

July 7, 2008

ENCLOSURE (2)

LISTING OF CHANGES TO THE CURRENT CHARTER

In view of the many changes in format, organization and content, it is felt that a listing of significant changes to the current Charter would permit easier review. In addition, the inclusion of new material is also listed. Some sections have been retained but have been renumbered due to the reorganization.

Chapters and sections referenced are those of the current 1987 Charter.

Chapter I Incorporation and Powers

Sec. 1.4 The long list of specific powers is, mostly, a duplication of Connecticut General Statutes (CGS) and has been removed. Other items are considered unnecessary or are referenced in other portions of the Charter.

Chapter II Officers and Electors

Sec. 2.2 Following a general town election, the installation of the new electees has been moved to the first Tuesday of December following the election. This is to allow for correction of problems in the election, tie vote run-off or challenges.

In all sub-sections appropriate, reference has been made as to whether the restrictions of CGS on minority representation apply. (Council – no, RTM and Board of Education – yes, Town Clerk – not applicable.)

Sec. 2.7.3 Conflict of Interest has been expanded. A requirement for an Ethics Ordinance and the establishment of an Ethics Commission has been added.

Chapter IV The Town Council

Sec. 4.2 A provision has been added which permits a vote of 6 of the 8 other Councilors to change the designated Chairman of the Council.

Sec. 4.5.2 The discussion of ordinances has been collected from all sections and reorganized and consolidated in a new section, 5.5. There are no changes in the process.

Sec. 4.5.5 Penalties may still be assessed by the Council, but the \$500 number has been removed as it is subject to CGS.

Sec. 4.8 The prohibitions on RTM and Council to give orders or directions to staff have been retained, however a softening of words allows “discussions” with staff members. An addition recognizing Freedom of Information rights of RTM, Board of Education (BOE), and Council members has been included.

Sec. 4.9 The Town Clerk section has been expanded.

Chapter V Appointive Officers – Boards and Commissions

Sec. 5.3 thru 5.10 All listings of specific Boards and Commissions and other bodies have been removed from the Charter. This is to allow flexibility for changes without having to go through changing the Charter. It is intended that the Council would formally designate the town publication on Boards and Commissions to be the legal authority. This publication can be changed as necessary. Procedures on filling and removing personnel from Boards and Commissions have not changed except for requiring six votes for removal rather than seven.

Sec. 5.11 The position of Town Fire Marshal has been eliminated, recognizing that each of the fire districts appoints its own Fire Marshal.

Sec. 5.12 The Personnel Appeals Board has been eliminated.

Chapter VI The Town Manager

Sec. 6.1.2 Minor clarification to add that in the removal of the Town Manager, termination pay shall be in accordance with the negotiated contract.

Sec. 6.4 The description of the Conservation Commission will be covered by the publication authorizing Boards and Commissions referenced in Sec. 5.3 through 5.10 above.

Chapter VII Departments

This chapter has been eliminated. It is expected that the Council will formally approve a format for the departmental structure of the Town. A super-majority (6 votes) of the Council would be required to change the structure. This allows both the Town Manager and the Council some flexibility to change structure as desired. Discussion of Sec. 7.2 Finance and Sec. 7.2.4 Purchasing has been moved to a new chapter, but is essentially unchanged.

Chapter VIII Finance and Taxation

Throughout this chapter, all references to the number of days before the end of the fiscal year have been converted to the actual month and date.

Sec. 8.3 The Town Manager has been authorized to comment on the budget submissions of the two political subdivisions but not that of the BOE. The BOE budget remains a pass-through.

Sec. 8.4.4 In the event that both the Council and the RTM fail to adopt a budget, the final budget will revert to the budget of the current fiscal year, rather than the budget submitted by the Town Manager as stated in the current Charter.

Sec. 8.5 The dollar value above which an appropriation or transfer of dollars, or the sale or purchase of land, must be submitted to the RTM has been increased from \$2,000 to \$10,000.

Chapter IX The Merit System

This chapter has been rewritten to be in conformance with current personnel practices and standards.

Sec. 9.3 This section has been eliminated.

Significant Additions or Considerations

1. A brief section on the Board of Education has been added in new Chapter VI.
2. There is no provision for a referendum on the Town budget.
3. As noted above, there is a new requirement for an Ethics Ordinance and Commission.