



CHARTER REVISION COMMISSION REGULAR MEETING MINUTES

July 8, 2008

Room 204

7:00 P.M.

Commissioners Present: Jack Bashar
Susan Coyle
Michael Davis
Paul DiMauro
Chris Gallo
Bob Lally
Ken Nappi
Irene Smith

Commissioners Absent: Steve Bellis

CALL TO ORDER

Chairman Paul DiMauro called the Regular Meeting of the Charter Revision Commission to order at 7:01 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

COMMUNICATION

There was no correspondence received by the Charter Revision Commission.

There was a majority vote as to language to section that follows:*2.4.1. Officials:*

- (f) A Planning and Zoning Commission consisting of **seven (7) members** ~~six (6) members~~ **elect** ~~ed as follows: Three (3) members to be elected at the November 1995 election to fill the term of those members whose term expire in November 1995 and two (2) alternates for a term of two years and thereafter at each biennial election six (6) members~~ and two (2) alternates **each of whom shall serve** for a term of two (2) years.

The following items were addressed with language as follows:*5.1.4. Planning and Zoning Commission:*

(a) The City shall have a Planning and Zoning Commission elected as provided by Section 2.4.1(f) of this Charter, no more than **five (5)** ~~four (4)~~ members **as per State Statute** of **whom which** shall be from the same political party. The members **and alternates** shall hold no other elected or appointed office within the City. The Commission shall have such duties as are provided by the General Statutes of the State of Connecticut relating to planning and zoning, and, subject to the approval of the Mayor, shall appoint and may remove zoning and planning officers and such professional and other personnel as may be necessary or convenient to the operation of the commission.

5.2.4.5. Economic Development Commission:

The City shall have an Economic Development Commission, consisting of five (5) members, no more than ~~three (3)~~ **four (4)** of **which whom** shall be from the same political party, appointed by the Mayor to serve for staggered terms of five (5) years. The term of one (1) member shall expire each year of a five year cycle. **The commission shall promote development of the economic resources of the City and shall have such duties and powers as are set forth in the Connecticut General Statute relating to local Economic Development Commissions.**

5.3.2. *Public Building Committees:*

The City shall have a Public Building Committee for each public building project which ~~is bonded or~~ **may** reasonably ~~may~~ exceed ~~One~~ **Three** Hundred Thousand Dollars (\$~~1~~**3**00,000.00) in total cost. Each committee shall consist of from five (5) to nine (9) members as appointed by the Board of Aldermen to serve for an indefinite term until completion of the public building project for which the committee was appointed. The Board of Aldermen shall appoint each committee no later than fourteen (14) days after the Board has first authorized the expenditure of any funds for the public building project. At the first meeting of each committee, the committee shall elect, by plurality vote, a chairman from its members to serve until completion of the public building project for which the committee was appointed. Each committee shall supervise the public building project for which it was appointed, **develop a project program with input from the appropriate department head or representative of the Board/Commission for which the project is being completed for and shall have such other powers as conferred upon them by the Board of Aldermen.** Each committee shall supervise the public building project for which it was appointed, and shall appoint and may remove such professional **service providers** and such other personnel as may be necessary or convenient to the supervision of the project. Each committee shall have the power to issue change orders which do not result in an increase in the total cost of the project above the authorized total bond issue or cost. No committee shall have the power to award contracts or waive bids on any project, but a committee may recommend the acceptance or rejection of any bid on any project or the waiver of the bids.

6.4.5. *Electronic Data Processing:*

The Mayor shall appoint an Information Technology Administrator which position may also be assumed by t~~The~~ Director of Finance. **The Information Technology Administrator** ~~who~~ shall be responsible for **maintaining the City website,** all electronic data processing systems **and related technologies and** shall provide such services to the City, its Boards, Commissions and other bodies, its departments, officers, agencies, and officials as may be directed by the Mayor. The management of the existing electronic data processing system by the Board of Education shall remain under the management of the Board of Education until such Board otherwise determines.

6.9.1. Public Safety Council:

The City shall have a Public Safety Council, consisting of the Mayor, who shall serve as Chairman, the Chief of Police, the Fire Chief, the Fire Marshal, the Director of Emergency Management ~~Civil Defense~~, the Director of Public Works and the Chief/Director of the Ambulance Service provider as designated by the EMS Council. The Public Safety Council shall coordinate the public safety functions of the Police Department, the Fire Department, the Office of Emergency Management ~~Civil Defense Department~~, the Department of Public Works and ~~Ambulance Services~~. Emergency Medical Service.

6.9.3.1. Department Composition and Functions:

The City shall have a Fire Department consisting of such existing fire companies and such other fire companies as may be deemed necessary or convenient by the Board of Fire Commissioners and approved by the Board of Alderman. The Department shall provide for the protection from fire and enforcement of all laws and ordinances relating to fire prevention and fire safety. The Department shall have such other related duties as may be prescribed by the Mayor or the Board of Aldermen. (see section 6.9.3.3)

6.9.3.2. Board of Fire Commissioners:

The Board of Fire Commissioners shall ~~be the chief~~ serve as the administrative body of the Fire Department. It shall consist of one (1) Commissioner appointed by the Mayor, who shall be the Chairman of the Board, and one (1) Commissioner from each volunteer fire company providing service to the Department. Company Commissioners shall be elected by the members of each individual company in such manner as may be provided in the bylaws thereof. Each Commissioner shall serve for a term of two (2) years.

The Commissioners shall be equal in rank and authority, have one (1) vote each, and shall serve without compensation, but may receive reimbursement for reasonable and necessary expenses. The Chairman shall preside at all meetings of the Board of Fire Commissioners, appoint the chairpersons of all committees and shall have a vote in any matter before the Board. ~~If the total number of Commissioners, including the Commissioner appointed by the Mayor, is an even number, then the chairman, in the event of a tie vote, shall have an additional vote to break the tie.~~ Each Commissioner shall serve for a term of two (2) years.

The Board shall be responsible for administrative policies and oversight, long range planning, capital improvements, the

department budget, and all appointments as provided for by the charter. The Board shall also serve as the appeals board of the Fire Department.

~~The Board shall appoint and may remove, subject to the approval of the Mayor, a Fire Chief, such assistant chiefs, deputies and all other officers and employees of the Department as the Commissioners deem necessary or convenient to the operation of the Department.~~

~~The Board shall also appoint and may remove the Fire Chief.~~

~~**The Board, subject to the approval of the Mayor, shall also appoint and may remove the Fire Marshal and any other paid employees in the Fire Department in accordance with the procedures set forth in the General Statutes.**~~

6.9.3.3. Appointments:

The Board of Fire Commissioners shall appoint and may remove, subject to the approval of the Mayor:

A Fire Chief to serve a term of up to three (3) years; A Deputy Chief to serve a term of two (2) years; and any other Assistant Chief(s) and employees of the Department as the Board may deem necessary or convenient to the operation of the Department.

In addition, one (1) Assistant Chief, meeting the requirements of the Board of Fire Commissioners, shall be selected by the members of each volunteer fire company providing service to the Department in such a manner as may be provided in the bylaws thereof. Each Assistant Chief shall serve a term of two (2) years.

~~*6.9.3.4.3 Powers and Duties:* The Fire Department shall provide protection from fire and enforcement of all laws relating to fire prevention and fire safety. The department shall have such other related duties as may be prescribed by the Mayor or the Board of Alderman.~~

6.9.3.4. *Officers' Council:*

The Fire Department shall have an Officers' Council, which shall consist of the Fire Chief (Ex Officio), Deputy Fire Chief, Fire Marshal, Deputy Fire Marshal, Department Training Officer, and the Captain and Lieutenants from each company. The Officers' Council shall serve to recommend ~~resolve~~ operational policies and procedures to the Fire Chief ~~problems as well as to hear appeals within the Department~~ and ~~may shall~~ recommend administrative policy to the Board of Fire Commissioners.

6.9.3.5. *Fire Chief:*

The Fire Chief shall be the operational head of the Fire Department and shall exercise the day-to-day supervision and control over the department and staff as to all operational matters. The Deputy Chief shall be second in command to the Fire Chief. The Fire Chief shall report to the Mayor consistent with the provisions of the City Charter. The Fire Chief shall have all powers and duties as provided for in accordance with applicable Connecticut General Statutes.

The Fire Chief shall propose an operational budget to the Board of Fire Commissioners and once approved administer the same. The Chief shall work closely with the Board of Fire Commissioners in those areas as determined by the Board, including but not limited to, long range planning, capital improvements, and conformance to all administrative policy as established by the Board. The Fire Chief or his designee shall serve as the representative/liason of the department on all operational matters. The Chief shall make quarterly reports to the Board and the Mayor on the status of the Fire Service within the City.

~~The powers and duties of the Fire Chief, his assistants and deputies shall be defined by the Board of Fire Commissioners.~~

6.9.4. Office of Fire Marshal:

6.9.4.1 Function and Activities:

The Office of Fire Marshal shall aid in the prevention and investigation of fires and the enforcement of the State Fire Code as provided by the Connecticut General Statutes and Regulations. The Office shall have such other related duties as may be prescribed by the State Fire Marshal, the Mayor or the Board of Aldermen.

6.9.4.2 Appointment:

The Board of Fire Commissioners shall appoint and may remove, subject to the approval of the Mayor and in accordance with the procedures set forth in the Connecticut General Statutes and City Charter, the Fire Marshal, Deputy Fire Marshals, Fire Inspectors and other employees as the Board may deem necessary or convenient to the operation of the Office of Fire Marshal.

6.9.4.3 Fire Marshal:

The Fire Marshal shall serve as the department head of the Office of Fire Marshal and shall control and supervise the operations and staff of the Office. The Marshal shall be responsible for carrying out the duties and responsibilities of that office in accordance with the provisions of Connecticut General Statutes and City Charter. The Marshal shall report to the Mayor consistent with the provisions of the City Charter and State Statute. In addition, the Marshal shall be responsible for the submission and the administration of the department budget. The Marshal shall work closely with the Fire Chief in implementing fire prevention planning and fire safety within the City. The Marshal shall make quarterly reports to the Board of

Fire Commissioners and the Mayor on the status of the Office of Fire Marshal.

Section 7.14. Purchases and Bidding ~~Accounting.~~

(b) Bidding:

1. The Purchasing Agent shall let to bid all purchases (including those made by the Board of Education) which reasonably may involve the expenditure of ~~Seventy Five Hundred Dollars (\$7,500.00)~~ ~~Five Thousand Dollars (\$5,000.00)~~ or more by the invitation of sealed bids, giving at least ten (10) days notice of the closing date for bids by publication at least once in a newspaper having a substantial circulation in the City. ~~Within five (5) days after the closing date for bids,~~ The bids shall be opened publicly ~~at the time stated in the notice,~~ during regular working hours, by the Purchasing Agent and a representative of the entity requesting the purchase, at a time which shall be published in the notice. A list of all bids received shall be prepared and recorded in the City/Town Clerk's Office and a copy of all bids shall be available for public inspection in the Purchasing Agents Office. ~~and the Board of Apportionment and Taxation (or the Finance Committee if the authority to award contracts has been delegated).~~ The Board of Apportionment and Taxation (or the Finance Committee if the authority ~~to award contracts~~ has been delegated) shall ~~award the contract for the purchase to~~ determine the lowest responsible bidder; ~~provided however unless however~~ it may reject any, all or any part of any bids. If the authority ~~to award contracts~~ has been delegated, the Finance Committee shall ~~award contracts~~ determine the lowest bidder only by unanimous decision and if a unanimous decision cannot be reached, the matter shall be determined by the Board of Apportionment and Taxation. Such determination shall be forwarded to the Purchasing Agent for necessary action. The Board of Aldermen may establish such other regulations for purchases and bidding as it deems appropriate.

9.6.2. *Appointed Office:*

Any vacancy ~~in any appointed office~~ shall be filled within thirty (30) days of the vacancy by the appointing authority in such manner as the original appointment was made including one created by completion of a member's appointed term. In the event that the appointing authority fails to do so, the remaining members of such Board or Commission shall appoint a replacement within thirty (30) days.

The following sections need to be revisited for language:

6.9.5.4. Director of *Emergency Management Civil Defense:*

The Mayor shall appoint and may remove a Director of *Emergency Management Civil Defense*. **(language needed)**

Section 7.14. Purchases and Bidding Accounting.

(b) Bidding:

4. NEED LANGUAGE

Section 9.7. Conflicts of Interest.

Any elected or appointed official or employee who has a conflict of such interest or financial interest, whether direct or indirect, in any contract transaction or decision shall disclose such as provided for in the City's Code of Ethics. ~~is called upon to participate in a decision on any matter in which he has a financial interest shall disclose the interest on the record of the body of which he is a member or in writing to the Mayor and the Board of Aldermen, and a written record shall be kept of each such disclosure.~~ Violation by any official or employee of this Section shall be grounds for his removal. Violation of this Section with knowledge, ~~express~~ **expressed** or implied by any person participating in the matter shall render the transaction voidable by the Board of Aldermen or by a court of competent jurisdiction. **LANGUAGE NEEDED**

APPROVAL OF MINUTES

Commissioner Coyle motioned to approve the minutes of June 24, 2008. Commission Bashar seconded the motion.

A voice vote was taken; motion passed unanimously.

ADJOURNMENT

Commissioner Bashar motioned to adjourn the Charter Revision Meeting of July 8, 2008. Commissioner Smith seconded the motion.

A voice vote was taken; motion passed unanimously.

Chairman DiMauro adjourned the meeting at 9:15 P.M.

The next meeting of the Charter Revision Commission is scheduled for a Special Meeting on Monday, July 14, 2008 at 7:00 P.M. in the Auditorium at City Hall.

Respectfully submitted,

Sophia V. Belade

Sophia V. Belade
Charter Revision Clerk

TAPE IS AVAILABLE IN THE TOWN CLERK'S OFFICE

ALL ATTACHMENTS MAY NOT BE AVAILABE ON THE WEB, FULL COPIES AVAILABLE IN CITY/TOWN CLERK OFFICE