[HISTORY: Adopted 11-6-1973; amended 11-4-1975. Subsequent amendments noted where applicable.]

ARTICLE I, Incorporation and General Powers

§ C1-1. Incorporation.

All the inhabitants dwelling within the territorial limits of the Town of Bethel, as heretofore constituted, shall continue to be a body politic and corporate under the name of the "Town of Bethel" (hereinafter in this Charter called the "town") and hold and exercise all powers and privileges heretofore exercised by said town and not inconsistent with the provisions of this Charter, the additional powers and privileges herein conferred and all powers and privileges conferred upon towns under the general law of the State of Connecticut.

§ C1-2. 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, and the town shall continue to be liable for all debts and obligations of every kind for which the town shall be liable on said date, whether accrued or not. 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 Board of Selectmen of said town.

§ C1-3. General Grant of Powers. [Amended 11-6-1984]

In addition to all powers which are or may be possessed by the town or granted to it under the State Constitution and under the Connecticut General Statutes, 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 or other states or political subdivisions, 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 Article of this Charter shall not be construed as limiting this general grant of power but shall be considered as an addition thereto.

ARTICLE II, Elections and Offices

§ C2-1. State and Federal Officers. [Amended 11-4-2003]

Nominations and elections of state and federal officers, judge of probate, justices of the peace and registrars of voters shall be conducted as prescribed by the Connecticut General Statutes. The Registrars of Voters shall prepare lists of electors qualified to vote therefore in the manner prescribed in the Constitution and the general laws of the State of Connecticut.

§ C2-2. Town Officers.

The election of the town officers listed in Article III of this Charter shall take place at the regular town elections on the first Tuesday after the first Monday in November of each odd-numbered year.

§ C2-3. Minority Representation.

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Minority representation on any elective board or commission of the town shall be determined in accordance with the provisions of Section 9-167a of the Connecticut General Statutes, except in the case of a five-member board or commission where the maximum number of members of any such board or commission from the same political party shall be three. The maximum number of any elective board or commission who may be members of the same political party shall be as specified in the following table.

Total Membership	Maximum From One Party
3	2
4	3
5	3
6	4
7	5
8	5
9	6
More than 9	2/3 of total membership

§ C2-4. Tied and Contested Elections.

When any regular or special municipal election, primary election or referendum conducted pursuant to the provisions of this Charter results in a tie, an adjourned election shall be conducted in accordance with the provisions of Section 9-332 of the Connecticut General Statutes, as amended, to determine who shall be elected or, in the case of a question at referendum, whether it shall be accepted or rejected; provided, however, that this provision shall not apply to questions at referendum which, under the provisions of this Charter or of the Connecticut General Statutes, require a minimum number of electors voting in favor of such questions in the event that the number of electors voting in favor of such question does not equal the said minimum number required by such provision.

§ C2-5. Eligibility for Office.

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

B. No employee of the town may serve on any town agency, board or commission if such agency, board or commission exercises direct supervision or has responsibility for direct supervision over the employee. Nor may any town employee serve on the Board of Finance, Planning and Zoning Commission, Zoning Board of Appeal, or Inland Wetlands Commission, except as an ex officio member as a result of membership on the Board of Selectmen. [Added 11-4-2003]

ARTICLE III, Elected Officers.

§ C3-1. General Powers and Duties.

Except as otherwise provided in this Charter, all elective town officers, boards and commissions shall have the powers and duties prescribed by law.

§ C3-2. Terms in Office. [Amended 11-7-1978; 11-6-1984; 11-4-2003]

The terms of office of all elected officers and board and commission members, including the Town Clerk, shall commence on the first Monday of December next succeeding their election. In no case shall the term of any elective town officer expire before the election and qualification of his successor.

§ C3-3. Vacancies.

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A. The Board of Selectmen shall fill by appointment a vacancy in an elective town office within sixty (60) days from the time that the Board receives notice of Vacancy From the Town Clerk or within sixty (60) days of the effective date of the vacancy, whichever date is later, except as otherwise provided in this Charter. Any elected official of the Town desiring to resign from his or her office, except the Town Clerk, shall submit his or her written resignation to the Town Clerk; and in the case of the Town Clerk, to the Board of Selectmen. If such elected official is a member of a Board or Commission, a copy of the written notice of resignation shall be given by the elected official to the Chairman of the Board or Commission in addition to the Town Clerk which Chairman shall also notify the Town Clerk of such resignation forthwith. Upon receipt of a notice of resignation, the Town Clerk shall immediately notify the Board of Selectmen of such resignation by forwarding a true copy of the written notice of resignation to the Board of Selectmen. Any such resignation shall become effective and the elected office shall be vacant upon the date specified therein or, if no date is specified, upon the date it is received by the Town Clerk. If such vacancy has not been filled by the Board of Selectmen within said sixty (60) days, and the vacancy is of a member of a board or commission, the remaining members of such board or commission shall fill such vacancy. [Amended 11-6-1984; 11-4-2003]

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B. In the event of the disability or vacancy in the office of Town Treasurer, the Board of Finance shall appoint a qualified person to serve as Acting Town Treasurer until the Board of Selectmen has made an appointment to that office.

C. Vacancies on the Board of Selectmen shall be filled in the manner prescribed by the Connecticut General Statutes.

D. When a person vacating an 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.

E. An appointee to a vacancy in an elective office shall serve until a successor elected at a special election or at the next regular town election qualifies. A person elected at either a special election or a regular town election to fill an unexpired term shall serve the remainder of the term.

§ C3-4. Board of Selectmen.

A. There shall be a three-member Board of Selectmen consisting of a First Selectman and two (2) Selectmen, all of whom shall be elected at the regular biennial town election.

B. The candidate for First Selectman receiving the highest number of votes for said office shall be declared elected First Selectman. The candidates, including the unsuccessful candidate for the office of First Selectman, receiving the next two (2) highest number of votes shall be declared elected Selectmen.

§ C3-5. Board of Finance. [Amended 11-7-1978; 11-6-1984; 11-4-2003]

The Board of Finance shall consist of seven (7) members, each of whom is elected for a term of four (4) years. The members shall serve overlapping terms. At each regular town election thereafter, there shall be elected sufficient members to succeed each member whose term shall expire and to comply otherwise with this Charter.

§ C3-6. Board of Education. [Amended 11-7-1978; 11-6-1984]

The Board of Education shall consist of nine (9) members, each of whom is elected for a term of four (4) years. The provisions of 1983 Public Act 401 are hereby adopted as follows: at each regular town election, each political party shall have the right to nominate as many persons to run for the Board of Education as there are vacancies on said board, and those names shall be placed upon the ballot; each elector may vote for the number of vacancies and the persons receiving the greatest number of votes shall be elected, except that when the number of members of any one political party who would be elected without regard to Section 9-167a of the Connecticut General Statutes exceeds the maximum number as determined by said Section 9-167a, then only the candidates of such political party with the highest number of votes up to the limit of such maximum shall be elected, and the next highest ranking candidates, not from such political party, shall be elected, up to the number of places to be filled in such election.

§ C3-7. Board of Assessment Appeals. [Amended 11-6-1984; 11-4-2003]

The Board of Assessment Appeals shall consist of three (3) members, each of whom is elected for a term of two (2) years.

§ C3-8. Planning and Zoning Commission. [Amended 11-7-1978; 11-6-1984; 11-4-2003]

The Planning and Zoning Commission shall consist of seven (7) members, each of whom is elected for a term of four (4) years. The members shall serve overlapping terms. At each regular town election there shall be elected sufficient members to succeed each member whose term shall expire.

§ C3-9. Planning and Zoning Commission Alternates. [Amended 11-6-1984]

The Planning and Zoning Commission alternates shall consist of three (3) members, each of whom is elected for a term of four (4) years. The members shall serve overlapping terms. At each regular town election there shall be elected sufficient members to succeed each member whose term shall expire.

§ C3-10. Zoning Board of Appeals. [Amended 11-6-1984; 11-4-2003]

The Zoning Board of Appeals shall consist of five (5) members, each of whom is elected for a term of four (4) years. The members shall serve overlapping terms. At each regular town election there shall be elected sufficient members to succeed each member whose term shall expired.

§ C3-11. Zoning Board of Appeals Alternates. [Amended 11-6-1984; 11-4-2003]

The Zoning Board of Appeals alternates shall consist of three (3) members, each of whom is elected for a term of four (4) years. The members shall serve overlapping terms. At each regular town election there shall be elected sufficient members to succeed each member whose term shall expired.

§ C3-12. Town Clerk.

Beginning with the regular town election in 2009, there shall be elected a Town Clerk who shall serve a four (4) year term. The Town Clerk shall be an officer of the town who shall have the powers and duties prescribed by law.

§ C3-13. Town Treasurer. [Amended 11-6-1984; 11-4-2003]

At each regular town election there shall be elected a Town Treasurer, an Officer of the town, who shall have the powers and duties prescribed by law. The Town Treasurer shall be responsible for the prompt deposit of funds and shall supervise the investment and expenditure of all town funds.

§ C3-14. Inland Wetlands Commission. [Added 11-7-1989]

A. The Inland Wetlands Commission shall consist of five (5) members. The members shall serve overlapping terms. At each municipal election there shall be elected for terms of four (4) years a sufficient number of Commissioners to succeed each Commissioner whose term shall expired. [Amended 11-4-2003]

B. The Inland Wetlands Commission shall possess all the powers and administer its duties as prescribed by law, including but not limited to the Connecticut General Statutes, this Charter, special acts, local ordinances and specifically including Chapter 115 in the Code of the Town of Bethel, entitled "Wetlands and Watercourses," as amended.

§ C3-15. Inland Wetlands Commission alternates. [Added 11-7-1989; Amended 11-4-2003]

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The Inland Wetlands Commission alternates shall consist of two (2) members whose terms shall be overlapping. At each municipal election thereafter, there shall be elected one (1) alternate Commissioner for a term of four (4) years to succeed the alternate Commissioner whose term shall expire.

§ C3-16. Police Commission. [Added 11-7-1989; Amended 11-4-2003]

A. The Police Commission shall consist of five (5) members each of whom shall be elected for a term of four (4) years. The five (5) Commissioners shall serve overlapping terms. At each municipal election there shall be elected a sufficient number of Commissioners to succeed each Commissioner whose term shall expired.

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B. Except as otherwise provided in this Charter, said Commission shall have the Powers, duties and authority conferred or imposed upon it by local ordinance, special acts or by the General Statutes of the State of Connecticut, or by this Charter, including but not limited to being the sole and exclusive traffic authority in the town; having the authority and duty to prepare an annual budget and to submit the same to the Board of Selectmen; and having the authority to hire police officers, with the exception of the Chief of Police. Said Commission shall be the sole authority to make policy for the Police Department.

ARTICLE IV, Board of Selectmen

§ C4-1. Composition.

A. There shall be a three-member Board of Selectmen consisting of a First Selectman and two (2) Selectmen, who shall be elected as this Charter so provides.

B. No member of the Board of Selectmen serving his term of office shall hold or be appointed to any other office in the government of the town except as hereinafter provided. [Amended 11-4-2003]

§ C4-2. Meetings and Procedures.

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A. At the first meeting following its election, the Board of Selectmen shall fix the schedule of its regular meeting dates and times. The Board of Selectmen shall hold no less than one (1) regularly scheduled meeting per month at a time mutually convenient to all members.

B. Special meetings may be called at any time by the First Selectman or by any two (2) Selectmen on 24 hours' written notice. Two (2) members shall constitute a quorum for the transaction of business at any regularly scheduled meeting or special meeting, except as otherwise herein provided. [Amended 11-6-1984]

C. A majority of the votes cast at a meeting, at which a quorum is present at the time of the vote, shall constitute the act of the Board of Selectmen unless a greater vote is required by the Connecticut General Statutes or the Charter.

D. Minutes of each meeting shall be taken and shall include the attendance of each member and the vote of each member on all items of business before the meeting.

§ C4-3. Duties and Responsibilities.

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A. The Board of Selectmen shall direct and supervise the affairs of the town and be responsible for coordinating the activities of the officers, boards, commissions and other agencies of the town.

B. The Board of Selectmen shall have all the powers, duties and responsibilities conferred upon it by this Charter or the Connecticut General Statutes and all powers proper, incidental or convenient to their exercise.

C. Except as otherwise provided in this Charter, the Board of Selectmen shall have all the powers, duties and responsibilities heretofore and hereafter conferred upon Boards of Selectmen by an applicable special act or ordinance.

§ C4-4. Power to Enact Ordinances.

A. The Board of Selectmen shall have the legislative power to enact ordinances consistent with the Connecticut General Statutes and the Charter on any matter which the Connecticut General Statutes or this Charter direct to be legislated by ordinance and in general for the preservation of the good order, health, welfare and safety of the town and its inhabitants. "Enact" or "enactment," as used in this Article, includes the adoption, amendment or repeal of an ordinance passed by the Board of Selectmen.

B. At least one (1) public hearing shall be held by the Board of Selectmen before the enactment of any proposed ordinance. Notice of a hearing shall be given by publication of the full text of the proposed ordinance in the form of a legal advertisement appearing in a newspaper having a general circulation in the town, not less than ten (10) days before the date of such hearing.

C. The Board of Selectmen shall take action on the proposed ordinance within thirty (30) days after the public hearing.

D. The synopsis of an ordinance as enacted and its effective date shall be published in the form of a legal advertisement appearing in a newspaper having a general circulation in the town. Notice shall be given within ten (10) days after enactment by the Board of Selectmen. Every ordinance, after enactment, shall be recorded by the Town Clerk in a book to be kept for that purpose. When substantial changes are made in an ordinance following the public hearing, the full text of such ordinance may be published at the discretion of the Board of Selectmen. [Amended 11-7-1978; 11-6-1984]

E. Every ordinance shall become effective on the 31st day after publication, unless procedure to overrule such ordinance is initiated in accordance with § C6-5 or C6-7 of this Charter. [Amended 11-7-1978; 11-6-1984]

F. Upon affirmative vote of at least two (2) members, the Board of Selectmen may correct technical errors in ordinances. For purposes of this section, a technical error occurs wherever in the language of the ordinance or resolution, as adopted, material was included or omitted when obviously not intended, or material was included in a form obviously not intended. Such correction shall in no event alter the substance of such ordinance or resolution. The correction as made by the Board of Selectmen shall forthwith be published, and fifteen (15) days thereafter, the corrected ordinance or resolution shall go into full force and effect.

§ C4-5. Power to Enact Emergency Ordinances.

A. On a declaration by the Board of Selectmen that a state of public emergency exists endangering the lives, health or property of citizens, the Board of Selectmen may enact ordinances to meet such emergency. No public hearing shall be required for emergency ordinances. Emergency ordinances shall become effective immediately and shall be published in a newspaper having a general circulation in the town as soon as possible thereafter.

B. Forthwith the Board of Selectmen shall call a Special Town Meeting to affirm or repeal all those emergency ordinances passed, unless said Board shall have previously declared such ordinances no longer valid.

§ C4-6. Advisory Questions. [Added 11-7-1989; Amended 11-4-2003]

A. The Board of Selectmen shall have the power to place local non-binding advisory questions on the ballot of any municipal election, as defined by Section 9-1(h) of the Connecticut General Statutes, as amended, and upon the holding of any referendum as defined by Section 9-1(n)(2) and (3) of the Connecticut General Statutes, as amended, or the Budget Referendum as set forth in § C6-3B hereafter.

B. Local non-binding advisory questions shall conform to those requirements as set forth in Section 9-369 of the Connecticut General Statutes, as amended, and shall be limited to a yes or no vote.

C. Local non-binding advisory questions placed on the ballot of a municipal election shall comply with the provisions of Section 9-369 of the Connecticut General Statutes, as amended, and shall be submitted in their entirety to the Clerk of the municipality at least sixty (60) days prior to the date of the municipal election.

D. Local non-binding advisory questions being presented in a referendum, as defined in Subsection A herein, shall comply with Section 9-369c of the Connecticut General Statutes, as amended, and shall be submitted in their entirety to the Clerk of the municipality at least 14 days prior to such referendum.

§ C4-7. Additional Powers. [Amended 11-7-1989]

A. The Board of Selectmen shall have the power to lease real or personal property of the town.

B. The Board of Selectmen may accept as a public highway any street or highway situated in the town after said street or highway has been submitted to the Planning and Zoning Commission for a report and also upon the written approval of the Town Engineer.

C. The Board of Selectmen shall institute, prosecute, defend or compromise any legal action or proceeding by or against the town.

D. The Board of Selectmen shall incur indebtedness in the name of the town and provide for the due execution of contracts and evidences of indebtedness issued by the town.

E. The Board of Selectmen shall make such appointments as specified in this Charter. It shall fill vacancies in elective and appointive offices as specified in this Charter.

F. The Board of Selectmen may 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.

G. Subject to the provisions of Article VI and X of this Charter as applicable, the Board of Selectmen shall be solely responsible for undertaking capital improvement projects on behalf of the Town.

H. The Board of Selectmen shall have such other powers and duties as are provided for Boards of Selectmen by the Connecticut General Statutes and this Charter and may exercise any of the powers conferred on towns by Section 7-194 of the Connecticut General Statutes to the extent that such powers are not otherwise granted or limited by this Charter.

ARTICLE V, First Selectman

§ C5-1. Nature of Office.

A. The First Selectman shall have all powers, duties and responsibilities conferred upon that office by the Connecticut General Statutes, applicable Special Acts, ordinances and by this Charter and shall perform all the functions of that office. The First Selectman shall be the chief administrative and executive officer of the town.

B. The First Selectman shall be the official head of the town for all ceremonial purposes, for military purposes and for the purpose of serving civil process.

C. The First Selectman shall be a full voting and participating member of the Board of Selectmen and, when present, shall preside over the meeting of the Board of Selectmen.

D. The First Selectman shall be an ex officio member of all boards, commissions and committees of the town. [Amended 11-6-1984; 11-4-2003]

E. The First Selectman shall be the permanent chairman of the Procurement Committee as set forth in C8-13 C. (4)(ii)

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§ C5-2. Duties.

A. The First Selectman shall be responsible for the execution and carrying out of ordinances, resolutions, policies and other actions voted by the Board of Selectmen or the legislative body of the town.

B. The First Selectman shall be responsible for coordinating the administration of the agencies, boards and commissions of the town, except those functions expressly reserved or delegated to such agencies by law.

C. The First Selectman shall be responsible for a continuous review of the current and future needs of the town, including the financial needs and budget requirement.

D. The First Selectman shall contract for any services and contracts to purchase any supplies, equipment and other commodities required by any town agency, except the Board of Finance and the Board of Education.

E. The First Selectman shall be responsible for the administrative and personnel policies for town offices and employees as established by the Board of Selectmen, but excluding Board of Education Employees.

F. The First Selectman shall coordinate and guide the Board of Selectmen in the discharge of all the Board's duties and responsibilities.

G. The First Selectman shall directly, or by designee, have responsibility for all negotiations relative to employment contracts between the Town and employees of the Town, but excluding the Board of Education. [Added 11-4-2003]

§ C5-3. Delegation of Duties.

The First Selectman may assign and delegate his duties and powers to other Selectmen and to officers responsible to him or the Board of Selectmen.

§ C5-4. Acting First Selectman.

A. At the first meeting of the newly elected Board of Selectmen held after a regular biennial election, the Board of Selectmen shall elect one (1) of the Selectmen to function as Acting First Selectman in the absence of the First Selectman. [Amended 11-6-1984]

B. The Acting First Selectman shall have all the powers, duties and responsibilities listed in §§ C5-1, C5-2 and C5-3 of this Charter and shall serve:

(1) When so instructed in writing by the First Selectman to serve during his temporary absence. The First Selectman shall notify the Town Clerk in writing of the effective date of this appointment.

(2) Automatically, in the event that the First Selectman shall be absent from his office for more than thirty (30) days.

(3) Whenever the Board of Selectmen shall declare that an emergency exists and the First Selectman cannot be reached.

(4) When a vacancy occurs in the office of First Selectman. If such vacancy occurs more than 180 days prior to the next regular Town Election, a special election shall be held forthwith under the Connecticut General Statutes to fill the vacancy in the office of First Selectman.

C. Compensation for service by an Acting First Selectman shall be determined by the Board of Finance.

ARTICLE VI, Town Meeting

Deleted: E. . Until the first Monday in December, 2005, the First Selectman shall be the permanent Chairman of the Police Commission. The First Selectman shall have no voting rights on said Commission except in the event of a tie. In such event, the First Selectman shall vote in order to break the tie vote. [Added 11-7-1989; Amended 2003]¶
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§ C6-1. Composition.

A. The legislative powers of the town shall be vested in the Town Meeting as provided by this Article and in the Board of Selectmen as specified in § C4.4 of this Charter.

B. The members of the Town Meeting shall be the electors of the town and all other persons entitled to vote at the Town Meeting as provided by the Connecticut General Statutes.

C. The Town Meeting shall be convened as the Annual Town Budget Meeting and Budget Referendum or as a Special Town Meeting. Special Town Meetings may be called by the Board of Selectmen when required under the terms of this Charter and in the manner provided by the Connecticut General Statutes. [Amended 11-6-1984; 11-7-1989]

§ C6-2. Procedure. [Amended 11-7-1978; 11-6-1984]

The official rules for procedure for any Town Meeting shall be Robert's Rules of Order.

§ C6-3. Annual Town Budget Meeting. [Amended 11-6-1984, 11-7-1989]

A. Annual Town Budget Meeting.

(1) The Annual Town Budget Meeting shall be held on one (1) of the first seven (7) days of May, at the discretion of the Board of Selectmen, with publications and notices required by law. The date for such meeting shall be scheduled by said Board by January 15 of each year.

(2) Said Budget Meeting shall have the power to reduce, or approve any portion of the proposed budget recommended by the Board of Finance pursuant to C 10-2.F. for final approval by the Budget Referendum as hereinafter set forth.

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(3) Said Budget Meeting shall not have the power to increase the proposed budget or any portion thereof, as approved, or deemed to have been approved by the Board of Finance.

(4) In the event that the Budget Meeting shall fail to approve the proposed budget for submission to the Budget Referendum at its first session, any portions so approved shall be deemed approved for any future sessions of the Budget Meeting prior to the Budget Referendum. In the event and to the extent that the Budget Meeting does not approve the proposed budget as submitted or revised, said Budget Meeting shall be recessed and reconvened the next business day, excluding Saturdays, Sundays and legal holidays, until the proposed budget is approved by the Budget Meeting.

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(5) When the proposed budget has been approved as submitted or revised, the Budget Meeting shall automatically be adjourned for final vote and approval by the Budget Referendum.

B. Budget Referendum.

(1) The Budget Referendum shall be by machine vote not less than seven (7) nor more than fifteen (15) days, excluding Saturdays, Sundays and legal holidays, from the date of approval by the Budget Meeting. The Budget Meeting shall set the date of the Budget Referendum and the Board of Selectmen shall set the hours and designate the place for the Budget Referendum. Notice of the same shall be given in the manner provided by law.

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(2) There shall be two (2) questions presented at the Budget Referendum, one on the acceptance or rejection of the Town Operating Budget, and one on the acceptance or rejection of the Board of Education Budget. The proposed Town Operating Budget shall be approved as a whole by a majority of those voting who are lawfully entitled to vote or rejected as a whole by a majority of those voting who are lawfully entitled to vote. The Board of Education Budget shall be approved as a whole by a majority of those voting who are lawfully entitled to vote or rejected as a whole by a majority of those voting who are lawfully entitled to vote.

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(3) In addition to the vote on the proposed budget, the Budget Referendum shall also contain non-binding advisory questions as to whether or not each of the proposed Town Operating Budget and Board of Education Budget is too high or too low. [Amended 11-4-2003]

C. Failure to Adopt.

(1) In the event that the majority of those voting who are entitled to vote in the Budget Referendum reject either the proposed Town Operating Budget, the Board of Education Budget, or both, the Board of Finance shall revise the rejected portion(s) of the budget and submit proposed revisions thereof to the Budget Meeting on the date and time as set by the Board of Finance within seven (7) days after said Budget Referendum. The Budget Meeting and any subsequent Budget Meetings as to such proposed revision(s) will be conducted in the same manner as set forth in § C6-3A herein until such time that the previously rejected portion(s) of the budget as revised shall be approved by the Budget Referendum. The Budget Referendum and any subsequent Budget Referendums will be conducted in the same manner as set forth in Section C6-3B herein until such time that the proposed budget shall be approved by the Budget Referendum.

(2) If either the Town Operating Budget or the Board of Education Budget or both are not approved by Budget Referendum by the start of the next fiscal year, the previously approved town budget, including both the Town Operating Budget and Board of Education Budget, for the prior fiscal year shall be deemed to be the temporary budget for the new fiscal year, with expenditures being made thereunder on a month-to-month basis, until such time that each the Town Operating Budget and the Board of Education Budget has been approved by Budget Referendum.

§ C6-4. Actions Requiring Special Town Meetings. [Amended 11-7-1978]

Special Town Meetings shall be called by the Selectmen for consideration of the following actions:

A. After recommendation by the Board of Selectmen and approval by the Board of Finance, any resolution for the issuance of bonds and all other forms of financing, the term of which is in excess of one (1) year and the amount of which is in excess of twenty-five thousand dollars ($25,000.). [Amended 11-4-2003]

B. After recommendation by the Board of Selectmen and approval by the Board of Finance, any resolution for any appropriation supplemental to those provided in the Annual Budget of an amount more than twenty-five thousand dollars ($25,000). [Amended 11-4-2003]

C. After referral to the Planning and Zoning Commission; recommendation by the Board of Selectmen and approval by the Board of Finance, any sale or purchase of real estate. [Amended 11-6-1984]

D. Any acceptance by the town of a state, federal or other grant involving a local financial share estimated to be more than twenty-five thousand dollars ($25,000.) in any fiscal year. [Amended 11-6-1984]

E. Any real estate lease or lease operation to which the town is a party which involves a term in excess of five (5) years or an aggregate amount in excess of one hundred thousand dollars ($100,000.). [Amended 11-6-1984; 11-4-2003]

F. Any proposal the Board of Selectmen deems of sufficient importance.

§ C6-5. Petition for Overrule. [Amended 11-7-1978; 11-6-1984]

All ordinances, except emergency ordinances, shall be subject to overrule by a special town referendum. All resolutions by the Town Meeting or Board of Selectmen, except those making appointments or removals or dealing exclusively with the internal procedure of the Board of Selectmen, shall be subject to overrule by a Special Town Referendum. The procedure for said referendum is as follows:

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A. If, within thirty (30) days after publication of any ordinance or resolution of the Board of Selectmen, a petition conforming to the general requirements of Section 7-9a of the Connecticut General Statutes, as amended, and signed in ink or indelible pencil by qualified electors of the town, equal in number to at least five percent (5%) of the total electors of the town, as determined from the latest official lists of the Registrars of Voters, is filed with the Town Clerk requesting its reference to the town voters at a special referendum, the effective date of such ordinance or resolution shall be suspended.

B. If, within fifteen (15) days of any action by the Town Meeting, except for the Annual Town Budget Meeting(s), a petition conforming to the general requirements of Section 7-9a of the Connecticut General Statutes, as amended, and signed in ink or indelible pencil by qualified electors of the town, equal in number to at least ten percent (10%) of the total electors of the town, as determined from the latest official lists of the Registrars of Voters, the effective date of such ordinance or action shall be suspended. If within fifteen (15) days of any vote taken at a budget referendum, a petition to overrule the Budget Referendum as set forth in § C6-3B, conforming to the general requirements of Section 7-9a of the Connecticut General Statutes, as amended, and signed in ink or indelible pencil, by qualified electors of the town, equal in number to at least fifteen percent (15%) of the total electors in the town, as determined from the latest official lists of the Registrars of Voters, is filed with the Town Clerk requesting its reference to the town voters at a special referendum, the effective date of such action shall be suspended. [Amended 11-7-1989]

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C. Said petition shall be accompanied by affidavits signed and sworn to by each circulator as provided in said Section 7-9.

D. The Town Clerk shall, not later than the close of business on the third business day after receipt of the last page of said petition, determine whether the petition and affidavits are sufficient as prescribed by law and, if so, certify said petition to the Board of Selectmen.

E. The Board of Selectmen shall then fix the time and place of such special referendum which shall be held not less than seven (7) nor more than fourteen (14) days after the certification of said petition, and notice thereof shall be given in the manner provided by law for the calling of a town referendum.

F. An ordinance, resolution or action, so referred, shall take effect only upon the conclusion of such referendum, unless a majority of those persons voting thereon shall have voted in favor of overruling such ordinance.

§ C6-6. Petition for Special Town Meeting.

A. A petition for a special Town Meeting may be filed by any elector of the town with the Town Clerk, and, except as otherwise provided herein, such petition shall conform to the requirements of Sections 7-9 and 7-9a of the Connecticut General Statutes, as amended. [Amended 11-6-1984]

B. Such petition shall contain the full text of the proposal and shall be signed in ink or indelible pencil by qualified electors of the town equal in number to at least five percent (5%) of the total electors of the town as determined from the latest official lists of the Registrars of Voters.

C. Such petition shall be accompanied by affidavits signed and sworn to by each circulator as provided in said Connecticut General Statutes.

D. The Town Clerk shall, not later than the close of business on the third business day after receipt of the last page of said petition, determine whether the petition and affidavits are sufficient as prescribed by law and, if so, certify said petition to the Board of Selectmen. [Amended 11-6-1984]

E. Upon receipt of the certification by the Town Clerk of said petition, the Board of Selectmen shall call a Special Town Meeting to be held not less than ten (10) nor more than thirty (30) days from the date of such certification; provided, however, that said Selectmen may hold one (1) or more public hearings on such proposal prior to its submission to a Special Town Meeting. [Amended 11-4-2003]

F. The call for such Special Town Meeting shall state the proposal in full and shall provide for a yes or no vote as to its enactment. If a majority of those voting shall vote yes, then such proposal shall take effect on the 10th day thereafter.

§ C6-7. Correcting Form of Ordinance.

The Town Attorney is authorized to correct the form of such ordinance for the purpose of avoiding repetitions, illegalities and unconstitutional provisions and to assure accuracy in its text and reference and clearness and preciseness in its phraseology, but not materially changing its meaning and effect.

§ C6-8. Action Requiring Referendum.

Any proposed capital expenditure of one million dollars ($1,000,000.) or more shall be submitted to the persons qualified to vote thereon for a vote by voting machine, said vote to be conducted in accordance with terms of Section 7.7 and 7-9b of the Connecticut General Statutes.

ARTICLE VII, Appointed Boards and Commissions

§ C7-1. Appointments by Board of Selectmen.

A. There shall be the following regular town boards and commissions, whose members shall be appointed by the Board of Selectmen: Park and Recreation Commission; Public Utilities Commission; Library Board; Commission on Aging; Housing Authority; Economic Development Commission; Insurance and Pension Plan Commission; Youth Commission; Public Site and Building; Ethics Commission; and other boards and commissions that the Board of Selectmen may from time to time create, in accordance with the provisions of this Charter. The Board of Selectmen may, by ordinance, create, abolish or consolidate such other appointive boards or commissions and may likewise alter their powers and duties and change the number and terms of their members. [Amended 11-7-1978; 11-6-1984; 11-7-1989; 11-4-2003]

B. All members of such appointed boards or commissions shall serve without compensation, except for reimbursement of necessary expenses, as authorized by the Board of Selectmen, or as otherwise provided by law, and until their successors have been appointed and qualified.

C. All members of appointive boards and commissions shall be qualified electors of the town and shall vacate their position upon ceasing to be electors of the town.

D. Such boards and commissions shall, except as otherwise provided in this Charter, have the powers and duties as are conferred or imposed by the Connecticut General Statutes upon their respective officers.

§ C7-2. Terms of Office. [Amended 11-7-1978; 11-6-1984; 11-4-2003]

A. The terms of office on all appointed boards and commissions shall commence on the first Monday of January, unless otherwise required by law or provided by this Charter. The length of terms shall be as hereinafter specified.

B. Any vacancy on any appointive board or commission, from whatever cause arising, shall be filled by appointment by the Board of Selectmen for the unexpired portion of the term vacated, in accordance with the procedure established in Section C3-3 of this Charter. If such vacancy has not been filled by the Board of Selectmen within sixty (60) days, the remaining members of such board or commission shall fill such vacancy. Any such vacancy shall be filled by the appointment of a member of the same political party as the person vacating the office in the event that said person was affiliated with a political party. [Amended 11-7-1978; 11-6-1984; 2003]

§ C7-3. Minority Representation.

Minority representation on any appointive board or commission shall be as follows:

Total Membership	Maximum From One Party
3	2
4	3
5	3
6	4
7	4
8	5
9	5
More than 9	2/3 of total membership

§ C7-4. Appointment. [Amended 11-6-1984]

The Board of Selectmen shall appoint, by affirmative vote of not fewer than two (2) members of said Board, members of such regular town boards and commissions as are listed in § C7-1 of this Charter by resolution adopted at a meeting of said Board.

C7-5 [Deleted 2003]

C7-6 [Deleted 2003]

§ C7-7. Park and Recreation Commission. [Amended 11-7-1978]

A. The Board of Selectmen shall appoint, in accordance with the provisions of this Charter, a Park and Recreation Commission consisting of seven (7) regular members, each of whom shall serve a term of four (4) years, and said terms shall overlap. [Amended 11-6-1984]

B. Said Commission shall have the powers and duties as are now or may hereafter be conferred or imposed upon said Commission by the Connecticut General Statutes, Special Acts or local ordinances.

C7-8 [Deleted 2003] Ethics Commission

A. The Board of Selectmen shall appoint, in accordance with the provisions of this Charter, an Ethics Commission consisting of five (5) members each of whom shall serve a term of three (3) years, and said terms shall overlap.

B. No member of said Commission shall hold or campaign for any public office, have held public office during the twelve (12) months immediately prior to appointment, or hold office in any political party or political committee or organization or association organized primarily for the purpose of influencing legislation or decisions of public agencies.

C. Said Commission shall be responsible for administering the Ethics Code of the Town of Bethel established pursuant to C9-2 ot the Charter and Chapter 8 of the Town Code.

D. Said Commission shall periodically review the Ethics Code of the Town of Bethel and shall recommend any appropriate revisions of said Ethics Code to the Board of Selectmen for their consideration.

C7-9 [Deleted 2003] Youth Commission

A. The Board of Selectmen shall appoint, in accordance with the provisions of this Charter, a Youth Commission consisting of five (5) members each of whom shall serve a term of two (2) years, and said terms shall overlap. The Board of Selectmen shall appoint two (2) alternate members of said Commission each of whom shall serve a two (2) year term. In addition, the Board of Selectmen shall appoint one (1) ex officio member who shall be a Bethel resident who is a student between the age of fifteen (15) and eighteen (18) years old at the time of appointment.

B. Said Commission shall undertake educational and other activities to implement a youth program for the Town; shall study the needs of young persons with regard to employment, health, recreation and

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welfare; shall analyze public and private services available to Bethel youth; shall encourage development and coordination of public and non-profit agencies and organizations that serve the youth of Bethel and shall advise the First Selectman in appointment of a Director to carry out a youth program on behalf of the Town.

C7-10 [Deleted 2003] Public Site and Building Commission

A. The Board of Selectmen shall appoint, in accordance with the provisions of this Charter, a Public Site and Building Commission consisting of seven (7) members each of whom shall serve a term of four (4) years, and said terms shall overlap. The Board of Selectmen may appoint up to two (2) Temporary Members to represent the interests of a user of a specific project of said Commission. Such Temporary Members shall serve until the completion of the project or termination by the Board of Selectmen. Such Temporary members shall participate and vote in meetings of said Commission only on matters related to the specific project for which they were appointed.

B. Upon assignment of projects by the Board of Selectmen, said Commission shall aid and advise the Board of Selectmen in studying the current public building needs and planning for the future space and public building needs of the Town including those of the educational facility; shall study the current public building locations and potential public sites; shall advise in the design, bidding and construction of public buildings and carry out such duties specified in the Code of the Town of Bethel.

§ C7-11. Public Utilities Commission. [Amended 11-7-1978; 11-4-2003]

A. The Board of Selectmen shall appoint, in accordance with the provisions of this Charter, a Public Utilities Commission consisting of five (5) members, three (3) of which shall be the Board of Selectmen. The Commission members shall serve a two-year term. The terms of the Selectmen members shall run from the time that they take office. The remaining two members shall be appointed by the Selectmen in accordance with Section C7-2A.

B. Said Commission shall have all the powers and duties, not inconsistent with this Charter, as are now or may hereafter be conferred or imposed upon such Commission by the Connecticut General Statutes, Special Acts or local ordinances; the duties and powers previously exercised and discharged by the Sewer Authority and Water Commission of the Town of Bethel, such transfer of such powers and duties having been made in accordance with § C11-1 of this Charter; and such other duties as may be prescribed by the Board of Selectmen.

§ C7-12. Commission of the Aging. [Added 11-7-1978]

A. The Board of Selectmen shall appoint, in accordance with the provisions of this Charter, a Commission of the Aging, which shall consist of five (5) members, each of whom shall serve a term of four (4) years, said terms to overlap.

B. Said Commission shall have the powers and duties as are now or may hereafter be conferred or imposed upon said Commission by the Connecticut General Statutes, Special Acts or local ordinances.

§ C7-13. Library Board of Directors. [Added 11-7-1978]

A. The Board of Selectmen shall appoint, in accordance with the provisions of this Charter, a Library Board of Directors, which shall consist of twelve (12) members, each of whom shall serve a term of four (4) years, said terms to overlap. [Amended 11-6-1984]

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B. Said Library Board of Directors shall have the powers and duties as are now or may hereafter be conferred or imposed upon said Library Board of Directors by the Connecticut General Statutes, Special Acts or local ordinances.

§ C7-14. Economic Development Commission. [Added 11-6-1984]

A. The Board, of Selectmen shall appoint, in accordance with the provisions of this Charter and the provisions of Section 7-136 of the Connecticut General Statutes, an Economic Development Commission consisting of seven (7) members, each of whom shall serve a term as prescribed by law.

B. Said Commission shall have the powers and duties as are now or may hereafter be conferred or imposed upon said Commission by the Connecticut General Statutes, Special Acts or local ordinances.

§ C7-15. Insurance and Pension Plan Commission. [Added 11-6-1984]

A. The Board of Selectmen shall appoint, in accordance with the provisions of this Charter, an Insurance and Pension Plan Commission consisting of five (5) members and two (2) ex officio members to serve as prescribed by ordinance dated June 10, 1982.

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B. Said Commission shall have the powers and duties as are now or may hereafter be conferred or imposed upon said Commission by the Connecticut General Statutes, Special Acts or local ordinances.

ARTICLE VIII, Administrative Officers and Departments.

§ C8-1. Officers and Departments. [Amended 11-6-1984]

A. There shall be the following administrative officers and departments for the Town of Bethel: Comptroller; Tax Collector; Assessor; Director of Civil Preparedness; Director of Health; Fire Marshal; Building Official; Planning and Zoning Official; Town Counsel; Police Department; Town Engineer; and Department of Public Works. The Board of Selectmen may recommend to the Town Meeting, pursuant to the provisions 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. [Amended 11-4-2003]

B. The terms of office of administrative officers shall commence on the first Monday of December. The length of said terms shall be as hereinafter specified.

C. Any administrative officer who is appointed to a position for which there exists a state certification shall either possess said certification or shall obtain the appropriate certification within one (1) year from the date of his/her appointment or one (1) year from the effective date of this Subsection C. Said state certification will be in addition to those requirements as hereinafter set forth for each administrative office. Failure to obtain said state certification shall be deemed sufficient cause for dismissal, unless the appointing authority, for cause, grants the administrative officer an extension of time and/or waiver. [Added 11-7-1989]

§ C8-2. Vacancies.

A. Any vacancy in any appointive administrative 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 portion of the term vacated if such office has a fixed term, or shall serve an indefinite term in the event that no fixed term is provided for such office.

B. The administrative officers in office at the time of adoption of this Charter shall continue in office until their successors are appointed.

§ C8-3. Tax Collector. [Amended 11-7-1989]

The Board of Selectmen shall appoint, under the provisions of this Charter, a Tax Collector, who shall serve for an indefinite term. Said Tax Collector shall have the powers and duties, not inconsistent with the Charter, conferred or imposed by the Connecticut General Statutes on such officers and such other powers and duties as may be prescribed by the Board of Selectmen and local ordinances.

§ C8-4. Assessor. [Amended 11-7-1989]

The Board of Finance shall appoint an Assessor who shall be qualified by training and experience and who shall serve on a full-time basis for an indefinite term. Said Assessor shall have all the powers and duties, not inconsistent with this Charter, conferred or imposed by the Connecticut General Statutes on assessors and such other powers and duties as may be prescribed by the Board of Selectmen or by the Board of Finance.

§ C8-5. Director of Civil Preparedness. [Amended 11-6-1984]

The Board of Selectmen shall, in accordance with the provisions of Section 28-7 of the Connecticut General Statutes, as amended, appoint a local Director of Civil Preparedness, who shall serve a term of two (2) years. Said Director shall have all the powers and duties, not inconsistent with this Charter, conferred or imposed by said Connecticut General Statutes on local Directors of Civil Preparedness and such other powers and duties as may be prescribed by the Board of Selectmen.

§ C8-6. Director of Health.

A. The Board of Selectmen shall, in accordance with the provisions of Section 19a-200 of the Connecticut General Statutes, as amended, appoint a Director of Health, who shall serve for a term of four (4) years. Quadrennially thereafter, the Board of Selectmen shall appoint said Director of Health as provided herein. Said Director of Health shall have all the powers and duties, not inconsistent with this Charter, as conferred or imposed by said Connecticut General Statutes on local Directors of Health and such other powers and duties as may be prescribed by the Board of Selectmen and local ordinance. [Amended 11-6-1984]

B. The Director of Health shall appoint and may remove, each such action with the approval of the Board of Selectmen, a Town Sanitarian who shall serve for an indefinite term. Said Town Sanitarian shall have all the powers and duties, not inconsistent with this Charter, conferred or imposed by the Connecticut General Statutes on such officers and such other powers and duties as may be prescribed by the Director of Health or by the Board of Selectmen.

C. The Director of Health, with the approval of the Board of Selectmen, shall establish a health code for the Town of Bethel consisting of the State Department of Health Sanitary Code and other provisions or requirements which the above-named officers deem proper when said code has been completed. Said code and amendments thereto shall be enacted by town ordinance of either the Board of Selectmen or a legislative authority of the town in a manner so described within this Charter.

§ C8-7. Fire Marshal. [Amended 11-6-1984]

The Board of Selectmen shall, in accordance with this Charter and the Connecticut General Statutes, appoint a Fire Marshal for a term of four (4) years. The Board of Selectmen may appoint, for the same terms, Deputy Fire Marshals. The Fire Marshal or his Deputy shall have all the powers and duties, not inconsistent with this Charter, conferred or imposed by the Connecticut General Statutes upon Fire Marshals and such other powers and duties as may be prescribed by the Board of Selectmen and local ordinance.

§ C8-8. Town Attorneys. [Amended 11-6-1984]

The Board of Selectmen, at the beginning of its term, shall appoint an attorney or attorneys to represent the town. Each such attorney shall be admitted to practice law in this state and shall serve a term of two (2) years. Except as otherwise provided by law, he or they shall appear for and protect the rights of the town in all actions, suits or proceedings brought by or against it or any of its departments, offices, agencies, boards or commissions. He or they

shall be the legal advisors to the Board of Selectmen, First Selectman and all town officers, boards and commissions in all matters affecting the town and shall, upon written request, furnish a written opinion on any question of law involving their respective powers and duties. Upon request, he or they shall prepare or approve forms or contracts or other instruments to which the town is a party or in which it has an interest. He or they shall have the power, with the approval of the Board of Selectmen, to appeal from orders, decisions and judgments and, subject to the approval of said Selectmen, to compromise or settle any claims by or against the town. If, in special circumstances, the Board of Selectmen deems it advisable, said Board may, by resolution, provide for the temporary employment of counsel other than or in addition to the Town Attorneys.

§ C8-9. Department of Public Works [Amended 2003]

There shall be a Department of Public Works, which shall have and encompass the powers and duties of the Town Water Department, Town Department of Roads and Town Sewer Department and further powers and duties as the Board of Selectmen may grant said Department. The Board of Selectmen shall appoint a qualified person to be the Director of the Department of Public Works, who may also serve as the Town Engineer. Said Director shall be the administrative head of the Public Works Department and as such shall be responsible for the efficiency, discipline and good conduct of the public works operation of the town. The Director of Public Works shall organize the public works operation in such manner as he shall deem most economical and efficient. [Amended 11-6-1984]

§ C8-10. Town Engineer. [Amended 11-6-1984]

The Board of Selectmen shall appoint a qualified person or firm to serve as Town Engineer. Such person or firm shall be licensed by the State of Connecticut. He shall be advisor to all town offices, boards and commissions in all engineering matters affecting the town. The position of Town Engineer and the position of Director of the Department of Public Works may be held by the same person.

§ C8-11. Building Official. [Amended 11-6-1984; 11-7-1989]

A. The Board of Selectmen shall appoint a Building Official for a term of four (4) years. Thereafter, the Board of Selectmen shall appoint said Building Official every four (4) years as provided herein. The office of the Building Official shall be a classified service position subject to the terms, rights and privileges as set forth in Chapter 19 of the Code of the Town of Bethel entitled "Personnel Rules and Regulations," as presently in force or subsequently amended, as well as any applicable collective bargaining agreement. In the event that the terms of Chapter 19 are in conflict or inconsistent with the Connecticut General Statutes, the Connecticut General Statutes shall be controlling. [Amended 11-4-2003]

B. The Building Official shall be qualified, possess those powers and administer his/her duties as prescribed by Chapter 541 of the Connecticut General Statutes, as amended, and this Charter.

C. The Building Official may also serve as the Enforcement Officer of the Zoning Commission and shall have such other powers and duties as may be prescribed by the Board of Selectmen and local ordinances.

§ C8-12. Police Department. [Added 11-6-1984]

A. The provisions of the 1947 Special Act (House Bill No. 471), An Act Concerning the Appointment of Police Commissioners and the Organization of a Police Department in the Town and Village of Bethel, are hereby incorporated herein and made a part of this Charter, with the following exceptions:

(1) The Board of Selectmen, after the submission of information or recommendations from the Police Commission, shall be responsible for the hiring, suspension or dismissal of the Chief of Police. Said Police Chief shall be the chief administrative officer of the Police Department and shall be responsible to the First Selectman for the operation of the department, and for the implementation of the rules, regulations and policies of the Police Commission.

(2) Police officers need not be resident electors of the Town of Bethel.

(3) The number of Police Commissioners shall be set at five (5) and shall be elected for terms of four (4) years as set forth in § C3-16 herein. [Added 11-7-1989; Amended 11-4-2003].

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B. Any provisions of said special act inconsistent with any provision of this Charter are hereby repealed pursuant to Section 7-188 of the Connecticut General Statutes.

§ C8-13. Comptroller. [Amended 11-7-1978; 11-6-1984]

A. The Board of Selectmen, after submission of information and recommendation from the Board of Finance, shall appoint a Comptroller whose powers and duties are herein prescribed. Said Comptroller shall be appointed for an indefinite term and shall be an Assistant Treasurer for the town. Said Comptroller shall be a professional accountant or comptroller and shall, by experience or education, have the necessary qualifications for the position of Town Comptroller. Said Comptroller shall be under the supervision of the First Selectman as the fiscal official of the town.

B. Powers and duties.

(1) The Comptroller shall install, maintain and supervise the general accounting system for all departments, offices, boards, committees, commissions and agencies, except the Board of Education; prescribe the form of accounts to be kept by each department, office, board, committee, commission and agency of the town; keep separate accounts for the appropriations contained in the budget and encumber immediately with the amount of each purchase order, payroll or contract and maintain for each account a record of the amounts paid and remaining unpaid, all encumbrances and the unencumbered balance. The Comptroller shall audit, before payment, all bills, invoices, payrolls and other evidence of claims, demands or charges against the town. [Amended 11-4-2003]

(2) He shall compile for the Board of Selectmen estimates for the budget and capital program and assist in the preparation of the annual budget document and recommend to the Board of Selectmen changes in Department programs and departmental estimates of revenue and expenditures; submit monthly to the Board of Selectmen and the Board of Finance a financial statement showing the amount of each appropriation and any transfers, encumbrances and expenditures therefrom and such other fiscal data as may be prescribed by the Board of Selectmen and/or the Board of Finance; and prepare for the Board of Selectmen and the Board of Finance periodic financial statements and reports of the town. The Comptroller shall establish and supervise inventories wherever required.

C. Purchasing authority.

(1) The First Selectman and the Comptroller, acting in conjunction, shall be the general purchasing authority of the town. All supplies, materials, equipment and other commodities required by any department, office, agency, board, committee or commission, except the Board of Education, shall be purchased by the purchasing authority on written requisition in such form and in such manner as the Board of Finance may prescribe, signed by the head of the department, office, agency or Chairman of the Board, committee or commission. [Amended 11-4-2003]

(2) All purchases shall be made in full compliance with this Charter.

(3) No requisition for any purchase and no contract for public or other service shall be valid unless it bears the endorsement of the Comptroller or, in his absence, the endorsement of the First Selectman. The Comptroller shall endorse a requisition or contract only after he has examined the same and found that it conforms to the requirements of this section and that there is a sufficient unencumbered balance on an applicable appropriation to pay the same. If, by making any contract or purchase, the budget allowance of the officer, department, commission, committee or board requesting the same shall be exceeded, the purchasing authority shall bring the request to the attention of the Board of Finance at its next meeting, and the Board of Finance may authorize such contract or purchase in accordance with and subject to the limitations of the Connecticut General Statutes, this Charter or other laws pertaining to this town.

(4)(i) All agreements and contracts to be made or let, for supplies to be furnished or work to be done, including professional services, to the Town of Bethel, including purchases of every description for the needs of all departments, officers, boards and committees of the town, including the Board of Education, shall, except, as otherwise provided hereinafter stated, be publicly advertised for the purpose of receiving bids, provided that the several parts of the work necessary to be done or supplies, materials or articles to be furnished in connection with said contract or purchase shall together involve the expenditure of more than thirty thousand dollars ($30,000). The procurement of professional services may be conducted through a Request for Qualifications procedure in which the Procurement Committee, as defined in C8-13c4ii, solicits professional service vendors by public advertisement to submit their qualifications, said Committee reviews such qualifications and thereafter invites, vendors who are deemed to be qualified by the Procurement Committee to submit competitive fee proposals for the requested services. The provisions of this Section 8-13 shall not apply to the appointment of Town Attorneys by the Board of Selectmen as provided in Section 8-8. [Amended 11-4-2003]

(ii) Such advertisement shall invite bids for such agreements and contracts, in a newspaper having a daily circulation in the Town of Bethel and, if deemed advisable, in other papers. The bids received upon such public advertisement shall be publicly opened at a hearing of the Procurement Committee, comprised of the First Selectman, the Controller and Purchasing Agent, or their designee(s), or the Board of Education when such bids pertain to agreements and contracts to be entered into by said Board, the date of which shall be named in such public advertisement The Procurement Committee shall review the bids and submit a recommendation to the Board of Selectmen. The contract or purchase shall be awarded to the lowest qualified bidder, provided that the Board of Selectmen or the Board of Education, as the case may be, shall have the discretion and power, in the public interest and for public economy, to reject any or all bids.

(iii) Whenever it appears that the securing of such bids shall be inconsistent with the public interest or the public economy, such public advertisement and bids may be dispensed with upon vote of the Board of Selectmen or the Board of Education, as the case may be, which vote shall contain a written statement giving the reasons for the proposed award of such contract or the marking of such purchase without public advertisement, which resolution and reasons shall be promptly filed with the Town Clerk and be available for public inspection. In such case any expenditure to be made shall be made only with the approval of the Board of Selectmen or the Board of Education, as the case may be.

(iv) Whenever any by-product or any other personal property of the Town of Bethel shall be sold or required to be sold, such sale shall be made, wherever practicable, to the highest bidder, after public advertisement, as herein provided and subject to the procedure for the waiver of the bidding process as set forth in Subparagraph (iii) above. [Amended 11-7-1989; 2003]

D. Availability. The Comptroller shall be available to the Board of Education for advice and consultation as to the said Board's system and manner of fiscal accounting and shall perform periodic internal reviews.

E. The Comptroller shall direct and control the operations and activities of the Tax Collector and the Data Processing Department, all in accordance with this Charter and town ordinances. [Amended 11-7-1989]

F. Additional duties. From time to time, the Comptroller may be assigned additional duties and responsibilities as may be determined by the Board of Selectmen and the Board of Finance.

G. Removal. The Comptroller may be removed from office by the Board of Selectmen for good cause, provided that such dismissal shall have the approval of a majority of the full Board of Finance.

ARTICLE IX, Procedures and Conduct of Officers and Employees

§ C9-1. General Board Procedure.

A. All elective boards and commissions shall annually elect a chairman and vice chairman at their first meeting following the first Monday in December. All appointed boards and commissions shall annually elect officers, including at a minimum a chairman and vice chairman. Such election of officers shall not be held until after all of

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the expired board and commission seats have been appointed in accordance with Section C-7-2 B, but not later than March 31st. In the event that the appointments of both the chairman and vice chairman expire, such board or commission may elect an interim chairman until a permanent chairman is elected in accordance with this section. Said boards shall make regulations for the conduct of their meetings, and such regulations shall be filed with the Town Clerk.

B. Before January 31 of each year, all boards, whether elected or appointed, shall file with the Town Clerk a schedule of their regular meetings for the following year. Special meetings shall be held by filing notice of such meetings with the Town Clerk at least twenty-four (24) hours prior to such meeting. Notice of all special meetings shall be given to all members of said board requesting said special meeting at least twenty-four (24) hours before said meeting.

C. Minutes of each board meeting shall be taken and the votes recorded. Copies of such agendas and minutes shall be filed according to Connecticut General Statutes. [Amended 11-6-1984]

D. There shall be an opportunity for the public to speak at all regular meetings of all elected and appointed boards, commissions and committees, and such "Public Input" shall appear on the agendas thereof, the extent and duration of such public input to be in the reasonable discretion of the chairman.

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§ C9-2. Code of Ethics. [Amended 11-4-2003]

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The Board of Selectmen shall be responsible for the establishing and maintaining, by ordinance, a Code of Ethics regulating the conduct of all officers and employees of the town.

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§ C9-3. Conflicts of Interest. [Amended 11-7-1978]

Deleted: i

Any elected or appointed officer or employee of the town who has a direct or indirect financial interest in any contract, transaction or decision of any town board, commission or agency in which he is directly involved or may influence shall disclose that interest, in writing, to the Board of Selectmen, who shall record such disclosure upon the official record of its meetings. Violation of the provisions of this section by such officer shall be grounds for his removal. Violation of this section with the knowledge, expressed or implied, of any person or corporation participating in such contract, transaction or decision shall render the same voidable by the Board of Selectmen or a court of competent jurisdiction.

§ C9-4. Merit System.

Deleted: s

A. The Board of Selectmen shall, by ordinance, establish a merit system whereby a classified service of the town is created. The system shall define the personnel to be covered and shall provide for the Board of Selectmen to define the qualifications and method of appointment to each position, the duties and responsibilities of such positions and the conditions and benefits of employment in such positions.

B. The classified system may include all officers and employees of the town, except the following: all elective officers and persons appointed to fill vacancies in elective offices; members of appointive boards; persons employed or appointed to make or conduct a temporary study or investigation; persons employed for a temporary period not exceeding three (3) months; and professional employees of the Board of Education.

ARTICLE X, Finance and Taxation

§ C10-1. Fiscal Year.

Deleted: y

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

§ C10-2. Preparation of Budget. [Amended 11-6-1984]

Deleted: b

A. At such time and in such manner as the Board of Finance may require, every agency and department supported wholly or in part by town revenues, or for which a specific appropriation is or may be made, shall submit to the Board of Selectmen an itemized estimate of the expenditures to be made by that agency and all the revenues, other than town appropriations, to be received by it or for use during the ensuing fiscal year. The estimates shall be accompanied by such other reports and information as the Board of Finance may require.

B. The Board of Selectmen and the Board of Finance shall conduct joint hearings for each such agency and department. All budgets falling under the directon of a board or commission shall be presented at the joint hearings by the board or commission chair, or their designated board or commission member. The Board of Selectmen shall then prepare such comments and recommendations as it deems advisable with respect to such estimates. [Amended 11-4-2003]

C. At such time and in such manner as the Board of Finance may require, the Board of Selectmen shall present to the Board of Finance the itemized estimates of the expenditures to be made by each agency and department and all revenues to be received by each agency and department, together with the comments and recommendations of the Board of Selectmen with respect to such estimates.

D. The Board of Finance shall then revise the estimates as it deems desirable and prepare a general town budget report. The general town budget report shall separately set forth the Town Operating Budget and the Board of Education Budget. [Amended 11-4-2003]

E. The Board of Finance shall hold one (1) or more public hearings on the general town budget report not less than fourteen (14) days before the Annual Town Budget Meeting. At the hearings, any person qualified to vote at the Annual Town Budget Meeting shall be heard.

F. The Board of Finance shall then revise the estimates as it deems desirable and prepare the recommended town budget, which may include a contingency fund not to exceed two percent (2%) of the total estimated expenditures for the current fiscal year and an appropriation to the fund for capital and nonrecurring expenditures. The recommended town budget shall separately set forth the Town Operating Budget and the Board of Education Budget. The recommended town budget shall also include estimates of the revenue to the town from all sources for the ensuing year, including taxes to be raised. The Board of Finance shall present the budget to the annual Town Budget Meeting.

G. The Board of Finance shall make available copies of the town budget report in the office of the Town Clerk not less than ten (10) days before the public hearing and shall publish the town budget report in a newspaper having a general circulation in the town. It shall, before the Annual Town Budget Meeting, again publish the proposed town budget in a newspaper having a general circulation in the town and make available copies of the proposed town budget in the office of the Town Clerk.

H. The adoption of the annual town budget shall be in accordance with the provisions of § C6-3 of this Charter.

§ C10-3. Preparation of Taxes.

A. Not more than fifteen (15) days after the adoption of the annual town budget, the Board of Finance shall meet and lay such tax as is required by the Connecticut General Statutes.

B. The Tax Collector shall then collect the tax in accordance with the Connecticut General Statutes. The due dates for real estate tax payments shall be July 1, October 1, January 1 and April 1. [Amended 11-6-1984]

§ C10-4. Special Appropriations and Transfers of Appropriations.

A. All requests for special appropriations shall be made in writing to the Board of Selectmen, which shall forward such requests, together with the comments or recommendations of the Board of Selectmen, to the Board of Finance. The Board of Finance shall act on all requests for special appropriations and shall publish a notice of its action, together with the reasons for its action, in a newspaper having general circulation in the town.

B. The Board of Selectmen, when requested by any town agency and after approval of the Board of Finance, may make special appropriations from any town agency surplus or an approved contingency fund in amounts not to exceed in total for any individual town agency twenty-five thousand dollars ($25,000.) in any one (1) fiscal year. Any request by any town agency which shall exceed the amount herein provided shall require a vote of the Town Meeting after approval by the Board of Finance. [Amended 11-7-1978; 11-4-2003]

C. Special appropriations other than those from cash surplus or from an approved contingency fund may be acted upon only by a Town Meeting, after approval by the Board of Finance.

D. The Board of Finance, upon written request, may transfer unexpended balances from one (1) appropriation to another in accordance with the Connecticut General Statutes.

§ C10-5. Capital and Nonrecurring Expenditures. [Amended 11-4-2003]

A. No later than November 30th of each year, all agencies and boards of the town shall submit to the Board of Selectmen an outline of any capital and nonrecurring expenditures the agency desires to make during the ensuing five (5) years.

B. The Board of Selectmen shall consider such outlines and shall submit to the Board of Finance, not later than January 31st of each year, a recommended budget of capital and nonrecurring expenditures for the ensuing year. [Amended 2003]

§ C10-6. Expenditures and Accounting.

A. The system of accounts used by town agencies shall be that prescribed by the Connecticut General Statutes as supplemented by regulations of the Board of Finance. All regulations of the Board of Finance shall be consistent with this Charter and the powers and duties of other town agencies and shall be complied with by all town agencies.

B. The Board of Finance shall provide for an annual audit of the books and accounts of the town as required by the Connecticut General Statutes.

C. No officer or agency of the town shall expend or enter into any contract which would oblige the town to expend in excess of an approved department appropriation. Any officer who, without authority from this Charter or the Connecticut General Statutes, expends or causes to be expended any money of the town, except in payment of final judgments rendered against the town, shall be liable in a civil action in the name of the town, as provided in the Connecticut General Statutes. [Amended 11-4-2003]

§ C10-7. Borrowing. [Amended 11-7-1978]

The provisions of this Article shall not be a limitation on the power of the town to issue bonds or other obligations for appropriations or indebtedness in accordance with the Connecticut General Statutes and § C6-3 of this Charter.

C10-8 Fund Balance. [Added 11-4-2003]
The Board of Selectmen, by ordinance, shall establish a Fund Balance Policy, as recommended by the Board of Finance.

ARTICLE XI, Miscellaneous Provisions

§ C11-1. Transfer of Powers.

The powers which are conferred and the duties which are imposed upon any commission, board, department or office under the Connecticut General Statutes or any ordinance or regulation in force at the time this Charter shall take effect, if such commission, board, department or office is abolished by this Charter, shall be thereafter exercised and discharged by the commission, board, department or office upon which are imposed corresponding or like functions, powers and duties under the provisions of this Charter. All commissions, boards, departments or offices abolished by this Charter, whether elective or appointive, shall continue in the performance of their duties until provisions shall have been made for the discontinuance of such commissions, boards, departments or offices and the performance of their duties by other commissions, boards, departments or offices created under this Charter and until the Town Clerk shall have notified the members of such commissions, boards, departments or offices as are abolished by this Charter that their successors have qualified.

§ C11-2. Present Employees.

All employees of the town on the effective date of this Charter whose positions are not abolished by the provisions of this Charter shall retain such positions pending action by the Board of Selectmen or the appropriate officer charged by this Charter with powers of appointment and removal. Any provision of law in force at the time this Charter shall take effect, and not inconsistent with the provisions of this Charter, in relation to personnel, appointments, ranks, grades, tenure of office, promotion, removals, pension and retirement rights, civil rights or any other rights or privileges of employees of the town or any office, department or agency thereof shall continue to be in effect, until or unless amended or repealed in accordance with the provisions of this Charter.

§ C11-3. Transfer of Records and Property.

All records, property and equipment whatsoever of any commission, board, department or office or part thereof, all the powers and duties of which are assigned to any other commission, board, department or office by this Charter, shall be transferred and delivered intact forthwith to the commission, board, department or office to which such powers and duties are so assigned. If part of the powers and duties of any commission, board, department or office are by this Charter assigned to another commission, board, department or office, all records, property and equipment relating exclusively thereto shall be transferred and delivered intact forthwith to the commission, board, department or office to which such powers and duties are so assigned. If part of the powers and duties of any commission, board, department or office are by this Charter assigned to another commission, board, department or office, all records, property and equipment relating exclusively thereto shall be transferred and delivered intact forthwith to the commission, board, department or office to which such powers and duties are so assigned.

§ C11-4. Continuation of Appropriations and Town Funds.

All appropriations approved and in force, and all funds, including special or reserve funds in the name of the town, at the time of the adoption of this Charter shall remain in full force and effect unless and until the same shall be amended, transferred or abolished by the Board of Finance under the provisions of this Charter.

§ C11-5. Legal Proceedings.

No action or proceeding, civil or criminal, pending on the effective date of this Charter brought by or against the town or any commission, board, department or office thereof shall be affected or abated by the adoption of this Charter or by anything herein contained; but all such actions or proceedings may be continued, notwithstanding that functions, powers and duties of any commission, board, department or officer which shall have been a party thereto may, by or under this Charter, be assigned or transferred to another commission, board, department or officer, but in that event, the same may be prosecuted or defended by the head of the commission, board, department or the officer to which such functions, powers and duties have been assigned or transferred by or under this Charter.

§ C11-6. Existing Laws and Ordinances.

All general laws of the State of Connecticut applicable to the town and all ordinances of the town shall continue in full force and effect, except insofar as they are inconsistent with the provisions of this Charter. The provisions of all Special Acts of the General Assembly relating to the Town of Bethel not inconsistent with the provisions of this Charter are hereby retained.

§ C11-7. Review of Amendment of Charter.

The Board of Selectmen shall review the several provisions of this Charter from time to time as it deems such review to be in the best interest of the town, but not less often than once every five (5) years, said review to be published as part of the annual town report. The Board of Selectmen shall appoint a commission, not later than five (5) years from the effective date of this Charter, to review, amend or revise said Charter in the manner prescribed by the Connecticut General Statutes.

§ C11-8. Saving Clause.

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

§ C11-9. Word Usage.

When the context so requires, the masculine gender shall include the feminine, and the singular shall include the plural and the plural the singular.

§ C11-10. Effective Date. [Amended 11-7-1978; 11-6-1984]

This Charter shall become effective upon the approval of a majority of the town electors voting hereon at a regular or special election as determined by the Board of Selectmen and in accordance with the provisions of Chapter 99 of the Connecticut General Statutes, as amended.