

**TOWN OF FAIRFIELD  
CHARTER REVISION COMMISSION  
NOTICE OF PUBLIC MEETING**

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- ✓ Via Webex: <https://tofit.my.webex.com/meet/online>
- ✓ FairTV's cable channel (channel 79 for Fairfield Optimum/Altice Cable customers and 6010 for Frontier Cable customers)
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- ✓ By phone: Dial 510-338-9438. Enter Access Code or Meeting Number: 126145 0736 #

Please note, if you call to listen, you will not be heard by the committee members and there will be no live public comment until called for by the Chair during the meeting. The public is encouraged to send their comments before the meeting to the following email: [crc@fairfieldct.org](mailto:crc@fairfieldct.org).

**CHARTER REVISION COMMISSION  
Regular Meeting  
February 10, 2022  
7:00 PM  
Via Webex  
Fairfield, CT**

A regular meeting of the Charter Revision Commission will be held at 7:00 p.m. on Thursday, February 10, 2022 via Webex

**AGENDA**

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE OF ALLEGIANCE
- IV. Approval of Minutess from January 27, 2022 meeting
- V. **Town Governance Issues: Representatives of Different Forms of Connecticut Municipal Governments**
  - a. Mayor/Council: Hamden (Hon. James Pascarella), Bristol (Hon. Ellen Zopp-Sassu), New Britain (Hon. Dan Salerno),
  - b. RTM: Branford – Hon. Jamie Cosgrove
  - c. Council/Manager: Manchester – Scott Shanley
  - d. Board of Selectman/Legislative Council: Newtown - First Selectman, Hon. Dan Rosenthal
- VI. Next Steps
- VII. Adjourn

**CHARTER REVISION COMMISSION**  
**Regular Meeting**  
**January 27, 2022**  
**7:00 PM**  
**Via Webex**  
**Fairfield, CT**

A regular meeting of the Charter Revision Commission was held at 7:00 p.m. on Thursday, January 27, 2022 via Webex.

A recording of this meeting can be found here: <https://www.youtube.com/watch?v=44ZcqZtwlSg>

**DRAFT MINUTES**

**MEMBERS PRESENT:** Bryan Cafferelli-Chair, Chris Brogan-Vice Chair, Jay Gross, Pamela Iacono, John Mitola, John Wynne

**OTHERS PRESENT:** Joe DeLong, Executive Director and CEO, Connecticut Conference of Municipalities, Professor Gary Rose, Sacred Heart University, Professor Gayle Alberda, Fairfield University, Attorney Steve Mednick, Town Attorney James Baldwin, FairTV and members of the public.

**MEMBERS ABSENT:** Marlene Battista-Secretary

- I. **Call to Order-** Chair Cafferelli called the meeting to order at 7:00pm.
- II. **Roll Call/Pledge of Allegiance-**Recording Secretary Pru O'Brien took the roll call and Chair Cafferelli led the Pledge of Allegiance.
- III. **Approval of Minutes: January 13, 2022 Minutes**  
Commissioner Iacono requested adding content from the discussion regarding the First Selectperson's budget and not the Board of Selectman budget. Having just the First Selectperson's budget would remove the BOS from the budget process and it would go directly to the BOF for review and vote.

Commissioner Wynne moved to approve the minutes as amended. Commissioner Mitola seconded the motion. The motion carried unanimously. The amended minutes are attached hereto and have been posted.

**IV. Town Governance Issues:**

- A. **Keynote: Joe DeLong, Executive Director and CEO, Connecticut Conference of Municipalities.** Mr. DeLong started by acknowledging Attorney Mednick's expertise in this field. Mr. DeLong started off by stating that the First Selectperson form of government was very unique to the Northeast. Mr. DeLong explained that "home rule" was established in the 1965 Connecticut Constitution. There is no guidance from the federal government

or the United States Constitution so that the operations of local government were left up to the states. Connecticut operates under “Home Rule” as articulated in Dillon’s Rule, a case from the mid-19<sup>th</sup> century. The Connecticut Constitution gives the General Assembly the responsibility for determining what authority shall be possessed by municipalities in the name of “Home Rule.” Connecticut “Home Rule” permits for the establishment of a charter to self govern consistent with the express grant of powers. Mr. DeLong discussed several different forms of government in Connecticut:

- **First Selectman/Board of Selectman - Town Meeting** and the variant used by Fairfield, the **Representative Town Meeting**;
- **Mayor-Council**, where the legislative body is elected, most popular in Urban Communities)
  1. Strong Mayor-Council: All department heads report to the Mayor
  2. Weak Mayor-Council: All department heads report to the Council.
- **Council-Manager**, where the Council appoints a professional manager as CEO of the town.

In the nation the Council/Manager form is quite prevalent followed by Mayor/Council with Selectman/Town Meeting or RTM in single digits. The town meeting and its evolution to RTM finds its original in the ecclesiastical societies which founded most of the New England towns as a way of leaving the “shackles of government” behind.

Mr. DeLong recommended a CCM webinar presented by Bethel First Selectman Matt Knickerbocker for your review, the link follows: [https://www.youtube.com/watch?v=Jhvv\\_RDFQYU](https://www.youtube.com/watch?v=Jhvv_RDFQYU)

*Commissioner Brogan* asked about the difference between the governments and their effectiveness. Mr. DeLong indicated that the town meeting may be too random and variable, depending on issue to drive involvement. The representative form of government is good unless you elect representatives who are partisan or ideological. However, complex issues require a CEO who can dig into the issues and explain them to the electorate. If you have strong, dedicated elected officials, in the strong forms of government, they will work very well. They understand the desire of the community. In a Council-Manager form of government, there can be a struggle with the manager to understand political realities and strategies. The managers are good at running communities but many are politically tone deaf or subject to political manipulation..

*Commissioner Mitola* asked if a Town Manager needs to live in their community and how long they usually stay in that position. Mr. DeLong said in a smaller community it would be tough but not unreasonable to ask the Manager to live in the community and allow them a reasonable time, sixty (60) days to relocate. The majority of Town Managers stay until they retire.

*Commissioner Mitola* also asked if the Town Manager reports to the Town Council and if so, how large should the Town Council be. Mr. DeLong said the Managers do report to the Town Council and he wasn’t certain of the sizes of the Councils in CT and would get

a report to the CRC. Attorney Mednick said that most Town Councils have fewer than 20 members.

*Commissioner Iacono* asked how a Town Manager is found. CCM has an Executive Search function and you could advertise with ICMA. Mr. DeLong said that he believes it is easier to fill that position than a Finance Officer and the salary is usually \$150K-\$200K.

*Commissioner Gross* asked about the benefits of hiring a Town Manager, including the skillset a professional would bring to a community. Mr. DeLong that there are benefits in having an elected CEO who was great at politics and a strong administrator, they truly know the needs of the community.

Mr. DeLong also encouraged the Commission to contact him for research or data if needed.

**B. Panel Discussion and Dialogue:** Professors Gary Rose and Gayle Alberda of Sacred Heart and Fairfield Universities, respectively.

1. **Professor Gary Rose** also presented the different models of government in Connecticut. He commented that the **Selectman/Town Meeting** form of government was his preference because it is the closest to our grass roots democracy, but works best in small towns. He pointed out that with a population of over 61,000 residents this form of government is unrealistic in Fairfield. In the **Council/Manager** form of government, the council selects the Town Manager. The Manager is required to attend Council meetings, but doesn't always vote. The Manager will have a professional degree normally, and skilled in Finance. Many residents of those towns don't know who their Town Manager is because he/she was not the choice of the people and does not represent them. It is a less partisan government. The **Mayor/Council** government is his preference for Fairfield. Towns of Wolcott and Hamden are smaller towns that have the Mayor/Council government. The people making policies for the town are very visible and the Mayor is the executive power who is accountable and the Council is the legislative power that is accountable. The **Selectman/RTM** operates in only a handful of towns and mostly in Fairfield County. Professor Rose is concerned that there are 40 members of the RTM as it is too many for a legislative body. A smaller council is more accountable. He reiterated his thought that the Mayor/Council is best for Fairfield.
2. **Professor Gayle Alberda** presented government models and how they work best for community participation. Professor Alberda had questions about having a Town Manager and said her department trains Town Managers, but she sees more of that government in the Midwest. Professor Alberda asked the CRC what outcome they want to see for their town government and what are the goals. The New England town structure is archaic for today's needs. There is also something called an **Adaptive City**, which is a hybrid of different governments to make your own government. It would allow for a chief executive who is allowed certain powers, but also have a legislative body for checks and balances. It would need to be balanced so neither side is too strong. The name of the form of government doesn't matter as much as how much power is given to them. It can be put in the

charter. Responsible and responsive decisions can be made with a smaller RTM. If two people run in each district and 3 at large, it will cut the RTM in half. The town would get better candidates because it would be more competitive elections and larger voter turnout. Think about what role three selectpersons play and if having a Chief Executive would make it more efficient.

*Commissioner Wynne* asked how to improve accountability and how to achieve effectiveness of a Town Manager role.

Professor Rose said Hartford is much larger, but the Mayor has a staff: Chief of Staff and other administrators. Most Mayors don't have the training that a Town Manager has, but he/she brings in staff. Key subordinates within the executive branch would still need to be approved by the Town Council.

*Commissioner Mitola* said Fairfield has had professional department heads and said the Town needs to look into hiring more professional department heads. *Commissioner Wynne* recognizes that many communities have had the political role taking over the management role. The requirements outgrew those individuals but they were working hard so their compensation continued to grow. Mr. Wynne wondered If a community were to bring in the Mayor/Council government and brought in a Chief Officer, would the Mayor be less significant than the COO or Town Manager.

Attorney Mednick stated that under that model, the Mayor would remain the CEO of the community and remain in charge of the Chief Administrator. It would add significant salary, but if you have accountability, you might not need a Chief Administrator.

Professor Alberda said if a town has an unelected chief executive, voter turnout goes down. Professor Alberda suggested the CRC think about what kind of government they would want after no longer serving on a board or committee. What would they want to see as residents?

*Chair Cafferelli* said regardless of the type of leader, it is about power and what types of power would change if the Town went to an alternative form of government.

Professor Alberda said it could adjust budgetary authority, veto power, law making. It could give the legislative body stronger law making responsibilities. She asked where the powers lies now and how they would want to move it.

*Commissioner Iacono* asked what the Professors experiences were with the Selectperson government around the state and asked why would Fairfield want to keep it.

Professor Rose said the reason for a BOS and another legislative body is to keep balance as opposed to singular individuals. He's not in favor of that for Fairfield and thinks a more directive type of leadership is needed.

Professor Alberda said she is not familiar with this form of government but it is very much a New England style government. Professor Alberda feels there are too many people who have ideas and when something is passed through, there is no

accountability. Professor Rose asked why the Charter Revision was being done now and it was explained to him that the state advocates the Charter be reviewed every 10 years. Fairfield's Charter hasn't been reviewed in 15 years. The Strategic Planning Committee had a strong response on whether the Town is managing properly because the Town was going through significant managerial issues.

Professor Alberda is a Fairfield worker and she thinks it is a great town. No need to fix what is not broken, but things can be made better. Keep what is good but also be more accountable and give the next generation a better version of Fairfield.

**C. Background Document #3**

Attorney Mednick referred to this document included in the backup which has data of the different forms of government and the towns that use them as well as population.

**V. CRC Discussion: Budget Article X – Background Document #5 and Article X Redline**

This is a preliminary markup of the budget section. There are not a lot of changes. Attorney Mednick included a reference to the Capital Budget to make it simultaneous with the Operational Budget. Attorney Mednick told the CRC to review Document 5 and let him know if there are any concerns or adjustments. The markups are just for budget provisions and changes in the language to be sure there is clarity as they go through the steps in the process. Tentative terms of "publication" and the role of the BOS vs First Selectperson. Attorney Mednick also would like to explore a condensed timeline for the budget process. The end dates for the budget are centered around the Tax Collector because he needs 30 days to print bills. It doesn't take as long now. Commissioner Mitola commented that a change in government would change the budget process. Commissioner Brogan suggested adding a five year look schedule and a balance report for the Capital Budget projects. Commissioner Iacono suggested looking at Westport's language regarding the Capital Budget and adopting that.

**VI. Next Steps**

The next meeting will have presenters from different forms of government. Attorney Mednick invited representative of Mayor/Council forms of government (at-large/hybrid and district) Council/Manager and First Selectman/woman forms..

**VII. Adjourn**

Commissioner Wynne moved to adjourn. Vice Chair Brogan seconded the motion. The meeting adjourned at 9:28pm.

Respectfully submitted,

Pru O'Brien  
Recording Secretary

## Charter Revision Commission – Email(s) Received from 1/28/22 – 2/9/22

Jan Carpenter [janc@144h.com](mailto:janc@144h.com)

Saturday, January 29, 2022 at 5:10 PM

CRC,

I listened with interest to the latest CRC meeting (1/27). I continue to be amazed and thankful for the efforts of Attorney Mednick in guiding the Commission and inviting high quality panelists to aid the CRC and residents in the decision-making process. Thank you to our First Selectwoman for having the forethought and leadership to provide this quality and ultimately essential assistance.

Thursday's discussion centered on examining different forms of governance and the discussion was led by local professors (from Fairfield University and Sacred Heart). I appreciate that perspective and knowledge base.

I agree with some of the perspectives offered, but I differ on what is best for Fairfield, specifically as it relates to the core structure of our town government. While the professors possess academic knowledge, they may lack familiarity with Fairfield's recent circumstances, local practices and history which are compelling issues to keep top of mind. I hope you will take this into consideration in your deliberations.

Assuming we elect to modify our form of government to one of the two forms that are most widely used in the US today (and used in the State of CT for most communities of our size), we would be suggesting either (a) Council(RTM)/Mayor(1st Selectman) or (b) Council(RTM)/Town Manager (TM) model. I urge us to choose the Council(RTM)/Town Manager model. Here are some reasons for this point of view:

- Important Qualities - In Thursday's meeting, I found one important trait missing from the discussion - COMPETENCE. Attributes such as accountability, responsiveness, efficiency, effectiveness were mentioned several times and rightly so. However, given our recent and ongoing massive troubles, (fraud, municipal corruption, environmental regulatory disregard, internal control deficiencies, lack of accountability, incompetence, etc.), of which outsiders may not have intimate knowledge, the most important quality of the person running our town should be competence. Town Manager jobs are professional, nonpolitical positions. Folks who are TMs attend higher education institutions to develop proficiency in running municipalities and are appointed - not elected. This means their recommendations/decisions are based on what is absolutely best for the town and its residents, not what is best for their political career.
- Model City Charter - during one of the earliest CRC meetings, a Fairfield resident submitted a publication from the National Civic League - a non-profit organization which has been working for over 100 years to provide information on preferred

charters and preferred government structures. From their website: "The National Civic League was founded as the National Municipal League following a gathering of civic leaders in 1894. This respected group of about 100 community leaders, including Teddy Roosevelt, Louis Brandeis, and Frederick Law Olmsted, came together to address "incompetence, inefficiency, patronage and corruption in local governments"." The Model City Charter document (provided to the CRC last year) provides a wealth of information and I urge the CRC to read it. Among other things, the latest Model City Charter from this group says "The Eighth Edition of the Model City-Charter continues to endorse the council-manager plan but it presents alternatives for certain key provisions without indicating an absolute preference." Thus, while there are alternatives to be considered, over 100 years of experience favors the council-manager structure.

- Legacy - several professors mentioned that we should make decisions that serve us well today, but will also endure in the future. Our First Selectwoman has inherited a thankless task in cleaning up the mess of those who came before. And the work she has already done is admirable. But Brenda, like all of us, will not be here forever. Our former First Selectman has already made motions to reenter the political stage despite being referred to as an unnamed co-conspirator in the current fill pile criminal action - which has not even come to trial! We should strive to construct a governing structure that will work well year in and year out - no matter who is elected. Because if there's one thing we know, elections happen and the results are not always for the better.
- Corporate Comparisons - In the corporate world, you would strive to hire someone to run a company with a core competency in the inner workings of that corporation's field, and yet when a mayor is elected to perform this function (without management and municipality education), we simply tolerate it. The Model City Charter says "It is difficult to find candidates for mayors who are equally adept at providing both political and also administrative leadership to city government. It is also hard for voters to assess the administrative capabilities of candidates before they have served in the mayor's office." Enough said.

Finally, I thank Joe DeLong (Executive Director of CT Conference of Municipalities) for his participation at this meeting. He indicated that in the US today, 60% of the total, local US government municipalities use the council-manager model. He also said that one of the main reasons for this, was a trend of moving from the council-mayor model to the council-manager model, to combat the increasing occurrence of fraud, nepotism and political favors in government. Sound familiar? That historical perspective alone should be a strong reason for us to consider this path.

Thank you, as always, for listening and considering the perspective provided here.

Jan Carpenter  
[janc@144h.com](mailto:janc@144h.com)

[kgriffi1@optonline.net](mailto:kgriffi1@optonline.net)

Sent: Sunday, January 30, 2022 3:00 PM

Dear CRC Members –

I listened to Thursday night's academic presentations on Forms of Government and thought it was very informative. Thank you. I'm looking forward to hearing from representatives of other governments who operate under the various forms.

One subject that was only briefly mentioned by Dr. Alberda was the weak mayor vs. strong mayor model in a mayor/council form of government. Would it be possible to have CCM update the Forms of Government Chart to indicate which M/C towns have 'strong' mayors and which have 'weak' (assuming they are not all the same)?

Also, flow charts of the different forms may be helpful for the public. First Selectman Knickerbocker has some simple ones in his Fundamentals of Municipal Government CCM presentation:

Fundamentals of Municipal Government - [Recording](#) / [Material](#)

Thank you,  
Kathleen Griffin  
15 Stonybrook Road

Nancy Lefkowitz [nancylefkowitz@gmail.com](mailto:nancylefkowitz@gmail.com)  
Wednesday, February 2, 2022 at 12:58 PM

To the esteemed members of the Charter Review Commission:

Good afternoon

As you may be aware, the now defunct Racial Equity and Justice Task Force (REJTF) presented its findings to the Board of Selectmen on Monday, January 31st. As you'll see within the contents of the Blueprint, there are recommendations that may impact your work

[https://www.fairfieldct.org/filestorage/79/98840/99716/115216/REJTF\\_BLUEPRINT%20C 1 6 22.pdf](https://www.fairfieldct.org/filestorage/79/98840/99716/115216/REJTF_BLUEPRINT%20C%201%206%2022.pdf)

CC'd on this email are Douglas Bunnell and Ryan Odinak, two former members of the Task Force, who have expressed willingness and interest in engaging with your Commission to discuss our process and subsequent findings; I hope you will take them up on this!

Thanks in advance for your consideration

Sincerely  
Nancy Lefkowitz

Ryan Odinak <ryanodinak@gmail.com>  
Saturday, February 5, 2022 at 11:50 AM

To: Charter Revision Committee

Thank you for reviewing the REJTF Blueprint recommendations to see if any might be addressed in the Charter Revision process.

I am attaching a list of the recommendations (not the full report) from the Racial Equity and Justice Task Force Blueprint presented to the Board of Selectmen on January 31, 2022. I have highlighted in YELLOW some that seem most clearly related to the Charter Revision including the town seal and the need for increased participation of citizens in law enforcement, specifically how the Police Commission is formed. I have also highlighted in GRAY some other recommendations that may be appropriate for consideration in Charter Revision. We would appreciate the committee reviewing the full list of Recommendations and making their assessment of what is appropriate to Charter Revision.

Thank you.

Ryan Odinak  
Racial Equity and Justice Task Force

Cc: Nancy Lefkowitz  
Doug Bunnell

**Attachment in Ryan's Email Below:**

**Town of Fairfield Racial Equity and Justice Task Force Blueprint  
Presented to Board of Selectmen on January 31, 2022**

**RECOMMENDATIONS**

*(Taken from full report which also contains background, methods, rationale and resources.)*

**INITIAL AND IMMEDIATE ACTIONS FOR THE BOS**

1. The BOS shall hear and consider the Town of Fairfield Blueprint for Racial Equity and Justice, as presented by members of the Racial Equity and Justice Task Force
2. The BOS shall vote to accept into public record the Town of Fairfield Blueprint for Racial Equity and Justice
3. The Town of Fairfield shall make a formal proclamation and adopt a subsequent resolution that acknowledges the existence and impact of a combination of systems that disadvantage BIPOC residents in access and opportunity in Fairfield, and commits to addressing racial equity and justice in town governance and town operations
4. The BOS shall establish a permanent Commission on Racial Equity and Justice in the Town of Fairfield
5. The Town of Fairfield shall hire a full-time town Director of Community Justice and Belonging charged with oversight and management of racial equity planning and response

## **ADDITIONAL RECOMMENDATIONS**

### **1. GOVERNANCE**

1. Collect, review, and publish data on the racial, ethnic, and linguistic makeup of the Town's workforce in relation to the Town's demography, including the annual publication of a Race, Ethnicity, and Gender Diversity Report
2. Develop and implement written procedures to increase the recruitment, retention, and promotion of people of color in the Town's workforce in coordination with Human Resources and the Director of Community Justice and Belonging.
3. Require all town employees, including senior leadership, to attend annual racial equity and cultural competency training sessions, such as those offered by the American Leadership Forum
4. Perform annual audits on promotional pay, hiring, and firing practices to identify any patterns correlated with age, race, gender, ethnicity, religion, or other protected classes.
5. Measure residents' use of and satisfaction with Town services, including collection of demographic data on both the residents providing the feedback and the service providers on whom they are commenting to ascertain, for example: if BIPOC town members are more or less satisfied with services than non-BIPOC town members; or if BIPOC town members are more or less satisfied with BIPOC or non-BIPOC town service providers; if non-BIPOC town members are more or less satisfied with BIPOC town service providers, etc. in order to expose any unconscious bias
6. Provide language interpreter/translator services for people who speak languages other than English
7. Actively recruit bilingual candidates to fill open Town workforce positions. In conducting interviews to fill open positions, designate bilingual or multilingual knowledge as a highly desirable qualification
8. Develop and publish clear metrics for Town use of minority business enterprises (MBEs), diverse business enterprises (DBEs), and women-owned business enterprises (WBEs) to increase diversity of Town contracting, and hold Town employees accountable for meeting those metrics

9. Adopt a budget equity assessment tool to guide Town departments in using an equity lens when developing budget requests and assessing budgeting impacts on residents
10. Examine zoning, blight, environmental remediation projects etc. to better understand impact on minority communities
11. Ensure all Town residents share equally in Town resources and services
12. Review racial and equity implications of all decisions regarding town infrastructure allocation and commercial siting decisions
13. Diversify Town government through the appointment of diverse candidates for Boards and Commissions
14. Require Department Heads to review this plan and report back to the Board of Selectmen within six (6) months with an action plan to incorporate the practices suggested within this document
15. Review the Town Charter to identify and eliminate any policies hindering racial equity and justice
16. Form a Racial Equity and Justice subcommittee of the Town Charter Review Committee to examine policies and procedures through a 21st-century equity lens
17. Work with the Town Charter Review Commission to examine the town seal, initially adopted on July 1, 1935
18. Review the Town of Fairfield website page and edit it as needed to fully represent our community history
19. Review names of Town streets, schools, monuments, and municipal structures to consider if any of these represent a history of racism or disenfranchisement
20. Include Racial Equity and Justice as a Critical Success Factor in the *One Town One Vision* Strategic Plan. To ensure that Racial Equity and Justice is a core strategic goal,
21. Adopt (as is standard practice for other Critical Success Factors) an Implementation Action Matrix that identifies key initiatives and objectives, implementation time frame, priority, potential partners, key performance indicators, and personnel responsible for each action
22. Establish the capability to disaggregate all data used to assess the impact and outcome of town policies and programs

## **2. CRIMINAL JUSTICE and POLICING**

1. Create and expand opportunities for FPD to engage positively in community events
2. Examine the Community Policing model and adapt techniques/methods to the unique demographics of the town of Fairfield
3. Hire a full-time Community Outreach Coordinator outside the FPD
4. Provide mental health and wellness evaluation and care for both police officers and victims of racial profiling
5. Increase participation of citizens in law enforcement in accountability reviews, union negotiations, and hiring processes
6. Share hiring policies and procedures for recruits with the community

7. Examine use-of-force policies and/or ways to redefine public safety and combat systemic racism within law enforcement and share findings with the community
8. Review of the FPD website, in particular the section on the History of the Fairfield Police Department

### **3. HOUSING**

1. Examine and identify planning and zoning mechanisms which may be impeding access to fair and equitable housing
2. Highlight current policies and create guidelines and potential areas for improvement towards meeting affordable housing needs
3. Examine and remove any language or policy within current planning and zoning regulations which are found to be discriminatory
4. Create a Fair Housing Commission to monitor and enforce Fairfield's Fair Housing Policy including the hearing of grievances. The Director of Community Justice and Belonging shall be an *ex officio* member of the Commission. Without giving up the option to appeal to CHRO and/or HUD, housing discrimination grievances should be formally heard locally to address matters quickly and gather on-going concrete data on the nature and extent of discrimination in Fairfield
5. Invest resources for a thorough local grievance process of any Fair Housing complaints
6. Disseminate Fair Housing rules and regulations to all brokers, lawyers, appraisers and ending institutions involved in the housing industry.
7. Conduct an annual assessment of predominantly BIPOC neighborhoods to ensure resources from the Town relating to police, fire, health and public works are fair and equitable

### **4. EDUCATION**

1. The Officer of Community Justice and Belonging should work collaboratively with FPS' DEI Officer to achieve stated goals as they impact Town operations and governance:
2. The Administration should formally acknowledge, and FPS should adopt, the Fairfield Equity Coalition's recommendations to the Board of Education
3. Ensure curricula for all grade levels engages cultural and racial diversity by amplifying perspectives and experiences of historically marginalized groups, and addresses the impact of race and culture on the construction of identity
4. Implement ongoing mandatory anti-racism, implicit bias, and restorative justice training for all faculty and staff
5. Recruit, hire, and retain racially diverse, culturally competent school faculty and staff
6. Redesign the pathways to success to meet the needs of all students and ensure that race, socioeconomic status, etc. will not predict any student's educational outcome; examine other determinants that might contribute to the gap and consider how to eliminate or minimize them

### **5. COMMUNITY ENGAGEMENT**

1. Create programming focused on diversity, equity, and inclusion, to raise awareness of racism, bias, and systemic racism in Fairfield. These programs should prioritize input from BIPOC residents and should include training opportunities for leaders of community and youth organizations
2. Establish Neighborhood Resource Teams to build relationships with marginalized groups or communities
3. Maintain a community calendar on the Town of Fairfield website through which local organizations working on racial equity and justice education can promote upcoming events
4. Create programming focused on diversity, equity, and inclusion, to raise awareness of racism, bias, and systemic racism in Fairfield. These programs should prioritize input from BIPOC residents and should include training opportunities for leaders of community and youth organizations
5. Establish Neighborhood Resource Teams to build relationships with marginalized groups or communities
6. Maintain a community calendar on the Town of Fairfield website through which local organizations working on racial equity and justice education can promote upcoming events

## **6. ARTS & CULTURE**

1. Encourage Arts and Cultural organizations to establish plans for diversity, equity, and inclusion and provide resources to support this process
2. Invite Arts and Cultural organizations into community racial equity and justice planning forums
3. Partner with Arts and Cultural organizations to present content that addresses issues of race identity, discrimination, and equality
4. Establish a formal liaison between the permanent Commission on Racial Equity and Justice and representatives of Fairfield's cultural organizations
5. Engage the artistic community of Fairfield in conversations around race and racism
6. Identify opportunities for public art around themes of race, racism, inclusion, diversity and marginalization

# FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUES (2/10/2022)

## TOWN GOVERNANCE ISSUES: PART II

**Hon. James Pascarella**

Former Mayor and Legislative Council President, Hamden

**Hon. Ellen Zoppo-Sassu**

Town Manager, Enfield/Former Mayor, Bristol

**Scott Shanley**

Former General Manager, Manchester

**Hon. Dan Salerno**

City Treasurer/Former Member - Common Council, New Britain

**Hon. Dan Rosenthal**

First Selectman, Newtown

**Hon. Jamie Cosgrove**

First Selectman, Branford

## COMPOSITION, ORGANIZATION AND TERMS OF OFFICE

Municipality	Population	Form	Council Composition	Legislative Body Officers	Terms of Office
<b>Bridgeport</b>	148,656	M/C (4) <sup>A</sup>	20 Members (10 Districts)	Mayor Presides <sup>1</sup> Council President <sup>2</sup> Majority and Minority Leaders <sup>3</sup>	Mayor – 4 yrs. Council – 2 yrs. City Clerk – 4 yrs.
<b>Stamford</b>	135,470	M/C (4) <sup>4</sup>	40 Members (20 Districts)	President <sup>5</sup>	Mayor and Board of representatives – 4 yrs.
<b>New Haven</b>	134,023	M/C	30 Members and Ward	President, President Pro tempore and Third Officer <sup>6</sup>	Mayor and Alders – 2 yrs.
<b>Hartford</b>	121,054	M/C (4) <sup>B</sup>	9 Members (At-large)	President <sup>7</sup>	Mayor and Common Council – 4 yrs.
<b>Waterbury</b>	114,493	M/C	15 Members and Districts	President, President Pro tempore, Majority Leader and Minority Leader <sup>8</sup>	Mayor – 4yrs Board of Aldermen – 2yrs.
<b>Norwalk</b>	91,164	M/C	15 Members 2 each from 5 Districts and 5 At-large <sup>9</sup>	Mayor Presides  Council President <sup>10</sup>	Mayor and Council – 2 yrs.

<sup>A</sup> Mayor/Council = M/C; 4 = Four-year term for CEO

<sup>B</sup> Moved from City Manager

**FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4:  
GOVERNANCE ISSUES (2/10/2022)**

Municipality	Population	Form	Council Composition	Legislative Body Officers	Terms of Office
Danbury	85,518	M/C	21 Members 2 each from 7 wards and 7 at-large <sup>11</sup>	President <sup>12</sup>	Mayor and Council – 2 yrs.
<b>NEW BRITAIN</b>	74,135	M/C	15 members 2 each from 5 districts and 5 at-large <sup>13</sup>	Mayor presides President Pro Tempore <sup>14</sup>	Mayor and Common Council – 2 yrs.
West Hartford	64,083	C/TM <sup>C</sup>	9 members at-large	Mayor/President of Council <sup>15</sup>	Council – 2 years
Greenwich	63,518	S/RTM <sup>D</sup>	230 members from 12 districts <sup>16</sup>	Moderator	Selectmen <sup>17</sup> and RTM – 2 yrs.
<b>FAIRFIELD</b>	61,512	S/RTM	40 members <sup>E</sup> / 10 districts	Moderator	Selectmen – 4 yrs. RTM – 2 yrs.
<b>HAMDEN</b>	61,169	M/C	15 members – 9 Districts and 6 at-large	Council President	Mayor and Council – 2 yrs.
<b>BRISTOL</b>	60,833	M/C	6 Council Members 2 each from 3 Districts + Mayor	Mayor Presides <sup>18</sup>	Mayor and Council – 2 yrs.
Meriden	60,850	C/TM	12 members – 2 each from 4 areas and 4 at-large	Mayor Presides <sup>19</sup> (separately elected)	Mayor – 2 years Council – 4 yrs. (split cycle)
<b>MANCHESTER</b>	59,713	C/TM	9 – Directors at-large	Chair (Mayor) and Vice Chair	Directors – 2 yrs.
West Haven	55,854	M/C	13 members - 10 districts and 3 at-large <sup>20</sup>	Chair presides <sup>21</sup> Mayor attends <sup>22</sup> .	Mayor and Council – 2 yrs.

<sup>C</sup> Council/Manager = C/TM

<sup>D</sup> Selectmen/RTM = S/RTM

<sup>E</sup> Up to 56.

**FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4:  
GOVERNANCE ISSUES (2/10/2022)**

Municipality	Population	Form	Council Composition	Legislative Body Officers	Terms of Office
Milford	51,045	M/C	15 member – 5 districts 3 members from each district	Chair presides <sup>23</sup> .	Mayor and Board of Aldermen 2 yrs.
Stratford	53,355	M/C <sup>F</sup>	10 members by district <sup>24</sup>	Chair and Chair Pro tempore <sup>25</sup>	Mayor – 4 yrs. Council – 2 yrs. <sup>26</sup> . Note: Chief Administrative Officer <sup>27</sup>
East Hartford	51,045	M/C	9 members, at-large <sup>28</sup>	Chair (Deputy Mayor), and Vice Chair selected by members <sup>29</sup>	Mayor and Council – 2 yrs.
Middletown	47,717	M/C/	12 members at-large	Mayor, Council President and President Pro-Tempore	Mayor and Council – 4 yrs.
Wallingford	44,396	M/C	9 member, at-large	Chairperson and Vice Chairperson <sup>30</sup>	Mayor and Town Council – 2 yrs.
Southington	43,501	C/TM	9 members	Chair and Vice Chair	Town Council – 2 yrs.
<b>ENFIELD</b>	42,142	C/TM	11 members 7 at-large and 1 for each of the four districts	Chair (Mayor) and Deputy Mayor	Council – 2 yrs.
Shelton	40,869	M/C	8 members, two from each of 4 districts <sup>31</sup>	President and Vice President <sup>3233</sup>	Mayor and Board of Aldermen – 2 yrs. <sup>34</sup>
Norwich	40,125	C/TM	Mayor and 6 Councilmembers at-large	Mayor presides and votes	Mayor – 4 yrs. <sup>35</sup> . Council – 2 yrs.
Groton	38,411	C/RTM/ TM	45 – RTM members by district  9 Council members at-large <sup>36</sup>	Moderator of RTM  Chair of Council (Mayor)	RTM and Council – 2 years

<sup>F</sup> Moved from TM

**FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4:  
GOVERNANCE ISSUES (2/10/2022)**

Municipality	Population	Form	Council Composition	Legislative Body Officers	Terms of Office
Trumbull	36,827	FS/C <sup>G</sup>	21 Council members 3 from each of 7 districts	Chair and Vice Chair	First Selectman and Council – 2 yrs.
Glastonbury	35,159	C/TM	9 Council members at-large	Chair and Vice Chair	Council – 2 yrs.
Torrington	35,515	M/C	6 members, at-large	Mayor presides and breaks tie <sup>37</sup>	Mayor – 4 yrs. Council – 2 yrs.
Naugatuck	31,519	M/C	9 burgesses, at-large <sup>38</sup>	Mayor Presides and votes <sup>39</sup>	Mayor and Board of Burgesses – 2 yrs.
<b>BRANFORD</b>	28,273	S/RTM/Board of Finance <sup>H</sup>	3 Members of Board of Selectmen 30 RTM members by 7 Districts	Moderator	Selectmen and RTM – 2 yrs.
<b>NEWTOWN</b>	27,173	S/TM	3 – Selectmen  12-member Legislative Council 4 elected from each of 3 districts  Town Meeting	Chair	Selectmen and Legislative Council – 2 yrs.

<sup>G</sup> 1<sup>st</sup> Selectmen/Council = S/C/

<sup>H</sup> Board of Finance appointed by Board of Selectmen.

**FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4:  
GOVERNANCE ISSUES (2/10/2022)**

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**FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4:  
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<b>The Legislative Body - C.G.S. §7-193(a)(1)</b>	
A. Town Meeting	B. Representative Town Meeting
C. Board of Selectmen, Council, Board of Directors, Board of Aldermen or Board of Burgesses	D. A combination of a Town Meeting or Representative Town Meeting and one of the bodies listed in subparagraph (C) <sup>40</sup>

**FAIRFIELD CHARTER ARTICLE III – REPRESENTATIVE TOWN MEETING**

**§3.1. Legislative Power<sup>41</sup>.**

All legislative power of the Town, including the power to enact ordinances, shall be vested in the RTM, subject to referendum as provided by the terms of this Charter. The RTM shall constitute a continuing body. The RTM may delegate the power to implement or carry into effect any of the powers set forth in this Charter to any Town officer, board, or commission.

**§3.2. Membership.**

**A. Composition<sup>42</sup>.** The RTM shall consist of the elected RTM members. In addition, the Selectmen, the Town Clerk, the Town Attorney, any Assistant Town Attorneys, the chairman of the Board of Education, and the members of the Board of Finance shall be ex officio members of the RTM without vote.

**B. Right to vote<sup>43</sup>.** The right to vote at RTM meetings shall be limited to RTM members elected as provided in **Section 2.6 of this Charter.**

**C. Judge of qualification<sup>44</sup>.** The RTM shall be the judge of the election and qualifications of its members.

**D. Eligibility for membership on the RTM<sup>45</sup>.** No elected or appointed Town official (excluding, however, members of advisory boards or commissions and building committees) shall be eligible to serve as a voting member of the RTM, and no voting member of the RTM shall hold any elected or appointed Town office.

**E. Change of residence<sup>46</sup>.** An RTM member who moves from the Town shall cease to be an RTM member, but an RTM member who moves from the district from which the member was elected to another district may serve until the

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUES (2/10/2022)**

next election of RTM members.

**F. Compensation<sup>47</sup>.** The RTM members as such shall receive no compensation.

### **§3.3. Annual meetings<sup>48</sup>, organization, and elections.**

**A. Date of organization meeting<sup>49</sup>.** An organization meeting of the RTM members shall be held on the fourth Monday in November in each year.

**B. Election of Moderator<sup>50</sup>.** Each organization meeting shall elect from among its voting members a moderator who shall preside at all RTM meetings and shall hold office for a term of one (1) year and until a successor is elected and has qualified. The Moderator of the RTM shall have all the powers and duties of a moderator of an open town meeting, including those set forth in C.G.S. §§ 7-7 and 7-8 of Chapter 90 of the General Statutes.

**C. Deputy Moderator<sup>51</sup>.** Each organization meeting shall elect from among its voting members a deputy moderator who shall hold office for a term of one year and until a successor is elected and has qualified. In the event of inability of the Moderator to act, the Deputy shall have all the powers and duties of the Moderator.

**D. Clerk<sup>52</sup>.** The Town Clerk or, in the event of the Town Clerk's absence, an Assistant Town Clerk, shall act as clerk of all RTM meetings.

**E. Moderator Pro-tempore and Clerk Pro-tempore<sup>53</sup>.** In the absence of the Moderator and the Deputy Moderator, a moderator pro-tempore may be elected from the voting members of the RTM meeting. In the absence of the Town Clerk and an Assistant Town Clerk, a clerk pro-tempore of the meeting may be elected by the meeting.

**F. Rules and committees<sup>54</sup>.** The RTM shall have the power to adopt standing rules for the conduct of RTM meetings and the power to appoint such committees as it shall determine.

### **§3.4. Meetings<sup>55</sup>.**

**A. Quorum<sup>56</sup>.** A majority of the RTM members shall constitute a quorum for doing business, provided that a

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUES (2/10/2022)**

smaller number may organize temporarily and may adjourn from time to time. No RTM meeting shall adjourn past the date of an election of RTM members. All RTM meetings shall be public.

**B. Regular meetings**<sup>57</sup>. Regular RTM meetings shall be held at least once a month on a regular meeting day decided upon by the RTM members. However, if there is no business to be acted upon at a regular RTM meeting, the meeting may be dispensed with upon the direction of the Moderator to the Town Clerk who shall notify the RTM members.

**C. Special meetings**<sup>58</sup>. Special meetings may be held whenever the First Selectman, chairman of the Board of Finance, or the Moderator shall deem them necessary. In addition, a special meeting shall be held within ten (10) days after the submission to the Town Clerk of a written petition for a meeting signed by 1% of the electors of the Town or upon written petition signed by 10 RTM members.

**D. Notice**<sup>59</sup>. The Town Clerk shall notify all RTM members of the time and place at which each regular or special RTM meeting is to be held. The notice shall be sent by mail at least five (5) days before the meeting, and a copy of such notice shall be published before the meeting in a newspaper having a general circulation in the Town and posted as ~~required~~ by the Freedom of Information Act. The notice shall specify the purposes for which the meeting is to be held, which shall include any business of which the Town Clerk has been notified by the First Selectman, chairman of the Board of Finance, or the Moderator, or which may be proposed in an electors' or RTM members' petition.

### **§3.5. Ordinances**<sup>60</sup>.

The Town Clerk shall cause any action of the RTM adopting, amending, or repealing an ordinance to be published in proper summary form within one (1) week after the adjournment of the meeting at which such action was taken in a newspaper having a general circulation in the Town. The effective date of the ordinance or repeal shall be fourteen (14) days after the adjournment of the meeting at which it was passed or such later date as may have been set by the RTM at such meeting, unless a petition for referendum concerning the ordinance is filed as provided in **Section 13.1 of this Charter**.

### **§3.6. Appeals from the Board of Finance**<sup>61</sup>.

The RTM shall have the power to hear and determine appeals from decisions of the Board of Finance as provided in **Section 12.6 of this Charter**.

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUES (2/10/2022)**

### **NEW BRITAIN CHARTER ARTICLE IV – THE COMMON COUNCIL**

**§4-1 - Legislative Power.** The legislative power and authority of the City shall be vested in the Common Council, which shall be comprised as set forth in § 3-3, above. No enumeration of powers contained in this Charter shall be deemed to limit the legislative power of the Common Council as provided for in the General Statutes of the State of Connecticut.

**§4-2 - Powers of the Common Council.** The Common Council shall have the following powers:

(a) to enact Ordinances in the manner provided in this Charter not inconsistent with law, or this Charter, for the government of the City and the management of its business, for the preservation of good order, peace and health, for the welfare and safety of its inhabitants and the protection and security of their property. It is authorized and empowered, by Ordinance or resolution, to regulate, amplify and define the corporate powers. The Common Council may prescribe fines and penalties for the violation of any Ordinance, and otherwise provide for the enforcement and collection of the same when not inconsistent with law or this Charter.

(b) to establish and maintain a budget system including but not limited to the assessment, levy and collection of taxes for general, special or emergency purposes in the manner prescribed by law, and to adopt the capital and operating budgets of the City and the Board of Education in the manner prescribed by law and this Charter and the operative Ordinances adopted hereunder.

(c) to fill vacancies in elective offices, in the manner provided in this Charter and to impeach or remove from office any elected officer in the manner provided in this Charter.

(d) to establish a procedure for the adoption of fees charged by City departments.

(e) in the name of the City, to receive gifts of money or property in excess of a value to be determined by the Common Council by Ordinance. Gifts of a lesser value may be received by the Mayor or by persons the Mayor may designate, in the name of the City.

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUES (2/10/2022)**

(f) to undertake public improvements, approve the issuance of public bonds and other financing instruments related thereto and to assess benefits and damages therefor, in the manner provided for in this Charter or as otherwise provided by law.

(g) to approve the appointment of department heads designated by the Mayor.

(h) to provide for the form and regulate the manner of making contracts including, without restriction the approval or rejection of collective bargaining agreements and arbitration awards, in accordance with the requirements of the General Statutes. In furtherance of this power all parties charged with the responsibility for negotiating any collective bargaining agreement or participating in subsequent arbitration proceedings are required to submit the contract and the arbitration award to the Common Council in manner that assures timely consideration within the provisions of the General Statutes. For these purposes, submission means delivery to the Mayor, in the capacity as Presiding Officer of the Council, the President Pro Tempore and the City Clerk. Said Common Council may establish such other reporting requirements as it deems necessary to carry out the purposes of this provision.

(i) to approve the purchase, sale, or lease of real property.

(j) to grant pensions as may be provided in this Charter, Special Act, Ordinance, or as negotiated under the Municipal Employee Relations Act or other provisions of the General Statutes governing collective bargaining.

(k) by a two thirds vote of the entire membership to investigate any officer, department or agency of the City. The Common Council shall have access to all data kept by the office or department or agency and shall have the power to compel the attendance of witnesses and production of books, papers and any other data, electronic or otherwise, at any meeting of the Common Council or any committee thereof, and for that purpose may issue subpoenas which shall be signed by the President Pro Tempore of the Common Council. The investigation may be conducted by a committee of the Common Council's members appointed for this purpose, provided that not more than half of the members of such committee shall be members of the same political party. Any person who refuses to obey the subpoena of the Common Council or authorized committee shall be fined not more than the amount permitted by the General Statutes or imprisoned not more than the time permitted by the General Statutes, or both. Said fine and penalties shall be set by Ordinance.

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUES (2/10/2022)**

(l) by Ordinance, the provision of penalties by fine, not to exceed the amount permitted by the General Statutes, for any one offense to be imposed by the court for the violation of any Ordinance adopted under the authority of this Charter and may provide that each day's continuance of such violation shall constitute a separate offense.

(m) to require any officer or employee of the Town or City to furnish a bond or undertaking conditioned upon honesty and faithful performance of duty and to determine the amount, form, and sufficiency of the sureties thereof.

(n) Any other powers that may be granted by this Charter or by the General Statutes, as amended.

(o) Any other powers that may be granted by this Charter or by the General Statutes, as amended.

### **§4-3 - The Zoning Powers of the Common Council.**

(a) **Zoning Authority of the Common Council.** For the purpose of promoting health, safety, morals or the general welfare of the community or the comfort, happiness and prosperity of the inhabitants thereof, the Common Council of the City is authorized, by Ordinance, to establish building districts and restrictions.

(b) **Powers and Duties: Derived from the General Statutes.** Upon adoption of an Ordinance the Common Council shall have all the powers and duties enumerated in the General Statutes pertaining to zoning. Until such time the Council shall operate in accordance with the terms of the Special Act in existence prior to the effective date of the 2000 amendments to this Charter.

(c) **Rules of Procedure Governing the Zoning Authority.** The Common Council, upon the advice of the Office of the Corporation Counsel, shall, from time to time, adopt rules of procedures governing the conduct of hearings and proceedings regarding said zoning authority. All hearings and meetings relating to said zoning authority shall be subject to a separate call and shall not be conducted on an agenda containing the general legislative business of the Council. In all other respects the provisions of §4-6 of this Charter shall apply to said zoning authority.

### **§4-4 - Officers of the Common Council.**

(a) **Presiding Officer.** The Mayor shall preside at the meetings of the Common Council, and shall not be a member thereof and shall have a vote only in the case of a tie.

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUES (2/10/2022)**

(b) **President Pro Tempore.** The Common Council shall biennially choose by a majority vote, from among the members duly qualified a President Pro Tempore of the Common Council who shall perform such duties as may hereinafter be prescribed.

(c) **Clerk.** The City Clerk shall be clerk of the Common Council and shall record its doings.

**§4-5 - Meetings.** Regular meetings of said Common Council shall be held at such time as may be fixed by the City Ordinances; and said Common Council may be specially convened at any time by the Mayor or the President Pro Tempore of the Common Council, or, upon a petition of a majority of said Common Council, in writing, filed with the City Clerk, a meeting of said Common Council shall be called. Said Common Council shall, at the first regular meeting following the commencement of its term of office, determine the rules of the proceedings, in conformity with the general principles of parliamentary law. Furthermore, said Common Council may, punish its members for disorderly behavior, and, by a vote of three fourths of its members, expel a member for due cause. A majority of all the members of said Common Council shall constitute a quorum for the transaction of business, and the vote upon any question shall be taken by yeas and neas at the request of one-fifth ( 1/5 ) of the members present. All meetings at which less than a majority of said Common Council is present may be adjourned to such time as the members present shall see fit.

### **§4-6 - Procedure for Enacting Ordinances, Resolutions, etc.; when Ordinances effective; approval of Mayor.**

(a) Every vote, resolution, order, or Ordinance passed by said Common Council shall be submitted to the Mayor in writing for approval, and, if such vote, resolution, order, or Ordinance shall be disapproved, the same shall be returned to the Common Council at its next meeting, whether an adjourned, regular, or a special meeting, with the objections thereto in writing, and if two-thirds of the members of the entire Common Council shall again pass such vote, resolution, order, or Ordinance, the same shall be valid as if the same had been approved by the Mayor.

(b) If the Mayor shall approve of any vote, resolution, order, or Ordinance, it shall be in writing, and, if the Mayor shall fail to approve or veto any such vote, resolution, order, or Ordinance within ten days after the same shall have been presented to the Mayor for disposition, the same shall become valid and effectual as if the same had been approved by said Mayor.

(c) The City Clerk shall record upon City records all approvals or disapprovals of such votes, resolutions, orders, or Ordinances by the Mayor, and shall attest by signature the fact that such vote, resolution, order, or Ordinance has been

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUES (2/10/2022)**

adopted without the signature of the Mayor whenever the Mayor shall fail to approve or disapprove any such vote, resolution, order, or Ordinance within the time limited for the same.

### **§4-7 - Membership on Other Boards; Conflict of Interest.**

(a) **Membership on other Boards; conflict of interest.** No member of the Common Council shall be appointed a member of any Commission or Board, established under Article 7, below, or to any appointive office provided for in this chapter, except President Pro Tempore of the Common Council or Mayor to fill a vacancy. No member of the Common Council shall directly or indirectly become interested in any contract made with said City or any department thereof, except that this provision shall not prevent any member of the Common Council selling to any agents or officials of said City in open competition goods, wares, and merchandise, dealt in customarily by such member and sold to said City at not exceeding current market rates. No member of the Common Council shall be heard to speak upon, nor shall be allowed to vote upon, nor shall be appointed a member of any committee to consider, any matter in which the member has a direct pecuniary interest. Any violation of this provision shall be grounds for expulsion of any member violating the same, and any such contract so entered into shall be null and void.

**§4-8 - Publication of Codification of Ordinances.** Whenever the Common Council shall approve, adopt, and enact any revision, compilation or codification of the Ordinances of the City, it shall be a sufficient publication of such revision, compilation or codification (and all Ordinances, articles, and sections therein contained) to advertise, at least once in a daily newspaper distributed in said City, the vote or resolution of said Common Council, approving, adopting and enacting such revision, compilation or codification, together with a notice of the City Officer or Officers from whom the printed copies of such revision, compilation or codification may be obtained upon application.

**§4-9 - Staff.** The Common Council may employ staff and other expert and professional consultants necessary to provide assistance to the members of the Council, on a non-partisan basis. Each staff member deemed necessary to carry out the Common Council's legislative function shall be appointed by a majority decision of the President Pro Tempore, and the Majority and Minority leaders.

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)**

**§4-10 - Removal from office: Elective Officers and Appointees of the Common Council.** The Common Council, after reasonable notice and a hearing before said Common Council, shall be empowered by vote of a majority of the membership of the entire Common Council to remove from office any elective officer of said City or any appointee of said Common Council for dishonesty, incompetency, incapacity, neglect of duty, disobedience of any lawful order of a competent authority, or misfeasance or malfeasance in office. The accused shall have an opportunity to be heard at such hearing.

**§4-11 - Compensation of elected officials and other officers.** Except as prohibited by the State of Connecticut Constitution the Common Council shall review, establish and Act upon in even-numbered years the rates of compensation for (1) the members of the succeeding Common Council, (2) the Mayor, (3) the Collector of Taxes, (4) the City and Town Clerk, (5) the Registrars of Voters, (6) the Corporation Counsel, (7) the Clerk of Committees, (8) the Treasurer and (9) other officers, department heads and employees subject to the provisions of the budget contract, collective bargaining agreement or other agreement.

# FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)

## HAMDEN CHARTER CHAPTER IV: LEGISLATIVE COUNCIL<sup>62</sup>

### SECTION 4-1: LEGISLATIVE POWER<sup>63</sup>.

The legislative power and authority of the Town shall be vested in the Legislative Council<sup>64</sup>. No enumeration of powers set forth in this Charter shall be deemed to limit the legislative authority of the Council as provided for in the General Statutes<sup>6566</sup>.

### SECTION 4-2: OFFICERS OF THE COUNCIL.

**A.** The members of the Council shall meet on the first Monday after the commencement of their terms of office as provided in §§3-3.A (2) and C (2) of this Charter and shall choose one of its members to be President of the Council and another to be President Pro Tempore of the Council, each for the term of office<sup>67</sup>.

**B.** Such President shall preside over all meetings of the Council and perform such other duties consistent with the office as may be imposed by the Council, but such President shall not vote more than once on any question<sup>68</sup>.

**C.** During the President's absence or disability, the President's duties shall be performed by the President Pro Tempore<sup>69</sup>.

### SECTION 4-3: PROCEDURES OF THE LEGISLATIVE COUNCIL - PUBLIC PARTICIPATION IN COUNCIL PROCEEDINGS<sup>70</sup>.

**A. Meetings and Rules of Procedure.** The Council shall:

**(1) Rules of Procedure: Quorum.** Adopt rules of procedure including the creation of such committees as it deems necessary, within forty-five (45) days following the election of members, which rules may be amended from time to time<sup>71</sup>.

**(a)** The rules of the prior Council term shall apply until such rules are adopted.

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)**

(b) A majority of the total membership of the Council shall constitute a quorum for the transaction of all business<sup>72</sup>.

(2) **Regular Meetings and Committee Meetings.** Fix the time and place of its regular and committee meetings and shall post such meetings as required by the General Statutes<sup>73</sup>. The Council shall schedule at least one regular meeting and one Committee meeting a month<sup>74</sup>.

(3) **Special Meetings and Emergency Meetings**<sup>75</sup>. At the first meeting of the Council following the Town election, the Council shall provide a method for the calling of Special Meetings in accordance with the General Statutes. Emergency Meetings shall be convened as set forth in §5-5.D of this Charter<sup>76</sup>.

**B. Public Hearings**<sup>77</sup>. At least one public hearing shall be held by the Council or any committee thereof before any Ordinance or Statutory Resolution shall be passed. Meeting Notice of such public hearing shall be given, in accordance with the requirements of the General Statutes.

**C. Open Meetings and Public Comment Sessions**<sup>78</sup>. All meetings of the Legislative Council shall be open to the public in accordance with the General Statutes<sup>79</sup>. Moreover, there shall be a public comment session prior to the commencement of all regular meetings of the Legislative Council. The time and duration of the public comment sessions shall be determined in accordance with the provisions of *Standing Rules of Order of the Hamden Legislative Council*, adopted in accordance with §4-3.A (1) of this Charter. With respect to the meetings of the standing and special committees and special meetings of the Legislative Council, the public may address any item on the agenda. With respect to the regular meetings of the Legislative Council, the public may address any item on the agenda and any other matters concerning the Town that are within the purview of the Legislative Council.

### **SECTION 4-4: CLERK OF THE COUNCIL.**

**A.** There shall be a Clerk of the Council, recommended by the President and approved by the Council, whose compensation shall be fixed by the Council, and who shall keep for public inspection copies of every proposed Ordinance and a record of all proceedings including all roll call votes<sup>80</sup>.

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)**

**B.** All records so kept shall be authenticated by the signature of such Clerk of the Council or the President of the Council or both<sup>81</sup>.

**C.** The Clerk of the Council shall be responsible for the publication of such notices of hearing and publication of Ordinances, as may be necessary, and perform such other duties as the Council may determine<sup>82</sup>.

### **SECTION 4-5: GENERAL POWERS<sup>83</sup>.**

In addition to the grant of legislative authority as set forth in the General Statutes, the Legislative Council, by majority vote (unless otherwise set forth in this Charter), shall have the power to:

**A.** enact, amend or repeal Ordinances, Statutory Resolutions, Resolutions, Orders or Motions consistent with this Charter or the General Statutes<sup>84</sup>;

**B.** create or abolish Boards, Commissions, Departments, Offices and positions, unless required by the Charter or reorganized as permitted by §8-1.C (1) of this Charter, for the preservation of good order, peace, health and safety of the Town and its inhabitants, including the power to enact a code of ethics regulating the conduct of all Officials and employees of said Town<sup>85</sup> ;

**C.** increase or decrease the budget or any item thereof<sup>86</sup>;

**D.** contract for legislative services, upon action by Order or Motion<sup>87</sup>;

**E.** contract, upon action by Order or Motion, for the use of facilities of the United States or any federal agency, the State and any political subdivision thereof, or may, by agreement, join with any other such political subdivision to provide services and facilities<sup>88</sup>;

**F.** to appropriate, notwithstanding the provisions of this Charter to the contrary, necessary funds for the purpose of meeting a Public Emergency as set forth in §5-5.C of this Charter<sup>89</sup>; and,

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)**

**G.** set the charges, if any, to be made for services by the Town or for the execution of powers vested in the Town as provided in this Charter<sup>90</sup>.

In addition to all other powers, for purposes set forth in the General Statutes relating to municipal sewerage systems and to the extent it wishes to exercise such powers, the Council is deemed the body having power to make annual appropriations for the Town<sup>91</sup>. Furthermore, the Council shall have the power and duties which, on the effective date of this Charter, were conferred by Law upon Boards, Commissions and Officials<sup>92</sup> of the Town existing immediately prior to such date except as otherwise specifically provided in this Charter<sup>93</sup>.

### **SECTION 4-6: COUNSEL TO COUNCIL<sup>94</sup>.**

The Legislative Council may appoint and may remove by majority vote a Counsel, who shall be an attorney, admitted to practice law in this State and shall have been practicing for at least five (5) years. Such Counsel shall have such duties as the Council shall determine. Such Counsel shall receive compensation as fixed by the Legislative Council.

### **SECTION 4-7: ORDINANCES, STATUTORY RESOLUTIONS, RESOLUTIONS, ORDERS OR MOTIONS: THE ROLE OF THE LEGISLATIVE COUNCIL AND THE MAYOR<sup>95</sup>.**

**A. Transmittal of Legislative Actions to the Mayor.** Except in the case of Resolutions, including those relating to the procedures of the Council, every proposed Ordinance, Statutory Resolution, Order or Motion shall be transmitted by the Clerk of the Council to the Mayor for action within five (5) Days after passage by the Council<sup>96</sup>. The provisions of §§4-7 and 4-8 of this Charter shall not apply to the adoption of the Budget Ordinance<sup>97</sup>. The procedures for the adoption of the Budget Ordinance is subject to the provisions of §§10-3 and 10-4 of this Charter<sup>98</sup>.

**B. Mayoral Action<sup>99</sup>.** The Mayor shall return to the Clerk of the Council such Ordinance, Statutory Resolution, Order or Motion within fifteen (15) Days after passage by the Council.

**(1) Approval by the Mayor or Failure of the Mayor to Take Action<sup>100</sup>.** In the event the Mayor approves or fails to take action within such fifteen (15) Days, such Ordinance, Statutory Resolution, Order or Motion shall

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become effective and operational as set forth in this section. In the event the Mayor shall fail to take action upon such matters, the Town Clerk shall endorse such fact upon the official copy of the matter.

**(2) Veto by the Mayor<sup>101</sup>.** Every Ordinance, Statutory Resolution, Order or Motion vetoed by the Mayor shall be returned within the same fifteen (15) Days to the Clerk of the Council with a statement of the reasons for the veto.

**C. Legislative Action Following Mayoral Veto<sup>102</sup>.** Following receipt of the Mayor's veto, any vetoed Ordinance, Statutory Resolution, Order or Motion again approved by an affirmative vote of at least two-thirds (2/3<sup>rds</sup>) of the Council present and voting at a meeting, shall become effective in accordance with this section.

**D. Effective Date.**

**(1) Ordinances and Statutory Resolutions.** Every Ordinance or Statutory Resolution, unless it shall specify a later date, shall become effective on the twenty-first (21<sup>st</sup>) Day after Public Notice, of Final Action,<sup>103</sup> with the exception that an Ordinance stated to be a public emergency measure which shall be effective immediately, as set forth in §5-5.E (4) of this Charter<sup>104</sup>.

**(2) Resolutions, Orders or Motions<sup>105</sup>.** Every Resolution, Order or Motion, unless it shall specify a later date, shall become effective upon Final Action.

### **SECTION 4-8: PUBLIC NOTICE OF FINAL ACTION<sup>106</sup>.**

**A. Public Notice of Final Action.** Public Notice regarding Ordinances and Statutory Resolutions shall be provided within ten (10) Days after Final Action<sup>107</sup>. Public Notice of Resolutions, Orders and Motions shall be provided within twenty-four (24) hours of Final Action<sup>108</sup>.

**B.** Public Notice of public emergency Ordinances or measures shall be addressed in §5-5.E of this Charter<sup>109</sup>.

**C.** Every Ordinance and Statutory Resolution, after passage, shall be given a serial number and be officially

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)**

recorded and preserved by the Town Clerk as a public record as may be set forth in the General Statutes<sup>110</sup>.

### **SECTION 4-9: PETITION FOR OVERRULE.**

**A.** All Ordinances and Statutory Resolutions of the Council, except fixing the tax rate and the enactment of emergency Ordinances, shall be subject to overrule<sup>111</sup>.

**(1)** If within twenty (20) Days after Final Action, a petition signed by not less than fifteen (15%) percent of the Electors of the Town, as determined from the last official voting list, is filed with the Town Clerk requesting a referendum, the Council shall, at its next regular meeting, fix a time not more than thirty (30) Days after such meeting for such election, which shall be called and held in the manner provided by the General Statutes<sup>112</sup>.

**(2)** Any Ordinance or Statutory Resolution so referred to the voters shall stand approved unless a majority of those voting thereon at such election shall have voted "no" and at least twenty-five percent (25%) of the Electors entitled to vote on the question shall have voted<sup>113</sup>.

**(3)** The Council may by an affirmative vote of at least two-thirds (2/3<sup>rds</sup>) of those present and voting add non binding referenda to be on the ballot of such election<sup>114</sup>.

**B.** This section shall not apply to the borrowing of funds. The borrowing of funds shall be governed solely by the provisions of §§10-8 and 10-9<sup>115</sup> of this Charter. Moreover, this section shall not apply to the Budget. The Budget overrule shall be governed solely by the provisions of §10-5 of this Charter<sup>116</sup>.

### **SECTION 4-10: SELECTION OF INDEPENDENT AUDITORS<sup>117</sup>.**

The Council shall designate annually a certified public accountant or firm of certified public accountants, as an independent auditor, to audit the books and accounts of the Town as provided in the General Statutes and in accordance with best practice standards as may be set forth and promulgated by the General Accounting Office ("GAO"), Governmental Accounting Standards Board ("GASB"), Finance Accounting Standard Board ("FASB"), the Government Finance Officers Association ("GFOA")<sup>118</sup>, their successor or like-minded professional standard setting organizations addressing the financial

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standards for municipalities. The Council shall competitively select independent auditors and require the rotation of such auditors by requiring their replacement by another firm at the conclusion of the audit contract, which shall not exceed a maximum period of six (6) consecutive years.

### **SECTION 4-11: APPROVAL OF MAYORAL APPOINTMENTS<sup>119</sup>.**

All appointments made by the Mayor that require approval by the Legislative Council shall be deemed automatically approved if the Council fails to approve or disapprove such appointments within forty-five (45) Days of written notice to its Clerk of such an appointment.

### **SECTION 4-12: INTERLOCAL AGREEMENTS AND REGIONAL COOPERATION<sup>120</sup>.**

The Town shall take into cognizance the opportunities to engage in regional initiatives in order to provide the most efficient delivery of services to the Town. In this context, the town should utilize all laws pertaining to regionalism, inter-local agreements and cooperative arrangements.

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)**

### **BRISTOL CHARTER – CITY COUNCIL**

#### **Sec. 20. City council meetings<sup>121</sup>.**

- (a) The Mayor and six council members shall constitute the city council.
- (b) Such council shall hold a regular meeting once in each month, on a date and time to be fixed by a by-law or ordinance, at which meeting any elector or property owner of such city shall have the right to appear and to be heard as to any business of said city. The mayor shall have the power to call a special meeting any time and the mayor shall call a special meeting when requested by two council members to do so.
- (c) The city clerk shall cause a copy of the call for each special meeting to be served upon or mailed to each council member at least twenty-four hours before the hour of such special meeting, but the lack of a call or insufficiency of service shall not invalidate any meeting at which all members are present and none of them objects because of such lack or insufficiency.
- (d) Four members of the city council shall constitute a quorum for the transaction of business.
- (e) Any member may demand an aye and nay vote on any question to be voted upon and such vote shall be recorded. When such a vote shall be taken, every member present shall vote except when a conflict of interest exists. Except as herein provided otherwise, the city council shall fix the salaries and emoluments of all officials and employees of the City and Town of Bristol except those employed by the board of education.
- (f) Nothing in this section shall supersede the General Statutes of the State of Connecticut.

#### **Sec. 21. City council; powers and duties<sup>122</sup>.**

- (a) The legislative power of the city shall be vested exclusively in the city council except as otherwise provided in this charter or by the general statutes. In addition to such powers and duties of the council as are provided by the general statutes or by other provisions of this charter, as amended from time to time, the city council shall have the power subject to the provisions of the initiative and referendum herein, to enact, amend or repeal ordinances not conflicting with the statutes of this state or this charter on any subject or matter concerning the City of Bristol for the efficient and proper carrying out of the city's affairs and maintaining law and order therein by any official, commission, board, agent, employee or by any other group or person duly authorized or for any other proper cause; which ordinances shall have the force of law within said city or within any part or parts, or at such time and places to which their terms are applicable but no such

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)**

ordinances shall take effect before fourteen days from the date of its publication in a newspaper of general circulation in said city, except that an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency may be made to take effect upon its passage or before the expiration of said fourteen days. Any ordinance within the above exception shall be so published within three days after its passage.

(b) Every act of said city council creating, altering, or abolishing any agency, commission, office, or employment or assigning or reassigning the same to departments or establishing any rule or regulation for the violation of which a penalty is imposed, or placing any burden upon or limiting the use of private property, shall be by ordinance.

(c) Every ordinance, except an ordinance making a general codification of ordinances, shall be confined to a single subject, which shall be clearly expressed in its title.

(d) All ordinances which amend or repeal existing ordinances shall set forth in full the section or sub-section to be amended or repealed, and if it is to be amended shall indicate the matter to be omitted from the revised section or sub-section by brackets and shall indicate new matter by underscoring or the use of italics.

(e) All proposed ordinances to be introduced shall be written or printed.

(f) An ordinance may be introduced at any regular or special meeting of the city council by the mayor or any other member or committee of said City council. Upon introduction it shall be read provided, however, that the reading of the proposed ordinance may be waived by a unanimous vote of those in attendance at the meeting. The council shall set a day and an hour, not earlier than the seventh day thereafter, at which the council or a committee of the council shall hold a public hearing thereon. Such hearing may be at a regular meeting of the council or at such time and place as the council may order and may be adjourned from time to time. It shall be the duty of the city clerk to publish, except as hereinafter provided, every ordinance introduced, within five business days after its introduction, as a paid advertisement once in a newspaper of general circulation in the city, together with a notice of the time and place at which the public hearing thereon shall be held. Copies of the ordinance shall be kept available for inspection in the office of the city clerk. Following the adoption of an ordinance by the city council, the city clerk shall within five business days publish same. Emergency ordinances for the immediate preservation of public peace, health or safety shall contain a statement describing the emergency and may be introduced and acted upon at any regular meeting, or at any special meeting without a public hearing and without prior publication thereof provided the subject thereof has been included in the notice

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)**

for such special meeting.

(g) Newspaper publication may be dispensed with in the case of an ordinance making a general codification of ordinances or in the case of any other ordinance exceeding one newspaper column in length when printed in eight-point type without leads, provided such ordinance has been published in suitable form for distribution and copies thereof made available to the public in the clerk's office. In such cases a description of the ordinance prepared by the city clerk shall be published twice in a newspaper of general circulation in the city of Bristol.

(h) Any ordinance adopted in accordance with the foregoing provisions, which contains an expiration date shall be deemed to have been repealed on such date.

(i) All ordinances not inconsistent with this charter in effect at the time of the effective date of this charter shall continue to remain in effect until repealed or amended in accordance with the foregoing provisions.

**Sec. 22. City council; powers concerning streets and lighting**<sup>123</sup>. The city council shall have power to provide for suitable lighting wherever it shall deem necessary to regulate the size, shape and finish of poles which may be erected; to regulate all the parades, processions, public assemblages, shows or amusements in public streets; to regulate the naming of streets and numbering of lots and buildings; to regulate coasting and sliding and the use of bicycles and other vehicles on sidewalks; to prevent loitering on streets, sidewalks, spaces between sidewalks or buildings or in or about entrances to public or private buildings, to the obstruction or annoyance of the public; to regulate the placing of signs, banners, marquees, flags, awnings or other obstructions over or upon streets and sidewalks; to regulate the posting or painting of notices, signs or advertisements on the streets or on poles or elsewhere in or adjacent to streets; to regulate the removal of poles from streets; to regulate or prohibit excavations in streets, highways and public grounds for public or private purposes, and the location of any work, temporary or permanent, upon or under the surface thereof; to regulate the disposition of building materials of any description on any sidewalk or highway and the removal of buildings upon or through the same; to prohibit, license or regulate the selling or dispensing of wares or merchandise upon streets, sidewalks or in public places, to regulate planting, removal or care of trees and plants in streets and public places and to make, repair, clean and keep open and safe for public use and travel, free from obstruction, the streets, highways, sidewalks, gutters and public grounds and places in said city and to provide other ordinances for the public welfare.

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## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)**

### **MANCHESTER CHARTER CHAPTER III - BOARD OF DIRECTORS**

#### **Sec. 3-1. Board of Directors; general powers<sup>124</sup>.**

- 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

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<sup>1</sup> NOTE: THE BULLETS WERE ADDED FOR THIS EDIT

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)**

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.

## **FAIRFIELD CHARTER REVISION COMMISSION BACKGROUND DOCUMENT #4: GOVERNANCE ISSUS (2/10/2022)**

- 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. 3-2. Number; election; term<sup>125</sup>.**

The Board of Directors shall consist of nine (9) 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. 3-3. Compensation<sup>126</sup>.** The compensation of the members of the Board of Directors shall be as follows: the Chairman shall be paid three thousand dollars (\$3,000.00) annually, the Deputy Chairman 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<sup>127</sup>.** 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, irrespective of party affiliation or nonaffiliation. The Vice Chairman and Secretary shall be elected by a majority vote of those present.

**Sec. 3-5. Chairman and Vice Chairman<sup>128</sup>.** 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

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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. 3-6. Secretary<sup>129</sup>.** 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 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. 3-7. Meetings; procedure.** The Board of Directors shall fix the time and place of its regular meetings and may provide a method for the calling of special meetings, but it shall hold at least one regular meeting each month. At any such regular meeting, any elector of the Town may be heard in discussion of any subject within the jurisdiction of the Board of Directors. The Board may hold other meetings at such times and places as it may determine, provided all meetings of the Board shall be open to the public and, at any special meeting, no matter shall be considered which was not included in the call for such special meeting. The Board shall determine its own rules of procedure, subject to the provisions of this chapter. The presence of five (5) members shall constitute a quorum, but no ordinance, resolution or vote, except a vote to adjourn or to fix the time and place of its next meeting, shall be adopted by less than five (5) affirmative votes.

**Sec. 3-8. Public hearings on ordinances<sup>130</sup>.** Before any ordinance or bylaw shall be finally enacted by the Board of Directors, the Board shall have at least one (1) public hearing at which electors and taxpayers shall have an opportunity to speak for or against its adoption. Notice of such public hearing shall be given at least three (3) times by advertisement in a newspaper having a general circulation within the Town. The final notice of such public hearing shall be at least five (5) days previous to holding the meeting, including the day that notice is given and any Sunday and any legal holiday which may intervene between such notice but not including the day of holding such meeting.

**Sec. 3-9. Petition for overrule<sup>131</sup>.** 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

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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 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<sup>132</sup>.** 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 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 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

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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 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<sup>133</sup>.** 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.

**Sec. 3-13. Petition for budget referendum.** [Added by referendum 11-4-2008] 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 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.

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SIGNATURE

PRINTED NAME

NUMBER STREET

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.

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## NEWTOWN CHARTER – LEGISLATIVE COUNCIL

### Chapter 2, Sec. 2-105 – Legislative Council

(a) **Summary of General Responsibilities:** All of the legislative powers of the **Town** conferred by the **General Statutes** on Legislative Bodies shall vest in the Legislative Council with the exception of those items specifically enumerated to other **Town Bodies**. The Council determines the annual **Town Budget** and considers **Special** and **Emergency Appropriations** as set forth in CHAPTER 6. The Legislative Council shall have the power to enact, amend or repeal ordinances as set forth in CHAPTER 5.

(b) Membership and Terms:

(1) The Legislative Council shall consist of 12 members, 4 of whom shall be elected from each of 3 **Legislative Council Districts**, established in accordance with Section 3-10 of this Charter.

(2) The term of office shall be two years.

(c) The Legislative Council, from time to time, may adopt rules of procedure to govern its functions not inconsistent with the requirements of this Charter, provided such rules are adopted by at least eight (8) affirmative votes.

(d) **Meetings** – The Legislative Council shall adhere to the following:

(1) The first meeting of the newly elected Legislative Council, chaired by the Town Clerk, shall be held within 6 days after the members take office.

(2) Regular meetings shall be held twice a month, except when there is no business to conduct. The chairman shall notify the Town Clerk and the membership of the cancellation. The chairman may call special meetings as deemed necessary.

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(3) Notice shall be given to all members of the Legislative Council of the time and place at which all regular and special meetings are to be held. Each notice shall include the meeting agenda and shall be delivered at least 3 days before the meeting and filed with the Town Clerk and made available for public inspection.

(4) The Legislative Council may hold an emergency meeting at the immediate call of the chairman. The meeting shall be subject to ratification of the chairman's decision that an emergency existed by at least eight (8) affirmative votes. The nature of the emergency shall be set forth fully in the minutes of the meeting.

(5) Seven members of the Legislative Council shall constitute a quorum at all meetings for the transaction of business.

(6) The agenda of each regular or special meeting of the Legislative Council shall be prepared by the chairman. The agenda shall also include any matter or item, including without limitation any action or ordinance, set forth in a written request filed with the chairman not less than 7 days prior to such meeting by:

(i) Any member of the Legislative Council;

(ii) The First Selectman; or

(iii) Not less than 80 **Resident Electors** of the **Town**. Any such request filed by 80 **Resident Electors** shall contain the resolution or ordinance on which action is sought. Prior to appearing on an agenda, the resolution or ordinance shall be submitted to the Town Attorney, by the chairman of the Legislative Council, for his opinion as to the power of the Legislative Council to act thereon. Such opinion or approval shall not be unreasonably delayed.

(7) Any **Resident Elector** of the **Town** may speak during a portion of each regular or special meeting on any matter on the Agenda of that meeting or any other item, subject to such conditions, rules and regulations as may be established from time to time by the Legislative Council, including the right to limit

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public participation in the working sessions on the budget.

**(8)** Subject to appropriate rules of order adopted by the Legislative Council and Connecticut law on freedom of information, matters not on the agenda may be discussed. No action shall be taken by the Legislative Council on any matter unless it appears on the agenda sent to Legislative Council members with the notice of the meeting unless emergency action is required at any regular or special meeting at which it is found by at least eight (8) affirmative votes that an emergency exists or at an emergency meeting called as set forth in Subsection 2-105(d)(4).

### **Chapter 5, Sec. 5-05 Ordinances**

(a) The Legislative Council, by majority vote consisting of at least six (6) affirmative votes, shall have the power to make, alter and repeal ordinances not inconsistent with the Constitution or General Statutes or the provisions of this Charter, for the execution of the powers now or hereinafter vested in the Town for the governance of the Town and management of its affairs, the preservation of good order and for the peace, health, welfare and safety of its inhabitants and the protection and security of their property.

(b) Prior to action on an ordinance by the Legislative Council, it shall conduct a public hearing at which all persons interested shall be given a reasonable opportunity to be heard on the proposed ordinance.

(c) Notice of the date, time and place of said hearing and the full text of any proposed ordinance shall be published in a newspaper having a substantial circulation in the Town at least 10 days before the day on which such hearing is to be held.

(d) Action by the Legislative Council, either repealing, enacting, or modifying and enacting, or refusing to enact a proposed ordinance shall be taken within 30 days of the hearing held thereon.

(e) Following action by the Legislative Council, notice of said action shall be according to Subsection 1-25(b) within 21 days of such Legislative Council action and filed with the Town Clerk. If the ordinance was modified and enacted as modified, notice of such action shall include publication of the full text of the ordinance as enacted.

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(f) Any ordinance enacted shall not become effective sooner than 14 days after the date of publication of such notice and, if no other date is given as the effective date of such ordinance, shall become effective on the fifteenth day after publication. If a referendum is called in accordance with the provisions of Subsection 3-25(c) of this Charter, the effective date of such ordinance shall be suspended until the date of the day after the referendum.

(g) The Town may enact ordinances relative to any matter on which the Town is empowered to act by law. If the Borough of Newtown has enacted an ordinance on the same subject, the ordinance enacted by the Town shall apply only to the portions of the Town outside the Borough.

### **Chapter 5, Sec. 5-10 Regulations**

(a) Where regulations of the Legislative Council are authorized by this Charter, they shall be adopted, amended or repealed by majority vote of the Legislative Council, consisting of at least six (6) affirmative votes. Any proposed regulation, amendment or repeal shall be referred to the Board of Selectmen for comment or consultation prior to action. A similar reference shall be made to the Board of Education or other Town Body if its interests is affected. All regulations regarding financial matters shall be referred for review and recommendation to or may originate from the Board of Finance prior to action. Referrals can be acted on by the Legislative Council after 90 days. Such financial regulations shall also be referred to the Board of Selectman and the Finance Director prior to action.

(b) The development of the regulation governing the five year Capital Improvement Plan and any subsequent amendments to the regulation shall be the duty of the Legislative Council with the recommendation of the Board of Finance.

(c) Following action by the Legislative Council, the full text of the regulation adopted or as amended shall be filed with the Town Clerk within 10 days of such action. Regulations enacted or amended shall become effective on the fifteenth day after such action.

### **Chapter 5, Sec. 5-15 Emergency Ordinances**

(a) Any provision of this Charter to the contrary notwithstanding, the Legislative Council may by the affirmative vote of at least eight (8) of its members, enact emergency ordinances without a public hearing and without publication or other notice prior to enactment and without the right of the voters to petition for a referendum. The reasons for such emergency shall be stated explicitly in the vote of the Legislative Council enacting such ordinance and the preamble of the

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ordinance shall set forth the existence and nature of the emergency and that the enactment of the ordinance is necessary for the immediate protection of the peace, health, welfare or property of the citizens of the Town. An emergency ordinance shall become effective immediately upon the notice thereof according to Subsection 1-25(b) and upon filing of the same with the Town Clerk. An emergency ordinance shall cease to be effective upon the expiration of a period of 60 days after its publication unless the ordinance shall be reenacted prior to the expiration of said period in accordance with the requirements set forth in Section 5-05 of this Charter, which action shall be subject to the right of referendum as set forth in Subsection 3-25(b) of this Charter.

<b>Chief Executive Officer - C.G.S. §7-193(a)(21)</b>	
A. The First Selectman	B. Chief Administrative Office appointed by the Board of Selectman
C. Mayor, elected by the electors of the municipality	D. Warden elected buy the electors of the borough
E. Town, City or Borough Manager <sup>J</sup> appointed by the board of selectmen, the council, the board of directors, the board of aldermen or the board of burgesses	F. Chief Administrative Officer appointed by the Mayor

**FAIRFIELD CHARTER ARTICLE IV - BOARD OF SELECTMEN AND FIRST SELECTMAN**

**§4.1. Board of Selectmen.**

**A. Composition<sup>134</sup>.** The executive branch of the Town government shall consist of the Board of Selectmen and the elected and appointed boards, commissions, Town officers, and employees set forth in **Article VI through Article X** of his Charter.

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<sup>J</sup> Any municipality having a manager as its chief executive officer may also have a mayor who shall be the presiding officer of its legislative body, shall be the ceremonial head of such municipality and shall have such other powers and duties as the charter prescribes. The powers, duties and term of office of the chief executive officer shall be those prescribed by the general statutes and he shall have such other powers and duties as the charter prescribes.

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**B. General powers and duties**<sup>135</sup>. The executive authority of the Town shall be vested in the Board of Selectmen, except to the extent such authority is expressly granted to the First Selectman in this Charter. The Board of Selectmen shall have the powers and duties vested in them by the General Statutes, except those expressly vested in the First Selectman by this Charter or by ordinance. In particular:

(1) All contracts to which the Town shall be a party shall be subject to approval of the Board of Selectmen, except contracts authorized to be made by or on behalf of the Board of Education. The Selectmen shall have the power to delegate their authority to other Town officers, employees, and bodies where the contract would be for a duration of less than one month and would involve an expenditure by or income to the Town of less than \$10,000. "Contracts" shall mean all contractual relations of the Town, including, without limitation, purchase contracts, lease contracts, and service contracts. This requirement of approval by the Board of Selectmen shall not be construed to eliminate review by other persons or bodies where required by this Charter, by ordinance, or by the General Statutes.

(2) All Town officers, boards, commissions, and employees of the Town appointed by the Board of Selectmen shall be responsible to them for the faithful performance of their respective duties and shall render a report to the Selectmen whenever requested to do so. The Selectmen shall have the power to investigate any and all Town offices, departments and agencies of the Town and for such purpose shall have the power to issue subpoenas<sup>136</sup>.

(3) The Selectmen shall review the budgets of all Town officers, commissions, boards, and departments of the Town and make such recommendations in connection with such budgets to the Board of Finance as they deem necessary.

**C. Meetings**<sup>137</sup>. The Selectmen shall hold their first meeting not later than the fourth (4<sup>th</sup>) Monday of November after their election. The First Selectman shall be chairman of the Board of Selectmen and shall preside over all of its meetings<sup>138</sup>. The Selectmen shall meet at least twice each month<sup>139</sup>.

**D. Appointment powers.** The Board of Selectmen shall appoint:

(1) **Required by Charter**<sup>140</sup>: The Town officers, commissions, boards, and employees set forth in **Section**

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**1.4.B(2) of this Charter** and any other directors or department heads for which no other appointment provision is made in this Charter.

(2) **Required by General Statutes or Ordinance**<sup>141</sup>: ~~The Board of Selectmen shall also appoint~~ The members of any other board, commission, or committee for which no other appointment provision is made in this Charter, or which is required by an ordinance or the General Statutes.

(3) **Advisory boards, commissions, and committees**<sup>142</sup>. ~~The Selectmen may appoint~~ Such advisory boards, commissions, and committees as they deem necessary or useful from time to time to study and advise on any matters which are the concern of the Town.

**E. Membership on boards, commissions, and committees**<sup>143</sup>. Except as otherwise expressly provided in **Section 10.13 of this Charter**, each member of the Board of Selectmen shall be an ex officio member, without vote, on all town boards, commissions, and committees.

**F. Reorganization of departments**<sup>144</sup>.

(1) Notwithstanding any provisions of this Charter, the Board of Selectmen may propose to the RTM a resolution which may alter the method of appointment to or organization of any Town office, department, board, commission, or agency of the Town, including combining or separating the duties of such individuals or bodies. The resolution will effect the change when enacted by the RTM in the form of an ordinance.

(2) The ability to make such changes by ordinance shall not apply to the Police Department, the Fire Department, the Board of Library Trustees, any elected Town office, elected Town officer, elected board or commission, and any other office or body where such change by ordinance is specifically prohibited by statute.

(3) If the duties of two (2) or more bodies or Town offices are combined or separated by ordinance, the existence, the method of appointment, the organization, powers, and duties of the prior Town offices or bodies shall cease as defined in this Charter and shall be as defined in the ordinance.

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(4) The method of election to any Town office, board, commission, or agency of the Town may be changed by ordinance as set forth in **Section 6.1.G(1)** of this Charter if the method of election set forth in this Charter is or becomes improper, invalid, or ineffective because of a change in the law or an ambiguity in, or erroneous provision of, this Charter.

### **§4.2. First Selectman.**

**A. Executive powers<sup>145</sup>.** The First Selectman shall have the powers and duties vested in the office by this Charter and by the General Statutes. In particular, the First Selectman shall:

- (1) Devote full time to the duties of the office;
- (2) Be the town agent and the chief executive officer of the Town<sup>146</sup>;
- (3) Direct the administration of all departments and officers;
- (4) Be responsible for the faithful execution of all laws and ordinances governing the Town;
- (5) After the election of any Town official of whom an oath is required by law, cause the Town official to be sworn to the faithful discharge of the duties of office;
- (6) Upon the request of any Selectman, inform the Board of Selectmen of the First Selectman's actions;
- (7) Have the ability to delegate such authority as may be necessary to the Selectmen or to administrative assistants whose appointment may be authorized by the RTM; and
- (8) Have the ability to convene the members of any or all departments, authorities, boards, commissions, and committees to review and coordinate activities and to plan operations of the Town government.

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### B. Appointment powers<sup>147</sup>.

(1) The First Selectman shall appoint the Town officers, commissions, boards, and employees set forth in **Section 1.4.B(1) of this Charter**, and any others required by the General Statutes or by ordinance to be appointed by the First Selectman.

(2) All Town officers, commissions, boards, and employees of the Town appointed solely by the First Selectman shall be responsible to the First Selectman for the faithful performance of their respective duties and shall report to the First Selectman<sup>148</sup>.

C. **Designation of Acting First Selectman<sup>149</sup>**. Immediately upon taking office, the First Selectman shall designate in writing to the Town Clerk the member of the Board of Selectmen authorized to act as First Selectman during the unavailability or temporary disability of the First Selectman and during the period from the date a vacancy occurs until a successor First Selectman takes office under the provisions of **Section \_.\_ of this Charter**. Such designation may be changed in writing from time to time.

### §4.3. Compensation of executive branch members<sup>150</sup>.

The members of all boards and commissions except the Board of Selectmen shall serve without compensation unless the RTM shall otherwise direct. Except as provided in this Charter or otherwise by law, the compensation of all Town officers shall be fixed by the Board of Selectmen subject to the adoption of the Town budget as provided in **Article XII of this Charter**.

### §4.4. Official bonds<sup>151</sup>.

The Town Clerk, Town Treasurer, Tax Collector, Building Official, and such other officers or officials as may be required to do so by the Board of Selectmen shall, before entering upon their respective official duties, execute to the Town, in the form prescribed by the Town Attorney, and file with the Town Clerk, a surety company bond in a penal sum to be fixed by the Selectmen, conditioned upon the faithful performance of such official duties. Premiums for such bonds shall be paid by the Town.

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### **§4.5. Regulations<sup>152</sup>.**

Any Town officer, board, or commission empowered to enact regulations under the provisions of the General Statutes or of this Charter shall hold at least one public hearing before the enactment of such regulations. Except as otherwise provided by statute, the time and place of such hearing together with a copy of the proposed regulations shall be published at least once not more than ten (10) nor less than five (5) days before the date set for such hearing.

Except as otherwise provided by statute, any such regulation shall be superseded by an ordinance adopted by the RTM affecting the same subject matter.

### **NEW BRITAIN CHARTER ARTICLE V – THE MAYOR**

#### **§5-1 - The Authority of the Mayor.**

(a) There shall be a Mayor of the City who shall be its Chief Executive and Administrative Officer and all such executive and administrative powers of the City are vested in the Mayor, except as otherwise provided in this Charter or by law.

**§5-2 - Powers.** The Mayor shall have the power:

(a) to have and exercise all other executive and administrative powers conferred by the laws of the State of Connecticut upon any municipal Chief Executive Officer except as otherwise provided in this Charter.

(b) to exercise within the limits of the City all the emergency powers given to the Chief Executive Officer under the General Statutes of the State of Connecticut.

(c) to appoint any special assistants that the Mayor may deem necessary for the administration of official duties. All such assistants shall serve at the pleasure of the Mayor.

(d) to appoint all officers, department heads and employees of the City with the exception of the employees, experts or professional consultants of the Common Council and as otherwise provided by this Charter, the provisions of the Ordinance and regulations governing civil service and collective bargaining agreements, if applicable, and to fill, by

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appointment, a vacancy in any office for which the Mayor shall be given the power to appoint the incumbent to such office.

(e) to appoint all members of Boards and Commissions, except as otherwise designated by the General Statutes, including vacancies; however, if the Mayor fails to fill a vacancy on said Board or Commission within one hundred twenty days following the effective date of that vacancy, then the Common Council shall fill the vacancy within sixty days thereafter by a majority vote of those present. If the Common Council fails to fill the vacancy, then the remaining members of the Commission or Board for which the vacancy exists shall fill the vacancy by appointment. Said appointments are subject to the provisions of the General Statutes governing minority party representation. Moreover, said party enrollment shall be determined in the same manner as the General Statutes delineate entitlement to participation in party caucuses and primaries by electors who transfer from the enrollment list of one party to another.

(f) to preside at all meetings of the Common Council but shall not be a member thereof and shall vote only in the case of a tie.

(g) to approve or veto all actions of the Common Council as enumerated in this Charter.

(h) to call special meetings of the Common Council or any Board or Commission of the City government when deemed expedient and to enforce the attendance of members of the same thereat in the manner herein provided.

(i) to assign any employee of one department to the temporary performance of similar duties in another department whenever the interests of the City require, with the exception of employees of the Common Council.

(j) to administer oaths.

**§5-3 - Duties.** It shall be the duty of the Mayor to:

(a) cause laws and Ordinances to be executed and enforced and to conserve the peace within the City and to be responsible for the good order of efficient government of the City.

(b) to sign all deeds and all written contracts of the City approved by the Common Council, except as otherwise

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provided in this Charter, or any department or any office of the City in accordance with authority conferred upon them by this Charter or by the Ordinances, or otherwise by law; provided, the facsimile signature, electronic authorization or other approved form of signature, as approved by the Common Council, of the Mayor or the Treasurer is authorized on all bonds issued by the City.

(c) to sign together with the City Treasurer all bonds and other instruments evidencing City indebtedness.

(d) to see that all contracts and agreements with the City are faithfully kept and performed.

(e) as chief executive officer of the City, to negotiate and enter into such contractual agreements with the employees of the City in a manner governed by the General Statutes.

(f) to submit to the Common Council, at the first regularly scheduled meeting in the month of March in each year, a general statement of the condition, state and situation of the City in relation to its government, finances and improvements, which statement shall be entered on the records of the Common Council and published in such manner as the Common Council may order.

(g) to serve as a member so long as there is no conflict with State law, of all Boards and Commissions established pursuant to State law, this Charter, City Ordinance, or executive order in said City of an executive or administrative nature, but excluding the Civil Service Board, all acts or provisions of the Charter of said City to the contrary notwithstanding. The Mayor's membership is ex officio.

**§5-4 - Reorganization Plan.** The Mayor may prepare a reorganization plan which provides for the enactment of an Ordinance to alter the organization of any and all of the departments, Boards, Commissions or agencies provided for in this Charter, which plan may provide for the combining or separating of the duties of each, unless specifically prohibited from making such alteration by the Constitution or the General Statutes of the State of Connecticut. The Common Council, upon receipt of a reorganization plan, shall conduct a public hearing, and following said public hearing, may vote to adopt an Ordinance implementing said plan. A two-thirds ( 2/3 ) vote of the entire membership shall be required for adoption. The Mayor may recommend amendments or modifications to said Ordinance at any time prior to adoption by the Common Council.

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**§5-5 - Requirements.** The Mayor shall devote the full time necessary to the duties of the office and shall have no other occupation during the term of office and shall keep the office open during such hours of each business day as the Ordinances of the City shall direct.

### **§5-6 - Removal and Discipline of Officials and Employees.**

(a) **Appointees of the Mayor.** The Mayor is authorized, except as may be otherwise provided, to remove, for cause, and discipline any officer appointed by the Mayor, and the Mayor shall be sole judge of such cause of removal and said order of removal shall state the reason therefore. Officers shall include but not be limited to department heads.

(b) **Employees of the City.** The Mayor or designee may terminate the employment of and discipline any employee of the City except as otherwise provided by the General Statutes, this Charter or collective bargaining agreement, where applicable.

(c) **Procedures.** Rules of Procedure for the removal of said officials and employees shall be prescribed by Ordinance.

**§5-7 - Penalty for Hindering the Mayor.** If any person shall hinder or obstruct the Mayor in the execution of the duties of office, or, when commanded to assist herein, shall refuse or unreasonably neglect to do so, such offender shall pay a fine not to exceed the amount permitted by the General Statutes, or be imprisoned in a jail not more than the time permitted by the General Statutes, or both.

**§5-8 - Acting Mayor, during Temporary Disability or Absence, to Discharge Duties.** Whenever the Mayor shall be absent from the City or prevented by sickness or other cause from attending to the duties of office, the President Pro Tempore of the Common Council, and, in the absence of said President Pro Tempore, the following members of the Common Council (in descending order) shall serve as Acting Mayor: the party leader of the Mayor's political party, the leader of the political party having the greatest representation on the Common Council (other than the Mayor's political party) and then to the senior member of said Common Council of the Mayor's party, being the member who has occupied such office for the greatest number of years. In the case of equal seniority the Common Council shall select said Acting Mayor from

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among those members of equal seniority. The Acting Mayor shall act as Mayor, and shall possess, exercise, and enjoy all the rights, powers, and duties of the Mayor during the continuance of such absence or inability.

**§5-9 - Removal for Total Incapacitation.** In case the Mayor of the City shall, by any cause whatsoever, be totally incapacitated physically or mentally for a period exceeding sixty days from performing the duties of Mayor, the Common Council may, after summons and hearing in the same matter concerning officers and employees of the Mayor, remove the Mayor and declare the office of Mayor to be vacant on account of such incapacity for said period, and the person so removed may appeal from the order of removal in the manner provided by Ordinance.

### **§5-10 - Vacancies in offices of Mayor, Mayor-elect.**

(a) **Acting Mayor and Successor Election; Term of Office.** Whenever a vacancy occurs in the office of Mayor when there is greater than six months remaining in the term of office, the President Pro Tempore of the Common Council shall serve as Acting Mayor until a successor is elected at a special election. Said special election shall be called forthwith to fill the vacancy and shall be held no later than forty-five days from the effective date of the vacancy. The person so elected shall assume the office of Mayor on the date of election and serve for the unexpired term. Such successor shall have the rights, powers and duties of Mayor and shall receive the same compensation otherwise due the Mayor. In the event the President Pro Tempore shall serve as Acting Mayor the office of President Pro Tempore of the Common Council and a member of the Common Council shall not be deemed vacant although the Acting Mayor may only participate in Common Council proceedings in accordance with the functions and duties of the Mayor. During the absence of the President Pro Tempore for the purposes of this provision the Common Council may thereupon designate an acting President Pro Tempore.

(b) **Final Six Months of the Term of Office: Succession.** Whenever a vacancy occurs in the office of Mayor, the President Pro Tempore of the Common Council shall at once become Mayor for the unexpired term and shall assume office on the date of vacancy and serve for the unexpired term. Such successor shall have the rights, powers and duties of Mayor and shall receive the same compensation otherwise due the Mayor. In the event the President Pro Tempore shall serve for the remainder of the term of Mayor, the office of the President Pro Tempore of the Common Council and a seat on the Common Council shall become vacant whenever the person holding them shall become Mayor and the Council shall thereupon designate a new or acting President Pro Tempore.

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(c) **Death or Incapacity of the Mayor-Elect.** Whenever the Mayor-elect shall die or become permanently incapable of performing the duties of said office between the date of election and the first day of the term for which elected, the Mayor of the City then in office shall continue therein, until the first Tuesday following the election, with all the powers and duties thereto. Thereupon, succession to the Mayoralty shall proceed in the manner provided for in §5-10(a), above.

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## **HAMDEN CHARTER CHAPTER V: THE MAYOR<sup>153</sup>**

### **SECTION 5-1: ELECTION AND QUALIFICATIONS.**

At each general Town election, a Mayor shall be chosen by the Electors of the Town. Such Mayor shall be the chief executive officer of the Town and shall receive such compensation as shall be set by the Council. The Mayor shall devote full time to the duties of the office<sup>154</sup>.

### **SECTION 5-2: DUTIES.**

The Mayor shall:

**A.** be responsible for the administration of all Departments<sup>155</sup> and Officials,<sup>156</sup> in charge of persons or Boards and Commissions<sup>157</sup> appointed by the Mayor, and shall oversee and direct the same<sup>158</sup>;

**B.** be an ex-officio, nonvoting member of all Town Boards and Commissions appointed by the Mayor, except the Board of Ethics or where such membership is inconsistent with the General Statutes or this Charter<sup>159</sup>;

**C.** see that the provisions of all Laws, this Charter, the Ordinances and Statutory Resolutions governing the Town are faithfully executed; shall cause to be prepared and printed, within ninety (90) Days after the close of the fiscal year, an annual Town report; shall recommend to the Council such measures as may be deemed necessary or expedient; shall keep the Council fully advised as to the financial condition of the Town; shall prepare and submit to the Council an annual budget and shall exercise such other powers and duties as may be required by Ordinance, Statutory Resolution, Order or Motion of the Legislative Council consistent with the General Statutes and this Charter<sup>160</sup>; and,

**D.** submit to the Council:

**(1)** a quarterly report on all contracts executed within the budget limits or other authority established by the Legislative Council<sup>161</sup>.

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**(2)** a request for approval by a Majority Vote of the Legislative Council, of any contracts:

**(a)** in excess of One Hundred Thousand (\$100,000.00) Dollars which are exempted from the competitive procurement and solicitation requirements of this Charter and any Ordinances or regulations adopted hereunder. The Legislative Council is authorized to modify the threshold based upon the consumer price index or other like measure indexed for inflation or deflation. This provision shall not apply to emergency transactions, which are addressed in §5-5.C (3) of this Charter<sup>162</sup>.

**(b)** which contain a term which will either fall in multiple fiscal years; or, shall continue for a period longer than twelve (12) months<sup>163</sup>.

### **SECTION 5-3: APPOINTMENTS, TERMS OF OFFICE AND GENERAL POWERS.**

**A.** The Mayor shall, except as otherwise provided in this Charter, appoint and may remove all Department Heads and other Mayoral appointees<sup>164</sup> of the Town as set forth in this Charter<sup>165</sup>. This provision shall not apply to Elected Officials who are Department Heads<sup>166</sup>.

**B.** Unless otherwise provided in this Charter, the terms of all such Department Heads or Mayoral appointees, established by Ordinance or by budget, shall terminate at the same time as the term of the Mayor (unless otherwise subject to the terms of an Employment Contract as set forth in §8-2.C of this Charter); except such appointees may continue to serve until their successors are appointed and qualified.<sup>167</sup>

**C.** The Mayor may, subject to the approval of the Council, perform the duties of any office under the Mayor's jurisdiction, except those of the Director of Finance in the performance of the duties and powers prescribed by Law to Town Treasurers, as provided in §8-4.A of this Charter<sup>168</sup>.

**D.** As set forth in §8-1.B and C of this Charter, the Mayor shall have the power, subject to the approval of the Council, to provide for the creation of any Department, delegating to said Department any of the powers reserved to the Mayor under this chapter and to appoint a Department Head for such Department thereby created. The Mayor shall have the power to create for a new position, subject to the approval of the Legislative Council<sup>169</sup>.

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### **SECTION 5-4: APPOINTMENTS TO BOARDS OR COMMISSIONS<sup>170</sup>.**

**A.** When a Vacancy occurs on any appointed Town Board<sup>171</sup> or Commission, the Mayor shall provide Public Notice that such position is Vacant, at least two (2) weeks prior to filling of the position<sup>172</sup>. In addition to the requirement set forth in §7-1.K of this Charter, the Mayor shall publish or post, as the case may be, such notice (1) on the Town web-site; (2) in a conspicuous location available to the public in the office of the Town Clerk and in such location in Town Hall as designated by the Mayor; and, (3) if practicable, in a newspaper of local availability to the residents of the Town<sup>173</sup>.

**B.** The Mayor shall invite the Electors of the Town who are interested in serving to apply by submitting resumes of their qualifications for membership on such Board or Commission to the Town Clerk<sup>174</sup>.

**C.** The Town Clerk shall maintain and submit to the Mayor a list of all candidates for the position<sup>175</sup>.

**D.** The Mayor shall nominate an individual from this list and submit the nomination to the Legislative Council, which shall approve or disapprove the Mayor's selection<sup>176</sup>.

### **SECTION 5-5: EMERGENCY POWERS<sup>177</sup>.**

**A. Declaration of a Public Emergency<sup>178</sup>.** A public emergency pertaining to the Town may be declared by the (1) President of the United States; (2) Governor of the State of Connecticut<sup>179</sup>; (3) Mayor; or, (4) upon the affirmative vote of two-thirds (2/3<sup>rds</sup>) of the Legislative Council present and voting; although there shall be, at least, nine (9) members voting in the affirmative. If practicable, the declaration of Public Emergency by the Mayor or the Council shall set the duration in the event it is expected to last for more than forty-five (45) Days.

**(1) Public Emergency.** A public emergency is any condition that exists or threatens to arise involving or threatening to damage or injure the lives, health or property<sup>180</sup> of the inhabitants of the Town or curtail Town services necessary to meet the requirements of the emergency.

**(2) Termination of Public Emergency.** The termination of the emergency shall be determined and

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declared by the Mayor or by the affirmative vote of two-thirds (2/3<sup>rds</sup>) of the Legislative Council present and voting; however, unless asserted in the declaration or otherwise extended, the Public Emergency shall terminate at 11:59:59 P.M. of the forty-fifth (45th) Day following the declaration.

**B. Authority of the Mayor**<sup>181</sup>. The Mayor shall exercise within the limits of the Town all the emergency powers given to the chief executive officer of a municipality under the General Statutes with regard to the allocation of personnel. Upon declaration of a public emergency, the Mayor may mobilize, organize and direct the forces of the Town and call upon and cooperate with the federal government or the State or its political subdivisions.

### **C. Appropriations and Expenditures for Emergencies.**

**(1) Public Emergency Contingency**<sup>182</sup>. The Legislative Council may, by Ordinance, establish a maximum amount of funding for public emergencies in a contingency fund within the Town Budget. The Mayor may obligate the Town in an amount not to exceed the maximum amount (“public emergency contingency”) to meet or mitigate any declared public emergency. The Mayor shall report any action taken hereunder at the next meeting of the Legislative Council.

**(2) Emergency Appropriations.** Notwithstanding the provisions of §§10-7.D and E of this Charter, in the event that funds in addition to the public emergency contingency are required to meet or mitigate a declared public emergency, the Mayor shall determine the necessary amount and seek Legislative Council approval, at an Emergency Meeting, to authorize transfers.

**(a)** Notwithstanding any contrary provisions of this Charter, the Legislative Council may, if necessary, appropriate funds in addition to the public emergency contingency.

**(b)** The affirmative vote of at least two-thirds (2/3<sup>rds</sup>) of the members of the Legislative Council is required to authorize any such emergency appropriation<sup>183</sup>.

**(c)** The Order of the Legislative Council approving any emergency appropriation shall specify the nature of the emergency and source of revenue. Unless the Mayor certifies that the emergency threatens the

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immediate public health or safety, the Legislative Council shall hold a public hearing on any proposed special or emergency appropriation.

**(3) Emergency Expenditures.** The Mayor may obligate the Town in an amount of money not to exceed One Hundred Thousand (\$100,000.00) Dollars (or such other additional amount as may be approved by the Council) from the public emergency contingency or, if not available from the contingency, from other unexpended funds identified by the Director of Finance, to cope with such public emergency until the Legislative Council convenes. The authority set forth in this provision shall not apply in the event the Legislative Council has not been provided with notice under §5-5.D of this Charter.

**D. Emergency Meetings of the Legislative Council.** In the event a Public Emergency is declared, the Mayor or President of the Legislative Council may call an emergency meeting of the Council upon three (3) hours notice and may summon Council members to attend such meeting in such manner as the Council may prescribe by Ordinance. Notwithstanding any provision of law or this Charter to the contrary, at such meeting, the Council may transact any item or items of business relevant to such emergency.

**E. Public Emergency Ordinances and Measures<sup>184</sup>.** Upon the declaration of a Public Emergency, the Legislative Council may enact Public Emergency Ordinances and other measures in order to meet such emergency. Rules and procedures for the adoption of Public Emergency Ordinances and measures shall be governed by the provisions of a Public Emergency Procedural Ordinance which shall establish the terms of Final Action.

**(1) Public Hearing and Notice Requirements<sup>185</sup>.** No public hearing or Meeting Notice shall be required for any Ordinance stated to be a Public Emergency Ordinance or measure, unless otherwise required by the General Statutes.

**(2) Procedural time-frame<sup>186</sup>.** The time-frame set forth in §§4-7 through 4-8 of this Charter shall not apply to the adoption of a Public Emergency Ordinance or measure; however, the procedural measures set forth in that provision shall be addressed in the Public Emergency Procedural Ordinance, if practicable.

**(3) Requirements<sup>187</sup>.** An emergency Ordinance shall contain a specific statement of the emergency and

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shall require a Majority Vote of the Legislative Council.

**(4) Effective Date<sup>188</sup>.** An emergency Ordinance shall become effective immediately upon final action as set forth in the Emergency Procedures Ordinance. However, Public Notice of such Public Emergency Ordinance shall take place promptly following final action<sup>189</sup>.

**(5) Automatic Repeal of Public Emergency Ordinance or Measure<sup>190</sup>.** Every such Public Emergency Ordinance or measure, including any amendments thereto, shall automatically stand repealed at the termination of the forty-fifth (45<sup>th</sup>) Day following Final Action of said Ordinance.

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### **BRISTOL CHARTER**

#### **Sec. 16. The mayor; powers and duties<sup>191</sup>.**

(a) The mayor shall be the chief executive officer of said city, and, ex officio, a council member. The mayor shall preside at all meetings of the city council. The mayor shall have power to preserve the peace of said city, and may suppress all tumults and riots with force if necessary, and, in the performance of said duty, may, at all times, require the aid of any marshal, constable or police officer, or all of them together, or of any elector of said city, or may call upon the governor for the assistance of the state militia.

(b) The mayor shall exercise general supervision over the official acts and conduct of all officers of said city, and may, at any time, require any such officer to report to the mayor concerning any matter within the mayor's charge and shall take action to cause any such officer to be punished for violation or neglect of duty.

(c) The mayor may, at any time, summon before the mayor any officer of said city for information, consultation and advice upon the affairs of the city.

(d) The mayor shall sign all contracts, bonds or deeds or other instruments requiring the assent of the city and shall take care that the terms of the same are fully performed.

(e) The mayor shall, annually, and from time to time, communicate to the city council such information concerning the affairs of the city, and such suggestions and recommendations relating thereto, as the interest of the city shall, in the mayor's judgment, require.

(f) Immediately upon taking the oath of office, the mayor shall, in writing to the city clerk, designate one of the council members to be acting mayor for the balance of their term in office. The mayor may from time to time revoke such designation and appoint some other council member to be acting mayor, which appointment shall then remain in place for the balance of their term in office. The acting mayor shall have all of the powers and discharge all of the duties of the mayor during the absence of the mayor from the city or during the period of time the mayor is unable to perform the duties of the office except as otherwise specifically provided. In the event both the mayor and the acting mayor are absent from the city

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or unable to perform the duties of the office, then, by vote of the majority of the remaining city council members a successor acting mayor shall be selected to serve in such capacity only until the mayor or acting mayor shall return to perform the duties of the office.

(g) For the purpose of Section 16 the definition of unable to perform the duties of the office shall mean:

(1) Court ordered finding;

(2) Any time the mayor is admitted to an acute medical care facility, unless or until the treating physician for the admitted elected official provides certification, in writing to the director of human resources who shall notify the town clerk, that the official is able to perform the duties of the office; or

(3) Any time the mayor shall undergo a medical procedure which shall require the administration of sedation or general anesthesia, unless or until the treating physician for the elected official provides certification, in writing to the director of human resources who shall notify the town clerk, that the official is able to perform the duties of the office.

(h) The mayor shall cause annual written performance appraisals to be conducted for all non-elected department heads.

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### **MANCHESTER CHARTER CHAPTER IV - GENERAL MANAGER**

**Sec. 4-1. Appointment<sup>192</sup>.** 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 executive and administrative qualifications with special reference to his actual experience in, and his knowledge of, accepted practices in respect to the duties of his office as herein set forth. At the time of his appointment, he need not be a resident of the Town or state, but within one (1) year of appointment he shall reside within the Town. No member of the Board of Directors shall receive such appointment during the term for which he shall have been elected, nor within one (1) year after the expiration of his term.

**Sec. 4-2. Tenure and removal<sup>193</sup>.** The General 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 Manager at his 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 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 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 Manager. If the General 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 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.

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**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 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<sup>194</sup>.** 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<sup>195</sup>. 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 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 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.

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## NEWTOWN CHARTER - FIRST SELECTMAN AND BOARD OF SELECTMEN

### 2-110 First Selectman

(a) **Summary of General Responsibilities:** The First Selectman shall be the Chief Executive and Administrative Officer of the Town and shall have the powers and duties of First Selectmen prescribed by this Charter and the General Statutes.

(b) The First Selectman shall be responsible to the Board of Selectmen for the administration of departments under the direct supervision of the Board and shall execute or cause to be executed regulations or resolutions voted by the Board of Selectmen and Town ordinances voted by the Legislative Council.

(c) The First Selectman may declare, by resolution, a state of emergency, should he or she find that a state of emergency exists within the Town, requiring immediate action to protect the health, safety or general welfare of the citizens. The resolution shall include the exact nature of the emergency and be simultaneously published by the most effective means available. The declaration shall be effective for a period of time not to exceed 5 calendar days. The emergency declaration may be extended by an affirmation by the Legislative Council that a state of emergency still exists. Any actions necessary to deal with such emergency proposed during an extension shall be approved by the Legislative Council. The First Selectman shall take such actions as are in the best interest of the Town.

(d) At the first meeting following the Town Election, the Board of Selectmen shall choose a member of the Board who shall serve as Acting First Selectman during the absence, incapacity or disability of the First Selectman. Such person shall perform all duties during such time as the Board may designate by resolution or regulation.

### 2-115 Board of Selectmen

(a) **Summary of General Responsibilities:** The Board of Selectmen shall supervise the administration of the affairs of the Town, except those matters which by the General Statutes or this Charter are exclusively committed to the Board of Education or other Town Bodies. The Board of Selectmen shall also be responsible for coordinating the activities of all the departments of the Town and for reviewing the present and future needs of the Town.

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**(b)** Membership and Terms: (1) The Board of Selectmen shall consist of the First Selectman and two Selectmen.  
(2) The term of office shall be two years.

**(c)** The Board of Selectmen may exercise any of the powers conferred on towns by the General Statutes to the extent that the Legislative Council has not already acted by ordinance or resolution on such subjects and to the extent that such powers have not otherwise been granted or limited by this Charter to other Town Bodies or officers.

**(d)** Except for the powers granted to the Board of Education by the General Statutes, the Board of Selectmen shall have sole power, subject to the provisions of this Charter and the General Statutes to:

**(1)** Incur indebtedness in the name of the Town and to provide for the due execution of evidences of indebtedness issued by the Town, subject to the provisions of Section 7-10 of this Charter,

**(2)** Provide for the due execution of contracts for the Town, subject to the provisions of Subsection 7-15(e) of this Charter,

**(3)** Institute, prosecute or compromise any legal action or proceeding by or against the Town, subject to the approval of the Legislative Council and, when relevant, the affected department or Town Body,

**(4)** Defend the Town by legal action or proceeding,

**(5)** Apply for any financial assistance by the State of Connecticut and the United States Government including grants to fund any appropriation, subject to the provisions of Section 6-40 of this Charter,

**(6)** Take, purchase, lease, sell, or convey tangible personal property of or for the Town. Real Property Acquisition and Disposition is addressed in CHAPTER 8,

**(7)** Accept public highways, to approve the layout of public highways and related drainage, slope or other easements,

**(8)** to approve the Acquisition of real property or interests in real property for the purpose of widening or realignment of existing public highways and to grant utility easements across town-owned property for the good of the Town,

**(9)** Discontinue any town-owned public highway,

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**(10)** Require such reports from any Town Body as may be useful in the performance of its duties,

**(11)** Submit annually to the Board of Finance a proposed budget for the next fiscal year subject to the provisions of Subsection 6-05(b) of this Charter.

**(e)** The First Selectman with the approval of the Board of Selectmen may, by resolution, establish such advisory or study committees as they find desirable in the discharge of their duties.

**(f)** The Board of Selectmen shall have regular meetings and provide a procedure for calling special meetings.

**(g)** A majority of the Board of Selectmen shall constitute a quorum for the transaction of any business.

**(h)** The Board of Selectmen may call joint meetings with other Town Bodies, by resolution or regulation, as may be useful in the performance of its duties subject to the provisions the General Statutes.

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<sup>1</sup> **Bridgeport Chapter 5, Section 3:** No vote by Mayor to break a tie in election of city council president or adoption of an ordinance.

<sup>2</sup> **Bridgeport Chapter 5, Section 4:** At the beginning of each term of office the city council shall elect from among its members **one council member to be president of the city council** who shall serve for a term until November 30 of the next odd-numbered year or until the president of the council's successor has been elected. The president of the city council shall preside in the absence of the mayor, and when so presiding shall have a casting vote in case of a tie in addition to his/her vote as council member. In the absence of the mayor and the president of the city council at any meeting, the city council may choose one of its members to act as president for the occasion who, when so presiding, shall have a casting vote in case of a tie in addition to his/her vote as council member. In the event of the death, resignation or inability to act of the president of the city council, the council shall elect another president in his place.

<sup>3</sup> **Bridgeport Chapter 5, Section 13.**

<sup>4</sup> Mayor/Board of Representatives/At Large Board of Finance

<sup>5</sup> **Stamford Charter Part 2, Sec. C2-10-10. – President:** “The Board of Representatives, at its Organization Meeting, shall elect from among its members its President to hold office for the term for which the Board was elected. The President shall preside at all meetings of the Board. In the event of the President's absence, the members present may by majority vote elect a Chairperson of the meeting. The President or other Chairperson of the meeting shall have the same right to vote as any member of the Board (Referendum 11-3-1987)”; See also, **Sec. C2-10-11. - Removal of President:** “The President of the Board may be removed from the presidency by a vote of the majority of the entire Board at a Special Meeting duly called for the purpose”; and, **Stamford Charter Part 2 Sec. C2-10-3. - Funds for Investigation:** “The Board of Representatives shall have authority, by a two-thirds (2/3) vote of its entire membership, to incur any expenses which it deems necessary or advisable, in connection with any investigation authorized under Section C2-10-2 of this Charter. Expenses so incurred shall be paid by the Office of Administration on warrant issued by the Mayor and counter-signed by the Clerk of the Board of Representatives. The Board of Representatives may, by a two-thirds (2/3) vote of its entire membership, appropriate funds to cover expenses incurred pursuant to this Section without request for such appropriation by any officer of any department of the City, other than the Board of Representatives.

<sup>6</sup> **New Haven Charter, Article IV, Section 2A.**

<sup>7</sup> **Hartford Charter, Chapter IV, Sec. 4 (b) Election of council president.** Following the administration of the oath of office, the first order of business shall be to elect, by majority vote, from among the council's membership a presiding officer, who shall be designated the council president. The council president shall serve as such for two (2) years, and a member may be elected to an unlimited number of successive two-year terms as council president. The council shall fill any vacancy in the office of council president by election of a new council president, who shall serve for the remainder of the two-year term, from among its members. (1) *Powers and duties of the council president.* The council president shall preside over meetings of the council, without thereby losing the right to vote or to speak as a member of council, and shall have such other powers and obligations as may be assigned to the presiding officer by the council's rules, by ordinance, or by this Charter. (2) *Presiding officer pro tempore.* The council may provide in its rules for the designation of a member to preside in the absence of the council president and, if there is no such provision in the council rules, the council president shall designate a temporary presiding officer whenever the council president is absent from a council meeting. (3) *Succession to the office of mayor.* Subject to the applicable provisions of the General Statutes governing the filling of vacancies in municipal office, in the event that the position of mayor becomes vacant, the council president shall serve as mayor until

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the next regularly scheduled municipal general election, or, if not permitted by the General Statutes, for the remainder of the mayor's term. Upon succession to the office of mayor, the council president's position on the council shall be filled as provided in section 4(c)(2) of Chapter III of this Charter. (4) *Removal of the council president.* The council may remove the council president from the presidency at any time by a vote of six (6) members, at a special meeting duly called for that purpose. **Sec. 3 - Power of investigation.** The council, or any committee thereof when so authorized by the council, shall have power to investigate the official conduct of any department or agency of the city government or of any officer or employee thereof. For the purpose of conducting any such investigation and hearings relating to the removal of appointive or elective officers or employees, pursuant to section 3(a) of this chapter, above, any member of the council shall have power to administer oaths and the council or authorized committees thereof may compel the attendance of witnesses and require the production of books and papers. Any person who refuses to obey the subpoena of the council or an authorized committee thereof shall be fined not more than one hundred dollars (\$100.00) or imprisoned not more than thirty (30) days or both. The council may appropriate from available funds amounts necessary to cover expenses incurred pursuant to this section.

<sup>8</sup> **Waterbury Charter, Sec. 3B-1 – Organization and Officers of the Board of Aldermen. Sec. 3A-1)1 Board to Investigate departments.** The Board shall have power to investigate all departments, officers and employees and to inquire into any charges that may be preferred, and shall have access to all records thereto appertaining.

<sup>9</sup> **Norwalk Charter Sec. 1-2.1**

<sup>10</sup> **Norwalk Code of Ordinances, Sec. 1-196.**

<sup>11</sup> **Danbury Charter Section 2-2.**

<sup>12</sup> **Danbury Charter Sec. 3-2. Section 3-14 INVESTIGATION.** 15 The City Council, or any committee thereof duly appointed for the purpose of conducting an investigation pursuant to this section, which committee shall consist of not less than five (5) members, shall have power to investigate any and all offices and agencies of the City, and any organization spending City funds, and for such purposes shall have the power to call witnesses to appear to testify on any matter under investigation. If any officer, other than an elected officer, or employee of the City shall, after receipt of notice in writing, willfully fail or refuse to appear before the City Council or such duly appointed committee, or having appeared, shall refuse to testify or answer any question concerning the office or official duties of such officer or employee, or concerning the property, government or affairs of the City, his term or tenure of office or employment shall terminate and such office or employment shall be vacant provided, however such officer or employee shall be entitled to any further proceeding or hearing concerning dismissal as may be provided by law. The Council shall have the further power to require any office, agency, or other organization spending City funds to disclose information and account for the spending of such funds. Failure to comply with the Council's request shall be grounds for withholding the expenditure of further funds where not otherwise regulated by law.

<sup>13</sup> **New Britain Charter Sec. 3-3.**

<sup>14</sup> **New Britain Charter Sec. 4-4.**

<sup>15</sup> **West Hartford Chapter III Sec. 1. Chapter XIV, Sec 8 – Investigation of Public Officers:** “The council shall have power to **investigate** all town officers, departments, commissions, bureaus or boards, and shall have access to all records and papers kept by each town officer, department, commission, bureau or board, and shall have power to compel the attendance of witnesses and the production of books, papers and other evidence at any meeting of the council or any committee thereof. At the request of the council, any judge may issue a *capias* for the appearance of witnesses and the production of books and papers.

<sup>16</sup> **GREENWICH CHARTER ARTICLE 13. REPRESENTATIVE TOWN MEETING. Sec. 167. Representative Town Meeting; powers.** The Town of Greenwich shall have the capacity to act through and be bound by its Town Meeting members when acting in meeting assembled who shall, when

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convened from time to time as herein provided, constitute Representative Town Meetings. The Representative Town Meetings shall exercise exclusively, so far as will conform to the provisions of this Article, all powers vested in the Town, except as otherwise specifically provided by law. Action in conformity with all provisions of law now or hereafter applicable to the transaction of Town affairs in Town Meeting, shall, when taken by any Representative Town Meeting in accordance with the provisions of this Article, have the same force and effect as if such action had been taken in a Town Meeting open to all the voters of the Town as heretofore organized and conducted, except as specifically provided in this Article. Nothing in this Article shall be construed to confer upon the Representative Town Meeting any powers other than those vested in the Town Meeting prior to the creation of the Representative Town Meeting. (S.A. 154 § 8, 1933.). **Sec. 168. Ex officio members.** The following designated officers shall be Representative Town Meeting members ex officio: the Selectmen, the Town Clerk, the Town Attorney, the Chairman of the Board of Education and the members of the Board of Estimate and Taxation. Such ex officio members shall have all the rights and privileges of the elected members, except the right to vote. (S.A. 444 § 2, 1939; as amended by S.A. 341, 1953.). **Sec. 169. Members' qualifications; removal.** (a) The Representative Town Meeting members shall be the judges of the election and qualifications of their members. The members as such shall receive no compensation. No person holding any salaried office or position in the government of the Town or any department, division or office thereof shall be eligible for election as a member. No member of the Representative Town Meeting, except an ex officio member thereof, shall hold any such salaried office or position. (b) A Representative Town Meeting member who shall remove from the Town shall cease to be a Representative Town Meeting member and a Representative Town Meeting member who shall remove from the district from which he was elected to another district may serve until the next annual meeting for the election of Representative Town Meeting members. (S.A. 154 § 3, 1933; as amended by S.A. 444 § 1, 1939.). **Sec. 170. Tie votes for candidates; procedure.** (a) In case of a tie vote under any Section of this Article affecting the election of Town Meeting members, the other members from the district in which the tie vote may occur shall, by ballot, determine which of the tied candidates shall serve as Town Meeting member or members. The moderator of elections shall immediately after an election notify the Town Clerk of any and all such tie votes, giving the names and addresses of the candidates affected. (b) The Town Clerk shall, within two (2) days of such notification by the moderator of elections, call a meeting of the other members from the district or districts in which a tie vote occurs by causing a notice specifying the object, time and place thereof to be mailed to each such member of the particular district not less than three (3) days nor more than five (5) days before the time set for the meeting. At such meeting a majority of the members from the particular district shall constitute a quorum, and they shall elect from among their number a chairman and a clerk whose right to vote at such meeting shall not be affected by their election to their respective offices. The chairman and clerk shall count the ballots and the person or persons receiving the highest number of votes shall be declared elected. The chairman and clerk shall forthwith make a certificate of the choice and file the same with the Town Clerk. (c) The member or members so chosen shall thereupon be deemed elected and qualified as a Town Meeting member or members, subject to the right of all the Town Meeting members to judge of the election and qualification of the members. (S.A. 154 § 2, 1933.). **Sec. 171. Resignations; vacancies.** (a) A Representative Town Meeting member may resign by filing a written resignation with the Town Clerk. Such resignation shall take effect on the date of such filing. (b) Any vacancy in the full number of Representative Town Meeting members from any district, whether arising from a failure of the registered voters thereof to elect, or from any other cause, may be filled by the remaining members of the district from among the registered voters thereof. (c) The Town Clerk shall call a special meeting of such district's members for the purpose of filling any vacancy and shall cause to be mailed to each such member, not less than five (5) days before the time set for the meeting, a notice specifying the object, time and place of the meeting. At such meeting, a majority of the members from such district shall constitute a quorum, and they shall elect from their number a chairman and a clerk whose right to vote at such meeting shall not be affected by their election to their respective offices. The choice to fill any vacancy shall be by ballot, and a majority of the votes cast shall be required for a choice. The chairman and clerk shall count the ballots and shall make a certificate of the choice and forthwith file the

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same with the Town Clerk, together with a written acceptance by the member or members so chosen. (d) The chosen member or members shall thereupon be deemed elected and qualified as a Representative Town Meeting member or members, subject to the right of all the Representative Town Meeting members to judge of the election and qualifications of the members. (S.A. 154 §§ 3, 6, 1933; as amended by RTM 10/28/2019.) **Sec. 172. Organization of Representative Town Meeting.** (a) The annual meeting of Representative Town Meeting members shall be held on the third Monday of January 1966, and biennially thereafter. The Representative Town Meeting members shall, at their first annual meeting and biennially thereafter, elect from among their number a Moderator, who shall act as moderator of all Representative Town Meetings. He shall hold office for a term of two (2) years and until his successor shall be elected and shall have qualified. A Moderator pro tempore may be elected by the Representative Town Meeting members from among their number who shall serve in the absence of the moderator. (b) The Town Clerk or the Assistant Town Clerk shall act as clerk of all Representative Town Meetings and, in the absence of both, a clerk pro tempore of the meeting shall be elected by the meeting. (S.A. 154 § 5, 1933; as amended by S.A. 217, 1947; RTM, 10/13/1964.) **Sec. 173. Meetings; procedure.** (a) The Moderator may call a meeting of the members at any time. The Moderator, and, in his absence or inability, the Town Clerk, shall call such meeting upon the request of the first Selectman or the Chairman of the Board of Estimate and Taxation or upon the application of twenty (20) registered voters of the Town to be held within sixty (60) days after receiving such application. The Town Clerk shall notify all Representative Town Meeting members of the time and place at which Representative Town Meetings are to be held. The notices shall be sent by mail at least five (5) days before the meeting and a copy of such notice shall be published in the newspapers published in the Town. Such notice shall specify the object for which the meeting is to be held. (b) One-third ( $\frac{1}{3}$ ) of the Representative Town Meeting members shall constitute a quorum for doing business; but a smaller number may organize temporarily and may adjourn from time to time, but no Representative Town Meeting shall adjourn over the date of an election of Representative Town Meeting members. All Representative Town Meetings shall be public. (c) Subject to such conditions, rules and regulations as may be determined from time to time by the members of the Representative Town Meeting, any registered voter of the Town who is not a Representative Town Meeting member may speak at any Representative Town Meeting, but shall not vote. (S.A. 154 § 3, 1933; as amended by S.A. 607 § 8, 1951.) **Sec. 174. Referendum; requirements.** (a) A vote passed at any Representative Town Meeting approving any home rule action on which a referendum is not mandatory pursuant to any special act or charter provision conferring home rule on the Town or authorizing the expenditure of Twenty Thousand Dollars (\$20,000.00) or more or authorizing the issuance of any bonds by the Town or adopting a new ordinance, or amending an existing ordinance, shall not be operative until after the expiration of five (5) days, exclusive of Sundays and holidays, from the dissolution of the meeting. If, within such five (5) days, a petition, signed by not less than three percent (3%) of the registered voters of the Town, containing their names and addresses as they appear on the list of registered voters, shall be filed with the Selectmen, asking that the question or questions involved in such a vote be submitted to the registered voters of the Town at large, then the Selectmen, after the expiration of five (5) days, shall forthwith call a special meeting for the sole purpose of presenting to the registered voters at large the question or questions so involved. (b) The polls shall be opened at 2:00 P.M. and shall be closed not earlier than 8:00 P.M. All votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the several district meetings in the same manner as in the most recent preceding election; except that if the question or questions are submitted at an election, as that term is defined in Sec. 9-1 of the General Statutes, then the manner provided for such election shall be used. The questions so submitted shall be determined by a majority vote of the registered voters of the Town voting thereon, but no action of the Representative Town Meeting shall be reversed unless at least twenty-five percent (25%) of all the registered voters in the Town, shall vote to so reverse. (c) The questions so submitted shall be stated upon the ballot in substantially the same language and form in which they were stated when presented to such Representative Town Meeting by the Moderator, and as appears from the records of such meeting. If such petition shall not be filed within such period of five (5) days, the vote of the Representative Town Meeting shall become final, binding and effective

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upon the expiration of such period for all purposes. (S.A. 154 § 7, 1933; as amended by S.A. 377 § 5, 1955; S.A. 28 § 3, 1965; as amended by RTM, 12/13/76.) **Sec. 175. Referendum; appropriations.** (a) When a petition shall be filed asking for the submission to the voters of the Town, of any question as to the annual appropriations for the Town's expenditures for the ensuing year, such petition shall set forth each item of appropriation as to which a question is involved with the amount of the appropriation as approved by the Representative Town Meeting and the amount to which the petitioners desire it to be decreased or increased, provided such increase shall not be above the amount approved by the Board of Estimate and Taxation. A separate question shall be submitted to the voters on each such item of appropriation and shall call for an answer "Yes" or "No." The answer "No" shall mean the sustaining of the appropriation as fixed by the Town Meeting. The answer "Yes" shall mean the fixing of such appropriation at the figure suggested by the petitioners. (b) The annual appropriation as fixed by the Town Meeting shall be the appropriation for the ensuing year except as to those items upon which the referendum is called for and those items which on the referendum are answered "No" shall remain as fixed by such Town Meeting, and those items which on the referendum are answered "Yes" shall be changed in accordance with the referendum and the appropriation so fixed by the Representative Town Meeting and as so modified by such referendum shall be the appropriation for the ensuing year. (c) In the event that such right of referendum should be exercised, as above provided with respect to the action or actions of any Representative Town Meeting on the budget of the Town for the ensuing year, so that such action or actions of the Representative Town Meeting cannot be finally determined by May 25 in any year, then the time within which the Board of Estimate and Taxation shall lay the tax shall be extended to five (5) days after such referendum vote. (S.A. 154 § 7, 1933; as amended by RTM, 3/9/1970.)

<sup>17</sup> **GREENWICH CHARTER ARTICLE 15. SELECTMEN. Sec. 217. First Selectman; powers and duties.** (a) All administrative functions relative to police, fire, highways, sewers and other public works, building inspection, parks, recreation, law, human resources, parking services, fleet management, information technology and purchasing for such purposes, shall be divided, under the supervision and control of the First Selectman, among administrative departments which shall include the Department of Police, Fire, Public Works, Parks and Recreation, Law, Human Resources, Parking Services, and Fleet Management. The First Selectman shall have the supervision and control, and shall be responsible for the administration, of all the affairs of the Town in respect to such departments, and may fix and determine the internal organization of such departments, the number and kinds of offices and positions, the methods of procedure and, subject to appropriation as otherwise provided by law, the rates of compensation. (b) First Selectman and board of selectmen. The First Selectman shall be the chief executive officer of the town and the town agent and shall devote his full time to the duties of his office. The two selectmen other than the First Selectman who are elected as provided in this act shall, together with the First Selectman, constitute the board of selectmen. The First Selectman shall chair the board of selectmen. The First Selectman shall hold at least one meeting each month with the other selectmen for the purpose of keeping them generally informed of the business of the town. Upon five days' written notice to the First Selectman, either of the two selectmen may place an item on the agenda of a meeting, which item shall be germane to the duties and responsibilities of the board of selectmen. Minutes of such meetings shall be taken and made available for public inspection. The First Selectman shall designate one of the other selectmen to act in his place and stead during his absence. Such Selectman when so acting shall have all of the powers and duties of the First Selectman. (c) Compensation of First Selectman and selectmen. The First Selectman shall be paid a salary appropriate for the chief executive officer and town agent, and the other two selectmen shall be paid salaries commensurate with their duties and responsibilities, but the salary of each of the two selectmen shall be not less than ten percent (10%) of the salary of the First Selectman, subject to the approval of appropriations by the Representative Town Meeting pursuant to Section 23 of the Charter. Provision for such salaries shall be included in the budget report submitted annually by the First Selectman to the board of estimate and taxation. (S.A. 444 § 23, 1939; as amended by S.A. 71 § 1, 1955; RTM, 4/27/1970; RTM, 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.) (RTM, 1/21/1985.) (Board of Selectmen 9/17/1997; RTM, 3/13/1995; RTM, 4/10/2006; RTM, 6/12/2006.) **Sec. 217A. Department of Human Resources; Director of Human Resources.** (a) There

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shall be a Department of Human Resources under the direction of a Director of Human Resources who shall be experienced in managing human resources functions necessary for the effective administration of employment functions and administration of the Town benefits program. (i) Subject to Section 223, the Director of Human Resources shall develop and implement personnel policies, procedures, rules and regulations for Town employees. (ii) Except for managerial, confidential, certified and instructional staff of the Board of Education, the Director of Human Resources shall administer all employment functions within the Town as an aide to the Town's appointing authorities. The Director of Human Resources and the Board of Education shall determine which Board of Education positions are managerial. The employment functions of the Director of Human Resources shall exclude the negotiation and administration of collective bargaining agreements and shall include, without limitation, the following functions: a. Recruitment; b. Employment eligibility determinations, testing and assessment; c. Administration of classification processes; d. Administration of the hiring process and procedures; e. Implementation of terms and conditions of employment as may be established from time to time through the collective bargaining process; f. Administration of employee performance review plans and recommendation of modifications to employee performance review plans or procedures; g. Administration of employee discipline and separation in accordance with collective bargaining agreements and Town personnel policies; h. Development of personnel training, employee development and retention processes; i. Maintenance of personnel records and documents; j. Compliance review as to all applicable laws in the area of personnel. (iii) The Board of Education shall be responsible for administration of all employment functions for managerial, confidential, certified and instructional staff of the Board of Education. (iv) Except for the Town's Retirement System, the Director of Human Resources shall administer the Town's benefits program and related budgets for all active and retired Town employees. (b) The Director of Human Resources shall be appointed and may be removed by the Board of Selectmen upon recommendations of the First Selectman as provided in Section 218. (c) Nothing contained in this section shall affect the powers of the Board of Estimate and Taxation under this Charter to administer the financial affairs and budget of the Town of Greenwich. (d) For the purposes of this section, "appointing authorities" shall include the First Selectman, the Board of Estimate and Taxation, the Board of Health, the Board of Human Services, the Planning and Zoning Commission, the Board of Education, the Retirement Board, the Conservation Commission, the Board of Nathaniel Witherell, the Boards of the Greenwich Library and the Perrot Memorial Libraries, the Inland Wetlands and Watercourses Agency, the Commission on Aging, the head of Town departments. (RTM, 6/12/2006; RTM, 3/13/2017.) Editor's note(s)—At RTM held on March 13, 2017, § 217B was redesignated as § 217A. **Sec. 218. Appointments; removals.** (a) The Board of Selectmen may, subject to the provisions of this Article, on the recommendation of the First Selectman, the provisions of Sections 226, 230, and 233 of the Charter notwithstanding, appoint and remove all heads of departments which are under the supervision and control of the First Selectman. The head of each department shall appoint and may remove subordinates in such department, except that any deputy department head so appointed shall be subject to the prior approval of the Board of Selectmen. All appointments and promotions to offices and employment in the administrative service of the Town under the supervision and control of the First Selectman and all measures for the control and regulation of employment therein shall be on the basis of merit and fitness. (b) Any officer or employee appointed or employed in any such department under the provisions of this Article shall not hold office or employment for any definite term and may be removed from his office or employment whenever, in the judgment of the appointing authority, the public interest so requires, provided all provisions of law concerning the removal of members of the Police Department and of paid members of the Fire Department, including the chiefs of such departments, shall remain in full force and effect. (S.A. 444 § 24, 1939; as amended by S.A. 71 § 2, 1955; RTM, 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.) (RTM, 1/21/1985. **Sec. 219. Failure of Representative Town Meeting to appoint.** In the event the Representative Town Meeting shall fail to elect or appoint any officer or the entire membership of any board, after nomination by the Selectmen as provided in this Article, further nominations shall be submitted within a reasonable time by the Selectmen and pending the election of any such entire board or boards, the members thereof elected, if a majority, shall have all the rights, privileges and duties and shall act with full authority as

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though the full board had been elected. (S.A. 444 § 39, 1939.). **Sec. 220. Salaries and compensation.** All officers and employees of the Town shall receive such salaries or other compensation as may be provided by law, or by ordinances and resolutions adopted in the same manner as provided by law for other expenditures of the Town. (S.A. 444 § 10, 1939.). **Sec. 221. Divisions and offices.** The work of each department shall be distributed among such divisions or offices as may be established by the boards or officers having the direction and control of such departments, except as otherwise provided by this Article. (S.A. 444 § 11, 1939.). **Sec. 222. Heads of offices and divisions.** Each office or division of any department shall be headed by an officer who shall have the direction and control of its affairs, subject to the direction and control of the head of the department and responsible to him or, in the case of the Finance Department, the Board of Estimate and Taxation. (S.A. 444 § 12, 1939.). **Sec. 223. Administrative regulations.** (a) The First Selectman, the Board of Estimate and Taxation, the Board of Health, the Board of Human Services, and the Board of Education may prescribe such general rules and regulations as they may, respectively, deem necessary or expedient for the conduct of the departments and staff under their respective direction and control, not inconsistent with this Article or Town personnel policies, and except as otherwise provided by law. (b) The head of each department may likewise prescribe such rules and regulations as he may deem necessary or expedient for the proper conduct of the department and for making effective the provisions of law not inconsistent with Town personnel policies or the general rules and regulations prescribed by such boards. (S.A. 444 § 13, 1939.) (Char. Rev. 11/4/1975, eff. 1/1/1978; RTM, 6/12/2006; RTM, 3/13/2017.) **Sec. 224. Reports required.** (a) All boards appointed by the Representative Town Meeting, and all elective officers except Constables, shall prepare and submit to the Representative Town Meeting an annual report of the operations of their several departments and offices. Such reports shall be compiled and published under the supervision of the Board of Estimate and Taxation. (b) The head of each department shall make to the board having the direction and control of such department an annual report of the operations thereof and may, at any time, be required to make any special reports concerning such department. (S.A. 444 § 14, 1939.). **Sec. 225. Bonds required.** The Town Treasurer, Comptroller, Tax Collector, Commissioner of Public Works, Commissioner of Human Services, and all other persons receiving or disbursing the Town's funds shall, except as otherwise provided by special enactment, each give to the Town, upon assuming office and before receiving any Town funds, a bond with a surety company of good standing as a surety thereon, approved as to their respective amounts and as to the respective sureties thereon by the Board of Estimate and Taxation, conditioned for the faithful discharge of the duties of the office of the official giving such bond. The Tax Collector shall give such bond before he receives any tax warrant. The premiums on such bonds shall be paid by the Town Treasurer upon order of the Selectmen. (S.A. 347 § 9, 1921; as amended by S.A. 71 § 3, 1955; RTM, 3/12/1972; RTM, 3/13/2017.). **Sec. 226. Office of Purchasing; procedure.** (a) There shall be an Office of Purchasing under the Purchasing Agent, who shall be appointed and removed by the Selectmen. With the exception of the services of officers and employees of the Town and professional services, all purchases shall be made and all services shall be secured through the Purchasing Agent and by such means and under such procedures as will, so far as practicable, insure competition and the lowest costs consistent with equal quality of goods and services. (b) The provisions hereof shall not apply to such purchases and services as may be excluded from the operation hereof by written direction of the Board of Education to the Purchasing Agent and Comptroller. (S.A. 444 § 36, 1939; as amended by S.A. 71 § 4, 1955; RTM, 3/13/1972.). **Sec. 227. Personal interest disclosure.** No purchase shall be made nor shall services, other than the services as officers and employees of the Town, be secured from any officer or employee of the Town, or from any partnership or corporation of which such officer or employee is a partner or officer, unless such relationship and the fact that such purchase is contemplated shall be made known in writing to the board or officer making such purchase, and notice thereof posted, for at least five (5) days before such purchase be made, in the office of the board or officer making such purchase. (S.A. 444 § 37, 1939.). **Sec. 228. Contracts in triplicate.** All written contracts entered into by any party with the Town shall be made in triplicate. One (1) copy of such contracts shall be filed in the Office of the Comptroller. (S.A. 347 § 11, 1921.).

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**Sec. 229. Police Department; Commission.** (a) The Town shall maintain a Police Department for the Town, which shall be under the supervision and control of the First Selectman. (b) The Board of Selectmen may make rules and regulations for the Police Department and for the discipline of the members of the police force. (S.A. 194 § 14, 1931; as amended by S.A. 435, 1937; S.A. 71 § 6, 1955.) (Char. Rev. 11/4/1975, eff. 1/1/1978.)

**Sec. 230. Police Department personnel.** (a) The Board of Selectmen may make an appointment to fill any vacancy in the office of the Chief of Police whenever it may occur. The Chief of Police may, subject to the approval of the First Selectman appoint members of the police force together with the officers thereof and fill any vacancies occurring therein, and promote or demote any member of the force, except that appointment of a deputy shall be subject to the prior approval of the Board of Selectman. (b) Each member of the Police Department and any officer thereof shall have power to serve warrants alleging the commission of any criminal offense and to arrest for crime within the limits of the Town. (c) The First Selectman may, after hearing, fine, suspend or expel any member of the Department who is found inefficient, not qualified for his duties, guilty of insubordination or breach of discipline or of the rules and regulations of the Department or conduct unbecoming an officer thereof. Any such members and officers who shall be removed may appeal from the decision of the First Selectman to the Court of Common Pleas. (d) No person shall be appointed a member of the Police Department unless he is of good moral character and habits and has not attained the thirty-first (31) anniversary of his birth and has passed such mental and physical examination as may be required by the First Selectman. (S.A. 194 § 14, 1931; as amended by S.A. 435, 1937; S.A. 71 § 6, 1955; RTM 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.)

**Sec. 231. Police Department; appointments of special officers.** The Board of Selectmen may appoint or employ such number of Special Police Officers as they may deem necessary to preserve the public peace within the limits of the Town. Such Special Police Officers, during the time for which they shall be appointed, shall have all the powers which constables by law have to serve criminal process and make arrests for crime, and may be paid for their services by the Town. (S.A. 350, 1907; as amended by S.A. 71 § 7, 1955.) (Char. Rev. 11/4/1975, eff. 1/1/1978.)

**Sec. 232. Police Department appropriations.** Appropriations shall be made for the Police Department in the same manner as for the other departments of the Town and commitments against such appropriations shall be signed by the First Selectman. (S.A. 194 § 14, 1931; as amended by S.A. 71 § 6, 1955; RTM, 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.)

**Sec. 233. Fire Department; supervision.** (a) The Town shall maintain a Fire Department for the Town, which shall be under the supervision and control of the First Selectman. The Board of Selectmen may make rules and regulations for the Fire Department and for the discipline of the members thereof. (b) The Board of Selectmen may make an appointment to fill any vacancy in the office of Fire Chief whenever it may occur. The Fire Chief, subject to the approval of the First Selectman, may appoint paid members of the Fire Department together with the paid officers thereof and fill vacancies occurring therein, and promote or demote any paid member of the Department, except that the appointment of a deputy shall be subject to the prior approval of the Board of Selectmen. (c) The First Selectman may, after hearing, fine, suspend or expel any paid member of the Department who is found inefficient, not qualified for his duties, guilty of insubordination or breach of discipline or of the rules and regulations of the Department or conduct unbecoming a member thereof. Any such member who is removed may appeal from the Selectmen to the Court of Common Pleas. (d) Appropriations shall be made for the Fire Department in the same manner as for the other departments of the Town and commitments against such appropriations shall be signed by the First Selectman. (S.A. 194 § 13, 1931; as amended by S.A. 71 § 5, 1955; RTM, 3/13/1972.) (Char. Rev. 11/4/1975, eff. 1/1/1978.)

**Sec. 234. Special Fire Police; appointment.** (a) The Board of Selectmen may also appoint such Special Fire Police as they may deem necessary to act in conjunction with the Fire Department and under the general supervision of the Fire Chief and also to act as Special Police whenever their services may be required. The Board of Selectmen shall make such rules and regulations as may be necessary for the government, control and maintenance of the Special Fire Police. (b) Any provision of the General Statutes to the contrary notwithstanding, the Board of Selectmen may appoint as such Special Fire Police any non-resident of the State who is a member of the Banksville

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Independent Fire-Police Company, Incorporated. (S.A. 194 § 13, 1931; as amended by S.A. 71 § 5, 1955; S.A. 106, 1955.) (Char. Rev. 11/4/1975, eff. 1/1/1978.). **Sec. 235. Law Department.** (a) The head of the Law Department shall be the Town Attorney, who shall be an attorney at law, admitted to practice in all courts of the State, and who shall have practiced law in the State for at least five (5) years. He shall be the legal adviser of, and attorney and counsel for, the Town government and all departments and officers thereof, in matters relating to the Town's interests or their official powers and duties, and shall provide through the office organization all legal services required. The Town Attorney shall be charged with the prosecution of all legal actions for the collection of taxes and other debts and charges due the Town and for the enforcement of any forfeiture or penalty or any other right or claim of the Town or the restraint of any wrong or injury thereto. He shall, on request, prepare all ordinances, resolutions, contracts, bonds and other instruments in writing in which the Town is concerned. (b) No other Town official or other agent of the Town shall obligate the Town for legal services. No payment for legal services shall be made except through the Law Department from the appropriations therefor. (S.A. 444 § 35, 1939; as amended by RTM, 4/16/1974.). **Sec. 236. Traffic Authority; Town property.** The Board of Selectmen shall have the same authority with respect to the control of traffic and parking on any property owned by the Town or leased to it as it has with respect to the control of traffic and parking on the public highways in the Town. In the case of property exclusively under the control of any board or commission which is not subject to the administrative control of the First Selectman, such authority shall only be exercised with the consent of such board or commission. (S.A. 406 § 1, 1953.) (Char. Rev. 11/4/1975, eff. 1/1/1978.). **Sec. 237. Traffic Authority; private property.** The Board of Selectmen may, with the consent of the owner or owners, exercise authority over traffic and parking with respect to any property owned by the Housing Authority of the Town or by any other person. (S.A. 406 § 2, 1953.) (Char. Rev. 11/4/1975, eff. 1/1/1978.). **Sec. 238. Traffic Authority; penalties.** The Board of Selectmen, acting as the Police Commission, shall have authority by ordinance to provide that any person, firm or corporation violating any ordinance or by-law, or any rule or regulation adopted pursuant thereto, relating to traffic or parking in the Town, shall be fined such amount as may be specified therein, not exceeding One Hundred Dollars (\$100.00). In any case involving a vehicle parked in violation of any such prohibition or restriction of parking, a police officer or such other official sworn to perform such duties by the Board of Selectmen shall serve upon the operator of vehicle, by delivering to him personally, or by attaching to such vehicle, a notice of parking violation directing such operator to pay the fine authorized by ordinance, by-law, rule or regulation within such time as may be specified in such notice. When any person receives such notice, he may comply therewith and pay to the Town, at the Department of Parking Services, such sum as may be specified in such notice, and that no summons or warrant for arrest shall be issued for any such violation prior to the expiration of such period, nor thereafter, if such operator has complied with such notice and paid the sum within the period.

<sup>18</sup> **Bristol Charter Sec. 16(a)**

<sup>19</sup> **Meriden Charter C4-2:** The Mayor shall be an ex officio member and the presiding officer of the City Council and shall call it to order. He/she shall not have a vote on any matter voted upon by the Council except that, in those situations in which the City Council vote results in a tie, the Mayor shall cast the tie-breaking vote. Notwithstanding the foregoing, the Mayor shall in no event have a vote on any zoning matter or on any matter related to the appointment, suspension or removal of the City Manager. The Mayor shall be recognized as the official head of the Town for ceremonial purposes and military purposes. He or she shall keep informed on City matters and may make reports and recommendations to the City Council and electors of the City on matters of legislative concern and general town policy. The Mayor may recommend and introduce such ordinances, resolutions, motions and other measures to the City Council as he/she may deem necessary or expedient. The Mayor may attend any meeting of any board, commission or other governmental body of the City and shall receive such advance notification of any such meeting as is given to the members of said bodies. He or she shall have the full right of participation in discussions but shall not have the right to vote. The Mayor, as directed by the City Council, shall appoint such special subcommittees of the City Council as are required but shall in no way have the power to make

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appointments which are the responsibility of the City Council or Manager, except as provided in § **C3-3J**. The Mayor shall have the power to veto any ordinance, legislative resolution or appropriation adopted by the City Council by returning the same to the City Council within seven calendar days following the adoption of such ordinance, legislative resolution or appropriation with a veto statement in writing of his/her objection thereto. If the City Council by a vote of 2/3 of the entire membership at a special meeting or the next regularly scheduled meeting shall approve said ordinance, legislative resolution or appropriation, it shall thereupon be effective as so originally adopted. Notwithstanding the foregoing, the Mayor shall have no authority to veto any zoning matter or any matter related to the appointment, suspension or removal of the City Manager. The Mayor may affirmatively waive in writing his/her veto authority as to any individual matter voted upon by the City Council.

<sup>20</sup> **West Haven Charter, Chapter II, Sec. 5.**

<sup>21</sup> **West Haven Charter, Chapter IV, Sec. 2.**

<sup>22</sup> **West Haven Charter, Chapter III, Sec. 4(c).**

<sup>23</sup> **Milford Charter, Article III, Sec. 4 Board of Aldermen—Organization generally; chairman as acting Mayor in absence of same.**

[Referendum of 11-5-1963; Referendum of 11-8-1966] “The Board of Aldermen shall meet to organize on the second Tuesday following its election. It shall elect from its membership a chairman, who shall preside at all meetings of the Board of Aldermen. The Chairman of the Board of Aldermen shall have the powers and discharge the duties of the Mayor during the absence of the Mayor or when the Mayor is unable to perform the duties of his office.” See also, **Article II, Sec. 8 - Investigation of departments, etc; power of Board of Aldermen.** “The Board of Aldermen shall have the power to investigate any and all departments, offices and agencies of the City and for such purposes shall have the power to issue subpoenas. The Board of Aldermen may request any judge to issue a *ca-pias* for the appearance of witnesses and production of books and papers”.

<sup>24</sup> **Stratford Charter Section 2.2.1.**

<sup>25</sup> **Stratford Charter Section 2.1.5 – Council Chair;** See also, **Section 2.2.15 - Power to Investigate and Procure Information.** “The Council shall have the power to investigate town affairs. In exercising this power, the Council shall have the power to require any town elected or appointed official, officer, director, department head, or employee to furnish the Council or its designee all information, contracts, reports, papers, documents, records, or other material which is in the possession of the elected or appointed official, officer, director, department head, or employee, and which, in the opinion of the Council is necessary to enable the Council to discharge the duties imposed upon it by this Charter, or to properly and completely investigate town affairs. It is hereby made a duty and obligation of all town elected or appointed officials, officers, directors, department heads, and employees to provide the Council with the requested information, contracts, reports, papers, documents, records, or other material when so required by the Council. Notwithstanding any other provision of this Charter, the Council shall have the right to appropriate funds, either by way of the budget or by special appropriation, to fund any costs and expenses which may, in the opinion of the Council, be necessary, proper and required to conduct the investigation or to procure any information, contracts, reports, papers, documents, records, or other material” [Amended 11-4-2008]. See also, **Section 1 1.2.5 – Mayoral duties:** “Attendance at Council meetings with full right of participation in the discussions and deliberation of the Council, but without the right to vote on ordinances and resolutions except in the event of a tie vote of 5-5” [Amended 11-4-2008].

<sup>26</sup> **Stratford Charter Section 32.1.A – Limits.** “Elected Councilmen for the Town of Stratford shall be limited to serving three two-year consecutive terms and elected members of the Planning Commission, Zoning Commission, Board of Zoning Appeals and the Board of Education shall be limited to one four-year term.”

<sup>27</sup> **Stratford Charter Section 5.1.1 – Chief Administrative Officer:** “The Chief Administrative Officer (CAO) shall be the chief administrative officer of the Town. As such, he or she shall possess, have and exercise the administrative powers as directed by the Mayor or Acting Mayor, except as otherwise limited by this Charter, state law and/or federal law” [Amended 11-4-2008]. See also, **Section 5.1.2 - Appointment of Chief**

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**Administrative Officer.** “The CAO shall be appointed and may be removed or suspended, with or without pay, by the Mayor. The qualifications of the CAO shall be a Master of Business Administration degree, Master of Public Administration degree, or such other education, general executive and administrative experience and ability as are necessary to perform the duties of the office. The CAO shall be appointed on the basis of such factors including, but not limited to, education, municipal and public experience, professional training, and executive and administrative qualifications, and shall be considered an “at will” employee” [Amended 11-4-2008]; See also, **Section 5.1.3 - Conflicts of Interests:** “The CAO shall devote his or her entire time and business interest to the management of the town's affairs and shall not, during his or her term of office, be an employee of or perform any executive duty for any person, firm, corporation or institution other than the Town of Stratford” See also, **Section 5.1.4 - Powers and Duties:** “The Chief Administrative Officer shall have the powers and duties hereinafter enumerated and shall be directly responsible to the Mayor for the proper administration thereof: **1.** To recommend to the Mayor adoption of such measures as he or she may deem necessary or expedient; **2.** To assist the Mayor in the submission to the Council of the Annual Budget as by this Charter required; **3.** To perform such other duties as may be prescribed by this Charter or required of him or her by the Mayor; **4.** To assist the Mayor in all aspects of labor negotiations, personnel issues, financial management, and any other field of public administration commensurate with his or her knowledge and experience.”

<sup>28</sup> **East Hartford Charter Sec. 3.1.**

<sup>29</sup> **East Hartford Charter Sec. 3.2.** See also, Sec. **3.7 Investigation.** “The Town Council shall have the power to investigate any and all departments, offices and agencies of the town and for such purposes shall have the power to call witnesses to appear before the Council to testify on any matter under investigation. There shall be a committee of the Council on investigations and audits, including proportionate minority representation, and such committee shall employ a certified public accountant to develop under its direction a regular council audit program in addition to the independent audit and may employ such other investigatory services as it deems necessary. If any nonelective officer or employee of the town who, upon receipt of adequate notice and opportunity, fails to appear or refuses to testify when so called by the Council, such refusal or failure shall be deemed to be grounds for dismissal from said office or position.

<sup>30</sup> **Wallingford Charter, Chapter IV, Sec. 2;** See also, **Section 10. Investigation:** “The Council, by a vote of at least three (3) members, shall have power to investigate any and all departments, offices and agencies of the town.” See also, **Chapter VII, Sec. 4. Hiring of Outside Counsel:** “Outside attorneys may be employed(a) if participation in the matter by the Department of Law would constitute a violation of the code of professional conduct; (b) if the matter involves a dispute between departments, officers, agencies, boards or commissions of the town; (c) if the matter involves complex or highly specialized legal issues; or (d) if their employment is necessary to assure the timely prosecution or defense of the legal matter of the town. No agency, officer, employee, board, or commission of the town, while acting in an official capacity, shall employ an outside attorney without the prior approval of the Department of Law, except that the Council may, at its discretion, appoint outside counsel to represent the Council on its business.”

<sup>31</sup> **Shelton Charter, Sec. 2.4.1(b)**

<sup>32</sup> **Shelton Charter, Sec. 4.2.** See also, **Sec. 4.6. - Investigation.** “The Board and each committee of the Board granted such authority, shall have the power to investigate any matter concerning the City and the public interest and well-being and to call witnesses to appear before the Board to testify on any matter under investigation by the Board.”

<sup>33</sup> **Wallingford Charter, Chapter IV, Sec. 2;** See also, **Section 10. Investigation:** “The Council, by a vote of at least three (3) members, shall have power to investigate any and all departments, offices and agencies of the town.” See also, **Chapter VII, Sec. 4. Hiring of Outside Counsel:** “Outside attorneys may be employed(a) if participation in the matter by the Department of Law would constitute a violation of the code of professional conduct; (b) if the matter involves a dispute between departments, officers, agencies, boards or commissions of

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the town; (c) if the matter involves complex or highly specialized legal issues; or (d) if their employment is necessary to assure the timely prosecution or defense of the legal matter of the town. No agency, officer, employee, board, or commission of the town, while acting in an official capacity, shall employ an outside attorney without the prior approval of the Department of Law, except that the Council may, at its discretion, appoint outside counsel to represent the Council on its business.”

<sup>34</sup> **Shelton Charter, Sec. 2.4.1(a) and (b)**

<sup>35</sup> Norwich – 2 term limit for Mayor Chapter V, Sec. 1(a)

<sup>36</sup> Exception under C.G.S. § 9-167a applies so there is no minority party representation on City Council. There is on the RT<

<sup>37</sup> **Torrington Charter, Sec. C4-2. Sec. C4-4 - Investigatory power.** ”The Board of Councilmen may compel any City board, commission, committee, or any member thereof, or any City official or City employee to furnish it with any information or materials which would be of assistance to it in the performance of its functions.”

<sup>38</sup> **Naugatuck Charter, Sec. 6.1**

<sup>39</sup> **Naugatuck Charter, Sec. 11.**

<sup>40</sup> In any combination, the body having the greater number of members shall have the power to adopt the annual budget and shall have such other powers as the charter prescribes, and the body having the lesser number of members shall have the power to adopt, amend and repeal ordinances, subject to any limitations imposed by the general statutes or by the charter. The number of members in any elective legislative body, the terms of office of such members and the method by which they are elected shall be prescribed by the charter.

<sup>41</sup> Recodification of current Article IV, §4.1.A (2006). Derived from Chapter III, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article IV, §4.1.A of the 1997 Charter.

<sup>42</sup> Recodification of current Article IV, §4.2.A (2006). Ex officio status of was established in Chapter III, §4 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.2.A of the 1997 Charter for the following: the three Selectmen; the Town Clerk; the Town Counsel; Chair of the Board of Education and the entire Board of Finance.

<sup>43</sup> Recodification of current Article IV, §4.1.B (2006). Derived from Chapter III, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article IV, §4.1.B of the 1997 Charter.

<sup>44</sup> Recodification of current Article IV, §4.2.B (2006). Derived from Chapter III, §4 of the 1947 and 1956 Acts and 1975 Charter; and, and, Article IV, §4.2.B of the 1997 Charter.

<sup>45</sup> Recodification of current Article IV, §4.2.C (2006). Derived from Article IV, §4.2.C of the 1997 Charter.

<sup>46</sup> Recodification of current Article IV, §4.2.D (2006). Derived from Chapter II, §3 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.2.D of the 1997 Charter.

<sup>47</sup> Recodification of current Article IV, §4.2.E (2006). Derived from Chapter II, §4 of the 1947 and 1956 Acts and 1975 Charter; and, and, Article IV, §4.2.E of the 1997 Charter.

<sup>48</sup> Note: There was an annual town meeting and budget meeting in Chapter III, §6 of the 1947 Act; further amended by §6 of the 1951 Special Act, as reaffirmed by Chapter II, §6 of the 1956 Act.

<sup>49</sup> Recodification of current Article IV, §4.4.A (2006). Derived from Chapter III, §6 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.4.A of the 1997 Charter.

<sup>50</sup> Recodification of current Article IV, §4.4.B (2006). Note: Chapter III, §3 and §4 of the 1947 and 1956 Acts and 1975 Charter refer to “presiding officer” and “moderator”. The election of the moderator was introduced to the charter in 1975. Derived from Article IV, §4.4.B of the 1997 Charter.

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<sup>51</sup> Recodification of current Article IV, §4.4.C (2006). Derived from Article IV, §4.4.C of the 1997 Charter.

<sup>52</sup> Recodification of current Article IV, §4.4.D (2006). Derived from Article IV, §4.4.D of the 1997 Charter.

<sup>53</sup> Recodification of current Article IV, §4.4.E (2006). Derived from Article IV, §4.4.E of the 1997 Charter.

<sup>54</sup> Recodification of current Article IV, §4.4.F (2006). Derived from Article IV, §4.4.F of the 1997 Charter.

<sup>55</sup> Derived from Chapter III, §2 (second sentence) and §4 of the 1947 Act and 1956 Act.

<sup>56</sup> Recodification of current Article IV, §4.3.A (2006). Modification of Chapter III, §4 of the 1947 and 1956 Act, which established a quorum as one-third of the members and 1975 Charter (which established a majority standard); and, Article IV, §4.3.A of the 1997 Charter.

<sup>57</sup> Recodification of current Article IV, §4.3.B (2006). Regular meeting provision established in Chapter III, §4 of the 1947 and 1956 Acts. Further amended by §5 of the 1951 Special Act (“no business” provision) and Chapter III, §4 of the 1975 Charter; and, Article IV, §4.3.B of the 1997 Charter.

<sup>58</sup> Recodification of current Article IV, §4.3.C (2006). Special meeting provision contained in Chapter III, §4 of the 1947 and 1956 Acts, and 1975 Charter; and, Article IV, §4.3.C of the 1997 Charter.

<sup>59</sup> Recodification of current Article IV, §4.3.D (2006). Modification of Chapter III, §2 (third sentence) and §4 of the 1947 and 1956 Acts and 1975 Charter; and, Article IV, §4.3.D of the 1997 Charter.

<sup>60</sup> Recodification of current Article IV, §4.5 (2006). Modification of Chapter III, §8 of the 1947 and 1956 Acts and 1975 Charter and Article IV, §4.5 of the 1997 Charter.

<sup>61</sup> Recodification of current Article IV, §4.6 (2006). Modification of Chapter III, §13 of the 1947 and 1956 Acts and Chapter III, §12 of the 1975; see also, Modification of Chapter XVII, §5 of the 1947 and 1956 Acts and 1975 Charter; and Article IV, §4.6 of the 1997 Charter.

<sup>62</sup> 1983 Charter Chapter III.

<sup>63</sup> Modification of 1983 Charter sections 3-1 and 3-5 by moving all references to composition of the Council to proposed section 3-3. Moreover the following provision of section 3-1 (fourth sentence) was repealed since it is contrary to state law: “Unless otherwise specified by State or Federal Law, no members of the Council shall hold any elective or salaried office or position with the State of Connecticut or the Town of Hamden, except those of notary public and justice of the peace”.

<sup>64</sup> See, 1983 Charter section 3-5 (first sentence). Required by C.G.S. Sec. 7-193(a)(1)(C).

<sup>65</sup> NEW.

<sup>66</sup> See, C.G.S. §7-193(b), as follows: “Every municipality shall have all municipal officers, departments, boards, Commissions and agencies which are required by the general statutes or by the charter. Each municipality may have any municipal officers, departments, boards, Commissions and agencies which are specifically allowed by the general statutes or which are necessary to carry out any municipal powers, duties or responsibilities under the general statutes. All such officers, departments, boards, Commissions and agencies shall be elected, appointed and organized in the manner provided by the general statutes, except as otherwise provided by the charter or by ordinances or resolutions adopted pursuant to such charter. Any municipality may, by charter or by ordinances or resolutions adopted pursuant to such charter, alter the method of election, appointment or organization of any or all of such officers, departments, boards, Commissions or agencies, including combining or separating the duties of each, unless specifically prohibited from making such alteration by the Constitution or the general statutes”. See also, (1) C.G.S. §7-421 entitled “Political activities of classified municipal employees. Candidacy of municipal employees for elective office. Leaves of absence. Service on governmental bodies of the town in which the employee resides”; (2) C.G.S. §7-421a entitled “Inconsistent statutory or charter provisions”; and (3) C.G.S. §7-421b. entitled “Limitation on restrictions of political rights of municipal employees”; and, (4) C.G.S. § 9-210 entitled “Incompatible town offices”.

<sup>67</sup> Modification of 1983 Charter section 3-2 (first sentence), adding the phrase: “...for the term of office.”

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<sup>68</sup> 1983 Charter section 3-2 (second sentence).

<sup>69</sup> Modification of 1983 Charter section 3-2 (third sentence) by replacing "...a member chosen by the Council" with "President Pro Tempore".

<sup>70</sup> Modification of 1983 Charter sections 3-3 and 3-7 entitled "Procedure" and "Public Hearing on Ordinances".

<sup>71</sup> Modification of 1983 Charter section 3-3 (second sentence).

<sup>72</sup> 1983 Charter section 3-3 (fourth sentence).

<sup>73</sup> Modification of 1983 Charter section 3-3 (first sentence).

<sup>74</sup> NEW.

<sup>75</sup> Modification of 1983 Charter section 3-3 (first sentence).

<sup>76</sup> NEW.

<sup>77</sup> Modification of 1983 Charter section 3-7 (first sentence), including the new definition of "Meeting Notice".

<sup>78</sup> NEW. See, C.G.S. §1-225. (Formerly Sec. 1-21) entitled "Meetings of government agencies to be public. Recording of votes. Schedule and agenda of meetings to be filed and posted on web sites. Notice of special meetings. Executive sessions".

<sup>79</sup> Modification of 1983 Charter section 3-3 (third sentence), in lieu of the following: "All meetings of the Council shall be open to the public, except as otherwise permitted by the General Statutes."

<sup>80</sup> Modification of 1983 Charter section 3-4 (first sentence) by replacing "appointed by the Council" with "...recommended by the President and approved by the Council".

<sup>81</sup> 1983 Charter section 3-4 (second sentence).

<sup>82</sup> 1983 Charter section 3-4 (third sentence).

<sup>83</sup> Minor modification of 1983 Charter section 3-5, including moving the general grant of legislative authority to proposed Section 3-1 and modifying the language of the provisions pertaining to the municipal sewerage system to recognize the authority but to make it discretionary since WPCA is currently regional. Also, establishes, a majority standard.

<sup>84</sup> Modification of 1983 Charter section 3-5 (second sentence, first clause).

<sup>85</sup> Modification of 1983 Charter section 3-5 (second sentence, second clause) with the addition of the following clause: "...unless required by the Charter or Charter or reorganized as permitted by §8-1.B (1) of this Charter ...".

<sup>86</sup> Modification of 1983 Charter section 3-5 (fourth sentence).

<sup>87</sup> Modification of 1983 Charter section 3-5 (fifth sentence) by replacing "Ordinance" with "Order" or "Motion".

<sup>88</sup> Modification of 1983 Charter section 3-5 (sixth sentence) by replacing "Ordinance or Resolution with "Order or Motion".

<sup>89</sup> NEW.

<sup>90</sup> Modification of 1983 Charter section 3-5 (seventh sentence), by deleting the reference to "...Chapter I...".

<sup>91</sup> Modification of 1983 Charter section 3-5 (eighth sentence).

<sup>92</sup> Replaced "officers" with "and Officials".

<sup>93</sup> 1983 Charter section 3-5 (third sentence).

<sup>94</sup> 1983 Charter section 3-6.

<sup>95</sup> 1983 Charter section 3-8.

<sup>96</sup> Modification of 1983 Charter section 3-8 (first sentence), by replacing the following language: "Except in the case of resolutions relating to the procedures of the Council, every proposed ordinance or resolution shall be presented to the Mayor for approval, veto or acceptance within five (5)

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days after adoption by the Council “. The replacement language adds the terms “order or other legislative act”; replaces the term “adoption” with “passage” (akin to the language in the rules of the General Assembly); inserts “business” days; and, utilizes the term “for action” in lieu of “approval, veto or acceptance”. It also inserts the Clerk of the Council as the transmitting agent.

<sup>97</sup> NEW.

<sup>98</sup> NEW.

<sup>99</sup> Modification of 1983 Charter section 3-8 (second sentence), by replacing the following language: “Within fifteen (15) business days after adoption by the Council, the Mayor shall approve veto or accept the proposed ordinance or resolution”. The replacement language adds “order or other legislative act”; inserts “business” days; and, addresses the specific Mayoral actions in a later provision.

<sup>100</sup> Modification of 1983 Charter section 3-8 (third sentence), by replacing the following language: “Every ordinance and resolution approved by the Mayor and those accepted by the Mayor’s not acting to approve or veto such ordinance or resolution within fifteen (15) days shall become effective in accordance with this section”. The replacement language adds “order or other legislative act”; utilizes the term “fails to take action” in lieu of “not acting to approve or veto” (veto is addressed in the following provision); add “business” days; and, adds the following sentence: “In the event the Mayor shall fail to take action upon such matters the Town Clerk shall endorse such fact upon the official copy of the matter”.

<sup>101</sup> Modification of 1983 Charter section 3-8 (fourth sentence), by replacing the following language: “Every ordinance and resolution vetoed by the Mayor shall be returned within the same fifteen (15) days to the Clerk of the Council with a statement of the reasons for the veto”. The replacement language adds “order or other legislative act”; and “business” days.

<sup>102</sup> Modification of 1983 Charter section 3-8 (fifth sentence), by replacing the following language: “Following receipt of the Mayor’s veto, any vetoed ordinance or resolution again approved by an affirmative vote of at least two-thirds (2/3) of the Council present and voting at a meeting shall become effective in accordance with this section”. The replacement language adds “order or other legislative act”.

<sup>103</sup> Consistent with 1983 Charter section 3-9 (second sentence); includes new defined terms “Public Notice” and “Final Action”.

<sup>104</sup> Minor modification of 1983 Charter section 3-8 (sixth sentence) by changing “publication” to “Public Notice”.

<sup>105</sup> NEW.

<sup>106</sup> Modification of title (“Publication of Ordinances”) of 1983 Charter section 3-9.

<sup>107</sup> Consistent with 1983 Charter section 3-9 (first sentence); includes the definition of “Public Notice” in lieu of the “publication” requirement.

<sup>108</sup> NEW.

<sup>109</sup> Derived from 1983 Charter section 3-9 (fourth sentence).

<sup>110</sup> Modification of 1983 Charter section 3-9 (fifth sentence) by adding “Statutory Resolution”.

<sup>111</sup> 1983 Charter section 3-10 (first paragraph, first sentence).

<sup>112</sup> Modification of 1983 Charter section 3-10 (first paragraph, second sentence) by reducing the requisite percentage of signatures to 15%. The provision pertaining to “final action” is in lieu of the following: “...the approval of an Ordinance or resolution by the Mayor, or passage by the Mayor’s failure to act, or passage by the Council after the Mayor’s disapproval, as provided in §3-8...”.

<sup>113</sup> 1983 Charter section 3-10 (first paragraph, third sentence).

<sup>114</sup> 1983 Charter section 3-10 (first paragraph, fourth sentence).

<sup>115</sup> 1983 Charter section 3-10 (second paragraph).

<sup>116</sup> 1983 Charter section 3-10 (third paragraph).

<sup>117</sup> Modification of 1983 Charter section 3-12. Establishes the principal of rotation of independent auditors and the concept of best practices.

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<sup>118</sup> See, Government Finance Officers Association (GFOA) reports entitled “Audit Procurement” (1996 and 2002).

<sup>119</sup><sup>119</sup> 1983 Charter section 3-13.

<sup>120</sup> NEW.

<sup>121</sup> (Amend. eff. 11-7-89; Amend. eff. 12-8-05; Amend. eff. 12-8-11; Amend. eff. 12-5-13). Legislative history—Sp. No. 352, §§ 15, 19, 1911; Sp. No. 434, §§ 35, 36, 1931; Sp. No. 489, § 21, 1939.

<sup>122</sup> (Amend. eff. 11-4-81; Amend. eff. 12-8-05) Legislative history—Sp. No. 352, § 25, 1911; Sp. No. 434, § 53, 1931; Sp. No. 489, § 22, 1939; Sp. No. 151, § 1, 1943.

<sup>123</sup> Legislative history—Sp. No. 352, § 26, 1911; Sp. No. 434, § 60, 1931; Sp. No. 489, § 23, 1939.

<sup>124</sup> Amended by referendum 10-1-1962; amended by referendum 10-5-1964; amended by referendum 4-30-1968; amended by referendum 11-5-1996; amended by referendum 11-4-2008].

<sup>125</sup> [Amended by referendum 4-30-1968]

<sup>126</sup> [Amended by referendum 4-30-1968; amended by referendum 11-3-1981; amended by referendum 11-5-1996]

<sup>127</sup> [Amended by referendum 4-30-1968; amended by referendum 11-7-1978; amended by referendum 11-4-2008]

<sup>128</sup> [Amended by referendum 10-5-1964; amended by referendum 11-7-1978]

<sup>129</sup> [Amended by referendum 4-30-1968]

<sup>130</sup> [Amended by referendum 4-30-1968]

<sup>131</sup> [Amended by Sp. Act, Jan. Sess., 1949, Sp. No. 475, Sec. 2, 25 C.S.A. 1193; amended by referendum, Ques. 7, 10-6-1958; amended by referendum 4-30-1968; amended by referendum 11-5-1991]

<sup>132</sup> [Amended by Sp. Act, Jan. Sess., 1949, Sp. No. 475, Sec. 3, 25 C.S.A. 1193; amended by referendum, Ques. 7, 10-6-1958; amended by referendum 4-30-1968; amended by referendum 11-7-1978; amended by referendum 11-5-1991]

<sup>133</sup><sup>133</sup> [Added by referendum 11-4-2003]

<sup>134</sup> Recodification of current Article V, §5.1 (2006). Derived from Article V, §5.1 of the 1997 Charter

<sup>135</sup> Recodification of current Article VI, §6.1.C (2006). Derived from Chapter IV, §3(a) and (c) of the 1947 Act and 1956 Act. Note: Subsection 3(b) of both Acts confers the authority of the Board of Sewer Commissioners upon the Board of Selectmen and the Department of Public Works as set forth under Special Act No. 222 (1929); see also, Chapter XXVI of the 1956 Special Act; Chapter IV, §3 and Chapter XXIV of the 1975 Charter; and, Article VI, §6.1.C of the 1997 Charter.

<sup>136</sup> Recodification of current Article VI, §6.1.C(2) (2006). Modification of Chapter IV, §4 of the 1947, 1956 Acts and 1975 Charter; see also, Article VI, §6.1C.ii of the 1997 Charter; and, Article VI, §6.1C.2 of the 2006 Charter. **Please note the Special Act authority to issue subpoenas.**

<sup>137</sup> Recodification of current Article VI, §6.1.B (2006). Derived from Chapter IV, §2 of the 1947 and 1956 Acts and 1975 Charter; and, Article VI, §6.1.B of the 1997 Charter.

<sup>138</sup> Derived from Chapter IV, §1 of the 1947 Act; further amended by §8 of the 1951 Act and affirmed by Chapter IV, §1 of the 1956 Act and the 1975 Charter; and, Article VI, §6.1.B of the 1997 Charter.

<sup>139</sup> Derived from Chapter IV, §2 of the 1947 Act and 1956 Act.

<sup>140</sup> Recodification of current Article VI, §6.1.D (2006) (first sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.

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<sup>141</sup> Recodification of current Article VI, §6.1.D (2006) (second sentence). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.D of the 1997 Charter.

<sup>142</sup> Recodification of current Article VI, §6.1.E (2006). Modification of Chapter XXIV, §3 of the 1947 and 1956 Act; Chapter XXVI, 1 of the 1975 Charter; and, Article VI, §6.1.E of the 1997 Charter.

<sup>143</sup> Recodification of current Article VI, §6.1.F (2006). Derived from Chapter IV, §6 of the 1975 Charter; and, Article VI, §6.1.F of the 1997 Charter.

<sup>144</sup> Recodification of current Article VI, §6.1.G (2006). Derived from Chapter II, 11 of the 1975 Charter and Article VI, §6.1.G of the 1997 Charter.

<sup>145</sup> Recodification of current Article VI, §6.2.A (2006). Derived from Article VI, §6.2A of the 1997 Charter.

<sup>146</sup> Recodification of current Article VI, §6.2.A(1) and (2) are derived from Chapter IV, §3(d) of the 1947 and 1956 Acts; Chapter IV, §4 of the 1975 Charter; and, Article VI, §6.2A(1) and (2) of the 1997 Charter.

<sup>147</sup> Recodification of current Article VI, §6.2.B (2006). Derived from Article VI, §6.2B of the 1997 Charter.

<sup>148</sup> Derived from Chapter IV, §3(d) of the 1947 and 1956 Acts.

<sup>149</sup> Recodification of current Article VI, §6.2.C (2006). Derived from Article VI, §6.2.C of the 1997 Charter.

<sup>150</sup> Recodification of current Article V, §5.2 (2006). Derived from Modification of Chapter II, §8 and Chapter IV, §5 of the 1947 Act and 1956 Act; Chapter II, §7 of the 1975 Charter and Article V, §5.2 of the 1997 Charter.

<sup>151</sup> Recodification of current Article V, §5.3 (2006). Derived from Modification of Chapter II, §9 of the 1947 Act and 1956 Act; Chapter II, §9 of the 1975 Charter and Article V, §5.3 of the 1997 Charter.

<sup>152</sup> Recodification of current Article V, §5.4 (2006). Chapter XXVI, §8 of the 1975 Charter; and, Article V, §5.4 of the 1997 Charter.

<sup>153</sup> 1983 Charter Chapter V.

<sup>154</sup> 1983 Charter section 5-1.

<sup>155</sup> “Department” includes the deled term “agencies”.

<sup>156</sup> “Officials” replaces “officers”.

<sup>157</sup> Modification of 1983 Charter section 5-2, by adding the word “Commissions”.

<sup>158</sup> Modification of 1983 Charter section 5-2 (first sentence) by replacing “supervise” with “oversee”.

<sup>159</sup> Modification of 1983 Charter section 5-2 (second sentence).

<sup>160</sup> Modification of 1983 Charter section 5-2 (third sentence).

<sup>161</sup> NEW.

<sup>162</sup> Modification of 1983 Charter section 5-2 (fourth sentence) by modifying the threshold amount and adding the following: “...The Legislative Council is authorized to modify the threshold based upon the consumer price index or other like measure indexed for inflation”. In addition, the provision makes it clear that the authority is over contracts exempted from the competitive procurement and solicitation requirements of the Charter, in lieu of the language “...that were **negotiated** contract for services with a value over....”. It also deletes the following language “...at least sixty (60) Days prior to the effective date of the proposed contract”.

<sup>163</sup> Modification of 1983 Charter section 15-4 (third sentence), to include all contracts and reduce the time-frame to 12 months. Moreover, the vote should be by majority in lieu of “...two-thirds (2/3<sup>ds</sup>) of the Council present and voting”.

<sup>164</sup> “Mayoral appointees” replaces “...such officers and employees...”.

<sup>165</sup> Modification of 1983 Charter section 5-3 (first sentence) by deleting the following “...as an Ordinance of the Council consistent with this Charter may provide” and replacing with “...set forth in this Charter”.

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<sup>166</sup> NEW.

<sup>167</sup> Modification of 1983 Charter section 5-3 (second sentence).

<sup>168</sup> Modification of 1983 Charter section 5-3 (third sentence) by repealing the following clause: "...provided in case the Director of Finance is absent or unable to act, the Mayor may countersign checks".

<sup>169</sup> Modification of 1983 Charter section 5-3 (fourth sentence) by adding the opening clause and the second sentence.

<sup>170</sup> Modification of 1983 Charter section 5-5 by adding the following: "In addition to the requirement set forth in §7-1.L of this Charter, the Town Clerk shall publish such notice on the Town web-site, in a conspicuous location available to the public in the office of such Town Clerk and, if practicable, in a newspaper available to residents of the Town".

<sup>171</sup> See, C.G.S. §7-193(b).

<sup>172</sup> Modification of 1983 Charter section 5-5 (first sentence).

<sup>173</sup> NEW.

<sup>174</sup> Modification of 1983 Charter section 5-5 (second sentence).

<sup>175</sup> Modification of 1983 Charter section 5-5 (third sentence).

<sup>176</sup> Modification of 1983 Charter section 5-5 (fourth sentence).

<sup>177</sup> See, C.G.S. §7-521 entitled "Local Emergency Relief Advisory Committee established".

<sup>178</sup> NEW.

<sup>179</sup> See, C.G.S. §28-9 entitled "Civil preparedness emergency; Governor's powers. Modification or suspension of statutes, regulations or other requirements".

<sup>180</sup> See, C.G.S. Sec. 7-148(c)(2)(D).

<sup>181</sup> NEW.

<sup>182</sup> NEW.

<sup>183</sup> See, C.G.S. Sec. 7-148(c)(2)(D), as follows: "Make appropriations for the purpose of meeting a public emergency threatening the lives, health or property of citizens, provided such appropriations shall require a favorable vote of at least two-thirds of the entire membership of the legislative body or, when the legislative body is the town meeting, at least two-thirds of those present and voting".

<sup>184</sup> NEW.

<sup>185</sup> Modification of 1983 Charter section 3-7 (second sentence).

<sup>186</sup> NEW.

<sup>187</sup> NEW.

<sup>188</sup> In lieu of 1983 Charter sections 3-8 (sixth sentence) and 3-9 (third sentence).

<sup>189</sup> Consistent with 1983 Charter section 3-9 (third sentence).

<sup>190</sup> Consistent with 1983 Charter section 3-9 (fourth sentence); 45<sup>th</sup> day in lieu of 61<sup>st</sup> day.

<sup>191</sup> (Amend. eff. 12-2-10; Amend. eff. 12-8-11; Amend. eff. 12-5-13; Amend. eff. 12-5-19)

Legislative history—Sp. No. 352, §§ 16—18, 1911; Sp. No. 434, §§ 29, 30, 1931; Sp. No. 489, § 16, 1939.

<sup>192</sup><sup>192</sup> **[Amended by referendum 11-4-2003]**

<sup>193</sup> [Amended by referendum 10-5-1964]

<sup>194</sup> Amended by Sp. Act, Jan. Sess., 1949, Sp. No. 475, Sec. 4, 25 C.S.A. 1194, effective 7-1-1949; amended by referendum 10-1-1962; amended

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by referendum 10-5-1964; amended by referendum 11-5-1991]

<sup>195</sup> **Editor's Note: See now C.G.S. §§ 17b-125 and 17**