

## **CHAPTER I. INCORPORATION AND GENERAL POWERS**

### **Section 101. Incorporation.**

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

### **Section 102. General Grant of Powers.**

In addition *to* all powers granted to towns under the Constitution and General Statutes of the State of Connecticut, the Town shall have all powers specifically granted by this Charter, all powers reasonably implied in or incident to the powers expressly granted, and all other powers incident to the management of the property, government and affairs of the Town, including the power to enter into contracts with the United States or any federal agency, the State of Connecticut or any political subdivision thereof, any persons, regional agencies or any private organization, for materials, 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, federal law and regulation and the U.S. Constitution. 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 in addition thereto.

### **Section 103. Rights and Obligations.**

All property, both real and personal, all rights of action and rights of every description and all securities and liens existing in the Town as of the effective date of this Charter are continued. The Town shall continue to be liable for its debts and obligations. Nothing herein shall be construed to affect the right of the Town to collect any assessment, charge, debt, or lien. Any contract, agreement, bond or undertaking entered into by or provided for the benefit of the Town before the effective date of this Charter containing provisions calling for performance by or for the benefit of any office, board or commission abolished or superseded by this Charter shall continue in full force and effect. The powers conferred and the duties imposed with reference to any such contract, agreement, bond or undertaking upon any such abolished office, board or commission shall, except as otherwise provided in this Charter, thereafter be exercised and discharged by the Board of Selectmen.

### **Section 104. Existing Laws and Ordinances.**

- A. All ordinances of the Town and all rules and regulations of Town commissions, boards, departments and agencies shall continue in full force and effect, except that insofar as they are inconsistent with the provisions of this Charter or are repealed, they shall have no further force or effect after the effective date of this Charter.

- B. The provisions of this Charter are subject to the Connecticut General Statutes and Public Acts except those which strictly relate to municipal affairs which have been delegated to the Town by Connecticut's Home Rule Act, Section 7-87, et seq.

### **Section 105. Definitions and Usage.**

- A. Whenever the context so requires, the singular shall include the plural, the plural shall include the singular, and the masculine shall include the feminine.
- B. Unless otherwise required by law, whenever a period of time is specified for the giving of notice or taking any other legal action, the date that such notice is given shall be included in calculating such period of time, but the date of the event identified in such notice shall be excluded. In calculating a period of time defined as a certain number of "business days," Saturdays, Sundays and legal holidays shall be excluded from such period of time defined as a certain number of "business days"; however, Saturdays, Sundays and legal holidays shall be included in the calculating all other such periods of time.
- C. The following terms, when used herein, shall have the meaning set forth below:
1. "Advisory Body" shall mean any appointed Town board or commission that provides advice to the Board of Selectmen and is not a Governing Board.<sup>1</sup>
  2. "Annual Budget" shall mean the adopted budget for the Town of Woodbury, approved as set forth in Section 702 of this Charter.<sup>2</sup>
  3. "Annual Budget Meeting" shall mean the Town Meeting held for purposes of adopting the Annual Budget, as set forth in Section 702 of this Charter.<sup>3</sup>
  4. "Annual Municipal Budget" shall mean the amount of funding the Town shall be obligated to contribute to the adopted Region 14 budget.<sup>4</sup>
  5. "Boxholder" shall mean a person who has a mailing address within the Town of Woodbury recognized by the US Postal Service.
  6. "Constitution" shall mean the Constitution of the State of Connecticut.
  7. "Elector" shall have the meaning set forth in Section 9-1 of the General Statutes.

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<sup>1</sup> To be discussed 1/29/25

<sup>2</sup> CTSH Proposal made 1/29/25

<sup>3</sup> CTSH Proposal made 1/29/25

<sup>4</sup> CTSH Proposal made 1/29/25

8. "Final Proposed Annual Budget" shall mean the budget presented to the Annual Budget Meeting by the Board of Finance as set forth in Section 702(C) of this Charter.<sup>5</sup>
9. "General Statutes" shall mean the General Statutes of the State of Connecticut in effect on the date hereof and as may be amended hereafter.
10. "Governing Board" shall mean any appointed board or commission that receives, maintains, manages, directs, advises, administers, controls or has the right to receive, maintain, manage, direct, advise, administer, or control any devise, bequest, gift, fund, grant, appropriation, investment, loan or other monies.<sup>6</sup>
11. "Municipal Election" shall have the meaning set forth in Section 9-1 of the General Statutes.
12. "Operational Surplus" shall mean the net results from operations for the year preceding the proposed budget which may be used as a funding source in<sup>7</sup> the proposed budget at the<sup>8</sup> Board of Finance's<sup>9</sup> discretion.
13. "Ordinances" shall mean the Code of Ordinances of the Town of Woodbury.
14. "Pay Plan" shall mean a supporting schedule of wage and salary levels applicable to all Town employee personnel classifications.
15. "Proposed Annual Budget" shall mean the budget submitted by the Board of Finance for public hearing in accordance with Section 702(C) of this Charter.<sup>10</sup>
16. "Proposed BOS Budget" shall mean the proposed budget recommended by the Board of Selectmen and submitted to the Board of Finance in accordance with Section 702(B) of this Charter.<sup>11</sup>
17. "Public Hearing" shall mean a publicly noticed Town meeting or other official proceeding wherein testimony may be offered by interested parties and the public on a specific issue, topic, or agenda item.<sup>12</sup>
18. "Registry List" shall mean the list of registered voters maintained by the Town Registrars.

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<sup>5</sup> CTSH Proposal made 1/29/25

<sup>6</sup> To be discussed 1/29/25

<sup>7</sup> Per B. Stevens' 07/11/2024 edits.

<sup>8</sup> Per B. Stevens' 07/11/2024 edits.

<sup>9</sup> Addressed at the May 8, 2024 meeting.

<sup>10</sup> CTSH Proposal made 1/29/25

<sup>11</sup> CTSH Proposal made 1/29/25

<sup>12</sup> Addressed at the June 3, 2024 meeting.

19. "Strategic Plan" shall mean the strategic plan for the Town of Woodbury, prepared and adopted as set forth in Section 402 of this Charter.<sup>13</sup>
20. "Town Bulletin Board" shall mean an exterior place or signpost near the office of the Woodbury Town Clerk designated for posting warnings of town meetings.<sup>14</sup>
21. "Town Counsel" shall mean the attorney selected to represent the Town, as provided in this Charter.
22. "Unassigned Fund Balance" shall mean accumulated surplus available at Board of Finance's discretion consistent with the Fund's policy.<sup>15</sup>
23. "Voter" shall mean persons eligible to vote as set forth in Section 7-6 of the General Statutes.
24. "Vote by Voting Tabulator" shall mean vote by a machine, including, but not limited to, a device which operates by electronic means, for the registering and recording of votes cast at elections, primaries, and referenda.<sup>16</sup>

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<sup>13</sup> To be discussed 1/29/25

<sup>14</sup> Addressed at the May 13, 2024 meeting. Adopted on July 10, 2024.

<sup>15</sup> Addressed at the May 8, 2024 meeting.

<sup>16</sup> Adopted on July 10, 2024.