

EAST WINDSOR CHARTER
EAST WINDSOR, CONNECTICUT

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BY *Mary Higgins*
asst TOWN CLERK

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April 8, 2010

Secretary of the State
Legislation and Elections Administration Division
30 Trinity Street
P.O. Box 150470
Hartford, CT 06115-0470

Re: Corrected Charter - Town of East Windsor

Dear Attorney Kozik:

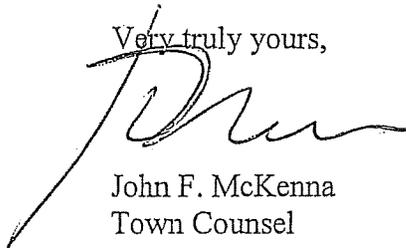
Please accept for filing and distribution three (3) certified copies of the East Windsor Charter which are enclosed. Pursuant to Connecticut General Statute 7-191, three (3) certified copies were submitted to your office late in 2009. Upon routine review it was discovered that those copies contained a scrivener's error containing language different from that proposed by the Town Charter Revision Commission; approved by the Board of Selectmen, and approved by a majority of Town electors at the last regular election.

The error appears at Section 8-5B (4), and has been corrected to read that the annual budget be increased by two (2) percent, as opposed to "not to exceed two (2) percent."

The corrected language was published in a newspaper having general circulation in East Windsor.

Thank you for your assistance in this matter.

Very truly yours,



John F. McKenna
Town Counsel

Enclosures

cc: Town Clerk
Denise Menard, First Selectman

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APR 08 2010

BY J. P. Slater
ASST. TOWN CLERK

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PREAMBLE

We, the people of the Town of East Windsor, under the constitution and laws of the State of Connecticut, in order to secure the benefits of local self-government and to provide for an honest and accountable Board of Selectmen, Town Meeting form of government, do hereby adopt this Charter and confer upon the Town the following powers, subject to the following restrictions and prescribed by the following procedures and governmental structure. By this action we secure the benefits of home rule and affirm the values of democracy, political leadership, citizen participation, with the flexibility to serve the people, conserve public resources, efficiently organize the administration of government, and meet the needs of the public.

CHAPTER I - INFORMATION AND GENERAL POWERS

Section 1-1 Incorporation

All the inhabitants dwelling within the territorial limits of the Town of East Windsor, as heretofore constituted, shall continue to be a body politic and corporate under the name of Town of East Windsor, hereinafter called "Town", and as such shall have perpetual succession and may hold and exercise all powers and privileges heretofore exercised by said Town and not inconsistent with the provisions of this Charter, the additional powers and privileges herein conferred and all powers and privileges conferred upon towns under the general law of the State of Connecticut as set forth in the Connecticut General Statutes (hereinafter referred to as "C.G.S.")

Section 1-2 Rights and Obligations

All property, both real and personal, all rights of action and rights of every description and all securities and liens vested or inchoate in said Town, as of the effective date of this Charter, are continued in said Town and said Town shall continue to be liable for all debts and obligations of every kind. Nothing herein shall be construed to affect the rights of said Town to collect any assessment, charge, debt or lien. If any contract has been entered into by said Town prior to the effective date of this Charter, or any bond or undertaking has been given by or in favor of said Town which contains provisions that the same may be enforced by any commission, board, department or officer therein named, which is abolished by the provisions of this Charter, such contracts, bonds or undertakings shall be in no manner impaired, but shall continue in full force and effect and the powers conferred and duties imposed with reference to

Section 1-2 Rights and Obligations (continued)

the same upon any commission, board, agency, department or officer shall, except as otherwise provided in this Charter, thereafter be exercised and discharged by the Board of Selectmen of said Town.

Section 1-3 General Grant of Powers

In addition to all powers granted to towns under the Constitution and C.G.S., the Town shall have all powers specifically granted by this Charter and all powers fairly implied in or incident to the powers expressly granted, and all other powers incident to the management of the property, government and affairs of the Town, including the power to enter into contracts with the United States or any federal agency, the State of Connecticut or any political subdivision thereof, for services and the use of facilities, the exercise of which is not expressly forbidden by the Constitution and general law of the State of Connecticut. The enumeration of particular powers in this and any other chapter of this Charter shall not be construed as limiting this general grant of power, but shall be considered as an addition thereto.

Section 1-4 Existing Laws and Ordinances

All general laws of the State of Connecticut applicable to the Town, and all ordinances and regulations of the Town, shall continue in full force and effect, except insofar as they are inconsistent with the provisions of this Charter. All special acts or parts thereof, relating to the Town of East Windsor, not inconsistent with the provisions of this Charter are repealed. The provisions of all special acts of the General Assembly relating to the Town of East Windsor which are not inconsistent with the provisions of this Charter are hereby retained.

CHAPTER II - ELECTIONS

Section 2-1 General

- A) **Applicability of the General Statutes.** The C.G.S., 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 Board of Selectmen shall recommend, to special Town meetings, ordinances for the manner of warning municipal elections and such additional regulations in respect of elections, in accordance with the Statutes, as may be necessary to accomplish the intent of this chapter.
- B) **State Elections. Term of Office.** Nominations and elections of federal and state officers, including Registrars of Voters, Justices of the Peace and Probate Judge, shall be conducted as prescribed by C.G.S. The term of office for the Registrar of Voters, Justice of the Peace and Judge of Probate shall be four years.
- C) **Town Elections. Term of Office.** Nominations and elections of the following Town Officers or members of Boards and Commissions shall be conducted as prescribed by C.G.S. and shall take place at the regular Town elections on the first Tuesday after the first Monday in November of each odd numbered year and in the odd numbered years hereafter in accordance with their respective terms of office, which may be modified via duly enacted Ordinance.
- (1) First Selectman – Four-year term;
 - (2) Four Members of the Board of Selectmen – Two-year term;

Section 2-1 General (continued)

- (3) Six Members of the Board of Finance – Staggered four-year term (three members each in Groups A and B);
 - (4) Two alternates to the Board of Finance – Four-year term;
 - (5) Nine Members of the Board of Education – Staggered four-year term (five members in Group A and four members in Group B);
 - (6) Three members of the Board of Assessment Appeals – Staggered four-year term (one member in Group A and two members in Group B);
 - (7) Five members of the Police Commission – Staggered four-year term (two members in Group A and three members in Group B);
 - (8) Five members of the Zoning Board of Appeals – Staggered four-year term (three members in Group A and two members in Group B);
 - (9) Three Alternates to Zoning Board of Appeals – Four-year term.
 - (10) Seven Constables– Four-year term.
- D) Qualified Resident Electors.** The Registrars of Voters shall prepare lists of qualified resident electors to vote in the manner prescribed in the Constitution of the State of Connecticut and under C.G.S
- E) Commencement of Term of Office.** The terms of all municipal officers shall commence on the fourteenth day following the municipal elections unless otherwise stated in this Charter, and they shall hold office until their successors have been chosen and qualified. The term of office of the Registrars of Voters, Judge of Probate and Justices of the Peace shall commence as stated in C.G.S.

Section 2-1 General (continued)

F) Residential Requirements for Elective Office.—All Town Officers or members of Boards and Commissions shall be resident electors of said Town.

Section 2-2 Minority Representation

The maximum number of members from any single political party on any elective or appointive board, commission, committee or similar body of the Town shall be determined in accordance with the provisions of C.G.S.

Section 2-3 Voting District

Unless otherwise established by ordinance or state law, there shall be two voting districts in the Town. The Board of Selectmen shall provide a suitable polling place in each district. The Selectman, Town Clerk, Registrars of Voters, and all other officers of the Town shall perform the duties required of them by law with respect to elections in the voting districts. All action taken under the provisions of this section shall be in accordance with C.G.S.

Section 2-4 Breaking a Tie

When any regular, special municipal election, primary election or any referendum vote conducted pursuant to the provisions of this Charter results in a tie, the tie shall be broken in accordance with provisions of C.G.S.

Section 2-5 Eligibility

No person shall be eligible for election to any Town office, board, commission or similar body who is not at the time of their election a resident elector of said Town.

Section 2-5 Eligibility (continued)

Any person ceasing to be a resident elector of said Town shall thereupon cease to hold such elective office in the Town.

Section 2-6 Board for Admission of Electors

The Town Clerk, or any Assistants, Registrars of Voters, or any Deputies shall constitute the Board for Admissions of Electors in accordance with the provisions of C.G.S.

Section 2-7 Vacancies

- A) Any vacancy in any elective Town office, excluding the Board of Education and Board of Finance, shall be filled within forty-five days of such vacancy by the Board of Selectmen for the unexpired portion of the term or until the next regular Municipal election, as defined in C.G.S., whichever shall first occur. Any such vacancy shall be filled by the appointment of a member of the same political party as the person vacating the office, or by the appointment of an unaffiliated member if the office was vacated by an unaffiliated member. Endorsement alone by any political party in this instance shall not constitute an affiliation either for the vacating member or the replacement member.
- B) In the event that the vacancy for an elective Town office is not filled by the Board of Selectmen within forty-five days, a Special election shall be held to fill such vacancy in accordance with C.G.S.
- C) The Board of Finance and the Board of Education shall fill vacancies in their said boards in accordance with C.G.S.

**CHAPTER III - DUTIES OF ELECTED TOWN OFFICERS,
BOARDS AND COMMISSIONS**

Section 3-1 General Powers and Duties

Except as otherwise provided in this Charter, all elected Town Officers and members of Board and Commissions, including members of the Board of Education, as enumerated in Section 2-1(C) of this Charter, shall have the powers and duties prescribed by C.G.S., this Charter and the ordinances.

Section 3-2 Elected, Boards and Commissions

- A) A Chairperson, Secretary and such other officers as deemed appropriate by each elective board and commission shall be chosen biennially at a meeting held within thirty days of the commencement of terms of members elected at each regular biennial Town election.
- B) Meetings shall be held in accordance with Roberts Rules of Order. All Regular Meetings shall have time allotted for public comment.
- C) Copies of all minutes taken by each board and commission, and the recorded vote of each member thereof on all issues, shall be filed with the Town Clerk and the First Selectman and posted to the website within the time specified in C.G.S., and in compliance with Freedom of Information regulations.
- D) With respect to the Boards of Finance and the Zoning Board of Appeals, if a regular member of either commission is absent or is disqualified, the Chairman of the commission shall designate an alternate to so act in place of the absent or disqualified member. The Chairman shall choose an alternate in rotation so that each

Section 3-2 Elected, Boards and Commissions (continued)

alternate shall act, as nearly as possible, an equal number of times and maintain conformity to the requirements of Section 2-2 of the Charter. If any alternate is not available, such fact shall be recorded in the minutes of the meeting.

CHAPTER IV - BOARD OF SELECTMEN

Section 4-1 Composition

The Board of Selectmen shall consist of the First Selectman, Deputy First Selectman and three other Selectmen.

Section 4-2 General Powers and Duties

- A) The Board of Selectmen shall have all the powers and duties hereinafter conferred upon said Selectmen and all those powers and duties which, on the effective date of this Charter, were conferred by C.G.S. upon Boards of Selectmen, except as otherwise specifically provided in this Charter. The First Selectman may, as needed, appoint a member of the Board of Selectmen to serve as an ex-officio, non-voting member of the several regular and special Town boards, commissions and agencies. Notification of such appointment shall be presented in writing to the affected board or commission.
- B) The Board of Selectmen shall, at least once each calendar year, call a general meeting of the chairpersons of all Town boards, agencies and commissions and Town elected and appointed officials. The purpose of these meetings shall be to coordinate the activities of all Town officers, boards, agencies and commissions.
- C) The Board of Selectmen may recommend to special Town meetings the creation, consolidation or abolition of boards, commissions, departments and offices, as set forth in Chapter VII of this Charter and may recommend to special Town meetings the adoption or repeal of ordinances.
- D) The Board of Selectmen shall make all rules and regulations relating to the purchasing and bidding procedures for the Town. The Board of Selectmen, or their appointees, shall

Section 4-2 General Powers and Duties (continued)

present the Board of Finance a program concerning municipal improvements of proposed capital projects for the ensuing fiscal year and for four fiscal years thereafter. Estimates of the costs of such projects shall be submitted annually to the Board of Selectmen by the Capital Improvement Plan Advisory Committee in accordance with Section 8-4A) of this Charter. The Board of Selectmen shall meet with the Board of Finance to recommend those projects to be undertaken during the ensuing fiscal year and a method of financing the same on a date set forth in the budget guidelines by the Board of Selectmen pursuant to Section 8-4A) of this Charter.

Section 4-3 Appointments

The Board of Selectmen shall have the power to appoint such personnel and members of boards, commissions and other similar bodies as are provided in this Charter. No member of the Board of Selectmen, including the First Selectman, during the term of office for which elected and for one year thereafter, shall be eligible for appointment to any other salaried office or position of profit with the Town.

Section 4-4 Organization

The newly elected Board of Selectmen shall meet on the fourteenth day following its election. After the oath of office administered to all members, the meeting shall be called to order by the First Selectman. At said organizational meeting the Board of Selectmen shall elect a Deputy First Selectman who shall serve as acting First Selectman in the event of the temporary absence or temporary disability of the First Selectman.

Section 4-5 Procedure

At the first meeting of the Board of Selectmen following each Town election, said Board of Selectmen shall fix the time and place of their regular meetings to be held in accordance with the provisions of C.G.S., as amended. The Board of Selectmen shall, by resolution, determine its own rules of procedure. All regular meetings and special meetings of the Board of Selectmen for the transaction of business shall be open to the public and shall afford to the electors of the Town an opportunity to address the Board of Selectmen with suggestions, petitions and complaints. The votes of all meetings shall be recorded as prescribed by C.G.S., as amended. Three members of the Board of Selectmen shall constitute a quorum. Emergency ordinances, resolutions or votes shall be adopted by affirmative vote of a majority of those members present.

Section 4-6 Emergency Powers

A) **Declaration of an Emergency.** The First Selectman or, in his absence, the Deputy First Selectman may declare that a public emergency exists or threatens to arise when such an emergency has been declared for the Town by the President of the United States, the Governor of the State of Connecticut, or upon the affirmative vote of the First Selectman and at least two (2) Selectmen. A public emergency is any condition which threatens damage or injury to property or health, or the curtailment of Town services. When a public emergency has been declared, the First Selectman may mobilize, organize and direct the forces of the Town and call upon and cooperate with the State or its political subdivisions. The First Selectman may summon, marshal deputize or otherwise engage other persons to do whatever the First Selectman may deem necessary to meet or mitigate the emergency, in accordance with the authority granted under C.G.S.

Section 4-6 Emergency Powers (continued)

- B) Appropriations for Emergencies.** The Board of Finance shall establish a maximum amount of funding for public emergencies in a contingency fund with the Town budget. The First Selectman 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 First Selectman shall report any action taken hereunder at the next meeting of the Board of Selectmen. In the event that funds in addition to the public emergency contingency are required to meet or mitigate a declared public emergency, the First Selectmen shall determine the necessary amount and seek Board of Finance approval to authorize transfers for any additional funds to meet or mitigate a declared public emergency.
- C) Power to Enact Emergency Ordinances.** On a declaration pursuant to Section 4-1A) of this Charter, the Board of Selectmen may enact ordinances or regulations to meet such emergency. The enactments shall become effective immediately upon passage. No public hearing shall be required for emergency ordinances and such ordinances shall become effective immediately, and shall be published promptly in a newspaper having general circulation in the Town. Every emergency ordinance and amendments thereto shall be automatically repealed when the First Selectman or Deputy First Selectman shall declare that the emergency no longer exists, but in no event beyond the thirty-first day from the adoption of the ordinances
- D) Emergency Meetings.** If a public emergency is declared or threatened, the First Selectman may convene the members of any or all Town Boards and Commission, or any group of Town Officials to review and coordinate activities, plan operations of the Town

Section 4-6 Emergency Powers (continued)

government or for such other purposes as he deems reasonable or expedient. The First Selectman shall preside at any such meeting, and report the outcome to the Board of Selectmen and at the next special town meeting. If a vacancy shall occur in the office of the First Selectman, the Deputy First Selectman shall assume the office of the First Selectman with all the powers and duties of an elected First Selectman. Such person shall serve until a successor has been appointed and duly qualified as provided in C.G.S. If a vacancy shall occur in the office of the Board of Selectmen, other than in the office of the First Selectman, the successor shall be appointed and duly qualified as provided in C.G.S.

Section 4-7 Vacancies in the Board of Selectmen

If a vacancy shall occur in the office of the First Selectman, the Deputy First Selectman shall assume the office of the First Selectman with all the powers and duties of an elected First Selectman. Such person shall serve until a successor has been appointed and duly qualified as provided in C.G.S. If a vacancy shall occur in the office of the Board of Selectmen, other than in the office of the First Selectman, the successor shall be appointed and duly qualified as provided in C.G.S.

Section 4-8 Compensation

The members of the Board of Selectmen, its employees and appointed personnel shall receive such compensation as may be determined by the budget submitted to and adopted as a result of the approved Annual Town Budget.

CHAPTER V - THE FIRST SELECTMAN

Section 5-1 General

Unless otherwise provided by law, the First Selectman as the Chief Executive and Administrative Officer of the town, shall, with the approval of the Board of Selectmen, have the authority to enter into, administer, and/or terminate contracts including but not limited to employment or collective bargaining agreements which obligate the Town for any and all financial agreements within the approved Annual Budget. As the Chief Contracting Officer the First Selectman may delegate signature authority for purchase orders to department heads within the approved Annual Budget. The First Selectman's position will be full-time position.

Section 5-2 Powers and Duties

The First Selectman shall have the powers and duties provided in this Charter and those provided in the Special Acts, C.G.S. and ordinances and regulations of the Town of East Windsor, consistent with this Charter.

- A) The First Selectman, or designee, shall be the official representative of the Town for all ceremonial purposes.
- B) The First Selectman shall execute, or cause to be executed, the provisions of this Charter, C.G.S. and ordinances, regulations, resolutions and policies of the Town.
- C) The First Selectman shall have ultimate responsibility for the care, maintenance and operation of all buildings, real estate, apparatus and personal property which are subject to the control of the Board of Selectmen.

Section 5-2 Powers and Duties (continued)

- D) With the approval of the Board of Selectmen, the First Selectman shall supervise the administration of the affairs of the Town, consistent with the provisions of this Charter, C.G.S. and ordinances, regulations, resolutions and policies of the Town.

CHAPTER VI - APPOINTED OFFICIALS

Section 6-1 Authority to Establish and Abolish Town Departments and Agencies

- A) The Town, acting within the powers and duties enumerated in C.G.S. and this Charter, may establish or abolish, by ordinance, such departments necessary to carry out and organize the functions of government. The express intent of this Charter is to allow the Board of Selectmen and the special town meeting the ability to organize the government in order to achieve a balance of efficiency and service to the people of the Town.
- B) The departments and agencies of the Town shall be established by ordinance, unless otherwise established by this Charter. Each of these departments shall be constituted to perform such functions and have such powers and duties as are imposed by C.G.S., this Charter and ordinances. Moreover, the director of each department established by ordinance shall be subject to the provisions of this Charter generally applicable to appointed officials.

Section 6-2 Appointments

The Board of Selectmen shall appoint officials and other personnel as they deem necessary in furtherance of the best interests of the Town. The compensation, if any, to such persons shall be determined in the same manner as provided in Section 4-8 of this Charter.

Section 6-3 Qualifications

The job qualifications of all appointed officials shall be established by ordinance following the recommendation of the First Selectman. Said job qualifications shall be prepared

Section 6-3 Qualifications (continued)

in accordance with accepted professional standards and shall be reviewed and updated every four (4) years and whenever a vacancy occurs in the position.

Section 6-4 Vacancies

Any vacancy in any position appointed by the Board of Selectmen shall be filled by the Board of Selectmen. Persons appointed to fill vacancies in said position shall serve for the period of time as specified by the Board of Selectmen, consistent with this Charter.

Section 6-5 Removal of Appointed Officials

An appointed official may be removed for cause by the Board of Selectmen. No such removal shall be effective until the official has been sent, by certified mail, postage-paid, a certified letter stating the reasons why the official is being removed. The appointed official shall have fifteen days after the date of the mailing of said letter to request a hearing before the Board of Selectmen, at which hearing the official may appear with counsel.

Section 6-6 Appointed Officials Required by the Charter

- A) **Director of Health (Or Regional Agency).** The Director of Health shall have the powers and duties, consistent with this Charter, conferred by C.G.S. on such officer. The duties of a Director of Health may be performed by a regional agency.
- B) **Town Counsel.** The Town Counsel shall be an Attorney at Law admitted to practice in the State of Connecticut and shall be retained by the Board of Selectmen. The Town Counsel shall:

Section 6-6 Appointed Officials Required by the Charter (continued)

- 1) upon request from the Board of Selectmen, appear for and protect the rights of the Town in actions, suits or procedures brought against it or any of its departments, officials, boards, commissions or other agencies of the Town;
 - 2) be the legal advisor of the Board of Selectmen, and all Town officials, boards, commissions or other agencies of the Town, in all matters affecting the Town and shall, upon request from the First Selectman or from the Chairman of any of said boards, commissions or other agencies of the Town, furnish a written opinion on any question of law involving their respective powers, duties and responsibilities;
 - 3) prepare or approve forms, contracts or other instruments to which the Town is a party or in which it has an interest;
 - 4) have the power, with the approval of the Board of Selectmen, to appeal orders, decisions and judgments and, subject to the approval of said Board of Selectmen, to compromise and settle any claims by or against the Town;
 - 5) if, in special circumstances, or for investigation purposes, the Board of Selectmen deems it advisable, they may provide for the temporary employment of counsel other than or in addition to the Town Counsel; and
 - 6) act upon those matters to come before a Special Town Meeting as stated in Section 10-5 of this Charter.
- C) Town Engineer.** The Town Engineer shall be a registered professional engineer admitted to practice in the State of Connecticut and shall be retained by the Board of Selectmen. The Town Engineer shall have such duties as prescribed by the Board of Selectmen.

Section 6-6 Appointed Officials Required by the Charter (continued)

D) Town Treasurer. The Board of Selectmen, in consultation with the Board of Finance, shall appoint a Town Treasurer who shall be qualified by training, experience, education and professional certification as determined by the Board of Selectmen and the Board of Finance.

(1) The Town Treasurer shall have all the powers and duties conferred by C.G.S. and such powers and duties, consistent with this Charter, as may be prescribed by the Board of Selectmen, including but not limited to, the following:

(a) The Treasurer shall receive all monies belonging to the Town, pay it out in the order of the proper authority, keep accurately the records required by law and have such other powers and duties as are prescribed in C.G.S.

(b) The Treasurer shall inform all departments that monies belonging to the Town shall be deposited within three working days from receipt of same.

(c) All monies received belonging to the Town will either be deposited or turned over to the Treasurer within three working days.

(2) The Town Treasurer may appoint and may remove all Assistant Town Treasurers and other employees subject to approval of the Board of Selectmen, and subject to such rules and regulations covering town employees as may be adopted by the Board of Selectmen.

(3) The Town Treasurer shall report to the First Selectman.

E) Tax Collector. The Board of Selectmen shall appoint a Tax Collector who shall be qualified by training, experience, education and professional certification as determined by the Board of Selectmen.

Section 6-6 Appointed Officials Required by the Charter (continued)

- (1) The Tax Collector shall have all the powers and duties conferred by C.G.S. and such powers and duties, consistent with this Charter, as may be prescribed by the Board of Selectmen.
 - (2) The Tax Collector shall collect taxes and sewer assessments and deposit same within five working days. Taxes shall be due and payable in semi-annual installments on July first and January first of each year, unless otherwise fixed by ordinance.
 - (3) The Tax Collector shall issue monthly reports to the Town Treasurer. The Board of Selectmen shall, in its discretion, be permitted to request and secure additional, other than monthly, reports from the Tax Collector.
 - (4) The Tax Collector may appoint and may remove all Assistant Tax Collectors and other employees subject to approval of the Board of Selectmen, and subject to such rules and regulations covering town employees as may be adopted by the Board of Selectmen.
 - (5) The Tax Collector shall report to the First Selectman.
- F) Assessor.** The Board of Selectmen shall appoint a Town Assessor who shall be qualified by training, experience, education and professional certification as determined by the Board of Selectmen.
- (1) The Town Assessor shall have all the powers and duties conferred by C.G.S. and such powers and duties, consistent with this Charter, as may be prescribed by the Board of Selectmen. The Town Assessor may appoint and may remove all Assistant Town Assessors and other employees subject to approval of the Board

Section 6-6 Appointed Officials Required by the Charter (continued)

of Selectmen, and subject to such rules and regulations covering town employees as may be adopted by the Board of Selectmen.

(2) The Town Assessor shall report to the First Selectman.

G) Town Clerk. The Board of Selectmen shall appoint a Town Clerk who shall be qualified by training, experience, education and professional certification as determined by the Board of Selectmen.

(1) The Town Clerk shall have all the powers and duties conferred by C.G.S. and such powers and duties, consistent with this Charter, as may be prescribed by the Board of Selectmen. The Town Clerk may appoint and may remove all Assistant Town Clerks and other employees subject to approval of the Board of Selectmen, and subject to such rules and regulations covering town employees as may be adopted by the Board of Selectmen.

(2) The Town Clerk shall report to the First Selectman.

Section 6-7 Other Appointed Officials

A) Other appointed officials may be created by ordinance or budget to serve the following functions and shall have all the powers and duties consistent with this Charter, C.G.S., ordinances and prescribed by the Board of Selectmen: care of trees and landscape; enforcement of the building code; conservation and inland-wetlands enforcement and regulation; town planning; parks and recreation; emergency management; human services; functions of the fire marshal; town history and such other officials as may be necessary to effectuate the policies of the Town.

Section 6-7 Other Appointed Officials (continued)

- B) The First Selectman or designee shall serve as Welfare Officer for the Town and shall be responsible for of the administration of all welfare activities of the Town;

CHAPTER VII - BOARDS, AUTHORITIES, COMMISSIONS AND ASSOCIATIONS

Section 7-1 General Powers and Procedures, Records Requirement for Appointive Boards and Commissions

- A) **Creation of Boards and Commissions: Number of Members, Terms.** With the exception of those Boards and Commission required by this Charter, the special Town Meeting shall upon recommendation of the Board of Selectmen establish or abolish, by ordinance (as set forth in Section 10-4 of this Charter) the Boards and Commissions of the Town, including the number of members (and alternate members) and terms of office. Except as otherwise provided by C.G.S., the number shall always be odd, the term of office shall not exceed a term of four years and the following limitations shall be placed on the number of members (alternates, if set forth in the ordinance shall be in addition to the number of members) who may serve:
- 1) For Boards and Commissions required by this Charter, there shall be no less than three and no more than nine members, with the exception of the Pension Board as set forth in this Charter.
 - 2) For Department-related Boards and Commissions established by Ordinance pursuant to Section 7-3 of this Charter, there shall be no less than three and no more than a maximum number of members established by Ordinance;
 - 3) For special and temporary committees, task forces and blue ribbon panels, established by resolution of the Board of Selectmen, pursuant to Section 7-4 of this Charter, there shall be no less than three members.

Section 7-1 General Powers and Procedures, Records Requirement for Appointive Boards and Commissions (continued)

- i. The special Town Meeting in the enactment of an Ordinance shall make provision for the appointment of a chair, the keeping of records and the frequency of meetings of Boards and Commissions.
- ii. Except as otherwise provided in this Charter, the Board of Selectmen shall regulate the internal operation of boards, commissions and offices which fill by appointment. However, all boards shall establish procedures for the conduct of their meetings in accordance with Roberts Rules of Order. A quorum for a board or commission shall consist of a bare majority.
- iii. C.G.S. shall prescribe the manner in which minutes are filed and posted and notices of meetings and agendas are published. Copies of all minutes taken by each board or commission shall include attendance of members and alternates, the recorded vote of each member thereof on all issues and shall be filed with the Town Clerk within the time specified in C.G.S. The Town Clerk shall maintain files of such minutes which shall be public record.

B) Appointment. Except as otherwise provided by State law or this Charter, all members or alternate members of Boards or Commissions shall be appointed by the Board of Selectmen as set forth in Section 4-3 of this Charter, for a term established by Ordinance or Resolution and until their successors have been appointed and qualified and may not be removed from office during their terms except for the reasons set forth in Section 7-1 H) of this Charter, below. In the event of a vacancy on any Board or Commission, a successor may be appointed, except that during the last month of the term of a Selectman

Section 7-1 General Powers and Procedures, Records Requirement for Appointive Boards and Commissions (continued)

who has not been re-elected to office, the Selectman may not appoint any Board or Commission member except on an acting basis for a temporary period ending no later than sixty days following the commencement of the term of office of the new Selectman. All Board or Commission members shall serve until their successors have been appointed and qualified.

- C) **Powers.** Except as otherwise provided in this Charter, all appointed Boards, Commissions and similar bodies shall have the powers and duties prescribed, conferred or imposed by C.G.S. and Ordinance.
- D) **Residency Requirement and Eligibility.** No person may serve on a Board or Commission unless such person is a resident elector of the Town and shall have such qualifications as prescribed by the Board of Selectmen. If any person who is a member of a Board shall cease to be a resident elector of the Town, such person's membership on such Board or Commission shall be immediately terminated.
- E) **Political Composition.** The political affiliation of the members of appointed Boards or Commissions shall reflect the requirements of C.G.S. with respect to minority party representation.
- F) **Vacancies.** Any vacancy in any appointive Board, Commission or similar body from whatever cause arising, shall be filled by the Board of Selectmen, pursuant to Section 6-4 of this Charter. Persons appointed to fill such vacancies shall serve for the unexpired portion of the term vacated.

Section 7-1 General Powers and Procedures, Records Requirement for Appointive Boards and Commissions (continued)

- G) Compensation Prohibited.** No member of any appointive Board shall receive compensation for services as such member, except for the reimbursement of necessary expenses, as authorized by the Board of Selectmen or as otherwise provided by law.
- H) Removal.** The Board of Selectmen may initiate proceedings to remove a member of any appointive Board, Commission, or relevant position or “panel of alternates” for any of the following reasons: (1) misconduct in the performance of duties; (2) four consecutive unexcused absences; (3) conviction of a felony (4) conviction of a misdemeanor which would undermine the public confidence in the member’s ability to perform the duties of office. Rules of Procedure for the removal of said member, and additional grounds for removal, shall be set by Ordinance.

Section 7-2 Appointed Boards and Commissions

The following Boards and Commissions shall be established, by ordinance, subject to the provisions and powers enumerated in C.G.S. and this Charter and shall be appointed by the Board of Selectmen:

- A) Building Code Board of Appeals,** this shall carry out such responsibilities as set forth by C.G.S. and ordinance;
- B) Emergency Management Advisory Council,** which shall carry out responsibilities as set forth in C.G.S. and by ordinance;
- C) Conservation Commission,** shall be responsible for the development, conservation supervision and regulation of natural resources, including water resources, within the territorial limits of the Town as set forth in C.G.S. and ordinance;

Section 7-2 Appointed Boards and Commissions (continued)

- D) **Inland Wetlands Commission**, which shall serve as the agency which regulates the activities affecting the wetlands and watercourse within the territorial limits of the Town as set forth in C.G.S. and ordinance;
- E) **Economic Development Commission**, shall assist the Board of Selectmen in bringing business and industries into town, the improvement of existing business and industry and such other responsibilities as may be set forth by ordinance;
- F) **Elderly Commission**, which shall carry out such responsibilities as set forth by ordinance;
- G) **Ethics Commission**, which shall carry out such responsibilities as set forth by C.G.S. and ordinance;
- H) **Housing Authority**, which shall carry out such responsibilities as a separate public body corporate and politic and not as an agency of the Town as set forth by C.G.S.
- I) **Park and Recreation Commission**, which shall provide for the maintenance of town parks, playgrounds, baths, swimming pools, gymnasiums, recreation places, public gardens and such other responsibilities as may be set forth by ordinance;
- J) **Planning and Zoning Commission**, which shall carry out such responsibilities as set forth by C.G.S. and ordinance;
- K) **Water Pollution Control Authority**, which shall carry out such responsibilities as set forth in C.G.S. and ordinance.
- L) **Pension Board**, which shall carry out such responsibilities as set forth in C.G.S. and ordinance.

Section 7-2 Appointed Boards and Commissions (continued)

- (1) The Pension Board shall include two members of the Board of Finance, one member of the Board of Selectmen, one member of each board or commission attached to a department which has ten or more employees eligible for the Town pension plan, and two resident members to be appointed by the Board of Selectmen. Their term of office shall be four years.
- (2) Said members shall be appointed by the chairperson of their respective boards or commissions and shall select a chairperson from among the members of the Pension Board.
- (3) The Pension Plan Administrator shall be the Town Treasurer.
- (4) Notwithstanding the provisions of this Charter, vacancies on the Pension Board shall be filled by the chairpersons of the respective boards or commissions.

M) Capital Improvements Plan Advisory Commission, shall advise the Board of Selectmen regarding capital expenditures for the upcoming fiscal year and for a period of four fiscal years thereafter by gathering information from Town departments and the Board of Education as set forth in this Charter, ordinance and the instruction of the Board of Selectmen.

Section 7-3 Additional Appointive Boards and Commissions Established by Ordinance

In addition to the Boards and Commissions set forth in Section 7-2 of this Charter, the Special Town Meeting shall upon recommendation of the Board of Selectmen establish or abolish, by ordinance (as set forth in Section 10-4 of this Charter), the Boards and Commissions of the Town as are necessary to effectuate the powers and purposes of the Town as enumerated in C.G.S., and this Charter.

Section 7-4 Special and Temporary Committees

The Board of Selectmen may appoint, by resolution, special and temporary committees, task forces and panels as it may deem necessary and appropriate; said special and temporary boards, commissions and committees shall terminate no later than eighteen months after their creation. Upon appointment, the Board of Selectmen shall provide each such board, commission, or committee with specific written charges and a specific date by which it shall report back to the Board of Selectmen.

Section 7-5 Merger or Consolidation of Boards and Commissions

The functions of any Board or Commission required by this Charter may be merged or consolidated with another by Ordinance.

Section 7-6 Regional and Interlocal Agencies

The Town shall continue to participate in such regional and interlocal agencies and programs as authorized by ordinances adopted pursuant to the applicable provisions of C.G.S. Nothing in this Charter shall be construed as limiting the authority of the Town to continue such participation or join new regional programs as authorized by C.G.S.

CHAPTER VIII - FINANCE AND TAXATION

Section 8-1 General Authority and Powers of the Board of Finance

- A) The Board of Finance shall have the authority, powers, duties and responsibilities conferred upon it by this Charter and, except to the extent otherwise provided in this Charter, all powers, duties and responsibilities conferred upon Boards of Finance by C.G.S. and applicable Special Acts and ordinances, and shall perform all the functions of that Board.
- B) It shall prescribe the methods by which, and the place where, all records and books of accounts of the Town, or any department or subdivision thereof shall be kept. The Board shall further set the date and time of its meetings.

Section 8-2 General Authority and Powers of the Board of Selectmen

- A) The Board of Selectmen shall have the authority to require that every Official, office, board, commission, agency or department, including the Board of Education, submit information to either the Board of Selectmen, the Board of Finance or, in the case of capital improvements, to the Capital Improvement Advisory Committee, in accordance with Section 8-4 of the Charter setting forth the best practices and procedural requirements for the development of the budget for the upcoming fiscal year.
- B) Said guidelines shall be developed in consultation with the Board of Finance and shall be distributed on or before the first day of December prior to the affected fiscal year. The dates of all required budget submissions shall be included in the guidelines which dates shall be subject to strict enforcement by the Board of Selectmen, including but not limited to personnel actions and removal proceedings for officials or employee who fail

Section 8-2 General Authority and Powers of the Board of Selectmen (continued)

to comply with the requirements of this Charter.

- C) The Town Budget shall include information provided by all Officials, offices, boards, commissions, agencies or departments required by this charter with the exception of the Board of Education. The Board of Education Budget shall include information provided by the Superintendent of Schools on behalf of the department of education.

Section 8-3 General Provisions

- A) **Fiscal Year.** The fiscal year of the Town is the Uniform Fiscal Year as provided for in the C.G.S.
- B) **No Liability or Expense to be incurred in Excess of Appropriation.** Unless otherwise provided by this Charter, no Commission, Board or official shall incur any liability or expense, by contract or otherwise, for which the Town shall be responsible that exceeds the appropriation set for it by the approved annual Budget; or for which there is no appropriation. Moreover, no money shall be expended without an appropriation.
- C) **No Public Improvement to be Ordered without Appropriation.** No public improvement of any kind shall be authorized or ordered until an appropriation for such improvement has been duly made, and funds to pay for such improvement been appropriated and designated for that purpose.
- D) **The Balance of Appropriations and Revenue.** The total amount of appropriations for any one year shall not exceed the estimated income for that year.

Section 8-4 Budget Procedures

A) Capital Improvements Budget.

- (1) Capital Improvement Advisory Committee. Annually, no later than August first, the Board of Selectmen shall appoint a Capital Improvement Plan Advisory Committee, consisting of no fewer than six and no more than nine members, for the purposes set forth in this section of this Charter.
- (2) The Committee shall advise the Board of Selectmen regarding capital expenditures for the upcoming fiscal year and for a period of four fiscal years thereafter.
- (3) The Capital Improvement Plan Advisory Committee shall gather information from Town departments and the Board of Education by September fifteenth of each year and shall submit its recommendations for capital improvements to the Board of Selectmen no later than November first of each year.

B) Annual General Fund Budget Estimates.

- (1) On or before the date set forth by the guidelines of the Board of Selectmen, every official, office, board, commission, agency or department shall submit the following items to the First Selectman, or a designee; or, in the case of the Board of Education to the Superintendent of Schools, to assure that the Board is able to discharge the duties imposed upon it by this Charter:
 - (a) itemized estimates of revenues and expenditures for the ensuing fiscal year, as well as the corresponding approved budget for the current fiscal year, together with estimates of any unexpended balances for the current fiscal year; and,

Section 8-4 Budget Procedures (continued)

- (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 Board of Selectmen.
- (2) The Board of Selectmen shall, following consultation with the Town Treasurer, determine when and in what form officials, offices, boards, commissions, agencies or departments shall submit the information required
- (3) The Board of Selectmen shall review the estimates and, in preparing the budget, may revise them.

C) Preparation and Submission of the Proposed Budget

(1) The Town Budget.

- (a) With oversight by the Board of Selectmen, the First Selectman shall coordinate and manage the preparation of the Town Budget for each fiscal year.
- (b) On or before the date set forth by the guidelines of the Board of Selectmen, the First Selectman shall submit the Town Budget to the Board of Selectmen. Said submission shall include:
 - (i) An annual or current expense budget, and revenue and expense projections, which shall be the complete financial plan for the ensuing fiscal year, consisting of the narrative or line items of the budget: and
 - (ii) A capital budget for the Town, including the Board of Education.

Section 8-4 Budget Procedures (continued)

(2) The Board of Education Budget

- (a) The Board of Education shall coordinate and manage the preparation of the Board of Education Budget for each fiscal year.
- (b) On or before the date set forth by the guidelines of the Board of Selectmen, the Superintendent of Schools shall submit the Board of Education Budget to the Board of Education. Said submission shall include the submission items set forth in Section 8-4 C)(1)(b)(i) .

D) Deliberations on the Proposed Budget

(1) The Town Budget

(a) **Public Hearings.** On or before the date set forth by the guidelines of the Board of Selectmen, the Board of Selectmen shall at the outset of its deliberations conduct, at least, one (1) public hearing on the proposed Town Budget. Notice of said hearing(s) shall be published within five (5) days after the submission of the budget.

(b) **Approval by the Board of Selectmen and Submission to the Board of Finance.** On or before the date set forth by the guidelines of the Board of Selectmen, the Board of Selectmen shall approve and submit the Town Budget to the Board of Finance.

(2) The Board of Education Budget

(a) **Public Hearings.** On or before the date set forth by the guidelines of the

Section 8-4 Budget Procedures (continued)

Board of Selectmen, the Board of Education shall at the outset of its deliberations conduct, at least, one (1) public hearing on the proposed Board of Education Budget. Notice of said hearing(s) shall be published within five (5) days after the submission of the budget. On or before the date set forth by the by the guidelines of the Board of Selectmen, the Board of Education shall approve and submit the Board of Education Budget to the Board of Finance.

(3) Miscellaneous Provisions Pertaining to Deliberations by the Board of Finance and Board of Education

(a) Budget a public record. The proposed Town and Board of Education

Budgets shall be public records in the Office of the Town Clerk and shall be open to public inspection. The budget messages of Section 8-4(D)(3)(b) shall be printed by the Town and the Board of Education at the time of its submission to the public.

(b) The Budget Message. The Town and Board of Education Budgets shall

include a budget message, which shall be available at the first public hearing.

The budget messages shall contain the recommendations of the Board of Selectmen and the Board of Education concerning the fiscal policy of the Town and the Board of Education, a description of the important features of the budget plan, an explanation of all major increases or decreases and changes in budget recommendations as compared with the prior year, and a summary of the proposed budget showing comparisons itemized by principal

Section 8-4 Budget Procedures (continued)

sources of revenue and the main categories of expenditure. With respect to the Town Budget, said message should also summarize the Town's debt position, pension funding position, and include such other material as the Board of Selectmen deem desirable.

- (c) **Publication.** The guidelines of the Board of Selectmen shall establish a date by which the Town and Board of Education Budgets shall be published.

E) Review and Approval of the Proposed Budgets by the Board of Finance

- (1) On or before the date set forth by the guidelines of the Board of Selectmen, and at all adjournments thereof, the Board of Finance shall:

- (a) Conduct a public hearing for comment on the Town Budget and the Board of Education Budget at the outset of its consideration;
- (b) Adjust by line item the requested appropriations set forth in the Town Budget and the requests for appropriations for capital expenditures within the Board of Education Budget;
- (c) Adjust the total appropriation requested for operating expenditures within the Board of Education Budget;
- (d) At its discretion, make other adjustments to the proposed Budgets by, among other things: recommending appropriations to incur or pay off any Town debt; providing a fund for public improvements or contingent funds for general or targeted purposes; or creating a reserve for uncollectible taxes;

Section 8-4 Budget Procedures (continued)

- (e) Calculate the Mill Rate to be assessed on the Grand List based on the Board's adjustments, if any, to the proposed Budgets; and
 - (f) Approve the adjusted proposed Budgets (including a Budget Message containing the information set forth in Section 8-3 (C)(3)(d), above) and the recommended Mill Rate.
- (2) On or before the date set forth by the guidelines of the Board of Selectmen, the Board of Finance shall file the approved proposed Budgets and recommended Mill Rate with the Board of Selectman and in the Town Clerk's office.
- (3) On or before the date set forth by the guidelines of the Board of Selectmen the Board of Finance shall direct that the approved proposed Budgets and recommended Mill Rate are published.

Section 8-5 Submission of the Budgets to Referendum

- A) **Initial Budget Referendum.** The budget as approved by the Board of Finance shall be submitted to the voters of the Town at a Budget Referendum to be held on the second Tuesday of the month of May.
- B) **Referendum Outcomes**
- (1) **Approval of the Budget following Budget Referendum.** If the budget is approved by a majority of those present and voting thereon at a -Referendum, a copy or summary copy of the approved budget shall be filed with the Town Clerk within one week after the Referendum.

Section 8-5 Submission of the Budgets to Referendum (continued)

- (a) Immediately upon approval of the budget, the Board of Finance shall set the Mill rate and notify the Tax Collector forthwith.
- (b) Official copies of the budget as finally approved shall be filed by the Board of Finance with the Town Clerk within five days of the approval.
- (2) **Failure of the Budget following Initial and Second Budget Referendum.** If the budget fails at either the initial or second Referendum, the budget shall be returned to the Board of Finance who shall, following a public hearing, resubmit a budget to a subsequent Referendum.
- (3) **Subsequent Budget Referenda.** The budget as approved and re-submitted by the Board of Finance shall be submitted to the voters of the Town at a Second Budget Referendum to be held on the fourth Tuesday of the month of May; and a Third Budget Referendum to be held on the second Tuesday of the month of June.
- (4) **Failure of the Budget following the Third Budget Referendum.** If the budget fails at the Third Referendum the budget reverts to last year's approved budget, plus 2%, and shall be deemed to be the approved budget for such year. The budget shall be returned to the Board of Finance for the sole purpose of establishing a mil rate. The budget and mil rate shall be adopted no later than midnight on the 15th of June.
- (5) **Expenditures without an Adopted Budget.** Expenditures prior to the final adoption of the Town Budget shall be governed by the provisions of C.G.S.

Section 8-6 Duties of the Board of Finance on Other Financial Matters

- A) The estimate of expenditures submitted by the Board of Finance to the Budget Meeting shall include a recommendation for a contingency fund which shall not exceed three percent (3%) of the total expenditures for the proposed fiscal year. No expenditure or transfer may be made from this contingency fund without the approval of the Board of Finance, or as otherwise provided for in this Charter.
- B) Supplementary Appropriation. Upon request of any office, board, commission or similar body that additional funds in excess of what had been provided in the approved annual budget or, if funds are required for which no provision was made in the budget, the Board of Finance, after inquiry into and review of the request, may approve one or more appropriations not to exceed twenty thousand (\$20,000.00) dollars. Said funds may be taken from any cash surplus available or from the contingency fund. The amount requested and approved shall not exceed twenty thousand (\$20,000.00) dollars for any one office, board, commission or similar body in any one year without Town Meeting approval.
- C) Any appropriation that needs to go to bonding, with the exception of anticipation bonds, requires an automatic referendum.

Section 8-7 Purchasing

Purchases for the Town of East Windsor, with the exception of the Board of Education, shall be made under such rules and regulations as may be established by the Board of Selectmen.

Section 8-8 Unexpended Appropriations

Any portion of an annual appropriation remaining unexpended or unencumbered at the

Section 8-8 Unexpended Appropriations (continued)

close of the fiscal year shall lapse; provided, however, appropriations for construction or for other capital improvements, from whatever source derived, shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned; provided further that any such project shall be deemed to have been abandoned after one year shall elapse without any expenditure from, or encumbrances of, the appropriation therefore.

Section 8-9 Annual Audit

- A) The Board of Finance shall annually designate an independent certified public accountant, or firm of independent certified public accountants, licensed in the State of Connecticut to audit the books and accounts of the Town as required by C.G.S. and may periodically designate such accountant to perform special audits of the books and accounts of any office, board, commission or other agency of the Town. The recommendations of the auditors shall be submitted to the Board of Selectmen and Board of Finance and shall be included in the Annual Town Report for the current year. The Board of Selectmen and Board of Finance shall respond to the auditor's recommendations in the following years Annual Town Report.
- B) Any organization receiving funds from the Town not included in the Town audit shall cause an annual audit of its financial condition to be conducted by a certified public accountant licensed in the State of Connecticut and shall submit the results of said audit to the Board of Finance prior to submission of said organizations budget request for the upcoming year. Notwithstanding the foregoing, the Board of Selectmen is authorized

Section 8-9 Annual Audit (continued)

to establish rules for the exemption of organizations from the audit requirement based upon the financial capacity of the recipient organization to conduct an audit.

Section 8-10 Annual Town Report

The Board of Finance shall prepare and publish an Annual Town Report. The report shall be available for distribution at least five days before the Annual Town Meeting. The report shall contain such information as is required by C.G.S. and such other matters as the Board of Finance may deem advisable to include.

CHAPTER IX - TOWN EMPLOYEES

Section 9-1 Personnel Regulations

The Board of Selectmen shall prepare and maintain personnel regulations for all non-union, appointed employees and elected officials. These regulations shall provide, among other things, for the method of holding competitive examinations, probationary periods of employment, hours of work, vacations, sick leave and other leave absences, removals and such other rules and regulations as may be necessary to provide adequate and systematic procedure for the administration of the personnel affairs of the Town. Copies of such rules and regulations and any amendments shall be available to all non-union, appointed employees and elected officials of the Town.

Section 9-2 Employee Status

All employees are “at will” employees by definition. If employment contracts are issued there shall be a term limitation of three (3) years, and all contracts must be approved by the Board of Selectmen. Financial consideration will be determined on the basis of the annual budget and performance.

Section 9-3 Collective Bargaining

The Board of Selectmen shall appoint a committee that shall consist of at least one member each from the Board of Selectmen, Board of Finance and any other appointed person deemed necessary, who shall represent the municipal employer in collective bargaining with employee organizations and shall have such authority as is consistent with C.G.S. If the Board of Selectmen deems it necessary, a professional negotiator may be retained.

Section 9-4 Exception

All of the above provisions of this Chapter shall not apply to the Board of Education.

CHAPTER X - TOWN MEETING

Section 10-1 Legislative Powers

- A) The legislative power of the Town shall be vested in the Town Meeting, with all powers conferred by C.G.S. and by this Charter.
- B) All Town Meetings, including Special Town Meetings and Town Meeting by petition, as hereinafter provided, shall be warned and conducted in accordance with the provisions of C.G.S., inclusive, provided, however, that the provisions of this Charter, where inconsistent with the aforesaid C.G.S., shall govern. All Town Meetings of the Town of East Windsor shall be held starting at 7:30 p.m. and shall observe a curfew of twelve midnight. Meetings shall be held in accordance with Roberts Rules of Order.

Section 10-2 Members of the Town Meeting

Members of the Town Meeting shall be electors of the Town and all others entitled to vote at Town Meetings pursuant to C.G.S.

Section 10-3 Annual Town Meeting

The Annual Town Meeting shall be held during the month of December each year to accept the Annual Town Report and to transact any other business properly coming before the Town Meeting.

Section 10-4 Special Town Meetings

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

Section 10-5 Town Meeting by Petition

- A) Upon petition filed with the Town Clerk and signed by twenty persons entitled to vote at Town Meetings, petitioning for the warning and convening of a Special Town Meeting, said petition to be in accordance with the provisions of C.G.S. and to contain the matter or text of the proposed ordinance or resolution to be considered at said Special Town Meeting, the Town Clerk shall, within ten days, determine whether or not the petition contains the required number of valid signatures, and if it does shall so certify to the Board of Selectmen within said ten days. Said petition may propose consideration of any proper matter to come before a Town Meeting. Upon receipt of such certification from the Town Clerk, the Board of Selectmen shall, within fourteen days thereafter, cause to be convened a Special Town Meeting, which meeting may be adjourned from time to time as the interest of the Town requires. At said Special Town Meeting, the only matters that may be considered shall be those matters set forth in said petition.
- B) Any ordinance or resolution so proposed in such a petition shall be examined by the Town Counsel prior to submission to the Town Meeting; and prior to or at said Town Meeting, Town Counsel shall give his opinion, orally or in writing, with respect to the form of the proposal and its conformity to and relationship with existing constitution, statutes, special acts, ordinances and regulations.
- C) Provision for referendum shall be in accordance with C.G.S. the requirement of two hundred signatures of qualified electors of the Town.

Section 10-6 Annual Budget-Referendum

There shall be an Annual Budget Referendum as is provided in Section 8-5 of this Charter.

Section 10-7 Organization and Procedure

- A) The First Selectman shall call the meeting to order and the meeting shall choose a moderator. All business shall be conducted as provided by C.G.S.
- B) The Town Clerk shall serve as Clerk of all Town Meetings, but in the absence of the Town Clerk, an acting clerk may be chosen by the meeting.
- C) All action at a Town Meeting shall be adopted by a majority vote of the qualified voters present and voting at the meeting, unless otherwise provided by this Charter.

Section 10-8 Actions Requiring a Town Meeting

- A) Any resolution making an appropriation of more than twenty thousand dollars (\$20,000) not included in the Annual Budget.
- B) Any resolution authorizing the issuance of notes, other borrowing or issuance of bonds up to (1) million. Amounts in excess of one (1) million will require a referendum.
- C) Any sale of real estate or any interest herein of the Town, except property acquired by tax foreclosure, and any purchase of real estate or interest therein.
- D) Real estate leases and/or real estate lease options to which the Town is a party for terms in excess of three years.
- E) The discontinuance or abandonment of Town roads, the establishment of Town roads and the acceptance as Town roads of existing or proposed roads.

Section 10-8 Actions Requiring a Town Meeting (continued)

- F) Initial applications for federal or state grants involving the expenditure of Town funds.
- G) The Town Meeting shall have the sole power to enact and repeal ordinances consistent with this Charter and C.G.S.
- H) In addition to all the matters requiring Town Meeting approval, the Board of Selectmen may bring before a Town Meeting, including a Special Town Meeting, for its consideration any other matter the Board of Selectmen considers of sufficient importance to warrant a Town Meeting.
- I) The Town Meeting shall not act upon any appropriation which has not been recommended or referred to the Town Meeting by the Board of Finance.

CHAPTER XI - CONFLICT OF INTEREST

Section 11-1 General

If any elected or appointed Town officer, official or employee may obtain financial gain, directly or indirectly, from any contract, any transaction, or decision of any board, commission or similar body of the Town to which he or she is a part, said individual must make a disclosure.

Section 11-2 Disclosure

If any elected or appointed Town officer, official or employee anticipates that a conflict of interest as defined under Section 11-1 of this Charter might exist, or could develop, from any action said individual may take in the exercise of his or her duties, or from any influence which might be derived from his or her position, said individual shall disqualify themselves.

Section 11-3 Board of Finance

No member of the Board of Finance shall be an elected or appointed Town officer, official or employee, except for the Pension Board.

CHAPTER XII - MISCELLANEOUS PROVISIONS

Section 12-1 Transfer of Powers

The powers which are conferred and the duties which are imposed upon any office, board, commission or similar body under C.G.S. or any ordinance or regulation, in force at the time of this Charter shall take effect, if such office, board, commission or similar body is abolished by this Charter or superseded by the creation herein of a new commission, board, similar body or office to which are granted similar powers and jurisdiction, shall be thereafter exercised and discharged by the commission, board or similar body, or office upon which are imposed corresponding or like functions, powers and duties under provisions of this Charter. All commissions, boards, similar bodies or office abolished by this Charter, whether elective or appointive, shall continue in the performance of their duties until provisions shall have been made for the discontinuance of such commissions, boards, similar bodies or offices and the performance of their duties by other commissions, boards, similar bodies or offices created under this Charter and until the Town Clerk shall have notified the members of such commissions, boards, similar bodies or offices as are abolished by this Charter that their successors have qualified. All records, property and equipment whatsoever of any commission, board or similar body or office or part thereof, all the powers and duties of which are assigned to any other commission, board, similar body or office by this Charter, shall be transferred and delivered intact forthwith to the commission, board, similar body or office to which such powers and duties are so assigned.

Section 12-2 Transfer of Records and Property

If part of the powers and duties of any commission, board, similar body or office by this Charter assigned to another commission, board, similar body or office, all records, property and equipment relating exclusively thereto shall be transferred and delivered intact, in accordance with C.G.S. , forthwith to the commission, board, similar body or office to which such powers and duties are so assigned.

Section 12-3 Status of Employees

All employees of the Town on the effective date of this Charter shall retain such positions, pending action by the appropriate person or agency charged by this Charter with powers of appointment or removal of said employees. Any provisions in force at the time of this Charter, in relation to personnel, appointments, ranks, grades, tenure of office, promotions, removals, pension and retirement rights, civil rights or any other rights or privileges or employees of the Town or any office, department, or agency thereof, shall continue in effect, unless and until amended or repealed in accordance with the provisions of this Charter.

Section 12-4 Continuation of Appropriations and Town Funds

All appropriations approved and in force and all funds, including special or reserve funds in the name of the Town, at the time of the adoption of this Charter, shall remain in full force and effect unless and until the same shall be amended, transferred or abolished by the Board of Finance under the provisions of this Charter.

Section 12-5 Legal Proceedings

No action or proceeding, civil or criminal, pending on the effective date of this Charter, brought by or against the Town or any board, commission, similar body or office thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained, but all such actions or proceedings may be continued notwithstanding the fact that the functions, powers and duties of any board, commission or similar body or office, party thereto, under this Charter may be assigned or transferred to another board, commission, similar body or office to which such functions, powers and duties have been assigned or transferred by or under this Charter.

Section 12-6 Existing Laws and Ordinances

- A) On and after the effective date of this Charter, all general laws and special acts of the State of Connecticut applying to the Town, all ordinances and bylaws of the Town, and all rules and regulations of commissions, boards and similar bodies of the Town not inconsistent with the provisions of this Charter or repealed thereby, shall be and shall continue to remain in full force and effect unless and until repealed or amended.
- B) Referenced ordinances shall be compiled as set forth in C.G.S.

Section 12-7 Review and Amendment of Charter

This Charter may be amended in the manner prescribed by the *C.G.S.* The Board of Selectmen shall review this Charter from time to time as it deems to be in the best interest of the Town, but not less than once every five years, said review to be published as part of the Annual Town Report. The Board of Selectmen shall appoint a commission not later than five years from

Section 12-7 Review and Amendment of Charter (continued)

the effective date of this Charter, to review, amend or revise said Charter, in the manner prescribed by C.G.S.

Section 12-8 Rules of Construction and Saving Clause

- A) This Charter is intended to avail, make use of and exercise the full home rule powers of the Town under the Home Rule Law, and any other statute now in effect or hereafter enacted, and any other home rule powers thereof under the Constitution of the State of Connecticut, under the common law or otherwise. Said Charter to be construed as an assertion of the Town's full power and authority to prescribe its organic law for the administration of its local affairs.
- B) If any section, or part of any section, in this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which said section or part thereof so held invalid may appear, to the extent that an entire section or part of a section may be inseparably connected in meaning and effect with the section or part of the section to which such ruling shall directly apply.

Section 12-9 Usage

When the context so requires, the masculine gender shall include the feminine, the singular shall include the plural and the plural, the singular.

Section 12-10 Reference to the General Statutes, Special Acts, and Ordinances

All references to the General Statutes or C.G.S. made herein are to the General Statutes of Connecticut, and all references to said General Statutes or C.G.S. to the Special Acts or

Section 12-10 Reference to the General Statutes, Special Acts, and Ordinances (continued)

Special Laws of the State of Connecticut, and to the ordinances, regulations and bylaws of the Town of East Windsor are to them as they exist on the effective date of this Charter, as the same may be amended from time to time.

Section 12-11 Effective Date

The revised Charter will become effective upon the approval of a majority of the Town electors in accordance with the provisions of Chapter 99 of C.G.S., as amended, except that all elected officials serving a specific term shall serve until the expiration of their elected terms, with all of their powers and duties unchanged during said term.