

## **Exhibit 1**

### **Section 2-1. Elective officers.**

A meeting of the electors of the Town of Manchester for the election of Town officers shall be held on the first Tuesday after the first Monday in November 1969, and biennially thereafter. At each such meeting there shall be elected nine (9) members of the Board of Directors, a Town Clerk, a Town Treasurer, two (2) Registrars of Voters elected in the manner prescribed by the General Statutes, three (3) Selectmen, seven (7) Constables, and members of the Board of Education as hereinafter provided. In the election for members of the Board of Directors, each political party may nominate not more than six (6) candidates, and no elector shall vote for more than six (6) candidates for such office. No grand jurors shall be elected or appointed. Each person elected to office shall be a resident elector of the Town, and each elected officer, except as hereinafter expressly provided, shall assume his office on the third Monday in November in the year of his election and shall hold office until his successor is elected and has qualified. ~~The provisions of §51-95 of the General Statutes shall apply to Justices of the Peace elected in the Town of Manchester, except that any act required to be done during the month of January under the provisions of §51-95 shall be done in the case of the Town of Manchester on or before the corresponding day in November. Fifteen (15) Justices of the Peace shall be selected in accordance with state statutes.~~

### **Section 2-14 – NEW – Justices of the Peace**

**Fifteen (15) Justices of the Peace shall be selected and their offices administered in accordance with state statutes.**

## Exhibit 2

### Section 5-8. Additions.

Whenever the Board of Directors shall deem it necessary and in the best interests of the Town to do so, it may, by majority vote of all its members, make additional appropriations to the Board of Education or to any office, department or agency of the Town government and may make appropriations for purposes not included in the final budget but **for additional appropriations in excess of \$500**, only after a public hearing to be advertised in the same manner as provided for giving notice of a public hearing in §3-8 of this Charter. At such hearing any elector or taxpayer of the Town may have an opportunity to be heard. Whenever any such additional or new appropriation increases the total of the expenditure side of the budget, additional means of financing in a like amount shall be provided in such manner as may be determined by the Board of Directors.

### Exhibit 3

#### Sec. 3-1. Board of Directors; general powers.

The Board of Directors shall, except in matters under the jurisdiction of the Board of Education and except as otherwise specifically provided in this Charter, exercise all the legislative powers of the Town. Further, all legislative rights, powers and duties of the Town and the powers of appointment to all boards, agencies and commissions not otherwise vested by this Charter are exclusively vested in the Board of Directors. It shall have, in addition to all powers and duties conferred and imposed upon it by this Charter, all the powers and duties now or hereafter conferred or imposed by the General Statutes on Town boards of selectmen, relating to the abatement of taxes. The final authority concerning a budget and tax rate is vested exclusively in the Board of Directors subject to the provisions of §3-10 **and 3-13** of this chapter. The Board of Directors shall have the power to investigate any and all departments, offices and agencies of the Town. For the purposes of such investigation, the Chairman or Acting Chairman shall have the power to administer oaths and issue subpoenas and, at his request, any judge may issue a *capias* for the appearance of witnesses and the production of books and papers except as herein provided. The Board of Directors shall hold a special meeting to review the administrative performance of the General Manager between June 1 and July 31 of each year. Except to the extent to which such powers are conferred upon the Town Planning Commission, the Board of Directors shall exercise the powers hitherto possessed by the Town meeting and the Board of Selectmen relative to the collection of benefits due the Town from the establishment of any building, street, sidewalk or curb or tree line or benefits accruing from the opening or improvement of any street or highway, including the assessment of a portion of the cost thereof on the owners of abutting property, and such powers are extended to include the construction and assessment of the cost of highways, sidewalks, curbs, gutters, sewers and drains. The Board of Directors shall have the power to make, alter and repeal ordinances and bylaws, not inconsistent with this Charter or the General Laws of the state, for the execution of the powers vested in the Town as provided in Chapter I of this Charter, for the government of the Town and the management of its business and for the preservation of the good order, peace, health and safety of the Town and its inhabitants. Such ordinances and bylaws shall be binding upon all the inhabitants of the Town and upon persons coming within its limits, and said Board may provide penalties for breaches thereof not exceeding one hundred dollars (\$100.00) for each offense. Notwithstanding any other provisions of this Charter, the Board of Directors, subject to the general laws of the state, shall have the authority to establish, delete or alter departments and divisions comprising the internal organizational structure of the Town deemed necessary to effectively and efficiently perform the duties of those departments and functions specifically mentioned within the provisions of this Charter and to make such rules and regulations:

- (a) Concerning the creating or abolishing of departments and offices,
- (b) Regulating the internal operation of departments, offices and personnel,
- (c) Fixing the compensation of officers and employees of the Town and the charges, if

any, to be made for services rendered by the Town, as it may deem to be in the best interest of the Town. The Board of Directors shall have the power to designate the General Manager as the personnel and office manager for the Town and to require that all such office and personnel matters shall be administered by him in accordance with the rules and regulations adopted by the Board of Directors.

The Board of Directors may fix the charges, if any, to be made for services rendered by the Town or for the execution of powers vested in the Town as provided in Chapter I of this Charter and the General Statutes, as amended. The Board of Directors shall establish ordinances and regulations regarding such charges.

The Board of Directors shall authorize all purchases of real estate by the Town and all sales of real estate owned by the Town by ordinance, which ordinance shall be enacted in compliance with § 3-8 and shall be subject to the provisions of §§ 3-9 and 3-10, except that all sales and purchases connected with redevelopment and urban renewal as provided in Chapter 130 of the Connecticut General Statutes, Revision of 1958, as amended, and all condemnation proceedings and acquisition, sale or exchange of easements necessitated by public improvement projects of the Town authorized by the Board of Directors are excluded from the operation of this section.

**Section 3-13 – NEW – Petition for Budget Referendum**

**If, not later than ten days after adoption of the budget in accordance with § 5-6, a petition signed by not less than seven percent of the electors of the Town, as determined from the latest official lists of the Registrars of Voters, is filed with the Town Clerk, to reject the budget adopted by the Board of Directors, the Town Clerk shall, within ten days thereafter, fix the day and place of a special Town election to vote on the petition to reject the adopted budget, and certify the same to the General Manager, and such election shall be called and held in accordance with the provisions of the General Statutes and this Charter for calling and holding a Town election. The day of such special election shall be not more than 35 days after the date of adoption of the budget.**

**The petition for budget referendum shall be in substantially the following form and shall be approved by the Town Clerk in accordance with section 7-9 of the General Statutes before circulation:**

**WARNING: ALL SIGNATURES SHALL BE IN INK OR INDELIBLE PENCIL**

**We, the undersigned electors of the Town of Manchester, present this petition requesting that the following question be referred to the voters at a referendum: "Shall the annual budget adopted by the Board of Directors on (here insert date of adoption) take effect as adopted?" We certify that we are electors of the Town of Manchester, residing at the addresses set opposite our names, and that we have not signed this petition more than once.**

**SIGNATURE**

**PRINTED NAME**

**NUMBER STREET**

**At the referendum, the electors shall choose one of the following three responses to the ballot question:**

**Yes.**

**No; the adopted budget is too high.**

**No; the adopted budget is too low.**

**If a majority of the votes cast in the referendum are "Yes," or if the total number of votes cast in the referendum is less than 15% of the number of electors of the Town as determined from the latest official lists of the Registrars of Voters, the adopted budget shall take effect in accordance with the provisions of Chapter 5.**

**Provided that the total number of votes cast in the referendum is 15% or more of the number of electors of the Town, a combined "No" vote by a majority of the electors voting shall reject the adopted budget and require the Board of Directors to adopt a revised budget.**

**If the adopted budget is rejected, the Board of Directors shall, within seven days after the special election, adopt a revised budget, which may be less or greater than the adopted budget, as the Board shall deem appropriate based on the results of the referendum. The revised budget shall take effect in accordance with the provisions of Chapter 5.**

**There shall be no more than one budget referendum in any year.**

#### **Section 5-2(a). Preparation.**

The General Manager shall prepare and, not less than **110** ~~ninety-five (95)~~ days prior to the beginning of each fiscal year, shall submit to the Board of Directors a tentative budget for the ensuing fiscal year and an explanatory budget message. Such tentative budget shall, where possible, include a statement of receipts during the last completed fiscal year, the receipts for the first six (6) months of the current fiscal year, an estimation of receipts for the entire fiscal year and an estimation of receipts during the ensuing fiscal year, all itemized in accordance with a classification approved by the Board of Directors. Such budget shall also, where possible, include a statement of the expenditures during the completed fiscal year, the expenditures during the six (6) months of the current fiscal year, an estimation of the expenditures for the entire current year, the appropriations requested and the recommendations of the General Manager, as itemized by departments and in accordance with a classification by object of expenditure approved by the Board of Directors. Said budget message shall state the reason for any material increase or decrease in the estimate for the coming year of any item of receipts or expenditures from that for the current fiscal year. The Board of Education and each office, department and agency of the Town which requires an appropriation shall, not later than **February 14** ~~February 21~~ of each year, submit to the General Manager a request for an appropriation for the ensuing year in accordance with a form prescribed by the General Manager and shall furnish the General Manager with such further information as to receipts and

expenditures as he shall require. The request for an appropriation filed by the Board of Education with the General Manager shall be accompanied by a copy thereof for each member of the Board of Directors. ~~and within fifteen (15) days after said filing, the General Manager shall call and attend a~~ **Within three (3) days of filing the request for an appropriation, the Chair of the Board of Education may submit a letter to the General Manager requesting** joint meeting of the two (2) Boards for the purpose of discussing the appropriation request of the Board of Education and the recommendations of the General Manager. **If the Chair of the Board of Education requests this initial joint meeting, the joint meeting shall be held not later than five (5) days before the General Manager submits his tentative budget to the Board of Directors. Following the submittal of the General Manager's tentative budget, but not later than seven (7) days before the adoption of the final budget, a mandatory joint meeting of the two (2) Boards shall be held for the purpose of presenting and discussing the appropriation request of the Board of Education.** ~~After such discussion said joint meeting shall adjourn to a date not later than three (3) days before the General Manager submits his tentative budget to the Board of Directors in order to permit further discussion to be had on any decrease proposed or to be proposed by the General Manager in the appropriation request of the Board of Education. The Chairman of the Board of Education may at any time sign and file with the General Manager a written waiver dispensing with said adjourned joint meeting.~~

#### **Sec. 5-3. Publication.**

The budget and budget message and all supporting data shall be a public record in the office of the General Manager and shall be open to inspection at any reasonable time by any elector or taxpayer. The General Manager shall cause a summary of the tentative budget and budget message to be advertised in the same manner as provided for giving notice of a public hearing in § 3-8 of this Charter. The third such advertisement of the tentative budget and budget message shall appear not less than **105** ~~ninety (90)~~ days prior to the beginning of the ensuing fiscal year.

#### **Sec. 5-4. Public hearings.**

The Board of Directors shall hold a public hearing not less than **100** ~~eighty-five (85)~~ days prior to the beginning of the fiscal year at which any elector or taxpayer may have an opportunity to be heard. The Board of Directors shall determine the date of the hearing and shall cause a notice of the hearing to be published in a newspaper having a general circulation in the Town not less than three (3) times and not less than five (5) days prior to the date of the hearing. The hearing may be adjourned from time to time by the Board of Directors as it shall deem necessary.

#### **Sec. 5-6. Adoption.**

The final budget shall be adopted by the Board of Directors not less than ~~75~~ ~~forty-five~~ ~~(45)~~ days prior to the beginning of the fiscal year. Should the Board of Directors take no final action to adopt the budget on or before the forty-fifth day prior to the beginning of the ensuing fiscal year, the tentative budget submitted by the General Manager shall be deemed to have been finally adopted by the Board of Directors, and it shall be the legal budget of the Town for the fiscal year ensuing-, **unless a petition for a budget referendum shall be filed and certified in accordance with § 3-13.**

## Exhibit 4

### Sec. 5-22. Competitive bidding.

Before any department, commission, officer or employee of the Town or the Board of Education shall make any purchase of or contract for any construction, supplies, materials, equipment or service, except personal services, provided by Town employees and officers and professional services, involving an expenditure of more than **0.000003 of the current General Fund Taxable Grand List** ~~ten thousand dollars (\$10,000.00)~~ opportunity shall be given for competitive bidding in writing by at least three (3) bona fide bidders under such rules and regulations as the Board of Directors or the Board of Education, as the case may be, may establish. Before any department, commission, board, officer or employee of the Town shall sell any real or personal property of the Town, opportunity shall be given for competitive bidding in writing by at least three (3) bona fide bidders under such rules and regulations as the Board of Directors or the Board of Education, as the case may be, may establish; and all moneys received from such sales shall be paid to the Collector of Revenue. Either of said Boards may waive the requirement for competitive bidding when the circumstances of a particular case do not permit a sufficient amount of time to fulfill the rules and regulations of that Board concerning competitive bids; or when a competitive bid is inappropriate; or when a competitive bid is impractical in that the Boards are unable to obtain competitive bids within the rules and regulations adopted by said Boards, which may provide for a limitation on the number of waivers in favor of any one (1) firm, person or corporation. Any such waiver shall be in writing, certified by the appropriate Board, and shall set forth a specific substantial reason for such waiver and shall be filed in the Town Clerk's office as a public record.



## Exhibit 5

### Sec. 16-1. Library Board.

The Library Board shall consist of nine (9) voting members appointed by the Board of Directors, ~~and the General Manager or his designee as a nonvoting ex officio member.~~ The Library Board shall elect from its membership a Chairman and such other officers as it shall deem necessary and may from time to time adopt regulations for its own government. Upon adoption of this section, the terms of the current Library Board shall be terminated, and the Board of Directors shall appoint three (3) electors of the Town for a term of one (1) year, two (2) electors for a term of two (2) years and two (2) electors of the Town for a term of three (3) years. Thereafter each voting member shall be appointed to a three-year term. Terms of office for current and subsequent members of the Library Board shall expire in the month of November.

## Exhibit 6

### Sec. 2-4. ~~Definitions; Ethics Commission; standards of official conduct.~~<sup>2</sup> [Added by referendum 11-5-1991]

(a) Definitions.

- ~~1. “Business” means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, investment property or any legal entity through which business is conducted for profit.~~
- ~~2.1. “Commission” means the Town Ethics Commission.~~
- ~~3.2. “Complaint” means a written statement alleging any person subject to the standards of official conduct has by act or omission violated said standards. Said complaint shall state the acts or omissions constituting the alleged violations and the approximate date or dates upon which the alleged violations occurred. The Commission may require the complaint to be under oath.~~
- ~~4. “Gift” means a payment, loan, subscription, advance, deposit of money, services, or anything of value, unless consideration of equal or greater value is received.~~
- ~~5. “Family” means a collective body of two (2) of more persons living in one (1) household.~~
- ~~6. “Income” means any money or thing of value received, or expressly or impliedly promised, whether in the form of a fee, salary, expense, allowance, forbearance, forgiveness, interest, dividend, royalty, rent, capital gain or any other form of recompense or any combination thereof.~~
- ~~7.3. “Ministerial action” means an action that a person performs in a given state of facts in a prescribed manner in obedience to the mandate of legal authority, without regard to, or the exercise of, the person’s own judgment upon the propriety of the action being taken.~~
- ~~8.4. “Person” means an individual, business, corporation, union, association, firm, partnership, committee, club or other organization or group of persons.~~
- ~~9.5. “Probable cause” means a finding that reasonable grounds exist to believe that a violation of the Standards of Official Conduct has occurred.~~
- ~~10. “Town agency” means any department, commission, board, bureau, committee, legislative body, agency, or other establishment of the executive or legislative branch of the Town, including the Board of Education to the extent that the provisions of this section may lawfully apply to the Board of~~

~~Education-~~

- 11.6. “Town employee” means any individual who receives income, weekly or otherwise, from the Town or who is responsible for taking or recommending official action of a nonministerial nature with regard to: (i) contracting or procurements; (ii) administering or monitoring grants or subsidies; (iii) planning or zoning; (iv) inspecting; licensing or regulating any person; or (v) any other activity where the official action has an economic impact of greater than a de minimis nature on the interests of any person.
- 12.7. “Town official” means an elected or appointed official in the executive or legislative branch of the Town, excluding members of purely advisory boards and other boards that have no authority to extend public funds or to otherwise exercise the power of the Town.

(b) Town Ethics Commission.

1. Creation. There is created an Ethics Commission consisting of seven (7) members who shall be electors of the Town of Manchester. Appointments to the Commission shall be made by the Board of Directors. No more than three (3) of the members of the Commission shall maintain the same voter affiliation. Any vacancy occurring on the Commission shall be filled by the Board of Directors within sixty (60) days by an elector maintaining the same voter affiliation as originally held by the vacating member.
2. Alternate members. The Board of Directors shall appoint alternate members to the Commission. Such alternate members shall be electors of the Town of Manchester. There shall be one (1) alternate for each voter affiliation represented on the Commission. An alternate member shall, when seated, have all the powers and duties as set forth herein for members. An alternate shall only be seated in the place of an absent member maintaining the same voter affiliation.
3. Terms. Members and alternates of the Commission shall serve for a three-year staggered term, each to commence on the Tuesday after the third Monday in November.
4. Officers. The Commission shall elect a Chairman, Vice Chairman and Secretary. In the absence of the Chairman or in the event of a vacancy in that position, the Vice Chairman shall serve as Chairman.
5. Quorum. Any action by the Commission shall require the affirmative vote of a simple majority of its members, and a simple majority shall constitute a quorum.
6. Meeting. The Chairman or any three (3) members of the Commission may call a meeting, provided that at least three (3) days’ advance notice of the meeting is given to all members.
7. Compensation. Members of the Commission shall not be compensated,

but shall receive reimbursement for their actual and necessary expenses.

(c) Powers of Commission.

1. Rules and regulations. The Commission shall prescribe and publish, after notice and opportunity for public comment, rules and regulations to carry out the provisions of this Act.
2. Reports. The Commission shall prepare and publish such reports as it may deem appropriate.
3. Advisory. The Commission, on its own initiative or upon request, may issue and publish advisory opinions on the requirements of this Act for those who wish to use the opinion to guide their own conduct.
4. Complaints. The Commission, through its special counsel, shall conduct an investigation upon receipt of a written complaint by any elector or taxpayer of the Town of Manchester alleging, under oath or affirmation, a violation of the standards of official conduct.
5. Annual report. The Commission shall prepare an annual report for submission to the Board of Directors.

(d) Investigations and hearings by Commission.

1. Special counsel. The Commission shall appoint an attorney to act as special counsel to the Commission, which appointment shall continue at the pleasure of the Commission. The special counsel shall not be a member of the Town Attorney's staff. The special counsel shall be compensated for his or her services on a case-by-case basis at public expense.
2. Authority. The Commission shall refer any written complaint received by it to the special counsel for investigation. The Commission shall, not later than five (5) days after the receipt of such complaint, notify by registered or certified mail any person against whom such complaint was filed. A copy of such complaint shall accompany such notice.
3. Powers of special counsel. The special counsel shall conduct an investigation of each complaint to determine if probable cause exists and shall make recommendations to the Commission based upon the investigation. Special counsel shall recommend dismissal of the complaint in the event probable cause is not found. In the event the special counsel finds probable cause, he shall set forth the particular section or sections of the Standards of Official Conduct which he finds to have been violated and may (1) recommend the complaint be accepted as filed; (2) recommend amendments to the complaint; or (3) recommend additional charges be added to the complaint. The special counsel shall make recommendations to the Commission within the time limits set by the Commission but in no event more than ninety (90) days after receipt of the

complaint. In unusual circumstances the Commission may grant an extension to special counsel, not to exceed an additional sixty (60) days.

4. Review by Commission. The Commission shall, within sixty (60) days of receipt of special counsel's recommendations, meet privately to review each recommendation. The Commission shall dismiss the complaint or set a date for a public hearing thereon or on the amended complaint, which hearing shall be held no later than sixty (60) days thereafter. The Commission shall give public notice of the date fixed for said hearing at least fourteen (14) days prior thereto. Notice of the Commission's decision to either dismiss the complaint or hold a public hearing on the complaint shall be given to the complainant and to the person subject to the investigation.
5. Confidentiality. Irrespective of any statute to the contrary, the complaint, the probable cause investigation, the recommendations of special counsel and the minutes of the meeting of the Commission to receive special counsel's recommendations shall not be disclosed to the public unless and until the Commission sets a date for a public hearing on the complaint.
6. Witnesses to testify. Any person may be compelled, by subpoena signed by competent authority, to appear before the Commission to testify in relation to any complaint brought to the Commission, and may be compelled, by subpoena signed by competent authority, to provide before the Commission for examination any books or papers which in the judgment of the Commission are relevant to the inquiry or investigation.
7. Hearing procedure. Such hearing shall be open to the public and shall be conducted in accordance with the Commission's rules and regulations. Special counsel shall present evidence against the respondent. The respondent shall be entitled to counsel, to present evidence and to examine and cross-examine witnesses.
8. Recording of hearing. The public hearings of the Commission shall be recorded at public expense. A written transcription of the recording shall be available to the public at the requiring party's expense. A written transcription of the recording shall be available to the Commission, at its request, at public expense.
9. Memorandum of decision. The Commission shall, within thirty (30) days after conclusion of the public hearing, file a memorandum of decision containing its conclusions and recommendations and shall either dismiss the complaint or shall recommend appropriate action to the Board of Directors. **A copy of each of the Commission's memoranda of decision shall be retained by the Town Clerk as a permanent record.**

(e) Standards of official conduct.

- ~~1. No person shall offer or give to a Town official or Town employee or a member of his or her family and no Town official or Town employee shall~~

~~solicit any gift to influence the official or employee in the performance of his or her official duties.~~

- ~~2. No Town official or Town employee shall accept any benefit or income in addition to that received in his or her official capacity for having exercised his or her official powers or performed his or her official duties.~~
- ~~3. No Town official or Town employee shall use or disclose information not available to the general public and gained in the course of, or by reason of, his or her official position or activities to further any person's financial interest.~~
- ~~4. Any Town official or Town employee who has, or whose family has, a financial interest, distinct from that of the general public, in any decision of any Town agency shall disqualify himself or herself from participating in that decision. Any decision made as a result of a violation of this provision shall be voidable, at the option of the Town.~~
- ~~5. No Town official or Town employee shall knowingly have or acquire any financial interest or beneficial interest, direct or indirect, in any business that is incompatible with the proper discharge of his or her official duties or that may tend to impair his or her independence or judgment in the performance of his or her official duties.~~
- ~~6. No Town official or Town employee shall knowingly misuse or misappropriate any Town fund or Town asset.~~

**1. The Board of Directors, not later than March 10, 2009, shall adopt standards of official conduct by ordinance. The ordinance and any amendments to it shall be adopted by the affirmative vote of not less than seven members of the Board. If the Board of Directors shall not have adopted such ordinance by March 10, 2009, the Standards of Conduct recommended to the Board of Directors on March 1, 2007 by the Ad Hoc Committee on Code of Ethics shall become the standards of conduct for the Town of Manchester, effective March 11, 2009, until superseded by ordinance adopted by the Board of Directors.**

**2. The General Manager shall provide all town employees and town officials with a copy of the standards of official conduct and shall require each of them to acknowledge in writing that he or she has received and read the standards. Each employee's written acknowledgment shall be retained in his or her personnel file. Each official's written acknowledgment shall be retained in the files of the General Manager during the official's tenure and one year thereafter.**

**(f) The 2008 amendments to this section 2-4 shall take effect on March 11, 2009 or on the effective date of the standards of conduct ordinance adopted by the Board of Directors in accordance with subdivision (e) of this section.**

## Exhibit 7

### Sec. 2-1. Elective officers.

A meeting of the electors of the Town of Manchester for the election of Town officers shall be held on the first Tuesday after the first Monday in November 1969, and biennially thereafter. At each such meeting there shall be elected nine (9) members of the Board of Directors, a Town Clerk, ~~a Town Treasurer~~, two (2) Registrars of Voters elected in the manner prescribed by the General Statutes, three (3) Selectmen, seven (7) Constables, and members of the Board of Education as hereinafter provided. In the election for members of the Board of Directors, each political party may nominate not more than six (6) candidates, and no elector shall vote for more than six (6) candidates for such office. No grand jurors shall be elected or appointed. Each person elected to office shall be a resident elector of the Town, and each elected officer, except as hereinafter expressly provided, shall assume his office on the third Monday in November in the year of his election and shall hold office until his successor is elected and has qualified. The provisions of § 51-95 of the General Statutes shall apply to Justices of the Peace elected in the Town of Manchester, except that any act required to be done during the month of January under the provisions of § 51-95 shall be done in the case of the Town of Manchester on or before the corresponding day in November. Fifteen (15) Justices of the Peace shall be selected in accordance with state statutes.

### Sec. 2-7(a). Official bonds.

The ~~Director of Finance Treasurer~~, Collector of Revenue and Town Clerk shall, before entering upon their official duties, execute to the Town and file with the Town Clerk a surety company bond in a penal sum to be fixed by the Board of Directors, conditioned upon the faithful performance of his official duties, in the form to be prescribed or approved by the Town Attorney. Premiums for said bonds shall be paid by the Town.

### Sec. 5-13. Director of Finance to assume former powers and duties of Town Treasurer. ~~Town Treasurer.~~

The ~~Director of Finance Town Treasurer~~ shall have all the powers and perform all the duties which are vested by statute in town treasurers, **and, except as otherwise provided in this Charter, as amended, all the powers and duties which were formerly vested in the Town Treasurer by this Charter.** ~~His compensation shall be fixed by the Board of Directors on or before June 30 of the year of election for the next biennial term, and it shall not be decreased at any time during the biennial term of office. Should the Board of Directors fail to establish the amount of compensation by June 30 in the year of the election of the new biennial term, then the compensation shall remain at the level previously set.~~ He shall have custody of and disburse all funds belonging to the Town and shall deposit the same in such banks and trust companies as may be designated by the Board of Directors on the recommendation of the General Manager. He shall keep such

books and records as the Board of Directors shall prescribe. He shall be the Treasurer of the Town Deposit Fund and shall have authority to invest and reinvest the same in securities legal for investment of trust funds under the General Statutes. Nothing herein shall be construed to prevent sinking funds and trust funds from continuing to be managed by any trust company managing them at the effective date of this Charter unless the appointment is revoked by the Board of Directors. Whenever a vacancy occurs, or any trust fund is hereafter created, the Board of Directors shall have power on the recommendation of the **General Manager Treasurer** to designate a trust company or trust companies to manage the same, which designation shall continue until revoked. The **Director of Finance or Acting Director of Finance** ~~Town Treasurer or the Assistant Treasurer~~ and the General Manager or Acting General Manager jointly shall have the power to endorse, negotiate, sign and transfer, on behalf of the Town, any securities in order to effectuate the transfer thereof.

#### **Sec. 5-14. Assistant Town Treasurer. Repealed.**

~~The Treasurer may appoint to serve at his pleasure an Assistant Treasurer and shall thereupon file with the Town Clerk a certificate of such appointment, and the Town Clerk shall record such certificate. Said Assistant shall perform such duties as may be required of him by the Treasurer and shall have all the powers and duties of the Treasurer during his absence or disability.~~

#### **Sec. 5-15. Disbursements.**

Except as is otherwise provided by this Charter, payments from Town funds shall be made only ~~by the Town Treasurer or the Assistant Town Treasurer and only~~ upon order of the Director of Finance or the Board of Education. Such order shall specify the office, department or agency and the budget item against which the payment is charged. Each such order ~~on the Treasurer~~ by the Director of Finance shall certify that there is a sufficient unexpended and unencumbered balance in the budget appropriation and the item against which the payment is to be charged, and shall further certify that full value for the payment has been received.

#### **Sec. 12-3. Bills.**

All bills for the use of the waterworks system and for the use of the sewerage system and sewage treatment works shall be prepared under the direction of the Superintendent of the Water and Sewer Department and paid to the Collector of Revenue. Separate accounts shall be kept of the funds derived from each of the utilities and of the disposition thereof, which account shall be audited annually, and the report of such audits shall be open to public inspection. The **Director of Finance** ~~Treasurer~~ of the Town shall be the custodian



of such funds, which shall be kept separate from other funds of the Town, and shall be used for such utilities, respectively, and for no other purpose, except that any surplus funds derived from either of said utilities may be transferred to the general funds of the Town, on the recommendation of the General Manager, by a vote of the Board of Directors, and may then be used for the general purposes of the Town.

### **Sec. 12-5. Budget and finances.**

(1) The provisions of Chapter V and Chapter XIX of this Charter shall apply to the water and sewer utilities and their management and operation, and money shall be expended only in accordance therewith, provided no money shall be appropriated for the budgets of the Water and Sewer Department for the sewerage system or for the waterworks system in excess of the anticipated revenues from such systems, respectively, except that, in the event such revenues shall be insufficient therefor, there shall be included in said budgets, respectively, such amounts as may be required for the payment of interest on or principal of indebtedness, other than indebtedness payable solely from such revenues, assumed or incurred by the Town in connection with the acquisition, construction or improvement of the sewerage system and sewage treatment works or of the waterworks system, as the case may be. Bonds of the Town issued pursuant to number 542 of the Special Acts of 1953 shall be deemed to be issued to acquire the water system and for water supply for the purposes of this Charter and of § 7-374 of the 1958 General Statutes, as they may from time to time be amended. No provision of this Charter shall be construed to prohibit the issuing of general obligation bonds for capital improvements relating to the water and sewer facilities or as restricting the powers of the Town under the provisions of Chapters 102 and 103 of the General Statutes (Rev. of 1958), as they may from time to time be amended.

(2) (a) *Creation of reserve fund for Water Department.* The Board of Directors, by a majority vote, may create a reserve fund for capital and nonrecurring expenditures of the Town Water Department to be known as the Water Department “Reserve Fund for Capital and Nonrecurring Expenditures.”

(b) *Procurement of fund.* The Board of Directors may authorize the payment into such reserve fund (a) all or a part of the cash surplus of the Water Department available at the end of any fiscal period and an appropriation in the annual Water Department budget. All money so accumulated, together with all interest that may accrue thereon, shall be deposited in a separate bank account by the **Director of Finance** ~~Town Treasurer~~ and may be invested and reinvested from time to time in securities which are legal investments for savings banks.

(c) *Use of fund.* Upon approval by the Board of Directors, any part or the whole of such fund may be used for capital and nonrecurring expenditures for the Water Department, but such use shall be restricted to the financing of all or part of the planning, construction, reconstruction or acquisition of any specific capital improvement or the acquisition of any specific item of equipment. Upon the approval of any such expenditure, an appropriation account shall be set up plainly designated for the project or acquisition for

which it has been authorized and any unexpended portion of such appropriation shall continue until such project of acquisition is completed. Any unexpended portion of any such appropriation remaining after such completion shall revert to said reserve fund.

(d) *Discontinuance of reserve.* Said reserve fund may be discontinued at any time by the Board of Directors, and the unexpended and unappropriated balance of said fund shall be transferred to the General Fund of the Town Water Department.

(3) (a) *Creation of a reserve fund for Sewer Department.* The Board of Directors, by a majority vote, may create a Reserve Fund for capital and nonrecurring expenditures of the Town Sewer Department to be known as the Sewer Department “Reserve Fund for Capital and Nonrecurring expenditures.”

(b) *Procurement of fund.* The Board of Directors may authorize the payment into such reserve fund (a) all or a part of the cash surplus of the Sewer Department available at the end of any fiscal period and an appropriation in the annual Sewer Department budget. All money so accumulated, together with all interest that may accrue thereon, shall be deposited in a separate bank account by the **Director of Finance** ~~Town Treasurer~~ and may be invested and reinvested, from time to time, in securities which are legal investments for savings banks.

(c) *Use of fund.* Upon approval by the Board of Directors, any part or the whole of such fund may be used for capital and nonrecurring expenditures for the Sewer Department, but such use shall be restricted to the financing of all or part of the planning, construction, reconstruction or acquisition of any specific capital improvement or the acquisition of any specific item of equipment. Upon the approval of any such expenditure, an appropriation account shall be set up plainly designated for the project or acquisition for which it has been authorized, and any unexpended portion of such appropriation shall continue until such project or acquisition is completed. Any unexpended portion of any such appropriation remaining after such completion shall revert to said Reserve Fund.

(d) *Discontinuance of reserve fund.* Said reserve fund may be discontinued at any time by the Board of Directors, and the unexpended and unappropriated balance of said fund shall be transferred to the General Fund of the Town Sewer Department.

#### **Sec. 19-4. Formalities in execution.**

Each note and bond of the Town issued hereafter shall be signed by any two (2) of the following Town officers: the **Director of Finance** ~~Treasurer~~, the General Manager and the Chairman of the Board of Directors. In event of the incapacity or unavailability of any of said officers, the Board of Directors may by vote designate some other Town officer for said purpose.

## Exhibit 8

### Sec. 3-3. Compensation.

The compensation of the members of the Board of Directors shall be as follows: the Chairman shall be paid **four thousand five hundred dollars (\$4,500.00)** ~~three thousand dollars (\$3,000.00)~~ annually, the Deputy Chairman and the Secretary shall be paid **three thousand five hundred dollars (\$3,500.00)** ~~two thousand four hundred dollars (\$2,400.00)~~ annually, and the other members of the Board shall be paid **three thousand dollars (\$3,00.00)** ~~two thousand dollars (\$2,000.00)~~ annually, which sums shall be in full compensation for services rendered.

## Exhibit 9

### Sec. 18-1. Town Attorney; powers and duties.

The Board of Directors shall appoint a Town Attorney, whose compensation shall be fixed by the Board of Directors, and when the need exists the Board of Directors shall appoint a Bond Counsel. The Town Attorney shall be the head of the Department of Law. He shall be the legal adviser for the Town, the General Manager, Board of Directors, Board of Education, and all departments, boards, commissions, bureaus and other officers in all matters affecting the Town or relating to their official duties. He shall appear for and protect the rights and interests of the Town in all actions, suits and proceedings brought by or against it or any of the departments, boards, commissions, bureaus, or officers on account of matters involving the performance of their official duties or affecting the Town, and discharge such other legal duties as may be prescribed by law or by ordinance. He shall have power, subject to the approval of the General Manager, to appeal from orders, decisions and judgments in which the Town, or any department, commission, board, bureau or officer is a party. He shall also have the power to enter into any agreement, compromise or settlement of any claims against the Town in an amount not to exceed **seven thousand five hundred dollars (\$7,500.00)** ~~one thousand five hundred dollars (\$1,500.00)~~. He shall have the power, subject to the approval of the General Manager, to enter any agreement, compromise or settlement of claims against the Town in an amount not to exceed **fifteen thousand dollars (\$15,000.00)** ~~ten thousand dollars (\$10,000.00)~~. Any agreement, compromise or settlement of claims against the Town exceeding **fifteen thousand dollars (\$15,000.00)** ~~ten thousand dollars (\$10,000.00)~~ shall require the approval of the General Manager, Town Attorney and the Board of Directors. Notwithstanding the above, the Town Attorney, with the concurrence of the General Manager, may enter into any agreement, compromise or settlement of any land use appeals, tax appeals, medical insurance claims, workers' compensation or heart and hypertension claims (excluding full and final stipulations), and all other claims for which settlement authority is vested in an entity other than the Board of Directors. He shall prepare or approve all forms of contracts and other instruments to which the Town is a party or in which it has an interest. He may, with the approval of the General Manager, employ special counsel to assist him in the conduct of important cases or proceedings to which the Town is a party or in which it has an interest. Except on behalf of the Town, the Town Attorney shall not appear as Counsel before any board, commission, officer or other agency of the Town.

## Exhibit 10

### Sec. 3-4. Organization.

The Board of Directors shall meet in the afternoon on the third Monday in November, 1969, and biennially thereafter and organize by electing ~~by a majority vote of those present~~ one of its own members to be for a term of two years Chairman of the Board of Directors; one of its own members to be for a term of two years Vice Chairman of the Board of Directors; and one of its own members to be for a term of two years Secretary of the Board of Directors. **The member elected as Chairman shall be the member who received the highest vote count in the biennial election, irrespective of party affiliation or non-affiliation. The Vice Chairman and Secretary shall be elected by a majority vote of those present.**