taken. If the fourteenth (14th) day is a day on which the Town Clerk's office is closed, the petition must be filed bythe close of business on the next day that the Town Clerk's office is open.~~

~~E.(1) Special requirements for petitions on appropriations and bond issues.~~ ~~All petitions for referendum on any action of the RTM with respect to any bond issue or any appropriation in the amount required for a referendum shall set forth each item as to which a vote is desired, with the amount of the item as approved by the RTM, and the amount to which the petitioners desire it to be decreased or increased. However, no increase shall be proposed in excess of the amount approved for the item in question by the Board of Finance or by the RTM on appeal from the Board of Finance.~~

~~A. §13.2. Manner of holding referendum~~[529]~~.~~

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[525] ~~Current2022 recodification of current Article XIII, §13.1 (2006).~~

[526] ~~Current Article XIII, §13.1.A(1) (2006). Derived from Chapter III, §9 of the 1947 and 1956 Acts ($25,000.00) and the 1975 Charter ($50,000.00); and Article XIII, §13.1.A(i) of the 1997 Charter ($150,000.00).~~

[527] ~~Current Article XIII, §13.1.A(2) (2006). Derived from Chapter III, §9 of the 1947 and 1956 Acts and the 1975 Charter; and, Article XIII, §13.1.A(ii) of the 1997 Charter.~~

[528] ~~Current Article XIII, §13.1.A(3) (2006). Derived from Chapter III, §10 of the 1947 and 1957 Act and 1975 Charter; further amended by §10 of the 1951 Act; and Article XIII, §13.1.A(iii) of the 1997 Charter.~~

[529] ~~Current 2022 recodification of current Article XIII, §13.2 (2006). Derived from Chapter III, §10 of the 1947 and 1956 Acts and 1975 Charter; further amended by §7 of the 1951 Act and; Article XIII, §13.2 of the 1997 Charter.~~

A. Certification of Town Clerk. Upon the filing of a petition fulfilling the requirements of Section 13.1, the Town Clerk shall certify that fact promptly to the Board of Selectmen.

B. Date of referendum. The Board of Selectmen shall call a special meetingof all electors of the Town to be held not less than twenty-one (21) days nor more than twenty-eight (28) days afterthe date of certification by the Town Clerk for the sole purpose of voting approval or disapproval of the question or questions presented in the referendum petition.

C.(1) Voting hours and method. For any referendum, the polls shall be opened at twelve-o-clock noon and shall be closed at eight o'clock (8:00 PM) in the evening, but the hours for voting may be increased at the discretion of the Board of Selectmen. Voting shall be by voting machine or printed ballot, at the discretion of the Board of Selectmen.

D.(1) Ballots for referendum on ordinance. The ballot labels or ballots used in referenda concerning ordinances shall state the matter to be voted on in substantially the following form: "Shall the following action of the Representative Town Meeting held on (date of the meeting) be approved?" followed by a statement of the action questioned in substantially the same language and form set forth in the records of the RTM. The voting machine or printed ballot shall provide means of voting "yes" or "no" on each question sopresented.

E.(1) Ballots for referendum on appropriation and bond issue. Ballot labels or ballots used for referenda brought on appropriations and bond issues shall present separately each appropriation so referred in substantially one (1) of the following forms:

(1)(a) "Shall a special appropriation, etc. be approved?"; or

(2) "Shall a special appropriation, etc. be (increased) (decreased) to the sum of $_____?"; or

(3) "Shall the following items contained in the annual town budget be approved?;
; or

(4)(a) "Shall the following items contained in the annual town budget be(increased) (decreased) to the sum of $_____?"

F.(1) Vote necessary to pass referenda[530]. In order to reverse or modify the action taken by the RTM, the vote in favor of reversing or modifying the action must both:

[530] Current 2022 recodification of current Article XIII, §13.2.F. Derived from Chapter III, §11 of the 1947 and 1956 Acts; Chapter III, 11 of the 1975 Charter; and Article XIII, §13.2.F of the 1997 Charter.

~~**(1)** Exceed twenty-five (25%) percent of the total number of electors of the Town eligible tovote as of the close of business on the day before the election; and~~

~~**(2)**(a) Constitute a majority of votes cast on the question.~~

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ARTICLE XIVX - MISCELLANEOUS

§1410.1. Official Seal[531].

The official seal of the Town shall be as adopted atadopt, by Ordinance, a Town Meeting held July 1, 1935, and as certified to the Seal with such suitable inscription or design as it determines. Said seal shall be filed with the Office of the Secretary of the State in accordance with by the General Statutes Town Clerk. The Town Clerk shall have custody of the seal.

§1410.2. Existing ordinances[532].

All ordinances of the Town shall continue in full force and effect, except as they are inconsistent with the provisions of this Charter.

§1410.3. Separate provisions[533].

If any provision of this Charter is declared by a court of competent jurisdiction to be void or unconstitutional, such action shall not affect the validity of any other provision.

§1410.4. Periodic Review of the Charter[534] [S15].

No later than April of 2032, and no more than every ten (10) years thereafter, the Board of Selectpersons shall consider appointing a Charter Revision Commission, pursuant to the General Statutes. Nothing in this section limits the right of the Board of Selectpersons to appoint one or more Charter Revision Commissions other than the Commission required by this section, but no such Commission shall be appointed if its appointment would preclude the Board of Selectpersons from appointing a Commission as required by this section.

§10.5. Submission and effective date[535].

This Charter shall be submitted to the electorsElectors of the Town at the general election to be held Tuesday, November 7, 2006.8, 2022. Voting shall be in accordance with the lawsLaws of the State of Connecticut and the proposed Charter may be submitted in the form of one (1) or several questions as determined by the Board of Selectmen.Selectpersons. The Charter or such portions thereof as may be approved by the electorsElectors of the Town shall take effect on November 27, 2006.

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[531] Current 2022 modification and recodification of current Article XIV, §14.1. Derived from Chapter XXIV, §4 of the 1947 and 1956 Acts; and Chapter XXVI, §4 of the 1975 Charter. See, C.G.S. §7-101.

[532] Current 2022 recodification of current Article XIV, §14.2. Derived from Chapter XXIV, §5 of the 1947 and 1956 Acts; and Chapter XXVI, §5 of the 1975 Charter.

[533] Current 2022 recodification of current Article XIV, §14.3. Derived from Chapter XXIV, §6 of the 1947 and 1956 Acts; and Chapter XXVI, §6 of the 1975 Charter.

[534] NEW (2022).

[535] Current 2022 recodification of current Article XIV, §14.4. Derived from Chapter XXIV, §7 of the 1947 and 1956 Acts; and, and Chapter XXVI, §9 of the 1975 Charter.

CHARTER OF THE TOWN OF FAIRFIELD

CHARTER OF THE TOWN OF FAIRFIELD

~~APPENDIX - TRANSITION PROCEDURES~~

~~**Board**~~2022, with the exception of ~~**Education.** Prior~~provisions pertaining to the ~~enactment~~term of ~~this Charter, the Charter provided for six (6) year terms for members~~office, composition of the ~~Board~~entity or functions of ~~Education. Upon enactment of this Charter, the nine (9) membersof the Board of Education will have four (4) year terms. Members of the Board will be~~ an elected ~~at alternating Town elections so that five (5) members are elected at one (1) Town election and four (4) at the next. This will be phased in over the period from 2007 to 2013 then continue~~official, which shall be adjusted as ~~follows:~~

~~**Year of Election. Future:**~~	~~**Original Election**~~	~~**2007**~~	~~**2009**~~	~~**2011**~~	~~**2013**~~	~~**2015**~~	~~**2017**~~
~~**BOE members**~~							
~~4-year term @ 11/07~~	~~2001~~	~~2011~~		~~2015~~		~~2019~~	
~~4-year term @ 11/07~~	~~2001~~	~~2011~~		~~2015~~		~~2019~~	
~~6-year term @ 11/07; 4 years from 11/13~~	~~2001~~	~~2013~~			~~2017~~		~~2021~~
~~4-year term @ 11/09~~	~~2003~~		~~2013~~		~~2017~~		~~2021~~
~~4-year term @ 11/09~~	~~2003~~		~~2013~~		~~2017~~		~~2021~~
~~4-year term @ 11/09~~	~~2003~~		~~2013~~		~~2017~~		~~2021~~
~~4-year term @ 11/11~~	~~2005~~			~~2015~~		~~2019~~	
~~4-year term @ 11/11~~	~~2005~~			~~2015~~		~~2019~~	
~~4-year term @ 11/11~~	~~2005~~			~~2015~~		~~2019~~	
~~Total per Year:~~		~~3~~	~~3~~	~~5~~	~~4~~	~~5~~	~~4~~

~~**Police and Fire Commissions.** In order to maintain these two (2) boards with an odd number of members at all times and at the same time not have more than two (2) terms expire in the same year, two (2) new members will be appointed to each of these boards in November, 2007. One new member will havea five (5) year term. The other new member will have a three (3) year term, at the expiration of which the term will become and remain five (5) years~~set forth herein[S16].