

**FINAL REPORT OF THE
2021-2022 CHARTER REVISION COMMISSION
APPROVED AUGUST 2, 2022**



Josh Howroyd, Chair

Dr. Maria Cruz, Vice-Chair

Dr. Diane Clare-Kearney, Secretary

Cheri Eckbreth

Margaret Hackett

Kelly Lierzer

Jerald Lentini

Steven Norton

Masudur Rahman

Louis Spadaccini

Mark Tweedie

SUMMARY OF RECOMMENDATIONS

- The Manager/Council form of government is retained.
- Changes the title of the “General Manager” to “Town Manager.”
- Maintains the current name of the Board of Directors in the Charter, rejecting a proposal to change the name to “Town Council.”
- Continues the use of at-large voting for all municipal elections.
- Maintains current terms of office for the Board of Directors and Board of Education.
- Provides for the direct election of Mayor. The Mayor will remain a member of the Board of Directors and electors will also select the remaining 8 members of the Board of Directors, however, the unsuccessful 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.
- Provides that in the event of a vacancy in the position of the Chairman of the Board of Directors/Mayor, the Deputy Mayor shall become Chairman and Mayor.
- Increases the compensation for the Board of Directors to \$7,500 for the Mayor and \$5,000 for all other members of the Board of Directors. Such compensation shall be adjusted biennially, by the most recent Consumer Price Index. This would represent the first increase in compensation since 1996.
- Amends the Charter to provide that minority party vacancies on the Board of Directors require that the nomination be made by member of the Board of Directors with the same political party affiliation as the vacating member. For vacancies on 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.
- Eliminates the requirement for an annual Joint Board of Directors/Board of Education meeting.
- Clarifies the authority of the Board of Directors to establish Departments, Offices, Divisions and positions by ordinance or resolution.
- Provides the Board of Directors with the authority to establish by ordinance additional standards of official conduct but maintains the current standards in the Town Charter.
- Eliminates residency requirements for the Superintendent of Schools, Chief of Police, Fire Chief, Director of Public Works, and the Superintendent of Water and Sewer Department.
- Increases the dollar thresholds for settlement of claims by the Town Attorney, the General Manager, and the Board of Directors.
- Increases the number of Justices of the Peace to 45.
- Recommends that the Town Clerk remain an elected position.
- Specifies that the Board of Directors establish the Town Clerk’s salary for the coming term not later than July 1st of the year of a Town Clerk election.
- Confirms the Charter with the provisions the Town Code of Ordinances to specify four-year terms for the Town Clerk and Registrar of Voters.
- Makes numerous technical and administrative revisions to various sections of the Town Charter, including: adopting the use of gender-neutral pronouns and official titles throughout



the Charter; amending the terminology in the Human Services section of the Charter; and, adding clarity to the budget timetable in the Charter.

- Removes the Advisory Recreation and Park Commission and the Advisory Board of Health from the Town Charter and permits the Board of Directors to establish those bodies by resolution or ordinance instead.
- Increases the membership of the Planning and Zoning Commission to 7 members upon approval by the voters of the proposed Charter change, and to 9 members in November 2025.
- Requires appointing authorities for any Board or Commission to consider the interests of gender identity and racial equity and make a good faith effort to seek out individuals for such appointment that reflect such equity.
- 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.
- Recommends that the Board of Directors consider the establishment of a Commission to study whether the official name of the “Town of Manchester” should be changed to the “City of Manchester.”
- Rejected proposals to amend the Charter regarding the powers of the Board of Directors concerning: investigatory powers; the ability to directly question department heads and initiate reports outside of the General Manager; and, the ability to draft proposals absent the direction of the General Manager.
- Rejected a proposal to allow voters to vote for the total number of positions to be elected.



**FINAL REPORT OF THE
2021 - 2022 CHARTER REVISION COMMISSION
APPROVED AUGUST 2, 2022**

This Charter Revision Commission was established by the Town Board of Directors on April 6, 2021. Appointed to the Commission were: Josh Howroyd (Chair), Dr. Maria Cruz (Vice Chair), Dr. Diane Clare-Kearney (Secretary), Jacqueline Crespan, Cheri Eckbreth, Jennifer Fiereck, Margaret Hackett, Jerald Lentini, MD Masudur Rahman, Louis Spadaccini and Mark Tweedie. On November 16, 2021, two members, Jacqueline Crespan and Jennifer Fiereck, resigned and were replaced by Kelly Lierzer and Zachary Reichelt. Mr. Reichelt resigned on March 1, 2022 and was replaced by Steven Norton on April 5, 2022.

The Resolution creating the Charter Revision Commission charged it with considering the following:

- Charge # 1. Review of substantive or administrative amendments to the Charter as identified by the Town Administration's and Town Attorney's review of the Town Charter.
- Charge # 2. Review of Section 2-14 of the Town Charter, Justices of the Peace, to increase the authorized number of Justices of the Peace to 30.
- Charge # 3. Review of Section 9-1 of the Town Charter, Election to Board of Education to consider revision of the terms of office.
- Charge # 4. Review of Section 14-1 of the Town Charter, Recreation and Park Commission, to consider increasing the membership of the commission from 7 members to 9 members.
- Charge # 5. Review of Sections 3-2 and 3-3 of the Town Charter, election of the Board of Directors, to consider revision of the terms of office and compensation.
- Charge # 6. Review of Sections 3-2 and 9-1 of the Town Charter, election to the Board of Directors and Board of Education, to consider the use of at-large elections.
- Charge # 7. Review of Sections 3-1 and 4-5 of the Town Charter, powers of the Board of Directors, to consider the investigatory powers and ability to directly question department heads and initiate reports outside of the General Manager, as well as investigate matters within that department notwithstanding the General Manager's oversight of such department.
- 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.
- 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.
- Charge # 10. Review of Section 3-1 of the Town Charter, powers of the Board of Directors, to provide the Board of Directors with the ability to draft proposals absent the direction of the General Manager.
- Charge # 11. Review of Section 3-5 of the Town Charter, powers of the Board of Directors, to clarify leadership including succession in the event of the resignation of the Chairman/Mayor of the Board of Directors.

- Charge # 12. Review of Section 3-1 of the Town Charter, to review training opportunities and possible requirements for members of boards and commissions.
- Charge # 13. Review of Chapter III and Chapter IV of the Town Charter, to consider the structure of the council-manager form of government.

The review by the Charter Revision Commission was not restricted to the 13 areas identified above. Deliberations on the 13 specific charges from the Board of Directors and over a dozen other items were considered over the course of 20 meetings and 5 public hearings held on July 12, 2021, August 5, 2021, September 9, 2021, January 5, 2022, and May 4, 2022. This work resulted in a series of recommendations by the Charter Revision Commission that was submitted to the Board of Directors as a Draft Report on June 3, 2022. On July 19, 2022, the Board of Directors requested that the Commission review 12 items and the Commission completed its review on August 2, 2022. On August 8, 2022 the Commission submitted its Final Report to the Board of Directors.

Recommendations

Charge # 1. Review of substantive or administrative amendments to the Charter as identified by the Town Administration's and Town Attorney's review of the Town Charter.

1A. Use of Gender Neutral Pronouns and Official Titles

Recommendation: The Charter Revision Commission voted 11-0 on January 31, 2022, to adopt the use of gender-neutral pronouns and official titles throughout the charter. (*See draft language, Appendix pp. 1 - 18*)

Discussion/Rationale: This recommendation changes multiple references in the masculine gender, such as he, him or his, to in most cases, a specific reference to an official title that would apply to each specific instance.

1B. Amending Terminology in Chapter XIII, Department of Human Services (Sections 13-1 & 13-2)

Recommendation: The Charter Revision Commission voted 11-0 on February 23, 2022, to amend terminology in Chapter XIII of the Town Charter, Department of Human Services. (*See draft language, Appendix pp. 19 - 20*)

Discussion/Rationale: In coordination with Director Joel Cox and Assistant Town Attorney John Sullivan, the Human Services Chapter of the Charter has been rewritten to reflect the current mission and services of the Department of Human Services and to remove inappropriate and obsolete language from the Charter. For example, we change references to “mentally ill persons, mentally retarded persons, inebriates, epileptics, indigents and incompetents” to “persons with mental health disabilities, persons with developmental disabilities, persons with disabling conditions and the impoverished.”



1C. Budget Timetable – Clarify Dates

Recommendation: The Charter Revision Commission voted 11-0 on February 23, 2022, to amend various budget provisions in the Town Charter to specify dates rather than the number of days before the beginning of the fiscal year. (See draft language, Appendix pp. 21 - 22)

Discussion/Rationale: The Commission recommends changing various references from 110, 105, 100, 75 or 45 days prior to the beginning of the fiscal year to specific dates: March 13th, March 18th, March 23rd and April 17 and May 17th, respectively. The Commission believes this provides clarity for these sections of the Charter. Also recommended is an amendment regarding the budget adoption process, clarifying that the Board of Directors shall convene to vote on a final budget not later than April 17th of each year, however, it provides flexibility for final action by the Board of Directors on or before May 17th of each year.

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. (See draft language, Appendix p. 23)

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.

1E. Settlement of Legal Claims

Recommendation: The Charter Revision Commission voted 10-0 on March 21, 2022, to recommend that Section 18-1 of the Town Charter be amended to increase the dollar thresholds for settlement of claims by the Town Attorney, the General Manager, and the Board of Directors. (See draft language, Appendix p. 24)

Discussion/Rationale: This change would: allow the Town Attorney to settle claims not to exceed \$10,000, unilaterally (currently \$7,500); allow the Town Attorney to settle claims in excess of \$10,000 but not exceeding \$20,000, with the approval of the Town Attorney and the General Manager (currently \$7,500 and \$15,000, respectively); and require that claims in excess



of \$20,000 be approved by the Board of Directors (currently \$15,000). These dollar thresholds are updated periodically, most recently in 2008.

1F. Terminology Changes to Reflect Current Names of Offices and Positions

Recommendation: The Charter Revision Commission voted 11-0 on April 18, 2022, to recommend that Section 3-1 of the Town Charter be amended to clarify the authority of the Board of Directors to establish Departments, Offices, Divisions and positions by ordinance or resolution. (See draft language, Appendix pp. 25-26)

Discussion/Rationale: This change clarified current practice and is consistent with Section 2-2 of the Town Charter.

Charge # 2. Review of Section 2-14 of the Town Charter, Justices of the Peace, to increase the authorized number of Justices of the Peace to 30.

Recommendation: The Charter Revision Commission voted 6-5 on January 31, 2022, to increase the number of Justices of the Peace to 45. (See draft language, Appendix p. 27)

Discussion/Rationale: An informal survey of the number of Justices of the Peace in other Connecticut municipalities showed Manchester on the low end with 15 Justices of the Peace. New Haven (358), Hartford (293), Bristol (200), New Britain (179), Bridgeport (137), Enfield (127) and West Hartford (122) were on the other end of the spectrum. The number 45 was selected to be more in line with other communities of our size.

A majority of the Commission also believed that increasing the number of Justices of the Peace would allow more racial, ethnic and gender diversity among the Justices of the Peace and allow the appointment of individuals from various communities within Manchester. Currently, there is only one Spanish speaking Justice of the Peace in Manchester available to perform ceremonies in a native language. Under state law, this change would allow for 15 Democratic appointments, 15 Republican appointments and the appointment of 15 electors who are not registered as Democrats or Republicans.

Charge # 3. Review of Section 9-1 of the Town Charter, Election to Board of Education to consider revision of the terms of office.

Recommendation: The Charter Revision Commission voted 5-3-3 on February 23, 2022, to take no action on this charge.

Discussion/Rationale: The Commission discussed various alternatives for election of members of the Board of Education, including: 2-year terms, 4-year terms or maintaining the current 3-year terms. On a divided vote, the Commission recommend no action on this charge, thus maintaining the current 3-year terms for members of the Board of Education.



Charge # 4. Review of Section 14-1 of the Town Charter, Recreation and Park Commission, to consider increasing the membership of the commission from 7 members to 9 members.

Recommendation: The Charter Revision Commission voted 10-0 on March 21, 2022, to recommend that Sections 2-2, 14-1, 14-2 and 14-3 of the Town Charter be amended to remove the Advisory Recreation and Park Commission from the Town Charter and allow the Board of Directors to establish the Commission by resolution or ordinance instead. See also recommendation for Charge # 8. (*See draft language, Appendix p. 28*)

Discussion/Rationale: The Commission believes that the Advisory Recreation and Park Commission, as its name implies, is advisory in nature and, as such, would be better established by ordinance or resolution. The Commission recognizes the important role of the Commission and encourages the Board of Directors to reestablish it through ordinance or resolution, which can update its mission and adjust the size of the membership, if deemed necessary.

Charge # 5. Review of Sections 3-2 and 3-3 of the Town Charter, election of the Board of Directors, to consider revision of the terms of office and compensation.

5A. Board of Directors - Terms of Office

Recommendation: The Charter Revision Commission voted 10-1 on January 31, 2022, to maintain the existing 2-year term of office for members of the Board of Directors.

Discussion/Rationale: The Commission supported maintaining the current 2-year term for members of the Board of Directors as they believe that it effectively promotes accountability to the citizens of Manchester.

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. (See draft language, Appendix p. 29)

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.

Charge # 6. Review of Sections 3-2 and 9-1 of the Town Charter, election to the Board of Directors and Board of Education, to consider the use of at-large elections.

Recommendation: The Charter Revision Commission voted 11-0 on January 31, 2022, to continue the use of at-large voting for all municipal elections.

Discussion/Rationale: After assessing the pros and cons of electing some offices by district or ward, it was believed that it would be difficult to implement logistically and that the current at-large system works effectively for Manchester.

Charge # 7. Review of Sections 3-1 and 4-5 of the Town Charter, powers of the Board of Directors, to consider the investigatory powers and ability to directly question department heads and initiate reports outside of the General Manager, as well as investigate matters within that department notwithstanding the General Manager's oversight of such department.

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

Discussion/Rationale: It is believed that the Board of Directors has sufficient authority to accomplish these issues within their authority as a legislative and policy-making body but there is also a need to maintain sufficient safeguards to not intrude on executive authority.

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. (See draft language, Appendix pp. 30 - 33)

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.

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.



Charge # 10. Review of Section 3-1 of the Town Charter, powers of the Board of Directors, to provide the Board of Directors with the ability to draft proposals absent the direction of the General Manager.

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

Discussion/Rationale: Similar to our conclusion on Charge # 7, we believe that the Board of Directors has sufficient authority to accomplish this within their authority as a legislative or policy-making body.

Charge # 11. Review of Section 3-5 of the own Charter, powers of the Board of Directors, to clarify leadership including succession in the event of the resignation of the Chairman/Mayor of the Board of Directors.

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 in the event of the death or resignation of the chairman of the Board of Directors, the Vice Chairman shall become Chairman. On May 23, 2022, the Commission modified the language of this recommendation from “the death or resignation of the chairman” to “a vacancy in the position of chairman.” (*See draft language, Appendix p. 34*)

Discussion/Rationale: The Commission believes that it is important to clarify the Charter regarding leadership succession on the Board of Directors in the event of the death or resignation of the Chairman of the Board of Directors.

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/zaranbmia8y6ybbtrpeu/WelcometoPublicService.pdf>

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

Charge # 13. Review of Chapter III and Chapter IV of the Town Charter, to consider the structure of the council-manager form of government.

Recommendation: The Charter Revision Commission voted 10-1 on January 31, 2022, to maintain the existing council-manager form of government.

Discussion/Rationale: The Council/Manager form of government has served Manchester well for the past 75 years. It provides the Town with capable, consistent, and professional management. It is also noted that there was strong support for the Council/Manager form of government at our January 5th public hearing.

OTHER ISSUES CONSIDERED BY THE CHARTER REVISION COMMISSION

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. (See draft language, Appendix pp. 35 - 36)

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.

Increase the Membership of the Planning and Zoning Commission

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. (See draft language, Appendix pp. 37-38)

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.

Changing the Name of the Board of Directors to Town Council

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.

Changing the Title of the General Manager to Town Manager



Recommendation: The Charter Revision Commission voted 9-1 on March 21, 2022, to change the title of the “General Manager” to “Town Manager.” (See draft language, Appendix pp. 39 - 54)

Discussion/Rationale: This change is being made to reflect the more conventional nomenclature for the job title.

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.

Town Clerk - Elected or Appointed

Recommendation: The Charter Revision Commission voted 6-5 on April 6, 2022, to recommend that the Town Clerk remain an elected position.

Discussion/Rationale: A majority of the Charter Revision Commission believes that an elected Town Clerk provides direct accountability to the citizens of Manchester and maintains an important community tradition that has been in place for 199 years.

Town Clerk - Specify Date by which the Town Clerk’s Salary be Established

Recommendation: The Charter Revision Commission voted 11-0 on April 6, 2022, to recommend that section 2-12 of the Town Charter be amended to specify that the Board of Directors establish the Town Clerk’s salary for the coming term not later than July 1st of the year of a Town Clerk election. (See draft language, Appendix p. 55)



Discussion/Rationale: This recommendation establishes a deadline for the Board of Directors to establish the Town Clerk’s salary well in advance of the election and the beginning of a new term of office.

Town Clerk and Registrars of Voters - Clarify 4-year Terms

Recommendation: The Charter Revision Commission voted 11-0 on April 6, 2022, to recommend that Section 2-1 of the Town Charter be amended to conform the Charter with the provisions of Section 63-2 of the Town Code of Ordinances to specify four-year terms for the Town Clerk and Registrar of Voters. (See draft language, Appendix p. 56)

Discussion/Rationale: This recommendation conforms the Charter with current practice that has been in place for over 40 years under Section 63-2 of the Town Code of Ordinances. This ordinance was enacted under the authority of Section 9-189a of the Connecticut General Statutes.

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. (See draft language, Appendix p. 57)

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.

Allow the Board of Directors to Adopt Additional Standards of Official Conduct by Ordinance

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. (See draft language, Appendix pp. 58 - 61)

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.

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. (See draft language, Appendix pp. 62 - 63)

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.

Gender Identity and Racial Equity on Boards and Commission

Recommendation: The Charter Revision Commission voted 11-0 on April 18, 2022, to recommend that Section 2-2 of the Town Charter be amended to provide that appointing authorities for any Board or Commission shall consider the interests of gender identity and racial equity and make a good faith effort to seek out individuals for such appointment that reflect such equity. (See draft language, Appendix p. 64)

Discussion/Rationale: This recommendation encourages appointing authorities to consider the interests of gender identify and racial equity when making appointments to Town Boards and Commission.

Allowing Voters to Vote for the Number of Positions to be Elected

Recommendation: The Charter Revision Commission voted 11-0 on April 18, 2022, to recommend no action on this proposal.

Discussion/Rationale: This proposal would have allowed voters to vote for the number of positions to be elected while maintaining minority representation, e.g. allowing voters to vote for up to 9 members of the Board of Directors. After discussion, no action was taken on the proposal due to a number of logistical issues that may have had the impact of confusing voters.



Appendix

Proposed amendments to Town Charter

Additional Information

Minutes of all Charter Revision Commission Meetings – See Charter Revision Website

<http://bod.townofmanchester.org/index.cfm/charter-revision-commission/>

Acknowledgements

The Charter Revision Commission expresses its sincere thanks to Budget and Research Officer Brian Wolverton, Assistant Town Attorney John Sullivan and Finance Director Kimberly Lord for their assistance during the Commission's deliberations.



APPENDIX

CHARGE # 1A - USE OF GENDER-NEUTRAL PRONOUNS AND OFFICIAL TITLES

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 nine (9) 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~~ **MEMBERS OF THE SELECT BOARD**, 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 not more than six (6) candidates, and no elector shall vote for more than six (6) candidates for such office. 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~~ **THEIR** office on the third Monday in November in the year of ~~his~~ **THEIR** election and shall hold office until his successor is elected and has qualified.

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 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~~ **THEIR** term of office, then ~~his~~ **THEIR** office shall automatically become vacant and the Board of Directors shall appoint a successor.

Sec. 2-3 Restrictions on holding office.

No member of the Board of Directors during the term for which ~~he is~~ **THEY ARE** elected shall hold any other Town office, elective or appointive, nor act as counsel in any matter before the Board of Directors or any department, commission, board or bureau of the Town. Except as provided in § 4-1, nothing contained in this section shall preclude a member of the Board of Directors from accepting appointment to any other Town office, elective or appointive; however, such member's term on the Board of Directors shall end upon entering the duties of said office. No other commission or board shall appoint any of its members to any office or employment for which compensation is paid from Town funds during the term for which such member was appointed unless otherwise permitted by state law.



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

(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~~] CHAIR, [~~Vice-Chairman~~] VICE CHAIR and Secretary. In the absence of the [~~Chairman~~] CHAIR or in the event of a vacancy in that position, the [~~Vice-Chairman~~] VICE CHAIR shall serve as [~~Chairman~~] CHAIR.
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~~] CHAIR 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~~] THEIR 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~~] SPECIAL COUNSEL shall set forth the particular section or sections of the Standards of Official Conduct which [~~he~~] SPECIAL COUNSEL 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~~] **THEIR** 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~~] **THEIR** official duties.

2. No Town official or Town employee shall accept any benefit or income in addition to that received in [~~his or her~~] **THEIR** official capacity for having exercised [~~his or her~~] **THEIR** 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~~] **THEIR** 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~~ **THEMSELVES** 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~~ **THEIR** official duties or that may tend to impair ~~his or her~~ **THEIR** 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.

Sec. 2-6 Additional compensation not to be paid.

Except for extraordinary service, and then only by a majority vote of the whole membership of the Board of Directors, no elected or appointed officer, superintendent, head of bureau, subordinate or employee of the Town shall have or receive to ~~his~~ **THEIR** own use any prerequisite, compensation or fees pertaining directly or indirectly to the duties of ~~his~~ **THEIR** office in addition to ~~his~~ **THEIR** approved compensation. All fees paid to and received by any salaried officer or employee of the Town for services rendered in ~~his~~ **THEIR** official capacity shall be paid by the officer or employee receiving the same to the Collector of Revenue for the use of the Town.

Sec. 2-7(a) Official bonds.

The Director of Finance, Collector of Revenue and Town Clerk shall, before entering upon their official duties, execute to the Town and file with the Town Clerk a surety company bond in a penal sum to be fixed by the Board of Directors, conditioned upon the faithful performance of ~~his~~ **THEIR** official duties, in the form to be prescribed or approved by the Town Attorney. Premiums for said bonds shall be paid by the Town.

Sec. 2-8 Removal from office by Board of Directors.

Except as hereinafter provided, the Board of Directors may remove any officer or employee appointed by it, provided the officer or employee shall have been served with a written notice of the intention of the Board of Directors to remove ~~him~~ **SUCH OFFICER OR EMPLOYEE**, containing a clear statement of the grounds for such removal and of the time and place, not less than ten (10) days after the service of such notice, at which ~~he~~ **THEY** shall be given an opportunity to be heard thereon. For the purposes of this provision, absence of any appointee to a board or commission created by Charter or ordinance from more than three (3) consecutive regular meetings shall be considered grounds for removal. In the event this conflicts with any provisions of a board or commission currently operating under the Charter or an ordinance, it is intended that this provision shall control. After such hearing, which shall be public at the option of the officer or employee and at which ~~he~~ **THEY** may be represented by counsel, the action of the Board of Directors the officer or employee shall be ineligible to perform the duties of ~~his~~ **THEIR** office or employment but ~~he~~ **THEY** shall continue to receive his salary or wages pending such final action. Notwithstanding the foregoing provisions, if any officer or employee appointed by the Board of Directors shall be convicted by a final judgment of a felony, as deemed by the Connecticut General Statutes, the office held by such officer and the position held by such employee shall become vacant forthwith upon such conviction.

Sec. 2-9 Removal from office by General Manager.



The General Manager may remove any officer or employee appointed by ~~[him]~~ THE GENERAL MANAGER when, in ~~[his]~~ THE GENERAL MANAGER'S opinion, the best interests of the Town require such action, provided the officer or employee shall have been served with a written notice of the intention of the General Manager to remove ~~[him]~~ SUCH OFFICER OR EMPLOYEE, containing a clear statement of the grounds for such removal. Any officer or employee so discharged shall be entitled, upon request in writing to the Board of Directors, to a hearing before said Board under such procedure as said Board shall provide, which hearing shall be public at the option of such officer or employee and at which ~~[he]~~ THEY may be represented by counsel, but the final decision with respect to any such discharge or removal shall rest with the General Manager. The General Manager may suspend from duty for not more than thirty (30) days any such officer or employee pending final action. Notwithstanding the foregoing provisions, if any officer or employee appointed by the General Manager shall be convicted by a final judgment of a felony, as defined by the Connecticut General Statutes, the office held by such officer and the position held by such employee shall become vacant forthwith upon such conviction.

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; or

(b) 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]~~ SELECT BOARD 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 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.

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~~] CHAIR or Acting [~~Chairman~~] CHAIR shall have the power to administer oaths and issue subpoenas and, at [~~his~~] THEIR request, any judge may issue a capias 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~~] THE GENERAL MANAGER 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. 3-3 Compensation.

The compensation of the members of the Board of Directors shall be as follows: the [~~Chairman~~] CHAIR shall be paid three thousand dollars (\$3,000.00) annually, the [~~Deputy Chairman~~] VICE CHAIR and the Secretary shall be paid two thousand four hundred dollars (\$2,400.00) annually, and the other members of the Board shall be paid two thousand dollars (\$2,000.00) annually, which sums shall be in full compensation for services rendered.

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~~] CHAIR of the Board of Directors; one of its own members to be for a term of two years Vice [~~Chairman~~] CHAIR 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~~] CHAIR shall be the member who received the highest vote count in the biennial election, irrespective of party affiliation or nonaffiliation. The Vice [~~Chairman~~] CHAIR and Secretary shall be elected by a majority vote of those present.

Sec. 3-5 [~~Chairman~~] CHAIR and Vice [~~Chairman~~] CHAIR.

The [~~Chairman~~] CHAIR, who shall be designated as Mayor of Manchester, shall preside at all meetings of the Board and may call special meetings thereof. [~~He~~] THE CHAIR shall call special meetings of the Board whenever requested in writing by the General Manager or four (4) members of the Board to do so. [~~He~~] THE CHAIR shall be recognized as head of the Town government for all ceremonial purposes and by the Governor for purposes of military law, but shall have no administrative duties. Whenever [~~he~~] THE CHAIR shall be absent or otherwise prevented from serving in any of his official capacities, the Vice [~~Chairman~~] CHAIR, who shall be designated as the Deputy Mayor of Manchester, shall be Acting Chairman and shall have all powers of the [~~Chairman~~] CHAIR until the [~~Chairman~~] CHAIR is able to exercise them. Whenever the [~~Chairman~~] CHAIR and Vice [~~Chairman~~] CHAIR shall both be absent or otherwise prevented from serving in any of their official capacities, an Acting [~~Chairman~~] CHAIR, who shall have all the powers of the [~~Chairman~~] CHAIR until either the [~~Chairman~~] CHAIR or Vice [~~Chairman~~] CHAIR is able to exercise them, shall be elected by the Board.

Sec. 3-6 Secretary.

The Secretary shall have charge of keeping a correct public record of all meetings of the Board, which record shall be open to inspection at all reasonable times by any taxpayer or elector of the Town. Upon authorization by the Board of Directors, the Secretary or the [~~Chairman~~] CHAIR may sign, on behalf of the Board, all formal notices and records. The Secretary shall have no power to sign contracts. The Town Clerk may certify the records of the Board of Directors as true copies of the records of the Board of Directors as kept by the Secretary.

Sec. 3-11 Revision of existing ordinances.



The provisions of §§ 3-8 and 3-9 of this chapter shall not apply to any ordinance or bylaw adopted by the Board of Directors which is substantially similar in language to any ordinance or bylaw of the Town adopted prior to January 1, 1947, except that the Board of Directors or General Manager is substituted for the Board of Selectmen or the [Chairman] CHAIR of the Board of Directors is substituted for the [Chairman] CHAIR of the Board of Selectmen. Any such ordinance or bylaw shall be effective upon passage by the Board of Directors and filing with the Town Clerk without the necessity of public hearing or advertisement.

Sec. 4-1 Appointment.

At the meeting of the Board of Directors on the first Monday in November, 1948, or as soon thereafter as possible, the Board of Directors shall appoint a General Manager who shall be chosen on the basis of [his] THEIR executive and administrative qualifications with special reference to [his] THEIR actual experience in, and [his] THEIR knowledge of, accepted practices in respect to the duties of [his] THEIR office as herein set forth. At the time of [his] THEIR appointment, [he] THE GENERAL MANAGER need not be a resident of the Town or state, but within one (1) year of appointment [he] THE GENERAL MANAGER shall reside within the Town. No member of the Board of Directors shall receive such appointment during the term for which [he] THEY shall have been elected, nor within one (1) year after the expiration of [his] THEIR term.

Sec. 4-2 Tenure and removal.

The General Manager shall be appointed for an indefinite term. [He] THE GENERAL MANAGER may be removed by the affirmative vote of five (5) members of the Board of Directors. At least thirty (30) days before such removal may be made effective, the Board of Directors shall, by such a majority vote of its members, adopt a preliminary resolution stating the reasons for the proposed removal, and a copy of such resolution shall forthwith be mailed by registered mail to the General Manager at [his] THEIR usual place of abode. The General Manager may reply and may appear and be represented by counsel at a public hearing which shall be called by the Board of Directors if requested by the General Manager. Such a request shall be made by the General Manager not more than thirty (30) days after the adoption of such preliminary resolution. Such hearing shall be held not more than twenty (20) days from the date of such request. After such public hearing, the Board of Directors, by majority vote of all its members, may adopt a resolution removing the General Manager from office, which may be made effectively immediately. If no request for a hearing is made by the General Manager, [his] THE GENERAL MANAGER'S removal from office shall be effective thirty-one (31) days from the date of said preliminary resolution. By the preliminary resolution, the Board of Directors may suspend the General Manager from duty; but [he] THE GENERAL MANAGER shall be entitled to his regular compensation until [he] THE GENERAL MANAGER shall have been removed from office, and until such removal [he] THE GENERAL MANAGER shall have access during regular business hours to all records, files and documents in the custody of any Town official pertaining to his conduct as General Manager. If the General Manager shall be found guilty by any court of misfeasance or malfeasance in office or of any felony, [he] THE GENERAL MANAGER may be summarily dismissed by the Board of Directors, and [he] THE GENERAL MANAGER shall not be entitled to any salary other than any unpaid balance which may be due [him] THE GENERAL MANAGER.

Sec. 4-4 Absence or disability of General Manager.



To perform the duties of the General Manager pending the appointment of a General Manager or during [his] THE GENERAL MANAGER'S temporary absence or disability, the Board of Directors may appoint an Acting Manager, who shall not be one of its own members, to perform the duties of the General Manager.

Sec. 4-5 General Manager, powers and duties.

The General Manager shall be the chief executive officer and the head of the administrative branch of the Town government, and none of the administrative duties of the Town shall be performed by any member of the Board of Directors. All administrative rights, powers and duties of the Town not otherwise vested by this Charter are exclusively vested in the General Manager. Except for the appointment of boards, agencies and commissions provided for by the General Statutes and except as herein provided, he shall exercise the powers and perform the duties in and for the Town of Manchester which are conferred and imposed by law upon selectmen, except as to the filling of vacancies in elective offices as set forth in § 2-11 hereof and to the delivery and filing of the welfare reimbursement agreements and liens referred to in Sections 17-280 and 17-281, 1958 Revision of the General Statutes.⁽¹⁾ The service of any process against or notice to the Town, and any notice which the General Statutes may provide, should be served upon the selectmen or any selectman of a Town shall, in the case of the Town of Manchester, be served upon the Town Clerk. The General Manager shall have charge of the preparation of the annual report of the Town required by law, shall attend meetings of the Board of Directors, may participate in any discussion and may make recommendations but shall not have the right to vote at such meetings. In addition to the duties prescribed by this Charter, [he] THE GENERAL MANAGER shall perform such other duties as may be required of [him] THE GENERAL MANAGER by the Board of Directors not inconsistent with the provisions of this Charter.

Sec. 4-6 Delegation of authority during vacancy of office.

Unless otherwise specially provided for in this Charter, the General Manager shall have the power to delegate any person to be the acting head of any department, commission, bureau or board appointed by [him] THE GENERAL MANAGER during the period of any vacancy, absence or disability and until a new appointment shall have been made.

Sec. 5-2(a) Preparation.

The General Manager shall prepare and, not less than 110 days prior to the beginning of each fiscal year, shall submit to the Board of Directors a tentative budget for the ensuing fiscal year and an explanatory budget message. Such tentative budget shall, where possible, include a statement of receipts during the last completed fiscal year, the receipts for the first six (6) months of the current fiscal year, an estimation of receipts for the entire fiscal year and an estimation of receipts during the ensuing fiscal year, all itemized in accordance with a classification approved by the Board of Directors. Such budget shall also, where possible, include a statement of the expenditures during the completed fiscal year, the expenditures during the six (6) months of the current fiscal year, an estimation of the expenditures for the entire current year, the appropriations requested and the recommendations of the General Manager, as itemized by departments and in accordance with a classification by object of expenditure approved by the Board of Directors. Said budget message shall state the reason for any material increase or decrease in the estimate for the coming year of any item of receipts or expenditures from that for the current fiscal year. The Board of Education and each office, department and agency of the Town which requires an appropriation shall, not



later than February 14 of each year, submit to the General Manager a request for an appropriation for the ensuing year in accordance with a form prescribed by the General Manager and shall furnish the General Manager with such further information as to receipts and expenditures as ~~he~~ **THE GENERAL MANAGER** shall require. The request for an appropriation filed by the Board of Education with the General Manager shall be accompanied by a copy thereof for each member of the Board of Directors. Within three (3) days of filing the request for an appropriation, the Chair of the Board of Education may submit a letter to the General Manager requesting joint meeting of the two (2) Boards for the purpose of discussing the appropriation request of the Board of Education and the recommendations of the General Manager. If the Chair of the Board of Education requests this initial joint meeting, the joint meeting shall be held not later than five (5) days before the General Manager submits ~~his~~ **A** tentative budget to the Board of Directors. Following the submittal of the General Manager's tentative budget, but not later than seven (7) days before the adoption of the final budget, a mandatory joint meeting of the two (2) Boards shall be held for the purpose of presenting and discussing the appropriation request of the Board of Education.

Sec. 5-2(b) Submission to Board of Directors.

The **GENERAL** Manager shall prepare and submit to the Board of Directors a six-year capital improvement program as part of the tentative budget.

Sec. 5-13 Director of Finance to assume former powers and duties of Town Treasurer.

The Director of Finance shall have all the powers and perform all the duties which are vested by statute in town treasurers, and, except as otherwise provided in this Charter, as amended, all the powers and duties which were formerly vested in the Town Treasurer by this Charter. ~~He~~ **THE DIRECTOR OF FINANCE** shall have custody of and disburse all funds belonging to the Town and shall deposit the same in such banks and trust companies as may be designated by the Board of Directors on the recommendation of the General Manager. ~~He~~ **THE DIRECTOR OF FINANCE** shall keep such books and records as the Board of Directors shall prescribe. ~~He~~ **THE DIRECTOR OF FINANCE** shall be the Treasurer of the Town Deposit Fund and shall have authority to invest and reinvest the same in securities legal for investment of trust funds under the General Statutes. Nothing herein shall be construed to prevent sinking funds and trust funds from continuing to be managed by any trust company managing them at the effective date of this Charter unless the appointment is revoked by the Board of Directors. Whenever a vacancy occurs, or any trust fund is hereafter created, the Board of Directors shall have power on the recommendation of the General Manager to designate a trust company or trust companies to manage the same, which designation shall continue until revoked. The Director of Finance or Acting Director of Finance and the General Manager or Acting General Manager jointly shall have the power to endorse, negotiate, sign and transfer, on behalf of the Town, any securities in order to effectuate the transfer thereof.

Sec. 5-17 Purchases and contracts.

With the exception of the Board of Education, no officer or employee of the Town shall make any purchase or any contract, including contracts for service, or any commitment for any purchase or contract, including contracts for service, until the Director of Finance shall have certified that there is a sufficient unexpended and unencumbered balance of the appropriation and appropriation item against which the expense is to be charged. Whenever any such requisition has been so certified,



the Director of Finance shall record the amount of the requisition as an encumbrance against such appropriation and appropriation item. Except as otherwise provided in this Charter, the Board of Directors shall have power to make such other rules and regulations concerning purchases and contracts including contracts for service as it may deem to be in the best interest of the Town. There shall be a Purchasing Agent for the Town who shall be the General Manager or someone appointed by [him] THE PURCHASING AGENT. All purchases, except those for the Board of Education, shall be made by [him] THE PURCHASING AGENT in accordance with the rules and regulations adopted by the Board of Directors.

Sec. 6-1 Collector of Revenue.

The Collector of Revenue shall be appointed by the General Manager and shall receive and collect all taxes and assessments payable to the Town and such other fees and charges as may be assigned to [him] THE COLLECTOR OF REVENUE for collection by the Board of Directors on the recommendation of the General Manager. Except as otherwise provided in this Charter, [he] THE COLLECTOR OF REVENUE shall have such powers and duties as are conferred or imposed on tax collectors of towns by the General Statutes. In addition to any other persons designated by the Charter, the Collector of Revenue shall have the power to execute and release all liens provided for by the Charter.

Sec. 7-2 Voting districts.

The Town may by ordinance establish voting districts. Whenever voting districts are established, each elector of the Town shall vote in the district in which [he] SUCH ELECTOR resides. The Registrars of Voters of the Town shall prepare a list of the electors in each voting district, listing the name of each such elector and [his] THEIR residence by street and number, if possible. The Registrar of Voters shall prepare similar lists of electors who are registered with each political party, or may combine such registration list with the list of the electors by indicating on the list of electors the political party affiliation, if any, of such elector. Any elector who shall move [his] THEIR residence from one voting district to another voting district in the Town shall notify the Registrars of Voters of such removal, giving the street and number from which [he] THEY moved, the street and number of [his] THEIR new residence, and the date of such removal.

Sec. 8-1 Powers and duties.

The powers and duties of the SELECT Board [~~of Selectmen~~] shall be limited to those specifically set forth in § 2-11 of this Chart

Sec. 10-1 Chief of Police.

The General Manager shall appoint a Chief of Police who at the time of [his] THEIR 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] THE CHIEF may deem necessary and shall fix their compensation within a scale of wage rates recommended by [him] THE CHIEF 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] THE CHIEF 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] THE CHIEF and the Department, including the duties and discipline of the personnel of the Department. [He] THE CHIEF shall have authority to administer oaths and take evidence in all proceedings relating to the direction and control of the Police Department.

Sec. 10-2 Qualifications of policemen.

No person shall be appointed to the police force nor as a supernumerary or special policeman unless [he-is] THEY ARE of good moral character and habits and in good health and until [he] THEY shall have passed such examination respecting his educational, physical and general qualifications as may be prescribed by the Chief of Police with the approval of the General Manager.

Sec. 10-3 Removal of policemen.

The Chief of Police shall have the power to remove, expel, suspend, reduce in rank or otherwise deal with officers of all ranks and regular, supernumerary and special members of the police when in [his] THE CHIEF'S opinion the best interests of the Department require such action. Any officer or member of the Police Department thus subjected to disciplinary action shall be entitled upon request in writing to the General Manager to a public hearing before the General Manager under such procedure as the General Manager shall provide.

Sec. 10-4 Powers and duties of policemen.

The Chief, officers and members of the Police Department shall have in criminal matters all the powers of police officers under the General Statutes, and shall also have the power to arrest any person found by them violating any of the laws of the state or the penal ordinances of the Town. Such person shall be dealt with in the same manner as if [he] THEY had been arrested upon a warrant theretofore duly issued. All criminal process for any offense committed within the Town, and all process to recover or to enforce any penalty for the violation of any Town ordinance issued out of any court, or by any judge within the Town, and each process, subpoena or bench warrant issued by the State's Attorney of Hartford County, relating to any offense committed within said Town, may be served by any member of the Police Department. The members of said Department shall possess such powers and perform such other duties as may be provided by law or ordinance.

Sec. 10-5 Political activity prohibited.

No officer or member of the Police Department shall be a member of any political committee or delegate to any political convention, nor shall be hold any elective or other appointive position in the local government except that of Animal Control Officer or Assistant Animal Control Officer. [He] THEY shall not solicit any person to vote at any political primary, caucus or election, nor in any way or manner attempt to influence the vote of any elector thereat. Violation of any provision of this section shall constitute a cause for dismissal or suspension.

Sec. 10-12 Town Fire Department.



The General Manager shall appoint a Fire Chief who at the time of [his] THEIR appointment need not be a resident of the Town or state, within one (1) year of appointment shall reside within the Town. [He] THE CHIEF OF THE FIRE DEPARTMENT 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] THEIR 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] THEY may deem necessary within budget appropriations and shall prescribe their duties. [He] THE DIRECTOR OF PUBLIC WORKS shall exercise [his] THEIR powers and discharge [his] THEIR duties under the general supervision of the General Manager. [He] THE DIRECTOR OF PUBLIC WORKS shall organize the work of the Department and establish such divisions within the Department in such manner as [he] THEY shall deem most economical and efficient, provided the Director of Public Works may, at [his] THEIR 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] THE DIRECTOR OF PUBLIC WORKS 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] THEIR judgment such assistance is necessary, in accordance with § 5-17 of this Charter.

Sec. 11-4 Building Inspector Officer; Zoning Enforcement Officer; powers and duties.

The Director of Public Works shall appoint and may remove, subject to such personnel rules and regulations as may be adopted by the Board of Directors or included in this Charter, a Building Inspector, and such assistants as may be necessary. The General Manager or [his] THE GENERAL MANAGER'S designee shall appoint a Zoning Enforcement Officer and such assistants as may be necessary.



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] THEIR 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] THEY 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.

Sec. 14-2 Organization and duties.

The Recreation and Park Commission shall elect from its membership a [Chairman] CHAIR 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] THE GENERAL MANAGER with respect to the development and use of the Town's parks and its recreation program.

Sec. 14-4 Superintendent.

The General Manager may appoint a Superintendent of Recreation, a Superintendent of Parks, or a Superintendent of Recreation and Parks, any of whom, with the approval of the General Manager, may appoint such employees as [he] THEY may deem necessary within the appropriations made by the Board of Directors.

Sec. 15-2 Director of Health.

The Director of Health shall be appointed by the General Manager, with the approval of the Public Health Council of the State Department of Health. The Director of Health may be a practicing physician, devoting but part of [his] THEIR time to Town public health work, except that at any time the General Manager may require the Director of Health to give full time to the office. In either case, the salary of the Director of Health shall be fixed by the Board of Directors upon recommendation of the General Manager, except that it may be reduced only at the start of a fiscal year.

Sec. 15-3 Absence or inability of Director of Health.

To perform the duties of the Director of Health during a vacancy or [his] THEIR temporary absence or inability to serve, the General Manager may appoint some suitable person to act as Director of Health, with the approval of the State of Connecticut Commissioner of Health, and the person so appointed shall have all the powers and be subject to all the duties of the Town Director of Health while acting as such.

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] THE DIRECTOR OF



HEALTH shall have the authority, with the approval of the Board of Health, to make such reasonable rules and regulations as in ~~his~~ THEIR 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.

Sec. 15-5 Orders of Director of Health.

Every order of the Director of Health shall be in writing, signed by ~~him~~ THE DIRECTOR, and shall set a reasonable time within which compliance therewith is required, and a true copy thereof shall be served on each person or ~~his~~ THEIR agent who shall be required to comply with such order. If such person or ~~his~~ THEIR agent shall not be a resident of the Town, such copy may be served by sending the same by registered mail to his last-known address and, if no address shall be known, then by publishing the same once in a newspaper having a circulation in the Town. On the failure of any person to comply with such order, the Director of Health may execute such order and the expense thereof may be collected as a debt against such person and may be filed as a lien in favor of the Town until the payment thereof and may be enforced in a civil action in the name of the Town or by foreclosure or by any other remedy provided by the General Statutes for the collection of taxes and charges.

Sec. 16-1 Library Board.

The Library Board shall consist of nine (9) voting members appointed by the Board of Directors. The Library Board shall elect from its membership a ~~Chairman~~ CHAIR and such other officers as it shall deem necessary and may from time to time adopt regulations for its own government. Upon adoption of this section, the terms of the current Library Board shall be terminated, and the Board of Directors shall appoint three (3) electors of the Town for a term of one (1) year, two (2) electors for a term of two (2) years and two (2) electors of the Town for a term of three (3) years. Thereafter each voting member shall be appointed to a three-year term. Terms of office for current and subsequent members of the Library Board shall expire in the month of November.

Sec. 16-3 Management of libraries.

The General Manager shall have the care, management, and control of all public libraries in Town and shall provide regulations for their use. ~~He~~ THE GENERAL MANAGER shall have overall responsibility for library operations and may equip and maintain land and buildings for library purposes within the appropriations made by the Board of Directors. The General Manager may appoint a Library Director who, with the approval of the General Manager, may appoint such employees as he may deem necessary within the appropriations made by the Board of Directors.

Sec. 17-5 Public hearings on building lines.

Before establishing or altering any building or veranda line, and before making any appraisal of damages or assessment of benefits therefor, a public hearing shall be given by the Commission to all parties in interest, and notice of the time and place of such hearing shall be given by causing a



copy of the proposed order designating and establishing or altering any building or veranda line, with a notice of the time and place of hearing thereon, to be filed in the Town Clerk's office and published in the same manner as provided for giving notice of a public hearing in § 3-8 of this Charter, and by depositing a like copy in any post office in said Town, postage prepaid, directed to the person or persons interested at [~~his or~~] their last-known post office address.

Sec. 17-16 Planning Director.

(a) There may be, at the discretion of the Board of Directors, a Planning Department under the direction and control of a Director of Planning. Such Director of Planning shall be appointed by the General Manager and may be removed by the General Manager at [~~his~~] THE GENERAL MANAGER'S discretion.

(b) The Planning Director shall:

(1) Assist the General Manager in the preparation of all recommendations by the General Manager to the Planning and Zoning Commission respecting a plan of development for the Town, zoning regulations and subdivision regulations, and any amendments or additions thereto;

(2) Assist the General Manager and the Board of Education in the annual preparation of a capital improvements program as herein provided, insofar as it is related to the plan of development;

(3) Advise the General Manager, the Planning and Zoning Commission, Board of Directors, Board of Education, Redevelopment Agency, Housing Authority, and any department or other Town agency respecting any matter relating to the physical development of the Town on which [~~his~~] THEIR opinion has been requested or on which [~~he~~] THE PLANNING DIRECTOR deems it advisable to report;

(4) Advise the Planning and Zoning Commission and the Zoning Board of Appeals in the exercise of their functions and serve as principal technical advisor to the Planning and Zoning Commission and in connection therewith to provide necessary staff assistance;

(5) Review and make recommendations regarding any proposed action implementing the plan of development.

(c) The Director of Planning shall appoint and remove such professional staff and employees as [~~he~~] THEY may deem necessary and shall prescribe their duties. [~~He~~] THE DIRECTOR OF PLANNING may contract with professional consultants as [~~he~~] THEY deems necessary to carry out the duties and responsibilities here above set forth in accordance with § 5-17 of this Charter.

Sec. 18-1 Town Attorney; powers and duties.

The Board of Directors shall appoint a Town Attorney, whose compensation shall be fixed by the Board of Directors, and when the need exists, the Board of Directors shall appoint a Bond Counsel. The Town Attorney shall be the head of the Department of Law. [~~He~~] THE TOWN ATTORNEY shall be the legal adviser for the Town, the General Manager, Board of Directors, Board of Education, and all departments, boards, commissions, bureaus and other officers in all matters affecting the Town or relating to their official duties. [~~He~~] THE TOWN ATTORNEY shall appear for and protect the rights and interests of the Town in all actions, suits and proceedings brought by or against it or any of the departments, boards, commissions, bureaus, or officers on account of matters involving the performance of their official duties or affecting the Town, and discharge such other legal duties as may be prescribed by law or by ordinance. [~~He~~] THE TOWN ATTORNEY shall have power, subject to the approval of the General Manager, to appeal from



orders, decisions and judgments in which the Town, or any department, commission, board, bureau or officer is a party. [He] THE TOWN ATTORNEY shall also have the power to enter into any agreement, compromise or settlement of any claims against the Town in an amount not to exceed seven thousand five hundred dollars (\$7,500.00). [He] THE TOWN ATTORNEY shall have the power, subject to the approval of the General Manager, to enter any agreement, compromise or settlement of claims against the Town in an amount not to exceed fifteen thousand dollars (\$15,000.00). Any agreement, compromise or settlement of claims against the Town exceeding fifteen thousand dollars (\$15,000.00) shall require the approval of the General Manager, Town Attorney and the Board of Directors. Notwithstanding the above, the Town Attorney, with the concurrence of the General Manager, may enter into any agreement, compromise or settlement of any land use appeals, tax appeals, medical insurance claims, workers' compensation or heart and hypertension claims (excluding full and final stipulations), and all other claims for which settlement authority is vested in an entity other than the Board of Directors. [He] THE TOWN ATTORNEY shall prepare or approve all forms of contracts and other instruments to which the Town is a party or in which it has an interest. [He] THE TOWN ATTORNEY may, with the approval of the General Manager, employ special counsel to assist [him] in the conduct of important cases or proceedings to which the Town is a party or in which it has an interest. Except on behalf of the Town, the Town Attorney shall not appear as Counsel before any board, commission, officer or other agency of the Town.

Sec. 18-2 Opinions.

The Board of Directors and General Manager, Board of Education and Director of any department, commission, board, bureau or officer, or committee appointed pursuant to law or ordinance, may request in writing and the Town Attorney thereupon shall render [his] THEIR written opinion upon any question of law involving their respective powers and duties.

Sec. 18-3 Assistants.

The Town Attorney may appoint such assistant or assistants as the Board of Directors may authorize to aid [him] THE TOWN ATTORNEY in the discharge of [his] THEIR duties, and any such assistant shall perform such duties as may be imposed upon him by the Town Attorney and shall receive such compensation as the Board of Directors shall provide. The Town Attorney may remove any such assistant at any time.

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



CHARGE # 1B - CHAPTER XIII, DEPARTMENT OF HUMAN SERVICES

Sec. 13-1 Director and employees.

The General Manager shall appoint a Director of the Department of Social Services who shall be trained in ~~[welfare work]~~ THE FIELDS OF SOCIAL AND HUMAN SERVICES. The Director shall appoint, with the approval of the General Manager, ~~[such physicians,]~~ social service workers and other employees as shall be necessary for the administration of the Department, define their duties and fix their compensation within a scale of wage rates recommended by ~~[him]~~ THE DIRECTOR and approved by the General Manager and within the appropriations made by the Board of Directors. All employees of the Department engaged in social service and public welfare work shall be trained and qualified therein.

Sec. 13-2 Director; Duties.

The Director of the Department of ~~[Social]~~ HUMAN Services shall have ~~[control,]~~ THE RESPONSIBILITY OF THE management and supervision of the affairs of the Town relative to ~~[poor, needy and indigent persons and relative to aged and mentally ill and mentally retarded persons and incompetents]~~ IMPOVERISHED PERSONS, OLDER ADULTS, PERSONS WITH MENTAL HEALTH DISABILITIES, PERSONS WITH DEVELOPMENTAL DISABILITIES AND PERSONS LACKING THE MEANS TO BE SELF-SUFFICIENT. ~~[He]~~ THE DIRECTOR shall ~~[be overseer of the poor]~~ OVERSEE THE EFFORTS OF THE TOWN RELATIVE TO THE IMPOVERISHED, shall have charge of the Town almshouse, if there be one, and, at the expense of the Town, shall ~~[provide and maintain the necessary places, means and supplies for the subsistence of the poor and needy]~~ SEEK TO ENSURE THAT ADEQUATE RESOURCES EXIST TO MEET THE NEEDS OF THE IMPOVERISHED AND THOSE WHO LACK THE MEANS TO BE SELF-SUFFICIENT AND and shall exercise all the powers and perform all the duties, except the release of the welfare reimbursement agreements and liens referred to in §§ ~~[17-280 and 17-281]~~ CHAPTER 319s of the General Statutes, given or delegated by the General Statutes to selectmen of towns relative to the support ~~[, control and removal]~~ of aged and ~~[needy]~~ persons IN NEED ~~[and indigents]~~ and relative to charities, ~~[almshouses, bastardy]~~ SHELTER, EMERGENCY HOUSING OR HOUSING FOR HOMELESS PERSONS, PARENTAGE proceedings, commitments, removals, burials, Town charges, ~~[mentally ill persons, mentally retarded persons, inebriates, epileptics, indigents and incompetents]~~ PERSONS WITH MENTAL HEALTH DISABILITIES, PERSONS WITH DEVELOPMENTAL DISABILITIES, PERSONS WITH DISABLING CONDITIONS AND THE IMPOVERISHED. ~~[He]~~ THE DIRECTOR shall cooperate with AND SUPPORT THE WORK OF the agencies of the state and private organizations engaged in social service and welfare work within the Town in order that the work of the Department may be coordinated with the work of said agencies and private organizations, and for that purpose the Director may avail ~~[himself]~~ THE DEPARTMENT of and exchange with such agencies and organizations all data of common interest respecting social service and welfare work. THE DIRECTOR SHALL RESEARCH, PROPOSE AND ADVOCATE FOR NEW PROGRAMS, EFFORTS AND SERVICES AS NECESSARY IN ORDER TO ENSURE THAT THE ADEQUATE RESOURCES EXIST TO MEET THE NEEDS OF OLDER ADULTS, IMPOVERISHED



PERSONS, PERSONS WITH DISABILITIES AND PERSONS WHO LACK THE NECESSARY RESOURCES TO BE SELF-SUFFICIENT.

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CHARGE # 1C - BUDGET LANGUAGE

Sec. 5-2(a) Preparation.

The General Manager shall prepare and, not [~~less than 110 days prior to the beginning of each fiscal year~~] LATER THAN MARCH 13 OF EACH YEAR, shall submit to the Board of Directors a tentative budget for the ensuing fiscal year and an explanatory budget message. Such tentative budget shall, where possible, include a statement of receipts during the last completed fiscal year, the receipts for the first six (6) months of the current fiscal year, an estimation of receipts for the entire fiscal year and an estimation of receipts during the ensuing fiscal year, all itemized in accordance with a classification approved by the Board of Directors. Such budget shall also, where possible, include a statement of the expenditures during the completed fiscal year, the expenditures during the six (6) months of the current fiscal year, an estimation of the expenditures for the entire current year, the appropriations requested and the recommendations of the General Manager, as itemized by departments and in accordance with a classification by object of expenditure approved by the Board of Directors. Said budget message shall state the reason for any material increase or decrease in the estimate for the coming year of any item of receipts or expenditures from that for the current fiscal year. The Board of Education and each office, department and agency of the Town which requires an appropriation shall, not later than February 14 of each year, submit to the General Manager a request for an appropriation for the ensuing year in accordance with a form prescribed by the General Manager and shall furnish the General Manager with such further information as to receipts and expenditures as he shall require. The request for an appropriation filed by the Board of Education with the General Manager shall be accompanied by a copy thereof for each member of the Board of Directors. Within three (3) days of filing the request for an appropriation, the Chair of the Board of Education may submit a letter to the General Manager requesting joint meeting of the two (2) Boards for the purpose of discussing the appropriation request of the Board of Education and the recommendations of the General Manager. If the Chair of the Board of Education requests this initial joint meeting, the joint meeting shall be held not later than five (5) days before the General Manager submits his tentative budget to the Board of Directors. Following the submittal of the General Manager's tentative budget, but not later than seven (7) days before the adoption of the final budget, a mandatory joint meeting of the two (2) Boards shall be held for the purpose of presenting and discussing the appropriation request of the Board of Education.

Sec. 5-3 Publication.

The budget and budget message and all supporting data shall be a public record in the office of the General Manager and shall be open to inspection at any reasonable time by any elector or taxpayer. The General Manager shall cause a summary of the tentative budget and budget message to be advertised in the same manner as provided for giving notice of a public hearing in § 3-8 of this Charter. The third such advertisement of the tentative budget and budget message shall appear not [~~less than 105 days prior to the beginning of the ensuing fiscal year~~] LATER THAN MARCH 18 OF EACH YEAR.

Sec. 5-4 Public hearings.

The Board of Directors shall hold a public BUDGET hearing not [~~less than 100 days prior to the beginning of the fiscal year~~] LATER THAN MARCH 23 OR EACH YEAR at which any elector



or taxpayer may have an opportunity to be heard. The Board of Directors shall determine the date of the hearing and shall cause a notice of the hearing to be published in a newspaper having a general circulation in the Town not less than three (3) times and not less than five (5) days prior to the date of the hearing. The hearing may be adjourned from time to time by the Board of Directors as it shall deem necessary.

Sec. 5-6 Adoption.

~~[The final budget shall be adopted by the Board of Directors not less than 75 days prior to the beginning of the fiscal year]~~ THE BOARD OF DIRECTORS SHALL CONVENE TO VOTE ON THE ADOPTION OF A FINAL BUDGET NOT LATER THAN APRIL 17 OF EACH YEAR. Should the Board of Directors take no final action to adopt the budget on or before ~~[the forty fifth day prior to the beginning of the ensuing fiscal year]~~ MAY 17 OF EACH YEAR, the tentative budget submitted by the General Manager shall be deemed to have been finally adopted by the Board of Directors, and it shall be the legal budget of the Town for the fiscal year ensuing, unless a petition for a budget referendum shall be filed and certified in accordance with § 3-13.

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



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.



CHARGE # 1E – INCREASING THE DOLLAR THRESHOLDS FOR THE SETTLEMENT OF CLAIMS

Sec. 18-1 Town Attorney; powers and duties.

The Board of Directors shall appoint a Town Attorney, whose compensation shall be fixed by the Board of Directors, and when the need exists, the Board of Directors shall appoint a Bond Counsel. The Town Attorney shall be the head of the Department of Law. He shall be the legal adviser for the Town, the General Manager, Board of Directors, Board of Education, and all departments, boards, commissions, bureaus and other officers in all matters affecting the Town or relating to their official duties. He shall appear for and protect the rights and interests of the Town in all actions, suits and proceedings brought by or against it or any of the departments, boards, commissions, bureaus, or officers on account of matters involving the performance of their official duties or affecting the Town, and discharge such other legal duties as may be prescribed by law or by ordinance. He shall have power, subject to the approval of the General Manager, to appeal from orders, decisions and judgments in which the Town, or any department, commission, board, bureau or officer is a party. He shall also have the power to enter into any agreement, compromise or settlement of any claims against the Town in an amount not to exceed [~~seven thousand five hundred dollars (\$7,500.00)~~] TEN THOUSAND DOLLARS (\$10,000.00). He shall have the power, subject to the approval of the General Manager, to enter any agreement, compromise or settlement of claims against the Town in an amount not to exceed [~~fifteen thousand dollars (\$15,000.00)~~] TWENTY THOUSAND DOLLARS (\$20,000.00). Any agreement, compromise or settlement of claims against the Town exceeding [~~fifteen thousand dollars (\$15,000.00)~~] TWENTY THOUSAND DOLLARS (\$20,000.00) shall require the approval of the General Manager, Town Attorney and the Board of Directors. Notwithstanding the above, the Town Attorney, with the concurrence of the General Manager, may enter into any agreement, compromise or settlement of any land use appeals, tax appeals, medical insurance claims, workers' compensation or heart and hypertension claims (excluding full and final stipulations), and all other claims for which settlement authority is vested in an entity other than the Board of Directors. He shall prepare or approve all forms of contracts and other instruments to which the Town is a party or in which it has an interest. He may, with the approval of the General Manager, employ special counsel to assist him in the conduct of important cases or proceedings to which the Town is a party or in which it has an interest. Except on behalf of the Town, the Town Attorney shall not appear as Counsel before any board, commission, officer or other agency of the Town.

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



CHARGE # 1F – CLARIFY THE AUTHORITY OF THE BOARD OF DIRECTORS TO ESTABLISH DEPARTMENTS, OFFICES, DIVISIONS AND POSITIONS BY ORDINANCE OR RESOLUTION

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 capias 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 **BY ORDINANCE OR RESOLUTION** 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.

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



CHARGE # 2 – INCREASE THE NUMBER OF JUSTICES OF THE PEACE

Sec. 2-14 Justices of the Peace.

~~Fifteen (15)~~ FORTY-FIVE (45) Justices of the Peace shall be selected and their offices administered in accordance with state statutes.

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



CHARGE # 4 – ADVISORY RECREATION AND PARK COMMISSION

See language for Charge # 8 - pp. 30 - 33



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.



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 capias 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.



CHARGE # 11 - CLARIFY LEADERSHIP INCLUDING SUCCESSION IN THE EVENT OF THE RESIGNATION OF THE CHAIRMAN/MAYOR OF THE BOARD OF DIRECTORS.

Sec. 3-5 Chairman and Vice Chairman.

The Chairman, who shall be designated as Mayor of Manchester, shall preside at all meetings of the Board and may call special meetings thereof. He shall call special meetings of the Board whenever requested in writing by the General Manager or four (4) members of the Board to do so. He shall be recognized as head of the Town government for all ceremonial purposes and by the Governor for purposes of military law, but shall have no administrative duties. Whenever he shall be absent or otherwise prevented from serving in any of his official capacities, the Vice Chairman, who shall be designated as the Deputy Mayor of Manchester, shall be Acting Chairman and shall have all powers of the Chairman until the Chairman is able to exercise them. IN CASE OF A VACANCY IN THE POSITION OF CHAIRMAN, THE VICE CHAIRMAN SHALL BECOME CHAIRMAN. Whenever the Chairman and Vice Chairman shall both be absent or otherwise prevented from serving in any of their official capacities, an Acting Chairman, who shall have all the powers of the Chairman until either the Chairman or Vice Chairman is able to exercise them, shall be elected by the Board.

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



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. ~~[-or]~~

(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**.



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 [~~strikethrough~~]. Proposed additions are indicated by underline and in **UPPERCASE**.



CHANGING THE TITLE OF THE GENERAL MANAGER TO TOWN MANAGER

Sec. 1-2 Rights and obligations.

All property, both real and personal, all rights and action and rights of every description and all securities and liens vested or inchoate in said Town as of the date when this Charter shall take effect are continued in said Town, and said Town shall continue to be liable for all debts and obligations of every kind for which said Town shall be liable on said date, whether accrued or not. Nothing herein shall be construed to affect the right of said Town to collect any assessment, charge, debt or lien. If any contract has been entered into by said Town prior to the effective date of this Charter or any bond or undertaking has been given by or in favor of said Town which contains provision that the same may be enforced by any officer, board, commission, bureau or department therein named, which is hereby abolished, such contracts, bonds or undertakings shall be in no manner impaired but shall continue in full force and effect and the powers conferred and the duties imposed with reference to the same upon any such officer, board, commission, bureau or department shall, except as otherwise provided in this Charter, thereafter be exercised and discharged by the [General] TOWN Manager

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

There shall be appointed by the Board of Directors for the Town a [General] TOWN 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 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] TOWN 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. 2-7(b) Blanket bonds.

The Board of Directors shall purchase two (2) blanket bonds, one (1) conditioned for faithful performance of duty which shall include the [General] TOWN Manager, Purchasing Agent, and such other officers and employees as may be designated by the Board of Directors; and one (1) conditioned to protect against loss occasioned by embezzlement or any other dishonest act and to include those eligible officers and employees not included in the faithful performance blanket bond. The penal sum of these blanket bonds shall be fixed by the Board of Directors and to be in a form to be prescribed or approved by the Town Attorney and filed with the Town Clerk. Premiums for said bonds shall be paid by the Town.



Sec. 2-9 Removal from office by [General] TOWN Manager.

The [General] TOWN Manager may remove any officer or employee appointed by him when, in his opinion, the best interests of the Town require such action, provided the officer or employee shall have been served with a written notice of the intention of the [General] TOWN Manager to remove him, containing a clear statement of the grounds for such removal. Any officer or employee so discharged shall be entitled, upon request in writing to the Board of Directors, to a hearing before said Board under such procedure as said Board shall provide, which hearing shall be public at the option of such officer or employee and at which he may be represented by counsel, but the final decision with respect to any such discharge or removal shall rest with the [General] TOWN Manager. The [General] TOWN Manager may suspend from duty for not more than thirty (30) days any such officer or employee pending final action. Notwithstanding the foregoing provisions, if any officer or employee appointed by the [General] TOWN Manager shall be convicted by a final judgment of a felony, as defined by the Connecticut General Statutes, the office held by such officer and the position held by such employee shall become vacant forthwith upon such conviction.

Sec. 2-10 Resignations.

Resignations of all officers and members of boards and commissions appointed by the Board of Directors shall be presented to the Board of Directors, and resignations of all officers and members of boards and commissions appointed by the [General] TOWN Manager shall be presented to the [General] TOWN Manager. Resignations of elective officers shall be presented to the Board of Directors, except that resignations from the Board of Education shall be presented to that Board.

Sec. 3-5 Chairman and Vice Chairman.

The Chairman, who shall be designated as Mayor of Manchester, shall preside at all meetings of the Board and may call special meetings thereof. He shall call special meetings of the Board whenever requested in writing by the [General] TOWN Manager or four (4) members of the Board to do so. He shall be recognized as head of the Town government for all ceremonial purposes and by the Governor for purposes of military law, but shall have no administrative duties. Whenever he shall be absent or otherwise prevented from serving in any of his official capacities, the Vice Chairman, who shall be designated as the Deputy Mayor of Manchester, shall be Acting Chairman and shall have all powers of the Chairman until the Chairman is able to exercise them. Whenever the Chairman and Vice Chairman shall both be absent or otherwise prevented from serving in any of their official capacities, an Acting Chairman, who shall have all the powers of the Chairman until either the Chairman or Vice Chairman is able to exercise them, shall be elected by the Board.

Sec. 3-9 Petition for overrule.

No ordinance or bylaw adopted by the Board of Directors, except those making appropriations, or fixing the tax rate, as provided in Chapter V of this Charter, shall become effective until it shall have been advertised in full or summarized in accordance with provisions contained in State Statutes at least three (3) times in a newspaper having a general circulation in the Town and a period of ten (10) days from the date of the third such advertisement shall have elapsed, during which ten (10) days no petition for a referendum on the ordinance shall have been filed in accordance with the provisions of this section. If, within ten (10) days after the third publication of any such ordinance, a petition signed by not less than five (5) percent of the electors of the



Town, as determined from the latest official lists of the Registrars of Voters, is filed with the Town Clerk requesting its reference to a special Town election, the Town Clerk shall, within ten (10) days thereafter, fix the day and the place of such election and certify the same to the **[General] TOWN** Manager, and such election shall be called and held in accordance with the provisions of the General Statutes and this Charter for calling and holding a Town election. Any ordinance so referred shall become effective upon the conclusion of such election unless a majority of those voting thereat shall have voted in the negative on a "yes" and "no" vote on the question as to whether the ordinance or bylaws should be adopted. Said petition for overrule may be submitted to the electors at a Town election if said Town election occurs within sixty (60) days of the filing of said petition.

Sec. 3-10 Petition for enactment.

Whenever a petition signed by not less than five (5) percent of the electors of the Town, as determined from the latest official lists of the Registrars of Voters, proposing any lawful appropriation, ordinance or bylaw and including the complete text of any such ordinance or bylaw is filed with the Town Clerk requesting its passage, the Town Clerk shall, within ten (10) days thereafter, certify such petition and proposed ordinance or bylaw to the Board of Directors for its consideration. If, within forty-five (45) days from such certification, the Board of Directors shall not have made such appropriation or passed such ordinance or bylaw, or one substantially similar thereto, the Town Clerk shall submit such proposed ordinance or bylaw to the Town Attorney who shall, not later than thirty (30) days from the date the Town Clerk submits such proposed ordinance or bylaw to the Town Attorney, without materially changing its meaning and effect, correct the wording to avoid repetition, illegalities and unconstitutional provisions and assure accuracy and clarity. The Town Clerk shall thereupon fix the day and place of a special Town election and certify the same to the **[General] TOWN** Manager, and such special Town election shall be called and held in accordance with the provisions of the General Statutes and this Charter for calling and holding Town elections. The **[General] TOWN** Manager shall advertise such proposed appropriation, ordinance or bylaw in the same manner as provided for giving notice of a public hearing in § 3-8 of this Charter. If such appropriation, ordinance or bylaw is approved by a majority of those voting thereon at such special election, it shall become effective on the tenth day after such special election. Said petition for enactment may be submitted to the electors at a Town election if said Town election occurs within ninety (90) days of the filing of said petition.

Sec. 3-11 Revision of existing ordinances.

The provisions of §§ 3-8 and 3-9 of this chapter shall not apply to any ordinance or bylaw adopted by the Board of Directors which is substantially similar in language to any ordinance or bylaw of the Town adopted prior to January 1, 1947, except that the Board of Directors or **[General] TOWN** Manager is substituted for the Board of Selectmen or the Chairman of the Board of Directors is substituted for the Chairman of the Board of Selectmen. Any such ordinance or bylaw shall be effective upon passage by the Board of Directors and filing with the Town Clerk without the necessity of public hearing or advertisement.

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] TOWN 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.

Sec. 3-13 Petition for budget referendum.

If, not later than ten days after adoption of the budget in accordance with § 5-6, a petition signed by not less than seven percent of the electors of the Town, as determined from the latest official lists of the Registrars of Voters, is filed with the Town Clerk, to reject the budget adopted by the Board of Directors, the Town Clerk shall, within ten days thereafter, fix the day and place of a special Town election to vote on the petition to reject the adopted budget, and certify the same to the [General] TOWN Manager, and such election shall be called and held in accordance with the provisions of the General Statutes and this Charter for calling and holding a Town election. The day of such special election shall be not more than 35 days after the date of adoption of the budget.

The petition for budget referendum shall be in substantially the following form and shall be approved by the Town Clerk in accordance with Section 7-9 of the General Statutes before circulation:

WARNING ALL SIGNATURES SHALL BE IN INK OR INDELIBLE PENCIL

We, the undersigned electors of the Town of Manchester, present this petition requesting that the following question be referred to the voters at a referendum: "Shall the annual budget adopted by the Board of Directors on (here insert date of adoption) take effect as adopted?" We certify that we are electors of the Town of Manchester, residing at the addresses set opposite our names, and that we have not signed this petition more than once.

SIGNATURE	PRINTED NAME	NUMBER STREET
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At the referendum, the electors shall choose one of the following three responses to the ballot question.

- Yes.
- No; the adopted budget is too high.
- No; the adopted budget is too low.

If a majority of the votes cast in the referendum are "Yes," or if the total number of votes cast in the referendum is less than 15% of the number of electors of the Town as determined from the latest official lists of the Registrars of Voters, the adopted budget shall take effect in accordance with the provisions of Chapter 5.

Provided that the total number of votes cast in the referendum is 15% or more of the number of electors of the Town, a combined "No" vote by a majority of the electors voting shall reject the adopted budget and require the Board of Directors to adopt a revised budget.



If the adopted budget is rejected, the Board of Directors shall, within seven days after the special election, adopt a revised budget, which may be less or greater than the adopted budget, as the Board shall deem appropriate based on the results of the referendum. The revised budget shall take effect in accordance with the provisions of Chapter 5.

There shall be no more than one budget referendum in any year.

Sec. 4-2 Tenure and removal.

The [General] TOWN Manager shall be appointed for an indefinite term. He may be removed by the affirmative vote of five (5) members of the Board of Directors. At least thirty (30) days before such removal may be made effective, the Board of Directors shall, by such a majority vote of its members, adopt a preliminary resolution stating the reasons for the proposed removal, and a copy of such resolution shall forthwith be mailed by registered mail to the [General] TOWN Manager at his usual place of abode. The [General] TOWN Manager may reply and may appear and be represented by counsel at a public hearing which shall be called by the Board of Directors if requested by the [General] TOWN Manager. Such a request shall be made by the [General] TOWN Manager not more than thirty (30) days after the adoption of such preliminary resolution. Such hearing shall be held not more than twenty (20) days from the date of such request. After such public hearing, the Board of Directors, by majority vote of all its members, may adopt a resolution removing the [General] TOWN Manager from office, which may be made effectively immediately. If no request for a hearing is made by the [General] TOWN Manager, his removal from office shall be effective thirty-one (31) days from the date of said preliminary resolution. By the preliminary resolution, the Board of Directors may suspend the [General] TOWN Manager from duty; but he shall be entitled to his regular compensation until he shall have been removed from office, and until such removal he shall have access during regular business hours to all records, files and documents in the custody of any Town official pertaining to his conduct as [General] TOWN Manager. If the [General] TOWN Manager shall be found guilty by any court of misfeasance or malfeasance in office or of any felony, he may be summarily dismissed by the Board of Directors, and he shall not be entitled to any salary other than any unpaid balance which may be due him.

Sec. 4-3 Salary.

The salary of the [General] TOWN Manager shall be fixed by the Board of Directors, and it shall not be decreased except at the beginning of a fiscal year of the Town.

Sec. 4-4 Absence or disability of [General] TOWN Manager.

To perform the duties of the [General] TOWN Manager pending the appointment of a [General] TOWN Manager or during his temporary absence or disability, the Board of Directors may appoint an Acting Manager, who shall not be one of its own members, to perform the duties of the [General] TOWN Manager.

Sec. 4-5 [General] TOWN Manager, powers and duties.

The [General] TOWN Manager shall be the chief executive officer and the head of the administrative branch of the Town government, and none of the administrative duties of the Town shall be performed by any member of the Board of Directors. All administrative rights, powers and duties of the Town not otherwise vested by this Charter are exclusively vested in the [General]



TOWN Manager. Except for the appointment of boards, agencies and commissions provided for by the General Statutes and except as herein provided, he shall exercise the powers and perform the duties in and for the Town of Manchester which are conferred and imposed by law upon selectmen, except as to the filling of vacancies in elective offices as set forth in § 2-11 hereof and to the delivery and filing of the welfare reimbursement agreements and liens referred to in Sections 17-280 and 17-281, 1958 Revision of the General Statutes.¹¹ The service of any process against or notice to the Town, and any notice which the General Statutes may provide, should be served upon the selectmen or any selectman of a Town shall, in the case of the Town of Manchester, be served upon the Town Clerk. The [General] **TOWN** Manager shall have charge of the preparation of the annual report of the Town required by law, shall attend meetings of the Board of Directors, may participate in any discussion and may make recommendations but shall not have the right to vote at such meetings. In addition to the duties prescribed by this Charter, he shall perform such other duties as may be required of him by the Board of Directors not inconsistent with the provisions of this Charter.

Sec. 4-6 Delegation of authority during vacancy of office.

Unless otherwise specially provided for in this Charter, the [General] **TOWN** Manager shall have the power to delegate any person to be the acting head of any department, commission, bureau or board appointed by him during the period of any vacancy, absence or disability and until a new appointment shall have been made.

Sec. 5-2(a) Preparation.

The [General] **TOWN** Manager shall prepare and, not less than 110 days prior to the beginning of each fiscal year, shall submit to the Board of Directors a tentative budget for the ensuing fiscal year and an explanatory budget message. Such tentative budget shall, where possible, include a statement of receipts during the last completed fiscal year, the receipts for the first six (6) months of the current fiscal year, an estimation of receipts for the entire fiscal year and an estimation of receipts during the ensuing fiscal year, all itemized in accordance with a classification approved by the Board of Directors. Such budget shall also, where possible, include a statement of the expenditures during the completed fiscal year, the expenditures during the six (6) months of the current fiscal year, an estimation of the expenditures for the entire current year, the appropriations requested and the recommendations of the [General] **TOWN** Manager, as itemized by departments and in accordance with a classification by object of expenditure approved by the Board of Directors. Said budget message shall state the reason for any material increase or decrease in the estimate for the coming year of any item of receipts or expenditures from that for the current fiscal year. The Board of Education and each office, department and agency of the Town which requires an appropriation shall, not later than February 14 of each year, submit to the [General] **TOWN** Manager a request for an appropriation for the ensuing year in accordance with a form prescribed by the [General] **TOWN** Manager and shall furnish the Manager with such further information as to receipts and expenditures as he shall require. The request for an appropriation filed by the Board of Education with the [General] **TOWN** Manager shall be accompanied by a copy thereof for each member of the Board of Directors. Within three (3) days of filing the request for an appropriation, the Chair of the Board of Education may submit a letter to the [General] **TOWN** Manager requesting joint meeting of the two (2) Boards for the purpose of discussing the appropriation request of the Board of Education and the recommendations of the [General] **TOWN** Manager. If the Chair of the Board of Education requests this initial joint meeting, the joint meeting shall be



held not later than five (5) days before the [General] TOWN Manager submits his tentative budget to the Board of Directors. Following the submittal of the [General] TOWN Manager's tentative budget, but not later than seven (7) days before the adoption of the final budget, a mandatory joint meeting of the two (2) Boards shall be held for the purpose of presenting and discussing the appropriation request of the Board of Education.

Sec. 5-3 Publication.

The budget and budget message and all supporting data shall be a public record in the office of the [General] TOWN Manager and shall be open to inspection at any reasonable time by any elector or taxpayer. The [General] TOWN Manager shall cause a summary of the tentative budget and budget message to be advertised in the same manner as provided for giving notice of a public hearing in § 3-8 of this Charter. The third such advertisement of the tentative budget and budget message shall appear not less than 105 days prior to the beginning of the ensuing fiscal year.

Sec. 5-5 Consideration by the Board.

After the conclusion of the public hearing the Board of Directors shall continue its consideration of the tentative budget. The Board of Directors may revise any of the estimates of receipts or of expenditures for the ensuing fiscal year except that before inserting any new item of expenditure or increasing any item of expenditure either over the amount requested by any department or recommended by the [General] TOWN Manager, whichever amount shall be greater, it must call another public hearing, giving notice of such hearing in the same manner as provided for giving notice of a public hearing in § 3-8 of this Charter. The notice of such hearing shall state the nature of the proposed additions or increases.

Sec. 5-6 Adoption.

The final budget shall be adopted by the Board of Directors not less than 75 days prior to the beginning of the fiscal year. Should the Board of Directors take no final action to adopt the budget on or before the forty-fifth day prior to the beginning of the ensuing fiscal year, the tentative budget submitted by the [General] TOWN Manager shall be deemed to have been finally adopted by the Board of Directors, and it shall be the legal budget of the Town for the fiscal year ensuing, unless a petition for a budget referendum shall be filed and certified in accordance with § 3-13.

Sec. 5-7 Certification.

A copy of the budget as finally adopted shall be certified by the [General] TOWN Manager and recorded in a book kept for that purpose in the office of the Town Clerk. From the date of the beginning of the fiscal year the several amounts stated in the budget as proposed expenditures shall be and become appropriated to the several objects and purposes therein named.

Sec. 5-11(a) Appropriation of gifts or other aid.

Any gift, contribution, income from trust funds, or other aid or income from any private source or from the federal or state governments, which is carried upon the records of the Town or is received after July 1, 1968, shall be entered upon the records of the General Fund in a manner recommended by the [General] TOWN Manager and approved by the Board of Directors. When so recorded, such amounts shall be deemed to be appropriated to the purposes of such gift, contribution or other aid or income.



Sec. 5-13 Director of Finance to assume former powers and duties of Town Treasurer.

The Director of Finance shall have all the powers and perform all the duties which are vested by statute in town treasurers, and, except as otherwise provided in this Charter, as amended, all the powers and duties which were formerly vested in the Town Treasurer by this Charter. He shall have custody of and disburse all funds belonging to the Town and shall deposit the same in such banks and trust companies as may be designated by the Board of Directors on the recommendation of the [General] TOWN Manager. He shall keep such books and records as the Board of Directors shall prescribe. He shall be the Treasurer of the Town Deposit Fund and shall have authority to invest and reinvest the same in securities legal for investment of trust funds under the General Statutes. Nothing herein shall be construed to prevent sinking funds and trust funds from continuing to be managed by any trust company managing them at the effective date of this Charter unless the appointment is revoked by the Board of Directors. Whenever a vacancy occurs, or any trust fund is hereafter created, the Board of Directors shall have power on the recommendation of the [General] TOWN Manager to designate a trust company or trust companies to manage the same, which designation shall continue until revoked. The Director of Finance or Acting Director of Finance and the [General] TOWN Manager or Acting [General] TOWN Manager jointly shall have the power to endorse, negotiate, sign and transfer, on behalf of the Town, any securities in order to effectuate the transfer thereof.

Sec. 5-16 Director of Finance.

The [General] TOWN Manager shall appoint a Director of Finance who shall keep such accounts as may be necessary to maintain a constant record of the condition of each budget appropriation and item and shall keep complete accounts of all financial transactions of the Town. Such accounts shall be kept in accordance with an accounting system which has the approval of the Board of Directors. At least once during each month he shall submit to the [General] TOWN Manager and the Board of Directors a statement showing the condition of the budget for the portion of the fiscal year which ended the last day of the previous month and showing the general financial condition of the Town as of the same date. Such monthly statements shall be public records.

Sec. 5-17 Purchases and contracts.

With the exception of the Board of Education, no officer or employee of the Town shall make any purchase or any contract, including contracts for service, or any commitment for any purchase or contract, including contracts for service, until the Director of Finance shall have certified that there is a sufficient unexpended and unencumbered balance of the appropriation and appropriation item against which the expense is to be charged. Whenever any such requisition has been so certified, the Director of Finance shall record the amount of the requisition as an encumbrance against such appropriation and appropriation item. Except as otherwise provided in this Charter, the Board of Directors shall have power to make such other rules and regulations concerning purchases and contracts including contracts for service as it may deem to be in the best interest of the Town. There shall be a Purchasing Agent for the Town who shall be the [General] TOWN Manager or someone appointed by him. All purchases, except those for the Board of Education, shall be made by him in accordance with the rules and regulations adopted by the Board of Directors.

Sec. 5-29 Assessor.



The [General] TOWN Manager shall appoint an Assessor who shall, except as otherwise provided in this Charter, have such powers and duties as are conferred or imposed on assessors of Towns by the General Statutes.

Sec. 6-1 Collector of Revenue.

The Collector of Revenue shall be appointed by the [General] TOWN Manager and shall receive and collect all taxes and assessments payable to the Town and such other fees and charges as may be assigned to him for collection by the Board of Directors on the recommendation of the [General] TOWN Manager. Except as otherwise provided in this Charter, he shall have such powers and duties as are conferred or imposed on tax collectors of towns by the General Statutes. In addition to any other persons designated by the Charter, the Collector of Revenue shall have the power to execute and release all liens provided for by the Charter.

Sec. 10-1 Chief of Police.

The [General] TOWN 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] TOWN 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] TOWN 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. 10-2 Qualifications of policemen.

No person shall be appointed to the police force nor as a supernumerary or special policeman unless he is of good moral character and habits and in good health and until he shall have passed such examination respecting his educational, physical and general qualifications as may be prescribed by the Chief of Police with the approval of the [General] TOWN Manager.

Sec. 10-3 Removal of policemen.

The Chief of Police shall have the power to remove, expel, suspend, reduce in rank or otherwise deal with officers of all ranks and regular, supernumerary and special members of the police when in his opinion the best interests of the Department require such action. Any officer or member of the Police Department thus subjected to disciplinary action shall be entitled upon request in writing to the [General] TOWN Manager to a public hearing before the [General] TOWN Manager under such procedure as the [General] TOWN Manager shall provide.



Sec. 10-9 Areas outside fire districts.

The [General] TOWN Manager shall have power, with respect to all portions of the Town not included within the limits of any Fire District, to make rules and regulations relating to fire protection therein and to enter into agreements with any municipality, fire district or voluntary fire company for aid in extinguishing fire in the Town outside of any fire district and shall appoint a Fire Marshal for such portions of the Town.

Sec. 10-12 Town Fire Department.

The [General] TOWN 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] TOWN 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] TOWN 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] TOWN 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] TOWN 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. 11-4 Building Inspector Officer; Zoning Enforcement Officer; powers and duties.

The Director of Public Works shall appoint and may remove, subject to such personnel rules and regulations as may be adopted by the Board of Directors or included in this Charter, a Building Inspector, and such assistants as may be necessary. The [General] TOWN Manager or his designee shall appoint a Zoning Enforcement Officer and such assistants as may be necessary.

Sec. 12-1 Water and sewer utilities.

The Town of Manchester shall continue to have and possess all the rights, powers, franchises and property, real, personal and mixed, of the South Manchester Water Company and the South Manchester Sanitary and Sewer District and all other property heretofore and hereafter acquired by the Town for the purpose of supplying water or sewer facilities and may continue to hold and operate all of said property under such regulations and conditions as it may establish. The South Manchester Water Company and the South Manchester Sanitary and Sewer District shall be managed in accordance with and under the direction of a plan established by the [General] TOWN Manager with the approval of the Board of Directors, and this Department shall be constituted to perform such functions and have such powers and duties as are imposed by the Connecticut General Statutes, Special Acts applicable thereto, this Charter and ordinances approved by the Board of Directors.

Sec. 12-3 Bills.

All bills for the use of the waterworks system and for the use of the sewerage system and sewage treatment works shall be prepared under the direction of the Superintendent of the Water and Sewer Department and paid to the Collector of Revenue. Separate accounts shall be kept of the funds derived from each of the utilities and of the disposition thereof, which account shall be audited annually, and the report of such audits shall be open to public inspection. The Director of Finance of the Town shall be the custodian of such funds, which shall be kept separate from other funds of the Town, and shall be used for such utilities, respectively, and for no other purpose, except that any surplus funds derived from either of said utilities may be transferred to the general funds of the Town, on the recommendation of the [General] TOWN Manager, by a vote of the Board of Directors, and may then be used for the general purposes of the Town.

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

The [General] TOWN 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] TOWN 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] TOWN 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] TOWN Manager and approved by the Board of Directors.

Sec. 13-1 Director and employees.



The [General] TOWN Manager shall appoint a Director of the Department of Social Services who shall be trained in welfare work. The Director shall appoint, with the approval of the [General] TOWN Manager, such physicians, social service workers and other employees as shall be necessary for the administration of the Department, define their duties and fix their compensation within a scale of wage rates recommended by him and approved by the [General] TOWN Manager and within the appropriations made by the Board of Directors. All employees of the Department engaged in social service and public welfare work shall be trained and qualified therein.

Sec. 14-1 Recreation and Park Commission.

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] TOWN 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] TOWN Manager and advise him with respect to the development and use of the Town's parks and its recreation program.

Sec. 14-3 Management of parks and recreation.

The [General] TOWN Manager, with the advice of the Commission, shall have the care, management and control of all public parks and grounds, equipment and facilities used for park purposes, playgrounds and athletic fields, shall provide regulations for their use and shall arrange for a balanced passive and active recreational program. In carrying out such program, he may equip and maintain land and buildings with recreational and park equipment and facilities for the welfare of the residents of the Town, all within the appropriations made by the Board of Directors.

Sec. 14-4 Superintendent.

The [General] TOWN Manager may appoint a Superintendent of Recreation, a Superintendent of Parks, or a Superintendent of Recreation and Parks, any of whom, with the approval of the [General] TOWN Manager, may appoint such employees as he may deem necessary within the appropriations made by the Board of Directors.

Sec. 14-5 Tree Warden.



The [General] TOWN Manager shall appoint a Tree Warden who shall be the Tree Warden for the Town of Manchester and shall have, as such, all the powers and duties imposed upon Tree Wardens in the various towns as provided by the General Statutes.

Sec. 14-7 Gifts.

Real and personal property which has been or shall be granted, bequeathed, devised or conveyed to the Town of Manchester for the purpose of improvement or ornamentation of said parks or purposes, or for the establishment or maintenance thereon of objects of interest, may be accepted by the Town, upon such trusts and conditions as may be prescribed by the grantors or devisers thereof. All property so devised, granted, bequeathed or conveyed, and the rents, issues, proceeds and income therefrom, shall be subject to the exclusive management, direction and control of the [General] TOWN Manager.

Sec. 15-2 Director of Health.

The Director of Health shall be appointed by the [General] TOWN Manager, with the approval of the Public Health Council of the State Department of Health. The Director of Health may be a practicing physician, devoting but part of his time to Town public health work, except that at any time the [General] TOWN Manager may require the Director of Health to give full time to the office. In either case, the salary of the Director of Health shall be fixed by the Board of Directors upon recommendation of the [General] TOWN Manager, except that it may be reduced only at the start of a fiscal year.

Sec. 15-3 Absence or inability of Director of Health.

To perform the duties of the Director of Health during a vacancy or his temporary absence or inability to serve, the [General] TOWN Manager may appoint some suitable person to act as Director of Health, with the approval of the State of Connecticut Commissioner of Health, and the person so appointed shall have all the powers and be subject to all the duties of the Town Director of Health while acting as such.

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] TOWN 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.

Sec. 16-3 Management of libraries.

The [General] TOWN Manager shall have the care, management, and control of all public libraries in Town and shall provide regulations for their use. He shall have overall responsibility for library



operations and may equip and maintain land and buildings for library purposes within the appropriations made by the Board of Directors. The [General] TOWN Manager may appoint a Library Director who, with the approval of the [General] TOWN Manager, may appoint such employees as he may deem necessary within the appropriations made by the Board of Directors.

Sec. 17-16 Planning Director.

(a) There may be, at the discretion of the Board of Directors, a Planning Department under the direction and control of a Director of Planning. Such Director of Planning shall be appointed by the [General] TOWN Manager and may be removed by the [General] TOWN Manager at his discretion.

(b) The Planning Director shall:

(1) Assist the [General] TOWN Manager in the preparation of all recommendations by the [General] TOWN Manager to the Planning and Zoning Commission respecting a plan of development for the Town, zoning regulations and subdivision regulations, and any amendments or additions thereto;

(2) Assist the [General] TOWN Manager and the Board of Education in the annual preparation of a capital improvements program as herein provided, insofar as it is related to the plan of development;

(3) Advise the [General] TOWN Manager, the Planning and Zoning Commission, Board of Directors, Board of Education, Redevelopment Agency, Housing Authority, and any department or other Town agency respecting any matter relating to the physical development of the Town on which his opinion has been requested or on which he deems it advisable to report;

(4) Advise the Planning and Zoning Commission and the Zoning Board of Appeals in the exercise of their functions and serve as principal technical advisor to the Planning and Zoning Commission and in connection therewith to provide necessary staff assistance;

(5) Review and make recommendations regarding any proposed action implementing the plan of development.

(c) The Director of Planning shall appoint and remove such professional staff and employees as he may deem necessary and shall prescribe their duties. He may contract with professional consultants as he deems necessary to carry out the duties and responsibilities here above set forth in accordance with § 5-17 of this Charter.

Sec. 18-1 Town Attorney; powers and duties.

The Board of Directors shall appoint a Town Attorney, whose compensation shall be fixed by the Board of Directors, and when the need exists, the Board of Directors shall appoint a Bond Counsel. The Town Attorney shall be the head of the Department of Law. He shall be the legal adviser for the Town, the [General] TOWN Manager, Board of Directors, Board of Education, and all departments, boards, commissions, bureaus and other officers in all matters affecting the Town or relating to their official duties. He shall appear for and protect the rights and interests of the Town in all actions, suits and proceedings brought by or against it or any of the departments, boards, commissions, bureaus, or officers on account of matters involving the performance of their official duties or affecting the Town, and discharge such other legal duties as may be prescribed by law or by ordinance. He shall have power, subject to the approval of the [General] TOWN Manager, to appeal from orders, decisions and judgments in which the Town, or any department, commission,



board, bureau or officer is a party. He shall also have the power to enter into any agreement, compromise or settlement of any claims against the Town in an amount not to exceed seven thousand five hundred dollars (\$7,500.00). He shall have the power, subject to the approval of the [General] TOWN Manager, to enter any agreement, compromise or settlement of claims against the Town in an amount not to exceed fifteen thousand dollars (\$15,000.00). Any agreement, compromise or settlement of claims against the Town exceeding fifteen thousand dollars (\$15,000.00) shall require the approval of the [General] TOWN Manager, Town Attorney and the Board of Directors. Notwithstanding the above, the Town Attorney, with the concurrence of the [General] TOWN Manager, may enter into any agreement, compromise or settlement of any land use appeals, tax appeals, medical insurance claims, workers' compensation or heart and hypertension claims (excluding full and final stipulations), and all other claims for which settlement authority is vested in an entity other than the Board of Directors. He shall prepare or approve all forms of contracts and other instruments to which the Town is a party or in which it has an interest. He may, with the approval of the [General] TOWN Manager, employ special counsel to assist him in the conduct of important cases or proceedings to which the Town is a party or in which it has an interest. Except on behalf of the Town, the Town Attorney shall not appear as Counsel before any board, commission, officer or other agency of the Town.

Sec. 18-2 Opinions.

The Board of Directors and [General] TOWN Manager, Board of Education and Director of any department, commission, board, bureau or officer, or committee appointed pursuant to law or ordinance, may request in writing and the Town Attorney thereupon shall render his written opinion upon any question of law involving their respective powers and duties.

Sec. 19-4 Formalities in execution.

Each note and bond of the Town issued hereafter shall be signed by any two (2) of the following Town officers: the Director of Finance, the [General] TOWN Manager and the Chairman of the Board of Directors. In event of the incapacity or unavailability of any of said officers, the Board of Directors may by vote designate some other Town officer for said purpose.

Sec. 20-1 Records to be evidence in all courts.

All records of the Town, including those of all its departments, commissions, boards, bureaus and other officers, shall have the same validity as records of Town Clerks and shall be, either by themselves or by certified copies thereof under the hand of the [General] TOWN Manager and the Seal of the Town, evidence in all courts of the truth of the matters contained therein.

Sec. 20-4 Savings clause.

The powers which are conferred and the duties which are imposed upon any commission, board or office under the General Statutes or Special Acts concerning the Town, or any ordinance or regulation in force at the time this Charter shall take effect, if such commission, board or office be abolished by this Charter, shall be thereafter exercised and discharged by the department, commission, board, bureau or office upon which are imposed corresponding or like functions, powers and duties under the provisions of this Charter. All commissions, boards or officers, whether elected or appointed, abolished by this Charter, or whose method of appointment is changed by the provisions of this Charter, shall continue in the performance of their duties only until provision shall have been made for the discontinuance of such commissions, boards or



officers, and the performance of their duties by other departments, commissions, boards, bureaus or officers created under this Charter and until the [~~General~~] TOWN Manager shall have notified the members of such commissions, boards or officers that their successors have been appointed.

Sec. 20-6 Filing copies of regulations.

Each department, commission, board and bureau of the Town when it shall have adopted any rules or regulations for the conduct of its affairs or for the administration of matters within its jurisdiction shall, within thirty (30) days after the adoption of such rules and regulations or any amendments thereto, file the same with the Town Clerk and with the [~~General~~] TOWN Manager where they shall be open for inspection at any reasonable time by any elector or taxpayer.

Sec. 20-7 Notice of special election.

Each special election, except special elections subject to the provisions of § 9-164(b) of the General Statutes, shall be called by a warning which shall specify the objects for which such election is to be held. Notice of a special election shall be given by a printed or written warning signed by the [~~General~~] TOWN Manager and published in a newspaper having a circulation in the Town, such publication to be at least five (5) days previous to holding the election, including the day that notice is given and any intervening Sunday, but not including the day of holding such election. The person who shall cause to be published the warning for any special election shall make a return in writing to the Town Clerk, showing the notice given of such warning, and such return shall be kept on file and recorded at length with the record of such election.

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



SPECIFY THE DATE BY WHICH THE TOWN CLERK'S SALARY BE ESTABLISHED

Sec. 2-12 Town Clerk.

ON OR BEFORE JULY 1 OF YEAR OF AN ELECTION FOR THE OFFICE OF TOWN CLERK, the Town Clerk's salary shall be fixed by the Board of Directors, except that it shall not be decreased at any time other than at the start of a new term of office. All fees, charges and compensation of any nature whatsoever paid to and received by the Town Clerk for services rendered in his official capacity shall be paid by said Town Clerk to the Collector of Revenue, together with an accompanying itemized statement, for the use of the Town. The Town of Manchester shall pay all expenses of the office of said Town Clerk, including salaries of employees, and the cost of materials and supplies reasonably required for the proper conduct of said office. The Town Clerk shall have the exclusive right to appoint, supervise and discharge the employees in the Town Clerk's office. Said employees shall be employees of the Town of Manchester.

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



CLARIFY 4-YEAR TERMS FOR TOWN CLERK AND REGISTRARS OF VOTERS

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 nine (9) 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. PURSUANT TO SECTION 9-189a OF THE CONNECTICUT GENERAL STATUTES, ELECTORS OF THE TOWN OF MANCHESTER SHALL: (a) ELECT A TOWN CLERK IN THE ELECTION FOR TOWN OFFICERS HELD ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN NOVEMBER 1973, AND QUADRENNIALLY THEREAFTER; AND (b) ELECT TWO REGISTRARS OF VOTERS IN THE ELECTION FOR STATE AND FEDERAL OFFICERS HELD ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER IN NOVEMBER 1972, AND QUADRENNIALLY THEREAFTER. In the election for members of the Board of Directors, each political party may nominate not more than six (6) candidates, and no elector shall vote for more than six (6) candidates for such office. 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.

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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.



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**.



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 ~~strikethrough~~. Proposed additions are indicated by underline and in UPPERCASE.



GENDER IDENTITY AND RACIAL EQUITY ON APPOINTED BOARDS AND COMMISSIONS

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

(a) 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 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.

(b) APPOINTING AUTHORITIES FOR ANY BOARD OR COMMISSION SHALL CONSIDER THE INTERESTS OF GENDER IDENTITY AND RACIAL EQUITY AND MAKE A GOOD FAITH EFFORT TO SEEK OUT INDIVIDUALS FOR SUCH APPOINTMENT THAT REFLECT SUCH EQUITY. THE GENERAL MANAGER SHALL CREATE, MAINTAIN AND MAKE ACCESSIBLE ON THE TOWN'S WEB SITE A SYSTEM THROUGH WHICH AN INDIVIDUAL MAY ELECTRONICALLY SUBMIT A NAME TO BE CONSIDERED FOR APPOINTMENT AS A PUBLIC MEMBER TO A BOARD OR COMMISSION AND SHALL COORDINATE PUBLIC EDUCATION AND OUTREACH STRATEGIES TO INCREASE AWARENESS OF, AND RECRUIT DIVERSE APPLICANTS FOR, SUCH APPOINTMENTS.

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

