

PART I

CHARTER AND SPECIAL ACTS

Subpart A CHARTER¹

CHAPTER I. INCORPORATION AND GENERAL POWERS

Section 1-1. Incorporation.

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

Section 1-2. Rights and obligations.

All property, both real and personal, all rights of action and rights of every description and all securities and liens vested or inchoate in said town as of the effective date of this Charter [November 4, 1969] are continued in said town and said town shall continue to be liable for all debts and obligations of every kind for which said town shall be liable on said date whether accrued or not. Nothing herein shall be construed to affect the rights of said town to collect any assessment, charge, debt, or lien. If any contract has been entered into by said town prior to the effective date of this Charter [November 4, 1969] or any bond or undertaking has been given by or in favor of said town which contains provision that the same may be enforced by any commission, board, department or officer therein named, which is abolished by the provisions of this Charter, such contracts, bonds, or undertakings shall 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 commission, board, department or officer shall, except as otherwise provided in this Charter, thereafter be exercised and discharged by the council of said town.

¹Editor's note(s)—Printed herein as Subpart A of Part I is the Charter of the town, as adopted by the voters of the town on October 2, 1967, and effective on November 4, 1969, together with revisions dated November 6, 1973, November 5, 1974, November 4, 1986, and November 5, 1991. Future amendments will be indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision has not been amended since November 5, 1991. Obvious misspellings have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines and citations to state statutes has been used. Additions made for clarity are indicated by brackets. Subpart B is a list of the Special Acts relating to the town.

Section 1-3. General grant of powers.

In addition to all powers granted to towns under the constitution and general law, the town shall have all powers specifically granted by this Charter and all powers fairly implied in or incident to the powers expressly granted, and all other powers incident to the management of the property, government and affairs of the town, including the power to enter into contracts with the United States or any federal agency, State of Connecticut or any political subdivision thereof for services and the use of facilities, the exercise of which is not expressly forbidden by the constitution and general law of the State of Connecticut. The enumeration of particular powers in this and any other chapter of this Charter shall not be construed as limiting this general grant of power but shall be considered as an addition thereto.

CHAPTER II. ELECTIONS

Section 2-1. General.

- (a) Nomination and election of federal and state officers, including registrars of voters, and of such elective municipal officers, boards and commissions as are provided for in this Charter shall be conducted, and the registrars of voters shall prepare lists of electors qualified to vote therefor, in the manner prescribed in the constitution and general laws of the State of Connecticut, except as hereinafter provided.
- (b) A meeting of the electors of the Town of Coventry for the election of municipal officers shall be held on the first Tuesday after the first Monday of November in odd-numbered years. The terms of all municipal officers shall commence on the first Wednesday following their election and they shall hold office until their successors have been chosen 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.

Section 2-1A. Election of council.

At the meeting of the electors of the Town of Coventry for the election of municipal officers, there shall be elected seven (7) members of the town council. Each party shall nominate a maximum of five (5) candidates to run for the council, [and] the seven (7) receiving the highest votes shall be elected. No person shall vote for more than five (5).

Section 2-2. Minority representation except as provided in section 2-1A.

Minority representation on any elective or appointed board, commission, committee or similar body of the town shall be determined in accordance with the following provisions: When the total membership of the board is odd, not more than the bare majority shall be members of the same political party; and when the total membership of the board is even, not more than one-half (½) shall be members of the same political party.

Section 2-3. Voting districts.

There shall continue to be two (2) districts which will remain as they now exist and the number of voting districts shall not be increased nor the boundaries altered except by ordinances of the town council. No change in the boundaries of voting districts shall be made within ninety (90) days prior to an election. The town council shall provide suitable polling places in the district or districts, and shall define the boundaries of the area to be served by each polling place. The councilmen, town clerk, registrars of voters and all other officers of the town shall perform the duties required of them by law with respect to elections in the voting district or districts. All action taken under the provisions of this section shall be in accordance with the General Statutes.

Section 2-4. Breaking a tie.

When any regular or special municipal election, primary election or referendum conducted pursuant to the provisions of this Charter results in a tie, an adjourned election shall be conducted in accordance with the provisions of the General Statutes, to determine who shall be elected, or in the case of a question at referendum, whether it shall be accepted or rejected. Said adjourned election shall be held on the seventh (7th) day after the election which resulted in a tie and shall be confined to the tied candidate or issues. Any voting machine, the returns from which are not subject to disagreement, may be unlocked and used in said special election. If voting machines are not available in sufficient number, paper ballots may be used in place of or in conjunction with voting machines.

Section 2-5. Vacancies.

Any vacancy in any elective town office, except the board of education, from whatever cause arising, shall be filled by appointment by the town council for the unexpired portion of the term or until the next biennial election, whichever shall be sooner; provided that when the persons vacating the office shall have been elected as a member of a political party, such vacancy shall be filled by the appointment of a member of the same political party. In the case of the board of education vacancies shall be filled in accordance with the provisions of the Connecticut General Statutes. If there shall be a biennial election before the expiration of the term of any office in which a vacancy occurs, such office shall be filled until said election of a person to fill that office for the remaining portion of the term, and such person shall take office upon election.

Section 2-6. Eligibility.

No person shall be eligible for election to any town office, or appointment to any town board, commission, committee or similar body who is not at the time of his election, or appointment, a resident elector of said town and any person ceasing to be a resident and elector of said town shall thereupon cease to hold such elective or appointive office in town.

CHAPTER III. THE TOWN COUNCIL

Section 3-1. The council.

There shall be a town council consisting of seven (7) members, hereinafter referred to as "the council," the members of which shall serve without compensation except for the reimbursement of actual expenses incurred in the performance of official duties. No member of the council shall hold any office of profit under the government of the Town of Coventry, nor shall he, during the term of office for which he is elected be appointed to any office under the government of said town.

Section 3-2. Presiding officer.

The town council shall meet on the first Wednesday following its election and shall choose one of its members to be chairman of said council, which member shall also be designated as the Chief Elected Official of the Town of Coventry. Such office shall not deprive such chairman of his vote on any question. Such chairman shall preside over all meetings of the council and perform such other duties consistent with his office as may be imposed by the council. He shall be the official head of the town for all ceremonial purposes. During his absence or disability, his duties shall be performed by a member chosen by the council.

Section 3-3. Procedure.

At the first meeting of the town council following each biennial town election, said council shall, by resolution, fix the time and place of its regular monthly meetings and provide a method for calling special meetings. It shall, by resolution, determine its own rules of procedure. 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 the next meeting, shall be adopted by less than four (4) affirmative votes. If vacancies on the council reduce its number to less than five (5) members, then for the sole purpose of appointing new members, three (3) members shall constitute a quorum and two (2) affirmative votes shall be required to fill council vacancies.

Section 3-4. General powers and duties.

The town council shall have the powers and duties which, on the effective date of this Charter [November 4, 1969,] were conferred by law upon officers, boards and commissions of said town existing immediately prior to such date except as otherwise specifically provided in this Charter. The legislative power of the towns shall be vested exclusively in the council except as otherwise specified in this Charter. Said council shall have the power to enact, amend or repeal ordinances not inconsistent with this Charter or the General Statutes of the state; to create or abolish, by ordinance, boards, commissions, departments and offices; and the council may contract for services and the use of facilities of the United States or any federal agency, the State of Connecticut or any political subdivision to incorporate any nationally recognized code, rules, or regulations that have been printed in body form, or any code officially adopted by any administrative agency of the state or portion thereof, by reference thereto in such ordinance; provided, upon adoption of any such ordinance wherein any such code, rules or regulations or portions thereof have been incorporated by reference, there shall be maintained two copies of such code, rules or regulations in the office of the town clerk for examination by the public. Said council may by resolution, regulate the internal operation of boards, commissions and offices which it fills by appointment. Said council may fix the charges, if any, to be made for services rendered by the town or for the execution of powers vested in the town as provided in Chapter I of this Charter.

Section 3-5. Public hearing on the publication of ordinances.

At least one (1) public hearing, notice of which shall be given at least ten (10) days in advance by publication in a newspaper having a circulation in said town, and by posting a notice in a public place, shall be held by the town council before any ordinance shall be passed. Every ordinance after passage, shall be given a serial number and be recorded by the town clerk in a book to be kept for that purpose which shall be properly indexed. Within ten (10) days after final passage, all ordinances allowed by G.S. § 7-157, shall be published in summary form in a newspaper having circulation within the town. Any other ordinance shall be published in its entirety in a newspaper having circulation within the town. Every ordinance, unless otherwise provided in Section 9-5 or unless otherwise specified shall become effective on the twenty-first (21st) day after such publication following its final passage.

Section 3-6. Annual audit.

The town council shall annually designate an independent certified public accountant or firm of independent certified public accountants to audit the books and accounts of the town in accordance with provisions of the General Statutes.

CHAPTER IV. OTHER ELECTIVE OFFICES

Section 4-1. Zoning board of appeals.

There shall be five (5) members of the zoning board of appeals and three (3) alternate members of the zoning board of appeals, whose term of office shall be for two (2) years.

Section 4-2. Board of tax review.

There shall be five (5) members of the board of tax review, whose term of office shall be as provided by General Statutes.

Section 4-3. Board of education.

The board of education shall consist of seven (7) members, whose term of office shall be for two (2) years. The board of education shall be responsible for the conduct of the educational system of the town.

Section 4-4. Registrars of voters.

There shall be a registrar of voters for each political party in each voting district who shall be elected in accordance with the General Statutes. No elector shall vote for more than one (1) registrar. The registrars of voters shall have all the powers and perform such other duties as may be imposed upon them by ordinances not inconsistent with General Statutes.

CHAPTER V. APPOINTIVE OFFICES

Section 5-1. General.

The council shall, by majority vote of the board (pursuant to Section 3-3), appoint personnel to boards, commissions and offices as may be established under the provisions of this Charter or by the General Statutes. The town manager, with approval of the council, shall appoint the following offices: town clerk, tax collector, assessor, director of civil defense, building official, canine control officer, tree warden, chief of police, fire marshals, treasurer, assistant treasurer, human services administrator, representative to the Windham Regional Planning Agency.

Section 5-1A. Competitive exams.

In any office where a competitive exam is required, the town manager may reject any or all candidates and hold further examination.

Section 5-2. Terms of office.

All such appointees shall take office on the day they are appointed and qualified, shall serve such terms as are herein specified, and until their respective successors have been appointed and qualified. All incumbent appointees or previously elected officers shall complete their present terms of office.

Section 5-3. Vacancies.

Any vacancy in any office appointed by the council from whatever cause arising shall be filled by appointment by the council; provided, [however,] that the council be empowered to act with all of the authority of

the vacant office until the office is properly occupied, but in no case shall the council be empowered to perform such duties for a period in excess of forty-five (45) consecutive days for each vacancy. In no case may the council perform the duties of town attorney, health officer or auditor. All officials appointed to fill vacancies shall hold office for the balance of the unexpired term.

Section 5-4. Town clerk.

The town manager shall appoint the town clerk who shall have all the powers and duties imposed and conferred by general law and the terms of this Charter. All fees collected by the town clerk in the performance of the duties of any of the offices herein assigned to him shall be paid into the town treasury. The said officer shall be compensated on a salary basis only. Appointment shall be made from among the three (3) highest candidates chosen on the basis of competitive examination and this office shall have permanent status.

Section 5-5. Town treasurer.

The town manager shall appoint the town treasurer who shall have the powers and duties imposed and conferred by general law and the terms of this Charter. The said officer shall be compensated on a salary basis only. Appointment shall be made from among the three (3) highest candidates chosen on the basis of competitive examination and this office shall have permanent status.

Section 5-6. Tax collector.

The town manager shall appoint the tax collector who shall have all the powers and duties imposed and conferred by general law on tax collectors. Said officer shall be compensated on a salary basis only. The tax collector shall issue such reports and at such intervals as the town manager may require, with copies of such reports being furnished to the council. Appointment shall be made from among the three (3) highest candidates chosen on the basis of competitive examination and this office shall have permanent status.

Section 5-7. Planning and zoning commission.

The council shall appoint a planning and zoning commission consisting of five (5) regular members and three (3) alternate members. Two of said regular members shall serve for a period of two (2) years, two of said regular members shall serve for a period of three (3) years, and one such member for a period of four (4) years. Thereafter said five (5) regular members shall serve for a three (3) year term. The council shall also appoint the three (3) alternate members. One of said alternate members shall serve for a period of two (2) years, one of said alternate members shall serve for a period of three (3) years and the other alternate member shall serve for a period of four (4) years. Thereafter each of the said alternate members shall serve for a period of three (3) years.

Section 5-8. Director of health.

The town council shall appoint a director of health pursuant to the provisions of the Connecticut General Statutes relating to the appointment of directors of health. The director of health shall have all the powers and duties as prescribed in the General Statutes.

Section 5-9. Human services administrator.

The town manager shall appoint a human services administrator. Said officer shall be compensated on a salary basis only. Appointment shall be made from among the three (3) highest candidates chosen on the basis of competitive examination. The human services administrator shall administer the general assistance program in

accordance with the general statutes, state policies and regulations and perform other human services functions as described in the job description prepared by the town manager and approved by the town council.

Section 5-10. Town attorney.

The council shall engage a town attorney to serve at its discretion who shall be an attorney-at-law admitted to the practice of law in this state. He shall appear for and protect the rights of the town in all actions, suits, or proceedings brought by or against it or any of its officers or agencies. He shall be the legal advisor to all town officers, or agencies, 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. Upon written request he shall prepare or approve forms of contracts or other instruments to which the town is a party or in which it has an interest. He shall have the power, with approval of council, to compromise or settle any claims by or against the town. The town manager shall be the sole contact to employ the services of the town attorney for any board, agency, commission or officer. Nothing herein shall be construed to prevent the hiring of other counsel by the town council when deemed necessary.

Section 5-11. Assessor.

The town manager shall appoint an assessor. The powers and duties of the assessor shall be those prescribed by the General Statutes. The said officer shall be compensated on a salary basis only. Appointment shall be made from among the three (3) highest candidates chosen on the basis of competitive examination and this office shall have permanent status.

Section 5-12. Director of civil defense.

The town manager shall appoint a director of civil defense and shall specify the powers and duties of said office not inconsistent with those prescribed by the General Statutes.

Section 5-13. Building official.

The town manager shall appoint an officer to perform the duties of building official who shall perform those duties specified by law. Appointment shall be made from among the three (3) highest candidates, chosen on the basis of competitive examination. This office shall have permanent status.

Section 5-14. Canine control officer.

The town manager shall appoint an officer to perform the powers and duties of the canine control officer.

Section 5-15. Tree warden.

The town manager shall appoint an officer to perform the powers and duties of tree warden as defined and specified by law.

Section 5-16. Chief of police.

The town manager shall appoint a chief of police. The said officer shall be compensated on a salary basis only. Appointment shall be made from among the three (3) highest candidates chosen on the basis of competitive examination and this office shall have permanent status. Subject to the approval of the town manager, the chief of police shall appoint and may remove all other officers and employees of the department. The chief of police shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, regulation

of traffic, protection of rights of persons and property and enforcement of the laws of the state and the ordinances of the town and all rules and regulations made in accordance therewith. He shall be responsible for the care and custody of all property used by the police and for the efficiency, discipline and good conduct of its members.

Section 5-17. Fire marshals.

The town manager shall appoint fire marshals to perform all the duties and exercise those powers that may lawfully be bestowed upon them, or delegated to them by the council. If more than one (1) fire marshal is appointed, such appointments shall be exempt from the minority representation provisions of this Charter.

Section 5-18. Constables.

The council shall appoint two (2) constables who shall have the powers and duties prescribed by the General Statutes. The council may appoint special constables in such number as it may deem necessary and proper and the appointment of such special constables shall be exempt from the minority representation provisions of this Charter.

CHAPTER VI. TOWN MANAGER

Section 6-1. Appointment.

The council shall appoint, for an indefinite term, and may remove, a town manager, who shall be chosen exclusively on the basis of his administrative qualifications, character and experience, following previously established hiring procedure. Interim appointment [shall be made as follows]: Upon resignation or removal of the manager, the town council shall by a simple majority vote of the council, appoint a temporary acting town manager, until said council appoints a town manager for an indefinite term. The town council will use established policy procedures for hiring a town manager. A resolution to remove must be adopted by at least a two-thirds ($\frac{2}{3}$) vote of the full membership of the council at a regular meeting, so warned for such purpose and any such action may be consummated with or without cause. The action of the council in removing the town manager from office shall be final. The town council shall provide to the town manager, on an annual basis, a written evaluation by the council of his/her performance. Such evaluation shall in no way restrict the appointment or removal powers of the council.

Section 6-2. Duties of the town manager.

The town manager shall be directly responsible to the council for the administration of all offices and agencies in charge of persons appointed by him and shall supervise and direct the same. He shall be the Chief Executive Officer of the town as defined by G.S. § 7-193. He shall be the purchasing agent of the town subject to such rules and regulations as shall be prescribed by the council. The town manager shall keep full and complete records of the doings of his office and it shall be his duty to make such reports to the council as it may require and to attend their meetings with full right of participation in the discussions; to prepare, and cause to be printed, as soon as possible after the close of the fiscal year, an annual town report; to recommend to the council such measures as he shall deem necessary or expedient; to keep or cause to be kept complete books of account showing appropriations and such other accounts and records not specifically required by law to be kept by other officers, as may be prescribed by the council; to purchase all supplies, materials, equipment and other commodities required by any office or agency of the town except the board of education and the probate court; to keep the council fully advised as to the financial condition of the town; to prepare and submit to the council an annual budget and to exercise such powers and duties as may be imposed on him by the council. Neither the town meeting nor the council shall diminish by ordinance, vote or otherwise the powers and duties of the town

manager, except those powers and duties imposed on him by direction of the council under the provisions of this Charter. Unless otherwise specifically provided by this Charter or by ordinance, any duty imposed by the General Statutes on the chief executive officer of a municipality shall be vested in and exercised by the town manager.

Section 6-3. Appointments.

With the approval of the council, the town manager shall appoint such personnel as provided for in Section 5-1 of this Charter. The town manager may, subject to the approval of the council, perform the duties of any office which he may fill by appointment. With the approval of the council, the town manager shall designate the head of any administrative agency of the town to serve as acting town manager during the absence, for any reason, of such town manager. Except as otherwise provided by law, the council and town manager in filling appointive positions may combine functions and positions.

CHAPTER VII. BONDS AND COMPENSATION

Section 7-1. Official bonds.

The town manager, town clerk, treasurer, tax collector, building official and such other officers and employees as may be required to so do by the council shall, before entering on their respective official duties, execute to the town, in the form prescribed by the council, and approved 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 honesty and/or the faithful performance of such official duties. Nothing herein shall be construed to prevent the council, if it deems [it] to be in the best interest of the town, from prescribing a name schedule bond, schedule position bond or blanket bond, or from prescribing which department, offices, agencies, boards or commissions shall be covered by a specific type of the aforementioned bonds. Premiums for such bonds shall be paid by the town.

Section 7-2. Compensation.

Compensation of all salaried and hourly rated employees of the town shall be determined by the town manager, as approved by the town council, in conformity with a systematic pay plan for the positions involved, provided nothing herein shall be construed to limit the power of the board of education to fix the compensation of employees of the school system.

CHAPTER VIII. FINANCE AND TAXATION

Section 8-1. Fiscal year.

The fiscal year of the town shall run July 1 through June 30.

Section 8-2. Borrowing.

The town shall have the power to incur indebtedness by issuing its bonds or notes as provided by General Statute subject to the limitations thereof and the provisions of this Charter.

Section 8-3. General form of budget presentation.

The town manager may, or at the request of the council, shall require each department, office or agency of the town supported wholly or in part by the town funds, or for which a specific town appropriation is made

including the board of education, to set forth in narrative or such other form as the town manager may prescribe, a program or programs showing services, activities and work accomplished during the current year and to be accomplished during the ensuing year.

Section 8-4. Departmental estimates.

The town manager shall compile preliminary estimates for the annual budget. The head of each department, office or agency of the town, including the board of education, shall, on or before March 12, file with the town manager on forms prescribed and provided by him a detailed estimate of the expenditures to be made by his department, office or agency and the revenue other than tax revenue, to be collected thereby in the ensuing fiscal year and such other information as may be required by the council or the town manager.

Section 8-5. Duties of the town manager on the budget.

Not later than one hundred (100) days before the end of the fiscal year the town manager shall present to the council a budget consisting of:

- (a) A budget message outlining the proposed financial policy of the town government, describing in connection therewith the important features of the proposed budget plan indicating any major changes from the current year in financial policies, expenditures and revenues together with the reasons for such changes, and containing a clear general summary of its contents;
- (b) Estimates of revenues, presenting in parallel columns the itemized receipts collected in the last completed fiscal year, the receipts collected during the current fiscal year prior to the times of preparing the estimates, total receipts estimated to be collected during the current fiscal year, and the estimates of the receipts, other than from the property tax, to be collected in the ensuing fiscal year and an estimate of available surplus;
- (c) Itemized expenditures for each office or agency for the last completed fiscal year, approved budget figures for the current fiscal year and expenditures for the current fiscal year prior to the time of preparing the estimates, total expenditures as estimated for the current fiscal year, and the town manager's recommendations for the ensuing fiscal year for all items except those of the board of education which he shall transmit to the council as submitted to him by such board.

The town manager shall present reasons for all of his recommendations. The board of education shall have the same duties and follow the same form and procedure with respect to the budget of the board of education as required of other agencies and offices. As part of the budget, the town manager shall present a program previously considered and acted upon by the town planning and zoning commission in accordance with the General Statutes, of proposed municipal improvement projects for the ensuing fiscal year and for the five (5) fiscal years thereafter. Estimates of the costs of such projects shall be submitted by each office or agency annually in the form and manner prescribed by the town manager. The town manager shall recommend to the council those projects to be undertaken during the ensuing fiscal year and a method of financing the same.

Section 8-6. Duties of the council.

Following receipt of the budget estimates from the town manager, the council shall hold one (1) or more public hearings not later than seventy (70) days before the end of the fiscal year at which any elector or taxpayer may have an opportunity to be heard regarding appropriations for the ensuing fiscal year. The town manager shall cause sufficient copies of said estimates to be made available for general distribution in the office of the town clerk at least ten (10) days prior to the public hearing. Following the public hearing or hearings, the council shall make such revisions in the budget estimates as it deems desirable and shall recommend same to the annual budget meeting. Not less than ten (10) days prior to the annual budget meeting, the council shall cause to be published in

a newspaper having a circulation in the town a notice of the meeting and a summary of the recommended budget showing anticipated revenues by major sources and proposed expenditures by functions or departments in the same columnar form prescribed for the budget and shall also show the amount for general distribution at the office of the town clerk at least ten (10) days prior to the annual budget meeting. By a majority of those present and voting at such meeting, an amount of money less than that recommended may be appropriated but no appropriation shall be made exceeding that for the same purpose recommended by the council and no appropriation shall be made for any purpose not so recommended.

Section 8-7. Adoption of the budget.

Upon adoption of the budget by the adjourned town meeting by persons qualified to vote at such meeting for a "yes" or "no" vote; where the hours and method of voting are determined by the town council in accordance with the General Statutes of Connecticut, the council shall set the tax rate in mills which shall be levied on taxable property in the town for the ensuing fiscal year and shall file a copy of such budget with the town clerk and the town manager.

Section 8-8. Expenditures and accounting.

- (a) No purchase shall be made by any department, board, commission or officer of the town other than the board of education and the probate court, except through the purchasing agent. The town manager shall record the amount of authorized purchases and contracts for future purchases as encumbrances against the appropriation from which they are to be paid.
- (b) No voucher, claim or charge against the town shall be paid until the same has been audited by the town manager and approved by him for correctness and validity. Checks shall be drawn by the town manager for the payment of approved claims which shall be valid only when countersigned by the treasurer. In the absence or inability to act of either the town manager, treasurer, or assistant treasurer, with respect to the above duty, the council may authorize one or more of its members to substitute temporarily for either or both.
- (c) The town manager shall prescribe the time at which and the manner in which persons receiving money on account for the town shall pay the same to the town treasurer.
- (d) The several departments, commissions, officers and boards of the town shall not involve the town in any obligation to spend money for any purpose in excess of the amount appropriated therefor until the matter has been approved by the council and each order drawn upon the treasurer shall state the department, commission, board or officer and the appropriation against which it is to be charged. When any department, commission, board or officer shall desire to secure a transfer of funds within its or his appropriation from funds set apart for one specific purpose to another, before incurring any expenditure thereof such department, commission, board or officer shall, with the approval of the town manager, make application to the council whose duty it shall be to examine into the matter, and upon approval of the council such transfer may be made, but not otherwise.
- (e) Upon request transmitted by the town manager, but only within the last three (3) months of the fiscal year, the council may, by resolution, transfer any unencumbered appropriation, balance or portion thereof from one department, commission, board or office to another. No transfer shall be made from any appropriations for debt service and other statutory charges.
- (f) Additional appropriations over and above the total budget may be made from time to time by resolution of the council, upon recommendation and certification of the town manager that there is available an unappropriated and unencumbered general fund cash balance to meet such appropriations except as otherwise specified in Section 9-3. When the cumulative total of such appropriations reach one and one-half

percent (1½%) of the current tax levy, the council shall have no further right to make appropriations without approval from a special town meeting.

- (g) Appropriations for construction or for other permanent improvements, from whatever source derived, shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned, provided any such project shall be deemed to have been abandoned if three (3) fiscal years shall lapse without any expenditure from or encumbrance of the appropriation therefor. Any portion of any annual appropriation remaining unexpended and unencumbered at the close of the budget year shall lapse.
- (h) Every payment made in violation of the provisions of this Charter shall be deemed illegal and every official authorizing or making such payment or taking part therein and every person receiving such payment or any part thereof shall be jointly and severally liable to the town for the full amount so paid or received. If any officer or employee of the town shall knowingly incur any obligation or shall authorize or make any expenditure in violation of the provisions of this Charter or take any part therein, such action shall be cause for his removal.
- (i) It shall not be necessary for a town meeting to approve additional appropriations which are funded for specific purpose by state and federal grants, nor shall such grants be included under the provisions of Subsection (f) of this section.

CHAPTER IX. THE TOWN MEETING

Section 9-1. Annual and special meetings.

An annual town meeting for the consideration of the budget and the transaction of other town business shall be held on the fourth (4th) Saturday in April and shall commence at 10:00 o'clock A.M. It may be adjourned from time to time. Special town meetings shall be called by the council only when required under the terms of this Charter and in the manner provided by the General Statutes. At the annual budget meeting a majority of those present and voting may, by amendment to the main motion, reduce, but not increase, any Town Council recommended appropriation. After reasonable discussion of the Town Council recommended annual budget appropriation, or the annual budget appropriation as may have been amended by the annual budget meeting, the moderator of the meeting shall adjourn the meeting to reconvene on the second Tuesday following the annual budget meeting and said Town Council recommended appropriation or said Town Council recommended appropriation as may have been amended by the budget meeting, shall be voted on by a "yes" or "no" vote where the hours and method of voting are determined by the town council in accordance with the General Statutes of Connecticut. If the annual budget appropriation shall not pass, a Special Budget Meeting shall be called by the council. At this Special Budget Meeting a majority of those present and voting may, by amendment to the main motion, reduce, but not increase, any Town Council recommended appropriation. After reasonable discussion of the Town Council recommended annual budget appropriation, or the annual budget appropriation as may have been amended by the Special Budget Meeting, the moderator of the meeting shall adjourn the meeting to reconvene within fourteen (14) days and said Town Council recommended appropriation, or said Town Council recommended appropriation as may have been amended by the Special Budget Meeting, shall be voted by a "yes" or "no" vote where the hours and method of voting are determined by the town council in accordance with the General Statutes of Connecticut. The foregoing procedure shall be repeated until a budget is adopted.

Section 9-2. Procedure.

All town meetings shall be called to order by the chairman of the council. A moderator shall be elected and all business conducted in the manner provided by the General Statutes, except as otherwise provided in this Charter. The town clerk shall serve as clerk of all town meetings but in his absence an acting clerk may be designated by the meeting. All town meetings shall be conducted pursuant to the Robert's Rules of Order[, Newly

Revised]. A secret ballot shall be required at any town meeting at the request of one-third ($\frac{1}{3}$) of those present and voting. Provisions of G.S. § 7-7 shall apply to all town meetings except Annual Budget Meetings called for the adoption of the budget, when the necessary petitions have been filed and approved by the town clerk.

Section 9-3. When action by town meeting required.

- (a) The annual budget or any resolution making an appropriation of more than one percent (1%) of the current tax levy, but less than one hundred thousand dollars (\$100,000.00) for any purpose, any resolution authorizing the issuance of bonds or notes or other borrowing of less than one hundred thousand dollars (\$100,000.00) and any resolution providing for the sale of real estate of the town with assessed value of two thousand five hundred dollars (\$2,500.00) or more used for town purposes or the purchase of real estate for such purposes, shall become effective only after it has been approved by the council and adopted at a town meeting by a majority vote of the qualified voters present and voting at such a meeting. The town meeting shall not act upon any proposal for the sale or purchase of such real estate or the issuance of bonds or other borrowing except upon the recommendation of the council, nor act upon any appropriation which has not been acted upon by the council unless the same shall have been before the council for sixty (60) days without action.
- (b) With the exception of the annual budget, the town meeting may increase the amount of any appropriation above the amount recommended by the council or make an appropriation not recommended by the council provided either such action shall require the affirmative vote of a two-thirds ($\frac{2}{3}$) majority of the voters thereon, which majority shall consist of at least one hundred fifty (150) voters. No town meeting shall increase the amount of any bond issue above the amount recommended by the council. By majority of those present and voting, a town meeting may, by amendment to the main motion, reduce any appropriation.
- (c) Approval by the town meeting shall be required to make effective any contract or agreement of the council for services or use of facilities by or with other governments as provided by this Charter.
- (d) The council may, at its discretion, require any proposal it may deem of sufficient importance to be submitted to those entitled to vote by the law at an annual or special town meeting called for such purpose and such proposal shall become effective only after it has been approved by a majority of those voting at such meeting.
- (e) After the same has been approved by the council, any appropriation of one hundred thousand dollars (\$100,000.00) or more, and any resolution authorizing the issuance of bonds or notes of one hundred thousand dollars (\$100,000.00) or more shall be placed on the call of a town meeting; the town council shall thereafter determine if the town meeting shall be adjourned to a vote as provided by statute, or adjourned to a vote at the next regular election. After the completion of other business and after reasonable discussion of such appropriations or resolutions, the moderator of such meeting shall adjourn the meeting to a vote as provided by the Coventry Town Council. Any vote submitted to the next regular town election shall be submitted in accordance with G.S. §§ 9-369—9-370. If the Town Council elects to hold the vote at a time and place other than the regular Town election, they shall set the hours and method of voting in accordance with the General Statutes. Such appropriation or resolution shall become effective only after it has been submitted to a "yes" or "no" vote by the persons qualified to vote in such meeting or election. At the closing of the polls of the regular election or at the closing of the polls at the adjourned Town meeting, it shall be the duty of the moderator to cause the vote to be counted, and such resolution or appropriation mentioned in the immediately preceding sentence shall, if approved by a majority of those voting thereon, be deemed a vote of the Town meeting.
- (f) Any other item or items, with the exception of the annual budget, on the call of any town meeting may, if the council may deem it advisable, be submitted to a vote on the voting machines in the same manner as aforesaid and, if approved by a majority of those voting thereon, shall be deemed to be a vote of the town meeting.

Section 9-4. Petition for overrule of action of council.

All ordinances, shall be subject to overrule by a special town meeting as follows: If within twenty (20) days after the publication of any such ordinance, a petition conforming to the requirements of the General Statutes and signed by not less than three percent (3%) of the voters of the town, as determined from the latest official lists of the registrars of voters, is filed with the town clerk requesting its reference to a special town meeting, the effective date of such ordinance shall be suspended and the council shall fix the time and the place of such meeting, which shall be within twenty (20) days after the filing of the petition, and notice thereof shall be given in the manner provided by law for the calling of a special town meeting. An ordinance so referred shall take effect upon the conclusion of such meeting unless at least one hundred (100) voters constituting a majority of those voting thereon, shall have voted in favor of overruling.

Section 9-5. Petition for enactment of ordinances.

- (a) Subject to the provisions of the Charter not less than three percent (3%) of the voters of the town, as determined from the latest official lists, may at any time petition over their personal signatures for the enactment of any proposed lawful ordinance by filing such petition, including the complete text of such ordinance, with the town clerk. The council shall call a special town meeting, to be held within thirty (30) days from the date of such filing, unless prior to such meeting such ordinance shall be enacted by the council. The call for such meeting shall state the proposed ordinance in full and shall provide for a "yes" or "no" vote as to its enactment. If a majority of the persons entitled to vote, voting at such meeting, shall vote "yes," then such ordinance shall take effect on the tenth (10th) day thereafter without further action of the council.
- (b) Any such proposed ordinance shall be examined by the town attorney before being submitted to the special town meeting. The town attorney is authorized to correct the form of such ordinance for the purpose of avoiding repetitions, illegalities and unconstitutional provisions, and to ensure accuracy in its text and references and clearness and preciseness in its phraseology, but not materially changing its meaning and effect.

CHAPTER X. [MISCELLANEOUS]

Section 10-1. Transfer of records and property.

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

Section 10-2. Legal proceedings.

No action or proceeding, civil or criminal, pending on the effective date of this Charter [November 4, 1969] brought by or against the town or any office, agency, board or commission thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained; but all such actions or proceedings may be continued notwithstanding that functions, powers and duties of any office, agency, board or commission party thereto may be or under this Charter be assigned or transferred to another office, agency, board or commission, but in that

event the same may be prosecuted or defended by the head of the office, agency, board or commission to which such functions, powers and duties have been assigned or transferred by or under this Charter.

Section 10-3. Financial interest prohibited.

No holder of elective or appointive office shall derive, by reason of holding such office any direct financial benefit as the result of any contract with the town or board of education or any sale to the town or said board of education of any materials, supplies or services.

Section 10-4. Removals.

- (a) Except as otherwise provided in this Charter, any appointive officer or appointive member of a board or commission may be removed for just cause by the authority which appointed him, provided he shall first be given notice in writing of his removal. Said officer or board or commission member shall upon written request to the appointing authority within ten (10) days from the date of receipt of his removal notice, be immediately given notice in writing of the specific grounds of removal. Thereafter, if requested (either in the request for specific grounds or in a subsequent request submitted to the appointing authority within five (5) days from receipt of such specific grounds) said officer, or board or commission member shall be given written notice from the appointing authority setting forth the time and place of an opportunity to be heard in his own defense, personally and/or by counsel, at a public hearing before the appointing authority, to be held not less than five (5) nor more than twenty (20) days after receipt of such request for hearing. With the exception of the initial notice of removal, the council shall act for and in the place of the town manager as to each and every request, notice and hearing provided for hereunder.
- (b) No employee of the board of education, below the rank of superintendent or supervising agent, who holds a regular certificate of qualification issued by the state board of education shall be removed except in accordance with the General Statutes of Connecticut as the same may be amended.

Section 10-5. Incumbents.

The incumbents of offices which require a competitive examination for appointment may be continued in office without examination upon the effective date of this Charter [November 4, 1969].

Section 10-6. Existing laws and ordinances.

All general laws of the State of Connecticut applicable to the town and all ordinances and regulations of the town shall continue in full force and effect, except insofar as they are inconsistent with the provisions of this Charter. All special acts or parts thereof relating to the Town of Coventry which are inconsistent with this Charter are repealed.

Section 10-7. Amendment of Charter.

This Charter may be amended in the manner prescribed by law.

Section 10-8. Saving clause.

If any section or part of any section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which said section or part thereof so held invalid may appear, except to the extent that an entire section or part of a section may be inseparably

connected in meaning and effect with the section or part of a section to which such holding shall directly apply. All references to he or she (his/her) throughout this Charter shall be understood to apply equally to both genders.

Section 10-9. Effective date.

This Charter shall become effective on the first Tuesday after the first Monday of November, 1969; November 4, 1969. Amendments to the Charter shall become effective upon passage.