



TOWN OF RIDGEFIELD
CHARTER REVISION COMMISSION
FINAL REPORT
August 7th, 2018



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CHARTER REVISION COMMISSION

FINAL REPORT DATED AUGUST 7TH, 2018

Introduction

At their meeting on November 6, 2017, the Board of Selectmen of the Town of Ridgefield, Connecticut appointed nine members - 3 registered Republicans, 3 registered Democrats and 3 unaffiliated - to the Charter Revision Commission (the "Commission"): Ellen Burns, Bill Davidson, Joe Egan, Ethel Geisinger, Chuck Hancock, Jonathan Seem, Joe Shapiro, Lester Steinman, and Patrick Walsh. By Resolution adopted at that meeting the Commission was charged with "recommending possible changes to the Ridgefield Town Charter."

The Commission held an organizational meeting on November 15, 2017, during which Rudy Marconi, the First Selectman, provided information and advice on State statutory and related requirements. At the same meeting Mr. Seem was elected Chairman, Ms. Burns was elected Vice Chairman, and Mr. Shapiro was elected Recording Secretary. On January 8, 2018, before beginning any substantive work, the Commission held a public hearing as required by statute. This and seven regular and eight special meetings were open to the public and time was allowed for public comment. A second public hearing was held on June 18, 2018, as required by statute.

Proposals and comments were received from town residents and various Town boards, commissions, and other agencies. The Commission documented, considered, and discussed every proposal and comment. A number of proposals were submitted by Commission members. Members of the Commission reviewed other town charters and relevant source material.



Following submission by the Commission of a Charter Revision draft report (the “Draft Report”) on June 25th, 2018, the Board of Selectmen held a July 18th public hearing to solicit feedback from the electorate and discuss the proposed revisions. At its Special Meeting of July 25th, the Board of Selectmen voted to recommend and approve 7 and modify 5 of the proposed revisions. They also voted to recommend an additional technical change. The results of the July 25th Special Meeting were sent by the First Selectman to the Chairman of the Commission by letter and email on July 27th, 2018 (Appendix B)

At its regular meeting of July 30th, the Commission considered the recommended changes and voted to accept 4 and decline 2 of the recommendations by the Board of Selectmen.

Throughout the process, the Commission gave consideration to the interests of the residents and the elected, appointed, and other officials of the Town of Ridgefield. In doing so it was guided by advice from Town Counsel, Town Officials, and relevant State and local requirements. It received correspondence from many town agencies and heard statements from the public and town boards, commissions and other agencies.

A summary of all proposals and issues addressed by the Commission and their disposition can be found in the sections following this Introduction. In addition, a select number of technical changes were considered and approved by the Commission to provide further clarity and consistency to the Town Charter as a whole.



PROPOSED MATERIAL CHANGES TO THE TOWN CHARTER

(Discussed in detail in Part 4)

Prevent Running for Two Elective Offices at Once

In the wake of the November 2017 and other elections, in which several candidates appeared on the ballot for two or more positions on boards or commissions, the Commission proposed revising the Charter to prohibit candidates from simultaneously running for two or more positions that have overlapping terms.

In its July 27th, 2018 letter to the Commission (Appendix B), the Board of Selectmen recommended the proposal to prevent running for two elective offices with overlapping terms be modified to include all offices, whether or not the terms overlap. At its July 30th regular meeting, the Commission voted to decline the recommendation. Further discussion on the matter can be found in Part 4 of this Final Report.

Separation of the Inland Wetlands Board from the Planning and Zoning Commission

The issue that prompted the most correspondence to the Commission was a proposal from the Conservation Commission and other interested parties including many residents to separate the Inland Wetlands Board from the Planning and Zoning Commission. Both the Planning and Zoning Commission and the Conservation Commission, in separate appearances before the Commission, presented detailed information on their respective positions. A large volume of correspondence, including letters and emails, were received from the public as well. The Commission voted 5-4 in favor of separation. Underlying the discussion and vote by the Commission were the questions of concentration of power and the proper balance between development and conservation within the current structure. The Commission proposed by a vote of 6-3 that the Inland Wetlands Board be elective and proposed unanimously that it consist of seven members serving four-year staggered terms.



In its July 27th, 2018 letter to the Commission (Appendix B), the First Selectman, on behalf of the Board of Selectmen, recommended the proposal to separate the Inland Wetlands Board from the Planning and Zoning Commission be removed from the Commission's Final Report. At its July 30th regular meeting, the Commission voted to decline the recommendation.

Elective versus Appointive Positions

The Board of Selectmen proposed that the Town Treasurer and Tax Collector be changed from elective to appointive positions. Both officials currently in those positions presented information at meetings of the Commission. The Commission voted 5-4 to approve the proposal to change the status of both positions from elective to appointive.

The Town Meeting and Annual Budget

A number of proposals were submitted by residents and Town officials suggesting language revisions to the Town Meeting and Annual Budget process in Section 10-1 of the Charter. Common themes among these requests were concerns about providing transparent and timely budget proposals, the need for clarity related to reducing or deleting line items, and a level of doubt as to whether participants at the Town Meeting exercising legislative authority reflect a true representation of citizen views on issues affecting the Town.

In response to the various requests, the Commission voted for a Master Budget Schedule, website posting of proposed budgets, and several changes regarding the conduct of the Annual Town and Budget Meeting.



RECOMMENDATION FOR FUTURE CONSIDERATION

Structure of Government

In his memorandum of January 29, 2018, to the Charter Revision Commission, Commissioner Steinman raised the question as to whether the Town should explore alternatives to the current Selectmen-Town Meeting form of government.

A number of residents and Town officials suggested revisions to the Charter that reflect an underlying concern with the legislative authority granted to the Town Meeting and decentralization of executive and administrative authority.

While the Town Meeting has the sole power to enact or repeal ordinances except under emergency conditions, it is unclear whether participants at the Town Meeting exercising legislative authority reflect a true representation of citizen views on issues affecting the Town.

With executive and administrative authority decentralized across various boards and commissions, do the benefits of checks and balances from such decentralization overcome the potential for inefficient and fragmented decision making?

While these larger questions of government structure could not be addressed in the time frame allocated to the current Charter Revision Commission, a majority of the members agrees that the Town could benefit from a formal study of alternative forms of government such as a Selectmen-Representative Town Meeting, Council-Manager or Mayor-Council.

Appreciation

The Commission received significant help and input from Town Officials, Town Counsel, residents and others during its deliberations. The Commission expresses its sincere appreciation to all those who contributed to this endeavor.



Charter Revision Commission Members:

Jonathan Seem, Chairman

Ellen Burns, Vice Chairman

Joe Shapiro, Recording Secretary

Bill Davidson Joe Egan

Ethel Geisinger Chuck Hancock

Lester Steinman Patrick Walsh

The full text of each amendment is included in this Final Report. The minutes of all Commission meetings and the written comments submitted to the Commission are on file in the Town Clerk's office.

Appendix A to this Final Report provides page-number cross reference to public hearing minutes and meeting minutes for those dates on which the recommended material changes were substantively discussed or approved prior to preparation of the Draft Report. Appendix B to this Final Report is the July 27th letter from the First Selectman to the Commission Chair summarizing the recommendations for each proposed change in the Draft Report by the Board of Selectman at its Special Meeting of July 25th, 2018.

This Final Report was approved by the Commission at its Special Meeting on August 6, 2018.

Jonathan Seem, Chairman

Ellen Burns, Vice Chairman

Joe Shapiro, Recording Secretary



Part 1: Outline of Approved Revision Proposals in Draft Report.

PROPOSAL	PROPOSER(S)	VOTE DATE & RESULT	TYPE
Provide that a person cannot run for more than one office or board/commission seat in a municipal election.	Barbara Serfilippi, Board of Selectmen, Michael Raduazzo, Joe Savino	May 5, Approved, 9-0.	Governance
* Proposal that Article X, Section 10-1 (a), (b) and (c) be clarified as to the timing and process of budgets.	Bill Davidson	June 7, Approved, 7-2	Governance
If a ballot position remains vacant, the vacancy protocol should follow Section 4-7 for vacancies, subject to minority representation adherence.	Board of Selectmen	May 5, Approved, 8-1.	Governance
Make the office of Town Treasurer appointive rather than elective.	Board of Selectmen	May 5, Approved, 5-4.	Governance
Make the offices of Tax Collector appointive rather than elective.	Board of Selectmen	May 5, Approved, 5-4.	Governance
Address inconsistencies in length of terms for all appointive positions in Article IX.	Board of Selectmen	May 29, Approved, 9-0.	Governance
* Adopt standard language from other municipalities to Article 11 of the Charter to clarify Standards of Conduct.	Lester Steinman	June 7, Approved, 9-0	Governance
* Define in the Charter what is to be done with capital closeout funds, and whether decisions regarding capital closeout funds should be the responsibility of the Board of Finance.	Dave Ulmer	May 29, Approved, 9-0.	Governance
Separate the Inland Wetlands Board (IWB) from the Planning and Zoning Commission (PZC), and provide that members of the Inland Wetlands Board be appointed.	Ridgefield Conservation Commission and many individuals	Separate IWB and PZC approved April 21, by 5-4. IWB being elective approved May 5, by 6-3. Seven members, 4-years staggered terms approved May 29, by 9-0.	Boards & Commissions
Revise town's Code and Charter to change the name of the Economic Development Commission to the Economic & Community Development Commission.	Economic Development Commission (Arnold Light & John Devine)	April 21, Approved, 9-0.	Boards & Commissions
Amend Sections 5-1 and 5-7 of Charter to change name of Commission for the Disabled to "Commission for Accessibility" and to change text in Section 5-7 from "the disabled" to "people with disabilities".	Commission for the Disabled	May 29, Approved, 5-3-1.	Boards & Commissions
Amend Section 4-11 of the Charter by changing "plan of development" to "Plan of Conservation and Development".	Ellen Burns	May 29, Approved, 9-0.	Boards & Commissions
Revise the wording regarding the Pension Commission in Section 5-13 of the Charter.	Pension Commission	April 9, Approved, 9-0	Boards & Commissions

* These proposed revisions were modified following recommendations by the Board of Selectman as outlined in the July 27th letter from the First Selectman to the Chairman of the Commission (Appendix B). Further detail can be found in Part 2 of this Final Report.



Part 2: Outline of Approved Recommendations by the Board of Selectmen.

At its July 30th regular meeting, the Commission voted to accept the below recommendations suggested in the July 27th letter from the First Selectman (Appendix B).

SECTION	APPROVED MODIFICATION
Article IV, 4 - 1.	"Board of Tax Review" to be changed to "Board of Assessment Appeals".
Article X, 10-1 (c)	Remove proposed language that requires two percent (2%) of registered Town voters to be present at Town Meeting to enable a vote on capital items under \$100,000 and restore two deletions of "line" preceeding "item".
Article X, 10-2 (d)	Language modified to say appropriations or transfers of unexpended capital project balances modified to say they shall be determined by the Board of Selectmen in consultation with the Board of Finance.
Article XI	Remove all proposed new language, restore all proposed deletions and add the following: "Article XI shall be deleted in its entirety upon the adoption of a standards of conduct ordinance to be approved at a special Town Meeting. Article XI shall remain in full force until the passage of the ordinance referred to above."



Part 3: Outline of Declined or Withdrawn Revision Proposals

Declined proposals include those that the Commission felt lacked sufficient specificity to act on.

PROPOSAL	PROPOSER(S)	VOTE DATE & RESULT
Change threshold for requiring bids from \$5,000 to a higher figure.	Peter Hill	Jan. 28, Declined, 8-0.
A person must resign the municipal office/seat he/she currently holds to run for a another office or seat if the office or seat currently held has a term that extends beyond the beginning of the term of the office or seat he/she is running for.	Michael Raduazzo	Feb. 12, Declined, 8-0.
Establish a definition of "line item" for purposes of Section 10(c) of Charter, the provision that gives the annual town meeting authority to decrease or delete any line item, with regard to the Board of Education, and address possible required publishing in local newspaper.	Board of Selectmen	May 29, Declined, 9-0.
Proposal that Article X, Section 10-1(c) be clarified to indicate that any resident may bring to the floor of the Annual Town & Budget Meeting for discussion and vote, an amendment to reduce a "line item" referred to in Article X, Section 10-1(c), such line item that can be found in either Town or School budget not directly affecting the education of our children, as presented to and passed by the Board of Finance.	Jan Rifkinson	June 7, Declined, 9-0.
Clarify the rules on how the town budget items are advertised and posted, and clarify the rules on how the public can change proposed capital and operating budgets.	Joe Savino	June 7, Declined, 9-0.
In Section 3-5 regarding petitioned town meetings, increase percentage of electors in subsection (a) from 2% to 5%, (b) in subsection (b) from 5% to 10%, and in subsection (c) from 2% to 5%.	Board of Selectmen	April 21, Declined, 8-1.
Change the percentages or number of electors required on a petition to call a town meeting to 80 electors if costing no money but relating to town ordinances (from its current 2% of electors); to 1% of electors (from its current 2%) if it will cost less than \$250,000; and to 2.5% of electors	Joe Savino	April 21, Declined, 9-0.
Change the length of the terms of the Board of Selectmen and of the First Selectman from four years to two years.	Joe Savino	April 21, Declined, 9-0.
Integrate the Internet into the town's petition process.	Joe Savino	April 21, Declined, 9-0.
Let submitted petitions of 100 signatures or more be guaranteed votes at annual town meeting.	Joe Savino	April 21, Declined, 9-0.
Define "Town Agency" in Article I, Section 1-1.	Board of Selectmen	April 30, Declined, 7-2.
Establish term limits.	Board of Selectmen	April 21, Declined, 9-0.
Make the offices of Town Clerk appointive rather than elective.	Board of Selectmen	April 30, Declined, 6-3.



PROPOSAL	PROPOSER(S)	VOTE DATE & RESULT
Change the positions of Police Chief and of Director of Planning and Zoning to report on a day-to-day and administrative basis to the Office of First Selectman as was approved for the Director of Parks and Recreation in 2014 (see last sentence of Section 5-12).	Board of Selectmen	March 12, Declined, 8-0.
Eliminate the Town Treasurer position.	Joe Savino, Bob Cascella	April 21, Declined, 9-0.
Provide that the First Selectman is a voting member of the Board of Finance.	Chuck Hancock	April 30, Declined, 7-2.
Review the structure of the town's government (four alternative forms are the current Selectmen-Town Meeting Form; the Council-Manager form; the Mayor-Council form; and the Selectmen-Representative Town Meeting form).	Lester Steinman	April 30, Withdrawn by Mr. Steinman.
Consider appointment versus election for all elected town officials and boards/commissions.	Lester Steinman	April 21, Withdrawn by Mr. Steinman.
Consider miscellaneous charter issues pertaining to (a) the definitions of "elector" and "resident"; (b) non-resident property owners' right to vote at Town meetings; (c) consolidation of the powers of the Building Code Board of Appeals under the Board of Appeals for Zoning; and (d) decision-making on the appropriate use of excess sewer capacity.	Lester Steinman	April 21, Withdrawn by Mr. Steinman.
Consider miscellaneous charter issues pertaining to the definition of "Town agency" in Section 1-1 of the Charter as it relates to the term "other agencies of the Town" as used in Section 8-2 of the Charter.	Lester Steinman	April 30, Declined, 7-2.
Create an account that allows the Board of Education to retain funds for unanticipated costs as allowed per Connecticut State Statute Section 10-248a (1% carryover).	Board of Education	April 30, Declined, 9-0.
End the non-binding recommendation of the Board of Selectmen with regard to the Board of Education.	Board of Education	April 30, Declined, 9-0.
Form an affordable housing commission as a Charter-specified commission.	Helen Dimos, Dave Goldenberg	April 21, Declined, 7-2.
The Board of Appeals on Zoning (ZBA) member positions and ZBA Alternate positions should be exempt from requirement that the term of the appointed replacement lasts only until the next regular election, but should instead last for the remainder of the full term.	Zoning Board of Appeals	April 21, Declined, 9-0.
Reduce the number of members of the Youth Commission specified in Section 5-15 from 16 to 8.	Board of Selectmen	April 30, Declined, 9-0.
Amend Code to permit certain marketing of organizations and businesses with funds contributed.	Economic Development Commission	Feb. 26, Determined not Charter matter.
Amend Charter to have the Parking Authority (PA) report to the Economic Development Commission (PA still to be appointed by Selectmen).	Economic Development Commission	April 21, Declined, 8-0-1.
Change the terms of ZBA members and alternates from five years to four years.	Joe Shapiro	May 5, Declined, 6-3.
Amend Section 5-6 of the Charter (Conservation Commission) to be consistent with the fact that 2 alternate positions on that Commission were added by Town ordinance (Sec. 19-48).	Ellen Burns	April 30, Withdrawn by Ms. Burns.



Part 4: Explanation of Proposed Material Revisions

Article IV. Elections and Elective Officers

Section 4-5 to Prevent Running for Two Elective Offices at Once

The Charter Revision Commission received several requests to change the Charter to provide that a person cannot run for more than one office or seat on a board or commission in one municipal election. By way of background, several candidates appeared on the November 2017 ballot for two or more positions. After election results were tabulated, there was lack of clarity for several days on how to determine who won which seats. The Commission recommends eliminating future risk of this uncertainty by adding a new sentence to the end of Section 4-5. The proposed new text includes a qualification that it only applies where terms of office overlap because in certain Board of Appeals on Zoning (ZBA) election situations, two ZBA seats do not overlap.

The purpose of this new Charter provision is twofold. First, it will eliminate the potential for lack of clarity on election results that occurred in November 2017. Second, it will cure another deficiency perceived by the Commission, which is that permitting people to run for multiple offices means that if a person wins multiple seats but only fills one seat, then the remaining seat or seats that the candidate won are either filled by appointment or filled by awarding the seat to the candidate who garnered the second highest vote. This deprives voters of selecting the highest vote-getting candidates for those boards and commissions.

The July 27th letter (Appendix B) included certain text recommended by the Board of Selectmen for Section 4-5 of the Charter regarding a prohibition against running for more than one elective office in an election. The Board of Selectmen's recommended text deleted the language that prohibited running for more than one office only when the terms of such offices overlap. At its July 30th regular meeting, the Commission declined to follow the Board of Selectmen's recommendation to remove the language limiting the applicability of the prohibition to situations where the terms of office overlap.



When a person runs for two or more offices in the same election, the terms of those offices almost always overlap, and thus the text recommended by the Commission in the Draft Report would effectively prohibit running for two or more offices. However, the one board or commission that the Commission identified for which a person could run for two seats that would not overlap is the Board of Appeals on Zoning (ZBA), because the term of ZBA members and alternates is five years, which means that in each municipal election in an odd-numbered year, the Town's voters vote to fill one ZBA five-year term that begins two weeks after the election, and also vote to fill one ZBA five-year term that begins one year later. When there is a one year ZBA term to fill a vacancy followed by a five year full term, the terms of those two offices do not overlap.

Section 4-9 - Proposal to change the positions of Town Treasurer and Tax Collector from elective to appointive.

This change was proposed by Board of Selectmen in a February 5, 2018, letter to the Commission. It should be noted that their proposal included a change for the Town Clerk position as well, but following extensive deliberation and public comment, the Commission voted to not include the Town Clerk position in the proposed change from elective to appointive.

It was noted that data from the Connecticut Conference of Municipalities indicates that nearly 75% of the 169 Connecticut municipalities have elected Town Clerk positions. The other two positions are more evenly divided between appointive and elective statewide.

The majority in favor of the change determined that the Town Treasurer and Tax Collector are administrative positions (positions that discharge a policy set by others or follow existing guidelines), rather than policy-making positions. The latter would normally be elective; the



former, appointive. Appointment rather than election would enable the Town to establish appropriate professional and experiential qualifications and consider non-residents in order to ensure that the Town can hire the most qualified individuals.

Those Commissioners who opposed the change believed that the Commission should not make more positions appointive, which takes choice away from the voters.

The Town Clerk position is unique in that the position reports to the Secretary of the State and in-depth knowledge of the Town is important to its functions. Therefore, the position should be limited to residents and remain an elective position.

Section 4-11 - Proposal to create an independent Inland Wetlands Board

The proposal to separate the Inland Wetlands Board ("IWB") from the Planning and Zoning Commission generated the most public comment and arguably presented the most far-reaching policy choice. The establishment of an independent Inland Wetlands Board in Ridgefield has been proposed to previous Charter Revision Commissions (most recently in 2014), and each Commission has rejected the proposal.

Enacted in 1972, the Inland Wetlands and Watercourses Act mandated that each municipality establish an inland wetlands agency or authorize an existing board or commission to implement the provisions of State law. Ridgefield is one of only eight (of 169) municipalities in Connecticut that have a combined IWB and Planning and Zoning Commission.

The Charter Revision Commission voted 5-4 to establish a separate and independent Inland Wetlands Board for the following reasons:

1. The protection of inland wetlands and watercourses is of critical importance to the environment of Ridgefield – to mitigate storm water impacts, protect the groundwater supply,



and prevent downstream pollution. Conflicts between inland wetlands regulations and the goals of a particular development application under the zoning regulations are inevitable, and a combined Commission/Board must resolve this conflict.

2. A separate board would attract candidates with specific skills, knowledge, and interest in wetlands protection. Under the current structure, very little, if any attention is given to the Inland Wetlands part of the position during elections, and the ballot does not even state that the candidates are running for IWB in addition to Planning and Zoning.

3. The current combined structure creates an overconcentration of land use authority in one Board/Commission. Separating the wetlands board from Planning and Zoning would help establish checks and balances in the land use process.

Commission members supporting the separation believed the Ridgefield electorate should have the opportunity to make the final decision in November. Opponents of separation focused on the efficiency and effectiveness of the current structure.

Subsequently, dealing with the question of whether the independent IWB should be appointive or elective, the Charter Revision Commission voted 6-3 to make the IWB elective and voted 9-0 that it be a 7-member board with staggered terms, beginning in November 2019.

Article IX. Administrative Offices, Agencies and Employees

Relating to Terms of Office

The Board of Selectmen requested that the Commission examine Article IX of the Charter and consider revising the text to create consistent and appropriate length of terms of appointment for the officers and department heads described in that Article. Currently, Article IX establishes



varying terms of years, or indefinite terms, with different commencement and expiration dates for the designated officers and department heads.

Based upon its review of Article IX, and input from the First Selectman and Town staff, the Commission proposes amendments to Article IX that would eliminate terms of office for administrative officers and department heads unless a term of office for a particular administrative officer was established elsewhere in the Charter, mandated by state law, or provided for by contract. Instead, administrative officers and department heads would serve at the pleasure of the appointing authority. Unless otherwise provided by Charter, State statute, or contract, terms of office for appointed administrative officers and department heads that currently extend beyond January 1, 2019, will expire on January 1, 2019, but such appointed administrative officers and department heads shall continue to serve in their positions at the pleasure of the appointing authority.

The proposed revisions to Article IX would be in keeping with traditional high level and/or policy making employment structure in the executive branch of government and the private sector. In addition, the problems attendant to keeping current with the many different terms and varying commencement and termination dates would be eliminated.

Article X. Finance and Taxation

The Commission received requests from the Board of Selectmen and residents to review aspects of Section 10-1 Budget. These requests focused on resident input to the budget process, making the proposed budgets available to the public, and defining the permitted (by Charter) resident activity during the Annual Town and Budget Meeting. The Commission developed a few of its own objectives regarding Section 10-1 that focused on clarifying the authority of the Board of Finance over the annual budget process, providing for improved dissemination of budget information to residents, and clarifying when and how residents can



request reductions of budgets during the Annual Town and Budget Meeting. In response to this input, the Commission is recommending the following.

With input from various Town officials involved with preparing the budgets, the Commission added the concept of a “Master Budget Schedule,” produced by the Board of Finance to provide a calendar for the entire budget cycle. This calendar will identify key activities and define the data that is expected from the Board of Selectmen and Board of Education. The Master Budget Schedule will enable the Board of Finance to better fulfill its responsibilities as currently stated in the Charter: “The budgets shall be prepared in such a manner as the Board of Finance shall prescribe.”

To address the issue of disseminating information to residents, the Commission included a requirement that the proposed budgets (Board of Selectmen, Board of Education, Capital) be posted on the Town’s website prior to the Board of Finance’s public hearing and again prior to the Annual Town and Budget Meeting.

Regarding Annual Town and Budget Meeting issues, the Commission’s proposed wording clarifies that the Meeting can reduce/delete line items in the Board of Selectmen’s budget but can reduce only the total amount of the Board of Education budget.

The Commission added the requirement that at least 2% of the Town’s registered electors (approximately 365) must be present for the Meeting to have the power to decrease or delete any line item of the Board of Selectmen's budget and decrease as a whole the Board of Education's budget. There are two rationales for this change: (1) Encourage greater attendance at the Meeting, and (2) Recognize that these budgets have been developed over many months with considerable input and analysis and should not be susceptible to modification by a small group that might not be representative of the Town’s electors.



Article XI. Standards of Conduct

In the Draft Report, the Commission recommended entirely new text for Article XI, Standards of Conduct. As the Commission noted in the Draft Report, the Commission believed that the existing text of Article XI of the Charter “does not clearly and effectively outline objective standards of conduct to be observed by Town officials and employees, essential components of an ethics code.” The Commission remains of that belief.

The Board of Selectmen, in the July 27th letter (Appendix B), recommended an alternative approach to the entirely re-written Article XI recommended by the Commission. The Board of Selectmen recommended retention of the existing text of Article XI, Code of Conduct, followed by insertion of next text providing: “Article XI shall be deleted in its entirety upon adoption of an ordinance approved at a special Town Meeting. Article XI shall remain in full force until the passage of the ordinance referred to above.” The Commission voted to accept the recommendation provided that such ordinance be a standards of conduct ordinance.



Part 5: Proposed Charter Revisions by Charter Section

Proposed new language is inserted in **green**. Proposed deleted language is struck in **red**.

Article IV

Elections and Elective Officers

Section 4-1 **Elective offices, boards and commissions.**

[(6)(17)]

The following are the elective offices of the Town of Ridgefield: First Selectman, ~~Town Treasurer, Tax Collector~~, Town Clerk, and Registrars. The following are the elective boards and commissions of the Town of Ridgefield: Board of Selectmen, Board of Education, Planning and Zoning Commission, Inland Wetlands Board, Board of Appeals on Zoning, ~~Board of Tax Review~~, Board of Assessment Appeals, Board of Police Commissioners, and Board of Finance.

Section 4-5 **Eligibility for election to Town offices.**

[(2)(15)]

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.

No person shall be eligible to run for more than one elective office of the Town of Ridgefield at the same election where the terms of such offices overlap.



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 any other cause, the Board of Selectmen, within 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 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 any other cause, such board or commission, within 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 30 days, the Board of Selectmen shall fill the vacancy by majority vote. Within seven 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. **[(15)]**



Section 4-9 Election of Town Clerk.

[(15)(16)]

At each regular Town election there shall also be elected a Town Clerk ~~The Treasurer shall exercise the functions of the agent of public funds. Within 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.~~ The Town Clerk shall serve a term of four years and shall have the powers and duties provided by law.

Section 4-11 Planning and Zoning; ~~Inland Wetlands Board Commissions.~~

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 members to four-year terms with either four or five members elected every two years amending (this) Section **4-11**. Four members shall be elected in 1995 and every four years thereafter and five members shall be elected in 1997 and every four years thereafter. **[(11)]**

The functions and responsibilities of the Planning and Zoning Commission include the preparation and adoption of a Plan of Conservation and 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 Conservation and 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 Architectural Advisory Committee shall provide timely opinions and advice to the Planning and Zoning Commission for the purpose of assisting the Commission in its responsibility to ensure that the proposed exterior contained in applications pending before the Planning and



Zoning Commission – architectural designs and materials of buildings, structures and/or other construction, landscape and site plans, lighting, and signage – harmonize with the New England village character of Ridgefield, including the Village District, its constituent neighborhoods, and surrounding uses; protect property values; and preserve and improve the Town’s appearance and beauty. **[(17)]**

~~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 Sections 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 4-16 Inland Wetlands Board.

The Inland Wetlands Board shall be comprised of seven members each serving four year terms. Of the seven members first elected at the November 2019 general election, four members shall be elected for an initial term of four years and three members shall be elected for an initial term of two years. Thereafter, all members shall be elected for terms of four years.

In accordance with Section 4-3 of the Charter, the members of the Inland Wetlands Board first elected at the November 2019 general election shall take office on the date of the second Tuesday following their election. Until that date, the members of the Planning and Zoning Commission shall continue serving in the capacity of members of the Inland Wetlands Board pursuant to the authority granted in Section 4-11 and effective on that date the members of the Planning and Zoning Commission shall cease serving in such capacity.



The members of the Inland Wetlands Board shall choose a chairman from its members at its first organizational meeting and annually thereafter. The Inland Wetlands Board shall have such powers, duties, responsibilities and obligations as are prescribed from time to time by the Inland Wetlands and Watercourses Act, Sections 22a-36 through 22a-45, inclusive of the Connecticut General Statutes, as amended.

Within the limits of its appropriations, the Inland Wetlands Board, by a majority vote of its members, shall appoint an Inland Wetlands Agent and engage such other employees as are necessary for its work and may contract with professional consultants.

All new members of the Inland Wetlands Board shall, within one year of taking office, complete or provide proof of their prior completion of the statutorily required training program for inland wetlands agency members.

Section 4-1~~6~~7 **Additional elective boards and commissions.**

[(7)]

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.

Section 4-1~~7~~8 **Terms of office and transition.**

[(16)]

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-year interval shall continue to be as follows:



	Regular Town Election of 1991 and Quadrennially Thereafter	1993 and Quadrennially Thereafter
Board of Appeals on Zoning	1 + 1*	1 + 1*
Board of Appeals on Zoning – alternates	(as determined by successive five-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 4-189 Restriction on multiple elected offices.

[(15)]

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: Commission on the Aging, Architectural Advisory Committee, Building Code Board of Appeals, Conservation Commission, Commission for ~~the Disabled~~ Accessibility, Economic & Community Development Commission, Board of Ethics, Historic District Commission, Housing Authority, Parks and Recreation Commission, Pension Commission, Water Pollution Control Authority, and Youth Commission.

Annually, by January 31, all appointive boards shall submit a report on attendance at meetings held during the prior calendar year to the Town Clerk.

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.

Section 5-7 **Commission for ~~the Disabled~~ Accessibility.**

The Commission for ~~the Disabled~~ Accessibility shall consist of nine members appointed to staggered two-year terms. The Commission shall review the needs of ~~the Disabled~~ people with disabilities of the Town and recommend policies to the Board of Selectmen or other boards and commissions duly empowered to implement them. The Commission shall be authorized to file grant applications on behalf of the Town.

Section 5-8 **Economic & Community Development Commission.**

The Economic & Community Development Commission shall consist of seven members serving one-year terms. The Commission will seek to implement orderly and planned economic development in keeping with the character of the Town. The Commission will seek to involve all agencies, commissions, boards, and departments in the Town, which are involved in, or are affected by, economic development, as well as the residents of the Town, in its work to promote economic development.



Section 5-13 **Pension Commission.**

The Pension Commission shall consist of seven members serving ~~for~~ staggered three-year terms ending June 1. The Pension Commission shall be responsible for the administration, management, and oversight of the investment activities of those trusts that fund the retirement-related benefit programs for Town employees and elected officials, as are assigned from time to time to its purview by resolution of the Board of Selectmen. The Commission shall have powers and duties in accordance with the General Statutes and as enumerated in applicable ordinances and written Trust Agreements. ~~Two or three 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.~~

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, Town Treasurer, Tax Collector, 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.**

Except as otherwise set forth in this Charter, mandated by State law, or provided by contract, administrative officers and department heads shall be appointed in the manner as provided ~~for~~ an indefinite term and shall serve at the pleasure of the appointing authority. 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 at the pleasure of the appointing authority 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 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 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, may appoint and may remove or replace the Constables, whose total number shall not exceed seven ~~for a two-year term.~~ No more than three-quarters of the ~~five~~ Constables shall be from any one political party.

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.**

[(16)]

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.



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 ~~w~~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.



Section 9-17 Tax Collector.

The First Selectman, with approval of the Board of Selectmen, shall appoint a Tax Collector. The Tax Collector shall have the powers and duties prescribed by law.

Section 9-18 Town Treasurer.

The First Selectman, with approval of the Board of Selectmen, shall appoint a Town Treasurer. The Town Treasurer shall have the powers and duties prescribed by law.

Section 9-19 Transition; Effective Date

Except as otherwise set forth in this Charter, mandated by State statute, or provided by contract, all terms of office for appointed officers and department heads that currently extend beyond January 1, 2019 shall expire on January 1, 2019, and such appointed officers and department heads shall continue to serve at the pleasure of the appointing authority as provided in Section 9-2. The appointments of the Town Treasurer and the Tax Collector shall be effective at the end of the current terms of the duly elected current Town Treasurer and Tax Collector.

Article X

Finance and Taxation

Section 10-1 Budget.

- (a) Preparation of the budgets for the coming fiscal year. **[(17)]**

The Board of Finance, in consultation with the Board of Selectmen and Board of Education, shall prepare annually a Master Budget Schedule that sets forth (1) the budget formats and data, and (2) the key activities and dates for the annual budget cycle. The Master Budget Schedule is due to the First Selectman, Chairman of the Board of Education and Chairman of the Board of Finance no later than the first Monday in November of the calendar year preceding the coming fiscal year.



The Board of Finance shall receive from the Board of Selectmen and the Board of Education their respective proposed operating budgets in accordance with the Master Budget Schedule. ~~sufficient time for publication at least 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 operating budget in accordance with the Master Budget Schedule to allow sufficient time for review and nonbinding 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 operating budget.

The Board of Selectmen is responsible for the capital budget for the Town. All agencies of the Town, including the Board of Education, shall submit, in accordance with the Master Budget Schedule, their capital requests to the Board of Selectmen who will submit a consolidated capital budget request to the Board of Finance at the same time they submit their operating 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 budgets for the coming fiscal year. **[(17)]**

The Board of Finance shall hold a public hearing on the proposed budgets on or before the last weekday in March. At least ten days before such hearing, ~~p~~Printed copies of the proposed budgets shall be available at the office of the Town Clerk and at such other locations as the Board may prescribe and shall be posted on the Town's website. At least four days prior to ~~48 hours in advance of~~ said hearing, the proposed budgets ~~and~~ shall be published in a newspaper having a general circulation in the



Town ~~at least seven 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 public comment, 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 and the Board of Education by the Board of Finance shall be limited to the budgets as a whole ~~rather than from the limited viewpoint of any one department~~ and shall not address specific items. The Board of Finance may eliminate any proposed capital item, reduce any proposed capital item, and, with the concurrence of the Board of Selectmen, increase any capital item.

- (c) ~~Budget~~ Presentation of the budgets 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. If the number of qualified voters present at the start of the Meeting is equal to or greater than two percent (2%) of the registered Town electors ~~The Meeting~~ shall have the power to decrease or delete any line item of the Board of Selectmen's budget and decrease as a whole without regard to any specific line item the Board of Education's budget, but it may not increase or add to any line item or establish any additional line item of either budget.

~~Approval of the budget shall be by machine voting at a referendum as set forth in Section 10-1(d).~~ At least ten days before such meeting, printed c~~opies~~ of the proposed budgets shall be available ~~10 days before such meeting~~ at the office of the Town Clerk and elsewhere as the Board of Finance may prescribe and shall be posted on the Town's website. At least four days prior to the Meeting, the



proposed budgets, shall be published in a newspaper having general circulation in the Town ~~at least 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)**.

Approval of the budget shall be by machine voting at a 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 nor more than 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 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 operating appropriation, the agency shall seek the endorsement of the Board of Selectmen in writing of the sum needed. Within 15 days thereafter, any endorsed request shall be forwarded by the Board of Selectmen to the Board of Finance for action. **[(17)]**

In the event that the Board of Education determines that it requires an additional operating 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. **[(17)]**

In the event any Town Agency, including the Board of Education, requires an additional appropriation for a capital expense, the agency shall seek the endorsement of the Board of Selectmen in writing of the sum needed. Within 15 days thereafter, any endorsed request shall be forwarded by the Board of Selectmen to the Board of Finance for action. **[(17)]**

The Board of Finance shall consider and act upon such requests not more than 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 \$50,000 cumulative. **[(17)]**



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 \$250,000 in aggregate to all requesting agencies in any fiscal year. **[(17)]**

All other additional appropriations requested by Town agencies that are less than \$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 \$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 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 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 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 nonrecurring 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 days of receipt of a request from the Board of Selectmen for a recommendation.

(d) Appropriations or transfers of unexpended capital project balances shall be determined by the Board of Selectmen in consultation with the Board of Finance. In accordance with General Statutes, such funds may be used for payment of debt servicing, payment of approved capital projects, payment into the general fund, or payment into the Capital Reserve Fund per Section 10-2 (c).

~~(d)~~(e) 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.

~~(e)~~(f) 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.



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.



A request 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)(17)]

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.

[(4)(17)]

Officials and employees may 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 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 personal 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.

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 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 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 60 days of receipt of the complaint, absent extension as agreed to by the necessary parties. 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 official or employee whose conduct is under investigation requests that the investigation be made public. The official 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 official 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 official or employee has violated any provision of Article XI shall require four concurring votes of the Board. [(17)]

The Board shall not later than 31 days after the hearing deliver to the official 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. [(17)]

The Board shall render advisory opinions to any officer or employee who requests such an opinion in writing regarding his/her 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.

[(12)]

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



Article XI shall be deleted in its entirety upon the adoption of a standards of conduct ordinance to be approved at a Special Town Meeting. Article XI shall remain in full force and effect until the passage of the ordinance referred to above.

Effective Date

Except as otherwise provided herein, the Charter changes set forth shall be effective upon their adoption by the voters of the Town of Ridgefield at the November 6, 2018 general election.



Appendix A: Cross Reference to Minutes

Description of Charter Revision Proposal Under Discussion	Date and Page References in Minutes and for Votes
Section 4-5 to Prevent Running for Two Elective Offices at Once	Jan. 8 Public Hearing, p. 3; Jan. 8, pp. 2-3; Jan. 29, p. 6; Feb. 12, pp. 8-9; Feb. 26, p. 5; April 21, p. 8; May 5, pp. 4-5 (vote).
Section 4-9 – Proposal to change the position of Town Treasurer and Tax Collector from elective to appointive	Jan. 29, pp. 1-3; Feb. 12, pp. 5-6; Feb. 26, pp. 8, 9; April 21, p. 13; April 30, pp. 7-11 (vote); May 5, pp. 2-4 (vote).
Section 4-11 – Proposal to Create an Independent Inland Wetlands Board	Jan. 8 Public Hearing, p. 3; Jan. 29, p. 5; March 12, pp. 2-8; April 9, pp. 1-13; April 21, pp. 2-8 (vote); May 5, pp. 13-17 (vote); May 29, pp. 3-5 (vote).
Article IX, Administrative Offices, Agencies and Employees, Related to Terms of Office	April 21, pp. 14-15; April 30, p. 13; May 5, p. 9; May 29, pp. 8-9 (vote).
Article X Finance and Taxation	Jan. 29, pp. 3-4; Feb. 12, p. 2; April 9, p. 15; April 30, pp. 4-5; May 5, pp. 5-8, 10; May 29, pp. 5-7; June 7, pp. 1-3, 3-7 (vote), 9-10.
Article XI Standards of Conduct	Feb. 12, p. 7; March 12, p. 9; May 5, pp. 10-11; May 29, pp. 1-3; June 7, pp. 7-8 (vote).

Note: All date and page references in the above table are references to Minutes of Regular and Special Meetings of the Charter Revision Commission, except where it is specifically noted above that it is a reference to a Public Hearing held by the Charter Revision Commission.



Appendix B: July 27th Letter from First Selectman to Chair of the Commission



TOWN OF RIDGEFIELD Office of the First Selectman

July 27, 2018

Mr. Jonathan Seem, Chairman
Ridgefield Charter Revision Commission
Five Great Hill Road
Ridgefield, CT 06877

Dear Jon:

At its special meeting on July 25, 2018, the Board of Selectmen voted to submit the following recommendations in response to the Charter Revision Commission Draft Report. We have numbered the CRC proposed changes and hereby respond to them in numerical order (see attached CRC "Outline of Approved Revision Proposals").

1. Section 4-5:

Proposed additional language be revised, as follows:

"No person shall be eligible to run for more than one elective office of the Town of Ridgefield at the same election."

2. Section 10-1(a), (b) and (c):

The new language of Section 10-1(a) and (b) be approved as proposed. Subsection (c) be revised, as follows:

(c) Presentation of the budgets at Annual Town and Budget Meeting.

- (1) 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. If the number of qualified voters present at the start of the Meeting is equal to or greater than two percent (2%) of the registered Town electors the Meeting shall have the power to decrease or delete any line item of the Board of Selectmen's budget and decrease as a whole without regard to any specific line item of the Board of Education's budget, but it may not increase or add to any line item or establish any additional line item of either budget.
- (2) At least ten days before such meeting, printed copies of the proposed budgets shall be available at the office of the Town Clerk and elsewhere as the Board of Finance may prescribe and shall be posted on the Town's website. At least four days prior to the

400 Main Street • Ridgefield, CT 06877
Phone: (203) 431-2774 • Fax: (203) 431-2311 • selectman@ridgefieldct.org

www.ridgefieldct.org



Meeting, the proposed budgets shall be published in a newspaper having general circulation in the Town.

Mr. Jonathan Seem

July 27, 2018

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- (3) 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). Any reference to "minimum numbers of qualified voters" shall not apply to this subparagraph (c)(3). Approval of the budget shall be by machine voting at a referendum as set forth in Section 10-1(d).
3. The Board of Selectmen agrees with the draft of the CRC as submitted.
4. The Board of Selectmen agrees with the draft of the CRC as submitted.
5. The Board of Selectmen agrees with the draft of the CRC as submitted.
6. The Board of Selectmen agrees with the draft of the CRC as submitted.
7. Add at the end of Article XI, "Article XI shall be deleted in its entirety upon the adoption of an ordinance to be approved at a special Town Meeting. Article XI shall remain in full force until the passage of the ordinance referred to above".
8. Amend Article 10-2(d) to read, "Appropriations or transfers of unexpended capital project balances shall be determined by the Board of Selectmen in consultation with the Board of Finance. In accordance with General Statutes, such funds may be used for payment of debt servicing, payment of approved capital projects, payment into the general fund, or payment into the Capital Reserve Fund per Section 10-2(c).
9. The Board of Selectmen has reviewed the recommendation from the CRC and suggests additional language be added to the election ballot clarifying the multiple roles as a Planning & Zoning, Inland Wetlands, Aquifer Protection Commissioner. In addition, the Board of Selectmen would like P&Z/IWB/Aquifer Protection Commissioners receive training specific to inland wetlands regulations.
10. The Board of Selectmen agrees with the draft of the CRC as submitted.



11. The Board of Selectmen agrees with the draft of the CRC as submitted.

Mr. Jonathan Seem

July 27, 2018

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12. The Board of Selectmen agrees with the draft of the CRC as submitted.

13. The Board of Selectmen recommends an additional technical change not included in the Draft Report— Section 4-1, "Board of Tax Review" should be changed to "Board of Assessment Appeals".

We appreciate all the efforts of the Charter Revision Commission and request that you review this list of suggested changes and look forward to receiving the final report.

Sincerely yours,

Rudy Marconi
First Selectman



Part 1: Outline of Approved Revision Proposals.

Provide that a person cannot run for more than one office or board/commission seat in a municipal election.	Barbara Serfilippi, Board of Selectmen, Michael Raduazzo, Joe Savino	May 5, Approved, 9-0.	Governance
Proposal that Article X, Section 10-1 (a), (b) and (c) be clarified as to the timing and process of budgets.	Bill Davidson	June 7, Approved, 7-2	Governance
If a ballot position remains vacant, the vacancy protocol should follow Section 4-7 for vacancies, subject to minority representation adherence.	Board of Selectmen	May 5, Approved, 8-1.	Governance
Make the office of Town Treasurer appointive rather than elective.	Board of Selectmen	May 5, Approved, 5-4.	Governance
Make the offices of Tax Collector appointive rather than elective.	Board of Selectmen	May 5, Approved, 5-4.	Governance
Address inconsistencies in length of terms for all appointive positions in Article IX.	Board of Selectmen	May 29, Approved, 9-0.	Governance
Adopt standard language from other municipalities to Article 11 of the Charter to clarify Standards of Conduct.	Lester Steinman	June 7, Approved, 9-0	Governance
Define in the Charter what is to be done with capital closeout funds, and whether decisions regarding capital closeout funds should be the responsibility of the Board of Selectmen or the Board of Finance.	Dave Ulmer	May 29, Approved, 9-0.	Governance
Separate the Inland Wetlands Board (IWB) from the Planning and Zoning Commission (PZC), and provide that members of the Inland Wetlands Board be appointed.	Ridgefield Conservation Commission and many individuals	Separate IWB and PZC approved April 21, by 5-4. IWB being elective approved May 5, by 6-3. Seven members, 4-years staggered terms approved May 29, by 9-0.	Boards & Commissions
Revise town's Code and Charter to change the name of the Economic Development Commission to the Economic & Community Development Commission.	Economic Development Commission	April 21, Approved, 9-0.	Boards & Commissions
Amend Sections 5-1 and 5-7 of Charter to change name of Commission for the Disabled to "Commission for Accessibility" and to change text in Section 5-7 from "the disabled" to "people with disabilities".	Commission for the Disabled	May 29, Approved, 5-3-1.	Boards & Commissions
Amend Section 4-11 of the Charter by changing "plan of development" to "Plan of Conservation and Development".	Ellen Burns	May 29, Approved, 9-0.	Boards & Commissions