TOWN CHARTER

ENFIELD, CONNECTICUT

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CHARTER FOR THE TOWN OF ENFIELD

- Originally Approved by Referendum, December 5, 1962, by vote of 3,981 FOR – 2,755 AGAINST

- Revision Approved by referendum, November 5, 1968, by vote of 5,558 FOR – 1,874 AGAINST

- Section 2 (b) of the Chapter II of this Revised Charter adopted as Alternative Provision by vote of 4,372 FOR - 2,624 AGAINST

- Revision to Chapter II, Section 5 approved by Referendum, November 5, 1974 by vote of 5,286 FOR – 1,856 AGAINST

- General Revisions to Enfield Town Charter approved by Referendum, November 2, 1982 by vote of 4,980 FOR – 2,773 AGAINST

- General Revisions to Enfield Town Charter approved by Referendum, November 5, 1996 by vote of 6,194 FOR – 6,116 AGAINST

- General Revisions to Enfield Town Charter approved by Referendum, November 4, 2014 by vote of 5723 FOR – 4,855 AGAINST

SECTION 1. INCORPORATION.

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

SECTION 2. RIGHTS AND OBLIGATIONS.

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

SECTION 3. GENERAL GRANT OF POWERS.

In addition to all powers granted to towns under the Constitution and 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, State of Connecticut or any political subdivision thereof for services and the use of facilities, the exercise of which is not expressly forbidden by the Constitution and General Statutes of the State of Connecticut. The enumeration of particular powers in this and any other chapter of this Charter shall not be construed as limiting this general grant of power but shall be considered as an addition thereto.

CHAPTER II. OFFICERS AND ELECTIONS

SECTION 1. GENERAL.

Nomination and election of federal, state and local officers, state senators and representatives, judge of probate, two (2) registrars of voters and constables, shall be conducted, and the registrars of voters shall prepare lists of electors qualified to vote therefor, in the manner prescribed in the Constitution and the general laws of the State of Connecticut, except as hereinafter provided.

SECTION 2. MUNICIPAL ELECTIONS.

A meeting of the electors of the Town of Enfield for the election of municipal officers shall be held on the first Tuesday after the first Monday in November, 1969, and biennially thereafter.

(a)At such meeting there shall be elected eleven (11) members of the Enfield town council for terms of two (2) years as hereinafter provided: one (1) councilor for District One (1), one (1) councilor for District Two (2), one (1) councilor for District Three (3), one (1) councilor for District Four (4), and seven (7) at-large, no more than four (4) of whom shall be of the same political party.

(b)In 1973, and biennially thereafter, at such meeting there shall be elected nine (9) members of the Enfield board of education, no more than five (5) of whom shall be of the same political party, for terms of two (2) years.

(c) All elective officers shall hold office until their successors have been chosen and qualified.

SECTION 3. ELIGIBILILITY.

No person shall be eligible for election to any town office who is not at the time of their nomination and election qualified to vote for that office and any person ceasing to be a resident and elector of said town, or in the case of district councilor, their district, shall thereupon cease to hold such elective office in the Town of Enfield.

SECTION 4. VACANCIES.

Any vacancy in any elective town office, including the board of education, from whatever cause arising, shall be filled by appointment by the town council within sixty (60) days of the date of the vacancy for the unexpired portion of the term or until the next biennial municipal election, whichever shall be sooner, provided that when the person vacating the office shall have been elected as a member of a political party, such vacancy shall be filled by appointment of a member of the same political party.

SECTION 5. ALTERING DISTRICT BOUNDARIES.

(a)*Council districts.* The council shall, from time to time, or as required by law, alter the boundaries of the council districts by resolution approved by a majority of the electors voting thereon at a town referendum, held for that purpose. Such change shall not take effect until the next municipal primary or election. Any change in the boundaries of council districts made within ninety (90) days prior to any election or primary shall not apply with respect to such primary or election.

(b)*Voting districts.* The council may divide and from time to time re-divide the town into voting districts, hereinafter called precincts, within the provisions of G.S. § 9-169. Precinct lines shall not be drawn as to conflict with the lines of council districts as established by the council in section 5, part (a) of this chapter.

CHAPTER III. THE TOWN COUNCIL

SECTION 1. THE COUNCIL.

There shall be a town council consisting of eleven (11) members, hereinafter referred to as the council, the members of which shall serve without compensation except for the reimbursement of actual expenses incurred in the performance of official duties for two (2) years.

SECTION 2. CHAIR.

The council shall meet on the second Monday in November, 1969, and biennially thereafter for an organizational meeting. At such meeting, the council shall choose one of its members to preside as chair over the council, who shall bear the title of Mayor. At the same meeting, the council shall choose one of its members to act as chair of the council during the absence of the Mayor, who shall bear the title of Deputy Mayor. The holding of either of such offices shall not deprive the council member of a vote on any questions. The Mayor, or the Deputy Mayor, in the mayor's absence, shall preside over all meetings of the council, perform such other duties as are consistent with the office and be recognized as the official head of the town for ceremonial purposes, military purposes, and for the purpose of serving civil process.

SECTION 3. TOWN CLERK.

The town clerk shall act as clerk of the council and shall keep a public record of all proceedings of the council, including roll call votes. At the meeting of the council on the second Monday in November, 1969, and biennially thereafter, the town clerk shall preside until the council has elected a chair.

SECTION 4. PROCEDURE.

At the first meeting of the council following the town election, the town council shall fix the time and place of its regular meeting, which shall not be less than once each month and shall provide a method for the calling of special meetings. It shall determine its own rules of procedure. All meetings of the council for the transaction of business shall be open to the public and the votes shall be recorded as prescribed in the General Statutes, as revised. Six (6) members shall constitute a quorum, but no ordinance, resolution, or

vote, except a vote to adjourn or to fix the time and place of the next meeting, shall be adopted by less than six (6) affirmative votes. All ordinances and resolutions shall be confined to one subject which shall be clearly stated in the title. The council shall keep for public inspection a record as required in section 3 of this chapter which shall be the official record of its proceedings. The record so kept shall be authenticated for each meeting by the signature of the chair or the clerk of the council.

SECTION 5. GENERAL POWERS AND DUTIES.

The council shall have the powers and duties which on the effective date of this Charter were conferred by law upon boards, officers and commissions of said town existing immediately prior to such date except as otherwise specifically provided in this Charter. The legislative power of the town shall have be vested exclusively in the council. Said council shall have the power to enact, amend, or repeal ordinances not inconsistent with this Charter or the General Statutes of the state; to create or abolish boards, commissions, departments, and offices; and the council may, upon recommendation of the manager, contract for services and the use of facilities of the United States or any federal agency, the State of Connecticut or any political subdivision thereof, or may, by agreement, join with any such political subdivisions to provide services and facilities. The council is authorized, in adopting ordinances, to incorporate any nationally recognized code, rules and regulations that have been printed in book form, or any code officially adopted by any administrative agency of the state, or any portion thereof, by reference thereto in such ordinance; provided, upon adoption of any such ordinance wherein any such code, rules and regulations or portions thereof have been incorporated by reference, there shall be maintained two (2) copies of such code, rules and regulations in the office of the town clerk for examination by the public. Said council may regulate the internal operation of boards, commissions and offices which it fills by appointment, and fix the compensation of the registrars of voters and the officers and employees appointed by it. Said council 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. Said council may further establish a hearing procedure for the removal of any of its appointees.

SECTION 6. PUBLIC HEARING ON AND PUBLICATION OF ORDINANCES.

At least one (1) public hearing, prior notice of which shall be given, not more than fifteen (15) days nor less than five (5) days, by publication electronically or as required by law, and in a newspaper having a circulation in said town, and by posting a notice and the full text of the ordinance in public places, including, but not limited to, Town Hall and the Central Library, shall be held by the council before any ordinance shall be passed. Every ordinance after passage shall be given a serial number and be recorded by the town clerk in a book to be kept for that purpose which shall be properly indexed. Within ten (10) days after final passage, all ordinances shall be published once in their entirety electronically or as required by law, and in a newspaper having a circulation within the town. Every ordinance, unless it shall specify a later date, shall become effective on the fifteenth day following its final passage, provided an ordinance stated to be a public emergency measure and stating the facts constituting such public emergency shall become effective immediately after such publication and no public hearing or notice of public hearing shall be required for any public emergency measure.

SECTION 7. POWER OF INITIATIVE.

(a)The electors shall have the power to propose to the council any ordinance or repeal of a vote, resolution or ordinance except an ordinance or resolution appointing or removing officials, specifying the compensation or hours of work of officials and employees, appropriating money, authorizing the levy of taxes, or fixing the tax rate.

(b) If the council fails to adopt such ordinance or other measure within thirty (30) days after a petition, as set forth in section (c) below, making such a proposal shall have been filed with the council, the electors may adopt or reject the same at any election held within ninety (90) days after such proposed ordinance or measure was originally filed with the council.

(c) Such petition shall contain the full text of the vote, resolution or ordinance proposed to be passed or repealed and shall be signed in ink or indelible pencil by qualified electors of the town equal in number to at least seven (7) percent of the registered voters eligible to vote at the last biennial municipal election. Said petition shall be accompanied by affidavits signed and sworn to by each circulator of such petition certifying to the authenticity of the signatures on such petitions.

(d)Prior to circulating any such petition, an elector may, but is not required to, submit such proposed ordinance, repeal of a vote, resolution or ordinance to the Town Attorney's Office to be examined by the Town Attorney before being circulated. The Town Attorney is authorized to correct the form of such proposed petition 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. If the Town Attorney should determine that the proposed petition is in violation of this Charter, the general statutes or constitution of the State of Connecticut or of the United States, the Town Attorney shall return said petition to the elector together with a statement of the reason or reasons for such determination.

(e)The registrar of voters shall determine the sufficiency of the petition and the affidavits and certify the same to the town clerk as clerk of the council within ten (10) days of receipt thereof. Certification to the town clerk shall be deemed to be filing with the council for the purposes of this section.

(f)Unless at least twenty (20) percent of the electors entitled to vote on the question shall have voted, such proposed ordinance or measure shall not become effective and the result shall be construed as against adoption. No ordinance or other measure which shall have been adopted in accordance with the provisions of this section shall be repealed or amended by the council except by petition and vote of the electors.

SECTION 8. INVESTIGATION.

The council shall have the power to investigate any and all departments, offices, and agencies of the town and for such purposes shall have the power to issue subpoenas. At the request of the council, any judge may issue a capias for the appearance of witnesses and the production of books and papers.

SECTION 9. RELATION TO ADMINISTRATIVE SERVICE.

Neither the council nor any of its members shall direct or request the appointment of any person to any office or employment, or direct or request the removal of any person from any office or employment which office or employment, by the provisions of this Charter, the manager or any of his appointees are empowered to fill by appointment, provided the manager may seek advice from the council regarding appointments and provided further the council may prefer charges in writing against any officer or employee appointed by the manager in the manner hereinafter prescribed for the removal of officers and employees. The council and its members deal with the administrative service solely through the manager and neither the council nor any member thereof shall give orders to any of the subordinates of the manager either publicly or privately, provided a properly constituted meeting of the council, which the manager has been invited to attend, may call before it any employee or officer for the purpose of investigation. Any councilor violating the provisions of this section, upon a finding thereof by a court of competent jurisdiction shall cease to be a councilor.

SECTION 10. FISCAL YEAR.

The fiscal year of the town shall be July first to June thirtieth, inclusive.

SECTION 11. AUDIT REPORT.

The council shall annually designate an independent public accountant or firm of independent public accountants to audit the books and accounts of the town as provided in the General Statutes, as revised, of the State of Connecticut. Such independent public accountant or firm of independent public accountants shall not serve for more than three (3) consecutive years.

CHAPTER IV. THE TOWN MANAGER

SECTION 1. APPOINTMENT AND REMOVAL.

(a)The council shall appoint a town manager hereinafter referred to as the Manager who shall be the chief executive officer of the town to serve for an indefinite period, who shall be a graduate, with a bachelor's degree from an accredited college or university, whose major field of study shall have been public administration or government and who shall have a minimum of five (5) years' experience in public administration. At the time of appointment, said manager need not be a resident of the Town of Enfield or the State of Connecticut. The manager shall devote full time to the duties of

the office, and during the term of office, shall reside in said town. The compensation of the town manager shall be fixed by the council and shall not be decreased except at the beginning of a fiscal year of the town by a vote of the council taken at least one month prior to that date.

(b)The manager may be removed by a majority vote of all the members of the council as herein provided. At least thirty (30) days before the proposed removal of the manager, the council shall adopt a resolution stating its intention of removal, and reasons therefor, a copy of which shall be served forthwith on the manager who may, within ten (10) days, demand a public hearing in which event the manager shall not be removed until such public hearing has been held. Such public hearing shall be held within ten (10) days of the proposed removal date. Upon passage of such a resolution the council may suspend said manager from duty provided the salary of said manager shall continue until removal from office. In the event of such removal the manager shall be given termination pay equivalent to one month's salary.

SECTION 2. RESIGNATION, DEATH OR REMOVAL.

In the event of a termination of the town manager by resignation, death or removal, the council may appoint an acting manager to serve at the pleasure of the council for a period of ninety (90) days. If the position is not filled at the expiration of this ninety (90) day period, the acting manager's term may be renewed for one additional period not to exceed ninety (90) days.

SECTION 3. DUTIES.

The town manager shall be directly responsible to the council for the administration of all departments, agencies and offices in charge of persons or boards appointed by the manager and shall supervise and direct the same. The manager shall see that all laws and ordinances governing the town are faithfully executed; shall make periodic reports to the council; shall attend its meetings with full right of participation in its discussion but without a right to vote; shall prepare and cause to be printed, as soon as possible after the close of the fiscal year, an annual town report; shall recommend to the council such measures as he may deem necessary or expedient; shall keep the council fully advised as to the financial condition of the town; shall prepare and submit to the council an annual budget; and shall exercise such other powers and perform such other duties as may be required by ordinance or by resolution of the council and not inconsistent with this Charter.

SECTION 4. APPOINTMENTS.

The manager shall appoint all department heads and other officers and employees of the town except as otherwise specifically provided in this Charter and except employees in the offices of elected officers and boards appointed by the council. In lieu of any appointment by the manager or any of the manager's appointees to any office under their jurisdiction, the manager, subject to the approval of the council, may perform the duties of any office under the manager's jurisdiction except those of town treasurer, provided in case the town treasurer is absent or unable to act, the manager may countersign checks in accordance with the provisions of this Charter. The manager shall designate one of the manager's appointees to serve as acting manager during the manager's absence.

CHAPTER V. APPOINTMENTS BY THE TOWN COUNCIL AND THE MANAGER

SECTION 1. TOWN ATTORNEY.

The council shall, by majority vote at a meeting to be held, by the second Monday in December following the council elections, appoint a town attorney to serve for a term of two (2) years from the date of their appointment, January first. The town attorney shall be an attorney admitted to practice law in the state of Connecticut for a minimum of five (5) years. The town attorney shall be head of the town legal department and 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, officers, agencies, boards or commissions. The town attorney shall be the legal advisor of the council, the town manager and other town officers, boards and commissions in all matters affecting the town and shall upon written request furnish them with a written opinion on any questions involving their respective powers and duties. The town attorney shall prepare or approve the legality of contracts and other instruments to which the town is a part or in which it has an interest except the issuance of bonds for which special counsel is retained. The town attorney shall have power, with the approval of the town manager, to appeal orders, decisions, and judgments and, subject to the approval of the council, to compromise or settle any claims by or against the town. The town attorney shall receive a compensation set by the council.

SECTION 2. PLANNING AND ZONING COMMISSION.

The council shall, by a majority vote at a meeting to be held by the second Monday in December following the council elections, appoint a planning and zoning commission to take office the following January first, consisting of seven (7) electors who shall be regular members of the commission, and three (3) electors who shall be alternate members of the commission, all of whom shall be residents of said town in accordance with the following provisions: No more than four (4) of the regular members shall be of the same political party and no more than two (2) of the alternate members shall be of the same political party; and at said meeting the council shall appoint three (3) regular members for a term of two (2) years, four (4) regular members for a term of four (4) years, one (1) alternate member for a term of two (2) years, and two (2) alternate members for a term of four (4) years, and thereafter the council shall fill the vacancies occurring on said commission. Said commission shall have all the powers and duties not inconsistent with this Charter, which are prescribed in the General Statutes.

SECTION 3. ZONING BOARD OF APPEALS.

The council shall, by a majority vote at a meeting to be held by the second Monday in December following the council elections, appoint a zoning board of appeals to take office on the following January first, consisting of five (5) electors, who shall be regular members of said board, and three (3) electors, who shall be alternate members of said board, all of whom shall be residents of said town, in accordance with the following provisions: No more than three (3) of the regular members shall be of the same political party and no more than two (2) of the alternate members shall be of the same political party; and at said meeting the council shall appoint two (2) regular members for a term of two (2) years, and three (3) regular members for a term of four (4) years, one (1) alternate member for a term of two (2) years and two (2) alternate members for a term of four (4) years, and thereafter the council shall fill the vacancies occurring on said board. No

member of the planning and zoning commission shall be eligible for appointment to the zoning board of appeals as a regular or an alternate member. Said board shall have the powers and duties, not inconsistent with this Charter, which are prescribed in the General Statutes, as revised.

SECTION 4. BOARD OF ASSESSMENT APPEALS.

The council shall, by a majority vote at a meeting to be held by the second Monday in December following council elections, appoint a board of assessment appeals to take office on the following January first, consisting of three (3) electors for terms of three (3) years, except that of those first appointed; one (1) shall be for a term of one (1) year, one (1) for a term of two (2) years, and one (1) for a term of three (3) years. Annually thereafter, the council shall appoint one member to succeed the member whose term expires. Said board shall have all the powers and duties conferred or imposed by the General Statutes on boards of assessment appeals.

SECTION 5. LIBRARY, BOARD OF LIBRARY TRUSTEES.

The council shall, by a majority vote at a meeting to be held by the second Monday in December following elections appoint a library board of trustees to take office on the following January first, consisting of five (5) electors for terms of three (3) years, except that of those first appointed; two (2) shall be for a term of one (1) year, two (2) for a term of two (2) years, and one (1)- for a term of three (3) years. Annually thereafter the council shall fill the vacancy occurring. Said board shall be empowered to receive legacies and gifts on behalf of the library endowment funds and shall administer said endowment funds and grants that may be made to the libraries by the State of Connecticut. The department of finance shall have charge of financial record-keeping for the board of library trustees. Said board shall not take part in the administration and operations of libraries.

SECTION 6. TOWN CLERK.

The manager shall appoint and may remove a town clerk for an indefinite term. The town clerk shall have all the powers and duties conferred or imposed by law on town clerks, shall act as clerk of the town council, and shall have such other powers and duties as are prescribed in this Charter or by the council. The town clerk shall appoint and remove, subject to such rules and regulations as may be adopted pursuant to the merit system provisions of this Charter, all deputies, assistants or employees in their office. The town clerk shall receive a compensation fixed by the council and fees collected by the town clerk shall be paid into the town treasury.

SECTION 7. ADMINISTRATIVE DEPARTMENTS.

There shall be the following administrative departments: A department of finance, a department of public works, a department of public safety, a department of social services and a department of libraries. Such departments shall, except as otherwise provided in this Charter, have the powers and duties prescribed by law and by ordinance or resolution of the council.

SECTION 8. DEPARTMENT OF FINANCE.

The department of finance shall be responsible for the keeping of the accounts and financial records, the assessment and collection of taxes, special assessments and other revenues, the custody and

disbursement of town funds and money, the control over expenditures and such other powers and duties as may be required by ordinance or resolution of the council. Accounts shall be kept by the department of finance showing the financial transactions for all departments and agencies of the town. Forms for such accounts shall be prescribed by the director of finance with the approval of the town manager. Financial reports shall be prepared for each quarter and for each fiscal year and for such other periods as may be required by the town manager.

(a)The director of finance; powers and duties. Except as provided in Chapter IV, section 3 of this Charter, the manager shall appoint and may remove a director of finance who shall have direct supervision over the department of finance and the administration of the financial affairs of the town. The director of finance shall appoint and may remove, subject to such rules and regulations as may be adopted pursuant to the merit system provisions of this Charter, a tax collector, an assessor, a town treasurer, a purchasing agent, and all other employees of the department of finance. Subject to the approval of the manager, the director of finance may perform the duties of any office under the director's supervision except that of the treasurer and may consolidate one or more such offices under one person, provided the town treasurer shall not also be the tax collector, or the purchasing agent.

(b)The tax collector, assessor, and treasurer shall have the powers and duties imposed by law on such officers and shall have such other powers and duties as the council may prescribe, provided the treasurer in addition shall be the agent of the town deposit fund.

(c)The purchasing agent of the town shall purchase all supplies, materials, equipment and other commodities required by any department, agency, board or commission of the town, except the board of education and the probate court, on requisitions signed by the head of the department, office or agency or chairman of the board or commission, or a responsible representative appointed by the purchasing agent.

(d)Nothing herein contained shall be construed to prevent the town purchasing agent from serving to the extent requested as the purchasing agent for the board of education or the probate court upon request of the chairman of the board or judge of such court. Purchases shall be made under such rules and regulations as may be established by the council provided, if any purchase or contract for purchasing, including a continuing order or contract for the purchase of the same commodity over a period of time involves the expenditure of fifteen thousand ($15,000.) dollars or more unless it can be procured through a competitive bid process conducted by Federal or State agency, or consortium of local governments, or more, the purchasing agent, unless it shall be determined by the council to be against the best interests of the town, shall invite sealed bids or proposals, given ten (10) days' public notice thereof by publication electronically or as required by law, and at least once in a newspaper having circulation in the town and shall let the purchase or contract to the lowest responsible bidder thereon or may reject all such bids or proposals with a detailed explanation provided for such action. All such sealed bids or proposals shall be opened publicly and read aloud. Wherever substantial savings can be realized the purchasing agent may enter into cooperative biddings.

SECTION 9. DEPARTMENT OF PUBLIC WORKS.

The department of public works shall have supervision and control of maintenance of all town owned structures, except such structures as are under the control of the board of education, and of the planning, surveying, constructing, reconstructing, altering, paving, repairing, maintaining, cleaning, lighting and inspection of highways, sidewalks and curbs, sewers, sewage disposal, public and private drains and other public improvements, town buildings, and the preservation, care and removal of trees within highways or public places, all engineering work of the town and all solid waste collection and disposal, recycling, and solid waste division. The department shall have supervision and control of all parks and grounds used for

park purposes belonging to the town, and of buildings, structures, apparatus and equipment used in connection therewith and shall have such other powers and duties as the council may prescribe. Any provision of this section to the contrary notwithstanding, the department of public works may maintain and care for school buildings and grounds, but only if and to the extent and for the period requested by the board of education and as approved by the council.

(a)*The director of public works; powers and duties.* Except as provided in Chapter IV, section 4, of this Charter, the manager shall appoint and may remove a director of public works who shall be a professionally qualified by education and experience, who shall be responsible for the efficiency, discipline and good conduct of the department and who in accordance with such rules and regulations as may be adopted pursuant to the merit system provisions of this Charter shall appoint and may remove such deputies, assistants and employees as deemed necessary and shall prescribe their duties. The director of public works shall be the ward and have all the powers and duties thereof as provided by the General Statutes. The director of public works shall exercise these powers and discharge these duties under the supervision of the manager. The director of public works shall organize the work of the department in an economical and efficient manner.

SECTION 10. DEPARTMENT OF PUBLIC SAFETY.

The department of public safety shall have supervision and control of the division of police, the division of fire, the division of emergency medical services and the division of emergency management. Except as provided in Chapter IV, section 4, of this Charter, the manager shall appoint and may remove a director of public safety who shall be responsible for the efficiency, discipline and good conduct of the department. The Director of Public Safety shall be responsible to the Town Manager for all fiscal, administrative, personnel and operational matters for all divisions within the Department of Public Safety. The division heads shall consult with the Director on all such matters. In the event that the Director of Public Safety has not been appointed or is temporarily absent or disabled, the Town Manager shall serve as the Director of Public Safety. Said director, or with the director's approval, the appropriate division head in said department, in accordance with such rules and regulations as may be adopted pursuant to the merit system provisions of this Charter, shall appoint and may remove such assistants and employees as are authorized within said department. The director of public safety shall be the traffic authority as defined in the General Statutes. Said director shall appoint and also may remove the animal control officer.

(a)*Division of police.* There shall be a division of police consisting of the chief of police and such other officers and employees of such ranks and grades as the council may determine. The division of police shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, regulation of traffic, protection of rights of persons and property and enforcement of the laws of the state and the ordinances of the town and all rules and regulations made in accordance therewith. All members of the division of police shall have the same powers and duties with respect to the service of criminal process and enforcement of criminal laws as are vested in police officers by the General Statutes. The appointment and removal of the chief of police shall be subject to the provisions of this Charter and of the General Statutes as revised. The chief of police shall be the executive officer of the division of police. The chief of police shall assign all members of the division to their respective posts, shifts, details and duties. The chief of police shall be responsible for the care and custody of all property used by the division and for the efficiency, discipline and good conduct of its members. The chief of police shall make rules for the operation of the division and the conduct of the police work, subject to the approval of the director of public safety. The violation of these rules by any member of the division shall be punishable by appropriate disciplinary action which may include loss of pay, suspension from duty and removal, provided that no member of the division shall be suspended by the chief for more than ten (10) days without approval of the director of public safety and no suspension for more than thirty (30) days or removal shall be made except in accordance with the provisions relating to the merit system.

(b)*Division of fire.* It is the intent of this Charter that fire protection shall continue to be provided by the fire districts heretofore established in the town by State law. The town reserves the right to establish a town fire department for any part of the town not within a fire district, in accordance with the General Statutes.

(c)*Appointment of a fire chief.* In the event of the establishment of a fire department under the provisions of this Charter, the director of Public Safety shall appoint, with the approval of the town manager, a fire chief who shall be the executive head of the fire department and as such shall have charge and control under the direction of the director, of the administration and discipline of the fire department and of the buildings, property and apparatus and equipment thereof. The appointment and removal of the fire chief shall be subject to the provisions of this Charter and of the General Statutes, as revised.

(d)*Power of director for portions of town not included within any fire district.* The director of the department may, if the interests of the town shall so require, with the approval of the town manager, with respect to all portions of the town not included in the limits of any fire district, make rules and regulations relating to fire protection therein and enter into agreement with any municipality, fire district or districts for aid in extinguishing fire in the town outside of any fire district. All sums payable under such agreement, rules or regulations, shall be paid by the town treasurer upon order of the director.

(e) *Assumption of fire protection service.* If the interest of the town shall so require, the council may enter into agreement with any fire district, prior to the termination of said district, whereby the fire

protection service of said district, or any other service or functions thereof, shall be assumed by the town, in which event the provisions of this Charter with respect to such service shall take effect in the same manner as though said fire district or districts were terminated.

(f)Division of Emergency Medical Services. There may be a division of emergency medical services consisting of the director of emergency medical services and such other officers and employees of such ranks and grades as the council may determine. The Division of Emergency Medical Services shall perform such functions and have such powers and duties as are conferred and imposed by the General Statutes. The appointment and removal of the director of emergency medical services shall be subject to the provisions of this Charter and of the General Statutes as revised. The director shall be the executive officer of the division. The director shall make rules for the operation of the division and the conduct of the medical work, subject to the approval of the director of public safety. The violation of these rules by any member of the division shall be punishable by appropriate disciplinary action which may include loss of pay, suspension from duty and removal, provided that no member of the division shall be suspended by the director for more than ten (10) days without approval of the director of public safety and no suspension for more than thirty (30) days or removal shall be made except in accordance with the provisions relating to the merit system.

(g)Division of Emergency Management. There shall be a division of emergency management consisting of the director of emergency management (which may be the director of public safety) and such other officers and employees of such ranks and grades as the council may determine. The Division of Emergency Management shall perform such functions and have such powers and duties as are conferred and imposed by the General Statutes. The appointment and removal of the director of emergency management shall be subject to the provisions of this Charter and of the General Statutes as revised. The director shall be the executive officer of the division.

SECTION 11. DEPARTMENT OF SOCIAL SERVICES.

The manager shall appoint and may remove a director of social services who shall be professionally qualified by education and experience and who shall be responsible to the town manager. The director of social services shall be the head of the social services department, and shall have the duty of assisting and advising the town manager and working with all departments to answer to social, health and welfare needs of the community. The director shall appoint and may remove, subject to such rules and regulations as are adopted pursuant to the merit system provisions of this Charter, all other officers and employees of the department.

SECTION 12. DEPARTMENT OF LIBRARIES.

The manager shall appoint and may remove a library director for an indefinite term, who shall be professionally qualified by education and experience and who shall be skilled in library science. Said library director shall have charge of the public libraries of the town. The director shall appoint and may remove, subject to such rules and regulations as are adopted pursuant to the merit system provisions of this Charter, all other officers and employees of the department.

SECTION 13. OFFICIAL BONDS.

The town manager, town clerk, director of finance, treasurer, agent of the town deposit fund, tax collector, and such other officers and employees as may be required to do so by the council shall, before entering on their respective official duties, executed to the town in the form prescribed by the council and approved by the town attorney, file with the town clerk a surety company bond in the penal sum to be fixed by the council, conditioned upon the honesty and/or faithful performance of such official duties. Nothing herein shall be construed to prevent the council, if it deems it to be in the best interest of the town, from prescribing a name schedule bond, schedule position bond, or blanket bond or from prescribing which departments, offices, agencies, boards, or commissions shall be covered by specific types of the aforementioned bonds. Premiums for such bond shall be paid by the town.

SECTION 14. SALARIES.

Salaries of all directors and other employees of the classified service of the town shall be determined by the council in conformity with a systematic pay plan for the positions involved upon recommendation of the manager, provided nothing herein shall be construed to limit the power of the board of education to fix the compensation of the employees of the school system.

CHAPTER VI. FINANCE AND TAXATION

SECTION 1. GENERAL FORM OF BUDGET PRESENTATION.

The manager may or, at the request of the council, shall require each department, office or agency of the town, including the board of education, supported wholly or in part by town funds, or for which a specific town appropriation is made, to set forth in such form as the manager may prescribe a program or programs showing services, activities and work accomplished during the current year and to be accomplished during the ensuing year.

SECTION 2. DEPARTMENTAL ESTIMATES.

The manager shall compile preliminary estimates for the annual budget. The head of each department or office or agency of the town as described in Section 1, including the board of education shall, at least one hundred and twenty (120) days before the end of the fiscal year, file with the manager on forms prescribed and provided by the manager a detailed estimate of the expenditures to be made by the department or agency and the revenue other than tax revenues to be collected thereby in the ensuing fiscal year and such other information as may be required by the council or the manager.

SECTION 3. DUTIES OF THE MANAGER ON THE BUDGET.

Not later than seventy-five (75) days before the end of the fiscal year, the manager shall present to the council a budget consisting of:

(a)A budget message outlining the financial policy of the town government and describing in connection therewith the important features of the budget plan.

(b)Estimates of revenue, presenting in parallel column itemized receipts collected during the current fiscal year prior to the time of preparing the estimates, total receipts estimated to be collected during the current fiscal year and estimates of receipts, other than from the property tax to be collected in the ensuing fiscal year.

(c)Itemized estimated of expenditures, presenting in parallel columns the actual expenditures from each department, office, agency or activity, including the board of education, for the last completed fiscal year and for the current fiscal year prior to the time of preparing the estimates, total expenditures as estimated for the current fiscal year, the requests of the several departments, offices and agencies for the ensuing fiscal year, and the manager's recommendations of the amounts to be appropriated for the ensuing fiscal year for all items and such other information as may be required by the council. The manager shall present reasons for all the recommendations. The chairman of the board of education shall have the same duties and follow the same form and procedure with respect to the budget of the board of education as provided in this chapter for department estimates.

(d)As part of the annual budget or as a separate report attached thereto the manager shall present a program, previously considered and acted upon by the town planning and zoning commission in accordance with the provisions of the general statutes concerning municipal improvements, of proposed capital projects for the ensuing fiscal year and for the five fiscal years thereafter. Estimates of the cost of such projects shall be submitted by each department, office or agency annually in the form and manner prescribed by the manager. The manager shall recommend to the council those projects to be undertaken during the ensuing fiscal year and the method of financing same.

SECTION 4. DUTIES OF THE COUNCIL ON THE BUDGET.

The council shall hold one or more public hearings not later than sixty (60) days before the end of the fiscal year at which any elector or taxpayer may have an opportunity to be heard regarding appropriations for the ensuing fiscal year. Following receipts of the estimates from the manager, and the chairman of the board of education, the council shall cause sufficient copies of said estimates to be made available for general distribution in the office of the town clerk and at least (5) five days prior to the aforementioned public hearing the council shall cause to be published electronically or as required by law, and in a newspaper having circulation in the town a notice of such public hearing and a summary of said proposed budget estimates showing anticipated revenues by major sources and proposed expenditures by functions or departments in the same columnar form as prescribed for budget estimates in section 3 of this chapter and shall also show

the amount to be raised by taxation. Within twenty (20) days after holding the final such public hearing or hearings, the council shall adopt by resolution a budget and file the same with the town clerk. At the time when the council shall adopt the budget it shall also fix the tax rate in mills which shall be levied on taxable property in the town for the ensuing year. Should the council fail to adopt a budget within the specified twenty (20) days, the budget as transmitted by the manager in accordance with the provisions of section 3 of this chapter shall be deemed to have been finally adopted by said council. The tax rate shall forthwith be fixed by the manager and thereafter expenditures shall be made in accordance with the budget so adopted. For the purposes of the general statutes, as revised, the council shall be deemed to be the budget-making authority and the legislative body and duties contained in said chapter for the creation of a "reserved fund for capital and non-recurring expenditures". Appropriations for construction or for other permanent improvements from whatever source derived shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned, provided any project shall be deemed abandoned if three (3) fiscal years elapse without any expenditure from or encumbrance of the appropriation therefor. Any portion of an annual appropriation remaining unexpended and unencumbered at the close of the budget year shall lapse.

SECTION 5. EMERGENCY APPROPRIATIONS.

Emergency appropriations not exceeding one (1) percent of the current budget in any one fiscal year may be made upon the recommendation of the manager and by a vote of not less than six (6) members of the council for the purpose of meeting a public emergency threatening the lives, health or property of the citizens, provided a public hearing at which any elector or taxpayer of the town shall have an opportunity to be heard shall be held prior to making such appropriation, notice of which hearing shall be given electronically or as required by law, and in a newspaper having circulation in the town not more than ten (10) nor less than five (5) days prior to such hearing. Such hearing and notice of hearing may be waived, if the council by a vote of eight (8) of its members shall decide that a delay in making the emergency appropriation would jeopardize the lives, health or property of citizens. In the absence of an available unappropriated and unencumbered general fund cash balance to meet such appropriations, additional means of financing shall be provided in such manner consistent with the provisions of the General Statutes and of this Charter, as may be determined by the council.

SECTION 6. TAX BILLS.

It shall be the duty of the tax collector to prepare and mail tax bills in accordance with the provisions of the Connecticut General Statutes, as revised.

SECTION 7. ASSESSMENT AND COLLECTION OF TAXES.

Except as specifically provided in this Charter, the assessment of property for taxation and the collection of taxes shall be carried on as provided in the General Statutes.

SECTION 8. EXPENDITURES AND ACCOUNTING.

(a)*Purchasing.* No purchase shall be made by a department, board, commission or officer of the town other than the board of education or the probate court except through the purchasing agent. The director of finance shall record the amount of authorized purchases and contracts for future purchases as encumbrances against the appropriation from which they are to be paid.

(b)*Vouchers and charges.* No voucher, claim or charge against the town shall be paid until the same has been audited by the director of finance or the director's agent and approved for correctness and validity. Checks shall be drawn by the director of finance for the payment of approved claims which shall be paid only when countersigned by the treasurer.

(c)*Disability or absence of treasurer.* In the absence or the inability to act of either the director of finance or treasurer with respect to the above duty, the manager is authorized to substitute temporarily for either but not both of them. In the absence of the treasurer, the manager is also authorized to countersign checks issued by a duly authorized representative of the board of education.

(d)*Receipt of funds.* The director of finance shall prescribe the time at which and the manner in which persons receiving money on account for the town shall pay the same to the town treasurer.

(e)*Excess expenditure.* The several departments, commissions, officers and boards of the town shall not involve the town in any obligation to spend money for any purpose in excess of the amount appropriated therefor until the matter has been approved and voted by the council and each order drawn upon the treasurer shall state the department, commission, board or officer and the appropriation against which it is to be charged.

(f)*Transfer of funds.* When any department, commission, board or officer shall desire to secure a transfer of funds set apart for one specific purpose to another, before incurring any expenditure therefor, such department, commission, board or officer shall make application to the council whose duty it shall be to examine into the matter and upon approval of the council such transfer may be made but not otherwise. Upon the request of the manager, but only within the last six (6) months of the fiscal year, the council may by resolution transfer any unencumbered appropriation, balance or portion thereof from one department, commission, board or office to another. No transfer shall be made from any appropriation for debt service and other statutory charges.

(g)*Additional appropriations.* Additional appropriations over and above the total budget may be made from time to time by resolution of the council upon recommendation of the manager and certification from the director of finance that there is available an unappropriated and unencumbered general fund cash balance to meet such appropriations.

(h)*Illegal payments.* Every payment made in violation of the provisions of this Charter shall be deemed illegal and every official authorizing or making such payment or taking part therein and

every person receiving such payment or any part thereof shall be jointly and severally liable to the town for the amount so paid or received. If any officer or employee of the town shall knowingly incur any obligation or shall authorize or make any expenditure in violation of the provisions of this Charter or take any part therein, such action shall be cause for their removal.

SECTION 9. REFERENDUM ON CAPITAL EXPENDITURE.

The council may, by a vote of six (6) or more members, adopt a resolution appropriating money for capital improvements. Any such appropriation that exceeds in any fiscal year 0.0002 (2/100's of one percent) of the current grand list shall not be effective until it shall be submitted to and approved by a referendum.

SECTION 10. BORROWING.

The town shall have the power to incur indebtedness by issuing its bonds or notes as provided by the General Statutes, as revised, subject to the limitations thereof and the provisions of this section. The issuance of bonds and notes shall be authorized by resolution in the manner provided herein for the adoption of ordinances only insofar as a public hearing is concerned and, if any such bond issue or issuance of notes in any fiscal years shall exceed 0.0002 (2/100's of one percent) of the current grand list, said bond issue or issuance of notes shall be approved by a referendum vote.

SECTION 11. CONTRIBUTIONS.

The town shall make no contribution to any organization or private corporation unless so authorized by the General Statutes, as revised. No such contribution of more than five thousand ($5,000.00) dollars shall be made to any such organization or corporation unless the town is represented on its board by one or more members nominated thereto by the council.

CHAPTER VII. THE MERIT SYSTEM

SECTION 1. MERIT SYSTEM ESTABLISHED.

All officers and employees in the classified service of the town as described in section 2 of this chapter, shall be appointed on the basis of merit and in conformity with recognized principles of public personnel administration.

SECTION 2. THE CLASSIFIED SERVICE.

The classified service shall include appointees to all positions now or hereafter created except the following: elective officers and persons appointed to fill vacancies in elective offices, members of the boards and commissions and other persons employed in a professional capacity to make or conduct a temporary and special inquiry, study or investigation, the judge of probate and personnel of the probate court, and persons employed for a temporary period not exceeding three (3) months. It shall be the duty of the manager to cause to be prepared a statement of the duties and responsibilities of each position in the classified service and of the minimum qualifications for appointments to such position. The statements shall comprise the classification plan of the town, which shall become effective upon recommendation of the manager by

resolution of the council. New or additional positions in the classified service may be created and changes in the duties and responsibilities of existing positions may be made by resolution of the council upon recommendation of the manager. All appointments and removals in the classified service shall be subject to the approval of the town manager. The manager shall also cause to be prepared a set of personnel rules which shall provide, among other things, for the method of holding competitive examinations, administration of classification plan, probationary periods of employment, hours of work, vacations, sick leave and other leaves of absence, removals and such other rules as may be necessary to provide an adequate and systematic procedure for the handling of the personnel affairs of the town. Such rules and any amendments thereto shall become effective upon being filed by the manager with the town clerk. Copies of such rules and any amendments thereto shall be distributed to all members of the classified service.

SECTION 3. RETIREMENT OF MUNICIPAL EMPLOYEES.

The council may provide by ordinance a system of retirement allowances for the town's regular full time paid employees and for the contributions by employees and the town to a fund from which such allowances shall be paid. The town may enter into a contract with any company authorized to do business in the state for the purpose of insuring the whole or any part of its retirement plan, may elect to participate in any applicable Connecticut Municipal Employees Retirement Fund or elect to participate in the old age and survivor insurance system under Title II of the Social Security Act in accordance with the General Statutes, as revised, or may elect any combination thereof. The council may by ordinance provide for compulsory retirement at an age permitted by state statutes.

CHAPTER VIII. TRANSITION AND MISCELLANEOUS PROVISIONS

SECTION 1. TRANSFER OF POWERS.

The powers which are conferred and the duties which are imposed upon any commission, board, department, or office under the General Statutes or special acts concerning the town or any ordinance or regulation in force at the time this Charter shall take effect, if such commission, board or 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 provision 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 been appointed. All appointive powers now or hereafter conferred by the General Statutes upon boards of selectmen shall be exercised by the town council unless otherwise specifically provided in this Charter. The town council in the Town of Enfield shall continue in office until their successors have been duly elected and qualified at the next municipal election.

SECTION 2. LEGAL PROCEEDINGS.

No action or proceeding, civil or criminal, pending on the effective date of this Charter brought 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 commissions, boards, departments or offices party thereto may by or under this Charter be assigned or transferred to another commission, board, department or office but in that event the same may be prosecuted or defended by the head of the commission, board, department, or office to which such functions, powers, and duties have been assigned or transferred by or under this Charter.

SECTION 3. EXISTING LAWS AND ORDINANCES.

All general statutes in their application 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. All special acts or parts of special acts relating to the Town of Enfield, except those expressly retained by the provisions of this Charter and those dealing with the establishment of a police benefit fund and police reserve, are hereby repealed.

SECTION 4. AMENDMENT OF CHARTER.

Ten (10) years following the adoption of these amendments, and every ten (10) years thereafter, unless the council recommends the charter be reviewed sooner, the council shall appoint a commission whose duty it shall be to review the existing charter and make such recommendations as it may see fit for revision. This Charter may be amended in the manner prescribed by law.

SECTION 5. SAVING CLAUSE.

If any section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which such 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 a section to which such holding shall directly apply.

SECTION 6. EFFECTIVE DATE.

The effective date of this Charter is November 10, 2014