

CHARTER FOR THE TOWN OF WATERTOWN COUNCIL-MANAGER FORM OF GOVERNMENT



First Charter Adopted July 6, 1961

Revisions to Sections 205 and 704 Adopted on November 8, 1966

Revisions to Sections 201, 202, 302, 503, 707, 801, add Section 803 – Adopted on November 7, 1972

Revisions to Sections 202, 404, 503, 601, 606, 607, add Sections 405, 504, 604 and 710 – All Adopted on November 7, 1978

Revisions to Sections 206, 701, 702, 703, 704, add Section 208 – All Adopted November 3, 1981

Revisions to Sections 202, 305, 401, 405, 602, 702, 704, 801, Section III.1 or Consolidation Ordinance, (Delete Section II.4(a) of Consolidation Ordinance) – All Adopted November 3, 1987

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TOWN OF WATERTOWN, CONNECTICUT CHARTER

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THE PROPOSED CHARTER FOR ADOPTION BY THE TOWN OF WATERTOWN SUBMITTED BY THE TOWN CHARTER COMMISSION ON APRIL 20, 1961 AND APPROVED FOR SUBMISSION TO THE ELECTORATE OF THE TOWN BY VOTE OF THE BOARD OF SELECTMEN, APRIL 24, 1961.

We, the Electors of the Town of Watertown, pursuant to the provisions of Chapter 99 of the 1957 Revision of the General Statutes, do approve this Charter for Watertown.

CHAPTER I. INCORPORATION AND GENERAL POWERS

Sec. 101. Incorporation.

All the inhabitants dwelling within the territorial limits of the Town of Watertown, as heretofore constituted, shall continue to be a body politic and corporate under the name of "The Town of Watertown" hereinafter called "the 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 the Town under the general laws of the State and under the terms of Chapter 99 Municipal Charters of the General Statutes.

Sec. 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 effective date of this Charter, 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. If any contract has been entered into by said Town prior to the effective date of this Charter or any bond 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 Chapter, thereafter be exercised and discharged by the Manager of said Town.

Sec. 103. General Grant of Powers. The Town shall have, in addition to the powers specifically granted by the charter, all powers fairly implied in or incident to the powers expressly granted herein 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, the 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 Statutes 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. OFFICERS AND ELECTIONS

Sec. 201. Municipal Elections.

A meeting of the electors of the Town of Watertown for the election of municipal officers shall be held on the Tuesday after the first Monday of November of the first odd numbered year following the adoption thereof and biennially thereafter. Meetings of the electors to vote in special elections on any matter shall be called by the Council provided, however, any referenda authorized by the General Statutes of the State shall be called and held as therein provided. *(Rev. 11/07/72)*

Sec. 202. Elective Officers.

a. There shall be elected nine (9) members of the Town Council, hereinafter referred to as the Council, all for the term of four (4) years. Nine (9) members of the Town Council shall be elected for the term of four (4) years in alternate biennial elections in the following manner: four (4) members shall be elected in the first and succeeding alternate biennial elections and five (5) members in the second and succeeding biennial elections. No political party shall nominate and no elector shall vote for more than three (3) members of the Town Council. *Rev. 11/3/2020*

Each member of the Town Council shall have been a resident of the Town for at least six (6) months prior to the election, and shall be registered as a voter of the Town on or before the date of the election and throughout the term. *(Rev. 11/03/87)*

b. Nine (9) members of the Board of Education shall be elected for the term of four (4) years in alternate biennial elections in the following manner: five (5) members shall be elected in the first and succeeding alternate biennial elections and four (4) members in the second and succeeding biennial elections. No political party shall nominate and no elector shall vote for more than three (3) members of the Board of Education.

Vacancies shall be filled by the remaining members of the Board upon the recommendation of the political party of the person vacating the office. The newly appointed member shall serve until a successor is elected at the next regular Town election, as provided by Section 10-219 of the General Statutes.

c. No constables shall be elected, but seven (7) constables shall be appointed by the Town Council, with not more than a bare majority being enrolled members of one political party. The candidates in number sufficient to fill the office of constable who have the highest number of votes shall be declared elected.

d. The terms of all elected officials shall commence on the first Monday following the election. All elected officials shall hold office until their successors have been chosen and qualified.

e. There shall be a Board for the Admission of Electors consisting of the Town Clerk and the Registrars of Voters. Said Board shall give notice of the time and place of each session for the admission of electors by publication in a newspaper published or circulated in such Town not more than fifteen nor less than five days before each session. Any member of said board unable to attend such session shall designate another officer of the town to act in accordance with the provisions of Section 9-15a of the Connecticut General Statutes. (Rev. 11/07/72) (Rev. 11/07/78*) (Rev. 11/8/2011)

Sec. 203. Conduct of Elections.

Except as otherwise specifically provided in this Charter, all caucuses and meetings of electors for the nomination and election of officers or in special elections shall be called, held and conducted as provided, and by the officials designated, in the General Statutes or any special act applying to the Town of Watertown and in effect at the time of this Charter.

Sec. 204. Breaking a Tie.

When, as a result of any municipal or special election held under the provisions of this Charter, it is necessary to break a tie, a special election confined to the tied candidates or issues shall be called by the Council to be held on the fourteenth day after said election to determine which shall be elected or, in the case of a question raised by a referendum or a Charter amendment petition, whether it shall be decided in the affirmative or negative. All voting machines concerning the returns from which there is no disagreement may be unlocked and paper ballots may be used in such election if voting machines are not available in sufficient numbers.

Sec. 205. Eligibility.

No person shall be eligible for election, appointment, or service on both the Board of Education and The Town Council at the same time. (Rev. 11/08/66)

Sec. 206. Vacancies.

A vacancy in any elective Town office except the Board of Education from whatever cause arising shall be filled by appointment by the Council for the

unexpired portion of the term of such office or until the next biennial election, whichever shall be sooner.

A vacancy in the Board of Education shall be filled by appointment by the remaining members of such Board for the unexpired term or until the next biennial election, whichever is sooner.

If there is a biennial election before the expiration of the term of office of any person appointed to an elective office under the provisions of this section, such office shall be filled by the election of a person to fill that office for the unexpired portion of the term. If the person vacating the office shall have been elected as a member of a political party, such vacancy shall be filled by appointment of a member of the same political party, on recommendation of such political party, which must be made within sixty (60) days of the date when such vacancy begins in the absence thereof such limitation shall end. If the person vacating the office was not elected as a party nominee, such vacancy shall be filled by appointment of a person not on a last completed party caucus or primary list. *(Rev. 11/03/81)*

Sec. 207. Voting Districts.

The voting districts shall continue to be established at the effective date of this Charter, provided the Council may, from time to time, by ordinance otherwise divide the Town into voting districts for the establishment of polling places therein.

CHAPTER III. THE TOWN COUNCIL

Sec. 301. The Council.

There shall be a Town Council consisting of nine (9) 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 Watertown, nor shall any member, during the term of elected office and for one (1) year thereafter, be appointed to any office of profit under the government of the Town of Watertown. The nine (9) members of the Town Council shall be elected for the term of four (4) years in alternate biennial elections in the following manner: four (4) members shall be elected in the first election and succeeding alternate biennial elections and five (5) members in the second and succeeding alternate biennial elections. No political party shall nominate and no elector shall vote for more than three (3) members of the Town Council. Vacancies shall be filled by the remaining members of the Council upon the recommendation of the political party of the person vacating the office. The newly appointed member shall serve until a successor is elected at the next regular Town election. *(Rev. 11/8/2011) (Rev. 11/3/2020)*

Sec. 302. Chairman.

The Council shall meet on the second Monday in November of each odd numbered year, and shall choose one (1) of its members to be chair of the Council, and shall choose one (1) of its members to be vice-chair of the Council, but such office shall not give nor deprive such chair or vice-chair of one (1) vote on any question. Such chair shall preside over all meetings of the Council and perform such other duties consistent with the office as may be imposed by the Council. The chair shall be recognized as the official head of the Town Council for all ceremonial purposes and for military purposes. Unless otherwise specified herein, during the chair's absence or disability, the chair's duties shall be performed by the member of the Council chosen by the Council as vice-chair. *(Rev. 11/07/72)*

Sec. 303. Clerk.

The Council shall appoint a clerk, who shall keep a record of all proceedings of the council.

Sec. 304. Meetings.

The Council shall, at its first meeting or as soon thereafter as possible, establish, by resolution, a regular place and times for holding its regular meetings and shall meet regularly at least once a month. Special meetings may be called by the Chair of the Council or a majority vote of the Council and no matter shall be considered at such special meetings which was not included in the call.

Sec. 305. Procedure.

Roberts Rules of Order, as amended from time to time, shall govern all Council proceedings. Five (5) members shall constitute a quorum provided 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 five affirmative votes. All ordinances or resolutions shall be confined to one subject, which shall be clearly stated in the title. The council shall keep for public inspection, a journal, which shall be the official record of its proceedings. The record so kept shall be authenticated for each meeting by the signature of the presiding officer or the clerk, or both.

Sec. 306. General Powers and Duties.

The Council shall have the powers and duties which, at the effective date of this Charter, were conferred by law upon existing boards, officers, and commissions of said Town existing immediately prior to such vote except as otherwise specifically provided in this Charter, the Connecticut General Statutes or in the constitution of the State. The legislative power of the Town shall be vested exclusively in the Council, subject to the provisions expressly otherwise appearing in this Charter. Except as otherwise herein provided, Town meetings are abolished. The Town Council must consider and discuss at least every ten (10) years whether to establish a Charter Review Commission to review the Town Charter. Said Council shall have the power to make, alter or repeal ordinances not inconsistent with this

Charter or the General Statutes of the State; create or abolish boards, commissions, departments and offices; and for the preservation of the good order, peace, health and safety of the Town and its inhabitants, and the Council may contract for services and the use of facilities of the State or any political subdivision thereof, or may, by agreement, join with any such political subdivision to provide services and facilities, in which case departments and offices created by this Charter, the functions of which are transferred under the terms of said contract or agreement, may, be abolished. The Council is authorized to adopt ordinances, to incorporate any recognized code, rules or regulations that have been printed in book form, or any code officially adopted by any administrative agency of the State, or any 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 regulate the internal operation of boards, commissions and offices which it fills by appointment, and fix the compensation of the registrars of voters and the officers and employees appointed by it and the charges, if any, to be made for services by the Town or for the execution of powers vested in the Town as provided in Chapter I of this Charter, for the government of the Town and of its business. The Council shall have the power to enact, or repeal any building regulations or ordinances, provided no such ordinances or regulations shall be enacted without a public hearing, held thereon. The Council shall specify who shall execute for and on behalf of the Town bonds, notes and other evidence of indebtedness and shall sign contracts and agreements other than purchase contracts under the jurisdiction of the purchasing agent or the Board of Education. Nothing herein shall preclude the use in said Town of the statutory provisions relating to referenda. (Rev. 11/8/2011)

Sec. 307. Public Hearing on and Publication of Ordinances.

At least one (1) public hearing, notice of which shall be given at least five (5) 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 Council before any ordinance, including ordinances originating under Section 308 hereof, shall be passed except an ordinance relating to the appointment or designation of officers, or to the Council or its procedure. Every ordinance, after passage, shall be given a serial number and be recorded by the Town Clerk in a book to be kept for the purpose, which shall be properly indexed. Within ten (10) days after final passage, all ordinances shall be given one full publication in a newspaper having circulation within the Town. Every ordinance, unless it shall specify a later date, shall become effective on the twenty-first (21st) day after such publication following its final passage, provided an ordinance stated to be a public emergency measure and stating the facts constituting such public emergency shall become effective

immediately after such publication and no public hearing or notice of public hearing shall be required for any public emergency measure.

Sec. 308. Power of Initiative.

The electors shall have the power to propose to the Council any ordinance or other measure except an ordinance or resolution appointing or removing officials, appropriating money, authorizing the levy of taxes or fixing the tax rate. Such a proposal shall be made by filing with the Town Clerk a petition making such proposal signed in ink or indelible pencil by not less than fifty qualified electors of the town on the last completed voting list. If the Council shall fail or refuse to adopt the proposed ordinance within thirty-two (32) days after the filing of said petition, a second petition may be filed with the Town Clerk for a referendum on such proposed ordinance or other measure. Such second petition shall be signed in ink or indelible pencil by not less than five (5%) percent of the qualified electors of the Town on the last completed voting list and shall be filed within fifty-two (52) days after the filing of the original petition. Such proposed ordinance or other measure shall be submitted to a referendum not less than ten (10) nor more than twenty (20) days after the filing of such second petition, and if it shall receive a majority vote at such referendum it shall be enacted, provided not less than twenty-five (25%) percent of the qualified electors of the Town on the last completed voting list shall have voted at such referendum. Any referendum held under this section shall be conducted in the manner provided in the General Statutes and the Town Clerk shall proceed in the manner set forth therein. No ordinance or other measure which shall have been adopted in accordance with the provisions of this section shall be repealed or amended by the Council except by petition and vote of the electors as provided herein.

Section 309. Power of Referendum

The electors shall have the power to approve or reject at a referendum, any ordinance or other measure passed by the Council, except an ordinance or resolution appointing or removing officials, appropriating money, authorizing the levy of taxes or fixing the tax rate. Ordinances or other measures submitted to the Council as provided in Section 308 and passed by the Council without change shall be subject to a referendum in the same manner as other ordinances or measures. Within twenty (20) days after the publication of an ordinance or other measure subject to referendum, a petition may be submitted to the Town Clerk. Such petition shall be addressed to the Council and shall request that such ordinance or other measure shall be repealed by the Council or be submitted to a vote of the electors, and shall be signed in ink or indelible pencil by qualified electors of the town equal in number to at least five (5%) percent of the electors on the voting list. The Town Clerk shall proceed as prescribed by General Statutes as to referenda. If the number of qualified signatures, as certified by the Town Clerk, equals or exceeds five percent of the electors on the voting list and the Council fails or refuses to repeal such ordinance or other measure at its next

meeting following the delivery of the petition to its clerk, the question of repeal shall be submitted to a vote of the electors at a referendum which must be called by the Council to be held not less than ten (10) nor more than twenty (20) days after said meeting of the Council. Such referendum shall be held in conformity with the provisions of the General Statutes relating to referenda. Upon the submission of the petition to the Town Clerk as above provided, the ordinance or other measure shall remain without effect until either (a) the first meeting of the Council following delivery of the petition by the Town Clerk to the clerk of the Council with a certification showing that the number of signatures on the petition is insufficient, which fact shall be recorded upon the minutes of the Council, or (b) the question of repeal has been decided in the negative by a vote of the electors at the referendum at which not less than twenty-five (25%) percent of the electors on the voting list shall have voted.

Sec. 310. Form of Petition for Initiative or Referendum.

The form of petition for initiative or referendum shall be as follows: WARNING: ALL SIGNATURES SHALL BE IN INK OR INDELIBLE PENCIL. We, the undersigned electors of the Town of Watertown hereby present this petition under the provisions of Sections 308 or 309 of this Charter, (here insert the word “initiating” or the words “requesting the repeal of”) the following ordinance (here insert the text of the ordinance) and we certify that we are electors of the Town of Watertown residing at the addresses set opposite our names and that we have not signed this petition more than once. (Here follows the signatures and addresses.)

Signature	Number	Street
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Sec. 311. Investigation.

The Council shall have the power to investigate any and all departments, offices and agencies of the Town and for such purposes shall have the power to issue subpoenas. At the request of the Council, any judge may issue a *capias* for the appearance of witnesses and the production of books and papers.

Sec. 312. Relations to Administrative Service.

Neither the Council nor any of its members shall direct or request the appointment to or removal of any person from any office or employment which, by the provisions of this Charter, the Manager or appointees are empowered to fill by appointment, provided the Manager may seek advice from the Council regarding appointments and provided further the Council may prefer charges in writing against any officer or employee appointed by the Manager in the manner hereinafter prescribed for the removal of officers and employees. The Council and its members shall deal with the administrative service solely through the Manager, and neither the Council nor any member thereof shall give any order to any of the subordinates of the Manager either publicly or privately, provided a properly constituted meeting of the Council, which the Manager has been invited

to attend, may call before it any employee or officer for the purposes of investigation.

Sec. 313. Fiscal Year.

The Council shall have power to adjust the fiscal year of the Town to coincide with the tax year or to adjust either or both to the end that they may coincide.

CHAPTER IV. APPOINTIVE OFFICERS

Sec. 401. Town Attorney.

The Town Manager shall, within fifteen (15) days of either a notification of a vacancy in the office of the Town Attorney or a request approved by at least five members of the Town Council, submit in writing, recommendations to the Council, the names, qualifications, and proposed fee schedules or retainers of not less than three (3) nor more than five (5) attorneys or firms as able to fulfill the duties of Town Attorney. The Council shall, by a vote of not less than five (5) members, at a meeting to be held not later than thirty (30) days after receipt of such recommendations, appoint a successor Town Attorney and shall set the term of office and compensation. The Town Council shall not be limited in its appointment of the Town Attorney to those names received in writing from the Town Manager. The term of office of the Town Attorney may be terminated from time to time by the Council, whenever it determines by a vote of not less than five (5) members that such termination is in the best interests of the Town. The compensation of the Town Attorney may be revised from time to time by the Council, whenever it determines by a vote of not less than five (5) members that such revision is in the best interests of the Town.

The Town Attorney may be a member of a law firm and need not be in the full time employ of the Town. The Town Attorney (a) shall be an attorney at law, admitted to practice law in this State, or a law firm, all the principals of which are admitted to practice law in the State, with proven expertise in municipal government legal matters; and (b) shall have an office within a twenty (20) mile radius of the Town boundary.

The Town Attorney 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 departments, officers, agencies, boards or commissions. The Town Attorney shall be the legal advisor 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 question of law involving their respective powers and duties. Upon request, the Town Attorney shall prepare or approve forms of contracts or other instruments to which the Town is a party or in which it has an interest. The Town Attorney shall have power, with approval of the

Council, to appeal from orders, decisions and judgments affecting the Town, and subject to the approval of the Council, to compromise or settle any claims by or against the Town. (Rev. 11/8/2011)

Sec. 402. Planning and Zoning Commission, Zoning Board of Appeals and Conservation Commission Inland Wetland Agency.

The Council shall, from time to time, appoint members of the Planning and Zoning Commission, the Zoning Board of Appeals and the Conservation Commission Inland Wetland Agency and to fill vacancies in such agencies as the same shall occur, such appointees to hold office for the balance of the term if the vacancy shall have occurred other than by the expiration of a term and to succeed persons whose terms of appointment in such agencies shall have expired, such appointment to be for the same term of years as that of the person being succeeded. The Council shall be the “legislative body” of the Town for purposes of zoning and planning under the General Statutes. (Rev 11/3/2020)

Sec. 403. Board of Tax Review.

The Council shall, from time to time, appoint members of the Board of Tax Review and fill vacancies therein as the same shall occur, such appointees to hold office for the balance of the term if the vacancy shall have occurred other than by the expiration of a term (of the person creating the vacancy), and to succeed persons whose term of appointment shall have expired, such appointment to be for the same term of years as that of the person being succeeded. Said Board shall have all powers and duties conferred or imposed by the General Statutes on Boards of Tax Review.

Sec. 404. Board of Police Commissioners

a. The Town Council shall, by majority vote, appoint a Board of Police Commissioners consisting of five (5) members who shall serve five (5) year terms with one member’s term expiring each year and two alternate members who shall serve five (5) year terms.

Alternate members shall, when seated as provided in this section, have all the powers and duties of a regular member of the Police Commission. Alternate members, whether seated or not, may participate in discussions at meetings and executive sessions. If a regular member is absent or disqualified, the chair of the Police Commission shall designate an alternate to so act, choosing alternates in rotation. All Police Commissioners shall be sworn to the faithful performance of their duties and shall serve without compensation, but their actual expenses and disbursements incurred in the performance of their duties shall be paid from the Town Treasury.

b. A vacancy in the Board of Police Commissioners from whatever cause shall be filled by appointment by the Town Council for the unexpired term of such vacating

Police Commissioner. Such a vacancy shall be filled by appointment of a member from nominations by the Town Committee of the same political party as the person vacating the position.

c. The Police Commission shall have the following responsibilities:

1. The Commission shall be the traffic authority of the Town and as such, may adopt rules and regulations for the control of traffic and parking consistent with the General Statutes and the Ordinances of the Town.

2. The Commission shall review and make recommendations concerning the annual budget for the Police Department prior to the Chief of Police presentation of the Police Department budget to the Town Manager in accordance with Chapter VII of this Charter.

3. The Commission will serve as the appeal board for civilian complaints not resolved to the satisfaction of the complainant. The Commission shall have the power to hold hearings on such complaints, together with the power of subpoena. Upon the conclusion of such hearings, the Commission shall report its recommendations, if any, to the Town Manager for appropriate action. *(Rev. 11/3/2020)*

d. All powers and duties granted to Boards of Police Commissioners by the General Statutes which are not specifically granted to the Board of Police Commissioners by this section shall be exercised by the Town Manager.

e. The Police Commission shall not change the Table of Organization of the Police Department without the approval of the Town Council.

f. No Police Commissioner shall exercise the power of the office except at a duly constituted meeting while attending in official capacity as a Police Commissioner.

g. The Town Manager, with the concurrence of the Town Council, shall have the sole power of appointment and removal of the Chief of Police. Such removal may only be for just cause and pursuant to Connecticut General Statutes Section 7-278.

h. The Chief of Police shall have the power of appointment and promotion of the officers and the members of the Police Department with the approval of the Town Manager and consistent with a Town adopted merit or promotional system relative to the appointment or promotion of the officers and members of the Police Department.

i. The Police Commission will meet regularly at least once a month. Three members shall constitute a quorum. *(Rev. 11/8/2011)*

Sec. 405. Board and Commissions, Length of Terms.

a. The terms of all appointive boards and commissions shall commence on the first day in February.

b. Except as otherwise provided by this Charter and the General Statutes, all appointments to Town boards and commissions shall be made by the Town Council.

c. Minority representation on all Town boards and commissions shall be as specified in accordance with Section 9-167 (a) of the Connecticut General Statutes. *(Added 11/07/78)*

d. No person shall serve on more than two (2) Town boards or commissions which, pursuant to this Charter, Town Ordinance or State Statute, hold regular meetings each month of the year. *(Rev. 11/03/87)*

Sec 406. Removal of Appointed Officials in Unpaid Positions.

Any official appointed by the Town Council to an unpaid position on any Town board, commission, special panel, or such other municipal or regional body (hereinafter "Appointee") may be removed from such office or position after a hearing before the Town Council in accordance with the provisions of this Section of the Charter. Such Appointee shall be removed only if a majority of the members of the Town Council finds that the Appointee has failed to fulfill the minimal duties of the Appointee's position, or if such Appointee has engaged in misconduct detrimental to the best interests of the Town.

a. Pre-hearing Process:

1. Any complaints by any person (hereinafter "Complainant") regarding the official misconduct of any Appointee (hereinafter "Demand") shall be in writing, signed and shall be filed with the Town Manager.
2. The Town Manager shall inform the Appointee of such complaint and shall, with the assistance of the Town Attorney (or designee, if the Town Attorney feels there is a potential conflict of interest), commence an investigation into the allegations. If they conclude that there is reasonable cause to believe the Appointee has failed to fulfill the minimal duties of the Appointee's position, or has engaged in misconduct detrimental to the best interests of the Town and as a result should be removed, they shall give written notice, by certified mail, to the Appointee of their intention to notify the Town Council of their recommendation that an informal hearing be ordered to consider the removal of the Appointee from office by the Town

Council. A copy of such notice shall be sent to all members of the Town Council.

b. Informal Hearing

1. Notice of Informal Hearing shall be posted in accordance with the Freedom of Information Act as may be amended from time to time, and shall be sent, by certified mail, no later than 5 days prior to the date of such hearing, to the, Appointee and the Complainant. Said notice shall state the Appointee's right to attend and be heard at the hearing, to be represented by counsel at the Appointee's own expense, and to submit documents and other evidence in support of the respective claims or defenses.
2. The Town Manager, the Town Attorney or designee, will present the case for removal to the Town Council. Upon the conclusion of the hearing, the Town Council shall render its decision by majority vote. The Town Council may only remove the Appointee if, based upon the facts adduced at the hearing, it concludes that the Appointee has failed to fulfill the minimum duties of the Appointee's position, or that the Appointee has engaged in misconduct detrimental to the best interests of the Town. Upon such finding, the Appointee shall be removed from office. If the Town Council does not so find, then the complaint is dismissed.

c. Any Charter provision or ordinance or parts of ordinances adopted prior to this provision that is inconsistent with the provisions of this Charter provision are hereby repealed to the extent of its inconsistency. (*New Section. 11/8/2011*)

CHAPTER V. THE TOWN MANAGER

Sec. 501. Appointment and Removal.

a. The Council shall appoint a Town Manager, herein sometimes also referred to as the Administrator, who shall be the chief executive officer and administrator of the Town to serve at the pleasure of the Council. The Manager shall be chosen exclusively on the basis of executive and administrative qualifications, character, experience, education or training. At the time of this appointment, said Manager need not be a resident of the Town of Watertown nor of the State. This position shall be full time and require residency in said Town during the term of service. The compensation of the Town Manager shall be fixed by the Council and shall not be changed except at the beginning of a fiscal year of the Town by a vote of the Council taken at least one (1) month prior to that date.

b. The Manager may be removed by a majority vote of the members of the council as herein provided. At least thirty (30) days before the proposed removal of the Manager, the Council shall adopt a resolution stating its intention to remove the Manager and the reasons therefore, a copy of which shall be served forthwith on the Manager who may, within ten (10) days, demand a public hearing in which

event the Manager shall not be removed until such public hearing has been held. Upon the passage of such a resolution the Council may suspend said Manager from duty and the salary of said Manager shall continue until removal from office. Upon any such suspension, the Council may appoint an acting Manager to serve at the pleasure of the Council for not more than ninety (90) days. The action of the Council in removing the Manager shall be final.

Sec. 502. Duties.

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 Manager and shall supervise and direct the same. The Manager shall see that all laws and ordinances governing the Town are faithfully executed; shall make periodic reports to the Council and attend its meetings with full right of participation in its discussions but without a right to vote; shall prepare and cause to be printed, as soon as possible after the close of the fiscal year, an annual town report; shall recommend to the Council such measures as may be deemed necessary or expedient; shall keep the Council fully advised as to the financial condition of the Town; shall prepare and submit to the Council an annual budget and shall exercise such other powers and perform such other duties as may be required by this Charter or by ordinance or resolution of the Council not inconsistent with the Charter. The Council shall not diminish, by ordinance, vote or otherwise the powers and duties of the Manager, except those powers and duties imposed on the Manager by the Council under the provisions of this Charter.

Sec. 503. Appointments.

The Town Manager shall appoint and may remove all Department Heads, Officials and employees of the Town, except as otherwise specifically provided by this Charter. In lieu of any appointment by the Manager of any appointees to any office under the Manager's jurisdiction, subject to the approval of the Council, the Manager may perform the duties of such office except those of the Town Treasurer provided in case the Town Treasurer is absent or unable to act, the Town Manager may countersign checks in accordance with the provisions of Sec. 707 (b) of this Charter. The Manager shall designate one of such appointees to serve as Acting Manager during the temporary disability or absence of the Manager. Such Acting Manager shall have the powers, duties and limitations of the Manager while so acting.

(Rev. 11/07/78 – Eff. 02/01/79)

Sec. 504. Collective Bargaining.

All collective bargaining for the Town shall be conducted by the Town Manager or designated agent. *(Added 11/07/78 – Eff. 02/01/79)*

CHAPTER VI. DEPARTMENTS

Sec. 601. Administrative Departments.

a. There shall be the following administrative departments: A Department of Finance; a Department of Public Works, a Police Department; a Parks and Recreation Department; a Volunteer Fire Department; a Town Clerk Department, and such other departments as the Council may establish. Such departments shall, except as otherwise provided in this Charter, have the powers and duties prescribed by law and by ordinance or resolution of the Council. *(Rev. 11/3/2020)*

b. Department heads shall appoint and may remove such deputies, assistants, subordinates, and employees subject to the approval of the Town Manager. The department heads shall organize the work of the department in such a manner as is deemed sufficient and economical. The department heads shall perform all functions prescribed for the department in accordance with the General Statutes and Town Ordinances. The department heads shall perform such other duties as the Town Council shall prescribe. *(Rev. 11/07/78, Eff. 02/01/79)*

c. The Council may provide for any Town services to be provided by joining a regional agency, authority or district organized by any special act or general statute. Presently, the Town is a member of a regional Health District and is served by a regional Probate Court.

Sec. 602. Department of Finance.

The Department of Finance shall be responsible for the keeping of accounts and financial records, the assessment and collection of taxes, special assessments and other revenues, the custody and disbursement of Town funds and money, the control over expenditures as provided in Section 707b of this Charter and such other powers and duties as may be required by ordinance or resolution of the Council.

Accounts shall be kept by the Department of Finance showing the financial transactions for all departments and agencies of the Town. Forms for such accounts shall be prescribed by the Director of Finance with the approval of the Town Manager. Financial reports shall be prepared for each quarter and for each fiscal year and for such other periods as may be required by the Town Manager.

(a) The Town Manager may appoint a Director of Finance with the consent of the Council to serve at the pleasure of the Town Manager. The Director of Finance shall have direct supervision over the department of financial affairs of the Town. The Director of Finance shall appoint and may remove a Tax Collector, an Assessor, a Town Treasurer, a Purchasing Agent and all other employees of the Department of Finance. Subject to the approval of the Town Manager, the Director of Finance may perform the duties of any office under the Director's

supervision, except that of Town Treasurer, and may consolidate one or more such office under one person provided the Town Treasurer shall not also be the Tax Collector or the Purchasing Agent. (b) The Tax Collector, Assessor and Town Treasurer shall have the powers and duties imposed by law on such officers and shall have such other powers and duties as the Council may prescribe, provided the Town Treasurer shall in addition, be the agent of the Town Deposit Fund. (c) The Purchasing Agent of the Town shall purchase all supplies, materials, equipment and other commodities required by any department, agency, board or commission of the Town, except the Board of Education, on requisitions signed by the head of the department, office or agency or chair of the board or commission, or an appointed representative. Nothing herein contained shall be construed to prevent the Town Purchasing Agent from serving as the Purchasing Agent to the extent requested, for the Board of Education on requisitions signed by the head of the department, office or agency or chair of the board or commission, or an appointed representative. Purchases shall be made under such regulations as may be established by the Council, provided, with the exceptions of expenditures for utilities or a bona fide emergency, 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 twenty-five thousand (\$25,000) dollars or more, the Purchasing Agent, unless it shall be determined by the Council to be against the best interests of the Town, shall invite sealed bids or proposals, giving ten (10) days public notice thereof by publication at least once in a newspaper having circulation in the Town, and may let the purchase or contract to the lowest responsible bidder thereon or may reject all such bids or proposals. All such sealed bids or proposals shall be opened publicly. (*Rev. 01/03/87*) (*Rev. 11/8/2011*) (*Rev. 11/3/2020*)

Sec. 603. Department of Public Works.

The Department of Public Works shall have supervision and control of all Town-owned structures, except such structures as are under the control of the Board of Education and Parks and Recreation Department; and shall have supervision and control of the planning, surveying, constructing and reconstructing, altering, paving, repairing, maintaining, clearing, lighting and inspecting of highways, sidewalks and curbs, public and private drains, and other public improvements and the preservation, care and removal of trees within highways, parks or public places, all engineering work of the Town, and garbage, rubbish and ash collection, and disposal. The Department shall have supervision of all buildings and construction work for the Town, done under contract with the Town, not including school buildings and additions thereto. The Department shall have all the powers and perform all the duties imposed on tree wardens by the General Statutes; and shall have such other powers and duties as the Council may prescribe. Any provisions of this section to the contrary notwithstanding, the Department of Public Works, may maintain and care for school buildings and grounds but only if and to the extent and for the period requested by the chair of the Board of

Education and approved by the Town Manager, provided the costs are charges against school appropriations. (*Rev. 11/3/2020*)

a. The Town Manager shall appoint and may remove a Director of Public Works who shall be responsible for the efficiency, discipline and good conduct of the department. The Director of Public Works shall exercise powers and discharge duties under the supervision of the Town Manager and organize the work of the department in such a manner as he shall deem most economical and efficient. (*Rev. 11/07/78 – Eff. 02/01/79*)

Sec. 604. Parks and Recreation Department

It shall be the responsibility of the Parks and Recreation Commission to establish a policy which will be carried out by the Director of Parks and Recreation under the supervision of the Town Manager. This policy shall relate to but not necessarily be limited to:

a. The use of all public parks and playgrounds under the jurisdiction of the Town of Watertown, including programs and activities to be carried out in said areas;

b. The rules and regulations for the use of said areas;

c. Approval of applications for the use of said areas; by private organizations which provide public recreation;

d. The maintenance of parks and property, real and personal under the jurisdiction of the Parks and Recreation Commission;

e. Procurement and maintenance of specialized athletic and recreation equipment;

f. Social Services, the Senior Center and Municipal Agent;

g. The Parks and Recreation Commission in accordance with The Plan of Conservation and Development, and with the approval of the Planning and Zoning Commission, shall be responsible for preparing plans and recommendations for submission to the Town Council for expansion, improvement and acquisition of parks and recreational properties under the jurisdiction of the Town of Watertown. (*Added 11/07/78 – Eff. 02/01/79*)

Sec. 605. Volunteer Fire Department.

So long as the Volunteer Fire Department shall continue to function to the satisfaction of the Council, the members of said Volunteer Fire Department may make their own rules and by-laws, elect their own chief and other officers and members, and otherwise control their own affairs. A department shall be created to replace the Volunteer Fire Department only by an ordinance adopted by the

Council, for which not less than six (6) members of the Council shall have voted in the affirmative and which has been confirmed by a referendum conducted for the purpose without the necessity of a petition not less than ten (10) days nor more than fifteen (15) days after the adoption of such ordinance by the Council. While the Fire Department remains under volunteer management, the chief and other officers and members shall be paid such compensation and allowance from Town funds as are fixed by the Council.

Sec. 606. Town Clerk.

The Town Manager with the concurrence of the Town Council shall have the power to appoint a Town Clerk. The Town Clerk shall be a Department Head. The first appointment of a Town Clerk shall be made during October of 2021. The appointed Town Clerk shall take office on January 4, 2022. The Town Clerk shall continue to hold office until resignation, death or removal for "Just Cause." Just Cause shall mean any continued and repeated failure to perform the duties of the Town Clerk, or any willful, material, and serious violation of any criminal statute or common law fraud, or any other willful misconduct, which is materially injurious to the financial condition or reputation of, or is otherwise materially injurious to the Town, or any of its employees or agents. Any proposed termination shall be initiated only upon written complaint of the Town Manager. Any such complaint shall specify in writing all grounds upon which removal is requested and shall be filed with the Town Council. The Town Council shall be the Authority, having the power of removal, subject to a Hearing conducted by the Town Council.

The Town Clerk shall have all powers and duties as prescribed by the General Statutes, this Charter, and Town Ordinances.

The Town Clerk shall devote full time to the duties of the office.

The Town Clerk shall become certified by the State of Connecticut to perform all duties of the Town Clerk within four (4) years of the date of appointment and shall remain certified during the term in office. Failure to become certified within four (4) years of appointment may be cause for removal.

The Town Clerk shall appoint and may remove an assistant Town Clerk, and employees subject to the approval of the Town Manager. The Assistant Town Clerk upon taking the oath provided for Town Clerks, shall in the absence of the Town Clerk, have all of the powers and perform all of the duties of the Town Clerk.

The compensation shall be determined by the Town Council upon recommendation of the Town Manager. The Town Clerk shall be eligible for all fringe benefits in accordance with the fringe benefits provided to the Town department heads.

The present elected Town Clerk shall not be prohibited from applying for the Town Clerk position. *(New 11/3/2020)*

Sec.607. Official Bonds.

The Finance Director, Town Treasurer, Tax Collector, Assistant Tax Collector, Town Clerk, Assistant Town Clerk and Collector of Revenue for the Water and Sewer Authority and any other Town Officers, officials or employees as may be directed by the Council, the Town Manager or the Town Insurance Company, shall, before entering on the respective official duties execute a bond with surety to the Town, in the form prescribed by the Council and approved by the Town Attorney and filed with the Town Clerk. Premiums for such bonds shall be paid by the Town. (Rev. 11/3/2020)

Sec. 608. Compensation.

Salaries of all the directors and other employees of the Town directly or indirectly under the supervision of the Town Manager shall be determined by the Town Council, upon the recommendation of the Town Manager.

CHAPTER VII. FINANCE AND TAXATION

Sec. 701. Departmental Estimates.

The Town Manager shall compile preliminary estimates for the annual budget. The head of each department, office or agency of the Town, supported wholly or in part by Town funds or for which a specific Town appropriation is made, including the Chair of the Board of Education, for such Board shall, at least one hundred twenty (120) days before the end of the fiscal year, file with the Town Manager on provided forms a detailed estimate of the expenditures to be made by each department or agency and the revenue, to be collected thereby in the ensuing fiscal year.

(Rev. 11/03/81)

Sec. 702. Duties of the Town Manager on Budget.

No later than ninety (90) 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 financial policy of the Town government and describing in connection therewith the important features of the budget plan; (b) estimates of revenue, 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 time of preparing the estimates, the receipts estimated to be collected during the remainder of the current fiscal year, and estimates of the receipts, other than from the property tax, to be collected in the ensuing fiscal year; (c) itemized estimates of expenditures, presenting in parallel columns the actual expenditures for each department, office or agency for the last completed fiscal year and for the current fiscal year to the time of preparing the estimates, the expenditures, as estimated for the remainder of the current fiscal year, the requests of the several departments, offices and agencies for the ensuing fiscal year and the Town Manager's recommendations of the amount to be appropriated for the ensuing

fiscal year, for all items except those of the Board of Education; which shall be transmitted to the Council as submitted to the Town Manager by said Board. The Town Manager shall present reasons for all of the recommendations. The chair of 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 provided in Section 701 of this Charter for departmental estimates; (d) at the time of presentation of the annual budget to the Council as set forth in Section 702, the Town Manager shall present as part of the annual budget a program previously considered and acted upon by the Town Planning Commission in accordance with Section 8-24 of the General Statutes concerning municipal improvements of proposed capital projects for the ensuing fiscal year and for four fiscal years thereafter.

Estimates of the cost of such projects shall be submitted by each department, office or agency annually in the same manner as estimates of other budgetary requirements prepared for the Manager. The Town Manager shall recommend to the Council those projects to be undertaken during the ensuing fiscal year and the method of financing the same. (*Rev. 11/03/87*) (*Rev. 11/8/2011*)

Sec. 703. Appropriations. Laying of Tax.

No less than sixty-five (65) days before the beginning of the fiscal year, the Council shall hold a public meeting, at which the budget as prepared pursuant to the provisions of Section 701 and Section 702 for the ensuing fiscal year shall be presented and at which all persons shall be heard in regard to any appropriation which they are desirous that the Council should recommend or reject. The Council may after such public hearing, hold a meeting at which it shall consider the budget so presented and any other matters brought to its attention and shall thereupon prepare and cause to be published in a newspaper in the Town, if any, otherwise in a newspaper having a substantial circulation in the Town, a report in a form prescribed by the Tax Commissioner containing the itemized information prescribed by Section 7-344 of the General Statutes. The Town Council shall schedule a referendum to be held on such budget no less than forty (40) days before the beginning of the fiscal year. If such budget is not approved, then a new budget and referendum may be proposed by the Council and new referendum scheduled not less than fifteen (15) days from the previous referendum. Such process will continue until a budget is approved by the electorate. Immediately after the Board of Tax Review has finished its duties and the grand list has been completed, the Council shall meet and, with due provisions for estimated uncollectable taxes, abatements and corrections, shall lay such tax on such list as shall be sufficient, in addition to such revenue surplus, if any, as may be appropriated, not only to pay the expenses of the Town for such current year, but also to absorb the revenue deficit of the Town, if any at the beginning of such current year. The provisions of this section shall not be construed as preventing the Town from making further appropriations upon the recommendation of the Council at a special Town Meeting

held after the referendum process and any appropriation made at such special Town Meeting shall come from surpluses, borrowing or unanticipated revenue. *(Rev. 11/03/81) (Rev. 11/8/2011) (Rev. 11/3/2020)*

Sec. 704. Powers of the Council as to Finance, Expenditures.

No officer of the Town shall expend or enter into any contract by which the Town shall become liable for any sum, which, with any contract then in force, exceeds the appropriation for the department, except in cases of emergency or necessity connected with the repair of highways and bridges and the care of the Town poor, and then by not more than Five Thousand (\$5,000) dollars. If any occasion arises whereby more money is needed for any department of the Town than has been appropriated as provided in the Charter, the Town Manager shall notify the Council of such fact and the Council may make necessary appropriations therefore, after inquiry but, if the amount required exceeds Fifty Thousand (\$50,000) dollars, such appropriation shall not be made until the same has been voted by the Town at a meeting called for such purpose. The amount required for such appropriation may be drawn either from any cash balance available or from any contingent fund established as provided by law. If no cash balance exists and no funds are available in the contingent fund, such appropriation may be financed by borrowing, and the amount of such borrowing shall be included in and made part of the tax next levied. The estimate of expenditures submitted by the Council may include a recommended appropriation for a contingent fund in an amount not to exceed two (2%) percent of the total estimated expenditures of the Administrative Budget for the current fiscal year. No expenditure or transfer shall be made from the contingent fund except by action of the Council. The provisions of this section and of the preceding section shall not be a limitation upon the Town in issuing bonds under the provisions of law or expending the proceeds thereof in accordance with the vote of the Town. The provisions of Sections 7-346 and 7-347 of the General Statutes shall apply to the Town with the Council performing the duties and functions therein fixed for a Board of Finance. *(Rev. 11/03/87) (Rev. 11/3/2020)*

The Reserve Fund for Capital and Non-Recurring Expenditures shall have a maximum unencumbered balance equal to ten (10%) percent of the last Town Administrative Budget. No expenditures from unencumbered funds amounting to Fifty Thousand (\$50,000) dollars or more, shall be made from this fund without prior approval by Town Meeting.

(Rev. 11/08/66) (Rev. 11/8/2011) (Rev. 11/3/2020)

Sec. 705. Tax Bills.

It shall be the duty of the Tax Collector to prepare and send to each taxpayer, a tax bill, the form of which shall be acceptable to the State Tax Commissioner. *(Rev. 11/8/2011)*

Sec. 706. Assessment and Collection of Taxes.

Except as specifically provided in this Charter, the assessment of property for taxation and the collection of taxes shall be carried on as provided in the General Statutes or special laws of the State applicable to the Town of Watertown.

Sec. 707. 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, except through the Purchasing Agent, and such purchase shall be made under such regulations as may be established by the Council. The Director of Finance shall record the amounts 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 Director of Finance or designated agent and approved for correctness and legality. Checks shall be drawn by the Director of Finance 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 Director of Finance or the Treasurer with respect to the above duty, the Town Manager, the Chair of the Town Council or the Vice-Chair of the Town Council may be authorized to substitute temporarily for either, but not both of them. The Chair and the Vice-Chair of the Town Council shall be bonded before they assume this responsibility in Watertown. In the absence of the Treasurer, the Town Manager is also authorized to countersign checks issued and signed by a duly authorized representative of the Board of Education. (c) The Director of Finance shall prescribe the time at which and the manner in which persons receiving money on account of 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 therefore until the matter has been approved and voted by the Council, and each order drawn upon the Treasurer shall state the department, commission, board or officer or the appropriation against which it is to be charged. When any department, commission, board or officer shall desire to secure a transfer of appropriated funds set apart for one specific purpose to another, before incurring any expenditure in excess of Five Thousand (\$5,000) Dollars therefor, such department, commission, board or officer shall make application to the Council whose duty it shall be to examine the matter, and, upon approval of the Council, such transfer may be made, but not otherwise. (*Rev. 11/3/2020*) (e) 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 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 removal. (*Rev. 11/07/72*) (*Rev. 11/8/2011*) (f) The Director of Finance and the Purchasing Agent shall have supervision and control of the maintenance of all

Town owned buildings and structures, except such buildings and structures as are under the control of the Board of Education and Park and Recreation Department. The Director of Finance and Purchasing Agent may maintain and care for school buildings and grounds, but only if and to the extent and for the period requested by the Chair of the Board of Education and approved by the Town Manager, provided the costs are charges against school appropriations. *(New 11/3/2020)*

Sec. 708. Independent Audit.

The Council shall, by majority vote of all its members annually designate an auditor or auditors to audit the books and financial affairs of the Town government for the current fiscal year in accordance with the provisions of Chapter 111 of the General Statutes.

Sec. 709. Borrowing.

The Town shall have the power to incur indebtedness by issuing its bonds or notes as provided by General Statutes subject to the limitations thereof and the provisions of this section. The issuance of bonds and notes shall be authorized by ordinance and if any such bond issue or issuance of notes, except notes in anticipation of taxes to be paid within the fiscal year issued, and bonds or notes issued pursuant to the provisions of Chapter 110 of the General Statutes entitled “Uniform Fiscal Year”, shall exceed \$100,000 in any fiscal year, said bond issue, or issuance or notes shall be approved by a referendum, vote on voting machines at any regular Town, State or special election.

Sec. 710. Fiscal Year.

If a new fiscal year begins before the adoption of a budget under the provisions of Section 703 then the current fiscal year budget shall be deemed to be the temporary budget for the forthcoming fiscal year and expenditures may be made from the temporary budget therewith, until such time as the Town finally adopts a new budget. Taxes may be levied on the basis of the temporary budget and made payable in the same manner as if a new budget had been adopted.

(Added 11/07/78 – Eff. 02/01/79) (Rev. 11/8/2011)

CHAPTER VIII. MUNICIPAL EMPLOYEES

Sec. 801. Retirement of Municipal Employees.

The Council may provide a system of retirement allowance for the Town’s regular full-time paid employees and for contribution by employees and the Town to a fund from which such allowances shall be paid.

Funding is based on union contracts and the Personnel Rules and Regulations Manual for Non-Organized Employees. There are several different contracts.

The funding is based on date of employee hire. Newer employees are in a different category. There is a category including Department Heads and Supervisors, a category including highway, communication, white collar and unorganized employees and a final category for Police. The Town Council approves such contributions at such time as the Town Council approves each contract.

The Town may enter into a contract with any insurance company authorized to do business in this State for the purpose of insuring the whole or any part of its retirement plan, or may elect to participate in the Connecticut Employees' Retirement Fund in the manner provided in Chapter 113 of the General Statutes or any authorized agency permitted to engage in pension fund management. *(Rev. 11/3/2020)*

Sec. 802. Merit System.

The Town Council shall by resolution establish a written formal program of rules and regulations for the complete personnel administration of all Town employees, except where exempt by State Statute. This resolution will contain detailed definitions and instructions on all phases of employee relations with the Town. This will include but not be limited to: establishment of job descriptions and pay ranges for all Town employees; selection procedures, including testing, job qualifications, and professional standards as applicable; procedures for regular review of performance measured against reasonable guidelines; hours of work, sick leave, leave of absence, vacations, and related work rules; and the development of criteria for merit pay progress, promotion, demotion, suspension, and removal from Town employment.

This resolution on personnel administration will comply with all federal regulations and State Statutes, as available State Personnel Procedures will be used covering testing, merit systems, and other provisions of Public Acts relating to personnel administration. New positions, changes in duties and responsibilities of existing positions, or any other changes may be made at any time by resolution of the Council. Copies of this resolution and amendments will be filed with the Town Clerk for public inspection, and will be printed and distributed to all employees covered by the resolution. The resolution will be administered by the Town Manager. It will be the responsibility of the Town Manager to recommend appropriate changes to the Council, to maintain this resolution in accordance with existing law, and the highest standards of recognized personnel administration. *(Rev. 11/07/72)*

CHAPTER IX. TRANSITION AND MISCELLANEOUS PROVISIONS

Sec. 901. Transfer of Powers.

The powers which are conferred and the duties which are imposed upon any commission, board, department or office under the General Statutes or special acts concerning the Town, or any ordinance or regulation in force at the time of this Charter, shall take effect, if such commission, board, department or office is abolished by this Charter, shall be thereafter exercised and discharged by the commission, board, department, or office upon which are imposed corresponding or like functions, powers and duties under the provisions of this Charter. All commissions, boards, departments or offices abolished by this Charter, whether elective or appointive, continue in the performance of their duties until provisions shall have been made for discontinuance of such commissions, boards, departments or the offices and the performance of their duties by other commissions, boards, departments or offices created under this Charter and until the Town Clerk shall have notified the members of such commissions, boards, departments or officers as are abolished by this Charter that their successors have been appointed.

Sec. 902. Present Employees to Retain Positions.

All persons holding permanent positions in the service of the Town on the effective date of this Charter shall retain such positions until promoted, transferred or removed in accordance with the provisions of this Charter. All other employees of the Town on the effective date of this Charter, whose positions are not abolished by the provisions of this Charter, shall retain such positions pending action by the Council or the appropriate officer charged by this Charter with powers of appointment and removal. Any provision of law in force at the time when this Charter shall take effect, and not inconsistent with the provisions of this Charter, in relation to personnel, appointment, ranks, grades, tenure of office, promotions, removal, pension and retirement rights, civil rights or any other rights or privileges of employees of the Town or any office, department or agency thereof, shall continue in effect.

Sec. 903. Transfer of Records and Property.

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

Sec. 904. Contributions.

No contribution by the Town of more than five hundred (\$500) dollars shall be made to any organization, the Volunteer Fire Department excepted, or private corporation unless the Town is represented on its board by one or more members nominated thereto by the Council.

Sec. 905. Legal Proceedings.

No actions or proceedings, civil or criminal, pending on the effective date of this Charter, brought by or against the Town or any commission, board, department, or office 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 commission, board, department, or office, party thereto may by, or under this Charter be assigned or transferred to another commission, board, department or office, but in that event the same may be prosecuted or defended by the head of the commission, board, department or office to which such functions, powers and duties have been assigned or transferred by or under this Charter.

Sec. 906. Existing Law and Ordinances.

All general laws in their application to the Town and all ordinances and by-laws 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 of special acts relating to the Town of Watertown, inconsistent with the provisions of this Charter, are repealed.

Sec. 907. Constitutionality.

In case any portion of this Charter shall at any time be found to be unconstitutional, such finding shall not affect the remainder thereof, but as to such remainder, this shall remain in full force and effect until amended, repealed or superseded.

Sec. 908. Effective Date July 6, 1961

APPENDIX A
WATER AND SEWER AUTHORITY
CONSOLIDATION ORDINANCE

Adopted 11/06/73

I. General Provisions

- I.1** ***Title.*** This enactment made and ordained in conformance with House Bill 5255, an Act Concerning the Consolidation of the Town of Watertown with either or both the Watertown Fire District and the Oakville Fire District.
- I.2** ***Purpose.*** The purpose of this Consolidation Ordinance is:
- (1) to consolidate the Oakville Fire District and the Town of Watertown under the general governmental supervision of the Watertown Town Council;
 - (2) to abolish the Oakville Fire District;
 - (3) to allocate certain local governmental functions and services of the Oakville Fire District and the Town of Watertown to existing offices of the Town or to a new commission or authority to be created by this Ordinance.
 - (4) to define the areas in which such services are to be rendered;
 - (5) to provide means of financing the costs of such services;
 - (6) to transfer the assets of the Oakville Fire District to the Town of Watertown
 - (7) to provide for the assumption of the bonded indebtedness, all contractual obligations, and all other liabilities of the Oakville Fire District by the Town of Watertown;
 - (8) to provide for any other matters required to effectuate the consolidation of the Oakville Fire District and said Town of Watertown and a unification of the governmental and service functions of the same.
- I.3** ***Effective Date.*** Subject to the provisions of Section 11-4 herein below, this Consolidation Ordinance shall take effect on the first day of January, 1970

provided it has first been duly approved at a referendum of the electors of the Town of Watertown as provided in Section 4 of the Act Concerning the Establishment of a Consolidation Commission, and any other applicable statute.

II. Consolidation Provisions

- II.1 *Corporate Powers.*** All of the Corporate Powers heretofore enjoyed by the Oakville Fire District by virtue of its Charter, together with all additional powers conferred by amendments to its charter or conferred by the provisions of the General Statutes of the State of Connecticut, as made and provided from time to time shall continue to accrue to and inhere in the Town of Watertown without diminution by reason of this Consolidation Ordinance.
- II.2 *Corporate Succession.*** The Town of Watertown shall perform all of the duties and have and exercise all of the rights, powers and privileges relative to matter conferred by law upon the Oakville Fire District, either heretofore or henceforth and shall be the successor of the Oakville Fire District in all matters pertaining thereto.
- II.3 *Property Rights and Obligations.*** All property, all rights of action and all rights of every kind and description together with all liens and securities therefor, which are to have been vested in or belong, or have belonged, to the Oakville Fire District are hereby transferred to and vested in the Town of Watertown; and the said Town of Watertown is henceforth liable for all debts and obligations of the Oakville Fire District, whatever the kind or description, and the said Town of Watertown shall be the successor of the Oakville Fire District with respect thereto.
- II.4 *Transition Provisions.*** In order to effectuate the provisions of this Consolidation Ordinance and to facilitate the transition from the Fire District forms of government in the Oakville Fire District to the new form of unified municipal organization, the following provisions are made:
- (a) This tenure of office and duty shall cease to exist when the appointment and qualification of the necessary successor offices, departments, personnel, boards, commissions, authority, or agencies shall have been duly appointed by the Town Council.
- (b) Such transition of personnel and authority shall not be later than the first day of July, 1970.

II.5 *Repeal of Existing Charters.* All ordinances, charters, amendments and by-laws of the Oakville Fire District and all special acts of the State of Connecticut pertaining to the Oakville Fire District except the Act Concerning the Establishment of a Consolidation Commission as may be inconsistent with the Consolidation Ordinance are repealed hereby.

III. Creation of a Water and Sewer Authority

A Water and Sewer Authority in accordance with the General Statutes of the State of Connecticut, Revision of 1958, and the Charter of the Town of Watertown, to be known as the Watertown Water and Sewer Authority, shall be established as provided herein. The principal administrative officer shall be the Town Manager of the Town as appointed by the Town Council.

III.1 *Members.* The Watertown Water and Sewer Authority shall consist of seven (7) members appointed by the Town Council, all of whom shall be residents of the Town outside the boundaries of the Watertown Fire District, as those boundaries now exist or may be hereafter altered. The term of office of each member of the Watertown Water and Sewer Authority shall be three years, with three members' terms expiring in 1991 and two members' terms expiring in each of the next two successive years.

III.2 *Powers and Duties.* The Water and Sewer Authority shall have the powers provided by General Statutes to establish, maintain, extend and develop the water and sewer facilities of the Town of Watertown, and operate all such facilities in accordance with the provisions of the General Statutes of the State of Connecticut, the Charter of the Town of Watertown and any applicable Special Acts of the State of Connecticut. Said Water and Sewer Authority is in no way to be construed as an autonomous Authority, but shall be a subordinate body of the Town Council. The Water and Sewer Authority is hereby designated as the Sewer Authority of the Town of Watertown with all of the powers contained therein and pursuant to the provisions of Chapter 103 of the General Statutes.

IV. Apportionment of Expenditures

IV.1 *Intent.* It is the intent of this Ordinance that expenditures in the Town of Watertown shall be financed insofar as possible in equitable proportion to the benefits and services received by its inhabitants. The costs of services, facilities and improvements, which are of general benefit and for general governmental purposes, shall be borne by all the inhabitants of the Town.

IV.2 *Definition of Special Benefits.* As of the effective date of this Ordinance, certain services, facilities and improvements are not deemed of general

benefit to the Town but benefit specially some distinct area of the Town or a particular segment of the inhabitants of the Town. These special benefits and general benefits may be redefined from time to time by ordinance of the Town Council upon recommendation of the Watertown Water and Sewer Authority.

IV.3 *Special Benefits Basis for Service Charges.* As of the effective date of this Ordinance, the services and facilities provided by the Town which are deemed of a special benefit nature are:

(a) the development of water resources, including the services and repayment of the debt incurred prior to the effective date of this Ordinance for the construction of water tanks, reservoirs, cisterns, wells, pumps, water mains and hydrants; the service and retirement of the debt of the Oakville Fire District as constituted prior to the effective date of this Ordinance;

(b) the collection and disposal of sewage, including the service and repayment of the debt incurred prior to the effective date of this Ordinance for the installation of sewers and appurtenant facilities by the former Oakville Fire District and the Town.

IV.4 *Special Benefits.* Fire Hydrants, Public Lands and Buildings. No general tax shall be levied on the Town of Watertown to provide for the costs of special benefits and no appropriation shall be introduced or passed by the Town Council to place any burden therefore on the Town of Watertown with respect thereto except as provided in Section IV.6, but the costs of special benefits shall be provided by special assessments, user service charges, special taxes or other charges made against the persons or areas receiving the special benefits, the costs of which shall be met as hereinafter provided. Nothing herein shall be construed as to prevent the Town of Watertown from paying as a general governmental function costs of public fire protection involved in the usage and servicing of fire hydrants and the servicing of public lands, improvements and buildings of the Town of Watertown, or other purposes which the Town Council may from time to time designate by ordinance.

IV.5 *Rates for Water and Sewer Use Charges.* The Water and Sewer Authority may establish just and equitable rates or charges for the use of the Water and Sewer Works System, to be paid by the owner of each lot or building which is connected with and uses such systems and may change such rates or charges from time to time. Such rates or charges shall be sufficient in each year for the payment of the expenses of operation, repair, replacements and maintenance of such systems and for the payment of the

sums herein required to be paid into the appropriate Capital Fund Accounts.

No such rate or charge shall be established until after a public hearing at which the users of the Water and/or Sewer Works Systems and the owners of property served or to be served and others interested shall have an opportunity to be heard concerning such proposed rate or charge. Notice of such hearing shall be given at least ten (10) days before the date set therefor, in a newspaper having a circulation in the Town. Such notice shall set forth a schedule of rates or charges, and a copy of such rates or charges established shall be kept on file in the office of the Authority and in the office of the Town Clerk, and shall be open to inspection by the public. The rates or charges so established for any class of users or property served shall be extended to cover any additional premises thereafter served which are within the same class, without the necessity of a hearing thereon. Any change in such rates or charges may be made in the same manner in which they were established, provided, if any change is made subsequently pro-rata as to all classes of service, no hearing shall be required.

Such rates or charges, if not paid when due, shall constitute a lien upon the premises served and a charge against the owners thereto, which lien and charge shall bear interest at the same rate as would apply on unpaid taxes, if the Authority deems it advisable to file such lien in order to enforce collection. Such lien shall take precedence over all other liens and encumbrances except taxes and may be foreclosed against the lot or building served in the same manner as a lien for taxes.

The amount of any such rate or charge, which remains due and unpaid for thirty (30) days may, with reasonable attorney fees, be recovered by the Authority in a civil action in the name of the Authority against such owner. The Authority has the additional right to shut off services for failure to pay water and/or sewer use charges when past due for sixty (60) days. Such power is in addition to other rights of the Authority as set forth above.

The Town of Watertown shall be subject to the same rates and charges and under the same conditions by class of property served as other users of the Water and/or Sewer Works Systems.

IV.6 *Extraordinary Capital Improvements.* Nothing herein shall be construed to prevent the Town Council upon recommendation of the Water and Sewer Authority or its successor from providing that any land or improvement, building or a part thereof, used or to be used by either the Water System or the Sewage System may be deemed of general benefit to the entire Town and for general governmental purposes and that the cost

thereof shall be borne entirely by all the inhabitants of the Town of Watertown or in a proportion recommended by the Water and Sewer Authority and approved by the Town Council.

V. Extension of Water and Sewage Facilities

V.1 ***Assessment of Benefits and Damages.*** Extension of water mains and facilities or sewers may be initiated by the Water and Sewer Authority or by petition by property owners in such manner and in such form as may be prescribed by Ordinance or Regulation. However, when such proposal is initiated, the Water and Sewer Authority shall conduct a thorough investigation of the financial and engineering problems that may be involved in the project, calling upon the assistance of any administrative officer or department, and shall by resolution make a determination whether accomplishment of such project is a matter of public convenience and necessity and should be proceeded with forthwith. The intention of the Water and Sewer Authority to proceed with such work or improvement, including a description in general terms of the lands to be assessed for benefits and an estimate of the cost of such work and improvement, shall be embodied in a resolution which shall be published in the manner provided by Section 307 of the Town Charter. Any person affected may at any time within thirty days after publication of the passage of such resolution appeal to a court of competent jurisdiction on the sole question of the right of the Water and Sewer Authority to proceed with such work or improvement. At the expiration of said thirty (30) days, the Water and Sewer Authority, provided all other provisions of this Ordinance are complied with, may proceed with the actual layout and construction of the work or improvement, without regard to subsequent proceedings concerning the assessment of benefits and damages.

Thereupon, if the owners of property are to be assessed only for the acquisition of land or any interest therein, or rights in, under or over the same, the Water and Sewer Authority shall assess the benefits to be charged and the damages to be credited in respect to each parcel or real estate within the assessment area as determined by the Water and Sewer Authority. If, however, the owners of property are to be assessed for any or all of the cost of constructing the work or improvement, the Water and Sewer Authority shall not proceed with assessment of benefits and damages until the contract or contracts for the work or improvements are let.

The Water and Sewer Authority shall cause its assessment of benefit and damages, in respect to the work or improvements to be done, to be published twice in a newspaper of general circulation in the Town of Watertown and shall file a certified copy thereof with the Town Clerk. The Authority shall

mail, postage paid, a notice of such assessment to each owner of land affected thereby, as the names of such owners appear on the last completed grand list of the Town of Watertown or at any later address of which the Authority may have knowledge, provided failure on the part of any owner or owners of land affected thereby to receive such notice shall not affect the validity of the assessment or any proceedings relating thereto.

- V.2 Assessments.** Entire Cost to be borne by Properties Benefited. In accordance with the provisions of Section IV.4, the entire cost of extension of water mains and sewers are special benefits to be paid, in the form of assessments by the property owners benefited, thereby except in the area of the former Oakville Fire District, such sanitary sewer installations and water installation shall be assessed in the same manner using the same formula and practice in effect prior to adoption of consolidation and that water mains anywhere within the jurisdiction of the Authority be financed by either direct assessment, the issuance of revenue bonds, or by a combination of both methods as determined by the Water and Sewer Authority. However, if extraordinary conditions are encountered, making the cost of such improvements appreciably larger than usual, the Water and Sewer Authority may charge such extraordinary costs to a special contingency fund to be created for said purpose.
- V.3 Collection of Special Assessments.** All amounts due to said Town of Watertown as special benefits under the preceding sections may be collected by warrant under the hand of the Chair of the Water and Sewer Authority directed to the Town Manager, who may enforce the collection of the same in the same manner in which tax warrants are collected. Every such amount shall remain a lien upon the land or other property with reference to which it is made, and said lien shall have the same validity and effect, and be subject to the same liabilities, and be enforced in the same manner as provided in this Ordinance or in the Charter of the Town of Watertown. It is further provided that in no case, either of agreement or assessment, shall the aggregate amount of special benefits exceed the cost of such improvements, including damages paid and construction expenses, as established by the Water and Sewer Authority.
- V.4 Assessment.** Authority Not Limited to Abutting Properties. In assessing benefits for extensions of water services or sewers, the Water and Sewer Authority making the same, shall not be limited to property abutting on said improvements but may assess benefits upon any person whose property in its sound discretion and judgment, is thereby specially benefited. Benefits of a general community nature may be assessed against the Town.

V.5 *Appeals from Assessments.* Any person aggrieved by the assessment of benefits and damage by the Water and Sewer Authority may, at any time within thirty (30) days after the same have been filed with the Town Clerk, appeal to a court of competent jurisdiction, for a reassessment of such damages or such benefit so far as the same shall affect such applicant. Such appeal shall ask for a reappraisal of damages or reassessments of benefits, shall adequately describe the assessment which is being appealed from and the party or parties appealing, the parcel or parcels of property damaged or assessed and included in the appeal, and shall be served upon the Town Clerk in the manner provided for the service of civil process. Any number of parties interested may join in such appeal and if separate appeals are taken by different parties from one assessment or award, all such appeals shall be heard and tried as one cause. The assessment determined by the court shall be conclusive upon such owner and the Town of Watertown. The Town shall pay to any landowner the amount of damages less the amount of benefits assessed in respect of this property upon certification of the amount by the clerk of said court and acceptance thereof by the property owner. Said Clerk shall notify the Water and Sewer Authority in writing when any assessment or reassessment of benefits and damages shall have been accepted. The amount of such benefits, after deducting the amount of damages so assessed by such authority or reassessed by the court, shall constitute a lien upon the land against which said benefits were assessed from the date of the final passage of the resolution of intention to proceed until the amount thereof shall have been paid by the owner of such land to the Town of Watertown, with interest at such rate commencing at such time and with such provision for the payment of the assessment in installments, and the issuance of assessment certificates, as may be provided by Ordinance No such lien shall continue against land unless notice of the same shall be filed by the Water and Sewer Authority with the Town Clerk within thirty (30) days after the filing of such assessment or after the acceptance by the court of such reassessment.

VI. Additional Powers of the Water and Sewer Authority

VI.1 *Transfer of Sewer Function from the Department of Public Works and the Abolition of the Watertown Water and Sewer Commission.* The authority of the Department of Public Works over sewers set forth in Section 603 of the Watertown Chapter effective July 6, 1961, is hereby transferred to the Water and Sewer Authority. The personnel of the Water and Sewer Authority shall, however, constitute a functional department which shall be an integral operating section of the Department of Public Works. The Watertown Water and Sewer Commission established by Ordinance of the Town Council of the Town of Watertown dated September

18, 1962 is hereby abolished and its functions are transferred to the Water and Sewer Authority.

VII. Right of Eminent Domain

The Watertown Water and Sewer Authority shall have the right to eminent domain in accordance with Chapter 103 and other applicable provisions of the General Statutes.

VIII. Disposition of Funds

VIII.1 *Water Operating Fund Account.* A separate account shall be kept on all revenue received, or in any way derived from water rents, or service charges or penalties, and shall be used for the payment of the ordinary and current expenses of the Water Works, including salaries of officers, agents and employees; the repair and maintenance of the system and for the payment of interest on the water bonds outstanding on the effective date of this Ordinance and assumed by the Town of Watertown and for the redemption of said bonds. The necessary and appropriate proportion of either the Water Operating Funds, or the General Funds of the Oakville Fire District at the effective date of consolidation shall be transferred to the Water Operating Fund Account of the Town of Watertown. A surplus in the Water Operating Fund Account may be transferred to the Water Capital Fund Account by a vote of the majority of the Water and Sewer Authority established.

VIII.2 *Water Capital Fund Account.* A separate account shall be kept of all revenue received, or in any way derived from assessments for water service extensions to be known as the Water Capital Fund Account. Transfers from the Water Operating Fund Account shall be added to the revenues received from the above sources. This Fund so established, shall be used for the payment of water bonds upon maturity and interest charges and any surplus may be retained in the fund for water bond retirement and redemption. Upon a majority vote of the Water and Sewer Authority established, funds from the Water Capital Fund Account may be used for the extension of water facilities or to defray the costs of Capital Improvements to the system.

VIII.3 *Sewer Operating Fund Account.* A separate account shall be kept of all revenue received, or in any way derived from sewer service charges or penalties, and shall be used for the payment of the ordinary and current expenses of the Sewer System, including salaries of officers, agents and employees; the repair and maintenance of the system and for the payment of interest on the sewer bonds outstanding on the effective date of this Ordinance and assumed by the Town of Watertown and for redemption of

said bonds. The necessary and appropriate proportion of either the Sewer Operating Funds, or the General Fund Account of the Town of Watertown. A surplus of the Sewer Operating Fund Account may be transferred to the Sewer Capital Fund Account by a vote of the majority of the Water and Sewer Authority established.

VIII.4 Sewer Capital Fund Account. A separate account shall be kept of all revenue received, or in any way derived from assessments for sewer service extension to be known as the Sewer Capital Fund Account. Transfers from the Sewer Operating Fund Account shall be added to the revenues received from the above sources. This Fund so established, shall be used for the payment of sewer bonds upon maturity and interest charges and any surplus may be retained in the fund for sewer bond retirement and redemption. Upon a majority vote of the Water and Sewer Authority established, funds from the Sewer Capital Fund Account may be used for the extension of sewer facilities or to defray the costs of Capital Improvements to the system.

IX. Transfer of Functions

- IX.1 *Street Lighting.*** All authority or control of street lighting in the Oakville Fire District is hereby transferred to and vested in the Department of Public Works of the Town of Watertown.
- IX.2 *Protective Clause.*** All other functions of the Oakville Fire District, not hereto covered, are hereby transferred to existing departments or offices of the Town of Watertown.

X. Borrowing for Water and Sewer Facilities

- X.1 *Financing.*** Should the Water and Sewer Authority deem it necessary to request the Town of Watertown to borrow money for water and sewer facilities, it shall pass a resolution requesting the Town Council to incur indebtedness for such purposes, and may include in its resolution a certification that the bonds will be self liquidating. The borrowing of funds shall be pursuant to the applicable provisions of Section 709 of the Town Charter, effective July 6, 1961, or any applicable amendments thereto.

XI. Finance Expenditures

- XI.1 *Power of Authority to Finance Expenditures.*** The Water and Sewer Authority is hereby made subject to the applicable provisions of Chapter

VII of the Town Charter concerning preparation of a budget, expenditures, etc. embraced in Sections 701 to 709 inclusive of the Town Charter.

XII. Present Employees to Retain Positions

XII.1 *Personnel.* All persons holding regular full time positions in the service of the Oakville Fire District on the effective date of this Consolidation Ordinance shall retain such positions in accordance with the provisions of Section 902 of the Charter of the Town of Watertown. All pension rights and liabilities of employees of the Oakville Fire District shall be hereby assumed by the Town of Watertown.

XIII. Legal Proceedings

In accordance with Section 905 of the Town Charter no action or proceedings, civil or criminal, pending on the effective date of this Consolidation Ordinance is hereby known as Ordinance, brought by or against the Town or the Oakville Fire District or any commission, board, department, or office thereof, shall be affected or abated by the adoption of this Ordinance or by anything herein contained; but all such actions or proceedings may be continued notwithstanding that functions, powers and duties of any commission, board, department, or office, party thereto may by, or under this Ordinance be assigned or transferred to another commission, board, department, or office, but in the event the same may be prosecuted or defended by the head of the commission, board, department, or office to which such functions, powers and duties have been assigned or transferred by or under this Ordinance.

XIV. Existing Laws and Ordinances

All general laws in their application to the Town of Watertown and all ordinances and by-laws of the Town shall continue in full force and effect, except insofar as they are inconsistent with the provisions of this Consolidation Ordinance. All special acts or parts of special acts relating to the Town of Watertown, inconsistent with the provisions of this Consolidation Ordinance, are repealed.

XV. Constitutionality

In case any portion of this Consolidation Ordinance shall at any time be found to be unconstitutional, such finding shall not affect the remainder thereof, but as to such remainder, this shall remain in full force and effect until amended, repealed or superseded. (*Rev. 11/06/73*)