

CHARTER

TOWN OF WINDSOR LOCKS

CONNECTICUT

EFFECTIVE - JANUARY 5, 1981

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## TOWN OF WINDSOR LOCKS CHARTER

### CHAPTER 1 - INCORPORATION AND GENERAL POWERS

SECTION 101 - INCORPORATION. All the inhabitants dwelling within the territorial limits of the Town of Windsor Locks, as heretofore constituted, shall continue to be a body politic and corporate under the name, "The Town of Windsor Locks", hereinafter 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 Statutes.

SECTION 102 - RIGHTS AND OBLIGATIONS. All property, both real and personal, all rights of action and rights of every description and all securities and liens in said Town as of the date when this Charter shall take effect are continued. The Town shall continue to be liable for its debts and obligations. Nothing herein shall be construed to effect the right of the 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 abolished, such contracts, bonds or undertakings shall be in no manner impaired but shall continue in full force and effect. The powers conferred and the duties imposed with reference to the same upon any such office or agency shall, except as otherwise provided in this Charter, thereafter be exercised and discharged by the Board of Selectmen of said Town.

SECTION 103 - GENERAL GRANT OF POWERS. In addition to all powers granted to towns under the Constitution and General Statutes, or which may hereafter be conferred, the Town shall have all powers specifically granted by this Charter and all powers fairly implied in or incidental to the powers expressly granted, all powers conferred by Section 7-194 of the General Statutes, and by special acts of the General Assembly not inconsistent with this Charter, 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 Government or any branch thereof, the State of Connecticut or any agency or political subdivision thereof, or any other body politic or corporate not expressly forbidden by the

Constitution and General Statutes of the State of Connecticut. The enumeration of the particular powers in this and any other chapter of the Charter shall not be construed as limiting this general grant of power but shall be considered as an addition thereto.

SECTION 104 - EFFECT OF CHARTER. All general laws of the State of Connecticut applicable to the Town and all ordinances of the Town shall continue in full force and effect, except insofar as they are inconsistent with the provisions of this Charter. The provisions of all special acts of the General Assembly relating to the Town of Windsor Locks not inconsistent with the provisions of this Charter are hereby retained.

## CHAPTER II - ELECTIONS

SECTION 201 - GENERAL. Nomination and election of federal and state officers and of such town officers, boards, commissions and similar bodies as are provided for in this Charter shall be conducted and the Registrars of Voters shall prepare lists of electors qualified to vote theretofore, in the manner prescribed in the Constitution and the General Statutes and Special Acts of the State of Connecticut applicable to the Town. A meeting of the electors of the Town of Windsor Locks for the election of municipal officers shall be held on the first Tuesday of November in 1981 and biennially thereafter.

SECTION 202 - ELIGIBILITY. No person shall be eligible for election to any Town Office who is not at the time of that person's election an elector of said Town and any person ceasing to be an elector of said Town shall thereupon cease to hold elective office in the Town.

SECTION 203 - MINORITY REPRESENTATION. Minority representation on any elective or appointive board, commission or similar body of the Town, except the Board of Selectmen and the Board of Education, and except as outlined in this Charter, shall be determined in accordance with the provisions of Section 9-167a of the General Statutes. Minority representation on the Board of Selectmen and the Board of Education shall be determined in accordance with the provisions of Sections 9-188 and 9-204, respectively, of the General Statutes.

SECTION 204 - BREAKING A TIE. When any regular or special municipal election, primary election or referendum conducted pursuant to the provisions of this Charter results in a tie, an adjourned election shall be conducted in accordance with the provisions of the General Statutes.

SECTION 205 - VACANCIES IN ELECTIVE OFFICES. Except as otherwise provided in this Charter, vacancies in elected offices shall be filled within sixty days by majority vote of the Board of Selectmen by appointment of a member of the same political party in which was enrolled the person whose discontinuance in office caused such vacancy, until the next succeeding biennial election, at which time a person shall be elected to fill the unexpired term of such office. Vacancies in any board, commission or similar body, except the alternate members of the Zoning Board of Appeals, shall be filled within sixty days by a majority vote of the remaining members of such board, commission or similar body, by the appointment of a member of the same political party in which was enrolled the person whose discontinuance in office caused such vacancy, until the next succeeding biennial election at which time a person shall be elected to fill the unexpired term of such board, commission or similar body. Vacancies in the alternates of the Zoning Board of Appeals shall be filled within sixty days by the members of the Zoning Board of Appeals as herein specified except that the vacancy shall be filled for the unexpired portion of such term. In case of a tie vote in the vote of such board, commission or similar body in carrying out the provisions of this section, such tie vote may be dissolved by vote of the First Selectman.

SECTION 206 - BOARD FOR ADMISSION OF ELECTORS. The Town Clerk and the Registrars of Voters shall constitute the Board for Admission of Electors in accordance with the provisions of Section 9-15a of the General Statutes.

SECTION 207 - VOTING DISTRICTS. There shall continue to be two voting districts, as the same existed on the effective date of this Charter, and the number of such districts shall not be increased or decreased nor their boundaries changed except by town ordinance.

### CHAPTER III - ELECTED OFFICERS, BOARDS AND COMMISSIONS

SECTION 301 - GENERAL POWERS AND DUTIES. a) Except as otherwise provided in this Charter, all elected Town officers and members of the Board of Education shall have the powers and duties prescribed for such officers in the General Statutes and in this Charter. The elected Town Officers and members of elected Boards, Commissions and similar bodies shall have the responsibility for the selection and management of the personnel chosen to assist them in the completion of their duties unless otherwise provided by labor contract and/or applicable personnel regulations not inconsistent with this provision. b) Copies of all minutes taken by each board and commission and the recorded vote of each member thereof on all issues shall be filed with the Town Clerk and with the First Selectman within the time specified in the General Statutes. The Town Clerk shall maintain files of such minutes, which shall be public records. All Boards, Commissions and similar bodies shall include time on their agenda for the public to address issues before the body. c) For purposes of this Charter, and unless otherwise provided by statute or other Charter provision, a majority of the membership, including vacancies, of a board, commission or similar body, shall constitute a quorum.

SECTION 302 - ELECTED TOWN OFFICERS, BOARDS AND COMMISSIONS. Beginning with the regular biennial Town elections held in November, 2001, and biennially thereafter, the following officers and members of boards, commissions and similar bodies shall be elected for terms of two years and until their successors have been elected and duly qualified, except as otherwise provided herein. All terms shall commence on the day following the regular biennial town election except that the term of office of the Board of Selectmen shall commence on the twenty-first day following its election and the term of office of the Town Clerk shall commence on the first business day in January following his election.

A. The First Selectman and two other members of the Board of Selectmen, for terms of two years, in accordance with Section 9-188 of the General Statutes.

B. The Town Clerk, for a term of four years.

C. Two members of the Board of Finance, who shall hold office for terms of six years; and biennially thereafter, two members, not more than one of whom shall be of the same political party, who shall be elected so that the Board of Finance shall consist of six members, not more of four of whom shall be from the same political party, serving terms of six years.

D. Three members of the Board of Education, not more than two of whom shall be of the same political party, who shall hold office for terms of four years. In November, 1983, there shall be elected two members of the Board of Education, not more than one of whom shall be of the same political party, who shall hold office for terms of four years so that there shall be a Board of Education of five members, not more than three of whom shall be of the same political party, serving terms of four years.

E. Three members of the Sewer Commission, not more than two of whom shall be of the same political party, who shall hold office for terms of four years. In November, 1983 there shall be elected two members, not more than one of whom shall be of the same political party, who shall hold office for four years so that there shall be a Sewer Commission of five members, not more than three of whom shall be of the same political party serving terms of four years together with the Board of Selectmen as hereinafter provided.

F. One member of the Board of Assessors shall be elected for a term of six years so that the Board of Assessors shall consist of three members, not more than two of whom, shall be of the same political party.

G. One member of the Board of Assessment Appeals shall be elected for a term of six years so that the Board of Assessment Appeals shall consist of three members, not more than two of whom, shall belong to the same political party.

H. Two members of the Police Commission, who shall hold office for terms of six years; and biennially thereafter, two members shall be elected, not more than one of whom shall be of the same political party so that the Police Commission shall consist of six members, not more than four of whom shall be of the same political party, serving terms of six years.

I. Two members of the Fire Commission, who shall hold office for terms of four years; and biennially thereafter, two members, so that the Fire Commission shall consist of four members, not more than three of whom shall be of the same political party, serving terms of four years.

J. The Town Treasurer, for a term of two years.

K. The Tax Collector, for a term of two years.

L. Two members of the Park Commission, who shall hold office for terms of six years; and biennially thereafter, two members who shall be elected so that the Park Commission shall consist of six members, not more than four of whom shall be of the same political party, serving terms of six years.

M. Two members of the Zoning Board of Appeals shall be elected in November, 1981; one for five years beginning in November, 1981, and one for five years beginning in November, 1982 and biennially thereafter, members shall be elected so that the Board shall consist of five members serving for five years, not more than three of whom shall be of the same political party.

N. One alternate member to the Zoning Board of Appeals shall be elected for a term of six years so that the alternates to the Board shall consist of three members serving for six years, not more than two of whom, shall be of the same political party.

All incumbent elected officers and members of Boards, Commissions and similar bodies, on the effective date of this Charter shall continue to hold the office to which they were elected for the terms for which they were elected and until their successors elected hereunder have been qualified to succeed them. Officers consisting of Chairman, Secretary and such other officers as they deem appropriate of elective Boards, Commissions and similar bodies shall be chosen biennially at a meeting held within thirty days of the commencement of terms of members elected at the regular biennial town election.

SECTION 303 - RECALL OF ELECTED OFFICIALS. This Section deleted.

SECTION 304 - ELECTED STATE OFFICERS. At the state election to be held in November, 1982, and quadrennially thereafter, there shall be elected the following officers:

A. At the state election to be held in November, 1982, two Registrars of Voters, in accordance with the applicable provisions of the General Statutes, for terms of four years. The term of office of the Registrars of Voters shall commence on the first business day in January following their election.

B. At the state election to be held in November, 1982, a Judge of Probate for the Probate District of Windsor Locks, in accordance with the applicable provisions of the General Statutes, for a term of four years.

#### CHAPTER IV - THE BOARD OF SELECTMEN

SECTION 401 - COMPOSITION. The Board of Selectmen shall consist of the First Selectman and two other Selectmen who shall be elected as provided in Section 302 A.

SECTION 402 - GENERAL POWERS AND DUTIES. The Board of Selectmen shall have all the powers and duties hereinafter conferred upon said Selectmen and all those powers and duties, which, on the effective date of this Charter, were conferred by the General Statutes upon Boards of Selectmen, except as otherwise specifically provided in this Charter.

SECTION 403 - APPOINTMENTS. The Board of Selectmen shall have the power to appoint such personnel and members of Boards, Commissions and other similar bodies as are provided in this Charter.

SECTION 404 - ORGANIZATION. The newly elected Board of Selectmen shall meet on the twenty-first day following its election. The meeting shall be called to order by the First Selectman, and the oath of office administered to all members. The newly elected First Selectman shall appoint an acting First Selectman for the Board of Selectmen to act in the temporary absence or disability of the First Selectman.

SECTION 405 - PROCEDURE. The Board of Selectmen shall meet twice monthly on the first and third Tuesday each month and shall also provide a method for calling special meetings. Only business, notice of which has been included in the call for such special meetings shall be acted upon at any special meeting. Two members of the Board of Selectmen shall constitute a quorum for the transaction of business. The Board of Selectmen shall act by majority vote of those present and voting.

SECTION 406 - EMERGENCY ORDINANCES. On a declaration by the First Selectman that a state of public emergency exists in the Town affecting the public health, safety or welfare, the Board of Selectmen shall be empowered to adopt regulations or ordinances, which shall become effective immediately upon the affirmative vote of the majority of the Board of Selectmen. No public hearing shall be required. This regulation or ordinance shall be automatically repealed when the First Selectman shall declare that the emergency no longer exists but in no event beyond the thirty-first day from the adoption of the ordinance.

SECTION 407 - REMOVAL OF APPOINTED OFFICIALS.

A. A member of an appointive board may be removed for cause by the Board of Selectmen.

B. No such removal for cause shall be effected unless the member

1) has received a statement in writing, prepared either by the Board of Selectmen or by the remaining members of the appointive board, of the reasons why he should be removed, and

2) has, not less than fifteen days after a copy of said statement of reasons has been mailed postage paid, certified letter, personal return receipt requested, directed to said member at his last known address and been afforded an opportunity for a hearing before the Board of Selectmen, at which he may appear with counsel.

SECTION 408 - COMPENSATION. The members of the Board of Selectmen and its employees shall receive such compensation as may be determined by the

budget submitted to and adopted at the Annual Town Budget Meeting or a special Town meeting called for that purpose.

SECTION 409 - VACANCIES IN THE BOARD OF SELECTMEN. If a vacancy shall occur in the office of the First Selectman, the acting First Selectman shall assume the office of First Selectman with all the powers and duties of an elected First Selectman. Such person shall serve until a successor has been appointed and duly qualified as provided in Section 9-222 of the General Statutes. If a vacancy shall occur in the office of the Board of Selectmen, other than in the office of the First Selectman, the successor shall be appointed and duly qualified as provided in Section 9-222 of the General Statutes.

#### CHAPTER V - THE FIRST SELECTMAN

SECTION 501 - GENERAL. The First Selectman shall be the full-time chief executive officer and chief administrative officer of the Town. The First Selectman shall be a full voting and participating member of the Board of Selectmen and shall preside at meetings of said Board. In the absence of the First Selectman, the Acting First Selectman shall preside. The First Selectman, or in his absence the Acting First Selectman, shall be an ex-officio member of all other Town boards, commissions and similar bodies and said boards, commissions and similar bodies shall immediately notify the First Selectman, in writing, of all special meetings to be held.

SECTION 502 - POWERS AND DUTIES. The First Selectman shall have the powers and duties provided in this Charter and those provided in the Special Acts, General Statutes and ordinances and regulations of the Town of Windsor Locks not inconsistent with this Charter.

A. He, or his designated representative, shall be the official head of the Town for all ceremonial purposes.

B. He shall execute or cause to be executed the Town ordinances, regulations, resolutions and policies.

C. He shall have responsibility for the care, maintenance and operation of all buildings, lands, apparatus and property, which are subject to the control of the Board of Selectmen.

D. With the approval of the Board of Selectmen, he shall enter into contracts or agreements with government agencies, corporations or others subject to the limitations of this Charter and in the General Statutes.

E. With the approval of the Board of Selectmen, he shall supervise the administration of the affairs of the Town, except those matters, which by the General Statutes, by this Charter or by ordinance, are exclusively committed to the Board of Education or other boards, commissions or similar bodies.

## CHAPTER VI - APPOINTIVE PERSONNEL

SECTION 601 - APPOINTMENTS. The Board of Selectmen shall, from time to time, appoint a Director of Health (unless already provided by a regional agency), a Town Counsel, a Town Engineer, Emergency Management Director and such other personnel as it may from time to time deem necessary and appropriate in furtherance of the best interests of the Town. The compensation of such persons, if any shall be determined in the same manner as provided in Section 408 hereof. The terms of all appointed personnel shall be fixed terms of two years or less to coincide with the term of office of the Board of Selectmen.

SECTION 602 - VACANCIES. Any vacancy in any position appointed by the Board of Selectmen as provided in Section 601 hereof shall be filled by the Board of Selectmen. Persons appointed to fill vacancies in said position shall serve for the unexpired portion of the term vacated.

SECTION 603 - DIRECTOR OF HEALTH. The Director of Health shall have the powers and duties, not inconsistent with this Charter, conferred or imposed by the General Statutes on such officer.

SECTION 604 - TOWN COUNSEL.

A. The Town Counsel shall be an attorney at law admitted to practice in the State of Connecticut.

B. He shall appear for and protect the rights of the Town in all actions, suits or procedures brought by or against it or any of its departments, officers, boards, commissions or similar bodies.

C. He shall be the legal advisor of the Board of Selectmen, and all Town Officers, boards, commissions and similar bodies, in all matters affecting the Town and shall upon written request furnish a written opinion on any questions of law involving their respective powers, duties and responsibilities. A copy of all written requests and opinions shall be forwarded to the Board of Selectmen.

D. Upon request he shall prepare or approve forms of contracts or other instruments to which the Town is a party or in which it has an interest.

E. He shall have the power, with the approval of the Board of Selectmen, to appeal from orders, decisions and judgements and, subject to the approval of said Board of Selectmen, to compromise and settle any claims by or against the Town.

F. If, in special circumstances, or for investigative purposes, the Board of Selectmen deem it advisable, they may, by resolution, provide for the temporary employment of counsel other than or in addition to the Town Counsel.

SECTION 605 - ADMINISTRATIVE ASSISTANT. This Section deleted

SECTION 606 - DIRECTOR OF PUBLIC WORKS. The Director of Public Works shall be the Superintendent of Highways and shall have such other duties as prescribed by the Board of Selectmen.

SECTION 607 - TREE WARDEN. The Tree Warden shall have the powers and duties, not inconsistent with the Charter, conferred or imposed by the General Statutes on such officer and as may be prescribed by the Board of Selectmen.

SECTION 608 - TOWN ENGINEER. The Town Engineer shall be a professional engineer licensed to practice in the State of Connecticut. He shall provide technical advice and assistance to all Town offices, boards, commissions and similar bodies as may be requested in matters pertaining to Town operations. He shall have such other duties as may be prescribed by the Board of Selectmen.

SECTION 609 - BUILDING OFFICIAL. The Building Official shall be the Housing Code Enforcement Officer and the Zoning Enforcement Officer and shall have all the powers and duties, not inconsistent with this Charter, conferred or imposed by the General Statutes on such officers and as may be prescribed by the Board of Selectmen or by ordinance.

SECTION 610 - DIRECTOR OF THE OFFICE OF EMERGENCY MANAGEMENT. The Director of the Office of Emergency Management shall have such powers and duties, not inconsistent with this Charter, as may be conferred or imposed by the General Statutes on such officer and as may be prescribed by the Board of Selectmen or by ordinance.

SECTION 611 - JUSTICES OF THE PEACE. There shall be twenty-seven (27) Justices of the Peace nominated in accordance with the General Statutes who shall have the powers and duties conferred or imposed by the General Statutes. The terms of office shall be four (4) years and shall commence on the first Monday of January following their nomination.

SECTION 612 - WELFARE DIRECTOR. The Welfare Director shall have the powers and duties, not inconsistent with this Charter, as may be conferred or imposed by the General Statutes on such officer and as may be prescribed by the Board of Selectmen or by ordinance.

## CHAPTER VII - APPOINTED BOARDS, COMMISSIONS AND SIMILAR BODIES

SECTION 701 - GENERAL POWERS AND PROCEDURES: RECORDS  
COMPENSATION:

A. Except as otherwise provided in this Charter, all appointed boards, commissions and similar bodies shall have the powers and duties prescribed by law.

B. All boards shall establish procedures for the conduct of their meetings and the execution of their duties.

C. Copies of all minutes taken by each board and the recorded vote of each member thereof on all issues shall be filed with the Town Clerk and with the First Selectman within the time specified in the General Statutes. The Town Clerk shall maintain files of such minutes, which shall be public record.

D. Except as otherwise prescribed by State Statutes, members of boards, commissions and similar bodies, shall serve without compensation, except that necessary expenses incurred in the performance of their duties shall be paid from an appropriation for the purpose.

E. All Boards, Commissions and similar bodies shall include time on their agenda for the public to address issues before the body.

F. For purposes of this Charter, and unless otherwise provided by statute or other Charter provision, a majority of the membership, including vacancies, of a board, commission or similar body, shall constitute a quorum.

**SECTION 702 - ELIGIBILITY.** Except as otherwise provided herein, all members of boards, commissions and similar bodies shall be electors of the Town and shall have such qualifications as may be prescribed by the Board of Selectmen or by the General Statutes. Except as otherwise provided herein, if any such officer or member shall cease to be an elector of the Town such person shall thereupon cease to hold such office or membership.

**SECTION 703 - VACANCIES.** Any vacancy in any appointive board, commission or similar body from whatever cause arising, shall be filled by the Board of Selectmen. Persons appointed to fill such vacancies shall serve for the unexpired portion of the term vacated.

**SECTION 704 - APPOINTED PERMANENT BOARDS, COMMISSIONS OR SIMILAR BODIES.** There shall continue to be a Planning and Zoning Commission, an Economic and Industrial Development Commission, a Housing Authority, a Redevelopment Agency, which Agency shall cease to exist no later than the date of the municipal election in November, 2001, a Housing Code Review Board, a Committee on the Needs of the Aging, and there shall be established a Conservation Commission in accordance with Section 705 of this Charter. Except as otherwise specifically provided in this Charter, the composition, members and alternates, terms of office, powers and duties and all other incidents of said existing and future boards, commissions and other similar bodies shall be determined by Special Acts applicable to the Town and ordinances and where appropriate, resolutions of the Town, as the same may be amended from time to time.

**SECTION 705 - CONSERVATION COMMISSION.** The first of January, following the adoption of this Charter, there shall be formed a Conservation Commission consisting of five members and two alternates, not more than three of whom shall be of the same political party. Three members and one alternate shall be appointed for two year terms starting January 1, 1981 and two members and one alternate shall be appointed for four year terms starting January 1, 1981. Appointments for terms starting January 1, 1983 and every two years thereafter shall be for four year terms. The Conservation Commission shall devote its efforts to ensuring the sound development, conservation, supervision and regulation of natural resources of the Town and shall have such powers and duties as prescribed by the General Statutes.

**SECTION 706 - REGIONAL AND INTERLOCAL AGENCIES.** The Town shall continue to participate in such regional and interlocal agencies and programs as authorized by ordinances adopted pursuant to the applicable provisions of the General Statutes. Nothing in this Chapter shall be construed as limiting the authority of the Town to continue such participation or join new regional programs as authorized by the General Statutes.

**SECTION 707 - DISSOLUTION OF BOARDS, COMMISSIONS AND SIMILAR BODIES.** No permanent appointive board, commission or similar body shall be abolished except upon the affirmative vote of a Town Meeting. Such dissolution shall not become effective until thirty days after such action.

SECTION 708 - CREATION OF PERMANENT BOARDS, COMMISSIONS AND SIMILAR BODIES. There shall be such additional appointive boards, commissions or similar bodies as the legislative body of the Town may by ordinance or resolution, as appropriate, from time to time determine.

SECTION 709 - ALTERNATES TO THE BOARD OF FINANCE. Two alternate members, not more than one of whom shall be of the same political party, shall be appointed by the Board of Finance to hold office for a period of six years. Such alternate members shall have all the powers and duties vested in a member of the Board of Finance and shall be electors and taxpayers of the Town. If a regular member is absent or disqualified, such member shall designate an alternate to act in his stead. In the event a regular member shall fail or refuse to designate an alternate to so act, the majority of the regular members of the Board of Finance not absent and not disqualified may designate an alternate from the same political party as the regular member to act for such absent or disqualified member.

#### CHAPTER VIII - FINANCE AND TAXATION

SECTION 801 - GENERAL POWERS OF BOARD OF FINANCE. The Board of Finance shall have the powers, duties and responsibilities conferred upon it by this Charter and, except to the extent otherwise provided in this Charter, all powers, duties and responsibilities conferred upon Boards of Finance by the General Statutes, applicable Special Acts and ordinances, and shall perform all the functions of that Board. It shall to the extent not inconsistent with this Charter, applicable Special Acts, ordinances and resolutions of meetings of the Town Meeting, prescribe the method by which and the place where, all records and books of accounts of the Town or any department or sub-division thereof shall be kept. The Board of Finance may also request from time to time copies of such records and books of accounts of any Official, Board, or Commission which shall be necessary to fulfill its statutory duty and responsibility for estimating anticipated revenues from all sources. The Board shall further set the date and times of its meetings.

SECTION 802 - FISCAL YEAR. The fiscal year of the Town shall begin on the first day of July and shall end on the thirtieth day of June.

**SECTION 803 - BUDGET PREPARATION.** On or before December first, the Board of Finance shall provide all offices, boards, commissions and similar bodies supported wholly or in part by Town funds, or for which a special Town appropriation is or may be made, with budget guidelines for the upcoming fiscal year and said offices, boards, commissions and similar bodies shall furnish the Board of Finance not later than the first day in February on forms provided by the Board of Finance, an itemized estimate of expenditures for the ensuing fiscal year together with the corresponding approved budget for the current fiscal year. In addition, where applicable, the budget shall be accompanied by a Capital Improvements Plan for the ensuing fiscal year and five years thereafter, together with proposed methods of financing same. As part of the budget request, the Board of Finance may require an estimate of revenues to be received by any office, board, commission or similar body during the ensuing fiscal year together with estimates of any unexpended balances for the current year.

The Board of Finance may require meetings with the Chairman and/or members of offices, boards, commissions or similar bodies to explain their requests and any Chairman and/or member of any office, board, commission or similar body shall be entitled to be heard by the board in respect to estimates submitted.

The Board of Finance shall make such revisions in budgets or Capital Improvement Plans submitted as it deems advisable and shall then prepare the overall Town Budget, on forms prescribed by the State, to be recommended to the Annual Budget Meeting.

**SECTION 804 - ANNUAL BUDGET MEETING.** The Annual Budget Meeting, hereinafter called the Budget Meeting, shall be held on the third Tuesday of May. Not less than two weeks before the date of the Budget Meeting, the Board of Finance shall hold a public hearing. At the public hearing any elector or taxpayer may be heard regarding the budget recommendations for the ensuing fiscal year. At least five days before such public hearing, the Board of Finance shall publish in a newspaper having a general circulation in the Town a notice of the time and date of such public hearing. Sufficient copies of the proposed budget shall be made available for general distribution before such public hearing. Following the public hearing, the Board of Finance shall meet to act on suggestions and recommendations made at the public hearing and shall thereafter recommend the proposed budget, as amended, if amended, to the Budget Meeting. The notice of the Budget Meeting and the proposed estimated budget for the ensuing fiscal year shall be published at least five days before such meeting in a newspaper having a

general circulation in the Town. Sufficient copies of the proposed estimated budget shall be made available for general distribution in the Town Office Building before and at the Budget Meeting. Nothing in this section shall preclude the right to petition for a referendum vote, as is prescribed in Sections 7-7, 7-9 and 7-9a of the Connecticut General Statutes as amended from time to time. If there is a petition for referendum, the Budget Meeting shall be for the purposes of discussing the entire proposed budget and setting the hours of referendum. The Budget Meeting shall be adjourned to a referendum vote to be held fourteen days after the Budget Meeting. If no valid petition for referendum is filed, the Budget Meeting shall consider and discuss the budget as submitted by the Board of Finance and may take action as follows:

A. Appropriations shall not be made exceeding that for the same purpose recommended by the Board of Finance, or for any other purpose not recommended by the Board of Finance.

B. Any individual appropriation may be reduced to a sum less than that recommended by the Board of Finance by an affirmative vote of a majority present and entitled to vote at such meeting. After due consideration of the proposed budget and action thereon has been completed the procedure for adopting the Annual Budget shall be by vote of the Annual Budget Meeting, by a majority of qualified voters present and voting. Such vote shall be taken by paper ballot provided by the Clerk of the Meeting. In the event the proposed budget, as may have been amended, is not adopted by the Annual Budget Meeting, the Meeting shall establish the hours and adjourn to a referendum vote to be held in fourteen days. The referendum shall be submitted to the qualified voters for a "Yes" or "No" vote on the voting machines. The proposed budget for the referendum shall be the entire estimated budget as amended by the Budget Meeting, or, if not amended, as recommended by the Board of Finance. The voting machine labels shall be provided by the Town Clerk. The budget shall if approved by a majority of those voting, be adopted. Should the vote, by referendum or paper ballot reject the budget, the Moderator shall reconvene additional referenda at fourteen day intervals until the budget is adopted. If the fourteenth day falls on a legal holiday, the referendum shall be held on the following day. Before any additional referenda, the Board of Finance may hold a public hearing and may revise the rejected budget. A summary of any revisions made by the Board of Finance to the rejected budget shall be available before any additional referenda. The summary shall also be posted at

the polling places for the referendum. If the budget is not approved before the end of the fiscal year, the Town shall operate on the budget of the fiscal year then ending until a new budget is approved. In the event the budget is not adopted by June twentieth, the Board of Selectmen, with the approval of the Board of Finance, may call one or more Special Town Meetings and appropriate funds by way of tax anticipation notes to meet necessary obligations at budget levels then in effect, from the first day of July to the approval of the budget.

Immediately upon approval of the budget, the Board of Finance shall set the tax rate and notify the Tax Collector forthwith. An Official copy of the budget as finally approved shall be filed by the Board of Finance with the Town Clerk within five days of approval.

#### SECTION 805 - DUTIES OF THE BOARD OF FINANCE ON OTHER FINANCIAL MATTERS.

A. The estimate of expenditures submitted by the Board of Finance to the Budget Meeting shall include a recommendation for a contingency fund, which shall not exceed two percent of the total expenditures for the current fiscal year. No expenditure or transfer may be made from this fund without the approval of the Board of Finance.

B. Transfers. Upon request by an office, board, commission or similar body, except the Board of Education, the Board of Finance may transfer unexpended balances from one line item to another within the approved budgets. No amount appropriated for any purpose on the budgets submitted shall be used or appropriated for any other purpose unless approved by the Board of Finance. Upon request of any office, board, commission or similar body during the last sixty days of the fiscal year, the Board of Finance may transfer any unencumbered appropriation, balance or portion thereof, from one office, board, commission or similar body to another provided, however, that this provision shall not apply to the Board of Education. No transfer shall be made from any appropriation for debt service and other statutory charges.

C. Supplementary Appropriations. Upon request of any office, board, commission or similar body that additional funds in excess of what had been provided in the budget or, if funds are required for which no provision was made in the in the budget, the Board of Finance, after inquiry into and review of the request, may

approve an amount not exceeding \$10,000.00 from any cash surplus available or from the contingency fund. The amount requested and approved shall not exceed \$10,000.00 for any one office, board, commission or similar body in any one year without Town Meeting approval.

SECTION 806 - ADDITIONAL CAPITAL EXPENDITURES. Except when included in the Annual Town Budget, any capital expenditure exceeding \$200,000.00 approved by the Board of Finance together with authorization to issue bonds or notes in the same amount, shall be submitted to a referendum for acceptance or rejection after being reviewed at a public hearing. Such a referendum shall be conducted on a date and time fixed by the Board of Selectmen, not less than ten nor more than thirty days after said public hearing. The Town Clerk shall cause to be published in a newspaper having a circulation in the Town, the date, time and reason for such referendum.

SECTION 807 - EMERGENCY APPROPRIATIONS. If a declaration of public emergency in accordance with Section 406 is in effect, the Board of Finance or the Town Meeting shall make the appropriation to meet the emergency in the amount not to exceed \$25,000.00.

SECTION 808 - UNAUTHORIZED EXPENDITURES. No expenditure and no commitment to make an expenditure shall be made, caused to be made, or authorized by any officer, agent, or agency of the Town, or by any board or commission of the Town unless an appropriation shall have been made covering such expenditure or commitment in accordance with the provisions of this Charter. Any person willfully violating this provision shall be prosecuted by the Town.

SECTION 809 - UNEXPENDED APPROPRIATIONS. Any portion of an annual appropriation remaining unexpended or unencumbered at the close of the fiscal year shall lapse; provided however, appropriations for construction or for other capital improvements, from whatever source derived, shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned, provided further that any such project shall be deemed to have been abandoned if three fiscal years shall elapse without any expenditure from or encumbrances of the appropriation therefor.

SECTION 810 - ANNUAL AUDIT. The Board of Finance shall annually designate an independent public accountant, or firm of independent public accountants, to

audit the books and accounts of the Town as required by General Statutes and may periodically designate such accountant to make special audits of the books and accounts of any office, board, commission or other similar body.

SECTION 811 - TREASURER. The Treasurer shall receive all money belonging to the Town, pay it out on the order of the proper authority, keep accurately the records required by law, and have such other powers and duties as are prescribed in the General Statutes. The procedural regulations established by the Treasurer's office shall conform to the regulations as outlined in this Charter.

SECTION 812 - TAX COLLECTOR. The Tax Collector shall collect taxes in accordance with the provisions of the General Statutes, except that such taxes, together with interest, penalties, and lien fees thereon, shall be turned over to the Town Treasurer within four (4) calendar days of collection. Taxes shall be due and payable in semiannual installments on July first and January first of each year unless otherwise fixed by ordinance. The Tax Collector shall issue monthly reports to the Town Treasurer or periodically on demand.

## CHAPTER IX - TOWN EMPLOYEES

SECTION 901 - PERSONNEL REGULATIONS. The Board of Selectmen shall develop and maintain personnel regulations for non-union full-time employees and full-time elected officials. Personnel regulations shall include, but not be limited to, a statement of duties and responsibilities of all employees of the Town and include Personnel Regulations which shall provide for hours of work, vacations, sick leaves, removals and such other rules as may be necessary to provide an adequate and systematic procedure for the administration of the personnel policies of the Town. The Board of Selectmen shall appoint a committee of three, consisting of one member each from the Board of Selectmen, Board of Finance and the involved department head, board, commission or similar body, who shall represent the municipal employer in collective bargaining with employee organizations and shall have such authority as is consistent with State Statutes. The provisions of this section shall not apply to the Board of Education.

## CHAPTER X - TOWN MEETING

SECTION 1001 - LEGISLATIVE POWERS.

A. The legislative power of the Town shall be vested in the Town Meeting with all powers conferred by the General Statutes and by this Charter.

B. All Town Meetings, including Special Town Meetings and Town Meetings by Petition, as hereinafter provided, shall be warned and conducted in accordance with the provisions of Section 7-3 through 7-8, inclusive, of the General Statutes, provided however, that the provisions of this Charter, where inconsistent with the aforesaid General Statutes, shall govern. All Town Meetings of the Town of Windsor Locks shall be held starting at 7:30 p.m.

SECTION 1002 - MEMBERS OF THE TOWN MEETING. Members of the Town Meeting shall be electors of the Town and all others entitled to vote at the Town Meetings pursuant to the General Statutes.

SECTION 1003 - THE ANNUAL TOWN MEETING. The Annual Town Meeting shall be held during the month of December each year to accept the Annual Town Report and to transact any other business properly coming before the Town Meeting.

SECTION 1004 - SPECIAL TOWN MEETINGS. Special Town Meetings may be called from time to time by the Board of Selectmen and as required by this Charter.

SECTION 1005 - TOWN MEETING BY PETITION.

A. Upon petition filed with the Town Clerk and signed by twenty persons entitled to vote at Town Meetings, petitioning for the warning and convening of a Special Town Meeting, said petition to be in accordance with the provisions of Section 7-9 of the General Statutes and to contain the matter or text of the proposed ordinance or resolution to be considered at said Special Town Meeting, the Town Clerk shall, within ten days, determine whether or not the petition contains the required number of valid signatures, and if it does, shall so certify to the Board of Selectmen within said ten days. Said petition may propose consideration of any matter proper to

come before a Town Meeting. The Board of Selectmen, upon advice of counsel, if it deems said advice necessary, shall determine what is proper to come before the Town Meeting. Upon receipt of such certification from the Town Clerk, the Board of Selectmen, shall, within fourteen days thereafter, cause to be convened a Special Town Meeting, which meeting may be adjourned from time to time as the interest of the Town requires. At said Special Town Meeting, the only matters that may be considered shall be those matters set forth in said petition.

B. Any ordinance or resolution so proposed in such a petition shall be examined by the Town Counsel prior to submission to the Town Meeting; and prior to or at said Town Meeting, the Town Counsel shall give his opinion, orally or in writing, with respect to the form of the proposal and its conformity to and relationship with existing constitutions, statutes, special acts, ordinances and regulations.

SECTION 1006 - THE ANNUAL BUDGET MEETING. There shall be an Annual Budget Meeting as is provided in Section 804.

SECTION 1007 - ORGANIZATION AND PROCEDURE.

A. The First Selectman or his representative shall call the meeting to order and the meeting shall choose a moderator. All business shall be conducted as provided by Chapter 90 of the General Statutes.

B. The Town Clerk shall serve as Clerk of all Town Meetings, but in the absence of the Town Clerk, an acting clerk may be designated by the meeting.

C. All action at a Town Meeting shall be adopted by a majority vote of the qualified voters present and voting at the meeting, unless otherwise provided by this Chapter.

SECTION 1008 - ACTIONS REQUIRING A TOWN MEETING.

A. Adoption of the Annual Budget as herein before provided or any resolution making an appropriation of more than \$10,000.00 not included in the Annual Budget.

B. Any resolution authorizing the issuance of notes or other borrowing or issuance of bonds in any amount.

- C. Any sale of real estate or any interest therein of the Town except property acquired by tax foreclosure and any purchase of real estate or interest therein.
- D. Real estate leases and/or lease options to which the Town is a party for terms in excess of five years.
- E. The discontinuance or abandonment of Town roads, the establishment of Town roads, and the acceptance as Town roads of existing or proposed roads.
- F. Initial applications for federal or state grants involving the expenditure of Town funds.
- G. The Town Meeting shall have the sole power to enact and repeal ordinances consistent with this Charter and the General Statutes.
- H. In addition to all the matters requiring Town Meeting approval, the Board of Selectmen may bring before a Town Meeting, including a Special Town Meeting, for its consideration any other matter the Board of Selectmen considers of sufficient importance to warrant a Town Meeting.
- I. The Town Meeting shall not act upon any appropriation, which has not been recommended by the Board of Finance.

## CHAPTER XI - CONFLICT OF INTEREST

SECTION 1101 - GENERAL. If any elected or appointed Town officer, official or employee may obtain financial gain, directly or indirectly, from any contract, any transaction or any decision of any board, commission or similar body of the Town to which the Town is a party, he must make a disclosure in accordance with Section 1102.

SECTION 1102 - DISCLOSURE. If any elected or appointed Town officer, official or employee anticipates that a conflict of interest as defined under Section 1101

might exist or could develop from any action he may take in the exercise of his duties or from any influence which might derive from his position, he shall disclose the nature and circumstances which would lead to the conflict to the board, commission or similar body of which he is a member or to which he is responsible. The board, commission or similar body involved shall record such disclosure and make it public record with the Town Clerk's office and shall meet to decide whether or not the individual who has made the disclosure will be disqualified from further action on the subject matter of the disclosure. The individual involved will not participate in the decision of his being disqualified, and if he is the chairman of the involved board, commission or similar body, an acting chairman will be chosen by the remaining members for the purpose of reaching a decision on the disqualification of the individual.

SECTION 1103 - PENALTIES. Violation of the provisions of Section 1101 or Section 1102 shall be grounds for the removal of the officer, official or employee. Violation of this section with the knowledge express or implied, of any person or corporation participating in such contract, transaction or decision shall render the same voidable by a court of competent jurisdiction.

## CHAPTER XII - MISCELLANEOUS PROVISIONS

SECTION 1201 - TRANSFER OF POWERS. The powers which are conferred and the duties which are imposed upon any office, board, commission or similar body under the General Statutes or any ordinance or regulation, in force at the time this Charter shall take effect, if such office, board, commission or similar body or office to which are granted similar powers and jurisdiction, shall be thereafter exercised and discharged by the commission, board or similar body, or office upon which are imposed corresponding or line functions, powers and duties under the provisions of this Charter. All commissions, boards, similar bodies or offices abolished by this Charter, whether elective or appointive, shall continue in the performance of their duties until provisions shall have been made for the discontinuances of such commissions, boards, similar bodies or offices and the performance of their duties by other commissions, boards, similar bodies or offices created under this Charter and until the Town Clerk shall have notified the members of such commissions, boards, similar bodies or offices as are abolished by this Charter that their successors have qualified.

**SECTION 1202 - TRANSFER OF RECORDS AND PROPERTY.** All records, property and equipment whatsoever of any commission, board or similar body or office or part thereof, all the powers and duties of which are assigned to any other commission, board, similar body or office by this Charter, shall be transferred and delivered intact forthwith to the commission, board, similar body or office to which such powers and duties are so assigned. If part of the powers and duties of any commission, board, similar body or office are by this Charter assigned to another commission, board, similar body or office, all records, property and equipment relating exclusively thereto shall be transferred and delivered intact forthwith to the commission, board, similar body or office to which such powers and duties are so assigned.

**SECTION 1203 - STATUS OF EMPLOYEES.** All employees of the Town of the effective date of this Charter shall retain such positions pending action by the appropriate person or agency charged by this Charter with powers of appointment or removal of said employees. Any provisions in force at the time this Charter shall take effect and not inconsistent with the provisions in this Charter, in relation to personnel, appointments, ranks, grades, tenure of office, promotions, removals, pension and retirement rights, civil rights or any other rights or privileges of employees of the Town or any office, department, or agency thereof, shall continue in effect, unless and until amended or repealed in accordance with the provisions of this Charter.

**SECTION 1204 - CONTINUATION OF APPROPRIATIONS AND TOWN FUNDS.** All appropriations approved and in force and all funds, including special or reserve funds in the name of the Town, at the time of the adoption of this Charter, shall remain in full force and effect unless and until the same shall be amended, transferred or abolished by the Board of Finance under the provisions of this Charter.

**SECTION 1205 - LEGAL PROCEEDINGS.** No action or proceeding, civil or criminal, pending on the effective date of this Charter, brought by or against the Town or any board, commission, similar body, or office thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained; but all such actions or proceedings may be continued notwithstanding the fact that the functions, powers and duties of any board, commission or similar body or office party thereto may by or under this Charter be assigned or transferred to another board,

commission, similar body or office to which such functions, powers and duties have been assigned or transferred by or under this Charter.

**SECTION 1206 - EXISTING LAWS AND ORDINANCES.** On and after the effective date of this Charter, all general laws and special acts of the State of Connecticut applying to the Town, all ordinances and bylaws of the Town, and all rules and regulations of commissions, boards and similar bodies of the Town not inconsistent with the provisions of this Charter or repealed thereby, shall be and shall continue to remain in full force and effect unless and until repealed or amended.

**SECTION 1207 - REVIEW AND AMENDMENT OF CHARTER.** This Charter may be amended in the manner prescribed by the General Statutes. The Board of Selectmen shall review this Charter from time to time as it deems such review to be in the best interest of the Town, but not less often than once every five years, said review to be published as part of the Annual Town Report. The Board of Selectmen shall appoint a commission not later than five years from effective date of this Charter, to review, amend or revise said Charter in the manner prescribed by the General Statutes.

**SECTION 1208 - RULES OF CONSTRUCTION AND SAVING CLAUSE.**

A. This Charter is intended to avail, make use of and exercise the full home rule powers of the Town under the Home Rule Law and any other statute now in effect or hereafter enacted and any other home rule powers thereof under the Constitution of the State of Connecticut, under the common law, or otherwise.

B. Nothing herein contained shall be construed as intended to conflict with, or be inconsistent with, any General Statute of the State of Connecticut expressing any substantial public policy of the State with which by Constitution or General Statutes this Charter is not permitted to be in conflict or inconsistent. It shall be construed as an assertion of the Town's full power and authority to prescribe its organic law for the administration of its local affairs.

C. 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, to the extent that an entire section or part of a section may be inseparably connected in

meaning and effect with the section or part of the section to which such ruling shall directly apply.

SECTION 1209 - USAGE. When the context so requires, the masculine gender shall include the feminine and the singular shall include the plural and the plural the singular.

SECTION 1210 - REFERENCES TO THE GENERAL STATUTES, SPECIAL ACTS, AND ORDINANCES.

All references to the General Statutes made herein are to the General Statutes of Connecticut, revision of 1958; and all references to said General Statutes, to the Special Acts or Special Laws of the State of Connecticut, and to the ordinances, regulations and bylaws of the Town of Windsor Locks are to them as they exist on the effective date of this Charter and as the same may be amended from time to time.

SECTION 1211 - EFFECTIVE DATE. This Charter shall become effective the first Monday of January 1981.