

# **CHARTER**

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## CHAPTER I Incorporation and General Powers

### **SEC. 1. Incorporation.**

All the inhabitants dwelling within the territorial limits of the Town of Monroe, as heretofore constituted, shall continue to be a body politic and corporate under the name of the, "Town of Monroe," 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 laws of the State of Connecticut.

### **SEC. 2. Right and Obligation.**

All property, both real and personal, all rights of action and rights of every description and all securities and liens vested or inchoate in said town as of the effective date of this Charter are continued in said town, and said town shall continue to be liable for all debts and obligations of every kind for which said town shall be liable on said date, whether accrued or not. Nothing herein shall be construed to affect the right of said town to collect any assessment, charge, debt or lien. If any contract has been entered into by said town prior to the effective date of this Charter or any bond or undertaking has been given by or in favor of said town which contains provisions that the same may be enforced by any commission, board, department or officer therein named which is abolished by the provisions of this Charter, such contracts, bonds or undertakings shall be in no manner impaired but shall continue in full force and effect, and the powers conferred and the duties imposed with reference to the same upon any such commission, board, department or officer shall, except as otherwise provided in this Charter, thereafter be exercised and discharged by the First Selectman of said town.

**SEC. 3. General Grant of Powers.**

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

**CHAPTER II**

**The Legislative Branch - The Town Council**

**SEC. 1. The Town Council.**

The legislative power in the town shall be vested in a Town Council consisting of nine (9) members, elected at large, hereinafter referred to as the "Council." The members of the Council shall serve without compensation, except for the reimbursement of actual expenses incurred in the performance of official duties. No member of the Council shall hold any appointed office of profit under the government of the Town of Monroe or be appointed to any office of profit under the government of said town during the term of office and for one (1) year thereafter.

**SEC. 2. Organization.**

Each newly elected Council shall hold its organizational meeting at 8:00 p.m. on the fourth Monday in November following each biennial election. At the organizational meeting the Council shall:

1. Choose one (1) of its members to be the Chairman and a second of its members to be Vice-Chairman of said Council.
2. Approve a schedule of regular meetings, including determining the time, dates and places of such meetings.

The Chairman of the Council shall preside over all meetings of the Council and perform such other duties consistent with the office of Chairman as may be imposed by the Council. Neither the Chairman nor the Vice-Chairman shall be deprived of their voting rights on any question as a result of their Council offices. The Vice-Chairman of the Council shall assume the duties of the Chairman during the absence or disability of the Chairman. During the absence or disability of the Chairman, the Chairman's duties shall be performed by the Vice-Chairman or, in the absence or disability of both Chairman and Vice-Chairman, by a member chosen by the Council.

**SEC. 3. Procedure.**

Special meetings of the Council shall be held at the call of the Chairman when the Chairman deems a special meeting to be necessary; and/or when three (3) members of the Council shall sign and file with the Town Clerk a petition requesting a special meeting, which petition shall include the reasons for the special meeting. In the absence or disability of the Chairman, the Vice-Chairman may act in place of the Chairman. In the absence or disability of both the Chairman and the Vice-Chairman, the Acting Chairman of the Council may act. Written notice of special meetings of the Council shall be delivered to each member of the Council and posted in a public place within the Town Hall.

The Council shall, by resolution, determine and update from time to time its own rules of procedure.

All regular and special meetings of the Council shall be open to the public, except for executive sessions held pursuant to the Connecticut General Statutes.

Five (5) members of the Council shall constitute a quorum for all business to come before the Council, provided, however, that no ordinance, resolution or vote, except a vote to adjourn or to fix the time and place of the next meeting of the Council, shall be adopted by fewer than five (5) affirmative votes.

All ordinances and resolutions shall be limited to one (1) subject. In the case of ordinances, the subject shall be clearly stated in the title of the ordinance.

The Council shall keep and maintain on a current basis for public inspection a written journal of all of its proceedings.

**SEC. 4. General Powers and Duties.**

The Council shall have the powers and duties which, on the effective date of this Charter, were conferred by law upon officers, boards and commissions of said town existing immediately prior to such date, except as otherwise specifically provided in this Charter. The legislative power of the town shall be vested in the Council, except as limited or otherwise provided in this Charter. The Council's powers shall include but not necessarily be limited to the following powers, to the extent that the same are not limited or otherwise inconsistent with this Charter:

The power to enact, amend or repeal ordinances.

The power to create or abolish by ordinance boards, commissions, departments and offices of the town.

The power to accept roads.

The power to approve and authorize contracts to which the town is a party or in which the town has an interest.

The Council, in adopting ordinances, is authorized to incorporate by reference any nationally recognized code, rules or regulations that have been published or any code officially adopted by any administrative agency of the State of Connecticut or any subdivision thereof; provided, however, that upon the adoption of any such ordinance wherein any such code, rules or regulations or portions thereof have been incorporated by reference, there shall be maintained two (2) copies of such code, rules or regulations in the office of the Town Clerk for examination by the public.

The Council shall create, maintain and update from time to time a policy handbook, which shall be separate and distinct from the minutes of the Council meetings. Such policy handbook of the Council shall be a cumulative record of all policy statements adopted by the Council, and a copy of said policy handbook shall be available for public inspection in the office of the Town Clerk.

**SEC. 5. Hearing before the Town Council.**

Upon petition filed with the Town Clerk signed by fifty (50) electors of the Town of Monroe requesting that a particular matter be considered by the Council, or upon motion by the Council itself, the Council will, within thirty (30) days thereafter, hold a public hearing before the Council and shall advertise said hearing at least five (5) days in advance in a newspaper having general circulation in the Town of Monroe. At said hearing, the Chairman of the Council shall preside, and anyone may speak on the subject matter of the hearing, after which the Council shall take whatever action it deems appropriate.

**SEC. 6. Adoption of Ordinances.**

Except in the case of emergency ordinances as hereinafter provided, at least one (1) public hearing shall be held by the Council prior to the adoption or repeal of a town ordinance. Notice of such public hearing shall be given at least five (5) days prior to the date of such hearing by publication in a newspaper having a general circulation in the town and by posting such notice in a public place within the Monroe Town Hall. Except in the case of emergency ordinances, each ordinance adopted by the Council shall be submitted to the First Selectman within three (3) days after adoption. The First Selectman may approve the ordinance, in which case the First Selectman shall endorse the approval on the proposed ordinance and within ten (10) days thereafter have the ordinance filed in the office of the Town Clerk. The Town Clerk shall, within ten (10) days of the First Selectman's approval, publish the ordinance in a newspaper having a general circulation in the town of Monroe, except a summary thereof may be published, in accordance with Sec 7-157(b) of the Connecticut General Statutes; or the First Selectman may veto the ordinance, in which case the First Selectman shall, within five (5) days of the date the proposed ordinance was submitted, endorse a veto of the proposed ordinance thereon and submit the vetoed ordinance to Council, together with a statement of the reasons for the veto, for further consideration by the Council at its next regular meeting.

In the event that the First Selectman vetoes a proposed ordinance as aforesaid, the Council, at its next regular meeting after such veto, may readopt the ordinance by the affirmative vote of at least two-thirds (2/3) of the members of the Council. Within ten (10) days after such readoption, the First Selectman shall have the ordinance published in a newspaper having a

general circulation in the town and file the same in the office of the Town Clerk.

In the event that the First Selectman fails to either approve or veto a proposed ordinance submitted to him or her as aforesaid, the ordinance shall be deemed approved as of the 11<sup>th</sup> day after the date submitted, in which event the First Selectman shall, within ten (10) days thereafter, file the same in the office of the Town Clerk. The Town Clerk shall publish the ordinance in a newspaper having a general circulation in the town except a summary thereof may be published as aforesaid.

Unless an ordinance specifies a later effective date, all ordinances shall become effective thirty (30) days following the date of publication in a newspaper having a general circulation within the town.

**SEC. 7. Emergency Ordinances.**

Notwithstanding the provisions of Chapter II, Section 6, any ordinance stated by the Council to be a public emergency measure and stating the facts constituting such public emergency shall become effective immediately after passage and publication thereof in a newspaper having a circulation in said town. No public hearing or notice of public hearing shall be required for any public emergency ordinance. Every such emergency ordinance, including any amendments thereto, shall automatically stand repealed at the termination of the 61st day following final passage of the ordinance unless reenacted in the usual manner.

**SEC. 8. Audit Powers.**

The Council may, at any time, require and provide for the examination or audit by a certified public accountant of the accounts of any officer or department of the town. At a meeting of the Council subsequent to receipt from such certified public accountant of the report of such examination or audit, the Council shall discuss the report.

**SEC. 9. Powers Denied the Town Council.**

The Council shall not diminish by ordinance, vote or otherwise the powers and duties vested in the First Selectman by this Charter.

**CHAPTER III**  
**The Executive Branch - The First Selectman**

**SEC. 1. Election of First Selectman.**

The First Selectman shall be elected at each biennial town election commencing with the election to be held on November 4, 2003. The First Selectman shall hold office for a term of two (2) years, to commence on the fourth Monday of November following the election.

**SEC. 2. Duties.**

The First Selectman shall be the chief executive officer of the town and shall have all of the executive powers vested by law or by this charter in the First Selectman or the chief executive officer of the town, except as otherwise provided or limited by this Charter. The First Selectman shall not engage in any other employment during the term of elected office. Except as otherwise provided in this Charter, the duties of the First Selectman shall include but not be limited to:

1. Administration and supervision of all departments, agencies and offices of the town.
2. The enforcement of all laws and ordinances of the town.
3. Making periodic reports to the Council on matters relating to the administration and welfare of the town at regular Council meetings or upon the request of the Council.
4. Making recommendations to the Council for legislative action and with respect to other matters within the jurisdiction of the Council as the First Selectman deems necessary and in the best interests of the town.
5. Attendance at Council meetings with full right of participation in the discussions of the Council but without the right to vote.
6. Approval or veto of ordinances as set forth in this Charter.

7. Preparation of the Annual Report of the town, reflecting the growth, changes and status of the town since the prior Annual Report in accordance with state statutes, together with the responsibility for publishing said report no later than thirty (30) days after the receipt of the auditor's report.
8. Mediation and resolution of differences between boards, commissions, committees, agencies, authorities and other public bodies within the town government relating to an interpretation of town policy and procedures.
9. Acting as the purchasing agent of the town, with the exception of the Board of Education.
10. Processing requisitions for all goods and services from any source.
11. Investigating, advising with respect to and obtaining available and applicable state and federal funds and grants in behalf of the town and any of its departments, boards and commissions.
12. Acting as the bargaining agent for the town, with the exception of the Board of Education, in all labor and employment matters, including authority to retain the services of labor consultants and attorneys to assist in such matters.
13. Selection, appointment and hiring of town employees except as otherwise provided in this Charter.
14. Acting as the personnel director for the town, except for the Board of Education.
15. Adopting as well as updating a written policy for recruiting, screening, investigating and hiring all town employees for positions in accordance with approved job descriptions.

16. The establishment of procedures for annual performance evaluations of all town employees. The First Selectman shall prepare, obtain and review performance evaluations of all employees of the town with elected and appointed officials, boards, commissions, committees, agencies and authorities of the town with regard to employees in those departments under their respective supervisions. Before the First Selectman takes personnel action with regard to any town employee evaluated, the First Selectman shall review all performance and evaluations from all sources. Actions shall be taken thereafter as the First Selectman shall deem appropriate with respect to all employees evaluated, provided, however, that members of the Police Department and employees of the Board of Education shall be excluded from performance evaluation by the First Selectman.

The First Selectman shall have such additional powers and shall perform such other duties as may from time to time be required of him or her by ordinance, provided that the same are not inconsistent with this Charter or the provisions of the Connecticut General Statutes.

**SEC. 3. Absence; Disability; Vacancy.**

The office of the First Selectman shall be deemed vacant upon the occurrence of any of the following events:

1. Death of the First Selectman.
2. The retirement or resignation of the First Selectman.
3. If the First Selectman ceases to have a principal residence in the town.
4. If the First Selectman is, as determined by the Council, absent from office for any reason, including illness, for a continuous period of not less than ninety (90) days. Vacation time shall not be considered in determining such period of absence.

In the event that the office of the First Selectman becomes vacant, the Council shall call a special election to elect a successor First Selectman to serve for the remainder of the vacated term. Such special election shall be held not less than ninety (90) nor more than one hundred (100) days following the date on which the office becomes vacant. After such vacancy occurs, the Council shall appoint and determine the compensation of an Acting First Selectman, who shall serve as First Selectman until a successor First Selectman is elected or for the remainder of the vacated term, whichever shall first occur. The Acting First Selectman and the successor First Selectman, as the case may be, shall have all of the powers and duties of the First Selectman while serving in said office. If a vacancy occurs within six (6) months prior to the date of a biennial town election, no special election shall be held, and the Acting First Selectman shall serve as First Selectman. Any such special election held hereunder shall be conducted in the same manner as the biennial town election of a First Selectman.

**SEC. 4. Appointments.**

The First Selectman shall appoint an Administrative Assistant, Town Engineer, Director of Community and Social Services, Assessor, Tree Warden, Director of Public Works, Building Official, Fire Marshal, Director of Finance, Zoning Enforcement Officer, Planning Administrator, Library Director, Director of Emergency Management Director of Parks and Recreation, Town Attorney, Director of Health, Municipal Agent for the Elderly, Human Resource Director, Economic Development Coordinator and such other appointments as may from time to time be necessary for the efficient management of the town. Appointments shall be made in accordance with provisions of Chapter X of this Charter. Provided that the same is not inconsistent with the Connecticut General Statutes, the First Selectman may, subject to the approval of the Council, perform duties of any office over which the First Selectman has appointive authority.

**SEC. 5. Coordination.**

Except as otherwise provided in this Charter, the First Selectman shall be a member, ex officio, of all boards, commissions and special committees, but the First Selectman shall not have any voting power unless such a body shall, as a result of a tie vote, fails to organize or elect necessary officers, in either of which case the First Selectman shall have a tie-breaking vote. The First Selectman is empowered to convene any or all of the appointed boards

and commissions of the town to review and coordinate activities and to plan operations of the town government. At least once annually, the First Selectman shall convene a general meeting of all boards and commission members.

The Council and all boards, commissions and agencies shall, in connection with any administrative service sought by them, deal directly and only through the First Selectman. The Council may, at a properly constituted meeting of which the First Selectman has been duly warned, call before it any employee of the town for the purpose of inquiry, consultation or advice.

**CHAPTER IV**

**The Executive Branch - Appointed Officials**

**SEC. 1. General Powers and Duties.**

Except as otherwise provided in this Charter, all appointed officials, boards and commissions and authorities shall have all the powers and duties prescribed by the Connecticut General Statutes. A quorum for a duly called meeting of any board, commission or committee shall consist of not less than a simple majority of that board's, commission's or committee's total membership. All appointed boards, commissions and authorities will establish operational policy directives to meet their duties and the exercise of their powers and shall communicate them to the First Selectman. No later than September 1 following the fiscal year for which the report is based, all such appointed town officials, boards, commissions and authorities shall also furnish the First Selectman annual report data summarizing progress and programs from which the First Selectman can write the Annual Report of the town. In addition, all such appointed officials, boards, commissions and authorities covered by these provisions shall provide the First Selectman with job specifications from which formal job descriptions can be produced to meet the needs of their departments. They shall also provide the First Selectman with performance reports of the effectiveness and adequacy of employees, goods and services used in the implementation of policy directives and in servicing the needs of their departments and shall follow the procedures in Chapter VIII, Section 7, to obtain goods and services.

**SEC. 2. Appointments.**

The First Selectman shall appoint, subject to the approval of the Council, the following: Zoning Board of Appeals, alternate members of the Zoning Board of Appeals, Board of Police Commissioners, Library Board of Trustees, Board of Assessment Appeals, Parks and Recreation Commission, Conservation and Water Resources Commission, Inland Wetlands Commission, Economic Development Commission, Building Board of Appeals, Board of Health, Historic District Commission, Commission for the Aging and such other town officials and members of such other boards, commissions and committees as may be established under the provisions of this Charter or by the Connecticut General Statutes. The First Selectman shall supervise and direct the same. All such appointive officers shall be resident electors of the Town of Monroe, except as provided in this Charter.

**SEC. 3. Terms of Office.**

Appointees shall take office on the day of their appointment and shall serve until they resign or until their respective successors shall have been appointed. Terms of such officers and members of such boards, commissions and committees shall be as specified by ordinance, unless otherwise provided in this Charter. An appointee wishing to resign shall submit such resignation in writing to the First Selectman, Town Clerk and Chairman of the respective board, commission or committee. Any appointee may be removed from office by the Council upon the recommendation of the First Selectman for the failure or neglect of such appointee to perform the powers and duties for which appointed. Such neglect shall include but not be limited to absence from meetings, nonparticipation in the work of the board, commission or committee, failure to carry out the functions of the appointed office or failure to carry out such duties as may be assigned by the board, commission or committee. Any vacancy occurring by reason of resignation, removal or death from any board, commission or committee shall be acted upon by the First Selectman in a timely manner.

**SEC. 4. Board of Assessment Appeals.**

There shall be a Board of Assessment Appeals consisting of three (3) members for terms of three (3) years. The First Selectman annually shall appoint one (1) member to succeed the member whose term expires. Said Board shall have all powers and duties conferred or imposed by the

Connecticut General Statutes on Boards of Assessment Appeals and whose principal function is to hear and decide cases involving alleged inequities in tax assessments.

**SEC. 5. Library Board of Trustees.**

There shall be a Library Board of Trustees consisting of seven (7) members for terms of six (6) years. Biennially, the First Selectman shall appoint two (2) members to succeed the members whose terms expire. Such Board shall have all the powers and duties conferred or imposed by the Connecticut General Statutes on Boards of Libraries and shall have such other powers and duties as may be prescribed in this Charter or by ordinance. The Library Board of Trustees shall have the responsibility for policies of the public library.

**SEC. 6. Zoning Board of Appeals.**

There shall be a Zoning Board of Appeals consisting of five (5) members for terms of five (5) years. Annually, the First Selectman shall appoint one (1) member to succeed the member whose term expires. Said Board shall have all powers and duties conferred or imposed by the Connecticut General Statutes on Zoning Boards of Appeals.

**SEC. 7. Zoning Board of Appeals Alternates.**

There shall be three (3) alternates to the Zoning Board of Appeals, each appointed for a term of three (3) years. Annually, the First Selectman shall appoint one (1) member to succeed the member whose term expires. Each member shall, when seated, perform the duties of a member of the Zoning Board of Appeals. Alternates shall have the privilege of participation in all meetings and hearings without vote until seated. For each regular member of the Zoning Board of Appeals who is absent or disqualified, the Chairman of the Board shall designate one (1) alternate to be seated on the Board. Said Chairman shall choose alternates in rotation so that they shall act as nearly equal a number of times as possible, and if any alternate is not available in accordance with such rotation, said facts shall be recorded in the minutes of the meeting in accordance with the Connecticut General Statutes as amended.

**SEC. 8. Board of Police Commissioners.**

There shall be a Board of Police Commissioners consisting of five (5) members who shall each serve for a term of three (3) years. Vacancies on said Board shall be filled by appointment of the Council upon recommendation of the First Selectman for the balance of the unexpired term. No person shall be appointed to the Board who holds an elective office or other appointive office in the Town of Monroe. No person serving on the Board shall seek elective office or accept another appointive office in the Town of Monroe. The Board shall be the policy-making unit and shall establish operational policy directives to be executed by the Chief of Police and shall have the duties and powers as are conferred or imposed under the provisions of this Charter and the Connecticut General Statutes.

The Board shall create a policy handbook as a record of Departmental policy, to include policy for appointment and promotion by examination, cause for removal in accordance with the Connecticut General Statutes, criteria for fitness for duty and other such policies as are deemed advisable concerning the operation of the Department. The minutes of the meetings of the Board may avoid revealing the details concerning privileged information relating to police investigation that would jeopardize the rights of individuals concerned. The Board shall review the general management and supervision of the Police Department and shall be responsible for property and equipment used in connection with the operation of the Department and shall evaluate the effectiveness and performance of the Department in executing enforcement of laws and ordinances governing the Town of Monroe, the enforcement of rules and regulations concerning the operation of the Department and the conduct of officers and employees with relation to policies set by the Board. The Board of Police Commissioners shall appoint the Chief of Police. The Chief of Police will be responsible for making recommendations concerning the hiring and removal of all police department personnel. In the case of sworn personnel, except the Animal Control Officer and Park Ranger, the Board of Police Commissioners will make decisions concerning the hiring and removal of such personnel. In the case of civilian members of the Police Department, the First Selectman will make decisions concerning the hiring and removal of such members of the Police Department, after consultation with the Chief of Police.

**SEC. 9. Economic Development Commission.**

The First Selectman shall appoint an Economic Development Commission consisting of seven (7) members serving terms of five (5) years each and who shall be appointed at the expiration date of the terms of the current members. The Council may, by legislative action, create and appoint an Economic Authority in accordance with the Connecticut Statutes.

The Commission shall conduct research into the economic conditions and trends in its municipality, shall make recommendations to appropriate officials and agencies of its municipality regarding action to improve its economic condition and development, shall seek to coordinate the activities of and cooperate with unofficial bodies organized to promote such economic development and may advertise and may prepare, print and distribute books, maps, charts and pamphlets which in its judgment will further its official purposes.

**SEC. 10. Historic District Commission.**

There shall be a Historic District Commission appointed by the First Selectman consisting of five (5) members and three (3) alternates. One or more members or alternates of the Historic District Commission shall reside in a historic district under the jurisdiction of the Commission, if any persons who reside in any such district are willing serve on such Commission. The Commission is charged with the preservation and protection of buildings and places of historic interest in the district and shall perform the duties and functions of a Historic District Commission as provided in the Connecticut General Statutes, as amended, and by such ordinances as the Council shall enact. Each appointment shall be for a five-year term.

**SEC. 11. Conservation and Water Resources Commission.**

There shall be a Conservation and Water Resources Commission consisting of seven (7) members appointed by the First Selectman, each for a term of four (4) years. The Commission shall have the powers and duties set forth in the Connecticut General Statutes and applicable ordinances.

**SEC. 12. Inland Wetlands Commission.**

There shall be an Inland Wetlands Commission consisting of seven (7) members appointed by the First Selectman, each for a term of four (4)

years. The Commission shall have the powers and duties set forth in the Connecticut General Statutes and applicable ordinances. Upon the ratification of this Charter the seven members of the former Conservation and Water Resources and Inland Wetlands Commission will become the members of the Inland Wetlands Commission and serve out the remainder of their original terms.

**SEC. 13. Board of Health.**

The First Selectman shall appoint a Board of Health consisting of five (5) members who shall serve terms of three (3) years. One (1) of the five (5) members of the Board shall be the Director of Health of the Town of Monroe. The Board of Health shall coordinate town activities relating to public health. The Council may specify by ordinance additional duties and powers of the Board.

**SEC. 14. Parks and Recreation Commission.**

There shall be a Parks and Recreation Commission consisting of nine (9) members, who shall serve terms of four (4) years, to be appointed by the First Selectman. The Parks and Recreation Commission shall plan, promote, organize, supervise, develop and carry out parks and recreational programs and facilities for the town. The Council may specify by ordinance additional duties and powers of the Commission.

**SEC. 15. Building Board of Appeals.**

The First Selectman shall appoint a Building Board of Appeals consisting of five (5) members for a term of five (5) years each to fill the seats of incumbent Board members. Each member shall meet the requirements of the Connecticut General Statutes for members of Building Boards of Appeals.

Each member shall serve until a successor has been appointed. If a resident appointee cannot be found in the Town of Monroe to satisfy the requirements of the Connecticut General Statutes for membership, then the Council is authorized to make such appointment from qualified residents in contiguous communities. In the absence or disqualification of a member, the First Selectman shall designate a qualified substitute. No member of the Board shall vote on any question in which the board member is engaged as

contractor, dealer, consultant, preparer of plans or specifications or in which the board member has any personal interest.

**SEC. 16. Commission for the Aging.**

There shall be a Commission for the Aging which shall develop and coordinate programs for the aging, consisting of seven (7) members appointed by the First Selectman for terms of three (3) years each. The Council may specify by ordinance additional duties and powers of the Commission and any special membership requirements applicable. The Commission shall study the needs of the elderly and coordinate municipal and state programs to meet such needs and shall have the powers and duties in accordance with the Connecticut General Statutes and applicable ordinances.

**SEC. 17. Emergency Medical Services Commission.**

There shall be an Emergency Medical Services Commission consisting of five (5) members appointed by the First Selectman for terms of three (3) years each. The Commission shall function pursuant to the Connecticut General Statutes and applicable ordinances.

**SEC. 18. Housing Authority.**

There shall be a Housing Authority of the Town of Monroe appointed by the First Selectman and consisting of five (5) members, each serving a term of five (5) years. One of the five members shall be a tenant of a property overseen by the Authority. The Authority shall have the powers and duties set forth in the Connecticut General Statutes and applicable ordinances.

**SEC. 19. Architectural Review Board.**

There shall be an Architectural Review Board consisting of five (5) members appointed by the First Selectman for terms of three (3) years each. The membership of the Board shall include an architect or design professional, if any such persons are willing to serve on such Board. The purpose of the Architectural Review Board is to raise the general aesthetic level of the building development in town by reviewing proposals for new non-residential buildings, alterations or additions and by promulgating regulations concerning the aesthetics for building design and site layout, to

be submitted to the Planning and Zoning Commission for consideration and approval.

Any applicant submitting plans for non-residential development to the Planning and Zoning Commission must contemporaneously therewith provide a copy of such application to the Architectural Review Board. The Architectural Review Board shall review such application and make whatever recommendations it deems appropriate, if any, concerning such application to the Planning and Zoning Commission. The Architectural Review Board must provide its recommendations to the Planning and Zoning Commission within thirty (30) days after receiving such application or prior to the close of the public hearing concerning such application, whichever occurs first.

**SEC. 20. Water Pollution Control Authority.**

There shall be a Water Pollution Control Authority consisting of five (5) members appointed by the First Selectman for terms of four (4) years each. The Authority shall function pursuant to and in accordance with the Connecticut General Statutes, the Monroe Town Charter and applicable ordinances.

**SEC. 21. Youth Commission.**

There shall be a Youth Commission consisting of seven (7) members appointed by the First Selectman for terms of two (2) years each. The membership of the Commission shall include at least one member currently under twenty-one (21) years of age, a representative of the school system, a representative of the Police Department, and a representative of a private youth serving agency. The Youth Commission shall function pursuant to and in accordance with the Connecticut General Statutes, the Monroe Town Charter and applicable ordinances.

**CHAPTER V**

**The Executive Branch - Administrative Offices**

**SEC. 1. Departments.**

There shall be the following administrative departments: Finance, Public Works, Building, Planning and Zoning, Assessor, Community and Social

Services, Health, Police, Public Library, Emergency Management, Human Resources, Parks and Recreation, Economic Development, Town Attorney and such other departments as may from time to time be created by the Council. Such Departments shall, except as otherwise provided in this Charter, have the powers and duties prescribed by the Connecticut General Statutes and town ordinances.

**SEC. 2. Finance Department.**

There shall be a Finance Department, headed by the Director of Finance, who shall be under the direction of the First Selectman. The Director of Finance shall serve as the comptroller of the municipality.

**SEC. 3. Public Works Department.**

There shall be a Public Works Department, which shall be under the direction of the First Selectman and shall have such powers and duties as the First Selectman may prescribe.

**SEC. 4. Building Department.**

There shall be a Building Department headed by a Building Official who shall be responsible for the administration and enforcement of the State Building Code. Said Building Official shall be qualified and certified by the State Building Inspector and the Building Code Standards Committee in accordance with the Connecticut General Statutes. The Building Department and Building Official shall perform such other duties as may be prescribed by the First Selectman or by town ordinance.

**SEC. 5. Planning and Zoning Department.**

- (a) Planning Administrator. There shall be a Planning Administrator who shall perform such duties as may be prescribed by the First Selectman in conjunction with the Planning and Zoning Commission.
- (b) Zoning Enforcement Officer. There shall be a Zoning Enforcement Officer who shall enforce the town zoning regulations and perform such other duties as may be prescribed by the First Selectman or town ordinance.

**SEC. 6. Assessor.**

There shall be a Tax Assessor who shall have the powers and duties as imposed by the Connecticut General Statutes and such other powers and duties as the First Selectman and town ordinance may prescribe.

**SEC. 7. Community and Social Services Department.**

The Community and Social Services Department shall have the powers and duties vested by the Connecticut General Statutes in the First Selectman of towns.

There shall be a Director of Community and Social Services who shall coordinate the administration of all social service activities of the town.

**SEC. 8. Health Department.**

The Health Department shall be responsible for the preservation and promotion of public health and for the enforcement of the public health codes and shall perform such functions and shall have such powers and duties as are imposed by the Connecticut General Statutes and such other powers and duties as the First Selectman may prescribe.

There shall be a Director of Health who shall meet the qualifications as provided for in the Connecticut General Statutes and shall have such powers and duties as are imposed therein. The Director of Health need not be a resident elector of the Town of Monroe.

**SEC. 9. Police Department.**

There shall be a Police Department, which shall be under the supervision and administration of the Board of Police Commissioners. The Police Department shall consist of the Chief of Police and such other police officers of such rank, number and grade as may be determined by the Board of Police Commissioners and such other employees necessary for the conduct of the Department as may be provided for from time to time. The Police Department shall have such powers and duties as are described by the Connecticut General Statutes, town ordinance or this Charter.

**SEC. 10. Public Library.**

There shall be a Public Library, which shall be under the management and direction of the Library Director.

**SEC. 11. Department of Emergency Management.**

The Department of Emergency Management shall be administered by a Director of Emergency Management, who shall perform such functions and have such powers and duties as are imposed by the Connecticut General Statutes.

**SEC. 12. Parks and Recreation Department.**

There shall be a Parks and Recreation Department, which shall be responsible for implementing the policies of the Parks and Recreation Commission in accordance with Chapter IV, Section 14, of this Charter.

**SEC. 13. Economic Development Department.**

There shall be an Economic Development Department, which shall be responsible for implementing the policies of the Economic Development Commission in accordance with Chapter IV, Section 9, of this Charter.

**SEC. 14. Town Attorney.**

The Town Attorney shall be an attorney at law admitted to practice law in Connecticut and shall be a resident elector of the Town of Monroe. The Town Attorney shall appear for and protect the rights of the town in all actions, suits or proceedings brought by or against it or any of its officers, boards or commissions and shall represent the town in all matters affecting the town and shall, upon written request submitted through the office of the First Selectman, furnish a written opinion on questions of law. Upon request, the Town Attorney shall prepare or approve forms of contracts or other instruments to which the town is a party or in which it has an interest. The Town Attorney shall have the power, with the approval of the Council, to compromise and settle any claims by or against the town and to appeal from orders, decisions and judgments affecting the town. If the First Selectman deems it advisable, he or she may provide for the temporary employment of counsel other than the Town Attorney. The Town Attorney

shall serve for a two-year term by appointment of the First Selectman as herein described.

**SEC. 15 Human Resource Department.**

There shall be a Human Resource Department, headed by the Human Resource Director, who shall be under the direction of the First Selectman and shall have such duties as may be prescribed by the First Selectman, this Charter, and town ordinances and job description.

**CHAPTER VI  
Elected Officials**

**SEC. 1. General Powers and Duties.**

Except as otherwise provided in this Charter, all elected town officers, boards and commissions shall have the powers and duties prescribed by law. With the exception of the Board of Education and with the exception of the Planning and Zoning Commission, when acting in matters of zoning enforcement pursuant to its regulations as amended from time to time, all elective boards and commissions will establish operational policy directives to meet their duties and the exercise of their powers and shall communicate such policy directives to the First Selectman. All elected town officers, boards and commissions shall also furnish the First Selectman annual report data summarizing progress and programs no later than September 1 following the fiscal year for which the report is based. In addition, all elected officers, boards and commissions covered by these provisions shall provide the First Selectman with data from which job descriptions can be produced to meet the needs of their departments. They shall also provide the First Selectman with performance reports of the effectiveness and adequacy of employees, goods and services used in the implementation of policy directives and in servicing the needs of their departments and shall follow procedures in Chapter VIII, Section 7, Expenditures and accounting, to obtain goods and services.

**SEC. 2. Terms of Office.**

The terms of all elected officials, board members and commission members shall, except as hereinafter provided, commence on the fourth Monday in

November. All elected officials shall hold office until their successor's terms commence.

**SEC. 3. First Selectman; Town Council; Tax Collector; Treasurer; and Constables.**

At each biennial town election, there shall be elected a First Selectman, nine (9) Councilmembers, a Tax Collector, a Treasurer, who shall be the agent of the Town Deposit Fund, and two (2) Constables, all for the term of two (2) years.

**SEC. 4. Town Clerk.**

At each biennial town election, a Town Clerk, who shall have the powers and duties prescribed by law, shall be elected for two (2) years, whose term shall commence on the fourth Monday of November following each election.

**SEC. 5. Registrars; Justices of the Peace.**

There shall be two (2) Registrars of Voters, to be elected in the state election for terms of four (4) years, as provided in Sections 9-189a and 9-184 of the General Statutes, and thirty (30) Justices of the Peace elected for four (4) years.

**SEC. 6. Salaries.**

The First Selectman, Tax Collector, Treasurer, Town Clerk and Registrars of Voters shall receive a salary, which shall be fixed by the Council.

**SEC. 7. Board of Education.**

There shall be an elective Board of Education of nine (9) members, each of whom is elected for a term of four (4) years. Any vacancy on the Board for any cause whatsoever shall be filled by the Council as set forth in Chapter VII, Section 5, of this Charter.

**SEC. 8. Board of Finance.**

There shall be an elective Board of Finance consisting of six (6) members, each of whom is elected for a term of four (4) years.

**SEC. 9. Planning and Zoning Commission.**

There shall be a Planning and Zoning Commission consisting of five (5) elected members, each of whom is elected for a term of four (4) years. At each biennial election, there shall be elected members, based on expiration of terms, who shall hold office for four (4) years. The terms of office shall be arranged so that the term ending in 2003 shall be a four (4) year term starting in 2003. The term ending in 2004 shall be a three (3) year term in the election of 2003, to become a four (4) year term in 2007. The term ending in 2005 shall be a four (4) year term. The term ending in 2006 shall be a three (3) year term in the election of 2005 to become a four (4) year term in 2009. The term ending in 2007 shall be a four (4) year term. Thereafter all members shall be elected to serve four (4) year terms, staggered so that the terms of three members shall expire at one election, and the terms of two members shall expire at the following election. In addition to the powers and duties set forth by the Connecticut General Statutes, the Commission shall prepare, adopt and amend a plan of development for the municipality. Such plan shall show the Commission's recommendation for the most desirable use of land within the municipality for residential, recreational, commercial, industrial and other purposes and for the most desirable density of population in several parts of the municipality. The plan of development shall be a statement of policies, goals and standards for the physical and economic development of the municipality and may include all necessary maps, explanatory material, photographs, charts or other pertinent data and information relative to the past, present and future trends of the municipality and may include recommended programs for the implementation of the plan. The plan shall be designed to promote with the greatest efficiency and economy the coordinated development of the municipality and the general welfare and prosperity of its people. The Commission shall make such regulations as necessary to promote and implement the goals and policies of the plan of development.

**SEC. 10. Planning and Zoning Alternates.**

At each biennial town election, there shall be three (3) alternates to the Planning and Zoning Commission, each of whom is elected for a term of two (2) years, who shall take office on the fourth Monday in November following election. Such alternate members, when seated, shall have all the powers and duties to act as members of the Planning and Zoning Commission. Alternates shall have the privilege of participation in all meetings and hearings without a vote until seated. For each regular member

of the Planning and Zoning Commission who is absent or disqualified, the Chairman of the Commission shall delegate one (1) alternate to be seated on the Commission. Said Chairman shall choose alternates in rotation so that they shall act as nearly equal a number of times as possible, and if any alternate is not available in accordance with such rotation, said fact shall be recorded in the minutes of the meeting, in accordance with the Connecticut General Statutes as amended.

**CHAPTER VII**

**Elections**

**SEC. 1. General.**

- (a) Nomination and election of federal and state officers, including Registrars of Voters, and of such elective municipal officers, boards and commissions as are provided for in this Charter shall be conducted, and the Registrars of Voters shall prepare lists of electors qualified to vote therefor, in the manner prescribed in the Constitution and Connecticut General Statutes, except as hereinafter provided.
- (b) A meeting of the electors of the Town of Monroe for the election of municipal officers, boards, agencies and commissions shall be held on the Tuesday after the first Monday in November of each odd-numbered year.

**SEC. 2. Minority Representation.**

Minority representation on any elective or appointive board, commission, committee or similar body of the town shall be determined in accordance with the Connecticut General Statutes. The maximum number of any such board, commission, committee or similar body who may be members of the same political party shall be as specified in the following table:

<b>Column I</b>	<b>Column II</b>
<b>Total Membership</b>	<b>Maximum from 1 party</b>
3	2
4	3
5	4
6	4
7	5
8	5
9	6
More than 9	2/3 of total membership

The minority representation on the Board of Education shall be determined in accordance with Section 9-204b of the Connecticut General Statutes.

**SEC. 3. Voting Districts.**

The number of voting districts shall not be increased nor the boundaries altered, except by ordinance. Voting district lines shall not be drawn so as to conflict with the lines of Senate districts as established by the Connecticut General Assembly. No change in the boundaries of voting districts shall be made within ninety (90) days prior to an election. The Council shall provide suitable polling places in the district or districts and shall define the boundaries of the area to be served by each polling place. The Town Clerk, Registrars of Voters and all other officers of the town shall perform the duties required of them by law with respect to elections in the voting district or districts. All action taken under the provisions of this section shall be in accordance with Connecticut General Statutes.

**SEC. 4. 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 Connecticut General Statutes to determine who shall be elected or, in the case of a question at referendum, whether it shall be accepted or rejected. Said adjourned election shall be held on the seventh day after the election that resulted in a tie and shall be confined to the tied candidates or issues. Any voting machine, the returns from which are not subject to disagreement, may be unlocked and used in said special election.

If voting machines are not available in sufficient number, paper ballots may be used in place of or in conjunction with voting machines.

**SEC. 5. Vacancies.**

Except in the case of the First Selectman, any vacancy in any elective town office, from whatever cause arising, shall be filled by appointment by the Council in a timely manner, except where in conflict with the Connecticut General Statutes. When the persons vacating the office shall have been elected as a member of a political party, such vacancy shall be filled by the appointment of a member of the same political party. The appointee's term shall be the unexpired portion of the elected term, or until the next municipal election and swearing-in of a duly elected successor, whichever is sooner. Said elected successor shall be sworn in on the fourth Monday of November following said election.

**SEC. 6. Eligibility.**

No person shall be eligible for election to any town office who is not at the time of election a resident elector of said town, and any person ceasing to be a resident and elector of said town shall thereupon cease to hold elective office in the town.

**CHAPTER VIII**  
**Finance and Taxation**

**SEC. 1. Fiscal Year.**

The fiscal year of the Town shall start on July 1 and terminate on June 30 of the succeeding year.

**SEC. 2. Preliminary Budget Estimates.**

All departments, offices, agencies, boards, commissions, committees and authorities shall submit to the Director of Finance and the First Selectman, at such time and in such manner as the First Selectman prescribes, but no later than January 2 of each year, an estimate of proposed revenue and expenditures relating to their respective departments, offices and public bodies for the fiscal year to commence the following July 1. The Board of Education shall submit to the First Selectman and Director of Finance its proposed budget no later than January 9 of each year.

**SEC. 3. Preparation of First Selectman’s Budget.**

The budget as proposed by the First Selectman shall consist of:

1. An expense budget for all town expenditures, including expenditures of the Board of Education.
2. A capital expense budget.
3. A financial plan for the fiscal year.
4. An explanation by the First Selectman of the proposed budget and the fiscal policy proposed by the First Selectman.
5. Recommendations of the First Selectman concerning all proposed town expenditures and capital projects.

The budget as proposed by the First Selectman shall be delivered to the Town Council not later than February 8<sup>th</sup> of each year.

**SEC. 4. Duties of the Town Council on the Budget.**

The Town Council, except as otherwise provided by this Charter, has such powers and duties relating to the Town Budget and the Board of Education Budget as are set forth in the Connecticut General Statutes. The Council shall review the Town Budget and shall make such revisions as it deems desirable consistent with the welfare and the resources of the town. During its review of the budget, the Council shall hold one public hearing, at which time any elector or taxpayer may have an opportunity to be heard regarding the Town Budget as proposed by the First Selectman. Not later than February 28<sup>th</sup> of each year, the Council shall forward the budget as proposed by the Town Council to the Board of Finance.

**SEC. 5. Duties of the Board of Finance on the Budget.**

The Board of Finance, except as otherwise provided by this Charter, has such powers and duties relating to the Town Budget and the Board of Education Budget as set forth in the Connecticut General Statutes for Boards of Finance. Upon receipt of the budget as proposed by the Town Council, the Board of Finance shall review the same and shall make such revisions as it deems desirable consistent with the welfare and resources of

the town. During its review process of the budget, the Board of Finance shall hold one public hearing, at which such time the electors and taxpayers of the town shall have an opportunity to be heard regarding the budget as proposed by the Town Council. After such meetings and hearings, the Board shall prepare its final proposed Annual Budget and shall deliver the same to the First Selectman not later than March 21<sup>st</sup> of each year.

**SEC. 6. Publication and Referendum.**

The First Selectman shall, upon receipt of the budget as proposed by the Board of Finance, prepare the final proposed Annual Town Budget to be submitted to the Annual Budget Referendum. The First Selectman shall cause to be published in a newspaper having a general circulation in the Town of Monroe a summary of the final proposed Annual Budget at least five (5) days prior to the date of the Annual Budget Referendum.

The Town Clerk shall place notice of the Annual Budget Referendum in a newspaper having a substantial circulation in the Town of Monroe, at least five (5) days before the date of the Referendum. The ballots shall be prepared by the Town Clerk, and the question shall be worded in accordance with the requirement of Sec. 9-369, Connecticut General Statutes.

In addition to the vote on the proposed budget, the budget referendum may also contain non-binding advisory questions as to whether or not the proposed budget is too high or too low, in accordance with Connecticut General Statutes.

The Annual Budget Referendum shall be held on the first Tuesday in April of each year. Copies of the final proposed Annual Budget shall be made available to the public at the Town Library and the Town Clerk's office at least five (5) days prior to the date of the Annual Budget Referendum. The Annual Town Budget shall be deemed approved and shall become effective when approved by a majority of those voting at the Annual Budget Referendum. Not later than seven (7) days after approval by the Annual Budget Referendum, the Board of Finance shall file a copy of the approved Annual Town Budget in the office of the Town Clerk. Within ten (10) days after such budget approval, the Board of Finance shall determine and fix the tax rate in mills for the ensuing fiscal year in accordance with the budget approved in the Referendum.

In the event that the proposed Annual Town Budget is rejected at the Annual Budget Referendum, the proposed budget shall be reviewed by the

First Selectman, who shall meet with and receive input from all elected officials of the Board of Finance, the Town Council and the Board of Education. All revisions shall be decided by the First Selectman. The First Selectman shall thereupon call for a second Annual Budget Referendum to be held three weeks from the date of the first Annual Budget Referendum. Notice of each succeeding Annual Budget Referendum shall be published in a newspaper having a general circulation in the town not less than five (5) days prior to the date of each Referendum. Copies of the revised Annual Budget as proposed by the First Selectman shall be made available to the public at the Town Library and the Town Clerk's office at least five (5) days prior to the date of such Referendum.

In the event that the second Annual Budget Referendum rejects the proposed budget, third and succeeding budget referenda shall be held two weeks following the date of the previous referendum, and shall be held in accordance with the procedures outlined for the second Annual Budget Referendum as aforesaid, until such time as an Annual Budget of the town is approved by budget referendum. If the budget remains unaccepted at the start of the fiscal year, the previous mill rate will continue to prevail until such time as the budget is accepted. The Board of Finance may direct the Tax Collector to mail out tax bills reflecting the old mill rate until the budget has been approved. Once the budget is approved, a supplemental tax bill may be mailed to reflect the new mill rate, if necessary. The Council may prescribe the hours of voting in a budget referendum.

**SEC. 7. Expenditures and Accounting.**

- (a) The several offices, agencies, boards, commissions and authorities of the town shall not involve the town in any obligation to spend money for any purpose in excess of the amount appropriated therefor in the approved annual budget, except as provided elsewhere.
- (b) No purchases shall be made by any office, agency, board or commission of the town other than the Board of Education, except through the First Selectman.

Requests from the several offices, agencies, boards or commissions for goods or services needed for the discharge of their responsibilities or duties will be honored by the First Selectman upon request unless the First Selectman provides alternative(s) to meet such needs for goods or services.

- (c) Each order drawn upon the Treasurer shall state the office, agency, board or commission and the appropriation against which it is to be charged.
- (d) No voucher, claim or charge against the town shall be paid until the same has been approved by the First Selectman and audited by the Director of Finance.
- (e) Except as otherwise provided, checks shall be drawn by the First Selectman for the payment of approved claims and shall be valid only when countersigned by the Treasurer. The Treasurer may draw checks for investment disbursement and disbursements required for employee payroll deductions, including but not limited to social security, withholding, pension funds, hospitalization or medical insurance. The Chairman of the Council is authorized to act in the absence or inability to act of either but not both the First Selectman and the Treasurer.
- (f) When any office, agency, board or commission, except the Board of Education, shall desire to secure a transfer of funds in its appropriation from funds set apart for one specific purpose to another, the First Selectman may make application to the Council which may approve the transfer.
- (g) Upon request of the First Selectman, the Board of Finance may transfer any unencumbered appropriation, balance or portion thereof from one office, agency, board or commission to another within the fiscal year after notice by the First Selectman to the affected office or agency, board or commission. No transfer shall be made from any appropriations for debt service or other statutory charges.
- (h) Any portion of an annual appropriation remaining unexpended and unencumbered at the close of the fiscal year shall lapse except for the capital or nonrecurring expenditure fund and other such specifically allocated reserve funds. Appropriations for capital construction or other permanent improvements shall not lapse until the purpose for which the appropriation was made shall have

been accomplished or abandoned. A project shall be deemed to have been abandoned if three (3) fiscal years shall lapse without any expenditure from or encumbrance of the appropriation therefor.

- (i) The Board of Finance shall provide a contingency fund not to exceed one-half (1/2) of one (1) mill of the grand list within the Annual Budget to cover unexpected conditions or requirements. Except as otherwise provided in this Charter, additional expense appropriations over and above the total amount of the approved Annual Budget shall not be made, except from the contingency fund. Appropriations from the contingency fund shall be approved by the First Selectman, the Council, and the Board of Finance.

**SEC. 8. Contributions.**

The town shall make no contributions to any organization or private corporation unless so authorized by Connecticut General Statutes. With the exception of the volunteer fire departments, no such contribution of more than five hundred dollars (\$500) shall be made to any such organization or corporation unless the town is represented on its Board by one (1) or more members nominated thereto by the First Selectman and approved by the Council.

**CHAPTER IX**  
**Town Meetings**

**SEC. 1. Purpose.**

Town Meetings shall be called by the Council when allowed or required by the terms of this Charter. Town Meetings shall be called in the manner provided for by the Connecticut General Statutes. Town Meetings shall be called to consider and act upon resolutions providing for the purchase or sale of real estate used or reserved for town purposes by the town; or for the acceptance of gifts of real estate to be used or reserved for town purposes; or for special appropriations in an amount exceeding \$150,000 recommended by the First Selectman and approved by the Council and the

Board of Finance; or for any resolution calling for the issuance of bonds, notes or other borrowing.

No Town Meeting shall increase the appropriation, borrowing or bond issue above the amount recommended by the Council. Action on any such appropriation or borrowing shall become effective only after it has been first approved by the Council and then approved by the Board of Finance and then adopted at a Town Meeting by a majority of qualified voters present at such meeting.

**SEC. 2. Organization and Procedure.**

Each Town Meeting shall be called in accordance with the Connecticut General Statutes. Each Town Meeting shall choose a Moderator who shall preside at the Town Meeting and any adjournment thereof. The Town Clerk shall serve as Clerk of all Town Meetings, and in the absence of the Town Clerk, an Acting Clerk may be designated by the Moderator. Electors of the town and other persons qualified to vote at Town Meetings pursuant to the Connecticut General Statutes may vote at Town Meetings. Subject to the terms of this Charter and the Connecticut General Statutes, Town Meetings shall be conducted in accordance with standard parliamentary procedure, and voting on any main motion shall be by paper ballot. Such paper ballots shall be distributed, collected and counted by the Registrars of Voters and the Town Clerk, who shall assist the Moderator, act as tellers and generally supervise the operation of the paper ballot procedure.

**CHAPTER X**  
**The Merit System**

**SEC. 1. Merit System Established.**

All officers and employees in the classified service of the town as described in Section 3 below shall be appointed on the basis of merit and in conformity with recognized principles of public personnel administration.

**SEC. 2. Purpose of Merit System.**

The purpose of this section is to provide a means for selecting and promoting each public official and employee upon the sole basis of their

proven ability to perform the duties of their office or employment more efficiently than any other candidate therefor.

**SEC. 3. The Classified Service.**

The classified service shall include appointees to all positions now or hereafter created except the following: elective officers and persons appointed to fill vacancies in elective offices; members of boards and commissions; officers appointed by the Council; employees of the Board of Education; persons employed in a professional capacity to make or conduct a temporary and special inquiry, study or investigation; and persons employed for a temporary period not exceeding three (3) months. It shall be the duty of the First Selectman to cause to be prepared a statement of the duties and responsibilities of each position in the classified service and of the minimum qualifications for appointment to such positions. These statements shall comprise the classification plan of the town, which shall become effective upon approval by resolution of the Council and which may be amended, upon recommendation of the First Selectman, by resolution of the Council. New or additional positions in the classified service may be created and changes in the duties and responsibilities of existing positions may be made by resolution of the Council upon the recommendation of the First Selectman. A pay plan for all positions in the classified service shall be similarly prepared, adopted and amended. The First Selectman shall also cause to have prepared a set of personnel rules which shall provide, among other things, for the method of holding competitive examinations, administration of the classification plan, probationary periods of employment, hours of work, vacations, sick leaves and other leaves of absence, removals, and such other rules, and any amendments thereto shall become effective upon being filed by the First Selectman with the Town Clerk. Copies of such rules and any amendments thereto shall be distributed to all members of the classified service.

**CHAPTER XI**

**Transition and Miscellaneous Provisions**

**SEC. 1. Transfer of Powers.**

The powers which are conferred and the duties which are imposed upon any commission, board, department or office under the Connecticut General Statutes or any ordinance or regulation in force at the time this Charter shall

take effect, if such commission, board, department or office is abolished by this Charter, shall be thereafter exercised and discharged by the commission, board, department or office upon which are imposed corresponding or like functions, powers and duties under the provisions of this Charter.

All commissions, boards, departments 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 discontinuance of such commissions, boards, departments or offices and the performance of their duties by other commissions, boards, departments or offices created under this Charter and until the Town Clerk shall have notified the members of such commissions, boards, departments or offices as are abolished by this Charter that their successors have qualified.

**SEC. 2. Present Employees to Retain Positions.**

All persons holding permanent positions in the service of the town on the effective date of this Charter, whose positions are included in the classified service by the terms of this Charter, shall immediately become members of the classified service and retain such positions until promoted, transferred, reduced in rank or removed in accordance with the provisions of this Charter. All other employees of the town on the effective date of this Charter, whose positions are not abolished by the provisions of the Charter, shall retain such positions pending action by the Council or the appropriate officer charged by this Charter with powers of appointment and removal. Any provision of law in force at the time this Charter shall take effect and not inconsistent with the provisions of this Charter, in relation to personnel, appointments, ranks, grades, tenure of office, promotions, removal, 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, until or unless amended or repealed in accordance with the provisions of this Charter.

**SEC. 3. Removals.**

- (a) Except as otherwise provided in this Charter and except in any outstanding union or employee contract or as provided in the Connecticut General Statutes, any appointive officer or employee receiving compensation for employment may be removed by the authority which appointed the officer or employee for good cause shown,

provided that the appointive officer or employee shall first be given notice, in writing, of their removal, which notice shall specify the grounds therefor. Thereafter, within five (5) days from the receipt of such notice, such officer or employee may request a public hearing before the Council to review such removal, which hearing shall be held not more than twenty (20) days after receipt of such request. The Council shall, within ten (10) days from such hearing, affirm, modify or reverse the decision of the appointing authority.

- (b) No employee of the Board of Education below the rank of superintendent or supervising agent who holds a regular certificate of qualification issued by the State Board of Education shall be removed except in accordance with the Connecticut General Statutes.

**SEC. 4. Public Hearings.**

Any elected or appointed body of the Town of Monroe must have a quorum present to begin and conduct a Public Hearing.

**SEC. 5. Existing Laws and Ordinances.**

All general laws applicable to the town and all ordinances and bylaws of the town shall continue in full force and effect except as they are inconsistent with the provisions of this Charter. All special acts or parts of special acts relating to the town are repealed with the exception of those not inconsistent with the provisions of this Charter and provided that any boards, commissions, agencies, committees or officers not specifically provided for in this Charter and heretofore provided for by resolution or ordinance may be abolished by resolution of the Council.

**SEC. 6. Official Bonds.**

Authority is given for the purchase of a blanket bond conditioned upon honesty and/or faithful performance of official duties of those officials required by the Council to post a surety company bond. Premiums for any official bonds shall be paid by the town.

**SEC.7. Amendment of This Charter.**

This Charter may be amended in the manner prescribed by law.

**SEC. 8. Saving Clause.**

If any section of this Charter shall be held invalid by a court of competent jurisdiction, such holdings shall not affect the remainder of this Charter nor the context in which such section so held valid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

**SEC. 9. Effective Date.**

Upon approval by the electors of the town, the provisions of this Charter shall take effect on December 5, 2002. The existing Charter dated December 11, 1989, shall remain in effect until that date. Nothing contained herein shall limit or terminate the term of office of any board or commission member. The First Selectman shall make appointments from the provisions of this Charter only as vacancies arise as set forth under Chapter IV, Section 3, herein.

**CHAPTER XII**

**Ethics**

**SEC. 1. Conflict of Interest.**

No elective or appointive town official shall derive, by reason of holding such office, any financial benefit as the result of any contract with the town or Board of Education or any sale to the town or said Board of Education of any materials, supplies or services. Any employee or official having any financial or personal interest, as designated in Section 10A3.D. of the Monroe Code, shall file a written disclosure of said interest with the Town Clerk and the Board of Ethics as soon as they become aware of such interest, and shall disqualify themselves from voting or participating in the decision on the matter. Said written disclosure shall set forth in detail the nature and extent of such interest. 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 the Council or by a court of competent jurisdiction.

**SEC. 2. Code of Ethics.**

There shall be a Code of Ethics governing the conduct of elected and appointed officers and employees of the Town.

**SEC. 3. Board of Ethics.**

There shall be a Board of Ethics appointed by the Town Council consisting of five (5) resident electors, and at no time shall more than three members be of the same political party. The members of the Board of Ethics shall serve for two (2) year terms. In no event may any member of the Board serve for a period of more than three full terms in succession.

There shall be three (3) alternates to the Board of Ethics, who shall be appointed by the Town Council. In no event may any alternate of the Board serve for a period of more than three (3) full terms in succession as an alternate. The Board shall operate pursuant to and in accordance with the Connecticut General Statutes, the Monroe Town Charter and applicable ordinances.

**SEC. 4. Interpretation by the Board of Ethics.**

The Board of Ethics shall resolve any ambiguities and otherwise interpret the provisions of Chapter 12 of this Charter.