

TOWN OF CLINTON
LEGAL NOTICE
PROPOSED CLINTON CHARTER REVISIONS

Set forth below are the proposed amendments to the Clinton Charter approved by the Town Council on April 19, 2023 and filed with the Town Clerk on January 9, 2023 by the Charter Revision Commission for submission to the voters of the Town of Clinton. A complete copy of the proposed charter is available in the Town Clerk's office. The text below only represents the proposed amendments to the Town of Clinton's Charter. The full text is available in the Town Clerk's office, 54 East Main St. Clinton CT 06413.

Section 1-3 General Grant of Powers

*In addition to all powers granted to towns under the Constitution and General Statutes, as amended, or which may hereafter be conferred, the Town shall have all the powers specifically granted by this Charter all powers fairly implied in or incident to the powers expressly granted, all powers conferred by ~~Section 7-194~~ **Title 7** of the General Statutes, as amended, and by special acts of the General Assembly not inconsistent with this Charter, and all other powers incident to the management of the property, government and affairs of the Town, including the power to enter into contracts with the United States Government or branch thereof, or any agency or political subdivision thereof, or any body politic or corporate not expressly forbidden by the Constitution and General Statutes of the State of Connecticut. The enumeration of particular powers in this and any other Chapter of this Charter shall not be construed as limiting the general grant of powers but shall be considered as an addition thereto.*

Section 3-1 Powers and Duties; Terms of Office

*Except as otherwise provided in this Charter, all elective Officers and members of Boards, and Commissions shall have the powers and duties prescribed for such Officers in the General Statutes, as amended **and the Town Code**. The terms of office of all elective Officers and members of Boards and commissions shall commence on the second Tuesday following the election. Elective Officers shall continue to hold such Office until their successors have been duly elected and qualified. No individual can hold more than one elected position concurrently.*

Section 4-1 Composition; Legislative Powers, Town Meeting and Town Council

- B. The Town Meeting may be convened as ~~the Annual Town Meeting or a~~ Special Town Meeting. ~~The Annual Town Meeting shall be held on the last Monday in January.~~ The Annual Budget Meeting shall be held no later than the ~~first~~ **second** Wednesday in May. Special Town Meetings shall be called by the Town Council as provided in this Chapter and in the manner provided by the General Statutes, as amended.*
- C. All persons eligible to vote in Town Meetings as prescribed in ~~Section 7-6~~ **Title 7** of the General Statutes, as amended, shall be eligible to vote in Special Town Meetings called as provided in ~~Section 4-8~~ **4-7** of this Charter.*

Section 4-3 Annual Town Meeting

~~The Annual Town Meeting shall be for the purpose of receiving the Town Reports and shall consider such other business as the Town Council state in the Call of the Meeting.~~

Section 4-4 ~~4-3~~ Annual Budget Meeting

- A. ~~The Annual Budget Meeting shall be adjourned to referendum. The call of the Annual Town Budget Meeting shall present as separate resolutions, the Town Government Budget and~~*

~~the Board of Education Budget to be voted upon in referendum pursuant to Section 4-4(B) of the Charter. Should the Annual Budget Meeting be adjourned prior to it being convened to referendum, said Meeting shall automatically reconvene in succeeding one (1) week intervals until its completion. There shall be an Annual Budget Meeting solely for the purpose of voting on the budget by referendum. The Budget Resolutions, as approved by the Town Council pursuant to Section 4-4(B) 4-3(B) of this Charter, will be submitted to the persons qualified to vote in a town meeting which shall take place not less than seven (7) or more than fourteen (14) days thereafter, on a day to be set by the Annual Budget Meeting. At least five (5) days prior to such referendum the Town Council shall publish in a newspaper having general circulation in the town accordance with state law and on the Town website, a notice of such referendum, setting forth the date on which, the hours (6a.m. - 8p.m.) during which, and the location at which the referendum will be held and the text of the questions as they will appear on the voting machine.~~

B. The text shall provide for separate approval/disapproval of the Town Government Budget and the Board of Education budget as follows:

Yes / No /

1. In favor of the proposed Town Government Budget of the Town of Clinton for the fiscal year July 1, ____ to June 30, ____ in the amount of \$_____.

Yes / No /

2. In favor of the proposed Board of Education Budget of the Town of Clinton for the fiscal year July 1, ____ to June 30, ____ in the amount of \$_____.

Should either budget section fail to be approved by a majority of those voting thereon, the Town Council ~~and/or the Board of Education~~ shall forthwith revise estimated expenditures, without altering estimates of revenue except for omissions, clerical errors, or revisions of revenue to be received from the state, to arrive at revised spending levels and automatically submit the revised budget section(s) to referendum 14 days following the date the initial budget referendum was defeated. The Town Council shall hold at least one (1) public hearing upon five (5) days legal notice prior to submitting the revised budget section(s) for consideration. This process shall be repeated at two (2) week succeeding intervals until such time as the total budget is adopted.

Section 4-5 4-4 Special Town Meeting Actions

A. Special Town Meetings may be called by the Town Council for:

- ~~1. The rejection of any collective bargaining agreements negotiated by the Board of Education as provided in Chapter 166 of the General Statutes, as amended.~~

Section 4-6 4-5 Appropriations or Other Actions Requiring Referendum

A. A referendum shall be required for:

1. With the exception of the annual budget, any resolution appropriating an amount over ~~\$300,000~~ **\$700,000**;
2. Any resolution authorizing the issuance of bonds, notes, and all other forms of financing equal to three (3) percent or more of the current tax levy.

The Town Council shall fix the time and place of all referendums. Notice of a referendum shall be given and each referendum shall be conducted as provided in ~~Section 7-7~~ **Title 7** of the General Statutes, as amended.

B. With the exception of the annual budget, three hundred (300) persons qualified to vote in a Town Meeting may petition over their signatures for any item on the call of a Town Meeting

to be voted on in referendum. The procedure shall be in accordance with ~~Section 7-7 Title 7~~ of the General Statutes, as amended. Refer to Section 4-4 ~~4-3~~ A for annual budget referendum procedures. The provisions of ~~Section 7-7 Title 7~~ of the General Statutes, ~~as amended~~, shall not apply to the adoption of the Town Budget.

Section 4-7 ~~4-6~~ Petition for Overture

Section 4-8 ~~4-7~~ Petition for Special Town Meeting; Initiative

- A. One hundred (100) voters may, at any time, petition for the enactment of any proposed lawful ordinance or resolution on Town Meeting actions enumerated herein, by filing such petition, including the complete text of such ordinance or resolution with the Town Clerk. Said petition shall conform to the requirements contained in Section 4-7 ~~4-6~~ of this Charter.
- B. Any such proposed ordinance or resolution shall be examined by the Town ~~Council~~ **Attorney** before being submitted to a Special Town Meeting. The Town ~~Council~~ **Attorney** may correct the form of such ordinance or resolution for the purpose of avoiding repetitions, illegalities and unconstitutional provisions, but may not materially change its meaning and effect.
- C. The Town Council shall hold one or more public hearings on such proposal prior to calling a Special Town Meeting, to be held not less than ten (10) days nor more than thirty (30) days from the date of such filing. Such ordinance, resolution or vote shall be submitted to the voters in the manner specified in Section 4-7 ~~4-6~~ of this Charter.

Section 5-3 General Powers; Investigations

- A. The Council shall have the powers and duties as are provided for Boards of Selectmen by the General Statutes, as amended, and this Charter, and may exercise any of the powers conferred on towns by Section 7-194 of the General Statutes, as amended.
- B. The Council shall have the power to subpoena witnesses and documentation and to investigate any duty related actions of all Officers, Boards, Commissions and Agencies of the Town **to which the Council has the power to appoint pursuant to Chapter VII of this Charter.**

Section 5-4 Duties and Responsibilities

- A. The Council shall direct, supervise and shall be responsible for coordinating the activities of the Officers, Departments, Boards, Commissions and Agents of the Town to which the Council has power to appoint **pursuant to Chapter VII of** ~~as outlined in~~ this Charter.

Section 5-5 Power to Enact Ordinances

- A. Each ordinance as enacted, and its effective date, shall promptly be published in the form of a legal advertisement ~~in a newspaper having a general circulation in the Town~~ **in accordance with state law and on the Town's website.** Every ordinance, after enactment, shall be recorded and filed by the Town Clerk in the Code of Ordinances.
- B. Every ordinance shall become effective on the thirtieth (30) day after publication unless a petition to overrule such ordinance has been filed in accordance with Section 4-7 ~~4-6~~ of this Charter.

Section 5-7 Additional Powers

- B. Shall with the advice of the Town ~~Council~~ **Attorney**, institute, prosecute, defend, or compromise any legal action or proceeding by or against the Town;
- E. ~~Shall have the power to subpoena witnesses and documentation and to investigate any duty related actions of all Officers, Boards, Commissions and Agencies of the Town~~

Section 5-8 Relations to Town Manager's appointees

The Council and its members shall deal with the Town Manager's appointees and their subordinates solely through the Town Manager. Neither the Council nor any member thereof shall give orders to any of the subordinates of the Town Manager either publicly or privately. For purposes of investigation, the Council may ~~eat~~ invite any employee or officer before a properly constituted meeting of the Council, provided that the Town Manager has been invited to attend.

Section 8-2-1 Appointment; Qualifications; Term; Compensation

- A. ~~The Town Council shall appoint a Town Manager for a term not to exceed three (3) years. Prior to appointing the Town Manager, the Town Council shall appoint a search committee it deems qualified, to perform a search for qualified candidates. The Town Council may select and designate a search committee for a term not to exceed one (1) year.~~
- (i) ~~The Board of Selectmen seated and serving as of the date of the initial approval of this Charter, shall constitute a search committee to consider candidates for appointment as the initial Town Manager for the Town of Clinton. Such candidates shall have the qualifications set forth in this Charter. Upon election of the initial Town Council, pursuant to this Charter, candidates will be presented to the Council for selection of the initial Town Manager. The authorization contained in this subsection shall become effective upon passage of the Charter.~~
- C. ~~The Town Manager shall serve a specified term not to exceed three (3) years pursuant to a contract between the Town Council and the Town Manager. There shall be no limitation on the number of times the Town Council may execute a new contract with any particular Town Manager. The contract shall make provisions for compensation, review procedures, its specific expiration date, and any other matters the Town Council deems appropriate and/or necessary.~~

Section 8-5 Additional Duties and Responsibilities

- A. ~~Shall assemble, compile and publish the Annual Town Report for submission to the Annual Town Meeting;~~
- C. ~~Shall authorize the execution of contracts, leases, deeds, and other legal instruments by the Chairperson of the Town Council. Shall oversee the preparation of, and recommend signature by the Chairperson of the Town Council, those documents necessary to implement and execute actions duly authorized by the Town Council. No such documents may be executed by the Town Council during the period after the election of members of the Town Council and the date they take office after the election.~~
- M. ~~Be the personnel director for the town, and shall have the responsibility for developing job descriptions for all administrative officers, subject to the approval of the Town Council; and all advertising for, hiring, and dismissal of town employees, except for the Board of Education employees, shall be under the Town Manager's direct control; subject to the approval of the Town Council except as otherwise provided for in this Charter.~~

Section 8-7 Assessor

The Town Manager shall hire a certified Connecticut Municipal Assessor who shall be so certified by the State Tax Commissioner of Connecticut, following recommendation by a search committee appointed by the Town Council.

Section 8-8 Town Counsel Attorney

The Town Council shall appoint as Town ~~Counsel~~ **Attorney** an Attorney-at-Law or a firm of Attorneys-at-Law admitted to practice in the State. Town ~~Counsel~~ **Attorney** shall appear for and protect the rights of the Town in all actions, suits or proceedings brought by or against it or any of its officers, Departments, Boards, Commissions, or Agencies and shall be their legal advisor in all matters affecting the Town. Town ~~Counsel~~ **Attorney** shall; upon written request submitted through the ~~Town Council Chairperson~~ **Town Manager**, furnish a written opinion on any question of law involving Town matters, powers and duties. Town ~~Counsel~~ **Attorney** shall prepare or approve forms of contracts or other instruments to which the Town is a party or in which it has an interest, and shall have power, with the approval of the Town Council, to compromise or settle any claims by or against the Town.

Section 8-10 Emergency Management Director

The Town Manager shall appoint an Emergency Management Director, ~~following recommendation by a search committee appointed by the Town Council.~~ The Director shall have the powers and duties prescribed by law.

Section 8-11 Fire Marshal; Deputies

The Town Manager shall appoint a Fire Marshal to serve a four (4) year term, ~~following recommendation by a search committee appointed by the Town Council.~~ Town Manager may appoint Deputy Fire Marshals for the same term. They shall all have the powers and duties prescribed by the General Statutes, as amended

Section 8-12 Town Clerk; Salary; Assistant Town Clerk

- A. The Town Clerk shall be hired by the Town Manager, ~~following recommendation by a search committee appointed by the Town Council.~~ The successful candidate shall be a Connecticut Certified Municipal Clerk or have a minimum of five (5) years experience in a Town Clerk's office.
- B. All statutory and other fees shall be remitted ~~monthly~~ to the ~~Town Treasury~~ **Finance Department.**

Section 8-14 Building Officials

The Town Manager shall hire a certified building official responsible for the administration of the Basic Building Code of the State of Connecticut, ~~following recommendation by a search committee appointed by the Town Council.~~

Section 8-15 Directors of Human Services

The Town Manager shall hire a person professionally trained or experienced in social work as the Director of Human Services (responsible for Youth and Family Services and Social Services, ~~following recommendation by a search committee appointed by the Town Council.~~

Section 8-16 Directors of Park and Recreation

The Town Manager may hire upon the recommendation of the Commission, a Director of Park and Recreations, ~~following recommendation by a search committee appointed by the Town Council.~~ The Director shall, under the supervision of the Park and Recreations Commission, administer a recreation program.

Section 8-17 Zoning Enforcement Officer

The Town Manager shall hire a Zoning Enforcement Officer, ~~following a recommendation by a search committee appointed by the Town Council,~~ who shall enforce the provisions of the Zoning Regulations.

Section 8-20 Department of Public Works and Public Works Commission

- A. There shall be a Department of Public Works headed by a Director of Public Works. The Director shall be hired by the Town Manager, following recommendation ~~by a search committee appointed by the Town Council and upon the recommendation~~ of the Public Works Commission. The Director may also serve as the Town Engineer. The Director shall be the chief administrative officer of the Department of Public Works.

Section 8-21 Director of Finance

The Director of Finance shall be hired by the Town Manager ~~following recommendation by a search committee appointed by the Town Council~~ and shall be responsible for the operation and administration of all finance related functions, including the duties of the Treasurer, for the Town of Clinton.

Section 8-22 Tax Collectors:

The Tax Collector shall be hired by the Town Manager ~~following recommendation by a search committee appointed by the Town Council~~. The successful candidate shall be a Connecticut Certified Municipal Collector or have a minimum of three (3) years experience in a Tax Collector's office.

Section 8-23 Town Planner

The Town Manager may hire an American Institute of Certified Planners (AICP) certified Town Planner **or a Town Planner able to obtain such certification**, ~~following recommendation by a search committee appointed by the Town Council~~.

Section 9-4 Removal From Office

- A. The Town Council shall have the power to remove any Officer or Employee appointed by them provided the Officer or Employee shall have been served with a written notice of intention to remove from office or position, 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 said Officer or Employee shall be given the opportunity to be heard thereon. **This section shall not apply to the Town Manager, whose removal is subject to Section 8-3 of this Charter.**

Section 10-2 Preparation of the Budget

- D. The Town Manager shall ~~hold hearings meet~~ with each Department, Office, Board, Commission or Agency on the proposed budget. The Town Manager shall then present the proposed budget to the Town Council. The Town Council shall then revise the estimates as it deems desirable and shall complete the proposed budget for the ensuing fiscal year and its report. All such actions shall take place in public meeting.
- E. The Town Council shall hold one or more public hearings on the proposed budget ~~not less than fourteen (14) days before the Annual Budget Meeting~~. At the hearings any person qualified to vote at ~~the Annual Budget~~ **a Town Meeting** may be heard. The proposed budget shall be published ~~in a newspaper having general circulation in the Town~~ **in accordance with state law and on the Town's website** at least ten (10) days in advance of the public hearing, and shall be available at the Town Clerk's Office, and the ~~Board~~ **Town Council** shall have sufficient copies of the proposed budget and report available at the public hearing.
- F. The Town Council shall revise the estimates as it deems desirable prepare the recommended budget, and shall, before the Annual Budget Meeting publish the proposed

~~Town budget in a newspaper having a general circulation in the Town in accordance with state law and on the Town's website not less than fourteen (14) days before such referendum. The board shall present the recommended budget to the Annual Budget Meeting and the Board shall make available copies of the recommended Town budget and report in the office of the Town Clerk not less than five (5) days before the budget meeting. At such meeting when the Town Council makes its final revisions to the recommended budget, the Council shall approve the text of the referendum questions to be considered at the Annual Budget Meeting, in accordance with 4-4(B) of this Charter.~~

Section 10-6 Expenditures and Accounting

E. ~~The Town Manager shall have the discretionary authority to utilize state, federal, and/or other governmental cooperative purchasing agreements in lieu of obtaining sealed competitive bids if the sum total shall does not exceed one hundred thousand (\$100,000) dollars per commodity and/or piece of equipment, and if to do so is in the Town's best interest. Upon recommendation of the Town Manager, the Town Council may waive the dollar amount limitation if participating in a cooperative purchase at a higher dollar amount is in the Town's best interest.~~

Section 11-3 Referendum: Effective Date

Amendments to this Charter shall be submitted to the electors of Clinton at the regular Town election to be held ~~November 6, 2018~~ **November 7, 2023** in accordance with the provisions of Chapter 99 of the General Statutes, as amended, and its provisions shall become effective upon the approval of a majority of the electors voting thereon except as follows,

Section 11-4 Charter Study Commission

The Town Council ~~shall~~ **may** appoint a Charter Study Commission not later than five (5) years from the effective date of this Charter.

Amendments to this Charter shall be submitted to the electors of Clinton at the regular Town election to be held November 07, 2023 in accordance with the provisions of Chapter 99 of the General Statutes, as amended, and its provisions shall become effective upon the approval of a majority of the electors voting thereon.

Dated at Clinton, Connecticut this 11th day of July, 2023
Christopher Aniskovich, Town Council Chairman
For publication in the Harbor News July 20, 2023