

CHARTER¹

CHAPTER I. INCORPORATION AND GENERAL POWERS

Section 101. Incorporation.

All the inhabitants dwelling within the territorial limits of the Town of Bloomfield, as heretofore constituted shall continue to be a body politic and corporate under the name of "Town of Bloomfield" and as such shall have perpetual succession and shall hold and exercise all powers and privileges heretofore vested in said town and not inconsistent herewith, all powers and privileges herein conferred and all powers and privileges presently or hereafter conferred upon towns under the general laws of the State of Connecticut.

Section 102. Rights and obligations.

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

Section 103. Powers.

There are hereby vested in the town all powers granted to towns or to any officer, board or commission thereof as of the effective date of this Charter by the Constitution and general statutes of the State of Connecticut, all powers vested in the Town of Bloomfield at the effective date of this Charter by the special acts retained by § 1002 of this Charter, all powers hereinafter conferred on towns by the general statutes of the State of Connecticut, all powers granted by this Charter, all powers fairly implied in or incident to all powers expressly granted, and all other powers

¹Editor's note(s)—This Charter was adopted by the voters on November 8, 2005, effective January 1, 2006.

The first Bloomfield charter was Sp. Act No. 62, approved by the Connecticut General Assembly on April 5, 1945, and approved by the electors of Bloomfield at the October 1945, election. This Charter was amended twice; By Sp. Act No. 295, approved July 10, 1951; and by Sp. Act No. 95, approved April 24, 1953. The latter amendment was continued "in full force and effect, except as inconsistent" with the current charter (see § 1002 of this Charter); this amendment is, however, largely superseded by or inconsistent with the existing charter.

State law reference(s)—Municipal charters generally, Connecticut General Statutes §§ 7-187 et seq.

relevant to the property, government and affairs of the town whose exercise is not specifically prohibited to towns by the Constitution and general statutes of the state. Any enumeration of specific powers in this Charter shall not be construed as a limitation on this general grant of powers but as an addition thereto.

State law reference(s)—Powers of municipalities generally, Connecticut General Statutes § 7-148; powers of home rule municipalities, Connecticut General Statutes § 7-194.

CHAPTER II. ELECTION OF OFFICERS

Section 201. Elections.

Nomination and election of state officers, including registrars of voters, and such elective municipal officers, boards and commissions as are provided for in this Charter shall be conducted in the manner prescribed in the Constitution and general laws of the State of Connecticut, except as hereinafter provided.

Town officers shall be elected biennially, at the regular election held on the Tuesday after the first Monday of November in odd-numbered years.

At said municipal elections, the following town officers shall be elected:

- a. Town Council: Nine (9) members of the Town Council, each to serve for two (2) years.
- b. Board of Education: At such meeting to be held in 1967 there shall be elected four (4) members of the seven-member Board of Education, one for a term of two (2) years, and three (3) for terms of four (4) years. Thereafter at each biennial town election there shall be elected one member for a term of two (2) years, and three (3) members for terms of four (4) years to succeed those whose terms expire.
- c. Town Plan and Zoning:
 1. At the first such municipal election occurring after the effective date of this Charter amendment, four (4) members of the seven (7) member Town Plan and Zoning Commission, each to serve for four (4) years, to succeed those whose terms expire. At the next municipal election in odd-numbered years, three (3) members of the Town Plan and Zoning Commission shall be elected, each to serve for four (4) years, to succeed those whose terms expire. At each subsequent municipal election, there shall be elected the same number of members of the Town Plan and Zoning Commission as the number of current members whose terms expire that year, each to serve for four (4) years, to succeed those whose terms expire.
 2. At the first such municipal election occurring after the date of this Charter amendment, one (1) alternate to the Town Plan and Zoning Commission, to serve for four (4) years to succeed the alternate whose term expires. At the next municipal election two (2) alternates to the Town Plan and Zoning Commission, each to serve for four (4) years, to succeed those alternates whose terms expire. At each such subsequent municipal election, there shall be elected the same number of alternates to the Town Plan and Zoning Commission as the number of current alternates whose terms expires that year, each to serve for four (4) years, to succeed those whose terms expire.
- d. Board of Library Directors: At each biennial election there shall be elected three (3) members of the six (6) member Board of Library Directors for terms of four (4) years to succeed those whose terms expire.

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- e. Zoning Board of Appeals: At each biennial town election there shall be elected five (5) members and three (3) alternate members of the Zoning Board of Appeals for terms of two (2) years.
 - f. Registrar of Voters: At each biennial town election there shall be elected two (2) Registrars for terms of four (4) years. Only one (1) Registrar may be elected from any one political party.

The terms of all the aforesaid officers shall commence on the first Monday following their election and they shall hold office until their successors are elected and qualified. Except as otherwise provided in this Charter, all elective town officers, boards and commissions shall have the powers and duties prescribed by law.

State law reference(s)—Elections generally, Connecticut General Statutes § Title 9.

Section 202. Minority representation.

The officers referred to in § 201 of this Charter shall be nominated and elected in accordance with the provisions of the general statutes relating to the nomination and election of town officers; provided, however,

- a. For the office of Town Council, no party shall nominate, and no person shall vote for more than six (6) persons;
- b. For the offices of Board of Education, no party shall nominate, and no person shall vote for more than five (5) members;
- c. For the office of Town Plan and Zoning Commission in years where four (4) members are to be elected, no party shall nominate, and no person vote for more than three (3) members. In years where three (3) members are to be elected, no party shall nominate, and no person vote for more than two (2) members.
- d. Where two (2) or more persons are to be elected to any office, other than membership on the Town Council, Board of Education or regular members of the Town Plan and Zoning Commission, if the number of officers to be elected is even, no party shall nominate, and no person shall vote for more than one-half (½) of said number.
- e. If the number to be elected is odd, no party shall nominate, and no person shall vote for more than a bare majority of said number.

Section 203. Vacancies.

Any vacancy in an elective town office, from whatever cause arising, shall be filled within sixty (60) days from the time of its occurrence by appointment by the Town Council for the unexpired portion of the term; provided, however, that if the person vacating the office was elected as a member of a political party such vacancy shall be filled by the appointment of a member of the same political party.

Section 204. Eligibility.

No person shall be eligible for election or appointment to any elective town office who is not at the time of his or her election a resident elector of the town. Any person ceasing to be a resident elector of the town shall thereupon automatically cease to hold elective office in the town.

Section 205. Voting districts.

There shall continue to be the same number of voting districts as the same existed on the effective date of this Charter and the number of such districts shall not be increased or diminished nor their boundaries altered except by ordinance of the Town Council.

CHAPTER III. THE TOWN COUNCIL

Section 301. The Council.

There shall be a Town Council hereinafter referred to as the Council, the members of which shall serve without compensation. The Council shall consist of nine (9) members.

Section 302. Mayor.

The Council shall meet on the call of the Town Manager within two (2) weeks after election and organize by electing by majority vote of all of its members one of its members to have the title of Mayor and serve as Chief Elected Official for the Town of Bloomfield and as Chairperson of the Council for a term of two (2) years, and, in addition, by majority vote, the Council shall elect a Deputy Mayor who shall serve as Vice-Chairperson of the Council. The Mayor shall preside over all meetings of the Council. A vacancy in the office of the Mayor from whatever cause arising, shall be filled within three (3) weeks after such vacancy arises by said Council electing, by majority vote of all its members, one of its members to have the title of Mayor and serve as Chairperson of said Council for the remaining unexpired portion of the Council term. If the election of a Mayor for the unexpired portion of the term creates a vacancy in the office of Deputy Mayor, then said Council shall then elect, by majority vote, a Deputy Mayor who shall serve as Vice-Chairperson of the Council for the unexpired portion of the Council term. A vacancy in the office of the Deputy Mayor from whatever cause arising, shall be filled within three (3) weeks after such vacancy arises by said Council electing, by majority vote of all its members, one of its members to have the title of Deputy Mayor and serve as Vice Chairperson of said Council for the remaining unexpired portion of the Council term. In the absence of the Mayor, the Deputy Mayor shall preside over the meetings of the Council and have the duties and responsibilities of the Mayor. The Council may by its Rules of Procedure define the duties of the Mayor.

Section 303. Clerk.

The Council shall appoint a clerk of the Council who shall receive compensation as fixed by the Council. Such clerk shall keep a public record of the proceedings of all regular and special meetings of the Council including all roll call votes and all ordinances and resolutions adopted at such meetings, which record shall be kept in the Town Clerk's office.

Section 304. Procedure.

The Council shall fix the time and place of its regular meetings and provide a method for the calling of special meetings. It shall determine its own rules of procedure. The presence of five (5) members shall constitute a quorum but no ordinance, resolution or vote except a vote to adjourn or to fix the time and place of its next meeting shall be adopted by less than five (5) affirmative votes.

Section 305. Other offices.

During the term for which he or she is elected no member of the Council shall hold any other office, elective or appointive, in or under the Town of Bloomfield nor shall any member of the Council serve as a member of a charter revision commission for the Town of Bloomfield.

Section 306. Powers.

The Council shall be the governing general legislative body of the Town. The Council shall exercise and perform all of the rights, powers, duties and obligations of the Town, except as may be assigned by this Charter to some other officer, board or agency. These powers shall include, in addition to all other powers, all of the powers and duties now or hereafter conferred or imposed by the State of Connecticut, including powers granted by the General Statutes, Special Acts, and including such powers as may be conferred or imposed upon Town Meetings, Boards of Finance, Boards of Police Commissioners, Boards of Fire Commissioners (effective at such time as the fire districts within the Town may discontinue fire protection services) and Boards of Selectman, except for the making of voters and related matters. The Council shall have the authority to accept streets and highways and to assess or cause to be assessed on behalf of the Town the benefits accruing to any person or property owner by virtue of the installation or paving of streets, highways, curbs, driveways, entrances, gutters, sidewalks, tree lines, sewers and drains. The exclusive powers of the Town concerning the budget and tax rate are vested in the Council, except as otherwise provided in this Charter.

The Town Council shall approve or change the overall organizational structure of the Town government (except for the Board of Education) and approve fees, if any, for services to be rendered by the Town.

State law reference(s)—Municipal powers generally, Connecticut General Statutes § 7-148; powers of home rule municipalities, Connecticut General Statutes § 7-194.

Section 307. Public Hearing on Ordinances and Certain Non-Budgeted Appropriations.

- a. At least one public hearing, not less than five (5) days' notice of which shall be given by publication in a newspaper having a circulation in the town and by posting in the town hall, shall be held by the Council or a committee thereof before any vote making a nonbudgeted appropriation of more than one tenth of one percent (.1%) of the total annual budget of the town for the current fiscal year, or enacting or making any ordinance establishing a permanent and continuing rule or regulation of a statutory nature and of general application.
- b. No appropriation for part of what is essentially a single transaction shall be made for the purpose of evading the provisions of this Section. In determining whether a nonbudgeted appropriation is more than one tenth of one percent (.1%) of the total annual budget of the town for the current fiscal year, the Council shall deduct from the appropriation a sum equal to any grant received by the town, which grant has been earmarked for said appropriation and shall deduct any revenue or reimbursement to be paid to the town which is directly associated with said appropriation.
- c. After such public hearing, changes which the Council considers advisable may be made in such vote or ordinance as finally passed.

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- d. Except as provided in § 308 such vote or ordinance shall become effective ten (10) days after its passage has been published in one or more newspapers having circulation in the town. The publication herein required may be by title or subject matter and need not set out such vote or ordinance in full.
 - e. Each ordinance establishing a permanent and continuing rule or regulation of a statutory nature and of general application shall be filed with and recorded by the Town Clerk.

Section 308. Referendum on certain ordinances and certain appropriations.

- a. Upon the filing with the town clerk of a petition as set forth below, any appropriation or any ordinance passed pursuant to § 307 shall be submitted to the electors of the town at a special election which the council must hold not less than ten (10) days and no more than sixty (60) days after the filing of the petition with the town clerk.
 - 1. Such petition must be filed with the town clerk within ten (10) days after the publication of the passage of said appropriation or ordinance.
 - 2. The town clerk shall find and certify that such petition has been validly signed by at least four percent (4%) of the total number of qualified electors of the Town.
- b. For the purposes of this Section, the qualified electors shall be those residents of the Town of Bloomfield who are currently registered to vote with the Registrars of Voters.
- c. When such appropriation or ordinance shall be so submitted to the electors, it shall not take effect until such election has been held but shall take effect at the conclusion of such election unless a majority of qualified ballots cast at any referendum conducted pursuant to this Section shall be cast against the adoption of the ordinance or appropriation.
 - 1. Qualified ballots shall be construed to mean ballots cast by qualified electors of the Town as defined herein.
 - 2. If the number of qualified electors voting at any referendum conducted pursuant to this Section shall be less than fifteen percent (15%) of the qualified electors of the Town, the appropriation or ordinance shall be deemed approved notwithstanding that a majority of qualified ballots cast shall be cast against the adoption of the ordinance or appropriation.
- d. If a town or general election is to be held within ninety (90) days after the filing of the petition, such vote or ordinance may be submitted to the town or general election instead of a special election.
- e. The provisions of this Section shall not apply to a vote making an emergency appropriation as defined in this Charter.

Section 309. Emergency appropriation resolution.

An emergency appropriation resolution shall be only for the immediate preservation of the public peace, health, and safety. It shall contain an explicit statement of the nature of the emergency, and it shall be adopted by not less than six (6) affirmative votes of the Council. In no event shall the annual budget or any appropriation, except as herein provided, constitute an emergency resolution. For the purpose of meeting an emergency as herein defined; including the prevention of the breakdown of any essential service rendered by a department, board, commission or agency of the town, the Council by an affirmative vote of not less than six (6) of its members may appropriate,

notwithstanding any other provision of this Charter, a sum not to exceed one and one half percent (1.5%) of the total annual budget of the town for the current fiscal year in any one year. The provisions of §§ 307 and 308 shall not apply to any emergency resolution.

Section 310. Obligatory referendum on bond issues and appropriations.

- a. No vote authorizing the issuance of bonds or making of a nonbudgeted appropriation in excess of one and one-half percent (1.5%) of the total annual budget of the town for the then current fiscal year shall become effective until the same has been approved by a majority of qualified ballots cast at any referendum conducted pursuant to this Section.
 1. Qualified ballots shall be construed to mean ballots cast by qualified electors of the Town as defined in § 308(b).
 2. If the number of qualified electors voting at any referendum conducted pursuant to this Section shall be less than fifteen percent (15%) of the qualified electors of the Town, the issuance of bonds or making of a nonbudgeted appropriation shall not be deemed approved notwithstanding that a majority of qualified ballots cast shall be in favor of said issuance of bonds or making of a nonbudgeted appropriation.
- b. Such referendum may be held at a town election, general election, or special election called by the council for that purpose. Such referendum shall be held not less than ten (10) days and no more than sixty (60) days after publication of the notice of the passage of such vote, except that if a town or general election is to be held within ninety (90) days after such vote, such referendum may be held at the town or general election instead of a special election.
- c. No appropriation for part of what is essentially a single transaction shall be made for the purpose of evading the provisions of this Section.
- d. In determining whether a nonbudgeted appropriation is more than one and one-half percent (1.5%) of the total annual budget of the town for the then current fiscal year, the council shall deduct from the appropriation a sum equal to any grant received by the town, which grant has been earmarked for said appropriation and shall deduct any revenue or reimbursement to be paid to the town which is directly associated with said appropriation.
- e. Notice that such bond issue or appropriation will be submitted to a town, general or special election shall be given at least ten (10) days prior to the date of such election by publication in a newspaper having a circulation in the town and by posting in the town hall.

Section 311. Initiative.

Repealed.

Section 312. Investigation.

The Council shall have power to investigate any and all departments, offices and agencies of the town and shall have all powers consistent with the laws of the State of Connecticut in this regard. The Council may direct the town attorney to issue subpoenas to compel testimony including the furnishing of any and all documents it deems necessary to fulfill its investigatory obligations, consistent with the advice of the town attorney.

Section 313. Official conduct.

The Town Council shall enact and thereafter maintain an ordinance prohibiting conflicts of interest and prescribing standards of proper conduct governing members of all public boards, commissions and agencies which exercise legislative or judicial functions or financial authority, employees, and elected officials other than Justices of the Peace, and regulating persons representing another before any town board, commission or agency.

CHAPTER IV. OTHER ELECTIVE OFFICERS

Section 401. Other elective officers.

The other elective officers, boards and commissions of the town shall, except as provided in this Charter, have the powers and duties prescribed by law and by ordinance or resolutions of the Council. The members of the Board of Education, Town Plan and Zoning Commission, and Board of Library Directors shall serve without compensation. The compensation of other elective officers, except as otherwise provided by law, shall be fixed by the Council.

CHAPTER V. APPOINTIVE OFFICERS

Section 501. Appointments by council.

- a. The Council shall appoint a Town Manager for an indefinite term.
- b. The Council shall also appoint a Town Attorney and shall fill any vacancy which may occur for the unexpired portion of the term. The Town Attorney shall hold office until a successor is appointed and qualified pursuant to § 504.
- c. The Council shall appoint a three-member Board of Assessment Appeals for a term of two (2) years.
- d. In making appointments to boards and commissions the Council shall not appoint more than a bare majority of members registered with one political party to any board or commission. In filling an unexpired term, the Council shall appoint an elector belonging to the same political party as the person vacating the office.

Section 502. Town Manager.

- a. The Town Manager shall be chosen exclusively on the basis of his or her executive and administrative qualifications, character and experience.
- b. The Town Manager shall be the chief executive officer of the town. The Town Manager shall be directly responsible to the Council for the administration of all departments, agencies and offices, in charge of persons or boards appointed by the Town Manager and shall supervise and direct the same. The Town Manager shall have the powers and duties now or hereafter conferred upon the chief executive offices of towns by the general statutes and in addition thereto the following specific powers and duties:
 1. To see that all laws and ordinances governing the town are faithfully executed;

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2. To make a monthly report to the Council and to attend its meetings, with the right of full participation in all discussions but without the right to vote;
 3. To recommend to the Council from time to time such measures for its adoption as the Town Manager may deem necessary or expedient;
 4. To keep the Council fully advised as to the financial condition of the town;
 5. To prepare and submit to the Council an annual budget as in this Charter further provided; and
 6. To exercise such other powers and duties as may be required of him or her by the Council not inconsistent with the provisions of this Charter.
- c. The Town Manager shall be the purchasing agent of the town and all supplies, materials, equipment and other commodities required by any department, office, agency, board or commission of the town, except the Board of Education and the Department of Library Services, shall be purchased through him or her on requisitions signed by the head of the department, office or agency or Chairperson of the Board of Commission and approved as to the sufficiency of funds by the Chief Financial Officer. The Town Manager shall serve as purchasing agent for the Board of Education, and the Department of Library Services if requested to do so by the Chairperson of the Board of Education or the Chairperson of the Board of Library Directors.

Purchases shall be made in accordance with such rules and regulations as may be established by the Council.

If any purchase or contract for purchasing, including a continuing order or contract for the purchase of the same commodity over a period of time, involves the expenditure of one tenth of one percent (.1%) of the total annual budget of the town for the current fiscal year or more, the Town Manager shall invite sealed bids or proposals, giving ten (10) days' notice thereof by at least one publication in a newspaper having a circulation in the town, and shall let the purchase or contract to the lowest responsible bidder with the right to reject any or all bids and proposals. All such sealed bids or proposals shall be opened publicly. No single transaction shall be divided for the purpose of evading the provisions of this Section. Upon the recommendation of the Town Manager that to do so would serve the best interests of town, or upon its own initiative, the foregoing requirement for competitive bidding may be waived by a majority roll call vote of the Council with the yeas and nays recorded in the minutes of the meeting. (Amended December 14, 1965, and November 7, 1984)

- d. The Town Manager shall appoint and may remove the directors created by this Charter or ordinance. All such appointments shall be made on the basis of technical and administrative qualifications, character and experience. Subject to the provisions of § 612 of this Charter, all appointments to positions in the classified service within the Department of Public safety; Department of Public Works; Department of Finance; Department of Parks, Recreation, and Leisure Services; Department of Building and Land Use; Department of Senior Services; Department of Social and Youth Services; Department of Human Resources; and any other department created by ordinance as provided by § 611 of this Charter shall be made by the director in charge of that department with the approval of the Town Manager. All other appointments to positions in the classified service, except those within the Department of Library Services as provided by § 605 of this Charter, shall be made by the Town Manager. Subject to the approval of the Council, the Town Manager may, in lieu of making an appointment, perform the duties of the director of any of the several departments and the duties of any position in the classified service, except those of the Director of Library Services and those of positions with the Department of Library Services. (Amended December 14, 1965).

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- e. In case of the temporary inability of the Town Manager to serve, the suspension of the Town Manager or absence from town, or in the event of a vacancy in the office of Town Manager from whatever cause arising, the Council shall have power to designate any person not a member of the Council to act as Town Manager.
 - f. The Town Manager may be removed by resolution passed by a majority vote of the entire membership of the Council which shall include a statement of the reasons therefore and the effective date of such removal. A copy of such resolution shall be given to the Town Manager in hand or by registered mail forthwith. If the Town Manager shall so request by writing received in the office of the Town Clerk within ten (10) days thereafter, the Town Manager shall be given a public hearing by the Council at which the Town Manager may be represented by counsel and the effective date of the Town Manager's removal shall be that stated in the resolution or a date fixed by the Council for public hearing, whichever shall be later. Coincident with or subsequent to the passage of the resolution of removal, the Council may, by a majority vote of its entire membership, suspend the Town Manager from duty. During the period of such suspension the Town Manager shall be paid his or her regular salary but the same shall terminate upon the effective date of his or her removal. The action of the Council in removing the Town Manager shall be final and there shall be no appeal from it.

Section 503. Town Clerk.

The Town Clerk shall be appointed by the Town Manager and shall have the powers and duties prescribed for Town Clerks by the general statutes and in addition shall perform such other duties as may be assigned by this Charter or by action of the Council. The Town Clerk shall have such deputies, clerks and other assistants and employees, who shall be employed in accordance with the provisions of § 612 of this Charter relating to the classified service, as the Town Council shall determine. The Town Clerk shall receive compensation to be fixed by the Council and all fees collected by the Town Clerk shall be paid into the town treasury.

Section 504. Town attorney.

- a. The Town Attorney shall be appointed by the Council. The appointment of a Town Attorney shall be determined on the basis of the qualifications and character and fitness of the attorney(s) or law firm(s) in consideration, as well as any other factors considered relevant by the Council.
- b. The Council shall initiate the process to appoint or reappoint the Town Attorney within sixty (60) days of Council members having been sworn into office on odd-numbered years.
- c. Until such time as the Council appoints or reappoints the Town Attorney, the current Town Attorney shall continue in his or her capacity as the Town Attorney.
- d. In the event that the current Town Attorney is removed pursuant to § 703 of this Charter, the Council shall immediately initiate the process of appointing a new Town Attorney as outlined in Subsection a. of this Section.
- e. The Town Attorney may be an individual or a law firm. In the case of an individual, the individual shall be an attorney-at-law in good standing admitted to practice law in Connecticut. In the case of a law firm, the members of the firm performing work on behalf of the Town in the State of Connecticut shall be attorneys-at-law in good standing admitted to practice law in Connecticut.
 - 1. In the event of the appointment of a law firm to serve as Town Attorney, the firm shall designate a member of the firm, acceptable to the Council, as the Principal Town Attorney, who shall serve as the primary contact and the individual of primary responsibility in the relationship of the law firm with the Town. The Principal Town Attorney may designate one or more attorneys-at-law at the firm as an Assistant Town Attorney to perform any of the duties incumbent upon the law firm

serving as Town Attorney. The term of any Assistant Town Attorney so designated shall be co-terminus with that of the Town Attorney.

2. In the event of the appointment of an individual to serve as Town Attorney, the Council may, from time to time, and at the discretion of the Council, appoint one or more Assistant Town Attorneys who may or may not be a member of, or be associated with a law firm of which the Town Attorney is a member. The term of any Assistant Town Attorney so appointed shall be co-terminus with that of the Town Attorney.
 3. No Town Attorney, no Assistant Town Attorney, and no attorney-at-law at a firm with which the Town Attorney, or an Assistant Town Attorney, is associated in any manner shall simultaneously hold any elected or appointed office or position under the government of the Town of Bloomfield.
- f. The Town Attorney, or such special counsel as he/she shall designate, shall have the following powers, after authorization by the Council:
1. Appear for and protect the rights of the Town in all actions, suits or proceedings brought by or against it or any of its departments, officers, agencies, boards, or commissions.
 2. Be the legal adviser of the Council, the Town Manager and other town officers, boards and commissions in all matters affecting the town and shall, upon request, furnish them with a written opinion on any questions of law involving their respective powers and duties.
 3. Prepare or approve all forms of contracts and other instruments to which the town is a party or in which it has an interest.
 4. Have the power, with the approval of the Council, to appeal from orders, decisions, and judgments and, subject to the approval of the Council, to compromise or settle any claims by or against the Town.

CHAPTER VI. ADMINISTRATIVE DEPARTMENTS AND OFFICERS

Section 601. Department of public safety.

There shall be a Department of Public Safety which shall consist of the divisions of Police, Emergency Medical Services, and Civil Defense. The head of the Department of Public Safety shall be the Director of Public Safety who shall be appointed by the Town Manager but who, until the Council otherwise determine, shall be the Town Manager. The Director of Public Safety shall be the traffic authority as defined in the Connecticut General Statutes.

- a. *Division of police.* There shall be a Division of Police consisting of the Chief of Police and such other officers and employees of such ranks and grades as the Council may determine. The Division of Police shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, regulation of traffic, protection of rights of persons and property and enforcement of laws of the state, and the ordinances of the town and all rules and regulations made in accordance therewith. All members of the Division of Police shall have the same powers and duties with respect to the service of criminal process and enforcement of criminal laws as are vested in police officers by the Connecticut General Statutes. The powers and duties of the Dog Warden as provided in the Connecticut General Statutes shall be vested in the Division of Police. The Chief of Police shall be the executive officer of the Division of Police.

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- b. *Division of emergency medical services.* There shall be a Division of Emergency Medical Services consisting of the Bloomfield Volunteer Ambulance service, volunteer emergency medical technicians, contracted paramedics, and such other personnel and services as the Council may deem necessary or desirable. The Division shall be headed by the Bloomfield Volunteer Ambulance Coordinator ("Coordinator"), and such Coordinator shall be assisted by the volunteer emergency medical technicians who shall serve as Deputy Chiefs. The Coordinator is responsible for maintenance of and training on all aspects of the Town's emergency operations plan, as well as maintaining the Emergency Operations Center. The coordinator shall also assist the Chief of Police with emergency operations.
 - c. *Division of civil defense.* There shall be a Division of Civil Defense consisting of a Director and an advisory council appointed by the Town Manager and such other officers and employees as the Council may from time to time determine. The Director of Civil Defense shall have the powers and duties prescribed by the Connecticut General Statutes and such other duties as may be assigned to the director by action of the Council.
 - d. The Council shall establish such other divisions under the Department of Public Safety as required by State Statutes or as determined as necessary by the Council.

Section 602. Department of Fire.

It is the intent of this Charter that fire protection shall continue to be provided by the volunteer companies heretofore established in the organization and conduct of which no change is contemplated. The Town, however, by this Charter, preserves the right to establish or encourage the establishment of additional volunteer companies, until the Council shall by ordinance otherwise determine.

- a. There shall be a Fire Chief who shall direct the operation of fire companies at fires, institute and conduct suitable training programs for fire fighters in cooperation with company officers and perform such other duties as may be prescribed by ordinance or the orders of the Town Manager. There shall also be other officers and employees of such rank and grades as the volunteer companies heretofore established may provide. The Fire Chief shall be the executive head of the division of fire and as such shall have charge and control of the administration and discipline of the fire department and of the buildings, property, apparatus, and equipment thereof.
- b. There shall be a Fire Marshal from within each Fire Department. The Fire Marshal shall have all powers and duties as provided in the Connecticut General Statutes and such other duties as prescribed by ordinance and subject to operating rules of the Fire Department.

If in its opinion the interests of the town shall so require, the Council may enter into agreement with any fire district, prior to the elimination of said district, whereby the fire protection service of said district or any other service or function thereof shall be assumed by the town. In such an event, the provisions of this Charter with respect to such service shall take effect in the same manner as though said fire district or districts were eliminated.

Section 603. Department of public works.

There shall be a Department of Public Works headed by the Director of Public Works who, until the Council shall otherwise decree, shall be the Town Manager. Within the Department of Public Works there shall be such divisions as the Council shall determine necessary. There shall also be a tree warden designated by the Town Manager who shall have all the powers and duties conferred on town tree wardens by the Connecticut General Statutes. The department of public works and its several divisions shall have such other employees as the Town

Manager may determine. The Department of Public Works shall have the following duties: To maintain all public streets and ways, storm sewers and other drains; and to perform such other duties as may be prescribed by the Council.

Section 604. Department of finance.

- a. There shall be a Department of Finance headed by a director, who shall have the title of Chief Financial Officer.
- b. It shall be the duty of the Chief Financial Officer, assisted by the Town Accountant, to install, maintain and operate for the town a modern municipal accounting system showing the current condition of all funds and appropriations; to keep such other accounts and records not specifically required by the law to be kept by other officers as may be prescribed by the Council; to file with the Town Manager and Council at least quarterly a current financial statement in such form and manner as the Council may from time to time prescribe; to prepare and file with the Town Manager and Council within sixty (60) days after the end of each fiscal year a report covering all financial transactions of the Town for such fiscal year; to prescribe the form of accounts to be kept by each department, office, board, commission and agency of the Town except the Board of Education, to prescribe the times at which and manner in which monies collected on the Town's account by each department, officer, board, commission or agency shall be paid into the Town treasury; and to perform such other duties as may be prescribed by the Council or Town Manager.
- c. No purchase shall be made by any department, board, commission, officer or agency of the town, other than the Board of Education, except upon requisition and no such requisition and no contract for public work or other services to the Town Hall be valid unless the Chief Financial Officer, after examining the same, has certified in writing that there is a sufficient unencumbered balance of an appropriation applicable thereto to pay the same. The Chief Financial Officer shall record the amount of each requisition and contract as an encumbrance on the appropriation from which it is to be paid.
- d. No voucher, claim or charge against the Town shall be paid until the same has been audited and approved by the Chief Financial Officer for correctness and legality. Checks shall be drawn and approved by the Chief Financial Officer for the payment of approved claims which shall be valid only when countersigned by a town officer designated by the Mayor for such purpose, who shall be properly bonded in accordance with Chapter 8 of this Charter.
- e. The Assessor and Tax Collector respectively shall have all the powers and duties conferred on assessors and boards of assessors and on tax collectors by the Connecticut General Statutes and such other duties as may be assigned them by the Council or the Chief Financial Officer.

Section 605. Department of Library Services.

- a. There shall be a Department of Library Services headed by the Director of Library Services who shall be responsible for the administration of the public library system of the Town. The Director of Library Services shall be appointed by the Board of Library Trustees. Such appointment shall be made exclusively on the basis of his or her professional and administrative qualifications, character and experience.
- b. The Director of Library services may be removed by the Town Manager upon a resolution passed by a majority of the entire membership of the Board of Library Trustees which shall include a statement of the reasons therefore and the effective date of such removal.

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- c. The Director of Library Services shall appoint, and may recommend removal of, employees of the Department of Library Services, subject to the provisions of § 612 of this Charter.

Section 606. Department of parks, recreation, and leisure services.

There shall be a Department of Parks, Recreation, and Leisure Services which shall consist of the Director of Parks, Recreation, and Leisure Services, and such other employees as the Town Manager may determine.

- a. The Department of Parks, Recreation, and Leisure shall remain responsible for parks programming and planning, organizing, and supervising a comprehensive program of recreation and leisure-time activities for residents of the Town.
- b. The Director of Leisure Services shall administer the recreation programs and shall have the authority to fill authorized positions in the department. The Director shall have supervision and control of all park programming, recreation areas and facilities belonging to the Town.

This Section shall be subject to § 612 of this Charter.

Section 607. Department of building and land use.

There shall be an administrative department in the Town of Bloomfield, known as the Building and Land Use Department that contains the Building Division, and the Planning, Zoning and Economic Development Division. The Department of Building and Land Use shall consist of the Director, and such other employees as the Town Manager may determine.

The Department shall contain two Divisions:

- a. The Building Division under the direction of the Building Official, who shall report to the Director of Building and Land Use, shall be responsible to ensure a safe, healthy built environment for community members through enforcement of the State of Connecticut Building Code. The Division shall also work in partnership with other town and multi-district departments to enforce the Town's Housing Code and Property Maintenance Code; and
- b. The Planning, Zoning and Economic Development Division under the direction of the Director of Building and Land Use shall work to enhance the orderly development of the Town, maintain the quality of residential neighborhoods, minimize environmental impacts and support business districts. These outcomes shall be accomplished through proper planning and the effective development, administration and enforcement of State and local regulations. This Division shall provide staff support to various boards and commissions including the Town Plan and Zoning Commission, Zoning Board of Appeals, Economic Development Commission, Design Review Board, Conservation, Energy and Environment Commission, Tax Increment Financing Advisory Committee, Economic Development Agency, and the Bloomfield Housing Partnership.

This Section shall be subject to § 612 of this Charter.

Section 608. Department of senior services

There shall be an administrative department in the Town of Bloomfield, known as the Department of Senior Services, which shall consist of a Director, and such other employees as the Town Manager may determine. The Director of Senior Services shall be responsible for the overall administration of a senior center and its programs, services, and staff. The Director of Senior Services shall have such powers and duties as conferred by the Connecticut General

Statutes, shall serve as a municipal agent for elderly persons, and shall have such additional powers and duties as prescribed by the Council.

The Director shall be responsible for the delivery of services to the residents who utilize the resources of the senior center, Responsibilities shall also include, among other such responsibilities as determined by the Council to be necessary or desirable:

- a. Supervision of the mini-bus service providing transportation to residents who are older adults, or medically eligible Individuals over the age of 18;
- b. Supervision of senior services programs and providing Information, referral and access to senior services benefits;
- c. Staff assistance to the Commission on Aging; and
- d. Such other duties and responsibilities as the Council or Town Manager may assign.

This Section shall be subject to § 612 of this Town Charter.

Section 609. Department of social and youth services.

There shall be a Department of Social and Youth Services, which shall consist of a Director, and such other employees as the Town Manager may determine. The Director of Social and Youth Services shall be responsible for the overall administration of all programs, services and staff provided at or by the Department of Social and Youth Services, the Director of Social and Youth Services shall have such powers and duties as conferred by the Connecticut General Statutes and shall have such additional powers and duties as prescribed by the Council.

The Director of Social and Youth Services shall be responsible for the management of Bloomfield's emergency shelter. Responsibilities shall also include other responsibilities as determined by the Council to be necessary or desirable.

This Section shall be subject to § 612 of this Charter.

Section 610. Department of human resources

There shall be an administrative Department of the Town of Bloomfield known as the Department of Human Resources, The Department of Human Resources shall consist of the Director of Human Resources, and such other employees as the Town Manager may determine.

- a. The Department of Human Resources shall be responsible for procedures for the hiring, termination, retention, promotion, performance counseling and review of all personnel for all departments.
- b. The Department Director shall ensure that recruiting policies and procedures are administered fairly and equitably, and that employees are provided with a work environment that provides equal opportunity for learning and personal growth.
- c. The Department of Human Resources shall be the repository of all personnel records, and shall administer the personnel policies required by the Town Charter, all collective bargaining agreements, and all other labor agreements ratified by the Council.
- d. The Director of Human Resources will present to the Council for its approval a Rules, Regulation, and Policy Handbook.

Responsibilities shall also include such other duties and responsibilities as the Council or Town Manager may assign.

This Section shall be subject to § 612 of this Charter.

Section 611. Other departments, offices, and agencies.

There shall be such other departments, offices, and agencies and the same shall be organized in such manner as the Council shall determine by ordinance, provided that the appointing authority for all salaried employees in such departments, offices and agencies, subject to the provisions of § 612 of this Charter relating to the classified service, shall be the Town Manager.

Section 612. Classified service.

The classified service shall include appointees to all positions now or hereafter created except the following: Officers elected by the people and persons appointed to fill vacancies in elective offices; members of boards and commissions and other officers appointed by the Council; the Director of Public Safety; Director of Public Works; Chief Financial Officer; Director of Finance; Director of Library Services; Director of Parks, Recreation, and Leisure Services; Director of Senior Services; Director of Social and Youth Services; Director of Human Resources; and any other officer designated as a director in charge of a department in an ordinance establishing his or her office in accordance with the provisions of this Section; employees of the Board of Education; persons employed in a professional capacity to make or conduct a temporary and special inquiry, study or investigation; and persons employed for a temporary period not exceeding three (3) months. It shall be the duty of the Town Manager to cause to be prepared a statement of the duties and responsibilities of each position in the classified service and of the minimum qualifications for appointment to each position in the classified service. These statements, which shall become effective when approved by a majority vote of the entire membership of the Council, shall comprise the classification in of the town. This classification plan may be amended upon recommendation of the Town Manager by a majority vote of the entire membership of the Council. All appointments to be positions in the classified service shall be made on the basis of merit and in accordance with recognized principles of personnel administration. The Town Manager shall also cause to be prepared a set of personnel rules which shall provide, among other things and in a manner not inconsistent with the general statutes, for the administration of the classification plan, probationary periods of employment, hours of work, vacations, sick leaves and other leaves of absence, removals and suspensions and such other rules as may be necessary to provide an adequate and systematic procedure for the handling of the personnel affairs of the town. Such rules shall become effective upon the approval of a majority vote of the entire membership of the Council and may be amended upon recommendation of the Town Manager in like manner.

Section 613. Political Activity.

An employee of the Town shall not use his or her official authority or influence: (i) for the purpose of interfering with or affecting the result of an election or nomination or, (ii) directly or indirectly coerce or attempt to coerce, command or advise a state or municipal officer or employee to pay, lend or contribute anything of value to a political party, committee, organization, agency or person for political purposes. All municipal employees retain the right to vote and participate freely in any caucus of a political party. Any municipal employee shall have the right to serve on any governmental body of the Town except any body which had responsibility for direct supervision of such employee, and except as otherwise prohibited by the Connecticut General Statutes § 7-421, as may be amended from time to time.

CHAPTER VII. SALARIES, RETIREMENT AND REMOVALS

Section 701. Salaries.

Members of the Town Council, elected officials and members of all boards and commissions shall serve without compensation except as herein provided. The Town Clerk, members of the Board of Tax Review and the Registrars of Voters shall be paid salaries in lieu of all fees. Such salary ranges shall be fixed by the Town Council and all fees which such officers receive shall be paid into the general fund of the town. The salary ranges of other elective officials not now established by special act and the salaries of other officers appointed by the Council shall be determined by the Council. Salary ranges of all employees in the classified service shall be determined by the Town Council, upon recommendation of the Town Manager in accordance with a systematic pay plan for the positions involved including wage ranges and other pertinent information. Salary ranges of directors and other employees not within the classified service shall be determined by the Town Council upon recommendation of the authority appointing such directors and employees in accordance with a systematic pay plan including wage ranges and other pertinent information.

Section 702. Retirement.

The Council may, by ordinance passed by majority vote of its entire membership, provide, amend, or eliminate, subject to any limitations imposed by the general statutes, a system of retirement allowances for the town's regular full-time paid employees and for contributions by such employees and the town to fund from which such allowances shall be paid. Such ordinance may provide for compulsory retirement at an age or under conditions therein set forth. The Council may contract with any insurance company authorized to do business in this state for the purpose of insuring the whole or any part of such retirement plan.

Section 703. Removals.

Any appointed officer or employee and any appointed member of a board or commission may, except as otherwise provided in this Charter or in any applicable collective bargaining agreement or contract of employment, be removed by the appointing. The officer, employee or member shall be notified in writing of such removal. Within five (5) days after receipt of such notice any such appointee, except one who receives compensation for his or her services directly or indirectly, may request in writing and shall thereupon be given a written statement of the specific grounds of the appointee's removal and an opportunity to be heard in his or her own defense, personally or by counsel, at a public hearing before the authority making the removal. Such hearing shall be held not less than five (5) nor more than ten (10) days after such statement has been furnished. Pending such hearing the appointee may be suspended by said authority.

Section 704. Discrimination in employment.

No person employed in the service of the Town of Bloomfield or any of its agencies or seeking admission thereto shall be appointed, promoted, removed or in any way favored or discriminated against in violation of any applicable state or federal law.

CHAPTER VIII. OFFICIAL BONDS

Section 801. Bonds for Officials.

The Town Manager, Town Clerk, Chief Financial Officer, tax collector, building inspector and such other officers as may be required to do so by vote of the Council shall, before entering on their respective official duties, execute

to the town in the form prescribed by the town attorney and file with the Town Clerk a surety company bond in a penal sum to be fixed by the Council conditioned upon faithful performance of their official duties. Premiums for such bonds shall be paid by the town.

CHAPTER IX. FINANCE AND TAXATION

Section 901. Fiscal year.

The fiscal year of the town of shall begin on the first day of July and shall end on the thirtieth day of June.

Section 902. Departmental and Board of Education requests.

- a. The head of each department, office or agency of the town supported wholly or in part from town funds or for which a specific appropriation is to be made, with the exception of the Board of Education, shall, at least one hundred twenty (120) days before the end of the fiscal year, file with the Town Manager on forms provided by the Town Manager, a departmental budget request which shall include the expenditures to be made by such department, office or agency, the revenue other than tax revenue to be collected in the ensuing fiscal year, and such other information as may be required by the Town Manager or the Town Council.
- b. The Chairperson of the Board of Education shall, at least one hundred five (105) days before the end of the fiscal year, file with the Town Manager a total of the expenditures to be made by the Board of Education. The Chairperson of the Board of Education shall, at least ninety (90) days before the end of the fiscal year, file with the Town Manager the itemized budget request of the Board of Education for the ensuing fiscal year. Said Board of Education budget request shall contain the following information:
 1. Budgeted and actual expenditures in the last completed fiscal year.
 2. Budgeted expenditures in the current fiscal year.
 3. Total actual expenditures for the current fiscal year to date.
 4. Estimates of total expenditures for the entire current fiscal year.
 5. Revenue estimates for the ensuing fiscal year.
 6. Appropriations requested for the ensuing fiscal year.

Section 903. Duties of Town Manager on budget.

It shall be the duty of the Town Manager to prepare a proposed annual budget for the Town of Bloomfield, which shall include the Board of Education budget request as received from the Chairperson of the Board of Education.

Not later than ninety (90) days before the end of the fiscal year, the Town Manager shall present to the Town Council his or her proposed budget, which shall include:

- a. An itemized statement of revenues showing in parallel columns:
 1. Actual revenues collected in the last completed fiscal year;

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2. Actual revenues collected in the first eight (8) months of the current fiscal year;
 3. Estimate of revenues to be collected in the entire current fiscal year; and
 4. Estimates of the revenues, other than from the property tax, to be collected in the ensuing fiscal year.
- b. An itemized statement of expenditures for each department, office, or agency, except the Board of Education, showing in parallel columns
 1. Actual expenditures in the last completed fiscal year;
 2. Actual expenditures in the first eight (8) months of the current fiscal year;
 3. Estimates of expenditures in the entire current fiscal year;
 4. The appropriations requested for the ensuing year, and
 5. The appropriations recommended by the Town Manager.
 - c. The itemized Board of Education budget request submitted to the Town Manager by the Chairperson of the Board of Education.
 - d. An itemized five (5) year capital budget, the first year of which shall be included in the Town Manager's proposed budget. The capital budget shall include Board of Education facilities, and shall set forth:
 1. A summary of the five (5) year capital budget;
 2. A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the five (5) fiscal years next ensuing;
 3. Cost estimates and recommended time schedules for each improvement or other capital expenditure;

The above shall be revised and extended each year.
 - e. Any other information requested by the Council.

Section 904. Powers and duties of council on budget.

- a. Within ten (10) days after the Town Manager has submitted the proposed budget set forth in § 903 above, the Town Council shall cause sufficient copies to [be] made so that they may be available to the public during business hours in the office of the Town Manager. Full copies shall be available for examination in the Town Clerk's office, the Board of Education administrative offices and the Town Library and its branch(es) and shall be available for sale at the cost of production.
- b. Within fifteen (15) days after the Town Manager has submitted the proposed budget, a public hearing shall be held on the proposed budget.

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- c. The Council shall then prepare a budget which complies with any minimum standards or requirements of the State of Connecticut and shall hold the annual town meeting as described in § 905 to explain the proposed budget, which shall include a period for public comment on the proposed resolution adopting said budget. Said annual town meeting and public comment shall be held no later than the first Monday of May.
 - d. Both the public hearing on the Town Manager's budget and the annual town meeting required by this Section shall be at places designated by the Council with at least five (5) days' notice given by publication in a newspaper having a circulation in the town and by posting in the town hall and on the town web site, if any. A copy of the estimates and the budget shall be filed in the office of the Town Clerk, the Board of Education administrative offices and at the Town Library and its branch(es) and summary copies shall be made available for general distribution in the office of the Town Manager at least five (5) days before the respective hearing. Full copies of the budget shall be available for sale at the cost of reproduction.
 - e. The budget shall be adopted by a majority vote of all the members of the Town Council at a subsequent meeting after both the public hearing and the annual town meeting have been completed, but in no event later than the second Monday in May.

Section 905. Annual town meeting on the budget.

An annual town meeting for presentation, explanation and public comment on the budget shall be held no later than the first Monday in May. It shall be called and warned by and over the signature of the Town Manager and in the manner provided by the general statutes, shall be held at such place as may from time to time be designated by vote of the Town Council, and may be adjourned from time to time as the interests of the town require. It shall be called to order by the Town Clerk or, in the absence of the Town Clerk, by the Town Manager or the mayor of the Council and shall be conducted as provided by the general statutes. The Town Clerk shall serve as clerk of the town meeting but in the absence of the Town Clerk, an acting clerk shall be appointed by the Town Manager or the mayor of the Council.

Section 906. Referendum on the budget.

In the event that a petition, as set forth below, is received by the town clerk within seven (7) days of the adoption of the budget by the Council, the adopted budget shall be submitted to the qualified electors of the town for a "yes" or "no" vote to approve said budget at a special election called for that purpose by the Council, with the time and place of such election to be determined by the Council.

- a. The petition to submit the adopted budget to a vote of the qualified electors, as defined in Subsection d. below, must be signed by a minimum of four percent (4%) of the total number of registered voters in the town as determined by the last effective list of the registrars of voters, as verified by the town clerk.
- b. The town clerk shall within ten (10) days examine the signatures on the petition and determine their sufficiency. If the town clerk finds there to be a sufficient number of valid signatures, the town clerk shall certify the petition to the Council.
- c. The Council shall meet no later than seven (7) days after said certification to set the date for the vote on the budget, which vote shall be held no less than seven (7) nor more than fourteen (14) days after the Council meets.
- d. For purposes of this Section, the qualified electors shall be those residents of the Town of Bloomfield who are registered to vote with the Registrars of Voters.

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- e. When such budget shall be so submitted to the electors, it shall not take effect unless a majority qualified ballots cast at any referendum conducted pursuant to this Section shall be cast in favor of the budget.
 - 1. Qualified ballots shall be construed to mean ballots cast by qualified electors of the Town as defined herein.
 - 2. If the number of qualified electors voting at any referendum conducted pursuant to this Section shall be less than fifteen percent (15%) of the qualified electors of the Town, the budget shall be deemed approved notwithstanding that a majority of qualified ballots cast shall be cast against the adoption of such budget.
 - f. In the event that a majority of qualified ballots cast at a referendum conducted pursuant to this Section are cast against the adoption of such budget and the total number of qualified electors voting is at least fifteen percent (15%) of the qualified electors of the Town, the Council shall prepare and adopt a substitute budget within ten (10) calendar days of the referendum and shall schedule an Annual Town Meeting within ten (10) days of adopting a substitute budget, which shall be subject to the procedures set forth in § 904c., d. and e.; § 905, except that a Town meeting scheduled for a substitute budget prepared pursuant to this Section may be scheduled after the first Monday in May; and this Section. In all other cases, the budget as adopted by the Council shall be deemed to be approved.
 - g. In the event that a petition, as set forth above, is received by the town clerk within seven (7) days of the adoption of the substitute budget by the Council, the substitute budget shall be submitted to the qualified electors of the town for a "yes" or "no" vote to approve said budget at a special election called for that purpose by the Council, with the time and place of such election to be determined by the Council.
 - 1. All requirements of Subsections a.-f. of this Section apply to a referendum on a substitute budget.
 - h. In the event of a referendum on a substitute budget adopted by the Council, such substitute budget shall nonetheless take effect as of the commencement of the ensuing fiscal year, provided however that if a majority of qualified ballots cast at a referendum held pursuant to this Section shall be cast against the adoption of such budget, the substitute budget shall remain in effect only until the Council adopts a second substitute budget.
 - i. In the event that a majority of qualified ballots cast at a referendum held pursuant to this Section shall be cast against the adoption of such budget and the Council adopts a second substitute budget pursuant to the process outlined in Subsection f., such second substitute budget shall not be subject to a referendum.

Section 907. Fixing tax rate.

The tax rate shall be fixed by the Town Council after the annual budget has been adopted.

Section 908. Transfer of unencumbered balances.

The Town Manager may at any time transfer any unencumbered appropriation balance or portion thereof from one classification of expenditure to another within the same department, office, or agency. At the request of the Town Manager, but only within the last three (3) months of the fiscal year, the Council may be resolution transfer any unencumbered appropriation balance or portion thereof from one department office or agency to another.

Section 909. Capital expenditures.

If any contract for the construction of a capital improvement or the purchase of a specific capital item involves the expenditures of one tenth of one percent (.1%) or more of the total annual budget of the town for the current fiscal year, the official, commission, committee, board or agency having responsibility therefore shall invite sealed bids or proposals, giving ten (10) days' public notice thereof by at least one publication in a newspaper having a circulation in the town, and shall let the contract or purchase to the lowest responsible bidder with the right to reject any or all bids and proposals. If it would serve the best interest of the town the foregoing requirement for competitive bidding may be waived by a majority roll call vote of the Town Council with yeas and nays recorded in the minutes of the meeting. If a waiver of competitive bidding is equal to or more than one and one-half percent (1.5%) of the annual budget, such waiver shall require an affirmative roll call vote of not less than seven (7) members of Council. No appropriation for part of what is essentially a single transaction shall be made for the purpose of evading the provisions of this Section.

CHAPTER X. MISCELLANEOUS

Section 1001. Board of Education.

Nothing in this Charter, except as provided in §§ 401, 902, 903, 904 and Subsection d. of § 604, shall be construed to affect in any way the powers and duties of the Board of Education or the conduct of the public schools; provided, however, that the determination of the annual and other appropriations for school purposes shall rest with the Council.

Section 1002. Existing laws and ordinances.

All general laws applicable to the town and all ordinances of the town shall continue in full force and effect, except as they are inconsistent with the provisions of this Charter. All special acts or parts of special acts relating to the town are repealed with the exception of the following which shall continue to apply in full force and effect except as they are inconsistent with the provisions of this Charter:

A resolution incorporating the Town of Bloomfield, passed May, 1835; a resolution annexing part of the Town of Simsbury, passed 1843 amended in 1844.

Editor's note(s)—The resolutions and acts listed in § 1002 above set out in chronological order in the following portion of this volume, designated "Special Acts and Resolves".

Section 1003. Separability.

If any portion of this Charter shall be found to be unconstitutional or otherwise invalid, such finding shall not affect the remainder hereof but as to such remainder this Charter shall remain in full force and effect until amended or repealed.

Section 1004. Effective date.

This Charter, or any amendments thereto are adopted under the provisions of Chapter 99 of the Connecticut General Statutes, Revision of 1958, shall become effective on the first day of January following its approval by the electors.

Section 1005. Use of Gender.

Repealed.

CHARTER COMPARATIVE TABLE

The Charter, §§ 101 through 1004, is set out as adopted on October 5, 1959. The following table shows the amendments adopted at subsequent elections.

Date of Election	Section Amended
6-2-61	310
6-6-63	1002
12-14-65	201
	205
	303
	305
	401
	502(c), (d)
	604(c)
	605
	606
	701
	704
	905
	909
	1002
	1004
11-7-67	313
11-4-69	201(a)
	202
	301
11-7-72	302
	304
	305
	307
	310
	501
	503
	602
	603(b)
	902
	903
	904
11-7-84	307
	309

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CHARTER
CHARTER COMPARATIVE TABLE

	310
	502(c)
	504
	1005
11-8-05	Charter