

ANDOVER TOWN CHARTER
Revised 2016
DRAFT

Chapter III THE TOWN MEETING

Section 301. General

The Town Meeting shall have authority for final approval of those actions of the [Town](#) as hereinafter enumerated, and shall be the legislative body of the Town. The Town meeting shall have legislative authority for all matters not specifically enumerated hereinafter or enumerated in Section 402. All persons deemed to be eligible to vote in Town Meetings as prescribed in the General Statutes shall be eligible to vote in any Town Meetings called pursuant to this Charter. Said voters shall be eligible to vote in special referenda called pursuant to Sections 303, 304, and 305 of this Charter.

CHAPTER IV BOARD OF SELECTMEN

Section 405. Public Emergencies

Whenever a public emergency creates or threatens to arise that creates an imminent threat to the lives or property of the inhabitants of the Town or property of the Town, the ~~First-Selectman~~ [Town Administrator or First Selectman, or his/her designee](#) may declare a public emergency and shall have the power to mobilize, organize, and direct the forces of the Town and to call upon the forces of the Federal Government, the State of Connecticut and other political subdivisions. The ~~First-Selectman~~ [Town Administrator or First Selectman or his/her designee](#) may summon, marshal, deputize or otherwise employ other persons to do whatever he/[she](#) may deem necessary for the purposes of meeting the emergency. Spending necessary to meet said public emergency shall be pursuant to Section 809 of this Charter. Emergency ordinances may be enacted pursuant to Section 406 of this Charter.

Section 407. Coordination

[With the support of the](#) Board of Selectmen, [the Town Administrator](#) shall coordinate the activities and operations of the Town government and may convene joint meetings of Town agencies, and require reports or information to be submitted by the agencies as the Board of Selectmen [or Town Administrator](#) may deem necessary.

Chapter V. THE FIRST SELECTMAN

Section 501. General.

A. The First Selectman shall be the Chief Elected ~~Executive and Chief Administrative~~ Officer of the Town. The First Selectman shall be a voting and participating member of the Board of Selectmen and shall preside at all meetings of said Board. ~~He shall have the power to supervise, direct and control the operation of all departments and agencies under his jurisdiction.~~ The First Selectman or his/her designee (who must be a Selectman) shall be an ex officio member of all other town commissions, boards and agencies.

Section 502. Duties.

Except as otherwise provided by this Charter, the First Selectman shall have all the powers, duties and responsibilities conferred by law. In addition, he /she shall have all of the powers necessary or incidental to the discharge of his/her duties as set forth in this Charter.

~~A. He shall be responsible to the Board of Selectmen and the people of the Town for the administration of all Town matters;~~

~~B. He shall be responsible for coordinating the administration of the departments, offices and agencies of the Town, except the Board of Education and its employees, and except as may otherwise be provided by this Charter;~~

~~C. He shall be responsible for carrying out the ordinances, resolutions, policies, and other actions of the Board of Selectmen and of the Town Meeting;~~

~~D. He shall be responsible for making a continuous review of the current and future needs of the Town, and in connection therewith, he may require reports and information to be submitted by any agency of the Town;~~

~~E. He shall periodically review all insurance coverage carried by the Town, including the local Board of Education, and shall recommend to the Board of Selectmen adjustments and improvements in such coverage;~~

~~F. He shall keep the Board of Selectmen informed of state and federal grant programs for which the Town may be eligible and shall assist the Board in applying for and implementing same;~~

~~G. He shall purchase or lease, or cause to be purchased or leased, or leased, subject to such rules and regulations as may be adopted by the Board of Selectmen, all supplies, materials, equipment and other commodities required by any office, board, agency or commission, including the local Board of Education, to the extent said board shall authorize him;~~

~~H. He may recommend to the Board of Selectmen such measures as he shall deem necessary or expedient and shall keep the Board of Selectmen fully advised as to the financial condition of the Town;~~

~~I. He shall exercise such other powers and duties as may be authorized by ordinance and resolution of the Board of Selectmen, not inconsistent with this Charter.~~

~~The First Selectman, with the approval of the Board of Selectmen, in lieu of any appointment to any office under his jurisdiction, may enter into contracts for the performance of services, or perform duties of any office under his jurisdiction.~~

CHAPTER 701. THE TOWN ADMINISTRATOR

Section 701A. Town Administrator.

The Town Administrator shall be the Chief Executive Officer of the Town of Andover responsible to the Board of Selectmen for the supervision, direction and administration of all Town of Andover departments, agencies and offices except the Board of Education and Town agencies whose head or members are elected by popular vote.

Section 701B. Appointment Procedure.

The Board of Selectmen shall appoint a Town Administrator who shall be the chief executive officer of the Town to serve at the pleasure of the Selectmen. The appointment shall be made by a majority vote of the Board of Selectmen based on the recommendation of an ad hoc search committee consisting of 2 members of the Board of Selectman, a member of the Board of Finance and two electors of the Town who do not hold any public office whatsoever, chosen by said three public officials. No more than a bare majority of the search committee may be registered members of the same political party.

The selection process will include an advisory screening/review committee made up of incumbents from other towns in similar positions to determine

βqualified candidates. The recommendation of the search committee to the board of selectman will be by simple majority.

Section 701C. Qualifications; Compensation.

The Town Administrator shall be chosen by the Board of Selectmen exclusively on the basis of executive, technical and administrative qualifications, character, educational background, training/certification and professionally related experience. Educational training must include a minimum of a baccalaureate degree. The Town Administrator shall devote full working time to the duties of the office.

Section 701D. Duties of the Town Administrator

As chief executive officer of the Town of Andover, under the general direction of the Board of Selectman, the Town Administrator shall:

1. Ensure that all laws and ordinances governing the Town are faithfully executed;
2. Make periodic reports to the Board of Selectmen;
3. Attend Board of Selectmen meetings with full authority to participate in them, but without the authority to vote;
- 4 Make a continuous review of the current and future needs of the Town, and in connection therewith, require reports and information to be submitted by any agency of the Town;
5. Recommend to the Board of Selectmen such measures as may be necessary or expedient;
6. Keep the Board of Selectmen informed of state and federal grant programs for which the Town may be eligible and apply for and implement same;
7. Periodically review all insurance coverage carried by the Town, including the local Board of Education, and recommend to the Board of Selectmen adjustments and improvements in such coverage;
8. Assist the Board of Selectmen in preparing the annual town report, and cause it to be printed as soon as possible after the close of the fiscal year;

9. Keep the Board of Selectmen and Board of Finance fully advised of the financial condition of the Town;

10. Prepare and submit a proposed annual budget to the Board of Selectmen and Board of Finance;

11. Expend or withhold the funds necessary to ensure the smooth and fiscally sound operation of Town business, and the health, safety and well being of the Town and its residents, consistent with this Charter;

12. With the exception of real estate, motor vehicles, and the like, purchase or lease or causing to be purchased or leased, subject to such rules and regulations as may be adopted by the Board of Selectmen, all supplies, materials, equipment and other commodities required by any office, board, agency or commission, including the local Board of Education, to the extent said board shall authorize;

13. Assist the Board of Selectmen to develop long term goals for the Town and strategies to implement such goals;

14. Promote partnerships among the Board of Selectmen, Board of Finance and citizenry to develop sound public policy and build a sense of community; and

15. Exercise such authority and perform such other duties as may be required by ordinance or resolution of the Board of Selectmen not inconsistent with this Charter.

Section 701E. Removal of the Town Administrator.

1. The Town Administrator may be removed by a four-fifths (80%) vote of the entire membership of the Board of Selectmen. At least thirty (30) days before the proposed removal of the Administrator, the Board of Selectmen shall adopt a resolution stating their intention to remove the Town Administrator and the reasons therefor. A copy of the resolution shall be served on the Administrator who may, within ten (10) days, demand a public hearing. In this event, the Administrator shall not be removed until such public hearing has been held. Upon the passage of such a resolution, the Board of Selectmen may suspend the Town Administrator from duty, provided that the salary of the Administrator shall continue until removal from office. Any action of the Board of Selectmen in removing the Administrator shall be final.

2. Upon the suspension, removal or resignation of the Town Administrator, the Board of Selectmen may appoint a temporary Administrator who shall be a qualified administrative officer to serve at the pleasure of the Board of Selectmen until a permanent replacement Town Administrator is appointed pursuant to this Chapter of this Charter.

CHAPTER VIII FINANCE AND TAXATION

Section 806. Expenditures and Accounting.

A. No purchase shall be made by any agency except through the Town Administrator ~~First-Selectman~~ or a person designated by the Town Administrator ~~First-Selectman~~. This section shall not apply to the local Board of Education.

B. No voucher, claim or charge against the Town shall be paid until the same has been examined by the ~~First-Selectman~~ Town Administrator and approved for correctness and validity by the department head or other person involved in said purchase. Checks shall be signed by the ~~First-Selectman~~ Town Administrator for payment of approved claims. In the absence or inability to act of the Town Administrator ~~First-Selectman~~, the ~~Vice~~ First Selectman shall act for the Town Administrator. ~~First-Selectman~~.

C. 1. When an agency, excluding the local Board of Education, shall desire to transfer funds within its appropriation from the funds set apart for one purpose to another, such agency shall file a request with the Town Administrator ~~First-electman~~. The Town Administrator ~~First-Selectman~~ shall examine the matter and, with the concurrence of the Board of Selectmen, shall have the power to approve requests up to a cumulative amount of \$2,000.00 for any one department, office or agency in any fiscal year.

2. All requests which exceed the cumulative limit of \$2,000.00 shall be reviewed by the Town Administrator ~~First-Selectman~~ and then the Board of Selectmen who shall have the power to approve or deny such requests, up to a cumulative total of ten (10) percent of the agency's total budget for the fiscal year.

D. The Town Administrator ~~First-Selectman~~ through the Board of Selectmen, may request, but only within the last three (3) months of the fiscal year, that the Board of Finance transfer any unencumbered appropriation, balance

or portion thereof, from one department, office or agency to another. The Board of Selectmen shall provide to the Board of Finance a statement certifying that the balance to be transferred is not needed by the department, office or agency from which such transfer is being made. This section shall not affect the local Board of Education which shall have the power to make its own transfers provided that such transfers are reported to the Board of Finance when so made.

Section 812. Tax Bills.

It shall be the duty of the Tax Collector to mail to each taxpayer a tax bill in accordance with the provisions of the General Statutes. He shall collect such taxes in accordance with the provisions of the General Statutes, except that such taxes, together with interest, penalties and lien fees thereon, shall be turned over to the Town Treasurer within ten (10) business days of collection. Taxes shall be due and payable in such installments as shall be fixed by ordinance. The Tax Collector shall prepare and submit such reports to the Town Administrator ~~First-Selectman~~, Board of Selectmen, and Board of Finance as may be prescribed.

Chapter IX. TOWN EMPLOYEES

Section 901. General.

Section 902. Job Description.

The Town Administrator ~~First-Selectman~~, subject to the approval of the Board of Selectmen, shall prepare a statement of the duties and responsibilities of each position covered by personnel rules and regulations and of the minimum qualifications for appointment to such position.

Section 904. Salaries.

The Town Administrator ~~First-Selectman~~ shall submit a proposed pay plan for those employees covered under Section 901 of this Charter to the Board of Selectmen, which pay plan shall take effect upon adoption by resolution of the Board of Selectmen. Said pay plan shall be reviewed annually and amendments may be adopted by the Board of Selectmen from time to time upon recommendation of the Town Administrator ~~First-Selectman~~. For purpose of Chapter 113 of the General Statutes, as amended, the Town Administrator or his/her designee ~~First-Selectman~~ shall have sole authority

to recognize the exclusive bargaining agent for any unit of Town employees and shall act as the bargaining agent for the Town. Such contracts shall become effective upon approval by the Board of Selectmen.

Section 1011. Effective Date.

This Charter shall become effective upon the approval of a majority of the electors voting at an election on November 8, 2016 in accordance with the provisions of Chapter 99 of the General Statutes, as amended, provided, however, no provision of this revised Charter shall be implemented until July 1, 2017, or before any date of implementation specified in this Charter.