

CHARTER REVISION FINAL ACTION SUMMARY

ITEM A

CHARTER REVISION COMMISSION RECOMMENDATION

1D. Eliminate Requirement for Joint Board of Directors/Board of Education Meeting

Recommendation: The Charter Revision Commission voted 11-0 on February 23, 2022, to eliminate the requirement for a Joint annual meeting between the Board of Directors and the Board of Education.

On July 19, 2022, the Board of Directors referred this back to the Charter Revision Commission to include this requirement but expand the scope to provide for a variety of purposes concerning items of interest to both Boards and allow for flexibility in timing during the year. The Charter Revision Commission voted 10-0 on August 2, 2022, to make no changes to its original recommendation in the draft report.

Discussion/Rationale: Originally, this provision was added in 2003 to have the two Boards meet annually to discuss possible consolidation of services. The Commission believes that a Charter mandate of an annual meeting is no longer necessary. There is no prohibition of such meetings taking place between the two Boards at any time and on any issue.

CHARTER REVISION COMMISSION RECOMMENDED CHARTER LANGUAGE

CHARGE # 1D - ELIMINATE REQUIREMENT FOR JOINT BOARD OF DIRECTORS / BOARD OF EDUCATION MEETING

Section 3-12 of the Town Charter of the Town of Manchester is repealed.

~~[Sec. 3-12 Joint annual meeting of Board of Directors and Board of Education.~~

~~The Board of Directors and the Board of Education shall annually during the month of September attend a joint meeting of the Board of Directors and the Board of Education for the purpose of discussing the possible consolidation of similar functions performed independently by each unit of government. Within sixty (60) days of such meeting the General Manager and Superintendent of Schools shall prepare a written report addressing proposed consolidation efforts discussed by the Boards. Any action to consolidate efforts will require a two thirds vote of each Board to implement and repeal.]~~

Proposed deletions are enclosed in brackets with ~~[strikethrough]~~. Proposed additions are indicated by underline and in UPPERCASE.

ITEM B

CHARTER REVISION COMMISSION RECOMMENDATION

5B. Board of Directors - Compensation

Recommendation: The Charter Revision Commission voted 10-0 on March 21, 2022, to recommend that Section 3-3 of the Town Charter be amended to increase compensation for the Board of Directors as follows: Mayor - \$7,500; Deputy Mayor, Secretary and Minority Leader - \$6,000; members of the Board of Directors - \$5,000 and such compensation shall be adjusted biennially, at the beginning of a new term of office, by the most recent Consumer Price Index for All Urban Consumers (CPI-U) published by the U.S. Bureau of Labor Statistics.

On July 19, 2022, the Board of Directors referred this back to the Charter Revision Commission for the purposes of a) discussing compensation for a position that is not enumerated in the Charter [Minority Leader]; b) consider enumerating that position; c) discussion regarding the manner by which the position is selected; and d) consider the compensation to be implemented no earlier than the 2023 Board. The Charter Revision Commission voted 6-4 on August 2, 2022, to modify its recommendation in the draft report regarding the compensation for members of the Board of Directors to provide for \$7,500 for the Mayor and \$5,000 for all other members of the Board of Directors and to specify that such increase would be effective beginning with the Board of Directors elected in November 2023.

Discussion/Rationale: Compensation for members of the Board of Directors has not been increased since 1996. This recommendation would provide the first increase in 26 years and would tie future increase to a cost-of-living index. **The recommendation would eliminate the enhanced compensation for the Deputy Chairman and the Secretary.**

CHARTER REVISION COMMISSION RECOMMENDED CHARTER LANGUAGE **(as amended 8/2/2022)**

CHARGE # 5 – BOARD OF DIRECTORS COMPENSATION

Sec. 3-3 Compensation.

ON OR AFTER NOVEMBER 20, 2023, The compensation of the members of the Board of Directors shall be as follows: the Chairman shall be paid ~~three thousand~~ **SEVEN THOUSAND FIVE HUNDRED** dollars ~~[((\$3,000.00)]~~ **(\$7,500.00)** annually, ~~[the Deputy Chairman and the Secretary be paid dollars annually,]~~ and the other members of the Board shall be paid ~~two~~ **FIVE** thousand dollars ~~[((\$2,000.00)]~~ **(\$5,000.00)** annually, which sums shall be in full compensation for services rendered. **SUCH COMPENSATION SHALL BE ADJUSTED BIENNIALLY, AT THE BEGINNING OF A NEW TERM OF OFFICE, BY THE MOST RECENT CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U) PUBLISHED BY THE U.S. BUREAU OF LABOR STATISTICS.**

Proposed deletions are enclosed in brackets with ~~[strikethrough]~~. Proposed additions are indicated by underline and in **UPPERCASE**.

ITEM C

CHARTER REVISION COMMISSION RECOMMENDATION

Charge # 8. Review of Section 3-1 of the Town Charter with respect to the formulation of boards and commissions and the appropriateness of establishing those bodies by resolution or ordinance instead, so as to have flexibility in amending their structure and responsibilities absent charter revision.

Recommendation: The Charter Revision Commission voted 10-0 on March 21, 2022, to remove the following boards and commissions from the Town Charter and allow the Board of Directors to establish those bodies by resolution or ordinance instead: 1) Library Board (Sections 2-2, 16-1 and 16-2); 2) Advisory Recreation and Park Commission (Sections 2-2, 14-1, 14-2 and 14-3); and 3) the Advisory Board of Health (Sections 2-2 and 15-1).

The Charter Revision Commission voted 11-0 on May 23, 2022, to amend this initial recommendation and eliminate the Library Board from those Boards and Commissions to be removed from the Charter and be established by resolution or ordinance instead.

The Charter Revision Commission voted 6-5 on May 23, 2022, to expand the role of the Library Board to have the ultimate authority regarding the programs and events offered by the library.

On July 19, 2022, the Board of Directors referred this back to the Charter Revision Commission for the purposes of revisiting the suggested expansion of the Library Board powers. The Charter Revision Commission voted 9-1 on August 2, 2022, to modify its recommendation in the draft report and remove language concerning the powers of the Library Board regarding the programs and events offered by the library.

Discussion/Rationale: The Commission believes that the Advisory Recreation and Park Commission and the Advisory Board of Health are advisory in nature and, as such, would be better established by ordinance or resolution. The Commission recognizes the important role of each of these bodies and encourages the Board of Directors to reestablish each through ordinance or resolution, which can update their missions and adjust the size of their membership, if deemed necessary. The Commission also recommends that other Boards and Commissions with statutory authority remain in the Charter, specifically, the Planning and Zoning Commission, Zoning Board of Appeals, Board of Assessment Appeals and the Ethics Commission.

CHARTER REVISION COMMISSION RECOMMENDED CHARTER LANGUAGE

(as amended 8/2/2022)

CHARGE # 8 - FORMULATION OF CERTAIN BOARDS AND COMMISSIONS BY ORDINANCE OR RESOLUTION AND EXPANDING THE AUTHORITY OF THE LIBRARY BOARD REGARDING THE PROGRAMS AND EVENTS OFFERED BY THE LIBRARY

Sec. 2-2 Officers appointed by the Board of Directors.

There shall be appointed by the Board of Directors for the Town a General Manager, a Planning and Zoning Commission consisting of five (5) members, a Zoning Board of Appeals consisting of five (5) members, and alternates as provided by statute, [~~a Library Board consisting of eleven (11) members,~~] a Board of [~~Tax Review~~] **ASSESSMENT APPEALS** consisting of three (3) members, a Town Attorney, [~~an Advisory Recreation and Park Commission consisting of five (5) members,~~] **AND** an auditor or auditors[~~, and an Advisory Board of Health~~]. The Town may by ordinance or resolution approved by the Board of Directors provide for other offices, departments, boards and commissions and the duties and terms thereof and methods of appointment thereto. All of the officers appointed by the Board of Directors under the provisions of this section, except the General Manager and auditor or auditors, shall be electors of the Town at the time of their appointment, and, with said exceptions, all appointees except as hereinafter provided, regardless of the date of the original appointment, shall hold office until the Tuesday after the third Monday in November in the year in which their term expires and until their successors shall have been appointed and qualified. If any officer appointed by the Board of Directors under this section, who is required to be an elector of the Town, shall cease to be an elector during his term of office, then his office shall automatically become vacant and the Board of Directors shall appoint a successor.

Sec. 3-1 Board of Directors; general powers.

The Board of Directors shall, except in matters under the jurisdiction of the Board of Education and except as otherwise specifically provided in this Charter, exercise all the legislative powers of the Town. Further, all legislative rights, powers and duties of the Town and the powers of appointment to all boards, agencies and commissions not otherwise vested by this Charter are exclusively vested in the Board of Directors. It shall have, in addition to all powers and duties conferred and imposed upon it by this Charter, all the powers and duties now or hereafter conferred or imposed by the General Statutes on Town boards of selectmen, relating to the abatement of taxes. The final authority concerning a budget and tax rate is vested exclusively in the Board of Directors subject to the provisions of §§ 3-10 and 3-13 of this chapter. The Board of Directors shall have the power to investigate any and all departments, offices and agencies of the Town. For the purposes of such investigation, the Chairman or Acting Chairman shall have the power to administer oaths and issue subpoenas and, at his request, any judge may issue a writ of habeas corpus for the appearance of witnesses and the production of books and papers except as herein provided. The Board of Directors shall hold a special meeting to review the administrative performance of the General Manager between June 1 and July 31 of each year. Except to the extent to which such powers are conferred upon the Town Planning Commission, the Board of Directors shall exercise the powers hitherto possessed by the Town meeting and the Board of Selectmen relative to the collection of benefits due the Town from the establishment of any building, street, sidewalk or curb or tree line or benefits accruing from the opening or improvement of any street or highway, including the assessment of a portion of the cost thereof on the owners of abutting property, and such powers are extended to include the construction and assessment of the cost of highways,

sidewalks, curbs, gutters, sewers and drains. The Board of Directors shall have the power to make, alter and repeal ordinances and bylaws, not inconsistent with this Charter or the General Laws of the state, for the execution of the powers vested in the Town as provided in Chapter I of this Charter, for the government of the Town and the management of its business and for the preservation of the good order, peace, health and safety of the Town and its inhabitants. Such ordinances and bylaws shall be binding upon all the inhabitants of the Town and upon persons coming within its limits, and said Board may provide penalties for breaches thereof not exceeding one hundred dollars (\$100.00) for each offense. Notwithstanding any other provisions of this Charter, the Board of Directors, subject to the general laws of the state, shall have the authority to establish, delete or alter departments and divisions comprising the internal organizational structure of the Town deemed necessary to effectively and efficiently perform the duties of those departments and functions specifically mentioned within the provisions of this Charter and to make such rules and regulations:

(a) Concerning the creating or abolishing of departments and offices,

(b) Regulating the internal operation of departments, offices and personnel,

(c) Fixing the compensation of officers and employees of the Town and the charges, if any, to be made for services rendered by the Town, as it may deem to be in the best interest of the Town. The Board of Directors shall have the power to designate the General Manager as the personnel and office manager for the Town and to require that all such office and personnel matters shall be administered by him in accordance with the rules and regulations adopted by the Board of Directors.

The Board of Directors may fix the charges, if any, to be made for services rendered by the Town or for the execution of powers vested in the Town as provided in Chapter I of this Charter and the General Statutes, as amended. The Board of Directors shall establish ordinances and regulations regarding such charges.

The Board of Directors shall authorize all purchases of real estate by the Town and all sales of real estate owned by the Town by ordinance, which ordinance shall be enacted in compliance with § 3-8 and shall be subject to the provisions of §§ 3-9 and 3-10, except that all sales and purchases connected with redevelopment and urban renewal as provided in Chapter 130 of the Connecticut General Statutes, Revision of 1958, as amended, and all condemnation proceedings and acquisition, sale or exchange of easements necessitated by public improvement projects of the Town authorized by the Board of Directors are excluded from the operation of this section.

Sec. 11-1 Establishment of Department.

There shall be a Department of Public Works which shall have supervision and control of the maintenance of all Town-owned structures, including Town-owned cemeteries, except such structures as are under the control of the Board of Education [~~and the Library Board~~], except as otherwise specifically provided by this Charter. The Department of Public Works shall also have supervision and control of the surveying, planning, laying out, opening, constructing and reconstructing, altering, paving, repairing, maintaining, cleaning, lighting and inspection of highways, bridges, sidewalks and curbs, water and sewer operations under the jurisdiction of the

Town, stormwater sewers, public drains, snow and ice removal, street name signs, preservation, care and removal of trees within highways or public places, all engineering and architectural work of the Town and the collection and disposal of garbage, rubbish and ash. The Department of Public Works shall supervise the enforcement of all Subdivision Regulations adopted by the Town. The Department shall also have all the powers and duties conferred and imposed on Selectmen respecting highways and bridges, on superintendents of highways by the General Statutes, by any Special Act relating to the Town of Manchester and Home Rule action pursuant thereto. The Department shall administer all laws, ordinances and regulations governing the construction of buildings and other structures, including all plumbing, electrical, mechanical, gas and oil burner installations therein. Any provisions of this section to the contrary notwithstanding, the Department of Public Works may maintain and care for school and library buildings and grounds, but only if and to the extent and for the period requested by the Board of Education or the Library Board and approved by the Board of Directors.

Sec. 14-1 Recreation and ~~[Park Commission]~~ PARKS.

The public parks and all public lands, equipment and facilities for passive or active recreation in existence and those which may hereafter be established, whether within or without the corporate limits of the Town, shall be under the care, management and control of the General Manager. ~~[There shall be an Advisory Recreation and Park Commission consisting of seven (7) members who shall be appointed by the Board of Directors and who shall serve without compensation. The five (5) members previously appointed shall serve until their present term expires. The two (2) remaining members shall be appointed, effective within the first fifteen (15) days of November, 1991. One (1) member shall serve for a term to expire on the first Monday of November, 1992, and one (1) member shall serve for a term to expire on the first day of November, 1993. Annually thereafter, as the foregoing terms expire the Board of Directors shall appoint members for the terms of three (3) years each. The members of said Commission shall serve until their successors have been appointed and have qualified, provided any member of said Commission may be removed as provided in § 2-8, Chapter II.]~~

~~[Sec. 14-2 Organization and duties.~~

~~The Recreation and Park Commission shall elect from its membership a Chairman and such other officers as it shall deem necessary and shall study the recreation and park facilities and program of the Town and shall, from time to time, confer with the General Manager and advise him with respect to the development and use of the Town's parks and its recreation program.]~~

~~[Sec. 15-1 Board of Health. {1}]~~

~~There shall be an Advisory Board of Health in the Town of Manchester, consisting of five (5) members appointed by the Board of Directors to serve for terms of three (3) years each. Within the first fifteen (15) days of November, 1948, the Board of Directors shall appoint one (1) member for a term of five (5) years, one (1) for four (4) years, one (1) for three (3) years, one (1) for two (2) years and one (1) for one (1) year, and annually thereafter the Board of Directors shall appoint a member for a term of three (3) years.-]~~

Sec. 15-4 Powers and duties.

The Director of Health is vested with the exercise of all jurisdiction, powers and duties vested in and imposed upon Town Directors of Health by General Statute. He shall have the authority~~[-with the approval of the Board of Health,]~~ to make such reasonable rules and regulations as in his

judgment are required for the preservation of the public health, and such rules and regulations, when ~~approved by the Board of Health and~~ advertised at least three (3) times in a newspaper having a general circulation within the Town, shall have the full force and legality of local ordinances. The Director of Health shall do and cause to be done whatever is prescribed by the bylaws or ordinances of the Town and the provisions of the Sanitary Code of the State to preserve the public health. The Director of Health shall have authority to appoint, with the approval of the General Manager, such deputies, inspectors, assistants and subordinates as may be necessary and to fix their compensation within the appropriation made for such purpose by the Board of Directors.

Proposed deletions are enclosed in brackets with ~~striketrough~~. Proposed additions are indicated by underline and in **UPPERCASE**.

ITEM D

CHARTER REVISION COMMISSION RECOMMENDATION

Charge # 9. Review of Section 4-5 of the Town Charter, General Manager appointments as opposed to Board of Directors appointments, not otherwise required by state or federal law.

Recommendation: The Charter Revision Commission voted 11-0 on February 23, 2022, to take no action on this charge.

On July 19, 2022, the Board of Directors referred this back to the Charter Revision Commission for the purposes of reconsidering expanding appointments by the role of chief elected officer where it aligns with state law. The Charter Revision Commission voted 10-0 on August 2, 2022, to make no changes to its original recommendation in the draft report.

Discussion/Rationale: Under current practice, the General Manager makes appointments to the following: the Conservation Commission, the Economic Development Commission, the Permanent Memorial Day Committee, and the Veterans Graves Custodians. The General Manager also nominates individuals for the Redevelopment Commission, however, those members are approved by the Board of Directors.

State law vests the appointing authority for appointment of the Conservation Commission (Section 7-131a of the Connecticut General Statutes) and the Economic Development Commission (Section 7-136 of the Connecticut General Statutes) in the chief executive authority of a municipality, which for Manchester is the General Manager, so there does not appear to be any flexibility to make a change.

ITEM E

CHARTER REVISION COMMISSION RECOMMENDATION

Charge # 12. Review of Section 3-1 of the Town Charter, to review training opportunities and possible requirements for members of boards and commissions.

Recommendation: The Charter Revision Commission voted 11-0 on January 31, 2022, to not include this item in the Town Charter but recommends that the General Manager and town staff develop training for members of Boards and Commissions and create a handbook for newly appointed members of Boards and Commissions.

On July 19, 2022, the Board of Directors referred this back to the Charter Revision Commission for the purposes of including a specified timeline for completion of this training. **The Charter Revision Commission voted 10-0 on August 2, 2022, to amend the Commission's draft report to clarify that training for appointed members of Boards and Commissions should be completed within 45 days of appointment.**

Discussion/Rationale: The Commission suggests creation of a guide similar to a document produced by the Town of West Hartford, Office of Corporation Counsel entitled "Welcome to Public Service: A Short Guide to Public Service as a Town of West Hartford Elected or Appointed Officials"

<https://resources.finalsite.net/images/v1553089648/westhartfordctgov/zaranbmia8y6ybbbrtpeu/WelcometoPublicService.pdf>

In addition to the guide, training could also include modern microlearning and videos.

ITEM F

CHARTER REVISION COMMISSION RECOMMENDATION

Method of Filling Vacancies of Elected Officials and Members of Boards and Commissions

Recommendation: The Charter Revision Commission voted 10-0 on March 21, 2022, to recommend that Section 2-11 of the Town Charter be amended to provide that minority party vacancies on the Board of Directors and on appointed boards and commissions require that the nomination be made by member of the Board of Directors with the same political party affiliation as the vacating member.

On May 23, 2022, the Charter Revision Commission voted 11-0 to amend this recommendation to provide that for vacancies on any appointed Boards, Commissions, Committees or other similar bodies of the Town, members of the majority political party representation on the Board of Directors may not make more nominations than the total membership maximum from one political

party as stated in section 9-167a of the general statutes regardless of the political affiliation of said nominees.

On July 19, 2022, the Board of Directors referred this back to the Charter Revision Commission for the purposes of reconsidering the recommendation regarding method of filling vacancies on Boards and Commissions. The Charter Revision Commission voted 10-0 on August 2, 2022, to make no changes to its original recommendation in the draft report.

Discussion/Rationale: The Commission believes that the Charter should reflect the spirit of the minority representation law (Section 9-167a of the Connecticut General Statutes) and minority party vacancies on the Board of Directors and on appointed boards and commissions require that the nomination be made by member of the Board of Directors with the same political party affiliation as the vacating member. Such nominations will still require action by the Board of Directors.

CHARTER REVISION COMMISSION RECOMMENDED CHARTER LANGUAGE

METHOD OF FILLING VACANCIES OF ELECTED OFFICIALS APPOINTED MEMBERS OF BOARDS, COMMISSIONS, COMMITTEES OR OTHER SIMILAR BODIES OF THE TOWN

Sec. 2-11 Vacancies.

Any vacancy in any elective Town office, from whatever cause arising, shall be filled by appointment by the Board of Directors for the unexpired portion of the term, except:

(a) If a vacancy occurs in the office of any member of the Board of Education, it shall be filled by the remaining members of said Board of Education until the next regular Town election, at which election a successor shall be elected for the unexpired portion of the term. The official ballot at such regular Town election shall specify the vacancy to be filled. The person so elected at such election shall take office in accordance with Chapter II, § 2-1 of this Charter. [~~7-07~~]

(b) IF A VACANCY OCCURS ON THE BOARD OF DIRECTORS, IT SHALL BE BY APPOINTING AN ELECTOR OF THE TOWN OF MANCHESTER WHO IS NOMINATED BY A MEMBER OF THE BOARD OF DIRECTORS WITH THE SAME POLITICAL PARTY AFFILIATION AS THE VACATING MEMBER. IF THERE IS NO MEMBER OF THE BOARD OF DIRECTORS WITH THE SAME POLITICAL PARTY AFFILIATION AS THE VACATING MEMBER, THEN THE BOARD OF DIRECTORS SHALL APPOINT AN ELECTOR OF THE TOWN OF MANCHESTER WHO IS ENDORSED BY THE POLITICAL PARTY HAVING ENDORSED THE VACATING MEMBER. IF THE VACATING MEMBER WAS ELECTED WITHOUT THE ENDORSEMENT OF A POLITICAL PARTY, THE BOARD OF DIRECTORS MAY THEN APPOINT ANY ELECTOR OF THE TOWN OF MANCHESTER.

[~~(b)~~] (c) As may otherwise be provided for by state statute.

If any vacancy in any elective office is not filled, as thus provided, within forty-five (45) days from the time of its happening, the Board of Selectmen shall fill the same. Any resignation by an elected official shall be deemed to have happened when written notice thereof is received by the Secretary of the Board of Directors. Any vacancy in any appointive office, from whatever cause arising, shall be filled by the [authority having the power of appointment to that office] **BOARD OF DIRECTORS** for the unexpired portion of the term if the vacancy be caused by resignation, death, removal or permanent disability or on a temporary basis in the event of the temporary absence, leave or temporary disability of the holder of the office. **MINORITY REPRESENTATION ON ANY APPOINTED BOARD, COMMISSION, COMMITTEE OR OTHER SIMILAR BODY OF THE TOWN SHALL BE DETERMINED IN ACCORDANCE WITH THE PROVISIONS OF § 9-167a OF THE GENERAL STATUTES. WHEN MAKING NOMINATIONS TO ANY APPOINTED BOARD, COMMISSION, COMMITTEE OR OTHER SIMILAR BODY, MEMBERS OF THE MAJORITY POLITICAL PARTY REPRESENTATION ON THE BOARD OF DIRECTORS MAY NOT MAKE MORE NOMINATIONS THAN THE TOTAL MEMBERSHIP MAXIMUM FROM ONE POLITICAL PARTY AS STATED IN SECTION 9-167a OF THE GENERAL STATUTES REGARDLESS OF THE POLITICAL AFFILIATION OF SAID NOMINEES.**

Proposed deletions are enclosed in brackets with ~~[strikethrough]~~. Proposed additions are indicated by underline and in **UPPERCASE**.

ITEM G

CHARTER REVISION COMMISSION RECOMMENDATION

Increase the Membership of the Planning and Zoning Commission
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Recommendation: The Charter Revision Commission voted 10-0 on March 21, 2022, to increase the membership of the Planning and Zoning Commission to 9 members.

On July 19, 2022, the Board of Directors referred this back to the Charter Revision Commission for the purposes of considering the number of members of the Planning and Zoning Commission and requiring any additional seats be appointed to renters by all appointing authorities. The Charter Revision Commission voted 10-0 on August 2, 2022, to amend the Commission's draft report to increase the Planning and Zoning Commission to seven members upon approval of Charter change and to nine members in November 2025. The Commission also voted to Table the issue of specifying the appointment of renters to the Planning and Zoning Commission.

Discussion/Rationale: Given the important role of the Planning and Zoning Commission in land use matters it is believed that it would be beneficial to increase the membership within the parameters established in Section 8-4a of the Connecticut General Statutes. Regarding the issue of the appointment of renters to the Planning and Zoning Commission, the Charter Revision Commission believes that it is not necessary to include this language in the Charter but, as the

appointing authority for members of the Planning and Zoning Commission, the Board of Directors is in a position to effectuate the appointment of renters.

CHARTER REVISION COMMISSION RECOMMENDED CHARTER LANGUAGE

(as amended 8/2/2022)

INCREASE THE MEMBERSHIP OF THE PLANNING AND ZONING COMMISSION

Effective upon passage of Charter Revision:

Sec. 2-2 Officers appointed by the Board of Directors.

There shall be appointed by the Board of Directors for the Town a General Manager, a Planning and Zoning Commission consisting of [~~five (5)~~] **SEVEN (7)** members **AND ALTERNATES AS PROVIDED BY STATUTE**, a Zoning Board of Appeals consisting of five (5) members, and alternates as provided by statute, a Library Board consisting of eleven (11) members, a Board of Tax Review consisting of three (3) members, a Town Attorney, an Advisory Recreation and Park Commission consisting of five (5) members, an auditor or auditors, and an Advisory Board of Health. The Town may by ordinance or resolution approved by the Board of Directors provide for other offices, departments, boards and commissions and the duties and terms thereof and methods of appointment thereto. All of the officers appointed by the Board of Directors under the provisions of this section, except the General Manager and auditor or auditors, shall be electors of the Town at the time of their appointment, and, with said exceptions, all appointees except as hereinafter provided, regardless of the date of the original appointment, shall hold office until the Tuesday after the third Monday in November in the year in which their term expires and until their successors shall have been appointed and qualified. If any officer appointed by the Board of Directors under this section, who is required to be an elector of the Town, shall cease to be an elector during his term of office, then his office shall automatically become vacant and the Board of Directors shall appoint a successor.

Effective November 17, 2025 Section 2-2 of the Manchester Town Charter is amended to read as follows:

Sec. 2-2 Officers appointed by the Board of Directors.

There shall be appointed by the Board of Directors for the Town a General Manager, a Planning and Zoning Commission consisting of [~~five (5)~~] **NINE (9)** members **AND ALTERNATES AS PROVIDED BY STATUTE**, a Zoning Board of Appeals consisting of five (5) members, and alternates as provided by statute, a Library Board consisting of eleven (11) members, a Board of Tax Review consisting of three (3) members, a Town Attorney, an Advisory Recreation and Park Commission consisting of five (5) members, an auditor or auditors, and an Advisory Board of Health. The Town may by ordinance or resolution approved by the Board of Directors provide for other offices, departments, boards and commissions and the duties and terms thereof and methods of appointment thereto. All of the officers appointed by the Board of Directors under the provisions of this section, except the General Manager and auditor or auditors, shall be electors of the Town at the time of their appointment, and, with said exceptions, all appointees except as hereinafter provided, regardless of the date of the original appointment, shall hold office until the Tuesday after the third Monday in November in the year in which their term expires and until their

successors shall have been appointed and qualified. If any officer appointed by the Board of Directors under this section, who is required to be an elector of the Town, shall cease to be an elector during his term of office, then his office shall automatically become vacant and the Board of Directors shall appoint a successor.

Effective upon passage of Charter Revision:

Sec. 17-1 Planning and Zoning Commission.

(a) There shall be a Planning and Zoning Commission which shall have all the powers and duties conferred and imposed by the General Statutes upon zoning commissions and planning commissions, subject to the limitations and exceptions stipulated in this Charter, and all of the powers and duties conferred and imposed by this Charter.

(b) The Planning and Zoning Commission shall consist of [~~five (5)~~] **SEVEN (7)** electors of the Town **AND ALTERNATES AS PROVIDED BY STATUTE**,, and the Town Planning Commission, as constituted at the time of approval of this Charter amendment by the electorate, shall be the Planning and Zoning Commission. **ON OR AFTER THE EFFECTIVE DATE OF THIS CHARTER AMENDMENT, THE BOARD OF DIRECTORS SHALL STAGGER THE TERMS OF MEMBERS OF THE PLANNING AND ZONING COMMISSION WITH THE TERMS OF NOT MORE THAN TWO MEMBERS IN ANY EACH YEAR.** At the expiration of the respective terms of the members thereof, their successors shall be appointed by the Board of Directors for terms of five (5) years each and all future appointments to the Commission shall be made by the Board of Directors. No salaried Town officer may be appointed to membership on said Planning and Zoning Commission.

Effective November 17, 2025 Section 17-1 of the Manchester Town Charter is amended to read as follows:

Sec. 17-1 Planning and Zoning Commission.

(a) There shall be a Planning and Zoning Commission which shall have all the powers and duties conferred and imposed by the General Statutes upon zoning commissions and planning commissions, subject to the limitations and exceptions stipulated in this Charter, and all of the powers and duties conferred and imposed by this Charter.

(b) The Planning and Zoning Commission shall consist of [~~five (5)~~] **NINE (9)** electors of the Town **AND ALTERNATES AS PROVIDED BY STATUTE**,, and the Town Planning Commission, as constituted at the time of approval of this Charter amendment by the electorate, shall be the Planning and Zoning Commission. **ON OR AFTER NOVEMBER 17, 2025, THE BOARD OF DIRECTORS SHALL STAGGER THE TERMS OF MEMBERS OF THE PLANNING AND ZONING COMMISSION WITH THE TERMS OF NOT MORE THAN TWO MEMBERS IN ANY EACH YEAR.** At the expiration of the respective terms of the members thereof, their successors shall be appointed by the Board of Directors for terms of five (5) years each and all future appointments to the Commission shall be made by the Board of Directors. No salaried Town officer may be appointed to membership on said Planning and Zoning Commission.

Proposed deletions are enclosed in brackets with [~~strike through~~]. Proposed additions are indicated by underline and in **UPPERCASE**.

ITEM H

CHARTER REVISION COMMISSION RECOMMENDATION

Changing the Name of the Board of Directors to Town Council
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Recommendation: A motion to change the name of the Board of Directors failed on a tie (5-5) vote on March 21, 2022. This action maintains the current name of the Board of Directors in the Charter.

On July 19, 2022, the Board of Directors referred this item back to the Charter Commission for the purposes of reconsidering changing the name. The Board would also like an explanation of not changing the name of the Board as it seems inconsistent with justification of another Commission recommendation to change the General Manager's title. The Charter Revision Commission voted 6-4 on August 2, 2022, to make no changes to its original recommendation in the draft report.

Discussion/Rationale: There was insufficient support among members of the Commission to change the name of the "Board of Directors" to "Town Council." The Commission believes that the change in the General Manager's title proposed by the Commission can stand as a separate issue from the name of the Board of Directors.

ITEM i

CHARTER REVISION COMMISSION RECOMMENDATION

Changing the Official Name of the Town of Manchester to the City of Manchester

Recommendation: The Charter Revision Commission voted 11-0 on April 6, 2022, to recommend that the Board of Directors consider the establishment of a Commission to study whether the official name of the "Town of Manchester" be changed to the "City of Manchester." Such Commission should be empowered as a Charter Revision Commission to examine the legal and economic impacts of such a name change and make recommendations regarding the issue to the Board of Directors.

On July 19, 2022, the Board of Directors referred this back to the Charter Revision Commission for the purposes of requesting they directly respond to the question and not provide ancillary recommendations at this time. The Charter Revision Commission voted 10-0 on August 2, 2022, to make no changes to its original advisory recommendation in the draft report.

Discussion/Rationale: This issue requires more extensive research and evaluation than the current Charter Revision Commission can complete prior to its deadline. It may be necessary for the General Assembly to enact legislation to establish a process for municipalities to follow if they wanted to make a change in their incorporation. If the Board of Directors is interested in pursuing this issue further, a study Commission should evaluate the various legal and economic impacts of changing the official name of Manchester and establish a process of community engagement to promote such change.

ITEM J

CHARTER REVISION COMMISSION RECOMMENDATION

Direct Election of Mayor

Recommendation: The Charter Revision Commission voted 11-0 on April 18, 2022, to recommend that Sections 2-1 and 3-2 of the Town Charter be amended to provide for the direct election of Mayor. The Mayor shall remain a member of the Board of Directors and electors will also select the remaining 8 members of the Board of Directors, however, the losing mayoral candidates shall have the votes they received for Mayor included in the compilation and the determination of Board of Directors membership. Minority representation requirements will still apply.

On July 19, 2022, the Board of Directors referred this back to the Charter Revision Commission for the purposes of articulating whether there are additional powers assigned to the Mayor given this designation and a clearer description of how this is implemented. The Charter Revision Commission voted 10-0 on August 2, 2022, to amend the Commission's draft report to: 1) change the word "losing" to "unsuccessful" in Section 2-2 of the Town Charter; and 2) include language related to the direct election of Mayor in Section 3-4 of the Town Charter.

Discussion/Rationale: The Commission's recommendation seeks to provide direct voter involvement in the selection of the Mayor. While the 2008 Charter revision did specify that the top vote getter for the Board of Directors shall be the Mayor, there are concerns that the ballot placement due to a position lottery and the potential for "bullet voting" don't provide electors with a clear choice when voting. The Commission recommends a system utilized in the Towns of Berlin and Bolton and a number of other communities throughout Connecticut which provides for political parties to nominate, and for others to petition, individual candidates for the position of Mayor. The candidate receiving the highest vote total among mayoral candidates shall be Mayor, however, any unsuccessful mayoral candidates shall have the votes they receive for Mayor included in the compilation and the determination of the Board of Directors membership. If the vote total for an unsuccessful Mayoral candidate would place them in one of the top eight

positions for the Board of Directors, they would be elected to the Board. There is no change recommended regarding the powers and duties of the Mayor.

CHARTER REVISION COMMISSION RECOMMENDED CHARTER LANGUAGE

(as amended 8/2/2022)

DIRECT ELECTION OF MAYOR

Sec. 2-1 Elective officers.

A meeting of the electors of the Town of Manchester for the election of Town officers shall be held on the first Tuesday after the first Monday in November 1969, and biennially thereafter. At each such meeting there shall be elected A MAYOR, [nine-(9)] EIGHT (8) members of the Board of Directors, a Town Clerk, two (2) Registrars of Voters elected in the manner prescribed by the General Statutes, three (3) Selectmen, seven (7) Constables, and members of the Board of Education as hereinafter provided. In the election for members of the Board of Directors, each political party may nominate A CANDIDATE FOR MAYOR AND not more than [six-(6)] FIVE (5) candidates, and no elector shall vote for more than A CANDIDATE FOR MAYOR AND not more than [six-(6)] FIVE (5) candidates for such office. THE CANDIDATE RECEIVING THE HIGHEST VOTE TOTAL AMONG MAYORAL CANDIDATES SHALL BE MAYOR. HOWEVER, THE UNSUCCESSFUL MAYORAL CANDIDATES SHALL HAVE THE VOTES RECEIVED FOR MAYOR INCLUDED IN THE COMPILATION AND THE DETERMINATION OF THE BOARD OF DIRECTORS MEMBERSHIP. No grand jurors shall be elected or appointed. Each person elected to office shall be a resident elector of the Town, and each elected officer, except as hereinafter expressly provided, shall assume his office on the third Monday in November in the year of his election and shall hold office until his successor is elected and has qualified.

Sec. 3-2 Number; election; term.

The Board of Directors shall consist of nine (9) members, INCLUDING THE MAYOR AND EIGHT (8) MEMBERS elected from the Town at large for terms of two (2) years, commencing on the third Monday in November in the year of their election and until their successors shall have been elected and have qualified.

Sec. 3-4 Organization.

The Board of Directors shall meet in the afternoon on the third Monday in November, 1969, and biennially thereafter and organize by electing one of its own members to be for a term of two years Chairman of the Board of Directors; one of its own members to be for a term of two years Vice Chairman of the Board of Directors; and one of its own members to be for a term of two years Secretary of the Board of Directors. The member elected as Chairman shall be the member who received the highest vote count in the biennial election FOR THE POSITION OF MAYOR, irrespective of party affiliation or nonaffiliation. The Vice Chairman and Secretary shall be elected by a majority vote of those present.

Proposed deletions are enclosed in brackets with ~~strikethrough~~. Proposed additions are indicated by underline and in UPPERCASE.

ITEM K

CHARTER REVISION COMMISSION RECOMMENDATION

Allow the Board of Directors to Adopt Additional Standards of Official Conduct by Ordinance
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Recommendation: The Charter Revision Commission voted 11-0 on April 18, 2022, to recommend that Section 2-4 of the Town Charter be amended to provide the Board of Directors with the authority, pursuant to sections 7-148h and 7-148 (c)(10)(B) of the Connecticut General Statutes, as amended, to establish by ordinance additional standards of official conduct.

On July 19, 2022, the Board of Directors referred this back to the Charter Revision Commission for the purposes of reconsidering whether the Board rules function in this capacity. The Charter Revision Commission voted 10-0 on August 2, 2022, to make no changes to its original recommendation in the draft report. While the Board rules, adopted by a resolution of the Board, are one example of the type of standards that could be enacted, the Standards of Official Conduct apply more broadly and allowing the adoption of additional standards by ordinance would be of benefit.

Discussion/Rationale: The Commission reviewed a recommendation of the 2008 Charter Revision Commission that was rejected by the voters that would have removed the Standards of Official Conduct from the Town Charter and would have allowed a supermajority of the Board of Directors to adopt Standards of Official Conduct by ordinance. After discussion, the Commission voted to retain the Standards of Official Conduct in the Charter but to also allow the Board of Directors to add additional standards by ordinance. This would have the effect of maintaining the core standards in the Charter but would provide greater flexibility in enacting additional standards without waiting for the next Charter Revision process, which typically has been approximately every 10 or 15 years.

CHARTER REVISION COMMISSION RECOMMENDED CHARTER LANGUAGE

STANDARDS OF OFFICIAL CONDUCT

Sec. 2-4 Definitions; Ethics Commission; standards of official conduct. [1]

(a) Definitions.

1. "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, holding company, joint stock company, receivership, trust, investment property or any legal entity through which business is conducted for profit.
2. "Commission" means the Town Ethics Commission.
3. "Complaint" means a written statement alleging any person subject to the standards of official conduct has by act or omission violated said standards. Said complaint shall state the acts

or omissions constituting the alleged violations and the approximate date or dates upon which the alleged violations occurred. The Commission may require the complaint to be under oath.

4. "Gift" means a payment, loan, subscription, advance, deposit of money, services, or anything of value, unless consideration of equal or greater value is received.

5. "Family" means a collective body of two (2) or more persons living in one (1) household.

6. "Income" means any money or thing of value received, or expressly or impliedly promised, whether in the form of a fee, salary, expense, allowance, forbearance, forgiveness, interest, dividend, royalty, rent, capital gain or any other form of recompense or any combination thereof.

7. "Ministerial action" means an action that a person performs in a given state of facts in a prescribed manner in obedience to the mandate of legal authority, without regard to, or the exercise of, the person's own judgment upon the propriety of the action being taken.

8. "Person" means an individual, business, corporation, union, association, firm, partnership, committee, club or other organization or group of persons.

9. "Probable cause" means a finding that reasonable grounds exist to believe that a violation of the Standards of Official Conduct has occurred.

10. "Town agency" means any department, commission, board, bureau, committee, legislative body, agency, or other establishment of the executive or legislative branch of the Town, including the Board of Education to the extent that the provisions of this section may lawfully apply to the Board of Education.

11. "Town employee" means any individual who receives income, weekly or otherwise, from the Town or who is responsible for taking or recommending official action of a nonministerial nature with regard to: (i) contracting or procurements; (ii) administering or monitoring grants or subsidies; (iii) planning or zoning; (iv) inspecting; licensing or regulating any person; or (v) any other activity where the official action has an economic impact of greater than a de minimis nature on the interests of any person.

12. "Town official" means an elected or appointed official in the executive or legislative branch of the Town, excluding members of purely advisory boards and other boards that have no authority to extend public funds or to otherwise exercise the power of the Town.

(b) Town Ethics Commission.

1. Creation. There is created an Ethics Commission consisting of seven (7) members who shall be electors of the Town of Manchester. Appointments to the Commission shall be made by the Board of Directors. No more than three (3) of the members of the Commission shall maintain the same voter affiliation. Any vacancy occurring on the Commission shall be filled by the Board of Directors within sixty (60) days by an elector maintaining the same voter affiliation as originally held by the vacating member.

2. Alternate members. The Board of Directors shall appoint alternate members to the Commission. Such alternate members shall be electors of the Town of Manchester. There shall be one (1) alternate for each voter affiliation represented on the Commission. An alternate member shall, when seated, have all the powers and duties as set forth herein for members. An alternate shall only be seated in the place of an absent member maintaining the same voter affiliation.

3. Terms. Members and alternates of the Commission shall serve for a three-year staggered term, each to commence on the Tuesday after the third Monday in November.

4. Officers. The Commission shall elect a Chairman, Vice Chairman and Secretary. In the absence of the Chairman or in the event of a vacancy in that position, the Vice Chairman shall serve as Chairman.

5. Quorum. Any action by the Commission shall require the affirmative vote of a simple majority of its members, and a simple majority shall constitute a quorum.
6. Meeting. The Chairman or any three (3) members of the Commission may call a meeting, provided that at least three (3) days' advance notice of the meeting is given to all members.
7. Compensation. Members of the Commission shall not be compensated, but shall receive reimbursement for their actual and necessary expenses.

(c) Powers of Commission.

1. Rules and regulations. The Commission shall prescribe and publish, after notice and opportunity for public comment, rules and regulations to carry out the provisions of this Act.
2. Reports. The Commission shall prepare and publish such reports as it may deem appropriate.
3. Advisory. The Commission, on its own initiative or upon request, may issue and publish advisory opinions on the requirements of this Act for those who wish to use the opinion to guide their own conduct.
4. Complaints. The Commission, through its special counsel, shall conduct an investigation upon receipt of a written complaint by any elector or taxpayer of the Town of Manchester alleging, under oath or affirmation, a violation of the standards of official conduct.
5. Annual report. The Commission shall prepare an annual report for submission to the Board of Directors.

(d) Investigations and hearings by Commission.

1. Special counsel. The Commission shall appoint an attorney to act as special counsel to the Commission, which appointment shall continue at the pleasure of the Commission. The special counsel shall not be a member of the Town Attorney's staff. The special counsel shall be compensated for his or her services on a case-by-case basis at public expense.
2. Authority. The Commission shall refer any written complaint received by it to the special counsel for investigation. The Commission shall, not later than five (5) days after the receipt of such complaint, notify by registered or certified mail any person against whom such complaint was filed. A copy of such complaint shall accompany such notice.
3. Powers of special counsel. The special counsel shall conduct an investigation of each complaint to determine if probable cause exists and shall make recommendations to the Commission based upon the investigation. Special counsel shall recommend dismissal of the complaint in the event probable cause is not found. In the event the special counsel finds probable cause, he shall set forth the particular section or sections of the Standards of Official Conduct which he finds to have been violated and may (1) recommend the complaint be accepted as filed; (2) recommend amendments to the complaint; or (3) recommend additional charges be added to the complaint. The special counsel shall make recommendations to the Commission within the time limits set by the Commission but in no event more than ninety (90) days after receipt of the complaint. In unusual circumstances the Commission may grant an extension to special counsel, not to exceed an additional sixty (60) days.
4. Review by Commission. The Commission shall, within sixty (60) days of receipt of special counsel's recommendations, meet privately to review each recommendation. The Commission shall dismiss the complaint or set a date for a public hearing thereon or on the amended complaint, which hearing shall be held no later than sixty (60) days thereafter. The Commission shall give public notice of the date fixed for said hearing at least fourteen (14) days prior thereto. Notice of

the Commission's decision to either dismiss the complaint or hold a public hearing on the complaint shall be given to the complainant and to the person subject to the investigation.

5. Confidentiality. Irrespective of any statute to the contrary, the complaint, the probable cause investigation, the recommendations of special counsel and the minutes of the meeting of the Commission to receive special counsel's recommendations shall not be disclosed to the public unless and until the Commission sets a date for a public hearing on the complaint.

6. Witnesses to testify. Any person may be compelled, by subpoena signed by competent authority, to appear before the Commission to testify in relation to any complaint brought to the Commission, and may be compelled, by subpoena signed by competent authority, to provide before the Commission for examination any books or papers which in the judgment of the Commission are relevant to the inquiry or investigation.

7. Hearing procedure. Such hearing shall be open to the public and shall be conducted in accordance with the Commission's rules and regulations. Special counsel shall present evidence against the respondent. The respondent shall be entitled to counsel, to present evidence and to examine and cross-examine witnesses.

8. Recording of hearing. The public hearings of the Commission shall be recorded at public expense. A written transcription of the recording shall be available to the public at the requiring party's expense. A written transcription of the recording shall be available to the Commission, at its request, at public expense.

9. Memorandum of decision. The Commission shall, within thirty (30) days after conclusion of the public hearing, file a memorandum of decision containing its conclusions and recommendations and shall either dismiss the complaint or shall recommend appropriate action to the Board of Directors.

(e) Standards of official conduct.

1. No person shall offer or give to a Town official or Town employee or a member of his or her family and no Town official or Town employee shall solicit any gift to influence the official or employee in the performance of his or her official duties.

2. No Town official or Town employee shall accept any benefit or income in addition to that received in his or her official capacity for having exercised his or her official powers or performed his or her official duties.

3. No Town official or Town employee shall use or disclose information not available to the general public and gained in the course of, or by reason of, his or her official position or activities to further any person's financial interest.

4. Any Town official or Town employee who has, or whose family has, a financial interest, distinct from that of the general public, in any decision of any Town agency shall disqualify himself or herself from participating in that decision. Any decision made as a result of a violation of this provision shall be voidable, at the option of the Town.

5. No Town official or Town employee shall knowingly have or acquire any financial interest or beneficial interest, direct or indirect, in any business that is incompatible with the proper discharge of his or her official duties or that may tend to impair his or her independence or judgment in the performance of his or her official duties.

6. No Town official or Town employee shall knowingly misuse or misappropriate any Town fund or Town asset.

7. THE BOARD OF DIRECTORS SHALL HAVE THE AUTHORITY, PURSUANT TO SECTIONS 7-148 (c)(10)(B) AND 7-148h OF THE CONNECTICUT GENERAL

STATUTES AS AMENDED, TO ESTABLISH ADDITIONAL STANDARDS OF OFFICIAL CONDUCT BY ORDINANCE.

Proposed deletions are enclosed in brackets with ~~strikethrough~~. Proposed additions are indicated by underline and in **UPPERCASE**.

ITEM L

CHARTER REVISION COMMISSION RECOMMENDATION

Residency Requirements

Recommendation: The Charter Revision Commission voted 11-0 on April 18, 2022, to recommend that Sections 9-3, 10-1, 10-12, 11-3 and 12-4 of the Town Charter be amended to eliminate residency requirements for the Superintendent of Schools, Chief of Police, Fire Chief, Director of Public Works, and the Superintendent of Water and Sewer Department.

On July 19, 2022, the Board of Directors referred this back to the Charter Revision Commission for the purposes of revisiting the recommendation to eliminate the residency requirement only for the position of Superintendent of Water and Sewer and the Director Public Works. The Charter Revision Commission voted 10-0 on August 2, 2022, to make no changes to its original recommendation in the draft report, maintaining its recommendation to eliminate the residency required for the Superintendent of Schools, Chief of Police, Fire Chief, Director of Public Works, and the Superintendent of Water and Sewer.

Discussion/Rationale: The Commission recommends that the residency requirement be maintained for the General Manager but that other residency requirements should be removed from the Charter. Compelling arguments were made that residency requirements may provide a barrier in recruiting the most capable candidates for key positions in Town government and the Board of Education. The Commission encourages the Board of Directors and the Board of Education to include proximity requirements, such as residing within a certain geographic area or having a commute of a certain duration, in the job descriptions for these positions.

CHARTER REVISION COMMISSION RECOMMENDED CHARTER LANGUAGE

RESIDENCY REQUIREMENTS

Sec. 9-3 Superintendent of Schools.

The Board of Education shall appoint a Superintendent of Schools. ~~[As to any term of office that commences after January 1, 1997, the Superintendent need not be a resident of the Town or state at the time of appointment but within one (1) year of appointment shall reside within the Town.]~~

Sec. 10-1 Chief of Police.

The General Manager shall appoint a Chief of Police [~~who at the time of his appointment need not be a resident of the Town or state but within one (1) year of appointment shall reside within the Town~~]. The Chief of Police shall be the executive head of the Police Department and, as such, shall have charge and control, under the direction of the General Manager, of the administration and discipline of the Police Department and of its buildings, property, apparatus and equipment. The Chief shall appoint such subordinate officers and members of the personnel in the Police Department, including supernumerary and special police, as he may deem necessary and shall fix their compensation within a scale of wage rates recommended by him and approved by the General Manager and within the appropriations made by the Board of Directors. The Chief shall have control over traffic and traffic regulations and shall be the traffic authority of the Town with all the powers and duties within the Town vested in and imposed upon traffic authorities by the General Statutes. He shall make and enforce such reasonable rules, orders and regulations, not inconsistent with the General Statutes and the provisions of this Charter, as may be necessary efficiently to exercise all the powers and duties imposed upon and vested in him and the Department, including the duties and discipline of the personnel of the Department. He shall have authority to administer oaths and take evidence in all proceedings relating to the direction and control of the Police Department.

Sec. 10-12 Town Fire Department.

The General Manager shall appoint a Fire Chief [~~who at the time of his appointment need not be a resident of the Town or state, within one (1) year of appointment shall reside within the Town~~]. He shall be the executive head of the Fire Department and as such shall have charge and control, under the direction of the General Manager, of the administration and discipline of the Fire Department and of its buildings, property, apparatus and equipment. The Chief of the Fire Department shall appoint such subordinate officers and members of the personnel of the Fire Department as he may deem necessary and shall fix their compensation within a scale of wage rates recommended by him and approved by the General Manager and within the appropriations made by the Board of Directors. The Chief of the Fire Department shall make and enforce such reasonable rules, orders and regulations, not inconsistent with the General Statutes and the provisions of this Charter, as may be necessary efficiently to exercise all the powers and duties imposed upon and vested in him and the Department, including the duties and discipline of the personnel of the Department. Nothing herein shall be construed to prevent the continuance of volunteer fire companies, together with such paid assistants as may be deemed advisable.

Sec. 11-3 Director of Public Works; powers and duties.

The General Manager may appoint and may remove a Director of Public Works [~~who at the time of his appointment need not be a resident of the Town or state but within one (1) year of appointment shall reside within the Town~~]. The Director of Public Works shall be experienced in the management of municipal public works projects and shall be responsible for the efficiency, discipline and good conduct of the Department and in accordance with such personnel rules and regulations as may be adopted by the Board of Directors or included in this Charter, shall appoint and may remove such deputies, assistants and employees as he may deem necessary within budget appropriations and shall prescribe their duties. He shall exercise his powers and discharge his duties under the general supervision of the General Manager. He shall organize the work of the Department and establish such divisions within the Department in such manner as he shall deem most economical and efficient, provided the Director of Public Works may, at his discretion, serve

as head of any such divisions. The Director of Public Works shall make recommendations as to the acceptance of streets sought to be dedicated to public use. He shall supervise the granting of all permits to excavate or disturb any highway or other public property or to make any special use thereof and shall exercise such supervision and control over all public utilities in the Town as is accorded by law to the Town.

The Director of Public Works may select and employ engineering and architectural or other qualified firms or individuals to assist in the preparation of surveys, designs, plans and specifications when in his judgment such assistance is necessary, in accordance with § 5-17 of this Charter.

Sec. 12-4 Superintendent of Water and Sewer Department.

The General Manager shall appoint a Superintendent of the Water and Sewer Department [~~who at the time of his appointment need not be a resident of the Town or state, but during the tenure of office shall reside within the Town~~]. The Superintendent of the Water and Sewer Department shall be the executive head of the Department and, as such, shall have charge and control, under the direction of the General Manager, of the administration and discipline of the Department and of the buildings, machinery, equipment and property of all kinds used by the Department. The Superintendent shall appoint, with the approval of the General Manager and within the limits of the appropriations made by the Board of Directors, such employees of the Department as he may deem necessary for its proper management and operation, and shall fix their compensation within a scale of wage rates recommended by the General Manager and approved by the Board of Directors.

Proposed deletions are enclosed in brackets with [~~striketrough~~]. Proposed additions are indicated by underline and in **UPPERCASE**.