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## **CHAPTER III ☐☐ THE BOARD OF SELECTMEN**

### **SECTION 3.1 ☐ ORGANIZATION**

#### **3.1.1 ☐ NUMBER OF MEMBERS**

There shall be a Board of Selectmen consisting of the First Selectman and two (2) Selectmen, hereinafter referred to as the Selectmen.

#### **3.1.2 ☐ HOLDING OTHER OFFICE**

The Selectmen shall be required to disclose any other office or position held within the government of the Town in which compensation is received. These disclosures shall be recorded in the minutes of a meeting and be reported in the Annual Town Report.

### **SECTION 3.2 MEETINGS**

#### **3.2.1 ☐ PRESIDING OVER MEETINGS**

The First Selectman, when present, shall preside over all meetings of the Selectmen and shall have full voting power at such meetings.

### **3.2.2 FIRST MEETING AFTER TAKING OFFICE**

The Selectmen shall meet within seven (7) days after taking office per [Section 2.2.3](#) for the purpose of organizing. The following items and any other business of an organizational nature shall be resolved.

#### **3.2.2.1 ACTING FIRST SELECTMAN**

The Selectman shall confirm the order of succession to assume the duties and responsibilities of the First Selectman in the event of the absence or disability of the First Selectman. The order of succession shall be by descending number of votes received in the last completed Town Election.

#### **3.2.2.2 ACTING OFFICIAL IN TOWN EMERGENCY**

The Selectmen may appoint a responsible Town official, elected or appointed, to implement the Town Emergency Plan or other written instructions in the event of a town emergency and all Selectmen are absent from Town.

#### **3.2.2.3 SCHEDULE OF MEETINGS**

The Selectmen shall fix the schedule of regular meeting dates and times. A method for calling special meetings shall be provided. The Selectmen shall meet at times to provide maximum opportunity for citizens to attend the meetings.

#### **3.2.2.4 SCHEDULE OF JOINT MEETINGS WITH OTHER TOWN AGENCIES**

The Selectmen shall fix the schedule of these meeting dates and times, which shall be a minimum of two (2) times a year.

#### **3.2.3 MEETING PROCEDURE**

All meetings of the Selectmen for the transaction of business shall be conducted according to the CGS. Meetings may move into Executive Session in accordance with Section 1-21 of the CGS for purposes as defined in Section 1-1 8a (e) and by affirmative vote of two thirds of the Selectmen present and voting. This action shall state the reasons for such Executive Session. All business conducted by the Selectmen shall be approved by action at a regular or special meeting and shall include the adoption of policies and guidelines established under Section 3.4.16.

#### **3.2.4 QUORUM**

Two (2) members shall constitute a quorum. No ordinance, resolution or vote, except a vote to adjourn or fix the time and place of the next meeting, shall be adopted by less than two (2) affirmative votes.

#### **3.2.5 MINUTES OF MEETINGS**

Minutes of all meetings shall be recorded and filed in accordance with Section 1-19 of the CGS.

### **SECTION 3.3 DUTIES AND RESPONSIBILITIES**

### **3.3.1 AFFAIRS OF THE TOWN**

In addition to powers granted by the CGS, the Selectmen shall have the general and specific powers per Section 3.4. They shall be responsible for-overseeing and coordinating the performance of duties and responsibilities of the officers, boards, commissions and other agencies of the Town as the carrying out of these duties and responsibilities affect the affairs of the Town.

### **3.3.2 TOWN REPORT**

The Selectmen shall be responsible for the preparation and publication of an Annual Town Report. The head of each board, commission, agency or official of the Town supported wholly or in part from Town funds shall file a report of the years activities with the Selectmen within sixty (60) days after the end of the Fiscal Year. The Annual Town Report shall be published within ninety (90) days after receiving the Annual Audit.

### **3.3.3 JOINT MEETINGS WITH OTHER TOWN AGENCIES**

The Selectmen shall be responsible for holding joint meetings with one or more members of all boards, commissions and agencies for the purpose of communicating plans and coordinating action for carrying out the affairs of the Town.

### **3.3.4 APPLICATION FOR GRANTS AND AID**

Unless a specific board, commission, or agency is designated by the CGS, Charter, Ordinance or, Resolution voted at Town Meeting or Referendum, the Selectmen shall be responsible for acting on behalf of the Town in applying for grants, aid or other funds that the Town is eligible for and shall accept or reject such grants, aid or other funds for the Town.

### **3.3.5 TOWN BUDGET**

The Selectmen shall be responsible for obtaining and compiling the items to be budgeted from the various boards, commissions, agencies and officials of the Town, excluding the Board of Education, and for presenting them to the Board of Finance with its recommendations in accordance with the provisions of [Section 6.5.2](#) .

### **3.3.6 FINANCIAL PLANNING**

The Selectmen shall be responsible for reviewing the current and projected administrative and capital fiscal needs of the Town and shall develop and maintain a long range comprehensive financial plan. This plan shall be updated at least once during the term of the Selectmen. Capital expenditures projected for the next coming Fiscal Year shall be included in the Annual Town Budget preparation per [Section 6.5.2](#) .

## **SECTION 3.4 GENERAL AND SPECIFIC POWERS**

### **3.4.1 FILLING OF VACANCIES**

The Selectmen shall fill vacancies in elective offices according to the provisions of [Section 2.7](#) . The Selectmen shall be the Legislative Body ( [Section 7.1.1](#) ) designated to fill vacancies on the Regional District #8 Board of Education. The Selectmen shall fill vacancies in appointive offices as provided in [Section 4.1.3](#) and [Section 5.9](#) of this Charter.

### **3.4.2 PERSONNEL POLICIES**

The Selectmen shall adopt policies which consider, all jobs in the Town Government, elected or, appointed, where salary and/or, benefits are provided. Policies shall define the personnel to be covered, the qualifications and method appointment to each position, the duties, responsibilities and powers of such positions and the conditions, salary and benefits of employment in such positions. All elected persons that accept the Town benefits shall abide by the Personnel Rules and Regulations, as adopted by the Board of Selectmen for all Town employees. Persons employed or appointed to make or conduct a temporary study of investigation and persons employed for a temporary period but exceeding three (3) months shall not be included.

### **3.4.3 ACCEPTANCE OF ROADS AND OTHER MUNICIPAL IMPROVEMENTS**

In order for roads and other municipal improvements to be considered for acceptance, they must be approved by the Planning Commission and their completion approved by the Town Engineer. The Selectmen may accept the above provided all the following conditions are satisfied: (1 ) Written approval of the Town Engineer is on file. (2) Written approval of the Planning Commission is on file. (3) A duly warned Public Hearing has been held.

Should the Selectmen fail to accept a road or other municipal improvements and the above conditions have been satisfied, acceptance shall be referred to a Town Meeting for action.

### **3.4.4 MAINTENANCE BOND PROTECTION FOR EXISTING ROADS**

The Selectmen may require the posting of maintenance bonds on existing Town accepted roads to cover damage caused by the process of construction.

### **3.4.5 AGREEMENT WITH STATE DEPARTMENT OF TRANSPORTATION**

The Selectmen may enter into agreements with the Department of Transportation of the State of Connecticut for expenditures of Town Aid Funds per Section 13A -17a et. seq of the CGS.

### **3.4.6 PURCHASE OR EXCHANGE OF REAL ESTATE**

The Selectmen with the approval of the Planning Commission and Inland Wetlands Agency, may purchase or exchange real estate for a specific Town use. Any appropriation required shall be subject to the conditions of Section 6.6.

#### **3.4.6.1 EASEMENTS**

The Board of Selectmen, without further municipal approval, shall have the authority to procure necessary easements from private property owners to provide for appropriate water supply for fire prevention purposes. Any appropriation required shall be subject to the conditions of [Section 6.6](#).

#### **3.4.7 ACCEPTANCE OF REAL ESTATE**

The Selectmen may accept real estate, subject to the approval of the Planning Commission and Inland Wetlands Agency. Commissions must respond to the request for approval within thirty-five (35) days. Failure to act shall constitute approval.

#### **3.4.8 DISPOSITION OF TOWN PROPERTY**

The Selectmen, without further municipal approval, may dispose of any obsolete, damaged or unused item of property of the Town except land, buildings or water rights. An Ordinance establishing procedures for, this disposition shall be enacted and maintained per [Section 3.5](#). The Selectmen are empowered to apply any item of property, regardless of value, as a trade-in on the purchase price of a budgeted expenditure of alike or improved item.

### **3.4.9 TEMPORARY COMMISSIONS**

The Selectmen may create study or temporary advisory commissions to make recommendations to the Selectmen. The term of any such commission should not exceed twenty-four (24) months unless approved by Town Meeting to extend the term. The operation of these commissions may be funded from the Selectmen's Budget or under the provisions of Section 6.6.

### **3.4.10 LEGAL ACTION**

The Selectmen shall direct or cause to be instituted, prosecuted or compromised any legal action or, proceeding by or against the Town.

### **3.4.11 PURCHASE OF SUPPLIES**

The Selectmen shall be the central purchasing office for supplies, materials, equipment and other commodities required by an officer, board, commission or committee of the Town, except the Board of Education and Probate Court.

### **3.4.12 MAINTENANCE OF TOWN PROPERTIES**

The Selectmen shall employ the services of custodial or maintenance work for any public park, building, playground, road or other facility under the care of any officer, board, commission or, committee of the Town. Facilities under the care of the Board of Education are exempted from this coverage except in those areas agreed upon.

### **3.4.13 CONTRACTING OF SERVICES**

Unless otherwise specified by the CGS, Charter, Ordinance or, Resolution voted at Town Meeting or Referendum, the Selectmen shall execute all contracting on behalf of the Town for any services required by any officer, board, commission or committee of the Town, except the Board of Education.

#### **3.4.14 DELEGATION OF POWERS**

The Selectmen may delegate the powers in this Section to persons or agencies responsible to the Selectmen. This delegation shall be duly voted at a regular meeting.

#### **3.4.15 PUBLIC BID**

Unless otherwise specified by the CGS, Charter, Ordinance or Resolution voted at Town Meeting or Referendum, the Selectmen shall execute the Public Bidding or the purchase of any item with an estimated cost in excess of ten thousand dollars (\$10,000). Appropriate bid specifications and forms shall be made available. Items for purchase with an estimated cost of one thousand dollars (\$1,000) to ten thousand dollars (\$10,000) may be let by invitation to bid. Items for purchase with an estimated cost of less than one thousand dollars (\$1,000) do not require bidding. The contract for purchase shall be awarded to the lowest qualified bidder.

##### **3.4.15.1 BIDDING EXCEPTION**

By action of the Selectmen, items to be purchased through a central purchasing system are exempt from the bidding procedures. The system to be utilized shall have established bidding and purchasing procedures.

#### **3.4.16 EXPENDITURE OF FUNDS**

The Selectmen shall establish the policies and guidelines for the expenditure of Town Funds,

except for the Board of Education. The Town Treasurer shall advise the Selectmen of any accounting and other financial procedures for incorporation in the policies and guidelines established.

### **3.4.17 ENFORCEMENT**

The Selectmen in executing their duties and responsibilities are empowered to use all legal measures through a court of competent jurisdiction when necessary. Should action concerning the Board of Education be necessary, appeal to the Commissioner of Education, State of Connecticut, may be pursued per the CGS.

## **SECTION 3.5 POWER TO ENACT ORDINANCES**

The Selectmen shall have the power to enact Ordinances on any matter which the CGS or this Charter permits to be regulated by Ordinance and, in general, enhances the preservation of order, health, welfare and safety of the Town and its inhabitants.

### **3.5.1 PUBLIC HEARING**

At least one (1) Public Hearing shall be held by the Selectmen before enacting any proposed Ordinance. Copies of the full text of the proposed Ordinance shall be made available in the Town Clerk's Office and the Hearing Notice shall be published not less than ten (10) days before the date of such Hearing.

### **3.5.2 REQUIRED ACTION**

The Selectmen shall accept or reject the proposed Ordinance within thirty (30) days after the Public Hearing.

### **3.5.3 RECORDING WITH TOWN CLERK**

Every Ordinance, after enactment, shall be recorded by the Town Clerk in a book to be kept for that purpose.

### **3.5.4 EFFECTIVE DATE**

Every Ordinance shall become effective thirty (30) days after publication in a newspaper having a circulation in the Town. The Selectmen shall implement the terms of the Ordinance unless procedure to overrule such Ordinance is initiated in accordance with [Section 7.6](#) and [7.7](#) of the Charter.

## **SECTION 3.6 POWER TO ENACT EMERGENCY ORDINANCES**

On a declaration by the Selectmen that a state of public emergency exists endangering the lives, health or property of citizens, the Selectmen may enact Ordinances to meet such emergency. No Public Hearing shall be required for emergency Ordinances. Emergency Ordinances shall be printed and made available in the Town Clerk's Office in twenty-four (24) hours after action is taken.

### **3.6.1 AUTOMATIC TERMINATIONS**

Every emergency Ordinance and amendments thereto shall automatically stand repealed at the termination of the sixtieth (60th) day following the enactment of said Ordinance.

## **SECTION 3.7 PETITION FOR OVERRULE OF ORDINANCES**

All Ordinances, except emergency Ordinances, shall be subject to overrule by a Special Town Meeting as specified in [Section 7.7](#) of the Charter.

### **SECTION 3.8 THE FIRST SELECTMAN**

The First Selectman shall be the Chief Executive and Administrative Officer of the Town. In addition to the powers and duties conferred by the CGS, the First Selectman shall have the powers and duties conferred by this Charter and Ordinances. The First Selectman shall be the official head of the Town for all ceremonial and military purposes.

#### **3.8.1 DUTIES OF THE FIRST SELECTMAN**

The First Selectman shall be responsible for and have the power to:

(a) Execute and carry out all Ordinances, Resolutions, policies and other actions voted by the Board of Selectmen or the Town Meeting.

(b) Coordinate administration of the agencies, boards and commissions of the Town, except those functions expressly reserved or delegated to such agencies by the CGS.

(c) Guide the Board of Selectmen in the discharge of all the Selectmen's duties and responsibilities.

(d) Direct and supervise the activities of all Town employees, except employees of the Board of Education.

### **3.8.1.1 EMPLOYMENT OF STAFF**

The First Selectman shall, subject to the approval of the Board of Selectmen, appoint or hire, discharge or remove, all appointive officials or employees of the Town whether receiving compensation or not, for all boards, commissions or agencies of the Town, except employees of the Board of Education.

### **3.8.1.2 DELEGATION OF DUTIES**

The First Selectman may assign and delegate the above duties and powers to the other Selectmen and to officers responsible to the First Selectman.