

CHAPTER VIII. AGENCIES, AUTHORITIES, BOARDS, COMMISSIONS, COMMITTEES, COUNCILS; APPOINTED OFFICERS

Sec. 8.1 General.

The Council may, at its discretion, create or eliminate agencies, authorities, boards, commissions, committees, or councils (ABC), either permanent or non-permanent consistent with the CGS or ordinance or resolution.

8.1.1 Eligibility for membership.

Members of all appointive ABC, with the exception of advisory boards or other bodies specifically exempted, shall be resident electors of the Town. After selection and notification they shall be sworn in by the Town Clerk or designee before having the right to participate and to vote. Any member ceasing to be a resident elector of the Town shall immediately cease to be a member of such ABC and the position shall be deemed vacant.

8.1.2 Appointment.

All appointments shall be in accordance with a policy approved by the Council or the Town Manager as appropriate. Minority representation shall apply as per CGS Sec. 9-167a.

8.1.3 Reappointment.

Upon expiration of appointment, all regular and alternate members of ABC shall continue to serve until they have been reappointed or replaced, unless such member provides a written statement to the Town Clerk that he/she no longer wishes to serve.

8.1.4 Officers.

Unless otherwise specified by CGS, the members of all appointive ABC shall elect a chairperson, vice chairperson and secretary. Such election shall take place annually at the first meeting in January or at the first meeting with a quorum, whichever occurs first.

8.1.5 Removal.

8.1.5.1 A regular or alternate member of any appointive ABC may be removed for cause by at least seven (7) votes of the Council or by the Town Manager as appropriate appointing authority. Just cause may include: 1) failure to attend at least sixty (60) percent of the regular meetings without reasonable explanation during any calendar year; 2) failure to comply with the duties and obligations imposed by local, state or federal law; 3) violation of the Town Code of Ethics if such exists.

8.1.5.2 No member or alternate of any ABC shall be removed until he/she has been notified by certified mail with a written statement indicating why he/she should be removed. Proof of mailing shall be considered adequate notification. Not sooner than four (4) weeks after mailing, the Council or Town Manager shall convene a public hearing at which the regular or alternate member may appear with counsel. Not later than three (3) weeks after the close of said public hearing, the Council shall vote or the Town Manager, as appropriate, shall take action to remove the member.

8.1.5.3 Any regular or alternate member who has been removed from any ABC shall be ineligible to be a regular or alternate member on any agency, authority, board, commission or committee for a period of not less than one (1) year.

8.1.6 Guidebook.

Descriptions of individual ABC shall be in accordance with the laws which have established them and delineated in a Council-approved Town publication: "Guidebook to the Agencies, Authorities, Boards, Commissions, Committees and Councils."

8.1.7 Continuation.

Unless otherwise specified by CGS, all ABC in existence on the effective date of the Charter shall remain in existence until such time, if any, that the Council eliminates it pursuant to the provisions of Section 8.1.

Sec. 8.2 Town Attorney.

8.2.1 Appointment and Qualification.

The Council shall, by majority vote at a meeting held not later than one-hundred twenty (120) days after the general town election, appoint a Town Attorney to serve until his/her successor shall be appointed and qualified. The Town

Attorney shall be an attorney-at-law admitted to the practice before all the courts of the State of Connecticut and the Federal District Court of Connecticut.

8.2.2 *Duties.*

The Town Attorney shall appear for and protect the rights of the Town in all actions, suits or proceedings at law including administrative proceedings brought against the Town or any of its departments, officers, ABC, including the Board of Education (BOE) and any ABC of the Town which may hereinafter be created by the legislative action of the State of Connecticut or by the legislative action of the Town.

The Town Attorney shall be the legal advisor to the Council, RTM, Town Manager, Town Clerk, and all department directors, ABC including the Board of Education (BOE) and any ABC which may hereinafter be created as set forth above. The Town Attorney may render legal opinions concerning any legal question affecting the Town directly to the Council upon his/her own authority as the legal officer of the Town; or at the request of any Councilor, Moderator of the RTM, Town Manager, Town Clerk, chairperson of any ABC, including the chairperson of the BOE and the Superintendent of Schools, he/she shall furnish them with an opinion upon any question of law affecting the Town of Groton or their respective powers and duties, which opinion shall, if requested, be in writing.

The Town Attorney shall have the authority to prepare or approve the form of all legal documents, and render opinions upon the legality of ordinances, contracts and any other instruments to which the Town is a party or in which it has a legal interest. The Town Attorney shall have the power, with the approval of the Council, to appeal from court orders, decisions and/or judgments affecting the Town or any of its ABC, and subject to the approval of the Council, to compromise or settle any claim by or against the Town.

The Town Attorney shall have the powers, subject to approval of the Council, to appoint attorneys to perform services in a specialized area of the law or to assist him/her in the regular performance of his/her duties. It shall be the duty of the Town Attorney to recommend to the Council the terms of employment of said attorney(s).

8.2.3 *Successor and Interim Town Attorney.*

Upon the resignation, removal, death or permanent disability of the Town Attorney, the Council shall appoint a successor Town Attorney for the unexpired portion of the term remaining; in the case of temporary incapacity the Council may appoint an interim Town Attorney until such time as the regular Town Attorney is able to resume the duties required of him/her.

Sec. 8.3 Town Auditor.

The Council shall appoint annually a town auditor or auditors to audit all records of all town funds appropriated, nonappropriated or held in town trust.

Sec. 8.4 Board of Assessment Appeals.

The Council shall appoint a Board of Assessment Appeals (BAA) for terms of three (3) years unless otherwise specified by CGS. Members of the BAA, at the time this amendment becomes effective, shall continue to serve the remainder of their appointed terms. Powers and duties of the BAA shall be consistent with CGS.