



# **CHARTER**

**Town of Haddam, Connecticut**

**Settled 1662 - Incorporated 1668**

**Charter Adopted 1975**

**Revised/Effective:**

**December 5, 2002**

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## **THE HADDAM CHARTER**

### **ARTICLE I - THE CHARTER**

#### Section 1.1 The Charter

- (a) The Charter shall be the structure of the law of the Town in the administration of its local affairs.
- (b) Matters concerning the election of officers, the making and registration of voters and the administration of local affairs not provided by this Charter, or by lawful ordinance, shall be governed by the General Statutes and any Special Acts of the State of Connecticut applicable to the Town.
- (c) The term “board” or “boards” as used in this Charter shall be deemed to include all boards, commissions, and permanent committees, except as otherwise provided, established either by Town ordinance or by this Charter and having an administrative or executive function in the Town.
- (d) The terms “prescribed by law” and “provided by law” as used in this Charter shall be deemed to mean prescribed or provided by the General Statutes, by Charter, and by lawful Town ordinance; these various laws are kept on file and are available for public inspection, as amended, at the office of the Town Clerk.
- (e) The terms “agency of the Town” or “Town Agency” as used in this Charter shall be deemed to mean each board, commission, committee, and administrative office and department for which, and each Town official for whom, an appropriation was made in the annual budget.

### **ARTICLE II – THE TOWN**

#### Section 2.1 Incorporation

All the inhabitants dwelling within the territorial limits of the Town of Haddam, as heretofore constituted shall continue to be a body politic and corporate under the name of “The Town of Haddam”, in this Charter called the Town, and as such shall have perpetual succession and may hold and exercise all powers and privileges heretofore exercised by 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 laws of the State of Connecticut.

#### Section 2.2 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 date when this Charter shall take effect are continued in said Town and the Town shall continue to be liable for all

debts and obligations of every kind for which said Town shall be liable on said date, whether accrued or not. Nothing herein shall be construed to affect the right 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 office or agency therein named, which is hereby abolished, or superseded by the creation therein of a new board or agency to which are granted similar powers and jurisdiction, such contracts, bonds, or undertakings shall be in no manner impaired but shall continue in full force and effect and the powers conferred and the duties imposed with reference to the same upon any such office or agency shall, except as otherwise provided in the Charter, thereafter be exercised and discharged by the Board of Selectmen of said Town.

### Section 2.3 General Grant of Powers

In addition to all powers granted to towns under the Constitution and General Statutes, the Town shall have all powers specifically granted by this Charter and all powers fairly implied in or incidental 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 and/or any Federal Agency, the State of Connecticut or any political subdivision thereof for services and use of facilities, the exercise of which is not expressly forbidden by the Federal and State Constitutions and General Statutes of the State of Connecticut. In the event that the functions or existing offices and/or agencies are transferred under such contract or agreement, such offices and/or agencies may, by ordinance be abolished. The enumeration of particular powers, in this or any article of this Charter shall not be construed as limiting their general grant of power, but shall be considered as an addition thereto.

## **ARTICLE III – TOWN MEETING**

### Section 3.1 The Town Meeting

Except as otherwise provided in this Charter, the legislative body of the Town shall be the Town Meeting with all the powers conferred by the General Statutes and by this Charter.

### Section 3.2 Members of the Town Meeting

Members of the Town Meeting shall be electors of the Town, and all others entitled to vote at Town Meeting pursuant to the General Statutes, including a person 18 years of age or older who owns property listed on the grand list of One Thousand (\$1,000) Dollars or more per person.

### Section 3.3 The Annual Town Meeting

The Annual Town Meeting shall be held on the third Tuesday in January each year unless changed by a vote of a Town Meeting. The Annual Town Report shall be presented for discussion at this meeting.

### Section 3.4 Annual Budget and Special Town Meetings

- a) The Annual Budget Meeting shall be a Town Meeting for the consideration of the annual budget. Adoption of the annual budget shall be by majority vote of those qualified to vote present and voting. Notwithstanding the provision of Section 3.6 of this Charter, the procedure to be followed in preparing and submitting the budget for the Annual Meeting shall be as prescribed by Section 9.3 of this Charter. The Annual Budget Meeting shall have the power to decrease or delete any appropriation or item in any appropriation, but it may not increase or add to any appropriation or make any appropriation for a purpose not recommended by the Board of Finance, except as otherwise provided for in Section 7-34b of the Connecticut General Statutes and Article XIX of the amendments to the Constitution of the State of Connecticut.
- b) Special Town Meetings may be called from time to time by the Board of Selectmen as required by Sections 3.7e and 3.8b of this Charter.

### Section 3.5 Legal Notice

Legal notice of all Town Meetings shall be advertised in a newspaper having a general circulation in the Town and a copy of this notice shall be posted on the exterior bulletin board at the Town Office Building, and at the office of the Town Clerk, at least five (5) days prior to the date of the meeting. It shall be typewritten or printed and must contain the place, date, and hour of the meeting and list all the articles to be acted upon. Before or on the date of the meeting, the Selectmen shall cause a copy of the notice, along with the Return of Notice, to be filed with the Town Clerk, and the Town Clerk shall cause such copy and Return to be recorded in the Town Meeting Record Book.

### Section 3.6 Organization and Procedure

- a) The First Selectman or his representative shall call the Town Meeting to order and the first action of the Town Meeting shall be to choose a Moderator. All business shall be conducted as provided by Chapter 90 of the General Statutes, as amended.
- b) The Town Clerk or Assistant Clerk shall serve as clerk of the Town Meeting. In their absence, a clerk shall be chosen by an action of the Town Meeting. Action of all Town Meetings shall be by majority of qualified voters present and voting pursuant to Section 7.6 of the General Statutes as amended.

- c) The regular written minutes of the Town Meeting shall be taken by the clerk and recorded in the Town Meeting Record Book, and as otherwise provided by State Statutes.

### Section 3.7 Ordinances – General Powers and Provisions

- a) The Town Meeting shall have the sole power to enact or repeal ordinances, except as provided in Section 6-4(b) of this Charter.
- b) In addition to such acts of the Town Meeting as are required by the General Statutes or by other provisions of this Charter to be by ordinance, every act creating, altering, or abolishing any agency or board, or authorizing the borrowing of money to be secured by bonds or notes of the Town, except as provided in Section 9.6 of this Charter, 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, except as provided in Section 4.13 of this Charter, shall be by ordinance.
- c) Every ordinance, except the annual budget ordinance, a bond ordinance, and/or an ordinance making a general codification, shall be confined to a single subject which shall be clearly expressed in its title. All ordinances which shall amend or repeal existing ordinances shall set forth in full the section or subsection to be amended or repealed and, if it is to be amended, shall indicate matter to be omitted from the revised section or subsection by enclosing the same in brackets or striking through said text and new matter by underscoring. When published prior to enactment in a newspaper or otherwise, the same indications of omitted and new matter shall be used, except that italics may be substituted for underscoring. The enacting clause of all ordinances shall be: “Be it ordained by Town Meeting of the Town of Haddam.”
- d) An ordinance enactment or repeal may be initiated by the Board of Selectmen by filing the complete text of such proposed ordinance with the Town Clerk.
- e) An ordinance enactment or repeal may be initiated by a petition of at least fifty (50) people entitled to vote at a Town Meeting. Such petition shall conform to the requirements of Section 7-9 of the General Statutes and shall contain the personal signatures, printed names and addresses of said persons and shall contain the intent of such proposed ordinance or repeal, and shall be filed with the Town Clerk. If the petition complies with this subsection, then the Town Clerk shall notify the Board of Selectmen of such proposed ordinance or repeal within two (2) business days after receipt of such petition.
- f) The Board of Selectmen shall hold a public hearing on the proposed ordinance within thirty (30) days after the Selectmen’s proposal was filed with the Town Clerk or within thirty (30) days after a petition was received from the Town Clerk. The Board of Selectmen shall give seven (7) days notice of the hearing by publication of the proposed ordinance in a newspaper having a general circulation in the Town.
- g) Within fifteen (15) days after the hearing, there shall be a Special Town Meeting at which the proposed ordinance will be considered. The Selectmen shall call said meeting pursuant to Section 3-4(b) of this Charter. The call shall state the proposed ordinance in full and shall provide for a yes or no vote. Such ordinance shall be published in a

newspaper having a general circulation in the Town within ten (10) days of its passage. Unless otherwise provided in the ordinance, such ordinance shall become effective fifteen (15) days after the publication thereof.

- h) Any such ordinance proposed by petition shall be submitted for review to the Town Attorney before publication. The Town Attorney may make any necessary corrections to insure accuracy but may not make any changes in the meaning or intent of the ordinance.

### Section 3.8 – Resolutions

- a) The Board of Selectmen may call a Special Town Meeting to enact resolutions at any time in the discharge of their duties.
- b) No less than fifty (50) persons entitled to vote at a Town Meeting may petition over their personal signatures for the enactment of any proposed lawful resolution by filing such petition, including the complete text of such proposed resolution and the printed names and addresses of said person, with the Town Clerk. Said petition shall also conform to the requirements of Section 7-9 of the General Statutes. If the petition complies with the foregoing, then the Town Clerk shall notify the Board of Selectmen of such proposed resolution within two (2) business days after receipt of such petition. If the subject of the resolution is a proper one for action at a Town Meeting, the Board of Selectmen shall call a Special Town Meeting to be held within thirty (30) days after the receipt of such petition from the Town Clerk. Said call shall be made pursuant to Section 3-4(b) and shall state the proposed resolution in full. The Board of Selectmen may add other matters to the call of the meeting, but the resolution shall come first at said meeting. Said resolution shall become effective at passage unless the resolution provides otherwise.
- c) Any such resolution proposed by petition shall be submitted for review to the Town Attorney pursuant to Section 3-7(h).

### Section 3.9 – Sale or Purchase of Real Estate by the Town

The acceptance and abandonment of roads by the Town, the sale or disposition of real estate of the Town used or reserved for Town purposes, and the purchase or other acquisition of real estate for such purposes shall require approval of a Town Meeting. The sale of real estate not used or reserved for Town purposes shall be in accordance with an ordinance adopted by a Town Meeting. Documents filed with the Town Clerk shall note the date of Town Meeting approval.

## **ARTICLE IV - ELECTIONS AND ELECTIVE OFFICERS**

### Section 4.1 Town Elections

- a) A meeting of the electors of the Town of Haddam, hereafter called the “regular town election”, shall take place on the Tuesday following the first Monday in November in odd

numbered years. Special town elections may be called from time to time in accordance with General Statutes.

- b) Except as otherwise provided by this Charter or the General Statutes, all elective Town officers shall take office on the second Tuesday next following the day of the regular town election at which they were elected, and they shall continue in office until their successors have been chosen and have qualified. The Town Clerk and Registrars of Voters shall take office on the first Monday of January succeeding their election. Members of the Board of Education take office the first day of December in the year they are elected.

#### Section 4.2 – Eligibility for Election/Appointment to Town Offices

Any person who is, at the time of his election or appointment as the case may be, an elector of Haddam and whose primary residence is in Haddam shall be eligible for election/appointment to any Town office. Any person ceasing to be an elector of the Town and/or whose primary residence ceases to be in the Town shall thereupon cease to hold elective/appointed office in the Town and the office shall be deemed vacant.

All elective/appointed officers shall take an oath of office or affirmation prior to taking office and within thirty days after election/appointment or the office is deemed vacant. The officer administering the oath or affirmation shall record such fact in the office of the Town Clerk. All elective/appointed officers shall abide by and be subject to the Code of Ethics Ordinance presently in effect or as amended.

#### Section 4.3 – Minority Representation

Membership on all elective and appointed boards of the Town shall be determined in accordance with the minority representation law as set forth in Section 9-167(a) of the General Statutes.

#### Section 4.4 – Vacancies in Elective Offices

- a) Except as otherwise provided in this Charter, any vacancy in any elective Town office, from whatever cause arising, shall be filled within forty-five (45) days from the date the office becomes vacant by appointment of a member of the same political party by the Board of Selectmen until the next town election. Such person shall take office on the first Monday following his election or appointment. Should the vacancy arise from a person not affiliated with the Republican or Democratic Party, each such party may recommend a person to fill such vacated position. In addition, the Board of Selectmen shall allow unaffiliated electors to register their interest in filling the vacated position. The Board of Selectmen shall then consider those persons who have been recommended or expressed an interest to fill the vacancy by majority vote.
- b) Any elected or appointed Town official other than the Town Clerk wishing to resign from office shall submit his resignation in writing to the Town Clerk. If the Town Clerk resigns, he shall submit his resignation in writing to the Board of Selectmen. Such resignation

shall become effective on the date it is submitted unless another date is specified therein.

- c) Vacancies created by the demise of a board member, or by provisions of Section 4.2 of this Charter, shall be reported in writing by the chairman, or in his absence, the secretary of that board to the Town Clerk before the first meeting of the Board of Selectmen following creation of the vacancy. The Town Clerk shall notify the Board of Selectmen within two (2) business days after receiving such resignation or notice.
- d) A vacancy shall not be considered filled until the person appointed or elected to fill that vacancy has taken the oath or affirmation of office and this fact has been recorded in the manner prescribed in Section 4-2 of this Charter.
- e) Any vacancy occurring on the Board of Finance, the Planning and Zoning Commission, or the Zoning Board of Appeals shall be filled from the alternates of the same political party by the Board of Selectmen from those recommended by the respective Board until the next town election. If the vacancy relates to a person who is unaffiliated with the Republican or Democratic party, the procedure set forth in 4-4(a) of this Charter shall be followed. Any resulting vacancy created in the alternates shall be filled as prescribed by Section 4-4(a) and Section 4-2 of this Charter. The appointed alternate shall serve until the time of the next regular town election. At the next regular town election, the alternate seat which has been filled pursuant to this section shall be placed on the ballot for the remainder of the term, if the full term has yet to expire.
- f) Vacancies on the Board of Selectmen shall be filled in the manner prescribed by Section 9-222 of the General Statutes.

#### Section 4.5 Minutes

Each board or commission shall file copies of its motions within forty-eight (48) hours and its minutes with both the Town Clerk and the First Selectmen within seven (7) days after the session to which they refer. The minutes shall indicate those members that are present, describe all items of business discussed and transacted and identify all correspondence received. These requirements shall be construed consistent with Connecticut General Statutes.

#### Section 4.6 Organization of Boards and Compensation of Officials

- a) Except as otherwise provided in this Charter, all boards authorized in this Article shall meet within thirty (30) days of taking office, elect a chairman and secretary and may make regulations for the conduct of their meetings and execution of their duties. Such regulations and any amendments thereto shall be filed with the Town Clerk.
- b) Except as otherwise provided in this Charter, board members shall serve without pay. They may receive reimbursement for necessary expenses incurred in the performance of their duties subject to the limits of appropriations available for such purposes.
- c) The First Selectman shall provide each person elected or appointed to a board or commission with a copy of the ordinance, or other source, which defines the duties of the office.

#### Section 4.7 Attendance

The summary of activities and accomplishments submitted by each board, pursuant to Section 9.5(e) of this Charter, shall include a record of attendance of each of its members. The record shall specify the present of regular meetings at which each member has been present, and this information shall be included by the Board of Finance in the Annual Town Report.

#### Section 4.8 Election of Board of Selectmen

At each regular town election there shall be elected a Board of Selectmen, consisting of the First Selectman and two Selectmen. No more than two members of such Board of Selectmen may be members of the same political party. Each person entitled to vote in a Town Election may cast one vote for the office of First Selectman and two votes for the office of the Board of Selectmen. These officers shall serve terms for two years and shall have powers and duties prescribed by law.

#### Section 4.9 Election of Tax Collector

At each regular town election in November 2019 and quadrennially thereafter there shall be elected a Tax Collector who shall serve a term of four (4) years and shall have the powers and duties prescribed by law.

#### Section 4.10 Election of Registrars of Voters and Nomination of Justices of Peace

Until the Town Meeting alters the numbers, quadrennially beginning with the state election of 1988, there shall be elected two Registrars of Voters, one from each major political party, and they shall serve for four year terms.

Justices of the Peace shall be nominated pursuant to, and serve for the terms, provided in, Section 9-183b of the General Statutes. The powers and duties of these officers shall be those prescribed by law.

#### Section 4.11 Election of the Town Clerk

At the regular election in November of 1977 and quadrennially thereafter there shall be elected a Town Clerk, serving a four (4) year term. Such office shall have the powers and duties prescribed by law.

#### Section 4.12 Election of Board of Finance

Effective with the election in November 2019, the Board of Finance shall consist of seven (7) members and three (3) alternates serving staggered six-year terms. At least two (2) members and one (1) alternate shall be elected at each regular Town Election, except that commencing in

November 2019 and every sixth year thereafter three (3) members and one (1) alternate shall be elected. The Board shall have the powers and duties prescribed by law.

#### Section 4.13 Election of Planning and Zoning Commission

The Planning and Zoning Commission shall consist of seven (7) members and three (3) alternates serving four (4) years each. At least three (3) members and one (1) alternate shall be elected at each regular Town election. The Board shall have the powers and duties prescribed by law.

#### Section 4.14 Election of Zoning Board of Appeals

The Zoning Board of Appeals shall consist of five (5) members and three (3) alternates serving four (4) years each. At least two (2) members and one (1) alternate shall be elected at each regular Town election. The board shall have the powers and duties prescribed by law.

#### Section 4.15 Election of Board of Assessment Appeals

There shall be a Board of Assessment Appeals consisting of three (3) members. Each member shall be elected for a four (4) year term. The board shall have the powers and duties prescribed by law.

#### Section 4.16 Election of District 17 Regional Board of Education

The number of members of the Regional Board of Education, the representation of the Town of Haddam and terms of office of Board members are all determined by the provision of Section 10-46 of the General Statutes. Members of the Board shall be nominated and elected in accordance with the Connecticut General Statutes or as determined by ordinance enacted at a Town Meeting. Any special election caused by the vacancy of a Board member shall be for the duration of the unexpired term.

### **ARTICLE V - APPOINTIVE BOARDS AND COMMITTEES**

#### Section 5.1 Appointive Boards

- a) Subject to subsection (b) of this Section, there shall be the following appointive boards: The Conservation Commission, the Wetlands Commission, the Parks and Recreation Commission, and the Economic Development Commission.
- b) Additional appointive boards may be created and their powers and duties specified by ordinance passed at a Town Meeting. Appointive boards authorized by this Section may be abolished or consolidated, their powers and duties may be altered and the number or terms of office of their members may be changed by ordinance, provided that any such changes are consistent with the General Statutes and other Sections of this Charter.

## Section 5.2 Conservation Commission

The Conservation Commission shall consist of seven (7) members, serving three-year terms ending on May, 1, and shall have two (2) alternates serving three-year terms ending on May 1. Every year, two (2) members and one (1) alternate shall be appointed, except that every third year three (3) members and no alternates shall be appointed. The First Selectman Shall be the appointing authority with the approval of the Board of Selectmen. The Conservation Commission shall have such powers and duties as prescribed by Section 7-31a of the General Statutes, as amended, and that are consistent with this Charter.

## Section 5.3 Wetlands Commission

The Wetlands Commission shall consist of seven (7) members and two (2) alternates, serving three-year terms ending on May 1. The First Selectman shall appoint a successor upon the expiration of the term of any member or alternate with the approval of the Board of Selectmen. The Wetlands Commission shall serve as the Town's inland, wetlands, and watercourses agency and shall have all the powers and duties consistent with the General Statutes and those prescribed by Town ordinance.

## Section 5.4 Park and Recreation Commission

The Park and Recreation Commission shall consist of five (5) members serving five (5) year terms ending on September 1. One member (or more if need be) shall be appointed by the First Selectman, with approval of the Board of Selectmen, each year to said five year term.

The Park and Recreation commission shall supervise the maintenance, development, improvement and use of Town owned athletic facilities.

The Park and Recreation Commission shall have charge over the development, organization, and supervision of recreational programs that are supported by the Town and are not otherwise funded.

The Park and Recreation Commission shall have such other powers and duties as the Town Meeting shall delegate to it.

## Section 5.5 Economic Development Commission

The Economic Development Commission shall consist of up to ten (10) but not less than seven (7) members whose terms shall be for three (3) years ending on June 1. The First Selectman shall appoint a successor upon the expiration of the term of any member with the approval of the Board of Selectmen. The Economic Development Commission shall have powers and duties consistent with the General Statutes and those prescribed by Town ordinance.

## Section 5.6 Membership in Regional Organizations

The number, term, and method of appointment of the representatives of the Town of Haddam to the Connecticut River Gateway Commission and the Midstate Regional Planning Agency shall be in accordance with Chapters 477a and 127, respectively, of the General Statutes. The Town may, by ordinance, join or discontinue its membership in any regional or intergovernmental organization.

## Section 5.7 Appointments to Appointive Boards and Regional Organizations

- a) Unless otherwise provided by this Charter, General Statutes, or Town Ordinance, the members of all appointive boards shall be appointed by the First Selectman, whether for full terms or to fill vacancies.
- b) All members of appointive boards and representatives to regional organizations shall be electors of the Town and shall vacate their positions upon ceasing to be electors of the Town. The procedure for submission of resignations and filling of vacancies for the balance of the unexpired term shall be the same as that prescribed for elective boards in Section 4-4 of this Charter, except that the appointing authority filling a vacancy shall always be the same as that for the original appointment.
- c) All terms shall be established to expire as nearly as possible at regularly staggered annual or biennial intervals. A member shall continue to hold office until his successor has been appointed and is qualified.
- d) Membership on all appointive boards provided by this Article shall be determined in accordance with the minority representative law as set forth in Section 9-167(a) of the General Statutes.
- e) The Board of Selectmen may not make or submit appointments which do not commence during the term of office of the Board of Selectmen. During the last fourteen days of their term, the Board of Selectmen may make not appointments to appointive boards.

## Section 5.8 General Powers and Procedures: Compensation

- a) Appointive Boards shall have the powers and duties consistent with the General Statutes, this Charter, or those prescribed by Town Ordinance to the extent consistent with this Charter.
- b) Appointed Boards shall choose a chairman and a secretary, and may make regulations for the conduct of their meetings and the execution of their duties. Such regulations shall be filed with the Town Clerk, otherwise they shall have no force or effect.
- c) The members of appointive boards shall serve without compensation except that necessary expenses incurred in the performance of their duties may be paid from an appropriation for that purpose.
- d) Appointive boards shall comply with Section 4-5 of this Charter.

## Section 5.9 Committees

- a) Committees may be established by a vote of a Town Meeting or by vote of the Board of Selectmen. Committees established by vote at a Town Meeting may be either temporary or permanent. Committees established by the Board of Selectmen shall terminate thirty (30) days after the next regular town election unless renewed by the vote of the newly elected Board of Selectmen.
- b) Appointments and Terms: Except as otherwise provided by the ordinance or resolution establishing a committee, the term of office of appointees to committees shall terminate thirty (30) days after the next regular town election and the Board of Selectmen shall act as the initial appointment authority, shall choose successors, and shall fill vacancies; except that if the committee was established by a vote at a Town Meeting and the members of that committee were either elected or confirmed by the Town Meeting, the Selectman shall call a Special Town Meeting for filling any vacancy or choosing successors, and the incumbents may remain in office until their successors have duly chosen in this manner.
- c) Duties and procedures: Committees shall choose at their first meeting a chairman, unless the chairman has already been designated by the appointing authority; and a secretary. They shall maintain simple official minutes indicating, in addition to other requirements of law, those members present and a record of correspondence. If they are not required to file a report until Section 9.4 of this Charter, then they shall file a brief report summarizing their annual activities with both the First Selectman and the Town Clerk within thirty (30) days after the end of the fiscal year for inclusion in the Annual Town Meeting shall have determined.

## Section 5.10 Removal for Cause

- a) A member of an appointive board or committee may be removed for cause by the Board of Selectmen, but no such removal for cause shall be effected unless the member has received a statement in writing, prepared either by the First Selectman or by the remaining members of the appointive board, of the reasons why he should be removed and has, not less than fifteen (15) days after the delivery of the statement of reasons, been afforded an opportunity for hearing before the Board of Selectmen, at which he may appear with counsel.
- b) Any member of an appointive board or committee who does not attend at least sixty (60%) percent of the meetings during each calendar year shall be considered removed. The Chairman shall give prompt written notice of such vacancy to the Board of Selectmen.

## Article VI – BOARD OF SELECTMEN

### Section 6.1 Compensation

The members of the Board of Selectmen shall be compensated in such manner and amount as may be determined at the Annual Budget Meeting.

### Section 6.2 Procedure and General Powers

- a) At its first meeting following each regular Town election, the Board of Selectmen in accordance with the General Statutes and this Charter shall fix the time and place of its regular meetings, provide a method for the calling of special meetings consistent with the General Statutes, and designate which Selectman shall be the acting First Selectman in the event of his absence or disability. The First Selectman shall preside at Board of Selectmen meetings. The Selectmen's administrative assistant shall serve as Secretary of the Board of Selectmen. The Board shall, by resolution, determine its own rules of procedure, except that each Selectman shall be always retain the ability to make a motion or offer a proposal which shall be considered by the Board without the necessity of a second.
- b) A special meeting of the Board of Selectmen may be called at any time by the First Selectman or any two Selectmen.
- c) Two members of the Board of Selectmen shall constitute a quorum and no resolution or action shall be adopted by less than two affirmative votes.
- d) The Board of Selectmen shall generally supervise the administration of the affairs of the Town except those matters which according to General Statutes or this Charter are exclusively committed to other agencies or boards.
- e) The Board of Selectmen shall be responsible for coordinating the activities of all the agencies of the Town, and for keeping under review the present and future needs of the Town.

### Section 6.3 Special Powers and Duties

In addition to these general powers and except for the powers committed to the Board of Finance by the General Statutes, the Board of Selectmen shall have the power, subject to the provisions of the General Statutes and this Charter and the necessary approvals of the Town Meeting as specified by law and Articles III and IX of this Charter.

- a) To incur indebtedness in the name of the Town, and to provide for the due execution of contracts and evidences of indebtedness issued by the Town;
- b) To take, purchase, lease, sell or convey real or personal property of or for the Town;
- c) To institute, prosecute, defend or compromise any legal action or proceeding by or against the Town;

- d) To enter into contracts for any services and to purchase or contract to purchase any supplies, materials, equipment and other commodities required by any Town agency, except the Board of Finance with respect to the Town audit as provided by Section 9-1 of this Charter. The Board of Selectmen may by resolution or regulation delegate its powers in this subsection (d) to any Town agency;
- e) To employ such staff with such powers, duties, and responsibilities as it may deem desirable to carry out the duties and responsibilities of the Board of Selectmen, within the confines of this budget;
- f) To issue notes in anticipation of tax collections payable within the fiscal year, and to issue bonds or other notes when authorized by a Town Meeting, in each instance upon such terms and conditions as the Selectmen may approve, including without limitation the manner and form of issue and sale thereof, the date and rate of the manner and form of issue and sale thereof, the date and rate of interest thereof, the designation of a bank or trust company to act as certifying or paying agent thereof, and the designation of the persons to sign such notes in the name of or on behalf of the town;
- g) To accept or refuse to accept, roads offered to the Town, subject to approval of a Town Meeting;
- h) To abandon or discontinue Town roads, subject to a Town Meeting;
- i) To apply for, accept and administer grants.
- j) Development of long range financial planning for the town in conjunction with the Board of Finance and input from the Long Range Capital Planning Committee.

Section 6.4 Powers with Respect to Ordinances

- a) Pursuant to Section 3-7 (d) of this Charter, the Board of Selectmen may propose ordinances consistent with the General Statutes and this Charter on any matter which the General Statutes or this Chapter authorize to be legislated by ordinance and which in general would serve to aid the preservation of the good order, health, welfare, and safety of the Town.
- b) On a declaration of State or public emergency, as provided for in Section 7-4 of this Charter, the Board of Selectmen may enact ordinances to meet such emergency, consistent with the General Statutes and this Chapter. Such Emergency ordinances shall become effective once published by the most effective means available. They shall remain in effect for no more than sixty (60) days and not beyond the duration of the emergency, unless ratified by the Town Meeting. Said Emergency ordinances may be repealed by a vote of the Board of Selectmen or the Town Meeting.

**ARTICLE VII - THE FIRST SELECTMAN**

Section 7.1 Chief Executive and Administrative Officer

The First Selectman shall be the chief executive and administrative officer of the Town, and shall spend sufficient time required to carry out his duties as charged by the General Statutes and specifically described in Section 7.2 and 7.3 of this Charter.

The First Selectman shall have all the powers, duties, and responsibilities conferred upon that office by law and which are not inconsistent with this Charter; and in addition, he shall have such powers as are necessary or incidental to the discharge of these duties and responsibilities as set forth in this Charter.

The First Selectman shall be a full voting and participating member of the Board of Selectmen and he shall preside at meetings of the Board when present. The First Selectman shall be an ex officio member of all agencies of the town, but without the power to vote. He may, in writing, appoint a Selectman to be his representative.

## Section 7.2 Duties of the First Selectman

Under the general policy direction of the Board of Selectmen, the First Selectman shall:

- a) Be responsible for the proper performance of the First Selectman's office, in connection with which he shall be available, in person or by telephone, at his office at specified hours during the normal working day;
- b) Be responsible for coordinating the administration of the agencies of the Town, except for those functions expressly reserved or delegated to those agencies by law;
- c) Be responsible for making a continuous review of the current and future needs of the Town, including financial needs and budget requirements, in connection with which he may require reports and information to be submitted by any Town agency. He shall keep the Board of Selectmen fully informed as to the financial condition of the Town;
- d) Be responsible for seeing that the Board of Selectman are up to date on the availability of, and the requirements for, such Federal and/or State funds as the Towns may qualify for. He shall make this information available to the Board of Finance in accordance with Article IX of this Charter;
- e) Be responsible for the implementation of proper financial procedures such as bidding procedures, record keeping and accounting methods which the Board of Finance may lawfully and reasonably prescribe for the Town agencies over which he has jurisdiction;
- f) Be responsible for the coordination and guidance of the Board of Selectmen in the discharge of all of the Board 's duties and responsibilities;
- g) Be responsible for the development of a set of priorities which shall provide a guide for things the Town shall attempt to accomplish during the coming year, and which shall serve as a policy guide in the development of the Annual Town Budget;
- h) Be responsible for keeping full and complete records of the doings of the office. It shall be his duty to make periodic reports to the Selectmen and the Board of Finance, to recommend to the Selectmen such motions as he shall deem necessary or expedient; and to keep or cause to be kept complete books of accounts showing the financial transactions and condition of the Town and all other accounts and records as may be prescribed by the Selectmen, the General Statutes, or the Town Meeting.

- i) Be directly responsible for the duties which Section 8.8 of this Charter assigns to the Director of Public Works, until such time as the Town Meeting shall provide for a separate appointment to this office;
- j) Be directly responsible for the other duties which the General Statutes assign to the chief executive in the absence of such separate municipal appointive officials as police chief or welfare officer.
- k) Act as purchasing agent of the Town, subject to such rules and regulations as may be prescribed by the Board of Selectmen and elsewhere in this Charter.

### Section 7.3 Duties Relating to the Budget

With the guidance of the Board of Selectmen, the First Selectman shall act to assemble the preliminary budgets of the Town Agencies in accordance with the manner required by the Board of Finance, after discussing them with the agency heads. Said preliminary budget shall be turned over to the Board of Finance no less than the first full week of February.

### Section 7.4 Emergencies

- a) In the event that the First Selectman shall find that a state of emergency exists within the Town, requiring immediate action to protect the health, safety, and general welfare of its citizens, he may declare that such a state of emergency exists and publish such declaration by most effective means available, and take such action as shall be in the best interest of the Town; provided that the Board of Selectmen shall meet as soon as possible to ratify such action and to take such further action as may be required by this Charter.
- b) A state of emergency shall terminate when so voted by the Board of Selectmen or declared in writing by the First Selectmen, or by vote of the Town Meeting.

### Section 7.5 Delegation of Duties

To assist in the discharge of the duties and responsibilities, of his office and of the Board of Selectmen, the First Selectman may assign and delegate duties to Selectmen and to officers responsible to him, except as to such powers and duties which may not under the General Statutes be so delegated. Such assignments and delegation, if permanent, shall be made public knowledge through posting on the Town web site and shall be made known to any Town agencies affected.

## **ARTICLE VIII - ADMINISTRATIVE OFFICES, DEPARTMENTS, AGENCIES, AND EMPLOYEES**

### Section 8.1 Administrative Offices and Departments

There shall be the following administrative offices and departments of the Town:

Building Board of Appeals; Building Inspector; Zoning Enforcement Officer; Director of Emergency Management; Director of Health; Department of Public Works; Animal Control Officer; Tree Warden; Fire Marshals; Tax Assessor; Town Attorney; Town Engineer and/or Engineering Firm, Director of Finance and Sanitarian. The Board of Selectmen shall establish such departments and may hire or appoint such officials, as required by this Charter and the Connecticut General Statutes.

#### Section 8.2 Appointment and Eligibility

Administrative officers and department heads shall be appointed in the manner hereinafter provided. Appointees of the First Selectman shall be appointed and may be removed in accordance with provisions of Section 7.2 of this Charter. Except as provided in this Charter or by vote of the Town Meeting, no administrative officer or department head shall serve as voting member on any regular Town board during his term of office, and any such officer or department head elected to public office in the Town shall, upon such election, forfeit his position to which he had been appointed.

#### Section 8.3 Vacancies in Administrative Offices

Any vacancy in an appointive administrative office, from whatever cause arising, shall be filled by the appointing authority to such office. Persons appointed to fill vacancies in said administrative offices shall serve for the unexpired term vacated if such office has a fixed term, or shall serve for an indefinite term (as an employee at will) in the event no fixed term is provided for such office.

#### Section 8.4 Building Board of Appeals

There shall be a Building Board of Appeals consisting of five (5) members who shall be appointed in accordance with State Building Code and the General Statutes, by the Board of Selectmen, for terms of five (5) years, expiring on April 1. One member shall be appointed in 1976, none in 1977 and 1978, two in 1980, and in the same successive pattern every five years thereafter. The powers and duties imposed and conferred in the State Building Code and General Statutes shall govern this Board.

#### Section 8.5 Constables

The Board of Selectmen may appoint and may remove or replace the Constables; the total number shall not exceed seven (7). Said Constables shall be experienced and qualified to engage in law enforcement activities by having attended a training program provided by the State or having obtained equivalent education under guidance of a Law Enforcement Officer. The term of office of Constables shall extend to the second Tuesday next following the regular town election.

## Section 8.6 Director of Emergency Management

There shall be a Director of Emergency Management appointed by the First Selectman in accordance with Section 28-7 of the General Statutes. The appointment or removal of the Director shall be subject to the approval of the Board of Selectmen. The appointee shall have such powers and duties as are provided by law, and such other powers as may be prescribed by the Board of Selectmen. With the approval of the First Selectman, the Director shall undertake such activities as may be required pursuant to Directives of the State Office of Emergency Management.

## Section 8.7 Director of Health

The Board of Selectmen shall appoint, and may remove in accordance with the provisions of Section 19a-200 of the General Statutes as amended, a Director of Health. The Director of Health shall meet the qualifications of the State Public Health Council, and shall have all the powers and duties of that office imposed and conferred by the General Statutes, this Charter and by ordinance.

## Section 8.8 Department of Public Works

Until such a time as the Town Meeting upon the recommendation of the Board of Selectmen shall provide otherwise, the First Selectman shall serve as the Director of the Department of Public Works.

Subsequent to Town Meeting approval, the Board of Selectmen may appoint (and may remove) a Director of Public Works who shall be a professional engineer, licensed by the State of Connecticut, or who shall have at least ten years experience in the field, and who may also serve as the Town Engineer.

- a) Powers and Duties: Said Director shall be the administrative head of the Public Works Department and as such shall be responsible for the efficiency, discipline and good conduct of the Public Works operation of the Town. The Director of Public Works shall have supervision and control of the maintenance of all Town-owned structures. He shall be responsible for the planning, surveying, construction and reconstruction, altering paving, repairing, maintaining, cleaning, lighting and inspecting of highways, bridges, sidewalks, curbs, the care of trees and grounds, refuse and disposal areas, public drains, and the maintenance of apparatus and equipment used by the Department. At the request of the Board of Selectmen, he shall undertake the maintenance and care of parks and recreational facilities to the extent not assigned to the Park and Recreation Commission. The Director of Public Works shall organize the public works operation in such a manner as to be most economical and efficient, and it shall be his responsibility to provide to the Board of Selectmen and, upon request, to the Board of Finance, such schedules of road maintenance and construction and to compile such estimates of

expenditures for labor, materials, and services as are necessary and may reasonably be required for the management and budget-making process of the town.

- b) Appointments: The Director of Public Works with the approval of the Board of Selectmen may appoint and remove all deputies, assistants or employees in his Department and in so doing so shall be subject to such rules and regulations concerning Town employees as may be adopted by the Board of Selectmen or the Town Meeting pursuant to a delegation of the powers provided by Section 8.14 of this Charter.
- c) Enforcement Officers: The Board of Selectmen, in consultation with the Planning and Zoning Commission and the Director of Public Works, shall appoint and may remove a Building Official and Zoning Enforcement Officer, as either joint or separate offices, such that for each of these offices the individual appointed shall meet the qualifications and perform the duties prescribed for those offices by the General Statutes, the State Building Code, and ordinances of the Town. Both the Zoning Enforcement Officer and the Building Official shall work closely with the Planning and Zoning Commission in performing the functions they may prescribe. The First Selectman, in consultation with the Director of Health, shall appoint and may remove a Sanitarian, who shall meet the qualifications and perform the duties prescribed for that office by the General Statutes and ordinances of the Town. In consultation with such additional Boards as may require an officer for the proper enforcement of the regulations which they must administer, the first Selectman may appoint a qualified officer to undertake this responsibility, or remove him, provided that the Town Meeting has created a new position for this purpose.
- d) Town Engineer: The Board of Selectmen, in consultation with the Director of Public Works, shall appoint and may remove a Town Engineer and/or Engineering Firm. Said Town Engineer shall be a qualified professional civil engineer registered to practice in this State in accordance with the provisions of Chapter 391 of the General Statutes. The Town Engineer shall provide engineering services to all Town Offices and boards, under the direction of the Board of Selectmen.

#### Section 8.9 Tax Assessor

There shall be one Tax Assessor for the Town of Haddam, who shall be appointed and may be removed by a board consisting of the Board of Selectmen and the Chairman of the Board of Finance. Such Tax Assessor shall be qualified by training and experience and shall have all the powers and duties, not inconsistent with this Charter, conferred upon his office by the General Statutes, and such other powers and duties as may be prescribed by the Board of Selectmen.

The Board of Selectmen, in consultation with the Assessor, shall appoint and may remove deputies, assistants, or employees in his office, subject to such rules and regulations as may be adopted pursuant to Section 8-14 of this Charter.

#### Section 8.10 Town Attorney

The Board of Selectmen shall appoint no later than thirty days after the commencement of its term, and may remove and replace a Town Attorney or firm of attorneys to represent the Town for a term of two years. Said Town Attorney shall be an experienced attorney at law admitted to practice law in this State.

The Town Attorney shall furnish such legal services to the Town, its officers, and agencies as the Board of Selectmen may authorize and he shall be the legal advisor to such Town offices or agencies in all matters affecting the Town, and shall, upon written request submitted to him through the Board of Selectmen, provide a written opinion on any question of law involving the respective powers and/or duties of said officers or agencies. If for special circumstances the Board of Selectmen deems in advisable, it may provide for the temporary employment of counsel other than or in addition to the Town Attorney. For such purposes, boards and commissions, within the limits of their appropriations or with the approval of the Board of Selectmen, may employ specialized legal counsel.

#### Section 8.11 Fire Marshal

The Board of Selectmen shall appoint, and may remove, a Fire Marshal and such Deputy Fire Marshals as may be necessary, who shall be certified by the State Fire Marshall as being qualified for the duties of this office, in accordance with Section 29-297 of the General Statutes. The Fire Marshall shall have the powers and duties prescribed by law. The Deputy Fire Marshal shall act for the Fire Marshal in the event of his absence or disability. The Fire Marshal shall be sworn to the faithful performance of their duties by the Town Clerk.

#### Section 8-12 Wardens

The First Selectman upon approval of the Board of Selectmen, shall appoint, and may remove an Animal Control Officer and a Tree Warden, who shall serve for a term or two years and shall have the powers and duties prescribed by law.

#### Section 8.13 Fire Department

The Haddam Volunteer Fire Department shall be responsible for the prevention, control, and extinguishment of fires, and shall perform all functions usually associated with a Town Fire Department.

#### Section 8.14 Employees

- a) The Board of Selectmen shall be responsible for the hiring, review, evaluation, suspension and dismissal of all employees of the Town.
- b) The Board of Selectmen shall establish wage and salary scales, job descriptions and

working hours of any class of employees.

- c) Uniform procedures for the recruitment and removal of any class of employees may be established by ordinance. Until such procedures are adopted, hiring of employees except for temporary assignments and those excepted in subsection (a) above shall be done with due public notice and on the basis of job and salary description available to all applicants and termination shall be made for just cause.

#### Section 8-15 Director of Finance/Treasurer

There shall be a Director of Finance who shall be appointed and may be removed by a board consisting of the Board of Selectmen and the Chairman of the Board of Finance. Such Director of Finance shall be qualified by training and experience and shall have such powers and duties as may be prescribed by the Board of Selectmen. Effective commencing November 1, 2019 and thereafter, the Director of Finance shall act as Town Treasurer and have the powers and duties, not inconsistent with this Charter, conferred upon such office by the General Statutes.

### **ARTICLE IX – FINANCE AND TAXATION**

#### Section 9.1 Board of Finance: Organization and Procedures

- a) Members of the Board of Finance shall be elected, vacancies filled, compensation and expenses provided, all in accordance with Article IV of this Charter.
- b) At its first meeting following the regular town election, the Board of Finance shall elect from its membership a Chairman, who shall preside over its meetings; a Vice Chairman who shall act as Chairman in the absence of the Chairman; and a Secretary, who shall be responsible for seeing that records are maintained and minutes and other records of the meetings and proper copies thereof are filed with the Board of Selectmen and the Town Clerk as prescribed by law and by Article IV of this Charter.
- c) The Board shall, as its next order of business, establish a schedule of regular meetings, and shall cause such schedule to be posted in the office of the Town Clerk and made known to the chairman of those boards, committees, and agencies of the Town dependent on the Town budget for any portion of their operating income.
- d) When meetings other than regular meetings are to be held, notice of such meetings shall be posted in the Town Office Building. Decisions of the Board shall be made by majority of those present. No less than four (4) members shall constitute a quorum, except as otherwise provided by the General Statutes and this Charter. Beginning with the first meeting following the 2019 regular town election, no less than five (5) members shall constitute a quorum. At least three (3) of these members must be regular members of the Board; however, following the 2019 regular town election, a quorum shall contain four (4) regular members at a meeting and one alternate member at a meeting.  
The Board of Finance shall have its own budget, which shall contain an appropriation for the purpose of retaining a certified public accountant to audit the Town books as required by the General Statutes, and an appropriation for the just and necessary expenses of board members incurred in the fulfillment of their duties.

## Section 9.2 General Powers and Duties of the Board of Finance

The Board of Finance shall have all powers and duties provided by Statutes and by this Charter. The Board of Finance shall be the chief financial officer and budget making authority of the Town. The Board of Finance shall organize its work to devote proper attention to the following areas, although this shall not restrict the Board of Finance to these areas:

- a) Preparation of the budget for the following fiscal year.
- b) Management and monitoring of the budget for the current fiscal year.
- c) Monitoring the Regional School District budget.

## Section 9.3 Powers and Duties of the Board of Finance in Connection with the Preparation of the Budget for the Coming Fiscal Year and Levying of Taxes

- a) At the beginning of each administration and once a year prior to receiving budget requests for the coming year, the Board of Finance shall meet with the Board of Selectmen for the purposes of general discussion of the priorities the Town in the coming fiscal year. At this meeting, the First Selectman shall indicate to the Board of Finance the manner in which the board might, over the coming year, most effectively contribute to the administration, and the Board of Finance shall also outline its own views regarding the most important tasks which could be undertaken for improving the financial management of the Town. The First Selectman shall set the Annual Budget Meeting for the third full week in May of each year.
- b) By the first full week in February, the Board of Finance shall receive from the Board of Selectmen in the manner described in Section 7.3 of this Charter the preliminary budget for the Town, which shall include the individual budgets of each Town agency dependent on the Town for any portion of its income. These budgets shall be prepared in such manner as the Board of Finance shall prescribe. The individual budget estimates of each Town agency shall be signed by the chairman or principal official and the First Selectman shall include recommendations as to priorities and more efficient ways of meeting diverse needs.
- c) By the first full week in April, the Board of Finance shall review the preliminary budgets together with estimates of income and prepare its own preliminary budget no less than forty-five days prior to the Annual Budget Meeting. Requests for additional information shall be made through the office of the First Selectman.
- d) By the third full week in April, the preliminary budget, as prepared by the Board of Finance, shall be reviewed with the Board of Selectmen for the purpose of informing the Selectmen of the likely budget, to hear comments and to discuss matters affecting Town policy and administration.
- e) By the third full week in April, the Board of Finance shall return to each Town agency no less than five weeks prior to the Annual Budget Meeting the budget proposed by the Board of Finance for each such agency. It shall indicate, when necessary, the reasons for changes and provide the office of the Selectmen with a copy of the same material. Any Town agency which takes exception to the proposed budget shall so inform the Board of

Finance within one week. The Board of Finance shall listen to further presentation from the chairman or principal official of said Town agency prior to making its final decision. The First Selectman or his representative, as an ex office member of the Board, shall be invited to attend these discussions.

- f) By the first full week in May the Board of Finance shall hold a public hearing on the proposed budget. Printed copies of the proposed budget shall be available at the Office of the Town Clerk, the town public library and at such other locations as the Board may prescribe, at least five days in advance of said hearing.
- g) After the public hearing, the Board shall draft its final recommended budget.
- h) The final budget as proposed by the Board of Finance shall be presented for adoption at the Annual Budget Meeting called for that purpose. Copies of the final budget shall be available at least five days before such meeting, at the Office of the Town Clerk and elsewhere as the Board may prescribe. The Annual Budget Meeting may delete or decrease the budget amounts, but may not increase budgeted amounts nor add additional items into the budget.
- i) In the event that the Town shall fail to pass the recommended budget, subsequent Town Meetings shall be called until a budget is passed and the Town shall in the meantime operate under the budgets of the previous fiscal year.
- j) When the budget is approved, the Board of Finance shall see that it is promptly made available through the Office of the Town Clerk.
- k) Within one week after the acceptance of the annual budget by the Town Meeting, unless otherwise changed by ordinance, the Board of Finance shall set the mil rate.
- l) The Tax Collector shall collect the tax in accordance with the General Statutes; the due date shall be July 1 and January 1 with the exception of motor vehicle taxes and taxes less than \$200.00 which taxes shall be due in full on July 1<sup>st</sup>.

#### Section 9.4 Powers and Duties of the Board of Finance With Respect to the Management and Monitoring of the Budget for the Current Fiscal Year

- a) The Board of Finance shall prescribe such periodic reporting of income and expenditures from all Town agencies dependent on the Town budget for any portion of their income as it deems necessary.
- b) The Board of Finance shall review the budget at least quarterly for the purpose of seeing that it is proceeding according to plan. When the Board finds deviation that it considers serious, it shall review the matter with the Board of Selectmen. It shall annually retain certified public accountant to audit books and accounts of the Town as required in the General Statutes.
- c) In the event that a Town agency determines that it requires a sum of money greater than its current appropriation, it shall inform the Board of Selectmen in writing of the sum needed. Within ten days thereafter, the Board of Selectmen shall forward this request to the Board of Finance, together with a statement setting forth the recommendation of the Board of Selectmen.

Not more than fifteen (15) days thereafter, the Board of Finance shall take one or more of the following actions and shall inform the requesting Town agency and the Board of Selectmen in writing of the action taken and the reasons therefore:

1. The Board of Finance may make supplementary appropriations to the requesting Town agency of an amount not to exceed one third of one percent (0.3333%) of the Total General Government Budget (does not include Regional School District #17 budget) up to the nearest \$100.00 in the aggregate without the approval of a Town Meeting. In any fiscal year, the Board of Finance shall not, without approval of the Town Meeting, make supplementary appropriations which in the aggregate exceed three (3%) percent of the Total General Government Budget for that year.
2. The Board of Finance may transfer to a requesting Town agency all or a part of the unexpended balance of any appropriation made to another agency. An "unexpended balance" means that part of any appropriation which has been determined that an agency will not expend during the current fiscal year. Transfers within agencies of amounts exceeding \$1,000.00 shall require Board of Finance approval.

d) A Town Meeting may make no special appropriation or transfer of funds not recommended by the Board of Finance. Such meeting may approve or decrease the amount recommended by may not increase the amount.

e) The provisions of this Section shall not be a limitation on the power of the Town to issue bonds or other obligations for appropriations or indebtedness in accordance with the General Statutes or this Charter.

#### Section 9.5 Expenditures and Accounting

- a) The fiscal year of the Town shall begin on July 1 and end of June 30 of the following calendar year.
- b) The system of accounts used by Town agencies shall be that prescribed by the General Statutes as supplemented by regulations of the Board of Finance.
- c) The regulations of the Board of Finance shall also designate the forms and procedures for orders to be drawn on the Treasury by the Board of Selectmen.
- d) All Officers, Boards, Commissions and Committees shall comply with the regulations of the Board of Finance required by this Section. Such regulations shall be adopted and may be amended by vote of the Board of Finance and shall not be inconsistent with this Charter and the General Statutes.
- e) The Board of Finance shall compile an Annual Town Report, which incorporates the materials thus received as well as the auditor's report. Said Annual Town Report shall be made available before December 31 of each year.
- f) Purchases by an office or agency of the Town, other than where otherwise indicated by the General Statutes, of supplies, materials, services, equipment and other budget commodities that are to become the property of the Town, shall be made under such

competitive bidding rules and regulations as may be established by the Selectmen and meet the approval of the Board of Finance.

- g) No voucher, claim or charge against the Town, shall be paid unless same has been audited under the direction of the First Selectman and approved for correctness and legality.
- h) Drafts with above exceptions shall be drawn by the First Selectman for the payment of approved claims, which drafts shall be valid only when signed by the Treasurer and any two of the three Selectmen. In the absence or inability of the Treasurer to sign, drafts must bear the signature of all three Selectmen.
- i) The several offices or agencies of the Town shall not involve the Town in obligations to spend money for any purpose in excess of the amount appropriated therefore.
- j) The Board of Finance shall have access at all reasonable times to the records and books of account of the Town agencies.
- k) The Town shall make no contribution to any organization unless so authorized by General Statute. No such contribution of more than Five Hundred (\$500.00) Dollars per annum shall be made to any such organization or corporation of which financial records are not submitted along with its request for an appropriation to the Board of Finance.

#### Section 9.6 Bonds and Notes

Issuance of bonds and notes shall require an ordinance enacted at a Town Meeting.

#### Section 9.7 Reserve Fund for Capital and Nonrecurring Expenditures

- a) There shall be a Reserve Fund for capital and Nonrecurring Expenditures.
- b) The planning, construction, reconstruction, or acquisition of any specific capital improvement, or the acquisition of any specific item of equipment, of such category, character, or nature as not be a purpose or object for which an appropriation is customarily made annually, shall qualify as capital and nonrecurring expenditures. Upon the recommendation of the Board of Finance and approval of the Town Meeting, any part or the whole of such Fund may be used for the financing, in part or in full, of such projects of acquisitions. Upon the approval of any such project or acquisition, an appropriation shall be set up plainly designated for the specific project or acquisition for which it was authorized and such unexpended appropriation may continue, subject to the limitation of subsection (d) hereof, until such project or acquisition is completed. Any unexpended portion of such appropriation remaining after completion shall revert to the Fund.
- c) Upon the recommendation of the Board of Finance and approval of the Town Meeting there shall be paid into said Fund such amounts as may be:
  - 1. Authorized to be transferred thereto from the unexpended general fund appropriations available at the end of any fiscal year.
  - 2. Raised by the annual levy of a tax not to exceed four (4) mils for the benefit of such Fund, and for no other purpose.

- d) Any appropriation set up pursuant to the provisions of subsection (b) hereof may at any time subsequent to the effective date of such appropriation, upon recommendation of the Board of Finance and approval of a Town Meeting, be terminated. If no, expenditure from or encumbrance of any such appropriation has been made within the period of three fiscal years after such project is fully funded, such appropriation shall be terminated.

**Section 9.8 Powers and Duties of the Board of Finance in Connection with the Development of Long Range Financial Planning for the Town**

- a) When any Town agency shall develop or plan to develop long range plans, they shall so inform the Board of Finance, and keep them informed.

The Board of Finance may require Town agencies dependent on the Town Budget for any portion of their income to submit estimates for future spending. Such estimates shall be based on fiscal years for two years ahead of the current fiscal year and shall be the best estimates of the present Town agency. Said estimates shall be submitted as the Board of Finance shall dictate.

**ARTICLE X – TRANSITION AND MISCELLANEOUS PROVISIONS**

**Section 10.1 Existing Laws, Ordinances, and Regulations**

All general laws applicable to the Town, all enabling legislation adopted by the Town, all ordinances, By-Laws and regulations of the Town shall continue in full force and effect, except as they are inconsistent with the provisions of this Charter.

All special acts or parts of special acts relating to the Town that are not inconsistent with the provisions of this Charter than continue in full force and effect.

**Section 10.2 Continuation of Offices**

All Town officers, whether elected or appointed, and all members of existing boards or agencies of the Town at the time of the effective date of this Charter shall continue in their respective positions for the duration of their terms.

**Section 10.3 Time Limits on Meetings**

No official decisions of any Board, Commission, or Agency may be made after 11:30PM except in the case of public safety emergencies.

**Section 10.4 Gender**

Any reference in this Charter to masculine gender shall be construed to apply to both the masculine and feminine genders.

#### Section 10.5 Saving Clause

If any part of this Charter is held invalid by a court of competent jurisdiction, such as holding shall not affect the remainder of this Charter.

#### Section 10.6 Effective Date

This Charter shall become effective thirty days after it is approved in accordance with Chapter 99 of the CT General Statutes.

#### **2017 Haddam Charter Revision Commission**

**Wayne Ritty, Chairman**  
**John Fernandes, Vice Chairman**  
**Audrey Brookes, Secretary**  
**Michael Battistoni, Assistant Secretary**  
**Kate Anderson**  
**William Bowles**  
**Harlan Fredericksen**  
**Audrey Brookes**  
**Michael Battistoni**  
**Amy Jacques-Purdy**  
**Thomas Berchulski**  
**Lizz Milardo, First Selectman**  
**Bunny Batzner, Recording Clerk**