#### I – BUDGET PROCEDURE

#### ARTICLE X - BUDGET PROCEDURE AND RELATED MATTERS [S1]

#### §10.1. Date of annual budget meeting<sup>1</sup>.

The RTM shall hold the annual budget meeting on the first Monday in May of each year. ("RTM Annual Budget Meeting [S2]").

#### §10.2. Review and recommendation by Board of Selectmen<sup>2</sup>.

- A. Submission of General Fund and Capital budgets to Selectmen<sup>3</sup>. All Town officers, boards, commissions, authorities, and departments of the Town entrusted with the expenditure of Town funds, including the Board of Education, shall submit to the First Selectman the items and described of their respective general fund and capital budgets for the next fiscal year, on such forms and in a manner prescribed by the Board of Finance [S3] ("Budget Estimates"). These Budget Estimates shall be submitted on or prior to a date designated by the First Selectman, which date shall be early enough for the Board of Selectmen to review, revise, compile and submit its recommendations to the Board of Finance as set forth in Section 12.28 10.2.8 of this Charter [S4].
- B. Recommendations to Board of Finance<sup>4</sup>. The First Selectman shall review the <a href="budgetsBudget Estimates">budgetsBudget Estimates</a> of all Town officers, boards, commissions, authorities, and departments of the Town required to submit <a href="budgetssuch information">budgetssuch information</a>, and shall submit the budgets with recommendations to the Board of Selectmen [S5]. The Selectmen shall make recommendations to the Board of Finance regarding each budget reviewed by them. The recommendations of the Selectmen shall be submitted to the Board of Finance not later than two (2) months before the annual budget meeting. RTM Annual Budget Meeting [S6] ("Proposed Executive Budget [S7]").
- C. Variation of procedure<sup>5</sup>. The Board of Selectmen, with the approval of the Board of Finance, may modify and vary the budget submission process in the interest of efficiency or in the event of special circumstances.

<sup>&</sup>lt;sup>1</sup>—Recodification 2022 modification and recodification of current Article XII, §12.1 (2006). Derived from Article XII, §12.1 of the 1997 Charter; and, Chapter III, §6 (second sentence) and Chapter XVII, §4 of the 1947 and 1956 Acts and 1975 Charter.

<sup>&</sup>lt;sup>2</sup> Recodification of current Article XII, §12.2 (2006). Derived from Article XII, §12.2 of the 1997 Charter.

<sup>&</sup>lt;sup>3</sup> 2022 modification and recodification of current Article XII, §12.2,A (2006). Derived from Article XII, §12.2 of the 1997 Charter.

<sup>&</sup>lt;sup>4</sup> 2022 modification and recodification of current Article XII, §12.2.B (2006). Derived from Article XII, §12.2 of the 1997 Charter.

<sup>&</sup>lt;sup>5</sup> Recodification of current Article XII, §12.2.C (2006). Derived from Article XII, §12.2 of the 1997 Charter.

- §10.3. Review and recommendation by Board of Finance<sup>6</sup>.
- A. Submission of budgets to Board of Finance. Each budget[S8] shall be in the form, and shall contain the details, required by the Board of Finance from time to time.
- **B.** Public hearing by Board of Finance<sup>8</sup>. The Board of Finance shall hold a public hearing on the <u>budgetProposed Executive Budget</u> during the month of March in each year.
- C. Publication of final budget Board of Finance Revised Budget [S9]<sup>9</sup>. After the public hearing referred to in Paragraph B, the Board of Finance shall hold a public meeting not later than one (1) month before the annual budget meeting RTM Annual Budget Meeting at which it shall consider all matters relating to the budget Proposed Executive Budget and shall publish the final budget provide public notice by publication as set forth in a newspaper Section 1.4.C(\_) of general circulation in the Townthis Charter not later than five (5) days before the annual budget meeting RTM Annual Budget Meeting [S10].

NOTE: DEFINED TERM "PUBLIC NOTICE" OR "PUBLICATION" IN ARTICLE I, SEC. 1.4.C<sup>10</sup>: "Public Notice" or "Publication" means a notice for matters other than public meetings or hearings, including the public inspection or availability of any documents or data, as may be required by this Charter or the General Statutes. In the event the requirement of the Charter is more stringent than the requirements of the General Statutes, the provisions of the Charter shall apply. Said Public Notice shall be specifically set forth in this Charter or may be governed by the requirements of the General Statutes. Public Notice shall be posted (1) in the Office of the Town Clerk and, in the discretion of the Town Clerk, any other public space or location in the Town Hall or any other public building, including the public; (2) on the Town web-site or through other electronic media by the Town Clerk; and, (3) only if required by Law, by publication in a daily newspaper of general circulation distributed in the Town.

**D.** Recommendations to RTM<sup>11</sup>. The Board of Finance shall make its <u>budget</u> recommendations <u>regarding the budget</u> to the RTM <u>for consideration</u> at the <u>annual budget</u> <u>meeting.RTM Annual Budget Meeting[S11]</u> ("Proposed Town Budget").

<sup>&</sup>lt;sup>6</sup> Recodification of current Article XII, §12.3 (2006). Derived from Article XII, §12.3 of the 1997 Charter.

<sup>&</sup>lt;sup>7</sup> Recodification of current Article XII, §12.3.A (2006). Derived from Article XII, §12.3 of the 1997 Charter.

<sup>&</sup>lt;sup>8</sup> 2022 modification and recodification of current Article XII, §12.3.B (2006). Derived from Article XII, §12.3 of the 1997 Charter.

<sup>&</sup>lt;sup>9</sup> 2022 modification and recodification of current Article XII, §12.3.C (2006). Derived from Article XII, §12.3 of the 1997 Charter.

<sup>&</sup>lt;sup>10</sup> NEW (2022)

<sup>11 2022</sup> modification and recodification of current Article XII, §12.3.D (2006). Derived from Article XII, §12.3 of the 1997 Charter.

E. Determination of property tax rate<sup>12</sup>. After the annual budget meeting RTM Annual Budget Meeting and receipt of the report on the grand list from the Board of Assessment Appeals, the Board of Finance shall determine the rate of property tax for the next fiscal year.

## §10.4. Review and determination by the RTM<sup>43</sup>: Approved Annual Town Budget<sup>14</sup>[S12].

The RTM may hold meetings to review the <u>budgetProposed Town Budget</u> as it determines necessary before the <u>annual budget meeting.</u>RTM <u>Annual Budget Meeting.</u> At <u>the annual budgetsaid</u> meeting, the RTM shall determine <u>and approve</u> the annual appropriations for the next fiscal year. ("Approved Annual Town Budget").:

#### §10.5. Effect of referendum on the budget<sup>15</sup>.

Any item in the <u>budgetApproved Annual Town Budget</u> referred to a referendum vote as provided in Article III, §3.7 XIIIXI of this Charter and disapproved shall be amended to accord with such vote. In the event of a referendum affecting any item contained in the annual Town budget, the time within which the Board of Finance shall determine the Town tax for the year following such appropriation shall be extended to five (5) days after the referendum vote.

#### §10.6. Appeals from the Board of Finance<sup>46</sup>.

- A. Appeals to RTM<sup>17</sup>. Any Town officer, board, commission, authority, committee or department of the Town may appeal to the RTM from a vote of the Board of Finance to recommend a reduction in the amount of any request by thesaid Town officer, board, commission, authority, committee, or department for an appropriation of Town funds as part of the annual budget process or at another time in the fiscal year, or for a budget transfer. The Town officer, board, commission, authority, committee, or department may appeal to restore the entire amount originally requested or any part of such amount specified in the appeal.
- B. Method of appeal 18. The appeal shall be made in writing and shall be filed with the Town Clerk within ten (10) days after written notice of the vote of the Board of Finance shall have been received by the Town officer, board, commission, authority,

<sup>12 2022</sup> modification and recodification of current Article XII, §12.3.E (2006). Derived from Article XII, §12.3 of the 1997 Charter.

<sup>&</sup>lt;sup>13</sup> Recodification of current Article XII, §12.4 (2006). Derived from Article XII, §12.4 of the 1997 Charter.

<sup>&</sup>lt;sup>14</sup> 2022 modification and recodification of current Article XII, §12.4 (2006). Derived from Article XII, §12.4 of the 1997 Charter.

<sup>&</sup>lt;sup>15</sup>—Recodification 2022 modification and recodification of current Article XII, §12.5 (2006). Derived from Article XII, §12.5 of the 1997 Charter.

<sup>&</sup>lt;sup>46</sup> Recodification of current Article XII, §12.6 (2006). Derived from Article XII, §12.6 of the 1997 Charter.

<sup>17 2022</sup> modification and recodification of current Article XII, §12.6.A (2006). Derived from Article XII, §12.6 of the 1997 Charter.

<sup>&</sup>lt;sup>18</sup> Recodification of current Article XII, §12.6.B (2006). Derived from Article XII, §12.6 of the 1997 Charter.

committee or department making the appeal.

- C. RTM hearing<sup>19</sup>. Not later than the annual budget meetingdate of the RTM Annual Budget Meeting if the appeal is from a budget request, or the next regular meeting of the RTM after receiving an appeal from a vote of the Board of Finance in any other case, the RTM shall:
  - (1) Hold a hearing on such appeal, at which both the Board of Finance and the appellant shall be entitled to be heard;
  - (2) At the conclusion of the hearing, put the question of sustaining the appeal to a vote.
- **D. Vote necessary to sustain appeal**<sup>20</sup>**.** If two-thirds or more of the total number\_of RTM members present and voting at such meeting shall vote to sustain the appeal, the requested appropriation or transfer shall be made without the recommendation of the Board of Finance, subject, with respect to the appropriation, to referendum as provided in this Charter.

## §10.7. Expenditure in excess of appropriation forbidden<sup>21</sup>.

No Town officer, board, commission, authority, committee, or department shall expend any sum for any purpose in excess of the amount appropriated by the Town for such purpose unless such expenditure shall first be approved, and appropriate transfers in the budget made, by the Board of Finance.

## §10.8. Purchasing authority<sup>22</sup>.

The First Selectman and the Purchasing Agent, acting in conjunction, shall be the general purchasing authority of the Town. All supplies, materials, equipment, other commodities, contracts for public works or services, other than professional services, required by any department, office, agency, board, authority, or commission of the Town, including the Board of Education, shall be purchased by the purchasing authority on a requisition, in such form as the Selectmen may prescribe, signed by the head of the department, office, agency, or chairman of the authority, board, commission or committee. No purchase order shall be issued without the signature of the Purchasing Agent or, in the Purchasing Agent's absence, of the First Selectman.

<sup>&</sup>lt;sup>19</sup> 2022 modification and recodification of current Article XII, §12.6.C (2006). Derived from Article XII, §12.6 of the 1997 Charter.

<sup>&</sup>lt;sup>20</sup> 2022 modification and recodification of current Article XII, §12.6.C (2006). Derived from Article XII, §12.6 of the 1997 Charter.

<sup>&</sup>lt;sup>21</sup> Recodification of current Article XII, §12.7 (2006). Derived from Article XII, §12.7 of the 1997 Charter.

<sup>&</sup>lt;sup>22</sup> Recodification of current Article XII, §12.8 (2006). Derived from Chapter XXI of the 1947 Act; and further amended by §20 of the 1951 Act and affirmed by Chapter XXI of the 1956 Act and Chapter XVIII of the 1975 Charter. Derived from Article XII, §12.8 of the 1997 Charter.

#### §10.9. Bidding, requisition, and payment procedures<sup>23</sup>.

The Board of Finance shall establish and may amend from time to time procedures and guidelines for bidding on purchases and contracts by the Town as well as procedures for departmental requisition and for payments.

#### **ARTICLE III - LEGISLATIVE BRANCH**

#### §3.6. Appeals from the Board of Finance<sup>24</sup>.

The RTM shall have the power to hear and determine appeals from decisions of the Board of Finance as provided in Section 4210.6 of this Charter.

#### **ARTICLE VI - ELECTED BOARDS AND COMMISSIONS**

#### §6.3. Board of Finance.

- **A.** Composition<sup>25</sup>. The Board of Finance shall consist of nine (9) voting members, no more than six (6) of whom shall be registered with the same political party, and the Boardof Selectmen and the Fiscal Officer, ex officio, without vote.
- **B.** Powers and duties<sup>26</sup>. The Board of Finance shall appoint the outside auditors and shall have all of the powers and duties conferred by this Charter, by ordinance, and upon boards of finance generally by Chapter 106 of the General Statutes.
- **C.** Clerk of the Board of Finance<sup>27</sup>. The Board of Finance shall appoint a clerk and fix the clerk's salary. The clerk shall hold office at the pleasure of the Board of Finance. The clerk may be part time. The clerk shall:
  - (1) Keep minutes of Board meetings and be the custodian of its books, papers, and data relating to the conduct of its business;
  - (2) Be a certified or a licensed public accountant or otherwise have experience in the financial field; and
    - (3) Have the right to call upon all Town departments, boards,

<sup>&</sup>lt;sup>23</sup> Recodification of current Article XII, §12.9 (2006). Derived from Chapter XVIII, §4 and §5 of the 1975 Charter and Article XII, §12.9 of the 1997 Charter.

<sup>&</sup>lt;sup>24</sup> Recodification 2022 modification and 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>&</sup>lt;sup>25</sup> Recodification of current Article VIII, §8.3.A (2006). Derived from Chapter XVII, §1 of the 1947 and 1956 Acts and the 1975 Charter; and, Article VIII, §8.3.A of the 1997 Charter.

<sup>&</sup>lt;sup>26</sup> Recodification of current Article VIII, §8.3.B (2006). Derived from Article VIII, §8.3.B of the 1997 Charter.

<sup>&</sup>lt;sup>27</sup> Recodification of current Article VIII, §8.3.C (2006). Modification of Chapter XVII, §3 of the 1947 and 1956 Acts and the 1975 Charter; and Article VIII, §8.3.C of the 1997 Charter.

commissions, committees, authorities, and officers for such information as the clerk may reasonably require in connection with the duties of the clerk and responsibilities of the Board of Finance.

- D. Assessment system <sup>28</sup>[S13]. The Board of Finance shall install monitor and shall modernize from time to time a system by which equitable and just values of taxable property within oversee the Town may be ascertained. The system shall provide, among other things, for administration of and technology associated with the collection of data relating to each parcel of land and to each buildingwithin assessment system in the Town and fortown, in accordance with the arrangement of such data in convenient and practical form for provisions of the use of General Statutes pertaining to the Assessor method assessment. The system may provide for the preparation and upkeep of tax maps and land maps, in the discretion of the Board of Finance.
- **E. Approval of budgets**<sup>29</sup>**.** The Board of Finance shall approve the Town budget in the manner set forth in Article XII of this Charter.

## II - MISCELLANEOUS

[S14]

#### §2.5. Vacancies in elected offices.

- A. **Generally**<sup>30</sup>. Except as provided in **Section 6.3 of this Charter** with respect to the Board of Selectmen, **Section 2.6.G with respect to the RTM**, and as otherwise directed by statute, a vacancy in any elected Town office<sup>31</sup>, including membership on elected boards and commissions, shall be filled by the Board of Selectmen until the vacancy can be filled by election, as follows:
  - (1) The vacancy shall be filled at the next Town election if the vacancy occurs prior to the time in which nominations can be made under Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.). If the vacancy occurs after such time, it may be filled at the next general election for which nominations can be timely made, or at a special election if convened by the Board of Selectmen or upon application by electors as provided in Chapter 146 of the General Statutes (C.G.S. § 9-164 et seq.).
    - (2) Vacancies shall be filled for a term ending at the same time the

<sup>&</sup>lt;sup>28</sup> 2022 Modification and Recodification of current Article VIII, §8.3.D (2006). Modification of Chapter XXII of the 1947 and 1956 Acts and Chapter XXIII of the 1975 Charter, which ratified Special Act No. 511 (1935); Special Act No. 270 (1939); and, Special Act No. 367 (1941); and, Article VIII, §8.3.D of the 1997 Charter. <sup>29</sup> Recodification of current Article VIII, §8.3.E (2006). Modification of Chapter XVII, §4 of the 1947 and 1956 Acts and the 1975 Charter; and, Derived from Article VIII, §8.3.E of the 1997 Charter.

<sup>&</sup>lt;sup>30</sup> Recodification of current Article II, §2.5. Derived from Chapter II, §7 of the 1947 Act; further amended by §4 of the 1951 Act and Chapter II, §7 of the 1956 Act; Chapter II, §6 and Article II, 2.5 of the 1997 and 2006 Charters.

<sup>&</sup>lt;sup>31</sup> Recodification of current Article VII, 7.1.H

#### vacating member's term would have expired.

- If the person vacating the office was elected as a member of a political party, the vacancy shall be filled during the period of appointment from the membership of the same political party.
- Long-term illness or disability of First Selectman<sup>32</sup>. In addition to the B. death or resignation of the First Selectman, a vacancy shall exist in the office of First Selectmanif the First Selectman is unable to carry out the duties of office for a period of four (4) consecutive months, as certified at the end of that period by the remaining Selectmen to the Town Clerk. The vacancy shall exist from the date of such certification.
- Method of filling vacancies on the Board of Selectmen<sup>33</sup>. At any time a vacancy occurs on the Board of Selectmen, including First Selectman, a replacement, who shall be registered with the same political party as the person vacating the office, shall be designated by the remaining Selectmen. If the Selectmen designate one (1) of themselves to fill the vacancy, they shall designate another elector to fill the vacancy of Selectman so created. If the vacancy is not filled within thirty (30) days, the vacancy shall be filled in accordance with the procedure set forth in Chapter 146 of the General Statutes for filling vacancies in the office of selectman.
- Resigning from elected office<sup>34</sup>. Any elected Town official, except the D. Town Clerk, may resign by submitting a written notice of resignation to the Town Clerk. The Town Clerk may resign by submitting a written notice of resignation to the Board of Selectmen. The resignation shall become effective on the date specified in the notice of resignation or, if no date is specified, onthe date the notice of resignation is submitted.

#### Resignation and vacancies on the RTM<sup>35</sup>. E.

- Any member may resign by filing a written notice of resignation with the Town Clerk and such resignation shall take effect upon the date specified in the notice or, if none is specified, upon the date of filing.
- Any vacancy in the office of RTM member from whatever cause **(2)** arising shall be filled for the unexpired portion of the term at a special meeting of the members of the district in which the vacancy occurs, called for that purpose by the Town Clerk within thirty (30) days after the vacancy occurs.
- If the person previously occupying the office which is vacant was elected as a nominee of a political party, the vacancy shall be filled by a person

<sup>&</sup>lt;sup>32</sup> Recodification of current Article VI, §6.3.A (2006). Derived from Article VI, §6.3.A of the 1997 Charter.

<sup>&</sup>lt;sup>33</sup> Recodification of current Article VI, §6.3.B (2006). Derived from Article VI, §6.3.B of the 1997 Charter. See also, Cook-Littman v. Board of Selectmen of the Town of Fairfield, 328 Conn. 758,778 (Conn. 2018) in which the Court held that this provision took precedence over the provisions of C.G.S. §9-222.

<sup>&</sup>lt;sup>34</sup> Recodification of current Article II, §2.4 (2006).

<sup>35</sup> Recodification of current Article II, §2.6.G (2006). Derived from Chapter III, §7 of the 1947 and 1956 Acts and the 1975 Charter; and, Article II, §2.6.G of the 1997 Charter.

registeredwith the same political party.

- (4) The Town Clerk shall cause notice of the meeting to be delivered to each member not less than three (3) days before the time set for the meeting.
- (5) Such meeting shall elect its own chairman and clerk and shall vote by ballot. The election of a member as chairman or clerk shall not disqualify the member from voting.
- **(6)** A majority of the remaining members from such district shall constitute a quorum, and a majority vote of those present shall elect.
- (7) Each of the remaining members, including the chairman and clerk of the meeting, shall have one (1) vote.
- (8) If for any reason such vacancy is not filled within a thirty-day (30) period, the Town Clerk shall report such vacancy to the Moderator and the matter of filling such vacancy shall be placed on the call of the next regular RTM meeting.
- (9) A majority vote of members of the RTM present and voting on such vacancy shall elect.
- (10) The successful candidate shall be deemed a duly qualified member for the remainder of the unexpired portion of the term upon filing with the Town Clerk a certificate of his election signed by the chairman of such special meeting of the district orby the Moderator of the RTM.

# Meeting Topic I: Budget<sub>[S1]</sub> (Speakers: Finance Officials, Selectmen, Board of Finance, RTM Leadership)

Article IV: Legislative Branch Article X: Specific Permanent Appointed Boards, Authorities, Commissions and Departments	<ul> <li>§4.6 - Budget Appeals: Apply to all - FS, BOS/Exec, not just BOF. What is the rationale for legislative body appeals only applicable to BOF?</li> <li>Cooperation Provision[s2]. Department updates: the Town Charter should prioritize information exchange, transparency and accountability by mandating biannual reports to each Commission or supervising entity on the status and trends of program and issues managed by said departments</li> </ul>
Article XII[S3]: Budget Procedure and Related Matters	<ul> <li>The Charter should mandate Joint Meetings of the Board of Selectman and Board of Finance in order to reduce duplication and ambiguity in the process.</li> <li>Increase amount required to solicit 3 bids (currently 3 K, maybe 5K or 10 K?) and increase amount for contract bidding. (I think the State is 50K), even 25K or 30K may reduce tight project or grant schedules/workload. Confirm Purchasing can honor State DAS procurement –for low bid, quality Based selections, etc. as well as regional COGs or Other municipalities.</li> <li>§12.1.C. Budget process should be streamlined and protocols and procedures firmly established in order to assure oversight and clarity. Moreover, Department Heads spend too much time on duplicative meeting processes when they should be focusing on the business of operating their departments. All departments should be included in a very defined and organized budget process with a clear delineation of requirements and time-lines.</li> <li>§12.3 – Publication of Final Budget. This provision requires the publication of the budget in the newspaper. The entire budget is too large to publish and the Town has been unable to comply with the requirement. The CFO recommends updating this to require electronic publication of the budget on the Town website.</li> <li>§12.8 – Purchasing Authority. Should this provision be moved to Purchasing Agent provision?         <ul> <li>Board of Education Purchasing Authority. BoE should be given an official avenue to review/adopt town purchasing policy for FPS purchases or allow FPS to act as its own purchasing authority. School district has some unique expenditures that might require a different policy than those used for municipal services. Need more collaboration on this."</li> </ul> </li> <li>§12.9 –Should this provision be moved to Board of Finance? NOTE: §12.9. – "Bidding" could be replaced by new language such as "procurement practices." Re: The role of the Board of</li> </ul>

Finance in amending procedures and guidelines

## **Drafting or Research: Organization of Charter**

Editorial Issues [54]	<ul> <li>Charter should be user friendly:         <ul> <li>More accessible to citizens</li> <li>Gender neutrality</li> <li>Cross reference and indexing</li> <li>Glossary/Definitions.</li> </ul> </li> <li>Organizational cohesion: National Civil League Model City Charter as a guide.</li> <li>All cross-references to C.G.S. should be checked and updated to reduce ambiguity</li> <li>§1.3.B - Review defined terms to make sure there is consistency where required.</li> <li>§1.4 - Review and bring up-to-date with any changes in Articles VIII, IX + X.</li> </ul> <li>Note from Counsel: Combine Articles V, VI and VII to consolidate executive officials and functions.</li>
Editorial Issues	<ul> <li>Review conflicts in charter and code with regard to pensions and retirement.</li> <li>Review Code of Ordinances to determine whether any matters should be elevated to Charter status.</li> </ul>
Article X[SS]: Specific Permanent Appointed Boards, Authorities, Commissions and Departments	Alignment and Accountability. Boards, commissions and departments should be properly aligned and accountable to the public and officials.

## **Meeting Topic II: Town Governance**

- A. Keynotes: Forms of Government and TransitionsB. Public Comment on Forms
- C. Representatives of Mayor/Council; Council/Manager; and, RTM
- **D.** CRC Deliberations and Action

Substantive Due Diligence			
Article II:	•	§2.6.A(3) - Size of RTM (Note: Shou	ald be considered in context of broader context of the form

Elected Officials and Elections	of government review). Should there be a fixed number set by Charter or flexibility by allowing establishment by Ordinance?
Article IV: Legislative Branch	<ul> <li>Define the role of the Board of Selectmen, Board of Finance, RTM and Board of Education</li> <li>§4.1 - RTM: (a) role; (b) size; (c) single or multi-member districts or hybrid; (d) representative legislative body or town meeting; (e)</li> </ul>
Article V: Executive Branch	<ul> <li>Define the role of the Board of Selectmen, Board of Finance, RTM and Board of Education</li> <li>§5.1 – Composition: Retain the current form of government (Selectman/RTM) or move to other form (Mayor/Council or Council/Manager)</li> </ul>
Article VI: Board of Selectmen and First Selectman	<ul> <li>Define the role of the Board of Selectmen, Board of Finance, RTM and Board of Education</li> <li>§9.1. First Selectman's office should be properly staffed, including Chief of Staff and Chief Administrative Officer</li> </ul>
	<ul> <li>Charter should include (a) a system of checks and balances to replace an antiquated and inefficient system. The government should be more agile with a clear line of authority and oversight; (b) a reduction of the politics inherent in the current system by considering different forms of accountable government, including town council and Town Manager; although retain the values inherent in an RTM; (c) introduce the concept of oversight and accountability by eliminating superfluous language and powers in the charter; (d) too few/too many/none at all, in other words, is there a role for the Board of Selectmen going forward?</li> <li>Board of Selectmen should make board and commission appointments, which should be subject to term limitations</li> </ul>
Article VIII: Elected Boards and Commissions	<ul> <li>Define the role of the Board of Selectmen, Board of Finance, RTM and Board of Education</li> <li>§8.2 – Board of Education: (a) four-year or six-year term; (b) application of minority party representation provision; (c) is the current stagger working?</li> </ul>
Article IX: Appointed Officers	<ul> <li>Appointment and Standard Terms for Department Heads? Should there be a standard appointment and approval proves for Department Heads? Appointment role of:         <ul> <li>First Selectman/woman: Town Attorney (§9.3); Assistant Town Attorney (§9.4), Fiscal Office and Controller (§9.5); Town Treasurer (§9.6); Director of Public Works (§9.7); Building Official (§9.8); Purchasing Agent (§9.9); Director of Human and Social Services (§9.10); Director of Parks and Recreation (§9.11); Director of Community and Economic Development (§9.12) (§9.2 and §1.4.A)</li> <li>Board of Selectman: Internal Auditor (§9.15); Assessor (§9.16) and Tax Collector (§9.17) unionized? serve a term under state statute? (§9.14 and §1.4.B(2))</li> </ul> </li> </ul>

T
<ul> <li>Board of Health with approval of 1<sup>st</sup> Selectman → Director of Health (§9.20.A)<sup>1</sup></li> </ul>
<ul> <li>Police Commission with approval of 1<sup>st</sup> Selectman → Chief of Police (§9.21.A)</li> </ul>
<ul> <li>Police Commission → Animal Control Officer (§9.24.A)</li> </ul>
<ul> <li>Fire Commission with approval of 1<sup>st</sup> Selectman → Fire Chief (§9.22.A)</li> </ul>
<ul> <li>Town Plan and Zoning Commission with approval of 1<sup>st</sup> Selectman → Planning Director (§9.23.A)</li> </ul>
<ul> <li>Conservation Commission with approval of 1<sup>st</sup> Selectman → Conservation Director (§9.25.A)</li> </ul>
<ul> <li>Board of Library Trustees with approval of the 1<sup>st</sup> Selectman → Town Librarian (§9.26.A)</li> </ul>
Appointing Authority.
o First Selectman/woman: Conservation Commission and Alternates, including Inland
Wetlands (§10.3) (§10.2 and §1.4.B(1). Should this be a Board of Selectmen appointment?
o Board of Selectman: Police Commission (§10.5); Fire Commission (§10.16); Police and fire
Retirement Board (§10.7); Board of Health (§10.9), Parks and Recreation Commission
(§10.10); Flood and Erosion Control Board (§10.12); Water Pollution Control Authority
(§10.13); Historic District Commission (§10.14); Ethics Commission (§10.15); Human
Services Commission (§10.16); Board of Library Trustees (§10.17); Golf Commission
(§10.18) (§10.4 and §1.4.B(2))
_

## **Drafting or Research: Legislative and Executive Issues**

Article IV:	§4.2.B – Judge of Qualifications: What does this mean in practice?	
Legislative Branch	Town Clerk Issues:	
	o §4.3.D - Meetings: 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	
	bepublished at least five days before the meeting.	
	<ul> <li>§4.5 – Ordinances: The Town Clerk shall cause any action of the RTM adopting,</li> </ul>	
	amending, or repealing an ordinance to be published in proper summary form within	
	one week after the adjournment of the meeting at which such action was taken.	
	§4.5 – Eliminate <b>newspaper publication</b> requirement.	

<sup>1</sup> There is a split of authority. With respect to the Director of Health, Chief of Police, Fire Chief, Planning Director, Conservation Director and Town Librarian the 1<sup>st</sup> Selectman has supervisory functions on matters of administration and operation while the Board or Commission have supervisory function on "matters of policy."

Article V:	§5.3 – Official Bonds: Is this necessary? (Note: Check with CIRMA)
Executive Branch	§5.4 – Regulations: "Publication" issue.
Article VI:	§6.3.B. Vacancies on the BoS: Review.
Board of Selectmen and First Selectman	§6.1.C(1). Board of Selectmen Approval of Contracts: Review and consider an updated standard
Article VIII: Elected Boards and Commissions	<ul> <li>Elected Boards: (a) Education; (b) Finance; (c) Board of Assessment Appeals; (d) Town Plan and Zoning Commission; and, (e) Zoning Board of Appeals</li> <li>§8.3.A - Number of Board of Finance Members. There's probably a logical explanation for this, but why do we have nine (9) Board of Finance members when statute only calls for six (6) members?</li> <li>§8.3.D - Installation of Assessment System by Board of Finance. Assessor recommends repeal of this provision: "It seems odd that the BOF would be involved in selecting an assessment system. I would imagine this was from when assessment systems were first coming into being and the office may not have had the technical skill to evaluate a system." There should be clarification of the role of the Board of Finance in the assessment system and process as well as the role in the hiring of the Internal auditor.</li> </ul>

## Meeting Topic III: Miscellaneous Issues Part A[56]

Article I:	§1.3.B and §1.4. See, Editorial Issues, above
Incorporation,	• §1.4.A – Constables. Examine Probate Court function and whether to retain in charter as elected
General Powers and	officials. See, C.G.S. §52-50 and §7-89.
Organizations	See Article IX and align offices, terms and appointments accordingly)
Article II: Elected Officials and Elections	<ul> <li>§2.2 and §3.2 – Minority Party Representation (including §2.3.C – Board of Education): Should there be a consistent standard utilizing the state statutory standard, a stricter standard or retain the current mélange of standards? (Note: Presumably based upon the Special Act standard)</li> <li>§2.3.D – Commencement of Terms of Elected Officials and the RTM. Does this section require clarification?</li> <li>§2.4, §2.5, §2.6.G and 6.3.B - Resignations and Vacancies. Should there be alignment of a common standard for all appointive and elective positions (including Board of Education)?</li> </ul>
Article II: Elected Officials and	• §2.6 – <b>Voting Districts and Redistricting.</b> (1) Should the number of districts be determined by Charter or Ordinance? (2) Should the Charter include a Reapportionment commission that
Elections	avoids partisan deadlock?

	• Follow State or Local Special Act (if applicable) Standard?: Nominations (2.6.C); Moderator Notice of Election (2.6.D(4); Procedures for tied elections (2.6.F)
Article III:	• §3.1.A - Eliminate "elector" requirement and six-month waiting period for the Police and Fire
Appointed Officers	<b>Chief:</b> See, 9.21 and 9.22.
and Permanent	• §3.2, §2.2 and §2.3.C – Minority representation: Should be compliant with General Statutes.
Boards and Commissions in general	• §3.6 – <b>Removal from Office for Cause:</b> Should there be delineated standards for removal? Should there be clarification re – standards for "classified employees," "union members" and others pertaining to employment status, merit system and CBAs?
Article VII:	• §7.1.B(3) – Should the Town Treasurer (appointed) position be eliminated[57]?
<b>Elected Officers</b>	• §7.2 – Justices of the Peace and Town Constable: Should Charter set the number[58]?

## Drafting or Research: Non-partisan Elections and Term Limits for Elected Officials[59]

Article IV: Legislative Branch	Non-partisan RTM elections <sup>2</sup> : No express grant of authority.
Article VII:	Term Limits for elected officials: No Express Grant of Authority.
Elected Officers	

## **Meeting Topic IV: Department Issues**

## (Speakers: Police and Fire Chief; Conservation Directors; Tax Collector

Article III: Appointed Officers and Permanent Boards and Commissions in general	<ul> <li>§3.1.A - Eliminate "elector" requirement and six-month waiting period for the Police and Fire Chief: See, 9.21 and 9.22[s10].</li> <li>§3.3 and §3.4 – Terms of Office of Appointed Officers, including Board and Commission members.</li> </ul>
Article IX: Appointed Officers	<ul> <li>§9.7 - Qualifications of Director of Public Works. Retain or eliminate qualifications as "a professional engineer". See also, §9.7.B(4) – Add Director of Public Works as ex officio member of Flood and Erosion Control Board.</li> <li>Director of Parks and Recreation: Conflict with 10.8.C Department of Public Works?</li> </ul>

<sup>&</sup>lt;sup>2</sup> 7-193

\_

	<del>,</del>
	<ul> <li>§9.17.D and E - Tax Collector: review "Accounting Method" and "Special Exemption".</li> <li>§9.18 - Tree Warden: Does the one-year term make sense? Status?.</li> <li>§9.20: Director of Health. Health Director need to be a physician? Note: See, statute re - qualifications of Directors of Municipal and District Departments of Health in the footnote, which appears to supersede the charter requirement.</li> <li>§9.21, §9.22 and §3.1.A - Eliminate "elector" requirement and six-month waiting period for the Police and Fire Chief: What treatment in law or other jurisdictions? What about a waiver rather than elimination of the standard? Police and Fire Commissions "may choose to waive the residency requirement for the Fire Chief or Chief of Police."§9.11.B(3) - §9.22.C - Fire Department Discipline (§9.21.C - Review Police as well?). This section details the authority of the Fire Chief to impose discipline and is antiquated language. There is no language in the CBA although we have a proposal on the table. Recommendation: either remove altogether and have the CBA language set limits or revise Charter language to authorize the Fire Chief to suspend up to two weeks/eight shifts/84 hours.</li> <li>§9.25 - Conservation Director. Restore and strengthen the Conservation Department, as a separate entity, so that it can support the town commissions and programs and continue to be an example of excellent conservation work in Connecticut and serve as a check on development.</li> <li>New Departments:         <ul> <li>Engineering Department.</li> <li>Solid Waste and Recycling Department.</li> </ul> </li> </ul>
Article X: Specific Permanent Appointed Boards, Authorities, Commissions and Departments	<ul> <li>§10.5 + 6 - Should Police and Fire Commissions be merged or retained as is?</li> <li>§10.5 - Police Commission: "The wording in the Charter about the police Commission is</li> <li>§10.6.B - Fire Commission. Powers and Duties: Develop language that charges the Board of Fire Commission with strategic planning of Fire Protection in the Town of Fairfield and authorizes the 1<sup>st</sup> Selectwoman to manage day to day operations oversight.</li> </ul>

Meeting Topic IV: Department Issues[S11]
(Speakers: First Selectwomen; Town Attorney; CFO)

Article IX:	
<b>Appointed</b>	Officers

- Qualifications Standard? CRC should review the issue of qualifications and job descriptions in Charter? Should the Charter incorporate a "best practices standard" and relegate the qualification to Director of Personnel (or current standard of Boards and Commissions) for approval in the form of an ordinance?
- **How much detail?** Should departments be delineated in Charter or mandated in Charter and shifted to Ordinances?
- Address distinction between unclassified appointees and classified/union positions.
- Address "for cause" standard §3.6 A and B.- by agreement the 10 days may be expanded needs to be clarified.
- §9.1 Chief of Staff and Chief of Staff and Chief Administrative Officer should be designed and defined in Charter, serving at the pleasure of the First Selectman/woman. Other positions in the Office of the First Selectman should be included in the Charter.
- **§9.3 Town Attorney.** Appointed for term by First Selectman/woman "at will" at pleasure of appointing authority or for a term? Need language that the town attorney has authority to retain attorneys to provide legal services when necessary that cannot be handled by the town attorney subject to appropriations made by the town bodies.
- §9.4 (see also, §1.4.B, §4.2.A) Assistant Town Attorneys. Eliminate or Retain Assistant Town Attorneys? If retained, how appointed, term, pleasure? Consider establishing` full time town attorney office like Greenwich and other municipalities have.
- §9.5 CFO-Controller Responsibilities. This provision contains "...a lot of detail work assigned specifically and solely to the CFO. There should be a provision to allow the CFO to assign other staff to these tasks, similar to the way the Charter allows the Controller to countersign requisitions. Review the qualification provision. Refer to best practices.
- §9.6 Treasurer: Eliminate or retain?

## Meeting Topic V: Boards and Commissions[S12]

Article X:	General Principles.
Specific Permanent Appointed Boards, Authorities, Commissions and Departments	<ul> <li>A Proper and Defined Role. The system of Boards and Commissions: right number? responsibilities clearly delineated? Do the Boards and Commissions play too big a role in the determination of salaries and benefits? Should the Charter address "command and control"?</li> <li>Qualification criteria associated with their appointment ("No builders on building committees then we're hocked when there's a screw-up").</li> <li>Uniform Creation Standards. Consider provisions for the creation of boards, commissions and other similar entities.</li> <li>Cooperation Provision. Department updates: the Town Charter should prioritize information exchange, transparency and accountability by mandating biannual reports to each Commission or supervising entity on the status and trends of program and issues managed by said departments</li> </ul>
	o Vacancies: Is there an issue with filling vacancies and achieving a quorum at Boards and Commissions?
Article X: Specific Permanent Appointed Boards, Authorities, Commissions and Departments	<ul> <li>§10.3 – Conservation Commission; §10-8 Department of Public Works. §8-5 – Town Planning and Zoning Commission; §9-8 – Building Official; Land Use Departments: Should not be consolidated into a single or combined land use agency- Zoning, Building, DPW, Conservation all have distinct missions and combining agencies with conflicting missions will de-prioritize the separate and sometimes conflicting missions: (a) This is especially of concern regarding Conservation Dept. which now supports 5- 8 commissions and programs, all of which would be deprioritized should staffing and budgeting be combined with say, Zoning or Building Departments; and (b) All Conservation Dept. programs and the commissions the department supports - should remain and not be broken up or delegated to other Depts. or Commissions- environmental expertise and mission are needed to ensure Fairfield's environmental award winning stewardship and leadership is maintained</li> <li>§10.3 – Conservation Commission – See §9.25 Separate the Conservation Commission from the Inland Wetlands Agency<sup>3</sup> and Make Wetlands Agency an elected body</li> <li>§10.8 - Department of Public Works. There is no specific Commission to which DPW is attached. List some of these departments, such as Engineering, Building Department, Conservation and Inland</li> </ul>

<sup>3</sup> (a) Per CGS 7-131a, the Conservation Commission is appointed by the Town CEO; and, (b) Per CGS 22a-42, the Inland Wetlands Agency can be designated by the legislative body.

- Wetlands, Parks and Recreation, Flood and Control, and committees, such as town building committees, and RTM Public Works and Planning committee, etc.
- §10-8 (DPW) and §10.13 (WPCA). Regarding the DPW (§10.8) and WPCA (§10.13), DPW director John Marsilio has suggested changing the language in §10.13.C.(1) be changed to correctly reflect how the WPCA actually functions and the DPW's role as it relates to the construction of new sewer lines, etc... That is, the WPCA does not in fact have the resources to implement the construction of new sewerage systems as the existing language suggests and the DPW does not actually operate the water treatment facilities. The suggested change below also aligns better with the language in §10.8.A that speaks to the DPW's role in the construction of sewerage systems. Finally, as I see it, nothing in the General Statutes (Chapter 103. MUNICIPAL SEWERAGE SYSTEMS: §7-245 - 273a) conflicts with this proposed change. Suggested Change: §10.13.C. Powers and duties. The Water Pollution Control Authority shall have the power to: (1) Operate, maintain and manage and, through the Department of Public Works, plan, lay out, acquire, construct, reconstruct, equip, repair a sewerage system."
- §10.9 Board of Health and Health Department. Purposes should be crafted more broadly.
- §10.11 Board of Building Appeals ("BBA") (1) Cap membership of the two building committees (Note: Only the BBA is enumerated in the Charter) at nine (9). (2) There should be no single party with a majority of members; and (3) Members should be permitted to remove (Note: implied from the content of the email), replace or add new members. What is the status of this Board? BA function was discussed, especially regarding blight situations; it is required by state statute.
- §10.12 Flood and Erosion Control Board. Retain the provision in the Charter and bolster with additional requirements as set forth in the Connecticut General Statutes<sup>4</sup>. Add Alternates.
- §10.15 Ethics Commission. Authority of the Commission to consider actions of Police Chief (and, presumably, other officials) who lie before public bodies, in this instance the Police Commission.
- §10.16.A Human Services Commission and Department Remove "...and handicapped

and duties set forth for such board and its members. If a regular member is absent or is disqualified, the chairman of the board shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting". (C) Add §2 to Appendix A; §3 to Appendix B; and, §4

staggered so that not more than one term expires in one year. Such alternate members shall, when seated as herein provided, have all the powers

to Appendix C.

<sup>4 (</sup>A) §10.12.B – Add the following underscored language: Powers and duties. The Flood and Erosion Control Board, within the limits of appropriations from time to time made by the municipality, shall have the powers and duties conferred on flood and erosion control boards generally by § 25-84 and §\$25-85 to 25-94, inclusive, of Chapter 477 of the Connecticut General Statutes. (B) §10.12.C - Delete the current sub-section entitled "temporary Members and the following language in lieu thereof: "There shall be three alternate members of the Flood and Erosion Control Board, no more than two of whom shall be registered with the same political party. Alternate members shall have terms of three years, which shall be

1	ersons" and replace with "and social services".  EW:
0 0 0	Cemetery Commission to address the condition of the Old Burying Ground Citizens Commission ("Office of the People"). Diversity, Equity, Inclusion and Justice Officer and DEI Task Force or Commission to address issues of diversity and racial equity (create a racial equity subcommittee) Commission on Climate Change- with membership from the various land use boards and departments should be formed to address environmental sustainability The Bicycle & Pedestrian Committee in order to include a strengthened Complete Streets Policy in the Charter.

## **Meeting Topic: Other Issues**

Article XI: Standards of Conduct	<ul> <li>Brief discussion that it was ok as written. (10/28). ADD: In making appointments, avoid the usual patronage practices, and recommend the best qualified people to fill vacancies in volunteer and paid positions.</li> <li>Should ethics standards be spelled out in the Charter.</li> </ul>
Article XIII: Referenda	13.2.F Manner of Holding Referendum is confusing to most, and needs clarification as to what is required to pass a referendum. SUGGESTION: Vote necessary to pass referenda to reverse or modify the action taken by the RTM. Must be approved by a majority of voters that exceeds 25% of the total number of electors of the Town eligible to vote as of the close of business on the day before the election.).
Article XIV: Miscellaneous	<ul> <li>§14.1 – Official Seal provision should be reviewed. Why or how did this suggestion to change the Town Seal come about. Someone did the artwork years ago. Is it offensive? What is the issue here?</li> <li>§14.2. Existing Ordinances (ADD: "and the General Statutes of the State of Connecticut."</li> <li>§14.4. Submission and Effective Date (CHANGE dates).</li> </ul>