

TOWN CHARTER OXFORD, CONNECTICUT

Revised 2015

CHARTER REVISION



Effective January 1, 2016

COMMISSION MEMBERS

**Mark Gross, Chairman; Margaret West, Secretary
Ed Roman Keith O'Hara, Brett Olbrys, Maureen Stachowicz**

**TOWN CHARTER
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ARTICLE 1 - THE CHARTER

Section 1-1: General

(A) The Charter shall be the organic law of the Town in the administration of its local affairs: Special Acts and Ordinances or portions thereof, inconsistent with this Charter and superseded by it, shall have no further force or effect after the effective date of this Charter. Other Special Acts affecting the Town, and all other Ordinances and Resolutions duly adopted and in force before the effective date of this Charter shall remain in force.

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

Section 1-2: Rules of Construction and Saving Clause

(A) This Charter is intended to avail, make use of and exercise the full Home Rule powers of the Town under the Home Rule Law (Title 7, Chapter 99 of the Connecticut General Statutes), and any other statute now in effect or hereafter enacted and any other home rule powers thereof under those provisions of Article 10 of the Constitution of the State of Connecticut, under the common law, or otherwise.

(B) If any provision 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 provision so held invalid may appear, except to the extent that an entire section may be inseparably connected in meaning and effect with the provisions to which such holding shall directly apply.

(C) Whenever the masculine gender is used in this Charter it shall be synonymous with the feminine gender.

Section 1-3: Amendment of this Charter

(A) The Board of Selectmen may review the provisions of this Charter from time to time as it deems such review to be in the best interests of the Town. Not more often than once every five (5) years, they may initiate an amendment process by a two-thirds (2/3) vote of the Board of Selectmen in the manner prescribed in Chapter 99 of the Connecticut General Statutes. If Selectmen determine that a significant need exists to revise the Charter before the expiration of such five-year period, a unanimous vote of the entire Board of Selectmen shall be required to initiate the amendment process.

(B) In accordance with Chapter 99, Section 7-188(b), the amendment of this Charter may be initiated by a petition signed by not less than ten percent (10%) of the electors of the Town as determined by the last completed registry list. Except for those limitations imposed by said Chapter 99, the frequency of this provision shall not be restricted.

(C) In either instance, any such initiation shall result in the Board of Selectmen appointing a Charter Revision Commission which shall consider proposed amendments to the then existing Charter, present them at one or more public hearings, and submit its report for review to the Board of Selectmen, as prescribed in said Chapter 99 of the General Statutes. Such amendments shall not become effective until they have been approved by a majority of the Town electors voting thereon at a regular election; or by a majority equal to at least fifteen percent (15%) of the electors of the Town as determined by the last completed registry of the Town voting at a

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special election. To the extent that any amendments to the provisions of said Chapter 99 which are applicable to the manner of amending this Charter shall no longer authorize any portion of the above procedure, then the applicable provisions in this Charter shall prevail.

Section 1-4: Definitions as used within this Charter

(A) The terms 'agency of the Town' or 'Town agency' shall be deemed to mean each board, commission, committee and agency of the Town for which an appropriation was made in the annual budget; each Town official who is not a member of a board, commission, committee or agency for whom an appropriation was made in the annual budget; each administrative department specified in Article 9 of this Charter insofar as its activities are supported out of Town funds; or each separate function of the Town for which the Board of Selectmen is responsible.

(B) The term 'board' or 'boards' shall be deemed to include all boards, commissions and permanent committees, except as otherwise provided, established either by Town ordinance or by this Charter and having an administrative, advisory or executive function within the Town.

(C) The term 'elector' shall be deemed to mean a registered voter of the Town of Oxford. A registered voter must be a citizen of the United States and a bona fide resident of the Town who has attained the age of 18 and who has applied for admission as an elector and has been approved by the Registrars of Voters.

(D) An 'election' shall be deemed to mean any elector's meeting at which the electors choose public officials by the use of voting machines or paper ballots as provided by Sections 9-271 and 9-272 of the General Statutes. A 'regular election' is any regularly recurring state or municipal election: (1) 'regular state elections' are the elections held in the state on the first Tuesday after the first Monday in November in the even-numbered years, and (2) 'regular municipal elections' are the elections held on the first Tuesday after the first Monday in November in the odd-numbered years at which the public officials of the Town are elected. A 'special election' is any election not a regular election.

(E) The term 'overlapping terms of office' shall be deemed to mean the staggering of terms of members elected and/or appointed to the boards and commissions specified within this Charter; or as specified by Ordinance if not specified in this Charter. Staggering is accomplished when the terms of all members of a board or commission do not expire at the same time.

(F) The terms 'prescribed by law' and 'provided by law' shall be deemed to mean prescribed or provided by the Constitution of the United States, the State Constitution and General Statutes, this Charter, and by lawful Town Ordinances. These various laws, as amended, are available for public inspection and are kept on file in the office of the Town Clerk.

(G) A 'referendum' shall be deemed to mean any of the following: (1) a question or proposal which is submitted to a vote of the electors of a municipality in conjunction with any regular or special state or municipal election as defined in paragraph (D); (2) a question or proposal which is submitted to a vote of the electors and members of the Town Meeting at an adjourned Town Meeting by Referendum pursuant to Section 3-9 of this Charter; or (3) a question or proposal which is submitted to a vote of the electors or members of the Town Meeting which is not in conjunction with an election. When specified by the provisions of this Charter, for those questions that are to be voted upon at a regular election or a special election called for that purpose, only those residents who are 'electors' of the Town shall be eligible to vote on those questions.

(H) The term 'shall' is used to indicate a command and the term 'may' is used to indicate discretion.

(I) The term 'Town Official' shall be deemed to mean anyone who is elected or appointed to a public office.

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ARTICLE 2 - GENERAL PROVISIONS

Section 2-1: Incorporation

All the inhabitants dwelling within the territorial limits of the Town of Oxford as heretofore constituted shall continue to be a body politic and corporate under the name of "The Town of Oxford" hereinafter "the Town", and as such shall have perpetual succession and may hold and exercise all powers and privileges heretofore exercised by the Town 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 laws of the State of Connecticut.

Section 2-2: Rights and Obligations

All property, both real and personal, all rights of action and rights of every description and all securities and liens in the Town as of the effective date of this Charter are continued. The Town shall continue to be liable for all its debts and obligations. Nothing herein shall be construed to affect the right of the Town to collect any assessment, charge, debt or lien. Any contract, agreement, bond or undertaking entered into by, or provided for, the benefit of the Town before this date containing provisions calling for performance by or for the benefit of any office, board or commission abolished or superseded by this Charter shall continue in full force and effect. The powers conferred and the duties imposed with reference to any such contract, agreement, bond or undertaking upon any such abolished office, board or commission shall, except as otherwise provided in this Charter, thereafter be exercised and discharged by the Board of Selectmen.

Section 2-3: General Grant of Powers

In addition to all powers granted to towns under the Constitution of the State of Connecticut and the General Statutes, the Town shall have all powers specifically granted by this Charter and all powers reasonably implied in or incidental to the powers expressly granted and all other powers incidental to the management of the property, government and affairs of the Town, including the power to enter into contracts with the United States government or any federal agency, and the State of Connecticut or any agency or political subdivision thereof for the provision of services or the use of facilities; the exercise of which is not expressly forbidden by the federal or state constitutions and the laws of the State of Connecticut. The enumeration of particular powers in this or any other article of this Charter shall not be construed as limiting this general grant of power, but shall be considered an addition thereto.

Section 2-4: Organization of Boards and Compensation of Officials

(A) Except as otherwise provided in this Charter, every elected and appointed board shall hold an organizational meeting within thirty (30) days of taking office, shall elect a chairman and a secretary, and shall determine the days and times of its regular meetings. Boards may elect a vice-chairman and may make regulations for the conduct of their meetings and the execution of their duties. These regulations and any amendments to them shall be filed with the Town Clerk and will become public record. No employee of the Town shall be appointed to any board or commission that oversees their activities.

(B) Boards shall set a schedule of regular meetings for the ensuing calendar year, which shall be signed by the Chairman or the Secretary and filed with the Town Clerk within seven (7) days of the organizational meeting. No regular meeting can be scheduled within thirty (30) days of such filing, but boards may convene special meetings during that time which shall require twenty-four (24) hours notice. A schedule of regular

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meetings for each subsequent calendar year shall be filed with the Town Clerk in accordance with Section 2-5(B) of this Charter. Boards who wish to maintain their annual schedule of meetings without the necessity of posting Special Meetings during the thirty (30) day interim may file this schedule any time prior to the first (1st) of December.

(C) The compensation of all paid Town officials shall be as recommended by the Board of Selectmen, and shall be subject to the same budgeting procedure described in Section 3-5(B) of this Charter. Compensation line items may not be increased by the Board of Finance unless a request for an increase has been made by the Board of Selectmen. Officials serving without pay shall receive reimbursement for necessary expenses incurred in the performance of their duties, subject to the limits of appropriations available for such purposes.

(D) The First Selectman or his designated agent shall provide each person appointed to a board or commission with a copy of the ordinance or other source which defines the duties of the office.

Section 2-5: Posting and Filing Requirements under the Freedom of Information Act

(A) All meetings of every board, committee and commission shall be open to the public in accordance with the Connecticut Freedom of Information Act (Section 1-225 of the General Statutes, hereinafter FOIA), except for executive sessions as defined in subsection (6) of Section 1-200 of the General Statutes. All meeting notices, agendas, votes and minutes must be filed with the Town Clerk within the time limits prescribed for such actions by FOIA and which are specified in the following paragraphs, with the exception of the Board of Education which shall file all meeting notices, agendas, votes and minutes at the Board of Education Central office, within the time limits prescribed for such actions by FOIA and which are specified in the following paragraphs.

(B) Not later than January 31 of each year, the Chairman or Secretary of all boards shall file a schedule of regular meetings for the ensuing calendar year in the office of the Town Clerk. No regular meeting shall be scheduled within thirty (30) days of such filing, but boards may convene special meetings during that time upon twenty-four (24) hours notice.

(C) The Clerk or Secretary of each board shall prepare, keep and maintain a record of the proceedings of all regular, special and emergency meetings. Minutes shall include the roll of those present, a description of the items of business discussed or transacted, a reference to all correspondence received, and the recorded vote of each member on all issues. In addition, the vote of each member upon any issue before a board must be reduced to writing and made available for public inspection in the Town Clerk's office within forty-eight (48) hours.

(D) Minutes of regular meetings must be filed in the office of the Town Clerk and on the Town's municipal website within seven (7) calendar days. Minutes of special meetings must be filed within seven (7) business days. Minutes of emergency meetings must state the reason for the emergency and must be filed within seventy-two (72) hours after the meeting.

(E) Agendas for regular meetings of the Board of Selectmen shall be filed in the office of the Town Clerk not less than forty-eight (48) hours prior to each meeting. Agendas for regular meetings of all other boards must be filed not less than twenty-four (24) hours prior to each meeting and shall be made available to the public and posted on the Town's municipal website within said time. Agendas for special meetings of all boards, including the Board of Selectmen, shall include the business to be conducted, the time and place of the meeting, and shall be filed in the Town Clerk's office not less than twenty-four (24) hours prior to each meeting.

(F) Determining Business Days: In determining the time within which or by when any notice, agenda, record of votes or minutes of special or emergency meetings are required to be filed under this section, Saturdays, Sundays, legal holidays and any day that the office of the Town Clerk is closed shall be excluded.

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Section 2-6: Board Procedure

The conduct of meetings of all Town boards and commissions shall be generally governed by the most recent edition of Robert's Rules of Order, Revised, or by any other set of regulations of parliamentary procedure as the Town Meeting may establish by ordinance.

ARTICLE 3 - LEGISLATIVE BODY: THE TOWN MEETING

Section 3-1: The Town Meeting

(A) The Town Meeting shall be the legislative body of the Town of Oxford, except as specifically provided in this Charter. It may act upon all matters that a Town Meeting may act upon under the Connecticut General Statutes and this Charter, and all matters appropriate for legislative action, including the adoption of Resolutions. All Regular and Special Town Meetings shall be called by the Board of Selectmen and shall be warned in the manner prescribed by Section 7-3 of the General Statutes and Section 3-1(B) of this Charter.

(B) Each item in the warning of the Town Meeting shall be subject to two (2) separate actions, the consideration and/or amendment of the item in question, and the vote on the item in question. The item under consideration shall be phrased in the form of an affirmative question so that the voter can clearly determine what the result of a "yes" or "no" will be. (i.e.: Shall the Town of Oxford approve., authorize., adopt., borrow., resolve., etc.)

(C) Only the vote on an item in the warning of a Town Meeting may be removed by this Charter or by the Board of Selectmen to a referendum vote at a Town Meeting by Referendum. Removal of said vote to a referendum shall not prohibit consideration and/or amendment of the item by the Legislative Body.

(D) Any question appearing in the warning of a Town Meeting that is removed to a referendum vote by a valid petition signed by two hundred (200) or more persons eligible to vote at a Town Meeting may not be amended at said Town Meeting.

Section 3-2: Eligibility to Vote at a Town Meeting

Those members of the Town Meeting eligible to vote shall be any person who is an elector of the Town or any citizen of the United States of the age of eighteen (18) years or more who, jointly or severally, is liable to the Town for taxes assessed against him on an assessment of not less than one thousand dollars (\$1,000) on the last completed Grand List of the Town, or who would be so liable if not entitled to any of those exemption provided by Section 12-81 of the Connecticut General Statutes.

Section 3-3: Procedure

(A) All Town Meetings shall be called to order by the First Selectman or his representative.

(B) At each Town Meeting, a Moderator shall be elected to preside at that meeting. The Moderator shall be an elector of the Town as determined by the last-completed registry list who is familiar with standard parliamentary procedure. The Moderator shall have all the powers and duties conferred or imposed on Town Meeting Moderators by Sections 7-7 and 7-8 of the General Statutes, and such other powers and duties as may be prescribed by the Board of Selectmen.

(C) The conduct of all Town Meetings shall be generally governed by the most recent edition of Robert's Rules of Order. The clerk of the Town Meeting shall be the Town Clerk or the Assistant Town Clerk or, if absent, a representative appointed by the Town Clerk. The clerk of the Town Meeting shall be responsible for

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recording all pertinent discussion and the details of any information presented. Action at all Town Meetings shall be by majority vote of those qualified members present and voting.

(D) Any Town Meeting not by referendum may be adjourned by the Town Meeting one or more times to a specified date. If the date to which a meeting is adjourned is fourteen (14) or more days after the date of the meeting making the adjournment, it shall be warned in the same manner as the original meeting except that the warning need not include any item upon which action has already been taken.

Section 3-4: Capital Plan Town Meeting

A Capital Plan Town Meeting shall be held annually on the second Monday of March, at which time the Board of Selectmen shall present an updated capital improvement program for the Town. This presentation shall include a report on the present status of the capital assets of the Town; projected development, expansion or construction of buildings, roads and parks; and the major equipment and vehicle requirements of all Town departments, including the Board of Education. A representative of the Board of Education shall be available to present a report on the present status of its buildings and grounds, and explain any present or future requirements for expansion or major improvements. The Board of Selectmen may present any other reports they deem necessary, or request public comment on any aspect of the presentation. A 'Capital Plan', which shall include estimates of costs for those municipal capital improvement projects recommended by the Board of Selectmen for the ensuing fiscal year and for the four (4) fiscal years thereafter, with recommendations for financing them, shall be submitted to the Town Meeting for approval. No funding for any item included in the Capital Plan shall be appropriated or approved at this meeting.

Section 3-5: Annual Budget Town Meeting

(A) The Annual Budget Town Meeting shall be the Annual Town Meeting required by the Connecticut General Statutes. This meeting shall be held no later than the first Monday of May in each year for the transaction of any business proper to come before an Annual Town Meeting, and for consideration and/or amendment of the annual budget.

(B) Subject to Section 7-344 of the General Statutes, members of the Annual Budget Town Meeting shall have the power to decrease or delete any appropriation or item within an appropriation, but it may not increase or add to any appropriation or item within an appropriation. No appropriation shall be made for any purpose not recommended by the Board of Finance. Adoption of the budget shall be by referendum vote at an adjourned Budget Town Meeting held not less than seven (7) or more than twenty-two (22) days thereafter.

(C) In the event that the budget is rejected, the Annual Budget Town Meeting and referendum shall automatically be adjourned and reconvened in succeeding seven (7) day intervals between the referendum and the next town meeting and fourteen (14) day intervals between the Budget Town Meeting and the next referendum until such time as a budget is approved. During the recess between the referendum vote and the adjourned Budget Town Meeting, the Board of Finance, in consultation with the Board of Selectmen and/or Board of Education, shall revise estimated appropriations, without alteration of estimates of revenue (except for omissions, revisions in other than Municipal tax revenue, current estimates of surplus, and clerical errors,) to arrive at a new budget. Summaries of any revised budget shall be made available before the Budget Town Meeting reconvenes. Each revised budget presented to the Budget Town Meeting shall constitute a new proposed budget and shall be considered and acted upon in accordance with Sections 3-1(B) and (C) of this Charter.

(D) If the Annual Budget Town Meeting fails to approve a budget by the start of the ensuing fiscal year, a temporary operating budget, consistent with Section 7-405 of the Connecticut General Statutes will be utilized; provided, however, that this temporary operating budget shall not exceed twenty-five percent (25%) of the last approved operating budget. Operations of the Town under this temporary budget procedure shall not exceed a

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period of ninety (90) days from the start of the new fiscal year. With the approval of the Board of Finance, the Treasurer and the Board of Selectmen shall be empowered to borrow in anticipation of taxes any funds necessary to continue the operation of the Town while the temporary budget is in effect. This temporary borrowing may be done without the necessity of Town Meeting action, but all such borrowed funds shall be repaid during the fiscal year for which they were borrowed.

Section 3-6: Special Town Meetings

(A) Special Town Meetings shall be convened by the Board of Selectmen to consider and act upon any legislative item deemed to be of sufficient importance to submit to a Town Meeting, including, but not limited to, any of the following: (1) the enactment, amendment or repeal of ordinances; (2) the discontinuance or abandonment of town roads; (3) appropriations to or from the Capital Reserve Fund or the termination of such fund; (4) any sale or purchase of real estate, or any interest therein belonging to the Town; (5) the issuance of any form of indebtedness of the Town; (6) requests for additional appropriations or special appropriations that will be funded from the general fund surplus balance; and (7) requests for additional appropriations of fifty thousand dollars (\$50,000) or more, cumulatively, per department per fiscal year, that are funded from within the approved town budget.

Section 3-7: Petitions

(A) Only an elector or a person qualified to vote at a Town Meeting may circulate a petition requiring that a Special Town Meeting be convened by the Board of Selectmen, or that a question in the warning of any Town Meeting be removed to a referendum vote at a Town Meeting by Referendum. The petition shall be signed only by electors or persons qualified to vote at any such Town Meeting or Referendum on the day the petition is filed.

(B) As provided by ordinance, petitions for a Special Town Meeting must be signed by fifty (50) or more such persons. Petitions removing any question appearing in the warning of a Town Meeting to a referendum vote must be signed by two hundred (200) or more such persons, and any such petition may not modify the text or the intent of the question on the call. No petition can be circulated for a referendum vote on a question unless or until such question already appears in the warning of a Town Meeting.

(C) Petitions shall be on a form prescribed or approved by the Town Clerk. Each page of the petition shall contain a statement, signed under penalties of false statement by the person who circulated the page, that states the circulator's name and address, that each person whose name appears on said page signed it in person and in the presence of the circulator, that the circulator either knows the signer or that the signer satisfactorily identified him/herself to the circulator, and that no signature was obtained earlier than six (6) months prior to the filing of such petition. Any page not containing these statements shall be invalid. Any circulator who makes a false statement about any of the aforesaid items shall be subject to the penalties for false statement provided by the General Statutes.

Section 3-8: Petitioned Town Meetings

(A) The Town Clerk, upon receipt of a petition for a Special Town Meeting which complies in all respects with the requirements stated in Section 3-7, shall, within twenty-four (24) hours, forward the petition to the Board of Selectmen together with a statement signed by the Town Clerk certifying compliance with these requirements. In the event that the petition does not comply, the Town Clerk shall provide written notification of the manner in which the petition is deficient within five (5) days of the date the petition was submitted to the Town Clerk.

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(B) The Board of Selectmen, upon receipt of the petition and accompanying certification from the Town Clerk, shall determine whether or not one or more of the matters set forth in the petition are a proper subject for legislative action. If at least one item set forth in the petition is a proper subject for legislative action, the Board of Selectmen shall call a Special Town Meeting to be held within twenty-one (21) days of the date of receipt of the petition by the Selectmen. All items contained in the petition which the Selectmen have determined constitute proper subjects for lawful action shall be presented first on the call of the Special Town Meeting. In the event the Selectmen determine that one or more of the items contained in the petition is not a proper subject for legislative action, the Selectmen, within such twenty-one (21) day period, shall notify each circulator in writing of the nature of the deficiency.

(C) As soon as possible after receipt of a valid petition, the Board of Selectmen shall provide Town Counsel with a copy of the petition and a copy of the warning of the meeting. Upon receipt of such documents, Town Counsel shall forward a written opinion to the Special Town Meeting specifying, with respect to each item which is both contained in the petition and set forth in the call of the meeting, the nature of any revisions deemed by Town Counsel to be necessary or desirable for the creation of a valid and clear Town Meeting action. Town Counsel's written opinion shall be read into the record and may be made available to the persons in attendance at the Special Town Meeting.

(D) The Board of Selectmen may add other legislative items for consideration to the call of a Special Town Meeting convened by petition. However, any item so added shall be considered only after the items on the call, which are contained in the petition, have been acted upon by the Town Meeting.

Section 3-9: Town Meeting by Referendum

(A) Questions Removed to Referendum by Charter or by Selectmen:

The Board of Selectmen may specify in the warning of a Town Meeting that the vote on any item or items in such warning shall be subject to a referendum vote at a Town Meeting by Referendum. Removal of said vote to a referendum shall not prohibit consideration and/or amendment of the item by the Legislative Body at a Town Meeting, as defined in Section 3-1 (C) of this Charter.

When the vote on any item so specified by this Charter or by the Board of Selectmen is reached on the call, the Moderator shall provide that all reasonable explanation, consideration, debate and/or amendment of the question has been satisfactorily completed. The Moderator shall then announce that such item will be voted on at an adjourned Town Meeting by Referendum. The date for the referendum shall be set by the Board of Selectmen with the advice of the Town Clerk, and then ratified by the legislative body at such town meeting. The date for the referendum shall not be earlier than thirty (30) nor more than forty (40) days after the Town Meeting. Hours of voting shall be from 6:00 a.m. to 8:00 p.m. on said date. After the completion of all other business appearing in the warning of the meeting, the Moderator shall adjourn the meeting to the date set for the referendum. If the question in the warning of the Town Meeting is not in a form suitable for printing on ballot labels, the Town Clerk shall phrase such resolution appropriately, and the question shall be submitted to a "yes" or "no" vote.

(B) Questions Removed to Referendum by Petition:

Any item in the warning of a Town Meeting shall be subject to a referendum vote at a Town Meeting by Referendum if a petition is filed in the Town Clerk's office by the close of business on the last business day preceding the meeting, provided that (1) the petition meets all the requirements of Section 3-7 of this Charter, and (2) the petition specifies the item, or items, in the warning of the Town Meeting upon which a referendum vote is requested. Upon receipt of such petition, the Town Clerk shall determine whether the petition meets the requirements of this section, and, if so, shall so certify to the Moderator at the Town Meeting.

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When an item for which a sufficient petition has been received is reached on the call, the Moderator shall permit the question to be introduced, and after any presentations, explanations and reasonable discussion, shall announce that such item will be voted on at an adjourned Town Meeting by Referendum. The question may not be amended, and it shall appear on the referendum ballot in the same form as it appears in the warning of the meeting. The date for the referendum shall be set by the Board of Selectmen with the advice of the Town Clerk, and then ratified by the legislative body at such town meeting. The date for the referendum shall not be earlier than thirty (30) nor more than forty (40) days after the Town Meeting. Hours of voting shall be from 6:00 a.m. to 8:00 p.m. on said date. After the completion of all other business appearing in the warning of the meeting, the Moderator shall adjourn the meeting to the date set for the referendum. If the question in the warning of the Town Meeting is not in a form suitable for printing on ballot labels, the Town Clerk shall phrase such resolution appropriately, and the question shall be submitted to a "yes" or "no" vote.

(C) Tie Votes: When the vote on any referendum question conducted pursuant to the provisions of this Charter results in a tie, an adjourned Town Meeting by Referendum shall be conducted to determine whether the question shall be accepted or rejected. Said adjourned referendum shall be called by the Town Clerk and held not earlier than thirty (30) or more than forty (40) days from the date of the Town Meeting by Referendum resulting in a tie.

Section 3-10: Ordinances – General Powers and Provisions

(A) The Town Meeting shall have the sole power to enact or repeal ordinances, except as provided in Section 4-5(C) of this Charter dealing with a state of public emergency, so long as they are consistent with this Charter and the General Statutes.

(B) Any ordinance enactment or repeal may be initiated either by the Board of Selectmen or by a petition signed by fifty (50) or more electors of the Town. In either case, the Board of Selectmen shall submit any such proposal to a Town Meeting in accordance with the procedures set forth in Sections 3-1 or 3-8 of this Charter.

(C) As soon as may be after the enactment of any ordinance, and in accordance with Section 7-157 of the General Statutes, the Town Clerk shall have published, in a newspaper having a general circulation in the Town of Oxford, a notice which shall contain the title of such ordinance, a brief statement of the subject matter thereof, and the date that it takes effect. Said ordinance shall be available on the Town's municipal website, and a reasonable number of copies shall be made available in the Town Clerk's office free of charge for a period of thirty (30) days.

ARTICLE 4 - BOARD OF SELECTMEN

Section 4-1: Composition, Prohibitions, Salary

There shall be a Board of Selectmen consisting of three (3) members, one of whom shall be the First Selectman and two (2) of whom shall be Selectmen. No more than two (2) members of this Board shall be members of the same political party. Selectmen shall hold no other elective or appointive office under the government of the Town of Oxford, but they may hold advisory positions. Selectmen shall be compensated in such manner and amount as may be determined at the Annual Budget Meeting. The position of the First Selectman shall be considered a full time position and the position of the other two selectmen shall be considered part-time.

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Section 4-2: Procedure and General Powers

(A) At its first meeting following each biennial town election, the Board of Selectmen shall fix the time and place of its regular meetings; provide a method for the calling of special meetings; designate which of the Selectmen shall be the Acting First Selectman to act in the place of the First Selectman in the event of his absence or disability; and by resolution determine its own rules of procedure. The First Selectman shall preside over meetings, and the Selectmen's designee shall serve as secretary to the Board of Selectmen. Regardless of the rules of procedure adopted, each of the Selectmen shall retain the ability to make a motion or offer a proposal which shall be considered by the Board without the necessity of a seconding motion.

(B) Agendas for regular meetings of the Board of Selectmen shall be filed in the Town Clerk's office not less than forty-eight (48) hours prior to each meeting. Additional items may be added at the meeting by consent of a majority of those Selectmen present.

(C) A special meeting of the Board of Selectmen may be called at any time by the First Selectman or any two Selectmen. The person or persons calling a special meeting shall do so in accordance with the procedure found in the Connecticut General Statutes, and shall give twenty-four (24) hours advance notice of such meeting to the other Selectmen. Emergency special meetings may be called in accordance with the provisions of Section 1-225(d) of the General Statutes. Special notice to the other Selectmen may be waived by written waiver signed by all members of the Board of Selectmen any time before or within thirty (30) days after the meeting for which such notice is being waived.

(D) All meetings of the Selectmen for the transaction of business shall be open to the public. The votes of each member shall be recorded at the session at which they occur, and reported in the minutes of said meeting. Minutes shall be taken and filed and votes shall be recorded and published in accordance with Section 2-5 of this charter. Two (2) members shall constitute a quorum, and no action or resolution except a vote to adjourn or fix the time and place of the next meeting shall be adopted without a quorum present.

(E) The Board of Selectmen shall be responsible for coordinating the activities of all the agencies of the Town; and they shall supervise the administration of the affairs of the Town except those matters which, according to this Charter, are exclusively committed to other boards or agencies.

(F) The Board of Selectmen shall prepare and have published the Annual Town Report, which shall be made available on the Town's municipal website and in the office of the Town Clerk by the fifteenth (15th) of January of each year. Not later than the first (1st) of September, each board, commission and office of the Town shall provide the Board of Selectmen with a written report of its activities for the previous fiscal year for inclusion in the Annual Town Report.

Section 4-3: Special Powers and Duties

In addition to these general powers, and with the exception of the powers committed to the Board of Finance by this Charter, the Selectmen shall have the following powers, subject to the provisions of the Connecticut General Statutes and this Charter and within the confines of its budget:

- (1) To incur indebtedness in the name of the Town, and to provide for the due execution of contracts and evidences of indebtedness issued by the Town;
- (2) To take, receive, purchase, lease, sell or convey personal property of or for the Town;
- (3) To take, receive, purchase, lease, sell or convey real property of or for the Town with the non-binding recommendation of the Planning & Zoning Commission. The lease, sale or conveyance of real property shall require Town Meeting approval; and the sale of real property shall be in a manner and at a price established by the Town Meeting;
- (4) To institute, prosecute, defend or compromise any legal action or procedure by or against the Town;

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- (5) To enter into contracts for any services, and to purchase or contract to purchase any supplies, materials, equipment and other commodities required by any Town agency, except for the Board of Finance with respect to the Town Audit as provided in Section 6-3 of this Charter. The Board of Selectmen may, by resolution or regulation, delegate its powers in this sub-section to any Town agency;
- (6) To employ staff with such powers, duties and responsibilities as it may deem desirable to carry out the duties and responsibilities of the Board of Selectmen within the confines of its budget;
- (7) With the approval of the Board of Finance, to issue notes in anticipation of tax collections payable within the current fiscal year or within the following fiscal year, and to issue bonds or other notes when authorized by a Town Meeting. In each instance, issuance shall be upon such terms and conditions as the Selectmen may approve; including, without limitation: the manner and form of issue and sale thereof; the date and rate of interest thereof; the designation of a bank or trust company to act as certifying or paying agent thereof; and the designation of the persons to sign such notes in the name of or on behalf of the Town;
- (8) To obtain and compile the budgets of the various boards, commissions and agencies of the town, excluding the Board of Education, and to present them to the Board of Finance with its recommendations in accordance with Section 6-5 of this Charter;
- (9) To review the current and projected administrative and fiscal needs of the Town and to develop and maintain a long-range comprehensive financial plan;
- (10) To abandon or discontinue Town roads, subject to Town Meeting approval;
- (11) To accept completed roads, provided that (A) the roads conform to the Standards of Road Construction Ordinance currently in effect in the Town and any other relevant ordinance enacted by the Town Meeting; and (B) written reports and recommendations by the Town Engineer and the Planning and Zoning Commission are on file with the Board of Selectmen. Roads that do not meet these conditions cannot be accepted. Acceptance of Town roads shall be in the exclusive jurisdiction of the Board of Selectmen. The effective date of acceptance shall be fifteen (15) days after approval by the Board of Selectmen.
- (12) To create any study or advisory commission or any other commission or agency which the Board of Selectmen may deem necessary for the proper functions of the Town. All appointments to non-elective boards, commissions and agencies of the Town shall be made by a majority vote of the Selectmen pursuant to the requirements of political party representation as set forth in Section 7-7 of this Charter;
- (13) To appoint Constables as provided by Section 8-15(C) of this Charter.

Section 4-4: Powers with Respect to Ordinances

The Board of Selectmen may propose, to a duly warned Town Meeting, ordinances on any matter which the Connecticut General Statutes authorize to be legislated by ordinance, and which in general would serve to aid in the preservation of the good order, health, welfare and safety of the Town, so long as they are consistent with the General Statutes and this Charter.

Section 4-5: Powers with Respect to Emergencies

(A) In the event that a state of emergency exists within the Town requiring immediate action to protect the health, safety and general welfare of its citizens, the First Selectman shall declare that such a state of emergency exists and shall publish such declaration by the most effective means available. He shall take such action as is deemed to be in the best interest of the Town, provided that the Board of Selectmen shall meet within forty-eight (48) hours, or as soon as possible, to ratify such action and to take such further action as may be required by this Charter.

(B) Whenever deemed necessary, emergency appropriations as provided by Section 6-8 of this Charter may be made by a vote of not less than two-thirds (2/3) of the entire membership of the Board of Selectmen when the Board of Selectmen is acting pursuant to such declaration of a state of emergency.

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

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

ARTICLE 5 - THE FIRST SELECTMAN

Section 5-1: The First Selectman

The election, term of office, and qualifications of the First Selectman shall be in accordance with Articles 4 and 7 of this Charter. The compensation of the First Selectman shall be in accordance with Article 4 of this Charter.

Section 5-2: Chief Executive and Administrative Officer

(A) The First Selectman shall be the full time chief executive and administrative officer of the Town, and shall spend sufficient time required to carry out his duties as charged by the General Statutes and more specifically described in Section 5-3 of this Charter.

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

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

(D) The First Selectman shall be an ex-officio member of all agencies of the Town, but without the power to vote. He may, in writing, appoint a Selectman to be his non-voting representative on any agency.

Section 5-3: Duties of the First Selectman

(A) The First Selectman shall be the Chief of Police, and shall be directly responsible for all other duties which the General Statutes assign to the chief executive in the absence of those separate municipal appointive officials specified by the General Statutes.

(B) Under the general direction of the Board of Selectmen, the First Selectman shall be responsible for:

(1) The proper performance of the First Selectman's office and the keeping of full and complete records of the operation of his office;

(2) Coordinating the administration of the agencies of the Town, except for those functions expressly reserved or delegated to those agencies by this Charter;

(3) Making a continuous review of the current and future needs of the Town, including financial needs and budgetary requirements. In connection with this, he may require that reports and information be submitted by any Town agency except the Board of Education. He shall keep the Board of Selectmen fully informed as to the financial condition of Town;

(4) Seeing that the Board of Selectmen is informed as to the availability of, and the requirements for, such Federal and/or State funds for which the Town may qualify;

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(5) The implementation of proper financial procedures, record keeping and accounting methods which the Board of Finance may lawfully and reasonably prescribe for those Town agencies over which he has jurisdiction;

(6) The coordination and guidance of the Board of Selectmen in the discharge of all the Board's duties and responsibilities;

(7) The development of a set of priorities which shall provide a guide for those things the Town shall attempt to accomplish during the coming year, which shall serve as a policy guide in the development of the Annual Town Budget; and

(8) To (a) make periodic reports to the Selectmen and the Board of Finance; (b) to recommend to the Selectmen such motions as he shall deem necessary or expedient; and (c) to provide that complete books of account are maintained showing the financial transactions and condition of the Town and all other accounts and records that may be prescribed by the Selectmen, the Board of Finance, the General Statutes and the Town Meeting.

Section 5-4: Purchases

(A) The First Selectman, or his designee, shall act as purchasing agent of the Town, subject to any rules, regulations and ordinances prescribed by the Board of Selectmen, the Board of Finance and this Charter.

(B) The First Selectman, or his designee, shall purchase, or alternatively, provide budgeted agencies with the necessary authority and directions for purchasing, all supplies, services, materials, equipment and other budgeted commodities in a manner which complies with both State and Federal law. The First Selectman shall also provide such rules and regulations as may be prescribed to comply with Section 4-3(5) and to provide such purchasing procedures as required by Section 6-12(D) of this Charter. Rules and regulations that have been established by the Board of Selectmen regarding the method of purchasing by budgeted agencies shall apply uniformly to all agencies of the Town, including the Board of Education. The First Selectman shall be responsible for informing Town agencies, in writing, of these purchasing regulations within thirty (30) days of the effective date thereof.

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Section 5-5: Assignment of Duties

To assist in the discharge of the duties and responsibilities of his office and the Board of Selectmen, the First Selectman may assign and delegate duties to Selectmen and to persons responsible to him, except for such powers and duties that may not, under General Statutes, be so assigned. Such assignments shall be made public knowledge through posting on the Town bulletin board and shall be made known to any Town agencies affected for the duration of such assignments.

Section 5-6: Prohibition

During his term of office, the First Selectman shall not hold any of those offices that are considered incompatible under Section 9-210 of the Connecticut General Statutes. These offices are the Town Clerk, Tax Collector, Town Treasurer, or Judge of Probate for the district within which Oxford is located.

Section 5-7: Acting First Selectman

Wherever the term First Selectman is used in this Charter, it shall include the Acting First Selectman as provided in Section 4-2 of this Charter.

ARTICLE 6 - FINANCE AND TAXATION

Section 6-1: Fiscal Year

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

Section 6-2: Board of Finance

The Board of Finance shall have those powers and duties imposed or vested by the Connecticut General Statutes upon Boards of Finance and shall perform all acts required of them by the Town and this Charter. It shall be the budget making authority of the Town and shall be responsible for the preparation of the annual budget presented to the Town Meeting and the management and monitoring of said budget after its adoption. The Board of Finance shall coordinate its efforts with the town treasurer, the finance director and the Board of Selectmen. It shall have reasonable access to the records and books of the Town, the Board of Education and any organization aided with Town funds.

(A) Officers and Duties: Within fourteen (14) days following the second Tuesday after the regular Town election, the Board of Finance shall meet and elect from its membership a chairman, vice-chairman and secretary. The secretary shall provide the Board of Selectmen with a copy of all appropriations made or recommended by the Board of Finance. The secretary shall file a copy of all minutes and a record of all votes taken with the Town Clerk in accordance with Charter Sections 2-5(C) and (D).

(B) Meetings: The Board of Finance shall provide for a regular meeting once each month and establish procedures for calling special meetings. The Secretary of the board shall issue a call for a special meeting either at the direction of the Chairman or upon the written request of any two (2) members. Four (4) members shall constitute a quorum for the transaction of business. A majority of the members present, but not less than three affirmative votes, shall be needed to transact all business except to adjourn

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(C) **Compensation:** The members of the Board of Finance shall serve without compensation. Expenses incurred in the performance of a member's duties may be paid from an appropriation authorized for that purpose.

(D) **Holding Other Office:** No member of the Board of Finance shall hold any other elective or appointive office in the Town government, including moderating Town Meetings and Elections; nor shall they serve on any appointed board or commission of the Town. They may serve on Town advisory boards or as representatives or advisors to local, regional and state agencies.

Section 6-3: Annual Audit

(A) The Board of Finance shall provide for an annual audit of the books and accounts of the Town. The Report of Town Audit, as accepted by the Board of Finance, and the Annual Treasurer's Report shall be made available on the Town's municipal website and in the office of the Town Clerk by the first (1st) day of March each year.

(B) A detailed audit of all the records maintained by the Tax Collector's office shall be completed every three (3) years in conjunction with the Town's annual audit.

(C) The Board of Finance shall designate and contract with an independent certified public accountant or firm of independent certified public accountants to audit the books and accounts of the Town as provided in the General Statutes of the State of Connecticut. Such contract may be for a maximum term of three (3) fiscal years and shall contain a provision for termination for cause. The auditor may make recommendations for the improvement of the method of maintaining Town records, but such recommendations shall not become effective until approved by the Board of Finance.

Section 6-4: Treasurer

(A) The Treasurer shall receive all monies belonging to the Town and pay them out on the order of the proper authority. He shall have such powers and duties and shall keep accurate records as prescribed in this Charter and the General Statutes. He shall conform the procedures of his office to the regulations of the Board of Finance adopted in accordance with Section 6-12 of this Charter.

(B) To assist in the discharge of the duties and responsibilities of his office, the Treasurer may assign and delegate duties to persons responsible to him or to any such administrative officer or employee of the Town as he and the First Selectman shall designate, except for those powers and duties that may not, under the General Statutes, be so assigned.

Section 6-5: Preparation of the Budget

(A) **Preliminary Budget Estimates:** It shall be the responsibility of the Board of Selectmen to compile preliminary proposals for the Annual Budget. With the exception of the Board of Education, the head of each office or agency of the Town, supported wholly or in part from Town funds or for which a specific appropriation is made, shall file a detailed estimate of the expenditures to be made by his office or agency in the ensuing fiscal year with the Board of Selectmen. Such filing shall be made no later than January 15 of each year. The Board of Selectmen may require any office or agency head to meet with it to explain requests; it may ask for an estimate of revenue anticipated by the office or agency; and it may require that the estimates be submitted on forms provided by it. The estimates of proposed expenditures shall contain such details and further data as may be required by the Board. Each such estimate shall be accompanied by a statement setting forth, in narrative or such other form as the Board may prescribe, a program or programs showing the services, activities, and work accomplished during the current fiscal year and planned for the ensuing fiscal year. Any office or agency head shall be entitled to be heard by the Board in respect to the estimates of proposed expenditures submitted by him.

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(B) Responsibilities of the Board of Selectmen on the Budget: At such time as the Board of Finance may by regulation require, but not less than sixty (60) days prior to the Annual Budget Meeting, the Board of Selectmen shall present a proposed budget to the Board of Finance, which shall consist of:

- (1) An itemized statement of revenue for:**
 - a) The last completed fiscal year;
 - b) The adopted budget for the current year;
 - c) Actual receipts to date;
 - d) Estimated receipts for the ensuing fiscal year.
- (2) An itemized statement of expenditures for:**
 - a) The last completed fiscal year;
 - b) The adopted budget for the current year;
 - c) Actual expenditures to date;
 - d) Estimated expenditures and departmental requests for the ensuing year.

(3) Recommendations of the Board of Selectmen

(4) Capital Projects

The Board of Selectmen shall present a proposal, previously considered at the Capital Plan Town Meeting, recommending those municipal capital improvement projects to be undertaken during the ensuing fiscal year with suggestions for financing them.

(C) Responsibilities of the Board of Education on the Budget: At such time as the Board of Finance may by regulation require, but not less than sixty (60) days prior to the Annual Budget Meeting, the Chairman of the Board of Education shall present an itemized estimate of the proposed public school budget to the Board of Finance. A copy of this itemized estimate of the proposed public school budget shall also be filed in the office of the Town Clerk and posted on the Town of Oxford's municipal website. The Board of Education shall prepare a proposed budget consisting of:

- (1) An itemized statement of Revenue for:**
 - a) The last completed fiscal year;
 - b) The adopted budget for the current year;
 - c) Actual receipts to date;
 - d) The estimated receipts for the ensuing fiscal year.
- (2) An itemized statement of Expenditures for:**
 - a) The last completed fiscal year;
 - b) The adopted budget for the current year;
 - c) Actual expenditures to date;
 - d) The budget requests for the ensuing fiscal year.

(D) Duties of the Treasurer on the Budget: At such time and in such manner as the Board of Finance may by regulations require, but not less than seventy-five (75) days prior to the Annual Budget Meeting, the Treasurer shall present an itemized estimate of the proposed revenue for the ensuing fiscal year to the Board of Finance and the Board of Selectmen. This shall include, but not be limited to, the current funds available, anticipated revenue from interest-bearing accounts, projected borrowings requiring bonding, and anticipated state and federal grant monies. The Treasurer may delegate this responsibility to the Finance Director.

(E) Duties of the Board of Finance on the Budget: After reviewing the budgets presented by the Board of Selectmen and the Board of Education, the Board of Finance shall prepare a budget for presentation at the public hearing set forth in Section 6-5(G) of this Charter. The Board of Finance may require any agency to meet with it and explain any requests for funds. Any agency shall be entitled to be heard by the Board of Finance in respect to the estimates of proposed expenditures submitted by that agency.

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(F) Contingency: The Budget may include a contingency fund administered by the Board of Finance not to exceed one percent (1%) of the total estimated expenditures for the current fiscal year.

(G) Public Hearing on Proposed Budget: The Board of Finance shall hold one or more public hearings not less than fourteen (14) days before the Annual Budget Meeting. After these hearings, the Board of Finance shall revise the estimates as it deems desirable, and prepare a recommended Town Budget. Any person qualified to vote at the Annual Budget Meeting shall have the opportunity to be heard regarding the proposed appropriations for the ensuing year. At these hearings the Board of Finance shall present a proposed budget which shall consist of the following:

(1) An itemized statement of revenue for:

- a) The last completed fiscal year;
- b) The adopted budget for the current year;
- c) The actual receipts to date for the current year;
- d) The estimated receipts for the ensuing fiscal year including revenue from all sources other than property taxation; an estimate of the amount anticipated from local property taxation; and an estimate of the revenue surplus or deficit of the Town.

(2) An itemized statement of Expenditures for:

- a) The last completed fiscal year;
- b) The adopted budget for the current year;
- c) The actual expenditures to date for the current year;
- d) The estimated expenditures and department requests for the ensuing fiscal year.

(3) Capital Projects to be undertaken during the ensuing fiscal year with plans for financing them.

(H) Annual Budget Town Meeting: The Annual Budget Town Meeting shall be held no later than the first (1st) Monday in May, at which meeting the Board of Finance shall recommend its proposed budget to the Town. In accordance with Section 7-344 of the General Statutes as to form and content, the Board of Finance shall prepare a summary report of the proposed budget and have it published in the newspaper having a substantial circulation in the Town. Sufficient copies of the proposed annual budget shall also be available for general distribution in the Office of the Town Clerk and on the Town's municipal website at least five (5) days prior to the Annual Budget Town Meeting. At such Budget Town Meeting, no appropriation shall be made exceeding that recommended by the Board of Finance for the same purpose, and no appropriation shall be made for any purpose not recommended by the Board of Finance. By a majority of the qualified voters present and voting at such town meeting, an amount of money less than that recommended by the Board of Finance may be appropriated. The appropriations, as approved by the Annual Budget Town Meeting, shall be construed as having been appropriated when approved. The budget shall become effective when approved by referendum vote at an adjourned Annual Budget Town Meeting. The Board of Finance shall file an official copy of the Budget, as adopted, with the Town Clerk within six (6) days of approval. If the budget is not approved by referendum vote at the Annual Budget Town Meeting, the provisions of Section 3-5(C) and (D) of this Charter shall apply.

(I) Split Budget Vote: The Town Meeting may, by Ordinance, establish a provision to split the annual budget vote into two parts, the Town Operating Budget and the Education Budget. Said Ordinance shall first be presented at a Public Hearing held not less than fourteen (14) days prior to a Town Meeting called to consider such provision. Approval of said Ordinance shall be by referendum vote conducted in accordance with Section 3-9(A) of this Charter, provided that at least fifteen percent (15%) of those persons eligible to vote shall have voted in said referendum.

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Section 6-6: Levy and Collection of Taxes

(A) **Levy of Taxes:** Within six (6) days after the adoption of the annual town budget, the Board of Finance shall meet and levy such tax in mills as is required to pay the expenses and appropriations of the Town in the ensuing fiscal year.

(B) **Collection of Taxes:** The Tax Collector shall collect all taxes due in accordance with the General Statutes. The taxes shall be due July 1 and January 1 unless otherwise fixed by ordinance.

Section 6-7: Reserve Fund for Capital and Non-Recurring Expenditures

(A) **Reserve Fund:** There shall continue to be a reserve fund for Capital and Non-Recurring Expenditures (hereafter "Fund"). Upon the recommendation of the Board of Finance and approval of the Town Meeting, there shall be paid into the Fund such amounts as may be:

(1) Authorized to be transferred thereto from any general fund cash surplus available at the end of the fiscal year;

(2) Raised by the annual levy of a tax not to exceed two (2) mills for the benefit of the Fund and for no other purpose; such tax to be levied and collected in the same manner and at the same time as the regular annual taxes of the Town; or

(3) Surplus cash funds already held in reserve and available for such capital or nonrecurring expenditures as are contemplated by the provisions of Sub-Section 6-7(B) hereof.

All such monies so accumulated together with all interest that may accrue thereon shall be deposited by the Treasurer of the Town into a separate bank account and shall be used for the purposes of and in the manner prescribed by Section 6-7(B) of this Charter.

(B) **Qualification as Fund:** The planning, construction, reconstruction, or acquisition of any specific item of equipment of such category, character or nature as not to be a purpose or object for which an appropriation is customarily made annually, shall qualify as a capital and non-recurring expenditure. Upon the recommendation of the Board of Finance and approval of the Town Meeting, any part or the whole of such Fund may be used for the financing, in part or in full, of such projects or acquisitions. Upon the approval of any such project or acquisition, an appropriation shall be designated for the specific project or acquisition for which it was authorized and such unexpended appropriation may continue, subject to the limitations of 6-7(C) hereof, until such project or acquisition is completed. Any unexpended portion of such appropriation remaining after completion shall revert to the Fund.

(C) **Termination of Fund:** Upon recommendation of the Board of Finance and approval of a Town Meeting, any appropriation set up pursuant to the provisions of 6-7(B) may be terminated at any time subsequent to the effective date of such appropriation. If no expenditure from or encumbrance of any such appropriation has been made within the period of three (3) fiscal years next succeeding the effective date of such appropriation, such appropriation shall be terminated upon approval of a duly warned Town Meeting. Said terminated appropriation shall revert to the Fund. The fiscal year in which such appropriation was authorized shall be deemed the first fiscal year of such three (3) year period.

(D) **Control of Fund:** The Board of Finance, the Town Meeting, and any Town Officials who may be concerned with the operation of this Fund shall have any and all further powers, as contained in Chapter 108 of the General Statutes, as amended, necessary to implement and administer the operation of this Fund and not specifically granted herein.

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Section 6-8: Emergency Appropriations

(A) For the purpose of meeting a public emergency threatening the lives, health or property of citizens, property of the Town, or the proper functions or operation of the Town, emergency appropriations may be made by a vote of not less than two-thirds of the entire membership of the Board of Selectmen, provided that the Board of Selectmen is acting pursuant to a declaration of a state of emergency as specified in Section 4-5 of this Charter. Emergency appropriations shall be restricted to those emergencies arising from natural disasters and other unforeseen events, and any delay in making such appropriation would further jeopardize the lives, health or property of citizens or property of the Town.

(B) The total amount of any such appropriation shall not exceed two hundred fifty thousand dollars (\$250,000) in any one fiscal year. Written notification of such appropriations shall be given to the Board of Finance within forty eight (48) hours and a copy shall be filed in the office of the Town Clerk as required by Section 2-5 of this Charter.

(C) In the absence of sufficient general fund resources to meet such emergency 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 Board of Selectmen with the advice of the Board of Finance

Section 6-9: Transfers, Additional Appropriations and Special Appropriations

(A) Requests for Transfers of Appropriations:

(1) Transfers of appropriations are transfers of funds from one budgeted line item to another within an approved departmental budget.

(2) All departmental requests for transfers of appropriations shall be made in writing to the Board of Selectmen. Within fifteen (15) business days, the Board of Selectmen shall act upon such requests and shall forward them, along with comments and their recommendations, to the Board of Finance for action. Such requests, along with Selectmen's recommendations, shall be detailed in the minutes of the Board of Selectmen's meeting and filed with the Town Clerk. The Board of Finance shall act upon such requests not later than 60 days after the Board of Selectmen approval. If action is not taken within 60 days after the Board of Selectmen approval, the request shall be considered approved. For the purpose of this section action means to approve or disapprove. All requests for transfers of appropriations may be approved by the Board of Finance after a favorable recommendation by the Board of Selectmen. The Board of Finance shall require notice of its action, together with the reasons for its action, to be detailed in the minutes of its meeting. As provided in Section 2-5 of this Charter, results of their votes shall be filed in the office of the Town Clerk within forty-eight (48) hours.

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(B) Requests for Additional Appropriations:

(1) Additional appropriations are departmental requests to increase an existing budgeted line item with supplemental funds from outside the approved departmental budget, and may be funded from available funds within the approved town budget or from the general fund surplus balance.

(2) All departmental requests for additional appropriations shall be made in writing to the Board of Selectmen, and shall be approved in accordance with the provisions of Paragraph (D). Within fifteen (15) business days, the Board of Selectmen shall act upon such requests, and shall forward them, along with comments and their recommendations, to the Board of Finance for action. Such requests, along with Selectmen's recommendations, shall be detailed in the minutes of the Board of Selectmen's meeting and filed with the Town Clerk. The Board of Finance shall act upon such requests not later than 60 days after the Board of Selectmen approval. If action is not taken within 60 days after the Board of Selectmen approval, the request shall be considered approved. For the purpose of this section action means to approve or disapprove. The Board of Finance shall require notice of its action, together with the reasons for its action, to be detailed in the minutes of its meeting. As provided in Section 2-5 of this Charter, results of their votes shall be filed in the office of the Town Clerk within forty-eight (48) hours.

(C) Requests for Special Appropriations:

(1) A special appropriation is a request for funding for any item that was not included in the approved town budget, and may be funded from the general fund surplus balance or from available funds within the approved town budget.

(2) All departmental requests for special appropriations shall be made in writing to the Board of Selectmen, and shall be acted upon in the same manner as requests for additional appropriations as provided in Paragraph (B)(2) above.

(D) Limitations on Special Appropriations and Additional Appropriations:

Special appropriations and additional appropriations shall be limited as follows:

(1) Requests for special appropriations or additional appropriations in any amount that will be funded from the general fund surplus balance shall be approved by action of a duly warned Town Meeting after favorable recommendation from both the Board of Selectmen and the Board of Finance.

(2) Requests for special appropriations, or additional appropriations of less than fifty thousand dollars (\$50,000), cumulatively, per department, per fiscal year, that will be funded from within the approved budget shall be approved by the Board of Finance after a favorable recommendation from the Board of Selectmen.

(3) Requests for additional appropriations of fifty thousand dollars (\$50,000) or more, cumulatively, per department, per fiscal year, that will be funded from within the approved town budget shall be approved by action of a duly warned Town Meeting after a favorable recommendation from both the Board of Selectmen and the Board of Finance.

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Section 6-10: Requests for Appropriations in Excess of \$500,000

(A) Any request for an appropriation in excess of five hundred thousand (\$500,000), or any request for an appropriation for a capital project that would require any form of indebtedness to be authorized or issued by the Town, shall be made in writing to the Board of Selectmen.

(B) Within thirty (30) days of receipt of said request, the Board of Selectmen shall call a joint meeting of the Board of Selectmen and Board of Finance for review and consideration of the request. At the joint session, the requesting authority shall present an explanation of the funds requested and a detailed overview of the capital project being proposed, and shall be prepared to answer any questions posed by members of the Boards of Selectmen and Finance. After this presentation, the joint session shall consider and discuss any proposed funding sources for the project before adjourning for independent action by each Board.

(C) Within fifteen (15) days from the date of the joint meeting, the Board of Selectmen shall meet and determine whether or not it can act favorably upon such request. If the action is favorable, Selectmen shall forward the request, along with their comments and recommendations, to the Board of Finance for action.

(D) When the request for an appropriation does not require borrowing, the Board of Finance shall have fifteen (15) days from receipt of notice from the Board of Selectmen to meet and act upon the request. For any request that does require any form of borrowing, the Board of Finance shall have thirty (30) days to meet and hold a public hearing on the funding of the project before it acts upon the request. Within forty-eight (48) hours of either such meeting, the Board of Finance shall provide written notification of the results of its action to the Board of Selectmen.

(E) Upon a favorable recommendation by the Board of Finance, any request for an appropriation that does not require any form of borrowing and can be funded from (1) the general fund surplus balance, (2) the reserve fund for capital and non-recurring expenditures, or (3) any combination of grants and other available funds on hand, shall be forwarded by the Board of Selectmen to a duly warned Town Meeting for consideration and action.

(F) When the request for an appropriation requires any form of borrowing, the Board of Finance shall review the funding request to determine (1) whether the amount may be limited by the statutory restrictions imposed by the state, or (2) whether the Town has sufficient ability, current and future, to pay for such expenditure and continue to meet its operating expenses and all outstanding borrowing authorizations. These determinations shall be included in the written notification provided to the Board of Selectmen, and shall be presented at the Public Hearing along with the information required in the Fiscal Impact Statement. If said request receives a favorable recommendation from the Board of Finance, the Board of Finance shall authorize an appropriation, in an amount recommended by the Board of Selectmen, for any legal and technical expenses that may be incurred prior to the approval of the borrowing authorization by the Town Meeting. This appropriation is required in the event the borrowing authorization is rejected by the legislative body. Upon receipt of the written notification, the Board of Selectmen shall initiate borrowing procedures in accordance with Section 6-11 of this Charter.

(G) If the request does not receive a favorable recommendation by the Board of Finance, the written notification required by Paragraph (D) shall include a detailed explanation of the reason(s) for denial. If the request is denied because of the source or the terms of funding, the Board of Finance may include suggested alternative funding options for the Board of Selectmen to reconsider. The Board of Selectmen shall then have fifteen (15) days to review and act upon any alternatives proposed by the Board of Finance. If the Board of Selectmen adopts any such alternative recommendation(s), the reconsidered request shall be returned to the Board of Finance for the favorable recommendation required by paragraphs (E) or (F) of this section.

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Section 6-11: Borrowing

(A) The Town of Oxford shall have the power to incur indebtedness by issuing its bonds and/or notes as provided by the General Statutes, as amended, subject to the limitations thereof and the provisions of this section.

(B) Any resolution authorizing the issuance of bonds and/or notes, totaling not more than ten percent of the current tax levy for any single purpose in any one fiscal year shall, upon review and recommendation by the Board of Finance, and within 45 days from the filing of the proposed borrowing resolution with the Town Clerk by the Board of Selectmen, be authorized by majority vote at a duly warned Town Meeting. At such Town Meeting, the Board of Finance shall present a "Fiscal Impact Statement" previously adopted by it which shall contain the following: (1) the total amount to be borrowed or bonded, (2) the estimated interest rate for such notes or bonds, based upon average prevailing interest rates for municipal bonds or notes; (3) the proposed term of the bonds or notes; (4) the anticipated date upon which the bonds or notes are expected to be issued; and (5) the estimated annual tax burden, represented in mills, based upon the current grand list of the Town.

(C) Any resolution authorizing the issuance of bonds and/or notes for any amount over ten percent of the current tax levy shall, upon review and recommendation by the Board of Finance, and within 45 days from the filing of the proposed borrowing resolution with the Town Clerk by the Board of Selectmen, be submitted for approval by a referendum vote following consideration at a duly warned Town Meeting. At such Town Meeting, the Board of Finance shall present a "Fiscal Impact statement" previously adopted by it which shall contain the information set forth in paragraph (B) above. Such issuance shall be approved by a majority of those voting thereon, provided that at least fifteen percent (15%) of the persons eligible to vote at a general or special election in the Town of Oxford shall have voted in said referendum.

(D) The Town may, by resolution, borrow in anticipation of taxes an amount not to exceed such taxes, upon approval by the Board of Finance and adoption by a majority vote of qualified voters present and voting at a duly warned Town Meeting. Any amount borrowed in anticipation of taxes shall be repaid within the fiscal year such indebtedness is incurred, or within the following fiscal year.

Section 6-12: Accounting and Expenditures

(A) **Method of Accounting:** A modified accrual system of accounting shall be used in maintaining the Town financial records, including those of the Board of Education, except where mandated otherwise by state statute. This system shall be operational on or before July 1, 1993 and shall conform to regulations formulated by the Board of Finance.

(B) **Regulations:** All regulations established in accordance with Section 6-12 shall be consistent with this Charter and with the statutory powers and duties of other Town agencies, and all Town agencies shall comply with them. All such regulations shall be filed with the Town Clerk.

(C) **Contracts and Over-expenditure of Appropriations:** No officer or agency of the Town shall enter into any contract that would obligate the Town to expend any amount that exceeds an approved appropriation. Any officer, who, without authority from this Charter, enters into any contract which would obligate the Town to expend any amount that exceeds an approved appropriation except in payment of final judgments rendered against the Town, shall be liable in a civil action in the name of the Town, as provided in Section 7-349 of the General Statutes.

(D) **Purchasing and Bidding Procedures:** Purchases by any office or agency of the Town, including the Board of Education, for supplies, materials, services, equipment and other budgeted purchases that are to become the property of the Town, shall be made under such rules and regulations as shall be established by the

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Board of Selectmen with the advice of the Board of Finance. The Boards of Selectmen, Finance and Education shall review and update said rules and regulations on a periodic basis to ensure they adequately reflect current economic conditions. All purchases referred to herein, including those made by the Board of Education except where mandated otherwise by state statute, and costing in excess of ten thousand dollars (\$10,000) shall be made on the basis of at least three sealed bids according to section 6-12 E of this charter. The Board of Selectmen, or where appropriate, the Board of Education, may: (1) reject any or all bids which the deem not to be in the best interest of the Town and, if necessary, request new bids or (2) negotiate with anyone making a bid for terms and conditions deemed to be in the best interest of the Town. The Town Meeting may, by ordinance, adopt such other rules and regulations governing the purchasing procedures and bidding requirements of the Town as may be deemed appropriate.

E) All bids in excess of \$10,000 must be sealed in envelopes addressed to the appropriate town office or agency. Bid envelopes must clearly indicate the name and address of the bidder in the left hand corner of the envelope. Bids shall be typewritten, or handwritten in ink, bids submitted in pencil shall be rejected. Telephone, facsimile or email transmitted bids shall not be accepted. Bids received after the specified time and date of the bid opening shall not be considered.

Section 6-13: Review and Approval of Town Contracts

No officer, employee, board, agency, commission or committee of the Town shall enter into any contract by which the Town may become liable for any sum in excess of five thousand dollars (\$5,000) unless and until said contract has been prepared, or reviewed and approved as to form, by the Board of Selectmen, utilizing the services of Town Counsel as needed. Nothing contained in this section shall be deemed to usurp the power and authority of any board of the Town conferred by the Connecticut General Statutes, ordinance, or this Charter.

ARTICLE 7 - ELECTIONS AND ELECTIVE OFFICERS

Section 7-1: Voting Districts

(A) As provided by ordinance, there shall continue to be the one voting district that existed on the effective date of this Charter.

(B) The Town Meeting may change, by ordinance, the number of voting districts and/or their boundaries as it may determine to be in the best interests of the Town. Any such ordinance shall be adopted in the manner prescribed herein: (1) the proposed ordinance shall first be presented at a Public Hearing called to consider such voting district change(s) and the proposed date such change would become effective; (2) it shall be acted upon at the Town Meeting in the manner prescribed by Section 3-1(C) of this Charter; and (3) said ordinance, as recommended by the Town Meeting, shall become effective upon approval by a majority of the Town electors voting thereon at a 'regular election' as defined in Section 1-4 (D) of this Charter.

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Section 7-2: State and Federal Elections

Nominations and election of state and federal officers, Judge of Probate, and Registrars of Voters shall be conducted as prescribed in the Constitution and the General Statutes of the State of Connecticut.

Section 7-3: Municipal Elections

(A) A meeting of the electors of the Town of Oxford, hereafter called "the regular Town election", shall take place on the Tuesday following the first Monday in November of 1991, and biennially thereafter. Special Town elections may be called from time to time in accordance with the General Statutes.

(B) All elective offices of the Town of Oxford shall be 'at-large'. Except as otherwise provided in this Charter, all elective Town Officers shall take office on the second Tuesday after the day of the regular town election at which they were elected, and they shall continue in office until their successors have been chosen and qualified. The Town Clerk shall take office on the first Monday of January following his election. Registrars of Voters shall take office on the Wednesday following the first Monday of the January next succeeding their election, or as otherwise specified by State Statute.

Section 7-4: Eligibility for Election to Town Office

(A) Only a resident who is an elector of the Town at the time of the election shall be eligible for election to any Town office. If an individual ceases to be an elector of the Town he shall thereupon cease to hold elective office in the Town and the office shall be deemed vacant. All elective officers shall be sworn in before taking office and the officer administering the oath shall record such fact in the office of the Town Clerk within seven (7) days.

(B) If any elected official fails to take his oath within fourteen (14) days from the date designated in Section 7-3 of this Charter, said position shall be deemed vacant and shall be filled in accordance with Section 7-9 of this Charter.

Section 7-5: Additional Elective Boards and Commissions

(A) To the extent permitted by the Connecticut General Statutes, and notwithstanding any provision of this Charter to the contrary, the Town Meeting shall have the power to alter or modify, by ordinance, the duration of any elective terms, provided that the term of any person elected or appointed prior to the adoption of such ordinance shall not thereby be shortened or terminated.

(B) Additional elective boards may be established by ordinance submitted to and approved by a Town Meeting, including those that may be provided for in the General Statutes. Such ordinances shall specify the board's powers and duties, enabling statute, terms of office, and method of filling vacancies. Except for those elective boards required by state statute to have an even number of members, boards or commissions established under this section shall have an odd number of members.

Section 7-6: Nomination and Election of Members of Elective Boards and Commissions:

At each Town election, subject to the provisions of Section 9-167a of the Connecticut General Statutes, each party may nominate the number of candidates equal to the total number of board or commission positions to be filled in that election. The electors of the Town may cast that number of votes equal to the number of board or commission positions to be filled in that election, with the candidates receiving the greatest number of

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votes being elected. When the number of members of any one political party who would be elected without regard to Section 7-7 of this Charter exceeds the maximum number as determined by Section 7-7, only those candidates of such political party with the highest number of votes up to the limit of such maximum shall be elected. The next highest-ranking candidates, not from such political party, shall be elected, up to the number of places to be filled in each election.

Section 7-7: Political Party Representation

Political party representation on any elective or appointive board, commission, committee or similar body of the Town shall be determined in accordance with provisions of Section 9-167a of the General Statutes, as amended. As provided in said section, the maximum number of members of any board, commission, committee or similar body who may be members of the same political party shall be as specified in the following table:

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

Section 7-8: Breaking a Tie

When any regular or special municipal election or primary results in a tie, an adjourned election shall be conducted in accordance with the provisions of Section 9-332 of the General Statutes, as amended, to determine who shall be elected. The adjourned election shall be held three (3) weeks after the regular or special election or primary.

Section 7-9: Vacancies in Elective Offices

(A) Any elected Town Official, other than the Town Clerk, who wishes to resign from office, shall submit his resignation in writing to the Town Clerk. The resignation of the Town Clerk shall be submitted in writing to the Board of Selectmen. Such resignations shall become effective on the date specified therein.

(B) Vacancies created either by the demise of a board member or by provisions of Section 7-4 of this Charter shall be reported to the Town Clerk, in writing, by the Chairman or the Secretary of that board before the first meeting of the Board of Selectmen following creation of the vacancy.

(C) The Board of Selectmen shall fill vacancies in any elective Town office except that of the First Selectman, from whatever cause, within forty-five (45) days of the time that office becomes vacant. Vacancies shall be filled by the appointment of a member of the same political party as that of the vacating member or by appointment of a person not affiliated with a political party. These individuals will serve until the next regular municipal election, at which time the electors of the Town shall vote to fill the vacancy for the unexpired portion of the term. A vacancy shall not be considered filled until the person appointed to fill the vacancy has been sworn into office in the manner prescribed in Section 7-4(A) of this Charter.

(D) If a vacancy occurs in the office of the First Selectman, it shall be filled within thirty (30) days after the day of its occurrence by the remaining members of the Board of Selectmen in the manner prescribed by Section 9-222 of the General Statutes.

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- (E) The Board of Selectmen may not make or submit appointments to fill vacancies during the last fourteen (14) days of their term.

Section 7-10: Board of Selectmen

At each regular Town election there shall be elected a Board of Selectmen consisting of the First Selectman and two (2) Selectmen. No more than two (2) members of such Board of Selectmen may be members of the same political party. The votes cast for an unsuccessful candidate for First Selectman shall be counted as votes for him as a member of the Board of Selectmen, provided no elector may be a candidate for both the office of First Selectman and that of Selectman. These officers shall serve for terms of two (2) years and shall have the powers and duties prescribed by law.

Section 7-11: Town Treasurer

At each regular Town election, there shall be elected a Town Treasurer who shall serve for a term of two (2) years, and who shall have the powers and duties prescribed by law.

Section 7-12: Town Clerk

(A) At the Town election in November of 1993, and every four years thereafter, there shall be elected a Town Clerk who shall serve for a term of four (4) years, and who shall have the powers and duties prescribed in accordance with the Connecticut General Statutes.

(B) All fees collected by the Town Clerk in the performance of duties herein assigned shall be paid into the Town treasury and the Town Clerk shall be compensated by salary.

Section 7-13: Tax Collector

At the Town election in November of 1991, and every four years thereafter, there shall be elected a Tax Collector who shall serve for a term of four (4) years and who shall have the powers and duties prescribed by law.

Section 7-14: Registrars of Voters

Beginning with the State election in 1994, and every four (4) years thereafter, there shall be elected such Registrars of Voters as may be required by the General Statutes. They shall serve for terms of four (4) years, and shall have the powers and duties prescribed by law.

Section 7-15: Board of Finance

The Board of Finance shall consist of six (6) members serving overlapping terms of four (4) years each. In 1993 and every two (2) years thereafter, there shall be elected three (3) members for terms of four (4) years in accordance with the provisions of Sections 7-6 and 7-7 of this Charter. This Board shall have the powers and duties prescribed by law, and as more fully described in Article 6 of this Charter.

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Section 7-16: Board of Education

The Board of Education shall consist of nine (9) members serving overlapping terms of four (4) years each. In 1993 and every four (4) years thereafter there shall be elected five (5) members for terms of four (4) years, and in 1995 and every four (4) years thereafter there shall be elected four (4) members for terms of four (4) years in accordance with the provisions of Sections 7-6 and 7-7 of this Charter. This Board shall have the powers and duties prescribed by Title 10 of the Connecticut General Statutes.

Section 7-17: Board of Assessment Appeals

(A) The Board of Assessment Appeals shall consist of three (3) members serving overlapping terms of four (4) years each. In 1993 and every four (4) years thereafter, there shall be elected one (1) member for a term of four (4) years, and in 1995 and every four (4) years thereafter there shall be elected two (2) members for terms of four (4) years in accordance with the provisions of Sections 7-6 and 7-7 of this Charter.

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

(C) As provided by ordinance, for any assessment year in which a revaluation becomes effective, the Board of Selectmen may, at the request of the Assessor, appoint up to two (2) additional electors from the Town to serve temporary terms on the Board of Assessment Appeals.

Section 7-18: Planning & Zoning Commission

(A) The Planning & Zoning Commission shall consist of seven (7) members serving overlapping terms of four (4) years each, who shall have the powers and duties prescribed by law. In 2003 and every four (4) years thereafter, three (3) members shall be elected for terms of four (4) years, and in 2005 and every four (4) years thereafter, four (4) members shall be elected for terms of four (4) years in accordance with the provisions of Sections 7-6 and 7-7 of this Charter. There shall be three (3) alternates, each serving for terms of two (2) years who shall be appointed as specified in Section 8-10 of this Charter.

(B) The functions and responsibilities of the Planning & Zoning Commission shall include the preparation and adoption of a Plan of Development, a Comprehensive Zoning Plan in accordance with the Plan of Development, and the preparation, adoption, and implementation of zoning and subdivision regulations in furtherance of the Plan of Development and the long-term health and safety of the Town, as specified in Chapters 124 and 126 of the General Statutes. The Plan of Development may be reviewed and, if necessary, updated by this Commission every five (5) years. In connection with this review, a public hearing shall be held within ninety (90) days prior to the expiration of the five-year period. The Town must appropriate reasonable funds for the preparation, adoption, implementation, review and amendment of the Plan of Development.

(C) To the extent provided by the General Statutes, and within the limits of its appropriations, the Commission may, by vote of a majority of its members, engage such employees as are necessary for its work and may contract with professional consultants.

Section 7-19: Zoning Board of Appeals

(A) The Zoning Board of Appeals shall consist of five (5) members serving overlapping terms of four (4) years each who shall have the powers and duties prescribed by law. In 2003 and every four (4) years thereafter,

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three (3) members shall be elected for terms of four (4) years, and in 2005 and every four (4) years thereafter, two (2) members shall be elected for terms of four (4) years in accordance with the provisions of Sections 7-6 and 7-7 of this Charter. There shall be three (3) alternates, each serving for terms of two (2) years who shall be appointed as specified in Section 8-14 of this Charter.

(B) The functions and responsibilities of this Board shall include: (1) hearing and deciding appeals where it is alleged there is an error in any order, requirement or decision made under Chapter 124 of the General Statutes; (2) hearing and deciding special exceptions as required by the specific terms of the zoning bylaws; and (3) determining and varying the application of the zoning bylaws, ordinances or regulations solely with respect to a parcel of land for reasons of unusual hardship, as specified in Chapter 124 of the General Statutes.

ARTICLE 8 - APPOINTED BOARDS

Section 8-1: General Provisions

(A) To the extent permitted by law, and notwithstanding any provisions of this Charter to the contrary, the Town Meeting shall have the power, by ordinance, to alter or modify the composition of any appointive board or commission, and to alter or modify the duration of any appointive terms, provided that the term of any person appointed prior to the adoption of such ordinance shall not thereby be shortened or terminated.

(B) Appointive boards existing by ordinance on the effective date of this Charter or any amendments thereto, shall continue to operate in accordance with such ordinance. Additional appointive boards may be created by the Board of Selectmen or by ordinance, which shall specify their powers and duties and terms of office. Appointive boards shall have all the powers and duties as prescribed by law. The Board of Selectmen shall provide newly created boards with sufficient funds for initial operating expenses.

Section 8-2: Appointments, Qualifications, Terms, General Powers and Duties

(A) The Board of Selectmen shall appoint the members of those boards, commissions and committees authorized by ordinance and this Charter, hereinafter referred to as "appointive boards". Upon acceptance of a resignation by the Board of Selectmen, all vacancies on appointive boards shall be filled within sixty (60) days of the date the resignation is effective. Selectmen may not make or submit appointments that do not commence during their term of office, nor can they make any appointments during the last fourteen (14) days of their term.

(B) All members of appointive boards shall be qualified electors of the Town of Oxford and shall vacate their positions upon ceasing to be electors of the Town. Political party representation on appointive boards shall be as specified in Section 7-7 of this Charter. Members of appointive boards shall be sworn in before taking office and the officer administering the oath shall record such fact in the office of the Town Clerk within seven days.

(C) Except as otherwise provided by ordinance, the terms of all members of appointive boards, commissions or committees shall begin on January 1, except when a vacancy is filled or a new board, commission or committee is created. The appointed members shall serve until their respective successors have been appointed and duly sworn. The length of terms shall be set by ordinance or as hereinafter specified in this Charter.

(D) As provided by ordinance, members of any appointive board or commission who miss three (3) or more consecutive regularly scheduled meetings, or in the alternative more than one-half (1/2) of the yearly meetings, shall be subject to removal from such board or commission by an affirmative vote of the majority of the remaining members. Upon said action, the Chairman or the Secretary shall notify the Town Clerk in writing

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that a position has become vacant. The Town Clerk shall notify the Board of Selectmen of such vacancy, and they shall fill such vacancy in accordance with the provisions of paragraphs (A) and (B) of this Section.

Section 8-3: Building Code Board of Appeals

The Board of Selectmen shall appoint a Building Code Board of Appeals consisting of five (5) members, all of whom shall meet the qualifications set forth in the State Building Code. They shall serve overlapping terms of five years each and their powers and duties shall be as prescribed in Chapter 541, Section 29-266 of the General Statutes.

Section 8-4: Civil Preparedness Advisory Council

The Board of Selectmen shall appoint a Civil Preparedness Advisory Council consisting of seven (7) members serving overlapping terms of two (2) years each. As each term expires, the Board of Selectmen shall appoint persons for two-year terms beginning on January 1 following the expiration of such term. One member shall be appointed Coordinator. Members of this Council shall include representatives from the fire department, police department, ambulance association, public works department, and representatives from business and service groups who are important to the civil preparedness program of the Town. Their powers and duties shall be as prescribed in Chapter 517, Section 28-7 of the General Statutes.

Section 8-5: Conservation Commission and Inland Wetlands Agency

(A) The Board of Selectmen shall appoint a Conservation Commission for the development, conservation, supervision and regulation of natural resources, including water resources, within the Town. The number of members and their terms shall be prescribed by ordinance, and they shall have the powers and duties prescribed by such ordinance and Section 7-131a of the General Statutes.

(B) The Conservation Commission shall be designated as the Inland Wetlands Agency for the Town of Oxford, and they shall have all the powers and duties set forth in the Connecticut Inland Wetlands and Watercourses Act enumerated in Sections 22a-36 to 22a-45 of Chapter 440 of the General Statutes.

Section 8-6: Cultural Arts Commission

The Board of Selectmen shall appoint a Cultural Arts Commission consisting of Town residents who have knowledge of and competence or experience in connection with the performing or visual arts. They shall encourage the promotion, development, acceptance and appreciation of artistic and cultural activities within the Town. The number of such members and alternates, their terms and their duties and responsibilities shall be as prescribed by ordinance.

Section 8-7: Economic Development Commission

The Board of Selectmen shall appoint an Economic Development Commission for the promotion and development of the economic resources of the Town. The number of members, their terms and their powers and duties shall be as prescribed by ordinance and Section 7-136 of the Connecticut General Statutes.

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Section 8-8: Elderly Commission

The Board of Selectmen shall appoint an Elderly Commission which shall advocate for the needs of the elderly in relation to housing, employment, welfare, health, recreation and other matters. It shall be responsible for the oversight of the staff and the activities of the Oxford Senior Center, the preparation of the budget and the expenditure of the dues and fees deposited in the Special Activities Fund. The number of members, their terms and their powers and duties shall be as prescribed by ordinance. The Director of Senior Services shall be an ex-officio member of this board, but without the right to vote.

Section 8-9: Ethics Commission

The Board of Selectmen shall appoint an Ethics Commission which shall be responsible for the investigation of allegations of unethical conduct, corrupting influence or illegal activities levied against any official, officer or employee of the Town. The number of members, their terms and their powers and duties shall be prescribed by ordinance and Section 7-148h of the Connecticut General Statutes.

Section 8-10: Fire Commissioners

(A) Until such time as the Town Meeting enacts an ordinance establishing a Fire Commission and specifies the exact duties and responsibilities of the commission, the number of members and terms of office, as well as organizational structure of the Oxford Fire Department, the Board of Selectmen shall be the Fire Commission

(B) The Board of Selectmen shall appoint the Chief from each company of the Oxford Fire Department to the Board of Chiefs as provided by ordinance. They shall appoint the Fire Police, and the Town Fire Marshal and Deputy Fire Marshal(s) who shall serve in accordance with Section 29-297 of the General Statutes.

Section 8-11: Housing Authority

The Board of Selectmen shall appoint five (5) members serving overlapping terms of five (5) years each to serve as Commissioners of the Oxford Housing Authority. These individuals shall be appointed in accordance with the provisions of Chapter 128, Section 8-41, and shall have the duties and responsibilities conferred upon housing authorities by Chapters 128 and 130 of the General Statutes and by duly enacted ordinance.

Section 8-12: Library Board of Directors

The Board of Selectmen shall appoint a Library Board of Directors who shall be responsible for the oversight and management of the Oxford Public Library. The Town Treasurer, or his designee, shall serve as ex-officio member of the board as prescribed by ordinance. The number of directors, their terms and their powers and duties shall be prescribed by ordinance and Chapter 190 of the Connecticut General Statutes.

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Section 8-13: Parks & Recreation Commission

The Board of Selectmen shall appoint a Parks & Recreation Commission responsible for the oversight of all Town parks and recreational facilities, and for providing all citizens with access to a program of athletic and other recreational activities. The Commission shall employ the services of a Director and other employees necessary to accomplish this objective. The number of members, their terms and their powers and duties shall be prescribed by ordinance and any special or general laws of the State of Connecticut.

Section 8-14: Planning & Zoning Commission Alternates and Zoning Board of Appeals Alternates

The Board of Selectmen shall appoint Planning & Zoning Commission Alternates and Zoning Board of Appeals Alternates for those terms specified by ordinance. Their powers and duties shall be prescribed by ordinance and Chapters 124 and 126 of the Connecticut General Statutes.

Section 8-15: Police Commission and Chief of Police

(A) Until such time as the Town Meeting enacts an ordinance establishing a Police Commission, the Board of Selectmen shall be the Police Commission and the First Selectman shall be the Chief of Police. The Board of Selectmen may utilize the services of Resident State Troopers per Section 29-5 of the General Statutes and/or they may organize a local Police Department by ordinance. Within the funds provided in the budget, the Board of Selectmen shall appoint qualified Constables and/or Special Constables in accordance with Town ordinance and state statutes.

(B) Upon enactment of any such ordinance, the Police Commission shall be the policy making unit for the department and shall establish operational policies and directives to be executed by the Chief of Police. Such ordinance shall specify the Commission's duties and responsibilities, number of members and terms of office and any other powers prescribed by Chapter 104, Sections 7-274 et al, of the General Statutes.

Section 8-16: Water Pollution Control Authority

The Board of Selectmen shall appoint a Water Pollution Control Authority responsible for implementing and supervising the management, control, operation and maintenance of the town's sewerage system or wastewater management system. The Authority's number of members, their terms and their powers and duties shall be prescribed by ordinance and Chapter 103, Section 7-246 of the General Statutes.

Section 8-17: Website Committee

(A) The Board of Selectmen may appoint a Website Committee which shall be responsible for the continuous maintenance and updating of the Town of Oxford's municipal website located at <http://www.oxford-ct.gov>.

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ARTICLE 9 - ADMINISTRATIVE OFFICERS AND EMPLOYEES

Section 9-1: General

The Board of Selectmen shall have the power to hire, establish the working conditions of, promote, discipline, suspend and dismiss any persons employed by the Town, either full or part time, except as otherwise specified in this Charter, or provided by law. Where policies and rules are adopted in accordance with Section 9-9 of this Charter, said policies and rules shall be followed by the Board in the exercise of this power. The Board may delegate this power entirely or partially to the First Selectman.

Section 9-2: Officials Covered by Connecticut General Statutes

(A) In accordance with Section 9-1 of this Charter, the Board of Selectmen shall hire or appoint qualified persons to all positions required by the General Statutes to serve at the pleasure of the Selectmen, unless otherwise specified in the rules, regulations or ordinances of the Town of Oxford. Their powers and duties shall be as prescribed in the State Statutes and the ordinances of the Town.

(B) Except as otherwise prescribed by law, the terms of those Administrative Officials and other Town officers appointed under Article 9 shall begin on the second Tuesday following the regular Town election and shall expire on the termination date of the term of the Board of Selectmen appointing such officers.

Section 9-3: Other Officers and Employees

Within the confines of the budget or other authorized appropriations, (A) the Board of Selectmen may appoint such other officers as are necessary or may be permitted by law; (B) the Board of Selectmen may hire such other employees as are necessary or may be permitted by law; and (C) except as otherwise provided in this Charter, elective or appointive boards may, upon approval by the Board of Selectmen, employ such staff as may be necessary to carry out that board's duties and responsibilities.

Section 9-4: Administrative Assistant to the First Selectman

The Board of Selectmen shall appoint a full-time Administrative Assistant to the First Selectman who shall serve at the will of the First Selectman, and whose term shall run concurrently with the term of the Board of Selectmen making such appointment. The Board of Selectmen may make provision to extend the term of the Administrative Assistant for up to thirty (30) days if they determine that such an extension is necessary for the smooth transition from one administration to another. The appointment to the position of Administrative Assistant by the Board of Selectmen shall be based upon the sole recommendation of the First Selectman. The First Selectman shall base such recommendation on the individual's administrative qualifications, character, education, training and experience. The Administrative Assistant shall have such duties and responsibilities as may from time to time be delegated to him by the First Selectman. The Administrative Assistant shall act only as such and shall hold no other elected or appointed office within the Town and shall have no other employment with the Town.

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Section 9-5: Land Use Enforcement Officers

(A) The Planning & Zoning Commission shall appoint a Zoning Enforcement Officer in accordance with State Statutes and the Regulations of the Oxford Planning & Zoning Commission, who shall exercise the powers and perform the duties and functions provided in the General Statutes and the regulations of the Planning & Zoning Commission.

(B) The Inland-Wetlands Agency shall appoint an Inland-Wetlands Enforcement Officer in accordance with State Statutes and the Regulations of the Oxford Inland-Wetlands Agency, who shall exercise the powers and perform the duties and functions provided in the General Statutes and the regulations of the Inland-Wetlands Agency.

Section 9-6: Town Counsel

The Board of Selectmen shall appoint a Town Counsel who shall be an attorney admitted to practice in the State of Connecticut, to serve at the will of the Board of Selectmen, and whose term shall run concurrently with the term of the Board of Selectmen making such appointment. Town Counsel need not be an elector of the Town. Town Counsel shall direct and be responsible for appearing and protecting the rights of the Town in all actions, suits or proceedings brought by or against it or any of its departments, officers, boards or commissions. Town Counsel shall be the legal advisor to the Town Meeting, Board of Selectmen, First Selectman, and all 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 question of law involving their respective powers and duties. He shall cooperate with them in the preparation of Ordinances, resolutions or regulations as the case may be. Upon request, Town Counsel shall prepare or approve forms of contracts or other instruments to which the Town is a party or in which it has an interest. Any officer, board or commission shall secure the approval of the First Selectman or the Board of Selectmen before requesting an opinion, ruling or other service from the Town

Counsel, including, without limitation, the services specifically described herein. Town Counsel shall have power, with the approval of the Board of Selectmen (unless with respect to an appeal there shall not be time for such approval), to appeal from orders, decisions and judgments and to compromise or settle any claims by or against the Town. If in special circumstances or for any investigation, the Town Counsel deems it advisable, the Town Counsel may request that the Board of Selectmen engage other attorneys in temporary employment. In lieu of a single attorney, the Board of Selectmen may appoint a firm of attorneys admitted to practice in Connecticut to be Town Counsel. Notwithstanding the above, any board or commission of the Town of Oxford may apply to the Board of Selectmen, and the Board of Selectmen may appoint special counsel to represent such Board or Commission.

Section 9-7: Town Engineer

The Board of Selectmen shall appoint a Registered Professional Civil Engineer as Town Engineer, who shall serve at the will of the Board of Selectmen and whose term shall run concurrently with the term of the Board of Selectmen making such appointment. The Town Engineer shall be responsible for the following: (a) Inspection and certification as to the proper completion of new roads prior to the vote of the Board of Selectmen to accept such roads; (b) Advising the Board of Selectmen on all engineering projects affecting the Town; (c) Preparation or review of Ordinances dealing with technical requirements, if requested; (d) Supervision of certain Town projects; and (e) The rendering of advice to other Town agencies as directed by the Board of Selectmen. The Board of Selectmen shall make the Town Engineer available to the Town land use boards on an as-needed basis.

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Section 9-8: Position Descriptions and Personnel Regulations

(A) The First Selectman shall have prepared: (1) a description of the duties and responsibilities for each position in Town service except for elective offices, and the minimum qualifications for appointment to each position; and (2) a set of Personnel Regulations which shall provide, among other things, for a probationary period of employment, hours of work, vacations, sick leaves and other leaves of absence, removals, and such other regulations as may be necessary to provide an adequate and systematic procedure for the administration of the personnel affairs of the Town.

(B) Such Position Descriptions and Personnel Regulations and any amendments thereto which may be made by the First Selectman from time to time shall become effective upon being approved by resolution of the Board of Selectmen and filed in the office of the Town Clerk.

(C) The First Selectman shall cause copies of the Personnel Regulations and any amendments thereto to be distributed to all Town employees.

Section 9-9: Continuation in Office

Those administrative officials holding office at the time of the adoption of this Charter or any revisions thereto shall continue in office until their successors are appointed and duly sworn.

ARTICLE 10 - MISCELLANEOUS PROVISIONS

Section 10-1: Rights of Present Employees

All laws in force on the effective date of this Charter which are consistent with the provisions of this Charter relating to personnel, appointment, ranks, grades, tenure of office, promotions, removal, pension and retirement rights, hours of work, civil rights or any other rights or privileges of employees of the Town or any office, department or agency thereof, shall continue in effect.

Section 10-2: Transfer of Powers, Records, Property and Appropriations

(A) If any commission, board, department or office is abolished or dissolved, the powers which are conferred, and the duties which are imposed upon such commission, board, department or office shall thereafter be exercised and discharged by the commission, board, department or office to which those powers and duties are transferred. All commissions, boards, departments or offices duly abolished or dissolved, whether elective or appointive, shall continue to perform its duties until allowances have been made for the discontinuance of such commissions, boards, departments or offices, and until the Board of Selectmen has both authorized other commissions, boards, departments or offices to perform such duties and has sent notification to the members of such abolished or dissolved commissions, boards, departments or offices that their successors have been selected and qualified.

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

Section 10-3: Legal Proceedings

No action or proceeding, civil or criminal, pending on the effective date of this Charter brought by or against the Town or any officer, commission, board, or department thereof, shall be hereby affected. All such actions or proceedings may be continued, although the functions, powers and duties of any officer, commission, board, department or party thereto may have been assigned or transferred under this Charter. In that event, the same may be prosecuted or defended by the head of the office, commission, board, or department to which such functions, powers and duties have been assigned or transferred.

Section 10-4: Existing Laws and Ordinances

All General Statutes in their applications to the Town and all ordinances, by-laws, rules and regulations of the Town and of its Boards and Commissions shall continue in effect except as they are inconsistent with the provisions of this Charter. All special acts or parts of special acts relating to the Town of Oxford not inconsistent with this Charter shall continue in effect.

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Section 10-5: Effective Date

(A) The effective date of this Charter shall be at noon on January 1, 1991. The effective date of any subsequent revisions shall be at noon on the January first immediately following their adoption.

(B) Copies of all previous Charters are on file in the Office of the Oxford Town Clerk and in the Office of the Secretary of the State of Connecticut.

First Revision approved November 1993, effective January 1, 1994

Second Revision approved November 1998, effective January 1, 1999

Third Revision approved November 2004, effective January 1, 2005

Fourth Revision approved November 2007, effective January 1, 2008

Fifth Revision approved November 2011, effective January 1, 2012

Sixth Revision approved November 2015, effective January 1, 2016

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TOWN OF OXFORD, CT
Margaret A. West
TOWN CLERK