

ARTICLE 1 - THE CHARTER

Sec. 1-1 Authorization and Purpose - This Charter enacted in accordance with the provisions of Chapter 99 of the General Statutes of Connecticut (“General Statutes”) is the organic law of the Town of Canton (“Town”) providing for the administration of Town affairs.

Sec. 1-2 Applicable Laws - Matters of administration of Town affairs not provided for by this Charter, or by lawful resolution or ordinance, shall be governed by the General Statutes and to the extent that any existing Special Act of Connecticut (“Special Act”) applicable to the Town is not inconsistent with the provision of this Charter, by said Special Act.

Sec. 1-3 Limited Application of Charter to Board of Education - Whenever the terms “agency”, “authority”, “board”, “commission”, “committee”, “office” or “department” are used below, such terms shall not include the Board of Education.

ARTICLE II - THE TOWN

Sec. 2-1 Incorporation - The Town shall, after the effective date of this Charter, continue as a body politic and corporate with perpetual succession within its territorial limits as lawfully defined.

Sec. 2-2 Powers - The Town shall have all powers and privileges conferred upon it by this Charter and all powers proper, incidental, or convenient to their exercise, including full power to implement this Charter and carry out the purposes and policies thereof by resolution, ordinance and administrative action. Except to the extent otherwise lawfully provided by this Charter, the Town shall have all powers and privileges heretofore or hereafter conferred upon the Town by the Constitution of the State of Connecticut, the General Statutes and by applicable Special Acts. The Town shall have all powers incident to the management of its property, government and affairs including, but not limited to, the capacity and power to enter into contracts with the United States, any federal agency, the State of Connecticut, any political instrumentality thereof and any other person for purposes not prohibited by law.

Sec. 2-3 Existing Laws and Ordinances - Resolutions and ordinances enacted prior to the effective date of this Charter shall remain in force except to the extent that any such resolution or ordinance is inconsistent with or in conflict with the provisions of this Charter and, in such case, said resolutions and ordinances are hereby rescinded. Such rescission shall take place upon the effective date of this Charter.

Sec. 2-4 Definition - Whenever the term "Town" is used herein, the term shall not only include the Town as a geographic and political entity, but shall also include all of its boards and agencies including the Board of Education.

ARTICLE III - TOWN MEETING

Sec. 3-1 Legislative Body - The legislative body of the Town shall be the Town Meeting, as heretofore constituted, with such powers conferred by this Charter and the General Statutes.

Sec. 3-2 Members of the Town Meeting - Members of the Town Meeting shall be electors of the Town and all others entitled by the General Statutes to vote at Town Meetings.

Sec. 3-3 Publication of Notice - At least five (5) calendar days prior to each Town Meeting (not counting as one (1) of said five (5) days the day that the meeting is to be held) the Board of Selectmen shall prepare and cause to be published notice of the date, time, place and call of the meeting in a newspaper having a substantial circulation in the Town and shall cause such notice to be posted at such place or places as may be designated by the Board of Selectmen for this purpose. The call of the meeting shall include the items of business to be considered.

Sec. 3-4 Moderator - A Town Meeting Moderator and three (3) alternates, each to serve for a two (2) year term, shall be appointed by majority vote of the Board of Selectmen and each may be discharged by such majority vote. A moderator appointed pursuant to this section shall preside at the Town Meeting. Robert's Rules of Order shall prevail at all Town Meetings. The appointment of the Town Meeting Moderator and alternates shall be in compliance with the statutory minority representation requirements. The Town Meeting Moderator shall designate which alternate presides at a Town Meeting in his or her absence.

Section 3-5 Annual Town Meeting - There shall be an Annual Town Meeting and a separate Annual Budget Meeting held each year. The Annual Town Meeting shall be held during the month of January on a date established by the Board of Selectmen. Any item of general interest to the Town may be discussed at the Annual Town Meeting. Items may be placed on the call of the meeting of the Annual Town Meeting either by vote of a majority of the members of the Board of Selectmen or by the filing of a petition with the Town Clerk signed by fifty (50) persons eligible to vote at a Town Meeting requesting that an item be placed on the call of the meeting. In order to be considered, any such petition shall be filed with the Town Clerk no later than December 15th of the prior calendar year. A consensus vote may be taken on any item on the call of the meeting at the Town Meeting.

Sec. 3-6 Special Town Meeting - Special Town Meetings may be called from time to time

by the Board of Selectmen and as required by this Charter.

Sec. 3-7 Petition for a Special Town Meeting on New Item - Whenever a petition signed by one hundred (100) persons entitled to vote at a Special Town Meeting is filed with the Town Clerk requesting that a new item be considered at a Special Town Meeting, the Board of Selectmen shall place the petitioned item on the call of a Special Town Meeting to be held within twenty-eight (28) days of the date of receipt of the petition. Affirmative action on the petitioned item shall require a majority vote, but not less than fifty (50) affirmative votes at the Special Town Meeting.

Sec. 3-8 Petition for a Special Town Meeting to Reconsider Item Previously Voted
- Whenever a petition requesting that an item previously voted at Town Meeting be reconsidered is signed by two hundred and fifty (250) persons entitled to vote at Town Meetings or by the number of persons which exceeds by one the number that voted on the prevailing side at the prior vote, whichever is greater, is filed with the Town Clerk, the Board of Selectmen shall place the item to be reconsidered on the call of a Special Town Meeting to be held within twenty-eight (28) days of the date of receipt of the petition. Anyone contemplating the filing of a petition for reconsideration of an item previously voted by Town Meeting shall notify the Town Clerk in writing of such intention within forty-eight (48) hours of the time of the vote on the item requested to be reconsidered. The completed petition shall be filed with the Town Clerk within fifteen (15) days from the date of the vote on the item to be reconsidered. No petition for reconsideration shall be accepted where the item sought to be reconsidered was previously voted by referendum vote. Affirmative action on the petitioned item shall require a majority vote, but not less than one hundred and twenty-five (125) affirmative votes at the Special Town Meeting.

Sec. 3-9 Annual Budget Meeting - An Annual Budget Meeting to vote on the Town budget recommended by the Board of Finance shall be held at 7:30 p.m. on the second Monday in May and may be adjourned to a future date. In the event the second Monday in May falls on a state or national holiday, the budget meeting shall be held on the day following. The vote on the budget shall be by secret ballot. In order to approve the budget by a referendum vote, the following procedure shall be followed. A petition requesting such vote, signed by two hundred fifty (250) persons qualified to vote at Town Meetings, shall be filed with the Town Clerk no later than 4:30 p.m. on the Wednesday immediately prior to the date of the Annual Budget Meeting. The date of the referendum shall be set by the Board of Selectmen not less than seven (7) nor more than fourteen (14) days after the date of the Annual Budget Meeting. The referendum shall be held from 6:00 a.m. to 8:00 p.m. Once a budget vote is petitioned to referendum, any succeeding budget shall be submitted to referendum without need for further petition. When the budget is approved by any method, either by secret ballot at the Annual Budget Meeting or by referendum, such action shall be final and may not be rescinded.

ARTICLE IV - ORDINANCES

Sec. 4-1 General Provisions and Powers - The Town Meeting shall have the sole power

to enact ordinances except as provided hereinafter and not inconsistent with this Charter or the General Statutes, and shall have the power to amend or repeal all ordinances. Notice of any such action shall be in compliance with Section 3-3 of this Charter. All ordinances shall be published in a newspaper having a substantial circulation in the Town within fifteen (15) days of passage, and shall be in full force and effect upon publication or as specified in the ordinance.

Sec. 4-2 Emergency Ordinances - If the Board of Selectmen shall find that a state of emergency exists in the Town requiring immediate action, the Board of Selectmen shall be empowered to declare a state of emergency, but in so doing the Board of Selectmen shall specify the reasons for the declaration. Upon a state of emergency having been declared, the Board of Selectmen shall be empowered to adopt such resolutions and ordinances as it deems necessary under the circumstances. Any resolution or ordinance adopted by the Board of Selectmen during a declared state of emergency, if not previously repealed or if not continued by Town Meeting action, shall automatically cease to have any force and effect sixty (60) days after enactment. When due and diligent effort shall have been made to give reasonable notice to all members of the Board of Selectmen of the place and time for the meeting, the quorum provisions normally applicable to meetings of the Board of Selectmen shall be suspended for purposes of declaring a state of emergency.

ARTICLE V - FIRST SELECTMAN

Sec. 5-1 Chief Executive Officer - The First Selectman is the Chief Executive Officer of the Town and shall preside over all meetings of the Board of Selectmen. The First Selectman shall oversee the general concerns of the Town.

Sec. 5-2 Ex-officio Member - The First Selectman shall be an ex-officio member of all boards, commissions, agencies, committees and authorities of the Town appointed by the Board of Selectmen or elected by the Town, but without power to vote.

ARTICLE VI - BOARD OF SELECTMEN

Sec. 6-1 Composition - The Board of Selectmen shall consist of a First Selectman and four (4) other Selectmen, each of whom shall be elected for a two (2) year term. The votes cast for an unsuccessful candidate for First Selectman shall be counted as votes for that person as a Selectman. Not more than three (3) members, excluding the First Selectman, shall be of the same political party. For the purpose of determining minority representation, the total membership of the Board of Selectmen shall not include the First Selectman. A political party may nominate and an elector may vote for one candidate for First Selectman and not more than three (3) other candidates for the remaining four (4) positions on the Board of Selectmen. The Board of Selectmen shall elect from among its own members, a Deputy First Selectman who shall serve as acting First Selectman during the absence of the First Selectman. No Selectman may hold any other Town office or be an

employee or contract employee of the Town. For the purpose of this section, the term “Town” office shall not include membership on temporary committees, boards, agencies, authorities, or commissions and shall not include membership on committees, boards, agencies, authorities and commissions whose powers are advisory only.

Sec. 6-2 Meetings - The Board of Selectmen shall hold at least one (1) regularly scheduled meeting per month. Special meetings may be called at any time by the First Selectmen or by any two (2) Selectmen. The presence of three (3) members shall constitute a quorum for the transaction of business at any regularly scheduled meeting or special meeting, except as otherwise herein provided. A majority of the votes cast at a meeting, at which a quorum is present at the time of the vote, shall constitute the act of the Board of Selectmen, unless a greater vote is required by this Charter or any ordinance or General Statute or Special Act. At each regularly scheduled meeting and special meeting of the Board of Selectmen there shall be set aside a time for public participation during which members of the public may address the Board of Selectmen concerning any matter. The Board of Selectmen shall have an appointed clerk.

Sec. 6-3 General Powers of the Board of Selectmen

(a) **Responsibility and Policy -** The Board of Selectmen shall have all powers, duties, and responsibilities conferred upon it (i) by this Charter and all powers proper, incidental, or convenient to their exercise; (ii) by any General Statute or Special Act; and (iii) by resolution or ordinance. The Board of Selectmen shall be responsible for having the Chief Administrative Officer carry out all acts, policies, resolutions and ordinances of the Town.

The Board of Selectmen shall set policy and authorize action on all matters concerning the administration of the Town, except matters relating to the Board of Education. The Board of Selectmen shall not have policy-making powers relating to land use boards and commissions and shall not have policy-making powers relating to other Town agencies and officers which are inconsistent with powers authorized by the General Statutes. The Board of Selectmen shall set policy and authorize action on all matters concerning special revenue funds for recreation and emergency medical services and other such funds that may be from time-to-time established.

(b) **Continuous Review of Administrative Needs -** The Board of Selectmen shall be responsible for conducting a continuous review of the current and projected administrative, governmental and fiscal needs of the Town. This shall include publication of an Annual Report.

Sec. 6-4 Budget and Appropriation Duties and Responsibilities

(a) **Proposed Budget -** The Board of Selectmen shall review a preliminary annual budget presented by the Chief Administrative Officer. It shall be the responsibility of the Board of Selectmen to make adjustments to the proposed budget for departments and agencies under its jurisdiction and grant agencies and cause to be forwarded to the

Board of Finance a final proposed budget, including estimated income. This proposed budget shall be submitted to the Board of Finance on the second Monday in March.

(b) Redistribution or Transfer of Unexpended Balances - The Board of Selectmen may, upon request from the Chief Administrative Officer, redistribute or transfer, in any fiscal year, within or between departments unexpended balances in excess of \$1,000 upon majority vote.

Sec. 6-5 Specific Powers of the Board of Selectmen:

(a) Employment of Chief Administrative Officer - The Board of Selectmen shall hire and may discharge a full time Chief Administrative Officer. A minimum of four (4) votes is required either to hire or discharge. The Chief Administrative Officer shall be responsible to the Board of Selectmen for all of his actions and shall report to and keep the Board of Selectmen informed on a timely basis. The Board of Selectmen shall fix the annual salary of the Chief Administrative Officer.

(b) Appointment of Town Counsel - The Board of Selectmen shall appoint Town Counsel.

(c) Acceptance of Public Roads and Improvements - The Board of Selectmen, upon the affirmative vote of three (3) members, may accept any public improvement or public road or open space or similar real estate interest as provided in the Plan of Development, local land use regulations, or statutes of the State of Connecticut or as may be approved or recommended by the Planning Commission or Zoning Commission.

(d) Acceptance of Gifts on Behalf of the Town - The Board of Selectmen may accept gifts on behalf of the Town upon the affirmative vote of three (3) members. Any gift not accepted by vote of the Board of Selectmen may be accepted by Town Meeting. The Board of Education, upon affirmative vote of five (5) members, may accept gifts on behalf of the Town relating to matters under the Board's jurisdiction.

(e) Disposition of Town Property - The Board of Selectmen and the Board of Education respectively shall be responsible for disposing of Town property under its respective jurisdiction having a fair market value up to \$25,000; disposition of property having a fair market value of more than \$25,000, but not exceeding \$50,000, shall be approved by the Board of Finance. A disposition having a fair market value exceeding \$50,000 shall be approved by the Town Meeting. Such dispositions shall be consistent with regulations established for this purpose by the Board of Finance and the proceeds of any such disposition shall be deposited into the general fund.

(f) Filling of Unexpired Terms on Appointive Boards - The Board of Selectmen shall fill unexpired terms for all vacancies that may exist on all appointive boards, commissions,

agencies, committees and authorities.

(g) Removal of Appointees for Cause

(1) Appointee Attendance Requirements - The Board of Selectmen shall remove any member or alternate member of any committee, board, agency, authority, or commission, appointed by it should such appointee miss three (3) consecutive regularly scheduled meetings of the committee, board, agency, authority, or commission or more than forty (40) percent of the regular and special meetings to which such appointee has been appointed during the most recent twelve (12) month period.

(2) Appointee Removal for Cause - The Board of Selectmen may, upon the vote of four (4) Selectmen, remove for cause any member or alternate member of any board, commission, agency, committee or authority appointed by the Board of Selectmen, provided that such member or alternate be notified in writing of such removal and the grounds for such removal and be given an opportunity for a hearing before the Board of Selectmen. At such a hearing, such member or alternate shall be reinstated to the appointed position unless four (4) Selectmen vote to confirm such removal. If such member or alternate desires such a hearing, such member or alternate shall so notify the Board of Selectmen in writing within seven (7) days after receipt of notice of the removal and the grounds thereof. Such hearing shall be public only if requested by such member or alternate. Such hearing shall be held not less than seven (7) nor more than thirty (30) days after receipt of the notice for a requested hearing. The decision of the Board of Selectmen shall be rendered in writing within seven (7) days of the hearing and notice of such decision shall be mailed to the member or alternate forthwith. Such decision shall be final. From the initial date of notification of removal from the Board of Selectmen, such member or alternate shall be ineligible to perform any official duties pertaining to the appointed position unless reinstated as above provided.

(h) Filling of Vacancies of Elective Officials and on Elective Boards - The Board of Selectmen shall fill all vacancies of elective officials until the next Town Election except those vacancies occurring on multi-member elective boards. Vacancies on a multi-member elective board shall be filled by the remaining members of that board until the next Town Election. If a vacancy exists for more than forty-five (45) days, the Board of Selectmen shall be empowered to fill the vacancy until the next Town Election. The replacement member shall be of the same political party as the vacating member or shall be an unaffiliated voter. Nothing contained herein, however, shall preclude a Special Election from being held in accordance with the provisions of the General Statutes to fill a vacancy in an elective office or to fill a vacancy on an elected board.

(i) Appointment of Temporary Advisory or Study Committees - The Board of Selectmen may establish temporary advisory or study committees for a period not to exceed twenty-four (24) months to make recommendations to the Board of Selectmen. The term of any such committee is not to be extended or renewed without Town Meeting approval.

Sec. 6-6 Police Department

(a) **Supervision, Appointment and Promotion** - There shall be a police department which shall be subject to policies established by the Board of Selectmen. The Chief Administrative Officer shall be responsible for the administration of the police department and appoint and promote members of the department after consultation with the Chief of Police in accordance with policies established by the Board of Selectmen. The Board of Selectmen, after consultation with the Chief Administrative Officer, shall appoint and may discharge the Chief of Police in accordance with statutory procedures.

ARTICLE VII - CHIEF ADMINISTRATIVE OFFICER

Sec. 7-1 Appointment - A Chief Administrative Officer shall be hired by and report to the Board of Selectmen.

Sec. 7-2 General Powers - The Chief Administrative Officer shall be directly responsible to the Board of Selectmen and shall have responsibility and authority for the administration of all departments, agencies, and non-elected officers of the Town.

Sec. 7-3 Duties - The Chief Administrative Officer, in accordance with policies established by the Board of Selectmen, shall:

(a) **Coordination of Administration** - Coordinate the administration of the officers, boards, commissions, agencies, committees and authorities of the Town appointed by the Board of Selectmen except those functions expressly reserved or delegated to such bodies by law.

(b) **Execution of Laws** - Execute and carry out ordinances, resolutions, regulations, policies and other action voted by the Board of Selectmen or the Town Meeting.

(c) **Public Works' Operations** - Be responsible for public works' operation including:

- (1) highway and bridge work;
- (2) maintenance or custodial work for any public building, park, playground and road except those under the jurisdiction of the Board of Education;
- (3) maintenance and care of school grounds as requested by the

Superintendent of Schools and approved by the Chief Administrative Officer with cost to be borne by the Board of Education.

(4) administration and operation of the wastewater treatment facility.

(d) Records and Accounts - Supervise maintenance and custody of all records and accounts except those of the Board of Education.

(e) Contracts - Contract on behalf of the Town for any services or materials required by any officer, board, committee, agency, authority or commission of the Town, except the Board of Education. The Chief Administrative Officer shall not contract to expend any money or incur any liability in excess of the amount appropriated for an officer, department, board, committee, agency, authority or commission during any budget year without Board of Selectmen and Board of Finance approval.

(f) Purchasing Agent - Be the purchasing agent of the Town. All services, supplies, materials, equipment and other commodities required by any office, department, agency, board, commission or authority of the Town, shall be purchased through him. The Board of Selectmen shall establish bidding and purchasing policies, except for purchases made by the Board of Education.

(g) Reports to Board of Selectmen - Keep the Board of Selectmen fully advised as to the financial and general condition of the Town. The Chief Administrative Officer shall attend its meetings and may participate in its discussion but without a right to vote.

(h) Annual Report - Cause to be prepared and printed as soon as is reasonable after the close of the fiscal year, an Annual Report.

Sec. 7-4 Annual Budget Duties

(a) **Preparation of Budget** - The Chief Administrative Officer shall prepare a preliminary Annual Budget request to include all estimated Town expenditures including grant agencies, except the expenditures of the Board of Education. The head of each department, office, board, committee, agency, authority, commission, and grant agency supported wholly or in part from Town funds, or for which a specific Town appropriation is made, shall file with the Chief Administrative Officer on forms provided by the Chief Administrative Officer a detailed estimate of the expenditures to be made by each office, department, board, committee, agency, authority, commission, or grant agency and the estimated revenue, other than tax revenues, to be collected by each in the ensuing fiscal year. This preliminary Annual Budget request shall be forwarded to the Board of Selectmen on or before the second Monday in February for its review and adjustment.

(b) **Redistribution or Transfer of Funds** - The Chief Administrative Officer may approve redistribution of unexpended balances not to exceed \$1,000 in the aggregate in one fiscal year from one account to another within a single department or may transfer sums not to exceed \$1,000 in the aggregate in one fiscal year from one department to another department. Redistribution or transfers over \$1,000 shall require Board of Selectmen approval.

Sec. 7-5 Appointments by Chief Administrative Officer-The Chief Administrative Officer shall appoint or hire and may remove or discharge all appointed officers and employees of the Town who receive compensation from the town for their services as officers or employees, except as specified in Section 10-1, and except employees of the Board of Education.

Sec. 7-6 Absence of Chief Administrative Officer - In case of disability or temporary absence of the Chief Administrative Officer or vacancy in the office of the Chief Administrative Officer, the Board of Selectmen may designate an acting Chief Administrative Officer.

Sec. 7-7 Labor Agreements - The Chief Administrative Officer or his designee shall negotiate labor agreements for employees under the jurisdiction of the Selectmen's budget. All labor agreements or last best offers in case of binding arbitration shall be approved by the Board of Selectmen and follow procedures required by the General Statutes.

ARTICLE VIII - ELECTIONS AND ELECTIVE OFFICES

Sec. 8-1 Regular Town Elections - A Regular Municipal Election shall be held in the Town biennially on the first Tuesday after the first Monday in November of each odd numbered calendar year. Special Town Elections may be held from time to time as allowed or required by law and this Charter. All elected officers shall be elected as specified in the General Statutes and all terms of office shall commence as specified in the General Statutes.

Sec. 8-2 Voting District - Unless otherwise established by ordinance, there shall be one voting district in the Town.

Sec. 8-3 Board for Admission of Electors - Unless changed by Town Meeting, there shall be a Board of Admissions of Electors whose members shall be the Town Clerk and the two (2) Registrars of Voters. The duties of this Board shall be as specified in the General Statutes.

Sec. 8-4 Eligibility - Only an elector of the Town shall be eligible for election to any Town office. If a person holding an elective office ceases to be an elector of the Town under the General Statutes, he shall cease to hold the office and it shall be vacant.

Sec. 8-5 Elected Officers - In addition to the First Selectman, there shall be the following elected officers of the Town:

(a) **Registrars of Voters**

(b) **Such other elected officers as may be required** by Town Meeting or the General Statutes.

ARTICLE IX - ELECTED BOARDS

Sec. 9-1 Board of Assessment Appeals - consisting of three (3) members elected for a four (4) year term, one (1) of whom shall be elected at the 2001 Regular Town Election and two (2) of whom shall be elected at the 2003 Regular Town election.

Sec. 9-2 Board of Education - consisting of nine (9) members to be elected for a four (4) year term, four (4) members and five (5) members, respectively, each to be elected at alternating Regular Town Elections; provided however that in the election scheduled for November, 2001, two (2) members shall be elected for four (4) year terms and one for a two (2) year term and at the election scheduled for November, 2003, four (4) members shall be elected for four (4) year terms and in the election scheduled for November, 2005, five (5) members shall be elected for four (4) year terms. If the number of members to be elected is odd, no person shall vote for more than a bare majority of the number and, if the number to be elected is even, no person shall vote for more than half of the number, except that in electing members of the Board of Education in November, 2003, and such subsequent elections when only four (4) members of the Board of Education are to be elected, a person may vote for three (3) such members.

Sec. 9-3 Board of Finance - consisting of six (6) members to be elected for a four (4) year term, three (3) members to be elected at each Regular Town Election, provided however that in the election scheduled for November, 2001, one (1) member shall be elected for a two (2) year term and one (1) member for a four (4) year term. Members shall serve without compensation. Necessary expenses incurred in the performance of duties may be paid from an appropriation authorized for that purpose. No member of the Board of Finance shall hold any other office in the Town or be an employee or contract employee of the Town.

(a) General Duties and Responsibilities - The Board of Finance shall:

- (1) be the budget-making authority of the Town, and no less than annually, analyze and report on the long-range financial plan and debt management for the Town.
- (2) except as otherwise provided by this Charter, be governed by and have all the duties, responsibilities and powers provided for in the General Statutes.
- (3) annually designate an independent public accountant to audit the accounts of the Town, as required by the General Statutes.
- (4) have access at all reasonable times to the records and accounts of the Board of Selectmen and of the Board of Education.

(b) Annual Budget - The annual Budget shall have three (3) sections:

- (1) A Board of Selectmen section which shall include a separate section on grant agencies.
- (2) A Board of Education section.
- (3) A Board of Finance section which shall include the Contingency Fund, the Reserve Fund for Capital and Non-Recurring Expenditures, Bonding and Borrowing (Principal, Interest and Sinking Fund payments), all estimates of revenue and appropriate expenses of the Board.

(c) Annual Budget Responsibilities

(1) On or before the second Monday in March, the Board of Selectmen and the Board of Education shall present to the Board of Finance the proposed annual budgets for the ensuing fiscal year for Town Administration and Board of Education operations, respectively. The Board of Finance shall review the proposed budgets and shall make bottom line adjustments as it deems appropriate.

(2) Not less than two (2) weeks prior to the Annual Budget Meeting, the Board of Finance shall hold a public hearing at which a proposed annual budget showing itemized estimates of the expenditures of the Town for the ensuing fiscal year and itemized estimates of income shall be presented. The Board of Finance shall publish at least five (5) days in advance of such public hearing (excluding from the five (5) days both the day that the notice is published and the day of the hearing), a notice of the date, time and place of such hearing in a newspaper having a substantial circulation in the Town.

(3) Subsequent to said public hearing, the Board of Finance shall prepare a budget (hereinafter called the "Recommended Budget" Budget) and shall submit this Recommended Budget for adoption by the Town at the Annual Budget Meeting.

(4) Not less than five (5) calendar days prior to the date of the Annual Budget Meeting (not counting as one of said five (5) days the day that the notice is published), the Board of Finance shall cause to be published in a newspaper having a substantial circulation in the Town a notice of the date, time, and place of the Annual Budget Meeting together with (i) an itemized statement of all actual receipts from all sources of the Town during its last fiscal year; (ii) an itemized statement by classification of all actual expenditures during the same year; (iii) an itemized estimate of anticipated revenues during the ensuing fiscal year from each source other than from local property taxes and an estimate of the amount which should be raised by local property taxation for such ensuing fiscal year; (iv) an itemized estimate of expenditures of the Town for such ensuing fiscal year; and (v) the amount of revenue surplus or deficit of the Town at the beginning of the fiscal year for which estimates are being prepared.

(5) On or before the tenth day prior to the date of the Annual Budget Meeting, the Board of Finance shall do a Town-wide mailing of a summary covering all parts of the Recommended Budget including Reserve Fund, Contingency Fund, Surplus Revenue, Grand List and projected mill rate information.

(d) Laying of Taxes

(1) When the budget has been approved and the Grand List has been completed, the Board of Finance shall forthwith meet and lay a tax on the Grand List sufficient, in addition to the other estimated yearly income of the Town, to pay the expenses and appropriations of the Town for the ensuing fiscal year, and absorb any revenue deficit of the Town at the end of the

current fiscal year.

- (2) The Tax Collector shall collect the tax.

(e) Approval of Special Appropriations

(1) The Board of Finance on request from the Board of Selectmen or on request from the Board of Education may in any fiscal year make special appropriations up to \$25,000 in the aggregate from surplus or from the Contingency Fund to the Board of Selectmen or the Board of Education, providing an unusual condition has been found to exist by the Board of Selectmen or the Board of Education.

(2) In any fiscal year, upon affirmative vote of five (5) members, the Board of Finance may, without the need for approval by a Town Meeting, make special appropriations in excess of \$25,000 but not to exceed \$50,000, in the aggregate from surplus or from the Contingency Fund pursuant to a request therefore by the Board of Selectmen or the Board of Education, provided an unusual condition has been found to exist by the Board of Selectmen or the Board of Education. If five (5) members do not agree, a majority of those present and voting may recommend the appropriation or transfer for Town Meeting approval.

(3) No Town office, department, board, committee, agency, authority, commission, grant agency or the Board of Education may receive over \$50,000, in the aggregate from special appropriations in any fiscal year without the approval of a Town Meeting.

(4) Regardless of the sum involved, no new position in any Town office, department, board, committee, agency, authority, or commission, shall be funded by the Board of Finance by means of a special appropriation, a transfer of unexpended balances between departments or a redistribution of unexpended balances within a department without recommendation by the Board of Selectmen and the approval of a Town Meeting. Notwithstanding the above, the Chief Administrative Officer may, upon vote and approval of not less than four (4) members of the Board of Selectmen, hire an unbudgeted temporary employee where an unusual and unanticipated condition is found to have occurred. Such employment shall not exceed ninety (90) days without Board of Finance and Town Meeting approval.

(5) When the Town is maintaining a Reserve Fund for Capital and Non-Recurring Expenditures in accordance with the General Statutes, appropriations from the Reserve Fund shall be made only upon a request from the Board of Selectmen or the Board of Education and recommendation of the Board of Finance and approval of a Town Meeting. At said Town Meeting the requested appropriation may be decreased but not increased.

(6) Special appropriations other than those from surplus revenue or from the Contingency Fund may be made only by vote of a Town Meeting on recommendation of the Board of Finance.

(7) 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 and this Charter.

(f) Expenditures and Accounting

(1) The fiscal year of the Town shall begin on July first and end on June thirtieth of the following calendar year, unless otherwise changed by ordinance.

(2) The system of accounts used by Town committees, boards, agencies, authorities, commissions and departments shall be that prescribed by General Statutes as supplemented by regulations of the Board of Finance.

(3) The Board of Finance shall keep under review the expenditures of the Board of Selectmen and the Board of Education and may require periodic reports of expenditures.

(4) The Board of Finance shall also designate the forms and procedures for orders to be drawn on the Finance Officer/Treasurer by the Board of Education and the Board of Selectmen.

(5) All officers, boards, commissions, agencies, committees and authorities including the Board of Education, shall comply with the requirements and policies of the Board of Finance as provided by this section. Such requirements shall not be inconsistent with this Charter and the General Statutes.

(6) The Board of Education and the Board of Selectmen shall report promptly in writing to the Board of Finance after making any transfer or redistribution of unexpended balances between or within departments, categories, or items as set forth in their respective budgets.

(g) Bonds and Notes - Issuance of bonds or notes shall require approval of a Town Meeting except notes in anticipation of taxes, which notes are to be paid no later than the end of the fiscal year during which such taxes are due and payable. Issuance of tax anticipation notes shall be approved by the Board of Selectmen which shall be the Town's legislative body for this purpose. Temporary interfund transfers shall be approved by the Board of Finance upon recommendation of the Town's Chief Administrative Officer and the Finance Officer/Treasurer.

(h) Annual Budget

(1) Adoption of the Annual Budget shall be by secret ballot vote of the Annual Budget Meeting of the Town. By vote at the Annual Budget Meeting, any appropriation or item in an appropriation may be decreased or deleted, but no appropriation or item in an appropriation may be increased or added.

(2) In the event the Annual Budget Meeting fails to adopt a budget, and no budget has been adopted by the 20th day of June next succeeding the date of the Annual Budget Meeting, the Board of Finance shall make a rate bill upon the Grand List last completed sufficient, in addition to the other estimated yearly income of the Town, to pay the next fiscal year's estimated expenses and deficit of the Town at the end of the current fiscal year, and shall cause such amount to be collected as other taxes. The mill rate so established by the Board of Finance shall continue until such time as a new budget shall be approved.

(i) Grants

(1) Applications for grants of funds or materials from federal and state governmental sources or from other entities may be initiated, completed and filed by either the Board of Selectmen or the Board of Education upon approval of said action by majority vote.

(2) Acceptance of any such grant of funds or materials and authorization for expending any grant funds or using any grant materials shall require the approval of either the Board of Selectmen or the Board of Education, as the case may be, and the Board of Finance. If any acceptance pertains to a grant of funds or other property in excess of one hundred thousand dollars (\$100,000.00) or if any grant requires matching funds or the hiring of additional personnel, then the approval of the Town Meeting shall be required.

**ARTICLE X - APPOINTIVE OFFICES, BOARDS, COMMITTEES, AGENCIES,
AUTHORITIES AND COMMISSIONS**

Sec. 10-1 Appointive Offices

(a) Establishment of Departments - The Board of Selectmen shall establish such departments deemed appropriate and necessary for the functioning of the Town administration or as required by this Charter or the General Statutes. The Board of Selectmen shall establish a personnel policy, which shall apply to all employees of the Town, other than employees of the Board of Education, and may update that policy from time to time.

(b) Appointments by the Chief Administrative Officer - The Chief Administrative Officer shall appoint all department heads, except as otherwise provided in Section 10-1(d), after consultation with the Board of Selectmen. All other employees shall be appointed by the Chief Administrative Officer. Duties and responsibilities of department heads and employees shall be as prescribed by the Chief Administrative Officer consistent with the policies of the Board of Selectmen, this Charter or the General Statutes.

(c) Holding More Than One Office - An appointive officer of the Town may hold more than one (1) appointive office in the Town.

(d) Appointment/Discharge By Board of Selectmen - The following officers shall be appointed, following consultation with the Chief Administrative Officer, by majority vote of the Board of Selectmen and may be discharged by such vote:

- (1) Town Clerk
- (2) Tax Collector
- (3) Chief of Police
- (4) Finance Officer/Treasurer
- (5) Fire Chief
- (6) Library Director, with participation by the Library Board of Trustees.

Sec. 10-2 Appointive Boards, Committees, Agencies, Authorities, and

(a) Establishment by Ordinance - All appointive boards, committees, agencies, authorities, and commissions, shall be established by Ordinance and their members and alternates shall be appointed by the Board of Selectmen unless otherwise provided in this Charter.

(b) Eligibility for Membership on Appointive Boards - Only an elector of the Town shall be eligible for appointment to any board, committee, agency, authority, or commission. Any appointee ceasing to be an elector of the Town shall thereupon cease to be a member of such board, committee, agency, authority or commission.

(c) Political Composition of Boards - Except as provided within this Charter, the composition of all boards, committees, agencies, authorities and commissions shall be in accordance with the requirements of the General Statutes relating to minority representation.

(d) Powers and Duties of Town Officers and Boards - All Town officers, boards, committees, agencies, authorities, and commissions shall have the powers and duties granted or imposed upon such officers, boards, committees, agencies, authorities and commissions by the General Statutes, this Charter and any applicable Special Act.

(e) Creation of New Permanent Boards - A Town Meeting, after due notice, as described in Section 3-3 of this Charter, may, by ordinance, create new elective or appointive permanent boards, committees, agencies, authorities, or commissions. Any permanent board, committee, agency, authority or commission created by action of a Town Meeting may be abolished or changed upon the affirmative vote of a Town Meeting. Any dissolution shall not become effective before thirty (30) days after the date of such action.

(f) **Term of Appointment of Members** - The term of appointment of each member of an appointed board, committee, agency, authority, or commission who is appointed after the effective date of this Charter shall be four (4) years and until his or her successor is appointed or his or her appointment is renewed, provided that the term of appointment of a member filling a vacancy shall be for the remainder of the vacating member's term.

(g) The term of appointment for members of appointed boards who serve by virtue of their position as an elected official shall cease upon the members' vacating their elective office.

Sec. 10-3 Appointive Boards and Commissions - The following boards, committees, agencies, authorities and commissions which have been created by ordinance as of the effective date of this Charter, and continue to exist. Such boards, committees, agencies, authorities and commissions can be modified or eliminated by ordinance.

- (a) Building Code Board of Appeals
- (b) Capital Improvement Program Committee
- (c) Commission on the Aging
- (d) Conservation Commission
- (e) Economic Development Agency
- (f) Historic District Commission - Canton Center
- (g) Historic District Commission - Collinsville
- (h) Housing Authority
- (i) Inland Wetlands and Watercourses Agency
- (j) Library Board of Trustees
- (k) Park and Recreation Commission
- (l) Pension Committee
- (m) Planning Commission
- (n) Water Pollution Control Authority

- (o) Zoning Board of Appeals
- (p) Zoning Commission

ARTICLE XI - MISCELLANEOUS PROVISIONS

Sec. 11-1 Charter Revisions - This Charter may be amended in the manner prescribed by the General Statutes. If not appointed at an earlier date, a Charter Revision Commission shall be appointed by the Board of Selectmen ten (10) years from the date this Charter becomes effective.

Sec. 11-2 Effective Dates

This Charter shall become effective on January 1, 2000.

Sec. 11-3 Oath - All elected and appointed officers and members of boards, commissions, agencies, committees or authorities of the Town shall swear to or affirm an oath for the faithful performance of their duties.

Sec. 11-4 Saving Clause - If any section or part of any section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which said section or part thereof so held invalid may appear, except 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 a section to which such holding shall directly apply.

Sec. 11-5 Gender - Words imparting the masculine gender may be applied to females and words imparting the feminine gender may be applied to males.