

CHAPTER III. OFFICERS AND ELECTIONS

Sec. 3.1 General.

This chapter provides for the election and incumbency of citizens to public office in the Town and for procedures and timing of the election process.

Sec. 3.2 Election of state and federal officers.

Nomination and election of state and federal officers, State Senators and Representatives, Judge of Probate, Registrars of Voters and thirty (30) Justices of the Peace shall be conducted, and the Registrars of Voters shall prepare lists of electors qualified to vote thereon, in the manner prescribed by the Constitution and the CGS. The Registrars of Voters shall be elected as prescribed by CGS and as stipulated by ordinance.

Sec. 3.3 General town elections.

A general election shall be held on the first Tuesday after the first Monday of November 2009 and biennially thereafter. Said general election shall be for the purpose of electing the following town officers for the terms indicated. In addition to the powers and duties set forth in the Charter, all town officers shall have all the powers and duties granted by the CGS. Unless otherwise specified in CGS, the terms of all elected officers shall commence on the first Tuesday of December following their election, except for the Town Clerk and the Registrars of Voters, and they shall hold office until their successors have been elected and qualified. The terms of the Town Clerk and the Registrars of Voters shall commence as prescribed by ordinance. All town officers shall be nominated and elected as provided for in the CGS.

3.3.1 Representative Town Meeting (RTM).

Not more than forty-five (45) members of the RTM each for a term of two (2) years; minority representation per CGS shall apply to the RTM and as is consistent with Section 4.2.3.

3.3.2 Town Council (Council).

Nine (9) members of the Council each for a term of two (2) years; minority representation shall not apply to the Council per exception in CGS 9-167a.

3.3.3 Town Clerk.

A Town Clerk for a term of four (4) years.

3.3.4 Board of Education (BOE).

Election to the BOE shall be in accordance with CGS. Nine (9) members shall be elected, each for a term of four (4) years. Existing members' terms on the effective date of the Charter shall remain unchanged. Terms shall be staggered as follows: four (4) members shall be elected in November 2009 and five (5) members shall be elected in November 2011. Thereafter, members shall continue to be elected in the same staggered pattern. Minority representation per CGS shall apply to the BOE.

Sec. 3.4 Breaking an election tie.

3.4.1 General.

When, as a result of any general municipal or special election held under the provisions of the Charter, it is necessary to break a tie, except as provided in Section 3.4.2, a special election confined to the tied candidates shall be called as required by CGS to determine which candidate is elected.

3.4.2 Representative Town Meeting (RTM).

In case of a tie in the election of a member of the RTM, the other members of that district in which the tie vote occurs shall, by ballot, at the first meeting of the newly-elected RTM, determine which of the tied candidates shall serve as members.

Sec. 3.5 Eligibility to hold town office.

3.5.1 Residence.

No person shall be eligible for election to any office in the town government who is not at the time of the election a resident elector of said Town, and any person ceasing to be a resident or elector of said Town shall thereupon cease to hold elective office in the Town.

3.5.2 *Holding multiple offices.*

No elected official may occupy at the same time another elective office nor be appointed to serve as a member of any permanent town ABC, which was created pursuant to the specific provisions of the CGS. No appointed member of any permanent town ABC, which was created pursuant to the specific provisions of a CGS shall serve as a member of any other statutorily authorized town ABC, or hold any elective town office at the same time. These prohibitions shall not apply in any case where dual office-holding is authorized by the CGS.

3.5.3 *Conflict of interest.*

No elected or appointed official, member of any town ABC, or town employee shall use his/her official position or office, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he/she knows, or has reason to believe, may result in a personal or financial gain, or will suffer a direct monetary loss as the case may be, by reason of his/her official activity as stated in the CGS.

Any conflicts of interest in matters of the Town shall be disclosed orally at the time such interest may be considered a conflict. Such person shall recuse himself /herself from the decision-making process.

No elected or appointed official, member of any town ABC, or town employee shall disclose or use any confidential information obtained in an official capacity except in the discharge of his/her duties. The term "confidential" shall not be used to restrict the release of any information that is properly available to the public.

No elected or appointed official, member of any town ABC, or town employee shall accept gifts or services or other items from any person or entity currently doing business with the Town except those of negligible intrinsic value.

The Council shall establish a Code of Ethics by ordinance and an Ethics Commission consisting of at least five (5) members appointed by the Council.

Sec. 3.6 Vacancies in elective office.

3.6.1 *General.*

Any vacancy in any elective town office, except that of RTM member or member of the BOE, from whatever cause arising, shall be filled by appointment by the Council for the unexpired portion of the term or until the next biennial election, whichever shall be sooner. If there shall be 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 for the unexpired portion of the term; provided, when the person vacating the office has been elected as a member of a political party, such vacancy shall be filled by the appointment or election of a member of the same political party. If such vacancy is not so filled by the Council within forty-five (45) days from the time of its happening, the RTM shall fill the same.

3.6.2 *Vacancies in the RTM.*

Any vacancy in the membership of the RTM from any district, whether arising from a failure of the electors thereof to elect, or from any other cause, shall be filled by the remaining representatives of the district from among the electors thereof; provided, when the person vacating the office has been elected as a member of a political party, such vacancy shall be filled by the election of a member of the same political party. Notice of any such vacancy shall promptly be given by the Town Clerk to the remaining representatives from the district in which the vacancy or vacancies exist, and the Town Clerk shall call a special meeting of such representatives for the purpose of filling any vacancy. The Town Clerk shall cause to be mailed to every such representative, not less than five (5) days before the time set for the meeting, a notice specifying the object, time and place of the meeting. At such meeting, a majority of the representatives from such district shall constitute a quorum, and they shall elect from their number a chairman and a clerk whose rights to vote at such meeting shall not be affected by their election to their respective offices. The election to fill any vacancy shall be by ballot and a majority of the votes cast shall be required for a choice. The chairman and clerk shall count the ballots and shall make a certificate of the result and forthwith file the same with the Town Clerk, together with a written acceptance by the representative or representatives so chosen, who shall thereupon be deemed elected and qualified as an RTM member.

3.6.3 *Vacancies in the Board of Education (BOE).*

Any vacancy in the BOE, from whatever cause, shall be filled until the next biennial election by appointment by the remaining members of the BOE; provided, when the person vacating the office has been elected as a member of a political party, such vacancy shall be filled by the appointment of a member of the same political party.

Sec. 3.7 Voting districts.

All officers of the Town who are chosen by election, except RTM representatives, shall be elected at large. The voting districts shall continue to be as established on the effective date of the Charter provided the Council may, from time to time, by ordinance, redivide the Town into voting districts and establish polling places therein pursuant to CGS.