

**TOWN OF  
RIDGEFIELD, CT  
CHARTER  
AS APPROVED  
2010**

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## **ARTICLE I. THE CHARTER**

### **Section 1-1. The Charter.**

The Charter shall be the organic law of the Town of Ridgefield in the administration of its local affairs. Any Special Acts and ordinances or portions thereof inconsistent with the Charter shall have no further force or effect after the effective date of this Charter. Other Special Acts affecting the town, and all other ordinances and resolutions duly adopted and in force before the effective date of this Charter, and not inconsistent with the provisions of this Charter, shall remain in force.

Matters concerning the election of officers, the making and registration of voters and the administration of local affairs not provided by this Charter, or by lawful ordinance, shall be governed by the Connecticut General Statutes and Special Acts of the State of Connecticut applicable to the Town of Ridgefield.

The term "approval of the Town Meeting" as used in this Charter, shall mean the majority vote (unless a greater percentage is required in this Charter) of those qualified to vote, present and voting at the meeting or voting in a referendum held in accordance with this Charter.

The term "board" or "boards", as used in this Charter, shall include all boards, commissions, agencies, and committees except as otherwise specified. (14)

The terms "prescribed by law" and "provided by law", as used in this Charter, shall mean prescribed or provided by the General Statutes, by Charter and by ordinance.

The term "town agency", as used in this Charter, shall mean each board, commission, committee, department and agency of the town for which an appropriation was made in the annual budget; each town official who is not a member of a board, commission, committee, department or agency for whom an appropriation was made in the annual budget; each separate function of the town for which the Board of Selectmen is responsible.

The term "elector" as used in this Charter shall mean any person possessing the qualifications prescribed by the Constitution of the State of Connecticut and duly admitted to, and entitled to exercise, the privileges of an elector in the Town of Ridgefield.

The term "resident" as used in this Charter shall describe a person who is registered to vote in the Town of Ridgefield and whose principal residence is in the Town of Ridgefield. No person who has filed with the registrar of voters an application for the retention of electoral privileges shall be considered a resident for so long as the application for retention of electoral privileges is in effect. (2)

## **ARTICLE II. THE TOWN**

### **Section 2-1. Incorporation.**

All the inhabitants dwelling within the territorial limits of the Town of Ridgefield, as heretofore constituted, shall continue to be a body politic and corporate under the name of "The Town of Ridgefield", 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 provision of this Charter, the additional powers and privileges herein conferred and all powers and privileges conferred upon towns under the general statutes of the State of Connecticut and the laws of the United States of America.

### **Section 2-2. Rights and Obligations.**

All property, both real and personal, all rights of action and rights of every description, and all securities and liens 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 affect 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 First Selectman of said town.

### **Section 2-3. General Grant of Powers.**

In addition to all powers granted to towns under the constitution and General Statutes, and those which may hereafter be conferred thereby, the town shall have all powers specifically granted by this Charter and all powers fairly implied in or incident to the powers expressly granted and all other powers incident to the management of the property, government and affairs of the town, including the power to enter into contracts with the United States or any federal agency, the State of Connecticut or any political subdivision thereof for services and the use of facilities, the exercise of which is not expressly forbidden by the constitution and the general law of the State of Connecticut. The enumeration of 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.

## **ARTICLE III. THE TOWN MEETING**

### **Section 3-1. The Town Meeting.**

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

### **Section 3-2. Members of the Town Meeting.**

Members of the Town Meeting shall be electors of the town or property owners entitled to vote at Town Meetings as prescribed in the General Statutes, except in the case of a Town Meeting considering a recall referendum, when it shall be restricted to electors of the town.

### **Section 3-3. The Annual Town and Budget Meeting.**

The Board of Selectmen shall, in January of each year, appoint an annual Town and Budget Meeting Committee. The Committee shall consist of five (5) electors, appointed for a two year term. In the first year of implementation three members are appointed (only) for a one year term.

The Committee shall be responsible for planning the annual Town and Budget Meeting. Emphasis should be on promotion, community involvement and elector attendance.

The annual Town and Budget Meeting shall be held on the first Monday of May each year. It shall receive a "State of the Town" address by the First Selectman and long and short term planning reports from selected boards, as determined by the annual Town and Budget Meeting Committee.

The Board of Finance shall present the final budget proposed for adoption. The Town Meeting shall review and comment on the material presented for the benefit and guidance of all elected officials, including the Board of Finance and Board of Selectmen and shall conduct and vote on any business that may be outlined in the call.

The procedure to be followed in preparation and adoption of the budget shall be as prescribed by law and Article X of this Charter.

### **Section 3-4. 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 3-5. Petitioned Town Meetings.**

A Town Meeting shall be called by the Board of Selectmen, upon receipt of a petition, under the following circumstances:

- a) for matters involving expenditures up to \$250,000, the petition shall be signed by two (2) percent of the total number of electors as determined by the last completed registry of the town as verified by the Town Clerk; or
- b) for matters involving expenditures of \$250,000 or more, the petition shall be signed by five (5) percent of the total number of electors as determined by the last completed registry of the town as verified by the Town Clerk; or
- c) for matters not involving expenditures, the petitions shall be signed by two (2) percent of the total number of electors as determined by the last completed registry of the town, as verified by the Town Clerk.

The Town Clerk shall, prior to any action by the Board of Selectmen or Board of Finance, verify the petition. The Town Clerk shall then provide the Board of Selectmen and the Board of Finance with copies of the verified petition.

Verified petitions which meet the requirements of (a) or (b) above shall be acted upon in accordance with Section 10-2 (b) of this Charter concerning additional appropriations.

The Board of Selectmen shall hold a public hearing regarding a petition not involving an expenditure of any funds which meet the requirements (c) above. Neither the Board of Finance nor the Board of Selectmen shall be required to make a recommendation on such petition. The vote on the subject of the petition shall occur within forty-five (45) days of receipt of the verified petition.

All matters which the petitioners for a Special Town Meeting desire acted upon, and which meet the signature requirements as verified by the Town Clerk, if they are proper subjects for action at a Town Meeting determined by the attorney for the town, shall be put in proper form for the call of a Town Meeting and for a Town Meeting resolution with the assistance of the town attorney and these matters shall come first in the Town Meeting. The Board of Selectmen, at its discretion, may add other matters to the call of the meeting.

### **Section 3-6. Legal Notice.**

Legal notice of all Town Meetings shall be advertised in a newspaper having a general circulation in the town at least five (5) days prior to a Town Meeting. Upon authorization of the Board of Selectmen, the First Selectman shall sign a copy of this notice which notice, shall be posted at a readily accessible place at Town Hall. It shall be typewritten or printed and must contain place, date and hour of the meeting and list all articles to be acted upon. Before or on the date of the meeting, the Board of Selectmen shall cause the copy of the notice, along with the return of notice, to be filed with the Town Clerk, and the Town Clerk shall cause such copy and return to be recorded in the Town Meeting record book. (2)

### **Section 3-7. Organization and Procedure.**

The First Selectman or a representative of the First Selectman 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, as amended, and in accordance with "Robert's Rules of Order - of latest revision. Unless otherwise provided by this Charter, action of all Town Meetings shall be by a majority of the members of the Town Meeting present and voting at the meeting or voting in a referendum held in accordance with this Charter.

The Town Clerk or Assistant Clerk shall serve as clerk of the meeting. In their absence, a clerk shall be chosen by the meeting. Meetings shall be tape recorded. Such tape recordings shall not eliminate the customary written minutes of the meeting, which shall be made available to the public at a readily accessible place in Town Hall not later than forty-eight (48) hours after the meeting. (2)

### **Section 3-8. Ordinances; General Powers and Provisions**

(a) The Town Meeting shall have the sole power to enact or repeal ordinances consistent with this Charter and the General Statutes, except as provided in section 7-4 of this Charter under emergency conditions.

(b) Any ordinance enactment or repeal may be initiated by the Board of Selectmen or by a petition, as defined by section 3-5 of this Charter. The call for the proposed meeting shall state the proposed ordinance in full. No changes, other than technical corrections, shall be made to the proposed ordinance, and the final resolution shall provide for a yes or no vote. Such ordinance, if enacted, shall be published within ten (10) days in a paper having a general circulation in the town and shall become effective fifteen (15) days after the publication thereof.

### **Section 3-9. Sale, Lease or Purchase of Real Estate.**

The sale, lease or other disposition of real estate of the town and the purchase or other acquisition of real estate shall require approval of the Town Meeting, except for powers delegated solely to the Board of Selectmen in Article VII, Sections 7-3(h) and (i). The Town Meeting shall consider no proposal to dispose of or acquire real estate of or for the town excepted as referred to above, unless and until the Board of Selectmen or other agency proposing such disposition or acquisition first shall hold a duly noticed public hearing not less than ten (10) days prior to the Town Meeting which shall consider such proposal. (5)

### **Section 3-10. Bonds and Notes.**

The authorization of bonds or notes (except notes in anticipation of taxes to be paid within the fiscal year in which issued) shall require approval either at a Town Meeting or by a majority vote in a referendum, provided, however, any borrowing of \$3,000,000 or more shall require approval by a majority vote in a referendum. The resolution authorizing the issuance of bonds or notes, shall establish the maximum principal amount.

The Board of Finance shall make a recommendation for or against the proposed bond authorization.

### **Section 3-11. Special Appropriations.**

Additional appropriations shall be acted on only in accordance with Section 10-2 of this Charter.

### **Section 3-12. State or Federal Grants.**

Initial application for state or federal grants involving a local financial share estimated to exceed one-half (1/2) of one per cent of the total annual budget for the then-current fiscal year shall require approval by vote of Town Meeting.

### **Section 3-13. Creation of New Boards, Commissions.**

The creation of any permanent board, commission, department or agency not otherwise provided for in this Charter shall require approval by vote of the Town Meeting.

### **Section 3-14. Membership in Regional Organizations.**

The town may, by ordinance approved by the Town Meeting and pursuant to provisions in the General Statutes, join, determine how it shall choose representatives, or discontinue its membership in any such regional, intergovernmental organization created by state law, in such a manner as is consistent with this Charter.

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

### **Section 4-1. Elective Offices, Boards and Commissions.**

The following are the elective offices of the Town of Ridgefield: Board of Selectmen, Town Clerk, Town Treasurer, Tax Collector. The following are the elective boards and commissions of the Town of Ridgefield: Board of Education, Planning and Zoning Commission, Board of Appeals on Zoning, Board of Tax Review, Board of Police Commissioners and Board of Finance. (6)

### **Section 4-2. General.**

Nomination 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 General Statutes of the State of Connecticut, except as hereinafter provided.

### **Section 4-3. Town Elections.**

A meeting of the electors of the Town of Ridgefield, hereinafter called the "regular town election", shall take place on the Tuesday following the first Monday in November 1979, and biennially thereafter. Special town elections may be called from time to time in accordance with the General Statutes.

Except as otherwise provided by this Charter or the General Statutes, all elective town officers shall take office on the second Tuesday following the day of the regular town election at which they were elected, and they shall continue in office until their successors have been chosen and qualified. Officers who are elected for a deferred term of office shall take office the following year, on the second Tuesday following the day of the regular state elections; the Town Clerk, Registrars of Voters and Judge of Probate shall take office on the first Monday of January succeeding their election. (4)

### **Section 4-4. Board of Admission of Electors.**

The Town Clerk and the registrars of voters shall constitute the board of admission of electors in accordance with the provisions of Section 9-15a of the General Statutes.

### **Section 4-5. Eligibility for Election to Town Offices.**

A person who at the time of his or her election is not both an elector and resident of the town shall not be eligible for election to any town office, and any person ceasing to be either an elector or resident of the town shall immediately notify the Town Clerk, in writing, and thereupon cease to hold elective office in the town and the office shall be deemed vacant and filled pursuant to Section 4-7. All elective officers shall be sworn before taking office and the officer administering the oath shall record such fact in the office of the Town Clerk. (2)

## Section 4-6. Minority Representation.

Minority representation on any elective board or commission shall be determined in accordance with provisions of the General Statutes, unless otherwise specified in this Charter.

The maximum number of any such board or commission who may be members of the same political party shall be as specified in the following table:

| Total Membership | Maximum One Party       |
|------------------|-------------------------|
| 3                | 2                       |
| 4                | 3                       |
| 5*               | 4*                      |
| 6                | 4                       |
| 7                | 5                       |
| 8                | 5                       |
| 9                | 6                       |
| more than 9      | 2/3 of total membership |

\*However, in accordance with the General Statutes, the maximum number of members of a five-member (5) Board of Selectmen who may be members of the same political party shall be three (3). (5)

## Section 4-7. Vacancies; Elective Boards, Offices and Commissions.

In the event an elected town office becomes vacant, due to a tendered written resignation or other cause, the Board of Selectmen, within thirty (30) days, shall, by majority vote, appoint an interim replacement for the unexpired portion of the term or until the next regular election as defined in Section 9-1, et seq. of the Connecticut General Statutes, as amended, whichever event shall first occur. Within seven (7) days of said vacancy, notice shall be given by the Board of Selectmen, for publication, in a newspaper having general circulation in the town for the purpose of filling said vacancy.

In the event an elected board or commission member's position becomes vacant due to a tendered resignation or other cause, such board or commission, within thirty (30) days, shall, by majority vote, appoint an interim replacement for the unexpired portion of the term or until the next regular election as defined in Section 9-1, et seq. of the Connecticut General Statutes, as amended, whichever event shall first occur. If such board or commission fails to fill a vacancy within thirty (30) days, the Board of Selectmen shall fill the vacancy by majority vote. Within seven (7) days of said vacancy, notice shall be given by such board or commission, for publication, in a newspaper having general circulation in the town for the purpose of filling said vacancy.

When the person 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.

Vacancies on the Board of Selectmen shall be filled in the manner prescribed in Section 9-222 of the General Statutes.

Nothing contained herein shall prohibit the Board of Selectmen or board or commission, as the case may be, from commencing the process set forth herein to fill an elected office, or vacancy on a board or commission once the resignation has been tendered, in writing, to the Town Clerk.

#### **Section 4-8. Election of the Board of Selectmen.**

Commencing with the regular town election of November , 2007, and at each regular town election quadrennially thereafter, the electors shall elect a First Selectman and four (4) members of the Board of Selectmen who together shall comprise the Board of Selectmen. No more than three (3) members of such Board of Selectmen may be members of the same political party; no elector may be a candidate for both the office of First Selectman and that of the Board of Selectmen by virtue of nomination by a major or minor party or a nominating petition or registration of write-in candidacy, or any combination thereof. Pursuant to provisions of section 9-188 of the Connecticut General Statutes, votes cast for a candidate for First Selectman shall count for that office only. Votes cast for an unsuccessful candidate for First Selectman shall not be counted as votes for such a candidate as a member of the Board of Selectmen. Electors may vote for the same number of candidates for the Board of Selectmen as there are members to be elected to the Board at any election. Commencing with the November 2007 election, these officers shall serve terms of four (4) years, and shall have the powers and duties prescribed by law. (5)(12)(13)

#### **Section 4-9. Election of Tax Collector, Treasurer and Town Clerk.**

At each regular town election there shall also be elected a Tax Collector, Treasurer and Town Clerk. The Treasurer shall exercise the functions of the agent of public funds. Within thirty (30) days from taking office, the Town Treasurer shall appoint, subject to approval by a majority vote of the Board of Selectmen, a Deputy who shall, in the temporary absence or disability of the Town Treasurer, perform all his or her duties. These officers shall serve terms of four (4) years and shall have the powers and duties provided by law.

#### **Section 4-10. Board of Education.**

The Board of Education shall consist of nine (9) members, who shall serve four (4) years each. Four (4) members shall be elected in 1993 and every four (4) years thereafter. Five (5) members shall be elected in 1995 and every four (4) years thereafter. Electors may vote for the same number of candidates as there are members to be elected to the board at any election. The maximum number of board members from any one political party shall be determined by Section 4-6. (11)(12)

The Board of Education shall maintain good public elementary and secondary schools and provide such educational activities as in its judgment will best serve the interests of the town. The Board of Education shall make continuing study of the need for school facilities; shall have the care, maintenance and operation of buildings, lands, apparatus and other property used for school purposes; shall employ and dismiss administrators and teachers of the schools; shall perform all acts required of them by the town or necessary to carry into effect the powers and duties imposed upon them by law.

## **Section 4-11. Planning and Zoning Commission; Inland Wetlands Board.**

Effective with the election of 1995 the two-year term for a member of the Planning and Zoning Commission shall be eliminated, converting all nine (9) members to four-year terms with either four (4) or five (5) members elected every two (2) years amending (this) section 4-11. Four (4) members shall be elected in 1995 and every four (4) years thereafter and five (5) members shall be elected in 1997 and every four (4) years thereafter. (11)

The functions and responsibilities of the Planning and Zoning Commission include the preparation and adoption of a plan of development, the designation of zoning districts in accordance with that plan, and the preparation, adoption, and implementation of zoning and subdivision regulations in furtherance of the plan of development as specified in Chapters 124 and 126 of the General Statutes. To the extent provided by the General Statutes, and within the limits of its appropriations, the commission shall appoint, by vote of a majority of its members, a Director of Planning and a Zoning Enforcement Officer, and engage such employees as are necessary for its work and may contract with professional consultants.

The Planning and Zoning Commission shall serve as the Inland Wetlands Board for the town, and shall have such powers and duties as are prescribed by Section 22a-36 through 22a-45 of the General Statutes, as amended.

The functions and responsibilities of the Inland Wetlands Board shall include the adoption of regulations, pursuant to state law, for determining the type and extent of activities to be permitted in various different wetlands and watercourses, the administration of said regulations, and the adoption, regular updating and promulgation of a map which shows those wetlands and watercourses where regulated activities are subject to its review.

## **Section 4-12. Board of Appeals on Zoning.**

The Board of Appeals on Zoning shall consist of five (5) members, and three (3) alternates serving five (5) years each. Such board shall have the powers and duties prescribed by law.

The functions and responsibilities of this board include:

- a) Determining and varying the application of zoning regulations of the Town of Ridgefield as specified in the Connecticut General Statutes.
- b) Hearing and deciding appeals where it is alleged there is an error in any order, requirement, decision of the official charged with the enforcement of the zoning ordinance, as specified in the Connecticut General Statutes.

## **Section 4-13. Board of Assessment Appeals. (14)**

The Board of Assessment Appeals shall consist of three (3) members serving four (4) years each. Electors may vote for the same number of candidates as there are members to be elected to the board at any election. Such board shall have the powers and duties prescribed by law. (14)

The functions and responsibilities of this board shall include the hearing of grievances regarding tax assessments, and the making of such adjustments to the Grand List as are provided for by Section 12-111ff of the General Statutes. (12)

#### **Section 4-14. Board of Police Commissioners.**

The Board of Police Commissioners shall consist of five (5) members who shall serve four (4) years each.

The Board of Police Commissioners shall organize, maintain, and have the general management and control of the police department and its apparatus and equipment. It shall have the powers and duties prescribed by law.

It shall make all necessary regulations for the government of the police department not contrary to law and prescribe suitable penalties for the violation of any such regulation, including suspension or removal from office of any officer or member of the police department.

The board shall have the sole power of appointment, promotion and removal of the officers of the police department.

#### **Section 4-15. Board of Finance**

(a) Composition.

The Board of Finance shall consist of five (5) members serving four (4) year terms each. Three (3) members and two (2) members shall be elected at alternating town elections. The members shall choose a chairman from its members annually at the first meeting in January.

(b) Procedure

The Board of Finance shall establish a schedule of regular meetings to be not less than ten (10) in any calendar year, and cause such schedule to be posted in the office of the Town Clerk.

Meetings of the board shall be open to the public. When meetings other than those regular meetings scheduled above are to be held, notice of such special meetings shall be posted in the Town Hall and notification shall be as required in the General Statutes. Notice shall also be given to those town agencies specifically affected by such meetings. Decisions of the board shall be made by a majority of those present. Three (3) members shall constitute a quorum.

The Board of Finance shall have its own budget which shall include a clerk of the Board of Finance who shall keep a record of all notes and minutes and shall be custodian of all appropriate documents of the board.

(c) Annual Town Report.

The Board of Finance shall prepare and publish the annual town report. The Board of Finance budget shall include an appropriation for the publication of the annual town report.

(d) Annual Financial Report.

The Board of Finance shall arrange for an annual audit of the town books as required by the General Statutes. The Board of Finance budget shall include an appropriation for the purpose of retaining a certified public accountant or a firm of certified public accountants to perform such audit.

After the annual audit by an independent public accountant as provided by the General Statutes, the certification of such public accountant as to the scope of the audit shall be included in the town's annual report. Copies of the auditor's comments and recommendations shall be made available to the public at Town Hall and the town library. (4) (7) (12)

(e) Powers and Duties.

The Board of Finance shall recommend a budget at the annual Town and Budget Meeting, set the mill rate by resolution following budget approval, review requests for additional appropriations, determine how the town financial records are kept, arrange for an annual town audit for town records, prepare and publish the annual town report and shall have the powers and duties in accordance with Article X of the Charter, the General Statutes and applicable ordinances.

The Board of Finance shall have all powers and duties provided by this Charter and by the General Statutes. It shall be the chief financial and budget-making authority of the town with a primary responsibility of establishing and maintaining the town in a sound overall financial condition. It shall do this by considering financial aspects of municipal government as a whole rather than from the viewpoint of any particular town agency, and ensure, as far as feasible, the payment of the municipality's current debts out of current income. (7)

The Board of Finance shall receive monthly financial statements from the controller and from the superintendent of schools. It shall conduct a quarterly review for the purpose of determining that the budget is proceeding according to plan.

#### **Section 4-16. Additional Elective Boards and Commissions.**

By ordinance submitted to and approved by the Town Meeting, additional elective boards may be established, as provided for in the General Statutes. Such ordinance shall specify the board's powers and duties, enabling statute, terms of office, and method of filling vacancies. (7)

**Section 4-17. Terms of Office and Transition.**

The number of officers elected to boards other than Board of Education and Planning and Zoning Commission at regular town elections during each successive four (4) year interval shall continue to be as follows:

|  | Regular Town<br>Election of<br>1991 and<br>Quadrennially<br>Thereafter | 1993 and<br>Quadrennially<br>Thereafter |
|--|--|---|
| Board of Appeals on Zoning   | 1 + 1*   | 1 + 1*                                  |
| Board of Appeals on Zoning - Alternates (as determined by successive five- (5) year terms) |  |   |
| Board of Assessment Appeals  | 1  | 2                                       |
| Board of Police Commissioners  | 2  | 3                                       |
| Board of Finance   | 3  | 2                                       |

\*Officers elected to a deferred term of office, starting on the succeeding year.

**Section 4-18. Restriction on Multiple Elected Offices**

No person shall hold more than one elective office of the Town of Ridgefield at the same time.

Any person who holds an elective office or seat on any elective board or commission of the Town of Ridgefield is prohibited from holding any other position on any other elective board or commission of the Town of Ridgefield at that time.

## **ARTICLE V. APPOINTIVE BOARDS, COMMISSIONS AND COMMITTEES**

### **Section 5-1. Appointive Boards.**

There shall continue to be the following appointive boards: The Conservation Commission, the Parks and Recreation Commission, the Building Code Board of Appeals, the Commission on the Aging, the Historic District Commission, the Housing Authority, the Pension Commission, the Youth Commission, Board of Ethics and Water Pollution Control Authority.

Additional appointive boards may be created and their powers and duties specified by ordinance passed at a Town Meeting. Appointive boards authorized by this section may be abolished or consolidated, their powers and duties may be altered and the number or term of office of their members may be changed by ordinance. (7)

### **Section 5-2. Appointments to Appointive Boards and Commissions.**

The Board of Selectmen shall appoint, whether for full terms or to fill vacancies, the members of all boards and commissions authorized by this Charter, herein referred to as appointive boards.

So long as the maximum number of members of the same political party permitted under the minority representation law is not exceeded, the Board of Selectmen may appoint a person to fill a vacancy without regard to the political party affiliation of the vacating member. During the last fourteen (14) days of its term, the Board of Selectmen may make no appointments to appointive boards. The Board of Selectmen may not make or substitute appointments for full terms which do not commence during the term of office of said Board of Selectmen.

All members of appointive boards shall be electors and residents of the town and shall vacate their positions upon the termination of their status as either electors or residents of the town. Minors appointed to the Youth Commission are exempt from the requirement of being an elector. (14)

All terms shall be established to expire as nearly as possible at regularly staggered annual or biennial intervals.

A member shall continue to hold office until a successor has been appointed and has qualified.

Membership on all appointive boards provided by this article shall be determined in accordance with the minority representation law as set forth in the General Statutes unless otherwise specified in this Charter. (8)

### **Section 5-3. Conservation Commission.**

The Conservation Commission shall consist of nine (9) members serving three-year terms ending February 1. Three (3) members shall be appointed each year.

The Conservation Commission shall devote its efforts to insuring the sound development, conservation, supervision and regulation of natural resources, including water resources of the town, and

shall be responsible for the duties of the flood and erosion control board as prescribed in the General Statutes and applicable ordinances.

#### **Section 5-4. Parks and Recreation Commission.**

The Parks and Recreation Commission shall consist of seven (7) members serving three-year terms ending April 1. Two (2) or three (3) members, as appropriate shall be appointed each year.

The Parks and Recreation Commission shall maintain a comprehensive recreational program; shall be responsible for all park properties; shall prescribe a system of regulations, permits, and fees for recreational and park uses; shall appoint and employ a full-time superintendent and such other staff as is needed; and shall have duties and powers in accordance with the General Statutes and applicable ordinances.

#### **Section 5-5. Building Code Board of Appeals.**

The Building Code Board of Appeals shall consist of five (5) members serving five-year terms ending January 1. One member shall be appointed each year.

The Building Code Board of Appeals shall hear appeals of persons who feel the building official erred in issuing an order or in failing to issue a permit to construct, and shall have powers and duties in accordance with the General Statutes and applicable ordinances.

#### **Section 5-6. Commission on the Aging.**

The Commission on the Aging shall consist of eight (8) members serving three-year terms ending April 1. Two (2) or three (3) members, as appropriate, shall be appointed each year.

The Commission on the Aging shall study the needs of the elderly and coordinate municipal programs to meet those needs; and shall have powers and duties in accordance with the General Statutes and applicable ordinances.

#### **Section 5-7. Historic District Commission.**

The Historic District Commission shall consist of five (5) members who hold no salaried municipal office, serving five-year terms ending January 1. One member shall be appointed each year. Preferably, at least one member of the commission shall be an architect.

The Historic District Commission may prevent erection, reconstruction, alteration, razing of buildings and other structures in the historic districts, and shall have powers and duties in accordance with the General Statutes and applicable ordinances. (5)

## **Section 5-8. Housing Authority.**

The Housing Authority shall consist of five (5) members serving five-year terms ending October 31. One member shall be appointed each year.

The Housing Authority shall be responsible for the administration and operation of public housing projects, and shall have powers and duties in accordance with the General Statutes and applicable ordinances.

## **Section 5-9. Pension Commission.**

The Pension Commission shall consist of seven (7) members serving for three-year terms ending June 1. Two (2) or three (3) members shall be appointed each year, as appropriate.

The Pension Commission shall be responsible for the planning and management of a pension system for municipal employees, and shall have powers and duties in accordance with the General Statutes and applicable ordinances.

## **Section 5-10. Youth Commission.**

The Youth Commission shall consist of sixteen (16) members serving two-year terms ending July 1. Eight (8) members shall be appointed each year.

The Youth Commission shall act as an advocate for the youth of Ridgefield, and ensure participation, planning and development by the community of youth services, and shall have powers and duties in accordance with the General Statutes.

Minors/youth are permitted to be members of the Youth Commission. (9)

## **Section 5-10.1. Water Pollution Control Authority.**

The Water Pollution Control Authority shall consist of five (5) members serving four (4) year terms ending April 1. Initially, two members shall be appointed for two year terms, one member for a three year term, and two members for four year terms. Thereafter one or two members shall be appointed at the expiration of each four year term. At least two (2) members must possess formal technical training appropriate to understanding the operation of sewer plants. At least one (1) member shall reside in a dwelling connected to the sewer and at least one (1) reside in a dwelling serviced by septic.

The authority shall have powers and duties in accordance with the general statutes and applicable ordinances.

The Water Pollution Control Authority shall be responsible for supervision of the town's sewer plants. The authority shall formulate and approve a fee schedule. The authority shall formulate and periodically update a water pollution control plan for the town. Such plan shall designate and delineate the boundary of: areas served by municipal sewerage systems; areas where sewerage facilities are planned and the schedule of design and construction anticipated or proposed; areas where sewers are to

be avoided; areas served by community sewerage systems not owned by the town and areas to be served by any proposed community sewerage system not owned by the town. The authority shall determine any excess capacity of the existing systems and determine the appropriate use of such capacity. (12)

### **Section 5-11. Board of Ethics.**

The Board of Ethics shall consist of five (5) members and one (1) alternate serving four-year terms ending December 31. Three members or two members and the alternate shall be appointed every two years. The members, electors of the town known for their integrity, shall be appointed by the Board of Selectmen, with at least three (3) Selectmen voting in favor. Not more than three members of the Board of Ethics, including the alternate, shall be registered with the same political party. Members of the Board of Ethics shall not hold other town office or be employees of the town.

Initially, two members and the alternate shall be appointed for two-year terms and three members shall be appointed for regular four-year terms.

### **Section 5-12. Committees.**

Committees may be established by vote at a Town Meeting or by vote of the Board of Selectmen. Committees established by vote at [a] Town Meeting may be either temporary or permanent. Committees established by the Board of Selectmen shall terminate thirty (30) days after the next regular town election, unless renewed by the vote of the Board of Selectmen.

Appointments and Terms: Except as otherwise provided by the ordinance or resolution establishing a committee, the term of office of appointees to committees shall terminate thirty (30) days after the next regular town election, and the Board of Selectmen shall act as the initial appointing authority, shall choose successors, and shall fill all vacancies, except that: If the committee was established by vote at a Town Meeting and the members of that committee were either elected or confirmed by the Town Meeting, the Selectmen shall call a special Town Meeting for filling any vacancy or choosing successors, and the incumbents may remain in office until their successors have been duly chosen in this manner.

Powers: Committees established by vote of the Board of Selectmen shall have only those powers and duties which may be delegated to them by the Board of Selectmen or the First Selectman; committees established by vote at a Town Meeting shall have such powers and duties as the Town Meeting shall determine, except that no committee shall infringe on the powers or impede the duties which General Statutes or this Charter assigns to town offices, boards and commissions.

### **Section 5-13. Removal for Cause.**

A member of an appointive board or committee may be removed for cause by the Board of Selectmen, but no such removal for cause shall be effected unless the member:

(1) Has received a statement in writing, prepared either by the First Selectman or by the remaining members of the appointive board, of the reasons why such member should be removed; and

(2) Has, not less than fifteen (15) days after the delivery of the statement of reasons, been afforded an opportunity for a hearing before the Board of Selectmen, at which the member may appear with counsel.

Any member of an appointive board, commission or committee who does not attend at least two-thirds (2/3) of the regular meetings scheduled during the calendar year, shall be considered removed from such board, commission or committee and his or her place shall be considered vacant. It shall be the duty of the chair of that board, commission or committee to give prompt written notice of such a vacancy to the Board of Selectmen.

## **ARTICLE VI. PROCEDURES FOR ELECTIVE AND APPOINTIVE BOARDS**

### **Section 6-1. Organization.**

Except as otherwise provided in this Charter, all boards shall meet within thirty (30) days of taking office, shall elect a chair and secretary, and may make regulations for the conduct of their meetings and the execution of their duties. Such regulations and any amendments to them shall be filed with the Town Clerk, and shall be public records.

The chair and secretary of such board shall file with the Town Clerk no later than January thirty-first (31st) of each year the schedule of regular meetings for the ensuing year. Special meetings shall require twenty-four (24) hours notice except for emergencies or as provided in the General Statutes.

Except as otherwise provided in this Charter, the compensation of all such boards shall be as recommended by the Board of Selectmen and Board of Finance, and shall be subject to the same budgeting procedure as is described in Article X of this Charter; and, officials serving without pay shall receive reimbursement of necessary expenses incurred in the performance of their duties, subject to the limits of appropriations available for such purposes.

The First Selectman shall provide each person appointed to a board with a copy of the ordinance, or other source, which defines the duties of the office.

### **Section 6-2. Attendance.**

The summary of activities and accomplishments submitted by each board, pursuant to section 10-3 of this Charter, shall include a record of attendance of each of its members. The record shall specify the percent of regular meetings at which they have been present, and this information shall be included by the Board of Finance in the annual town report.

### **Section 6-3. Minutes.**

Copies of all minutes taken by each board shall be filed with the Town Clerk, and in the case of appointed boards also with the office of the First Selectman within seven (7) days of the date on which such actions are taken and shall include the roll call vote of those present, a description of the various items of business discussed or transacted, a reference to all correspondence received and the recorded vote of each member thereof on all issues. In addition, the vote of each member upon any issue before a board shall be reduced to writing and made available for public inspection at the Town Clerk's office within forty-eight (48) hours in accordance with Section 1-21 of the General Statutes.

### **Section 6-4. Freedom of Information Act.**

All relevant provisions of the Freedom of Information Act of the General Statutes shall apply in the conduct of boards.

## **ARTICLE VII. BOARD OF SELECTMEN**

### **Section 7-1. Composition.**

The members of the Board of Selectmen shall be a First Selectman, and four (4) members who shall be compensated in such manner and amount as may be determined at the annual budget meeting. No more than three (3) members of this board shall be members of the same political party. The method of election, term of office and qualifications for members of the Board of Selectmen shall be as specified in Article IV of this Charter. (5)

### **Section 7-2. Procedure and General Powers.**

At its first meeting following each biennial town election, the Board of Selectmen in accordance with the General Statutes and this Charter shall fix the time and place of its regular meetings, provide a method for calling special meetings, consistent with Section 1-21 of the General Statutes, and designate which member shall preside in place of the First Selectman in the event of absence or disability.

A special meeting of the Board of Selectmen may be called at any time by the First Selectman or any two (2) members. The person or persons calling a special meeting shall give reasonable advance notice and reason for such meeting to the other members of the board. Notice may be waived, however, by written waiver, signed by all members of the Board of Selectmen and filed with the Town Clerk at any time before or after the meeting.

All meetings of the Board of Selectmen for the transaction of business shall be open to the public. The votes of each member shall be recorded at the session at which they occur and reported in the minutes of such meeting. Minutes shall be taken and filed and votes shall be recorded and published in accordance with section 6-3 of this Charter. Three (3) members shall constitute a quorum, and all resolutions or actions shall be adopted by majority vote.

The Board of Selectmen shall generally supervise the administration of the affairs of the town, except those matters which according to General Statutes or this Charter are delegated to other agencies or boards.

The Board of Selectmen shall be responsible for coordinating the activities of all town agencies, and for keeping under review the present and future needs of the town. (5)

### **Section 7-3. Special Powers and Duties.**

In addition to the general powers above, the Board of Selectmen, subject to the provisions of the General Statutes and this Charter and the necessary approvals of the Town Meeting as specified by law and Articles III and X of this Charter, shall have the power:

(a) To incur indebtedness in the name of the town, and to provide for the due execution of contracts and evidences of indebtedness authorized by the town;

(b) To purchase, lease, sell or convey real property of or for the town, subject to approval of the Town Meeting;

(c) To institute, prosecute, defend or compromise any legal action or proceeding by or against the town;

(d) To enter into contracts for any services and to purchase or contract to purchase any supplies, materials, equipment and other commodities required by any town agency, and to take, purchase, lease, sell or convey any personal property of or for the town. The Board of Selectmen may by resolution or regulation delegate its powers in this subsection (d) to any town agency;

(e) To establish written rules and regulations under which contracts shall be made and carried out for all public works and improvements;

(f) To employ such staff with such powers, duties and responsibilities as it may deem desirable to carry out the duties and responsibilities of the Board of Selectmen, within the confines of its approved budget;

(g) To issue notes in anticipation of tax collections payable within the fiscal year, and to issue bonds or bond anticipation notes up to the amount authorized by a Town Meeting, in each instance upon such terms and conditions as the Board of Selectmen, after consulting with the Board of Finance, may approve, including without limitation the manner and form of issue and sale thereof, the date and rate of interest thereof, the designation of a bank or trust company to act as certifying or paying agent thereof, and the designation of the persons to sign such notices in the name of or on behalf of the town;

(h) To accept, or refuse to accept, roads offered to the town, and to abandon or discontinue town roads;

(i) To accept real property donated to the town, following approval by the Planning and Zoning Commission, for open space and easements for conservation purposes or for road widening.

(j) To approve the transfer of monies between line items within the budget of any town agency.

(11)

#### **Section 7-4. Powers With Respect to Ordinances.**

The Board of Selectmen may propose to a Town Meeting duly called, ordinances consistent with the General Statutes and this Charter on any matter which the General Statutes authorizes to be legislated by ordinance, and which in general would serve to aid in the preservation of the good order, health, welfare, and safety of the town.

On a declaration of state or public emergency, as provided for in section 8-5 of this Charter, the Board of Selectmen may enact ordinances to meet such emergency, consistent with the General Statutes and this Charter. Such emergency ordinances shall become effective once published by the most effective means available. They shall remain in effect for no more than sixty (60) days and not beyond the duration of the emergency, unless ratified by the Town Meeting. They may be repealed by vote of the Board of Selectmen or the Town Meeting.

## **ARTICLE VIII. THE FIRST SELECTMAN**

### **Section 8-1. The First Selectman.**

The election, term of office and qualifications of the First Selectman shall be in accordance with Article IV of this Charter.

### **Section 8-2. Chief Executive and Administrative Officer.**

The First Selectman shall be the full-time chief executive and administrative officer of the town, and shall be required to carry out the duties charged by the General Statutes and specifically described in section 8-3 of this Charter.

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

The First Selectman shall be a full voting and participating member of the Board of Selectmen and shall preside at meetings of the board when present.

The First Selectman shall be an ex officio member of all other agencies of the town, but without the power to vote.

The First Selectman may, in writing, appoint a member of the Board of Selectmen to be his or her representative on any agency, but without the power to vote. (7)

The First Selectman, during his or her term of office, shall not hold any civil office which provides compensation, under the government of the United States, the State of Connecticut, or any subdivision thereof, except that of notary public, nor shall the First Selectman hold any of those offices which are considered incompatible, in accordance with Section 9-210 of the General Statutes. (4)

### **Section 8-3. Duties of the First Selectman.**

The First Selectman shall, with general policy direction from the Board of Selectmen:

- (a) Be responsible for the proper performance of the First Selectman's office;
- (b) Be responsible for coordinating the administration of the agencies of the town, except for those functions expressly reserved or delegated to those agencies by law;
- (c) Be directly responsible for all administrative offices and employees, except as otherwise provided by law;
- (d) Be responsible for the coordination and guidance of the Board of Selectmen in the discharge of all the board's duties and responsibilities;

(e) Be responsible for making a continuous review of the current and future needs of the town, including financial needs and budget requirements, in connection with which the First Selectman may require reports and information to be submitted by any town agency and shall keep the Board of Selectmen fully informed as to the financial condition of the town;

(f) Be responsible for the development and publication of a set of priorities which shall provide a guide for those things the town shall attempt to accomplish during the coming year, and this shall serve as a policy guide in the development of the annual town budget;

(g) Be responsible for the development and annually update a long term capital improvement plan for the town;

(h) Be responsible for advising the Board of Selectmen of the availability of such federal and/or state funds for which the town may qualify. This information shall be made available to the Board of Finance;

(i) Be responsible for the implementation of proper financial procedures for those town agencies over which the First Selectman has jurisdiction;

(j) Be responsible for keeping full and complete records of the activities of the office of the First Selectman, make periodic reports to the Board of Selectmen and the Board of Finance, keep or cause to be kept complete books of account showing the financial transactions and condition of the town and all other accounts and records as may be prescribed by the Board of Selectmen, the General Statutes and the Town Meeting;

(k) Be responsible for establishing purchasing procedures for the town, subject to such rules and regulations as may be prescribed by the Board of Selectmen and elsewhere in this Charter;

(l) Purchase or cause to be purchased, subject to such rules and regulations as shall be prescribed by the Board of Selectmen in accordance with section 10-3 of this Charter, all supplies, materials, equipment and other commodities required by any office or agency of the town, except those town agencies which, under the provisions of this Charter, ordinance, Special Act, or General Statutes of Connecticut, purchase such items in the performance of their ownSection 9-7. Constables.

The First Selectman, with the approval of the Board of Selectmen, may appoint and may remove or replace the Constables, whose total number shall not exceed seven (7) for a two-year term. No more than five (5) Constables shall be from any one political party. The terms of office of such Constables shall begin on the second Tuesday of December following the regular town election.

#### **Section 8-4. Appointments.**

The First Selectman shall appoint, with approval of the Board of Selectmen and in accordance with such provisions of the General Statutes, such administrative officers as are assigned to the First Selectman for appointment, and such other assistants or employees as may be required, subject to such rules and regulations as may be adopted pursuant to the provisions of Article IX of this Charter. Such appointees may be removed by the First Selectman.

The First Selectman, with the approval of the Board of Selectmen, may appoint and remove members to such advisory committees as the First Selectman may wish to establish to assist in carrying out the duties and responsibilities of his or her office. Such committees shall be subject to the provisions of section 5-12 of this Charter and shall serve without compensation, and their authority shall be limited to assembling information and making recommendations, within the limits prescribed by the board. (12)

### **Section 8-5. Emergencies.**

In the event that the First Selectman shall find that a state of emergency exists within the town, requiring immediate action to protect the health, safety and general welfare of the citizens, he or she may declare that such a state of emergency exists, publish such declaration by the most effective means available, and take such action as shall be in the best interest of the town; provided, that the Board of Selectmen shall meet as soon as possible to ratify such action and to take such further action as may be necessary.

A state of emergency shall terminate when so voted by the Board of Selectmen or declared, in writing, by the First Selectman or by vote of the Town Meeting.

### **Section 8-6. Delegation of Duties.**

To assist in the discharge of the duties and responsibilities of the office and of the Board of Selectmen, the First Selectman may assign and delegate duties to other members of the Board of Selectmen and to officials responsible to the First Selectman, except as to such powers and duties which may not under the General Statutes be delegated. Such assignments and delegations, if permanent, shall be made public knowledge through the posting on the town bulletin board, and shall be made known to any town agency affected.

## **ARTICLE IX. ADMINISTRATIVE OFFICES, AGENCIES AND EMPLOYEES**

### **Section 9-1. Administrative Offices and Departments.**

There shall be the following administrative offices and departments for the town: Assessor, Building Official, Canine Control Officer, Constables, Controller, Director of Civil Preparedness, Fire Department, Fire Marshals, Health Department, Public Services Department, Social Services Department, Town Attorney and Tree Warden.

The Board of Selectmen may recommend to the Town Meeting, pursuant to provisions of section 3-13 of this Charter, the creation of such additional administrative offices and departments as it from time to time may deem appropriate and necessary to the best interest of the town.

### **Section 9-2. Appointments and Eligibility.**

Administrative officers and department heads shall be appointed in the manner as provided. Appointees of the First Selectman shall be appointed and may be removed in accordance with provisions of section 8-4 of this Charter. Except as provided in this Charter or by vote of the Town Meeting, no administrative officer or department head shall serve as a voting member on any regular town board during the term of office, and any such officer or department head elected to public office in the town shall, upon such election, forfeit the position to which the appointment had been made.

### **Section 9-3. Vacancies.**

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

### **Section 9-4. Assessor.**

An assessor shall be appointed by the First Selectman with the approval of the Board of Selectmen for a term not to exceed five (5) years.

The assessor shall be qualified by training and experience, and shall have been certified as a qualified tax assessor by the State of Connecticut.

### **Section 9-5. Building Official.**

A Building Official shall be appointed by the First Selectman with the approval of the Board of Selectmen for a four-year term ending October 1.

The Building Official shall be qualified in accordance with the state building code and the General Statutes.

## **Section 9-6. Canine Control Officer.**

A Canine Control Officer shall be appointed by the Chief of Police in accordance with guidelines established by the Board of Police Commissioners for a term of at least one (1) year.

The Canine Control Officer shall have the duties and powers prescribed by law.

## **Section 9-7. Constables.**

The First Selectman, with the approval of the Board of Selectmen, shall appoint and may remove or replace the Constables, whose total number shall not exceed seven (7) for a two-year term. No more than five (5) Constables shall be from any one political party. The terms of office of such Constables shall begin on the second Tuesday of December following the regular town election.

## **Section 9-8. Controller**

A Controller shall be appointed by the First Selectman, with the approval of the Board of Selectmen, for an indefinite term.

The Controller shall be qualified by training and experience in public or private finance. The Controller shall submit a monthly financial statement showing the amount of each appropriation and any transfers, encumbrances and expenditures therefrom to the Board of Selectmen and the Board of Finance, and shall have such other powers and duties as prescribed by town ordinance.

## **Section 9-9. Director of Civil Preparedness.**

The First Selectman, with the approval of the Board of Selectmen, shall appoint a Director of Civil Preparedness who shall serve for a one-year term to July 1, subject to the provisions of the General Statutes, Title 28.

## **Section 9-10. Fire Department.**

The Fire Department shall be responsible for the protection of life and property from fire and for the enforcement of all laws, ordinances and regulations relating to fire prevention and fire safety. There shall be a chief of the department who shall be appointed by the Board of Selectmen. The Board of Selectmen shall establish such rules and regulations, and appoint other officers as may be necessary for the operation of the department and shall act as the Fire Commission.

## **Section 9-11. Fire Marshals.**

The Board of Selectmen shall appoint a Fire Marshal and such deputy Fire Marshals as may be necessary, who shall be certified by the state Fire Marshal as being qualified for the duties of this office,

in accordance with Section 29-45a of the General Statutes. The Fire Marshal shall have the powers and duties prescribed by law.

### **Section 9-12. Health Department.**

The First Selectman, with the approval of the Board of Selectmen, shall appoint in accordance with the provisions of Section 19-75 of the General Statutes, as amended, a Director of Health. The Director of Health shall meet the qualifications of the state Public Health Council, and shall have all the powers and duties of that office imposed and conferred by law.

The Director of Health shall serve for a four-year term expiring January 1.

Upon the recommendation of the Director of Health, the First Selectman, with the approval of the Board of Selectmen, shall appoint a Sanitarian for an indefinite term.

### **Section 9-13. Public Services Department.**

The First Selectman with the approval of the Board of Selectmen shall appoint a Director of the Public Services Department who shall be responsible for the Highway Department, the Solid Waste Operation, and the maintenance of all town equipment and town buildings as assigned. The director shall serve for an indefinite term.

The Director of Public Services shall appoint and may remove all deputies, assistants or employees in the department, and in so doing shall be subject to such rules and regulations concerning town employees as may be adopted by the Board of Selectmen. (4)

### **Section 9-14. Social Services Department.**

The First Selectman, with the approval of the Board of Selectmen, shall appoint a Director of Social Services for a term of one year, expiring January 1, who shall have such powers and duties as prescribed by law.

### **Section 9-15. Town Attorney.**

The First Selectman, with the approval of the Board of Selectmen, shall appoint a town attorney or firm of attorneys to represent the town for a term of one year, expiring January 1. Said town attorney shall be an experienced attorney-at-law admitted to practice law in this state.

The town attorney shall furnish such legal services to the town, its officers and agencies as the Board of Selectmen may authorize, and shall be the legal advisor to such town officers or agencies in all matters affecting the town, and shall, upon written request, provide a written opinion on any question of law within a reasonable period of time. The Board of Selectmen may provide for the temporary employment of counsel other than or in addition to the town attorney.

It shall be the responsibility of the Board of Selectmen to insure that town boards and commissions have access to such legal services as are required for the proper interpretation and enforcement of the laws they administer. For such purposes, boards and commissions, within the limits of their appropriations, and with the approval of the Board of Selectmen, may employ specialized legal counsel.

### **Section 9-16. Tree Warden.**

The First Selectman, with approval of the Board of Selectmen, shall appoint a tree warden, who shall serve a term of one year expiring January 1. The tree warden shall have the powers and duties prescribed by law.

## ARTICLE X. FINANCE AND TAXATION

### Section 10-1. Budget.

(a) Preparation of the Budget for the Coming Fiscal Year.

The Board of Finance shall receive from the Board of Selectmen and the Board of Education their respective proposed budgets in sufficient time for publication at least ten (10) days prior to a public hearing which shall be held on or before the last week day in March. The Board of Education shall also submit to the Board of Selectmen its budget in sufficient time for review and non-binding recommendation by the Board of Selectmen to the Board of Finance. The Board of Selectmen's recommendation shall only be as to the total amount of the proposed Board of Education budget. The budgets shall be prepared in such manner as the Board of Finance shall prescribe. The individual budget requests of each department, board or commission shall be signed by the chair or department head and submitted to the Board of Selectmen and/or Board of Education for submission to the Board of Finance.

(b) Powers and Duties of the Board of Finance in Connection with the Preparation of the Budget for the Coming Fiscal Year.

The Board of Finance shall hold a public hearing on the proposed budget on or before the last week day in March. Printed copies of the proposed budget shall be available at the office of the Town Clerk and at such other locations as the Board may prescribe, forty-eight (48) hours in advance of said hearing, and shall be published in a newspaper having a general circulation in the town at least seven (7) days prior to the hearing. Those wishing changes to the budget as proposed by the Board of Selectmen and the Board of Education shall communicate their views at the public hearing.

After the public hearing, the Board of Finance shall meet to consider budget requests against projected revenues and the overall financial condition of the town.. The Board's objective in these considerations is prudent management of the overall fiscal situation and not how or where specific amounts are budgeted. Therefore, any changes made to the operating budget requests of the town by the Board of Finance shall be limited to the budget as a whole rather than from the limited viewpoint of any one department and shall not address specific items.

(c) Budget Presentation at Annual Town and Budget Meeting.

The annual capital and operating budgets of the Board of Education and the Board of Selectmen as recommended by the Board of Finance shall be brought to the annual Town and Budget Meeting for discussion and then sent to referendum. The meeting shall have the power to decrease or delete any line item, but it may not increase or add to any line item or establish any additional line item. (13)

Approval of the budget shall be by machine voting at a referendum as set forth in Section 10-1(d). Copies of the proposed budget shall be available ten (10) days before such meeting at the office of the Town Clerk and elsewhere as the Board of Finance may prescribe, and shall be published in a newspaper having general circulation in the town at least seven (7) days prior to the meeting.

The Board of Selectmen may decide to present certain or all capital items of under \$100,000 per item to the Town Meeting for a vote. The meeting shall have the power to delete any such capital item, but it may not increase or add to any line item or establish any additional line item. Said vote shall be binding with reference to those items. All other items on the capital budget shall go to referendum as set forth in Section 10-1(d).

(d) Budget Referendum.

The budget as proposed by the Board of Finance shall be submitted to a Budget Referendum. The Budget Referendum shall be held not less than seven (7) nor more than fourteen (14) days from the date of the annual Town and Budget Meeting. The Board of Selectmen shall set the date and the hours and shall designate the place for the Budget Referendum.

If the annual operating budget of the Board of Selectmen or the Board of Education is rejected, the Board of Finance shall meet and upon due deliberation publish a recommended budget to replace the rejected budget. Such recommended budget shall be considered at a subsequent referendum to be held within three (3) weeks after the failed Budget Referendum. Subsequent referenda shall be held until a budget is passed, and should a budget not be passed by July 1, the town shall operate under the budget authorization of the previous fiscal year until a new budget is passed.

(e) Following approval of the budget, the Board of Finance shall, by resolution, fix the tax rate in mills. When the budget is approved, the Board of Finance shall make it available to town agencies and the public through the office of the Town Clerk.

## **Section 10-2. Additional Appropriations.**

(a) In the event that a town agency, other than the Board of Education, determines that it requires an additional appropriation, the agency shall seek the endorsement of the Board of Selectmen in writing of the sum needed. Within fifteen (15) days thereafter, any endorsed request shall be forwarded by the Board of Selectmen to the Board of Finance for action. (11)

In the event that the Board of Education determines that it requires an additional appropriation, it shall request of the Board of Finance in writing the sum needed and the reasons therefor. The Board of Education shall send a copy of any such request to the Board of Selectmen at the time such request is made to the Board of Finance.

The Board of Finance shall consider and act upon such requests not more than fifteen (15) days after it is in receipt thereof, and shall inform the requesting agency and the Board of Selectmen in writing of its decision and the reason therefor.

The Board of Finance may, in any fiscal year, without approval of the Town Meeting, provide any single requesting town agency with additional appropriations from general fund unreserved-undesignated fund balance a sum not to exceed fifty thousand dollars (\$50,000) cumulative. The Board of Finance may not, without approval of the Town Meeting, provide any additional appropriations from general fund unreserved-undesignated fund balance that will cause the total of additional appropriations to exceed the sum of two hundred fifty thousand dollars (\$250,000) in aggregate to all requesting agencies in any fiscal year.

All other additional appropriations requested by town agencies that are less than three million dollars (\$3,000,000), in accordance with this charter, shall require approval of the Town Meeting. In the event of a negative referral by the Board of Finance, said matter shall go back to the Board of Selectmen who shall vote whether to send it to the Town Meeting or remove it from the Town Meeting and submit it to a referendum. All additional appropriations requested by town agencies that are of three million dollars (\$3,000,000) or more shall, after public hearing, be submitted to referendum without call to Town Meeting.

(b) If a request for an additional appropriation is made by electors of the town by verified petition pursuant to Section 3-5 of this Charter, both the Board of Selectmen and the Board of Finance shall hold public hearings and shall vote on the subject of the petition within forty-five (45) days of receipt of the verified petition. The public hearings may be held jointly, upon agreement of both boards.

If both the Board of Selectmen and the Board of Finance approve the petition, the Board of Selectmen shall call a Special Town Meeting to be held within forty-five (45) days of approval by the Board of Selectmen. If either or both boards vote to deny the petition or fail to act within said forty-five days of receipt of the verified petition, the Board of Selectmen shall remove the matter from the Town Meeting and submit the matter to referendum. Said referendum shall be held within forty-five (45) days of the denial or failure to act by either board.

(c) Capital Reserve Fund.

The town maintains a capital reserve fund for capital projects and nonrecurring expenditures in accordance with the General Statutes, any payment into or appropriation from the capital reserve fund shall be made only upon the recommendation of the Board of Finance and approval of the Town Meeting.

An appropriation or transfer of unexpended capital project balances and payment into or appropriation from the capital reserve fund for capital and non recurring expenditures, requiring Town Meeting approval in accordance with this Charter, may be decreased by a Town Meeting, but may not be increased. A Town Meeting may make no such appropriation or transfer of funds not recommended by the Board of Finance. The Board of Finance shall make a recommendation within five (5) days of receipt of a request from the Board of Selectmen for a recommendation.

(d) The provisions of this section shall not be a limitation on the power of the Town Meeting to make appropriations to be met from the authorization of bonds, notes or other obligations for appropriations in accordance with the General Statutes and this Charter. (6)

(e) Transfers of funds between town departments (except the Board of Education) require approval of the Board of Finance upon the request of the Board of Selectmen. Transfers within a department's budget (except the Board of Education) require approval from the Board of Selectmen only. (11)(13)

### **Section 10-3. Expenditures and Accounting.**

The fiscal year of the town shall begin on July 1 and end on June 30 of the following calendar year.

The system of accounts used by town agencies shall be that prescribed by the General Statutes, as supplemented by regulations of the Board of Finance.

The regulations of the Board of Finance shall also approve the form and procedures for orders to be drawn on the treasurer by the Board of Selectmen.

All officers, boards, commissions and committees shall comply with the regulations of the Board of Finance required by this section. Such regulations shall be adopted and may be amended by vote of the Board of Finance and shall not be inconsistent with this Charter and the General Statutes.

All budget agencies shall submit within ninety (90) days after the end of the fiscal year a summary report of their activities and accomplishments. The Board of Finance shall incorporate this information in the published annual town report. Said report shall be made available prior to the annual Town and Budget Meeting.

No purchase shall be made by any office or agency of the town, other than the Board of Education, except through the First Selectman, and such purchases shall be made under such rules and regulations as may be established by the Board of Selectmen with the approval of the Board of Finance. The Board of Education shall establish appropriate rules and regulations for such purchases.

Town agencies shall not involve the town in obligations to spend money for any purpose in excess of the amount appropriated therefor.

The Board of Finance may have access at all reasonable times to the records and books of account of the town agencies.

Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; the purpose of any such appropriation shall be deemed abandoned if, at the end of the third succeeding fiscal year, there has been no disbursement from or encumbrance of the appropriation. (7)

#### **Section 10-4. Bonds and Notes.**

The authorization of bonds and notes (except notes in anticipation of taxes to be paid within the fiscal year in which issued) shall be governed by Section 3-10 of this Charter.

#### **Section 10-5. Powers and Duties of the Board of Finance in Connection with the Development of Long-Range Financial Planning..**

The Board of Finance may initiate joint meetings with the Board of Selectmen and the Board of Education for the purpose of discussions on long-range financial planning.

The Board of Finance may require all town agencies and boards dependent on the town budget for any portion of their income to submit estimates for future spending. Such estimates shall be for the proposed budget plus two (2) years and shall be the best estimates of the present town agency. Said estimates shall be submitted as the Board of Finance shall dictate as a part of the preliminary budget. Any requests for budgetary information shall be made through the Office of the First Selectman or the Superintendent of Schools.

#### **Section 10-6. (deleted)**

#### **Section 10-7. (deleted)**

## ARTICLE XI. STANDARDS OF CONDUCT

### Section 11-1. Declaration of Purpose.

The proper operation of democratic government requires that public officials, employees and other persons involved in government be independent, impartial and responsible to the people; that public office not be used for any personal gain; and that the public have confidence in the integrity of its government. Public interest must be the primary concern of those who are included within the scope of these standards. In recognition of these goals these standards of conduct are incorporated into this Charter of the Town of Ridgefield.

Those persons, hereinafter referred to as "officials" and/or "employees" bound by these standards are as follows:

Elected or appointed officials of the town, and its boards and commissions, either paid or unpaid (voluntary).

Employees of the town and of all boards, commissions, committees and authorities, including the Board of Education.

Organizations or persons that provide town-sponsored services to the public. (4)

### Section 11-2. Standards of Service.

Officials and employees have a special responsibility by virtue of the trust invested in them by the town's residents to discharge their duties conscientiously, impartially and to the best of their ability, placing the good of the town above any personal or partisan considerations.

Officials and employees have an obligation to act ethically and honestly in discharging all assigned responsibilities, and to make continuing efforts toward attaining and maintaining high standards of performance.

Individuals who consent to serve on town boards or commissions are expected to devote the necessary time and effort to these commitments.

No official or employee shall use, or attempt to use, either directly or indirectly, his or her town position to secure any preferential right, benefit, advantage or privilege for himself or herself or others.

Should an official or employee be requested or ordered to perform an illegal act or an act that conflicts with these standards that individual should be guided by standards of ethics rather than by standards of expediency, and should refuse to comply with such a request or order. This principle is not to be construed as encouraging arbitrary or capricious nonconformity with job assignments, but to insure that all officials and employees recognize that the responsibility for ethical conduct ultimately rests with each individual.

### **Section 11-3. The Use of Town Resources.**

Officials and employees often have access to vehicles, equipment, supplies, property, labor and other town resources in connection with the conduct of their official business. Since there may be instances where the distinction between the use of resources for official purposes and for personal convenience or advantage may be ambiguous, it is incumbent upon all such individuals to make absolutely certain that there be no misuse of public property.

Town- or Board of Education-owned vehicles, equipment, supplies, property, labor and other town resources will be used only for the conduct of official business, except when such resources are available to the public generally or are provided for in a publicly disclosed contractual agreement.

Town property or resources which are legitimately placed in the trust of an official or employee will be preserved and cared for to the best of his or her ability.

Requests for town reimbursement for travel, lodgings or any other expenses incurred in connection with nonofficial business or for family members of officials or employees or others who are not on official business represents a breach of ethical behavior. (4)

### **Section 11-4. Treatment of the Public.**

Officials must bear in mind their role as public servants. Everyone deserves to be treated courteously, impartially and fairly, and is entitled to all of the benefits and services available to each and every other individual, but without preferential treatment.

Officials and employees will make every reasonable effort to inform the public of its rights to town services.

Should an official or employee be requested by the public to perform an unethical act it must be declined with proper explanation.

While this section deals with the treatment of the public by officials and employees, the relationship between the former and the latter is recognized to be a two-way interaction. It is therefore urged that the public also conduct itself with the same propriety expected of town officials and employees.

### **Section 11-5. Conflict of Interest.**

Officials and employees often have occupations, professions, businesses, or have financial or personal interests, that relate to or interface with town operation and government. It is expected that officials and employees will be acutely sensitive to possible conflict of interest issues, and that they will conduct themselves in a manner that will avoid any conflicts of interest.

Officials and employees shall not use their office or town employment, or special knowledge about town affairs obtained in connection with their office or position in town, to procure contracts with the town. Also, they shall not disseminate this information to another person for personal advantage unless this information is available to the general public.

Officials and employees shall not offer or render preferential treatment to others on the basis of family ties, financial interests, friendships or political consideration.

Officials and employees shall refrain from attempting to influence anyone concerning the awarding of town contracts on the basis of their business, family or political relationship with any of the individuals involved.

No employee of the town other than the First Selectman shall serve on a board, commission or other town body that deliberates and/or makes decisions directly or indirectly affecting that employee's remuneration or working conditions.

An official or employee who has any financial or other private interest in any official action under consideration shall either:

(1) Disqualify himself or herself from participating in the deliberation and decision-making thereupon; or

(2) Disclose on the record the nature and extent of such interest and seek a ruling as follows: The governing town official, board or commission involved shall then rule or vote on the official's or employee's right to:

- (a) Participate in discussion of the issue;
- (b) Right to vote on the issue.

Violation of these provisions with the knowledge express or implied of any person or corporation contracting with or making a sale to the town shall render such contract or sale voidable by the board, commission or agency having jurisdiction. (4)

## **Section 11-6. Disclosure of Confidential Information.**

Because of their position in town administration, officials and employees have access to information that may not be in the public domain. Confidential information is any information not in the public record and which is obtained only by reason of an official's or employee's position.

No official or employee shall, without prior formal authorization of the public body having jurisdiction, disclose any confidential information or divulge personal matters pertaining to others that do not bear upon the official's or employee's discharge of official duties.

Whether or not it shall involve disclosure, no official or employee shall use or permit the use of confidential information to advance his or her financial or personal interest or to advance or to damage the financial or personal interest of any other person.

## **Section 11-7. Gifts, Gratuities, and Favors.**

Officials and employees shall not accept gifts, loans or privileges offered them because of their positions in town in the expectation of influencing their actions or decisions.

It is unethical for an official or employee to give preferential treatment in response to gifts, loans or privileges offered to family or business associates.

These principles do not preclude the acceptance of gifts at the time of retirement or at public occasions held to honor an official or employee. The public honoring of an individual makes gifts appropriate and acceptable.

If it is impossible or inappropriate to refuse a gift or offering, then it shall be turned over to an appropriate public or charitable institution.

The courtesies that are associated with normal daily business routine are not disallowed.

### **Section 11-8. Employment Incompatible with Town Duties.**

Officials and employees have a responsibility to perform their duties unencumbered by conflicting demands placed upon them by virtue of their commitment to any other employment.

No official or employee shall engage in or accept private or other public employment or render services for private interests when such employment or services are incompatible with the proper discharge of official duties or would tend to impair independence of judgment or action in the performance of town duties.

Officials and employees shall disqualify themselves from or obtain a ruling (see section 11-5) on all discussions, attempts at influencing the views of others, and any other issue in which their employment may conflict with the town office or position held.

### **Section 11-9. Board of Ethics.**

The standards of conduct set forth in Article XI shall be administered by the Board of Ethics pursuant to Section 7-148h of the Connecticut General Statutes. Members of the Board of Ethics shall meet in January of each year to elect a chairperson and a secretary.

Initially, the board shall adopt reasonable rules and regulations consistent with the intent of Article XI within 90 days of taking office. The Board shall file the full text of its proposed rules and regulations with the Town Clerk and the First Selectman fifteen (15) days prior to a public hearing. The date, time, place and general purpose of the public hearing shall be published in a newspaper having general circulation in the town at least seven (7) days prior to the hearing. After due consideration of input from the public hearing the board shall adopt final rules and regulations which shall become effective on the date the full text of the rules and regulations is filed with the Town Clerk. Subsequently, the board shall consider any changes to its rules and regulations at the beginning of each year and shall adopt the changes after a public hearing within 60 days.

All complaints to the Board of violations of the standards of conduct set forth in Article XI shall be in writing, signed by the complainant and notarized. Hypothetical situations and anonymous complaints shall not be addressed. The board shall investigate the pertinent facts stated in the complaint to determine whether or not there is probable cause that a violation of Article XI has occurred. The board may hold hearings regarding the complaint; however the board shall hold a hearing if requested by the person whose conduct is being investigated. Any such investigation shall be concluded within sixty (60) days of receipt of the complaint. Any investigation shall be confidential and any individual called

by the board for the purpose of providing information shall not disclose his/her knowledge of the investigation to a third party unless the officer or employee whose conduct is under investigation requests that the investigation be made public. The officer or employee under investigation shall have the right to appear and be heard and to offer any information intended to establish that he/she has not violated any provision of Article XI. The officer or employee under investigation shall have the right to be represented by legal counsel at their own expense and to present and cross-examine witnesses. Any probable cause determination that an officer or employee has violated any provision of Article XI shall require four (4) concurring votes of the Board.

The board shall not later than thirty-one (31) days after the hearing deliver (by hand) or send by registered or certified mail to the officer or employee involved the report of its findings and the reasons for its decision. The board shall make public a finding of probable cause and disclose the record of its investigation as authorized by Section 1-82a of the state statutes. The board shall state in its report what action it deems appropriate if a violation has occurred. When the board concludes that disciplinary action is appropriate for an employee or appointed official, the matter shall be referred to the proper authority.

The board shall render advisory opinions to any officer or employee who requests such an opinion in writing regarding their own conduct, unless the matter in question is currently in litigation.

At the end of each calendar year, the board shall prepare and submit to the Board of Selectmen an annual report summarizing its actions and recommendations during the preceding year. The annual report shall be prepared and submitted in accordance with the confidentiality requirements of this section.

#### **Section 11-10. Board of Ethics Established.**

An appointed Board of Ethics is established to administer the standards of conduct set forth in this article. (12)

## **ARTICLE XII. TRANSITION AND MISCELLANEOUS PROVISIONS**

### **Section 12-1. Election of Judge of Probate and Registrars of Voters.**

Election of judge of probate for a four-year term and registrars of voters for a four-year term shall continue in accordance with the General Statutes.

### **Section 12-2. Existing Laws and Ordinance.**

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

### **Section 12-3. Transfer of Powers and Continuation of Office.**

The powers which are conferred and the duties which are imposed upon any town agency under the General Statutes of Connecticut, Special Acts concerning the town, or any ordinance in force at the time this Charter shall take effect, thereafter may be exercised and discharged by the town upon which are conferred such powers and imposed such duties under the provisions of this Charter.

All persons holding town offices, whether elected or appointed, all persons holding positions of employment, and all persons who are members of existing boards or agencies of the town at the time of the effective date of this Charter shall continue in their respective positions.

### **Section 12-4. Applicability of Standards of Conduct to Town Employees.**

Insofar as provisions of Article XI, "Standards of Conduct", are inconsistent with existing contracts with town employees, they shall not apply until such contracts have been renegotiated.

### **Section 12-5. Amendment of this Charter.**

This Charter may be amended in accordance with Chapter 99 of the Connecticut General Statutes as amended. In any event, the Board of Selectmen shall appoint a Charter Revision Commission not later than October 1, 2003, and every four (4) years thereafter, in accordance with the Connecticut General Statutes. (14)

### **Section 12-6. Saving Clause.**

If 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 on which such section so held may appear, except to the extent that an entire section or part of a section may be inseparably connected in meaning and effect with the section or part of the section to which such holding shall directly apply.

**Section 12-7. Effective Date.**

The effective date of this Charter shall be December 5, 1978.

## FOOTNOTES

(1) The Charter set out herein was proposed by the Ridgefield Charter Commission and approved by the Board of Selectmen on August 16, 1978. It was approved by the town electors at election held November 7, 1978.

The Charter is set out herein exactly as enacted, catchlines, etc., remaining as originally enacted. Where deemed necessary by the editor, clarifying language has been inserted in brackets []. As sections are amended from time to time, the date of the amendatory legislation will be parenthetically noted at the end of the affected section. Absence of such note indicates that the section derives unchanged from the original Charter.

(2) Adopted 8-19-81, approved at referendum 11-3-81; adopted 9-4-85, approved at referendum 11-5-85.

(3) Approved at referendum 11-7-89.

(4) Adopted 9-4-85, approved at referendum 11-5-85.

(5) Adopted 8-19-81, approved at referendum 11-3-81.

(6) Adopted 8-19-81, approved at referendum 11-3-81; approved at referendum 11-4-86.

(7) Approved at referendum 11-4-86.

(8) Adopted 8-19-81, approved at referendum 11-3-81; adopted 11-6-81; approved at referendum 11-6-81.

(9) Adopted 11-6-84, approved at referendum 11-6-84; adopted 9-4-85, approved at referendum 11-5-85.

(10) Approved at referendum 11-6-90.

(11) Approved at referendum 11-3-92.

(12) Approved at referendum 11-8-94.

(13) Approved at referendum 11-4-97.

(14) Approved at referendum 11-6-01.