

(Town Seal)

TOWN OF NEWINGTON

EXPLANATORY TEXT

NOVEMBER 6, 2012 STATE ELECTION
AND LOCAL REFERENDUM

This explanatory text has been prepared by the Town Clerk pursuant to § 9-369b (a) of the Connecticut General Statutes. It is intended to not advocate either the approval or disapproval of the referendum question appearing on the November 6, 2012 ballot.

Referendum Question:

“Shall the Town of Newington adopt the proposed charter that was approved by the Town Council on July 24, 2012?”

General Explanation:

Acting under the authority and powers granted to municipalities by the Connecticut General Statutes, on February 28, 2012 the Newington Town Council passed a Resolution approving the initiation of action to amend and revise the Newington Town Charter. Five electors were duly appointed to serve on the Charter Revision Commission.

On March 13, 2012 the Town Council charged the Charter Revision Commission to review the current Charter for clarity and conciseness with an emphasis on monetary references and Town Manager appointments.

The Commission was specifically charged to:

1. Review all sections of the Charter that contain a set monetary reference to insure that those amounts listed are set at reasonable levels for 2012 and beyond.
2. Explore the current language in §611 of the Charter requiring the Town Planner to be appointed by the Council, with consideration given to making this appointment a Town Manager appointment under § 503.
3. Address issues to update the Charter but avoid issues that would delay completion of the Commission’s Draft Report by June 29, 2012 because the Town Council intends to submit Charter Revision to the voters for the November, 2012 election.

Proposed Amendments:

§202B—Board of Fire Commissioners--language was added: “The Board is specifically authorized to delegate authority to the Fire Chief(s)”.

§202B (1)—Language was added to: The Board of Fire Commissioners’ role shall include acting as final board of appeal “for personnel matters from within the Fire Department. This function shall not be delegated”.

§203—Minority representation: the nomination of two constables was changed to one constable to conform to State statutes which allow electors to vote for only one constable.

§204—Vacancies in elective offices: the filling of vacancies in elective office was changed from “until the next regular Town election” to “until the end of the vacated term” eliminating a week when there was no one in the vacated office.

§205—Independent candidates: this section was re-written to conform to Connecticut General Statutes.

§303A—Salaried officials; "...and both shall serve at the pleasure of the Mayor" was added. ("Both" refers to the Town Attorney and the Clerk of the Council.)

§303A (2)—Salaried officials: Director of Health was eliminated.

§404B—Language amended to indicate that no votes may be taken at a work session meeting of the Town Council "except to adjourn or to go into executive session".

§408—Obligatory referendum and ordinance—the current amounts of \$125,000 and \$325,000 have been increased to \$375,000 and \$975,000.

§410—Right of referendum on ordinances—currently the Charter states that the voters shall have the right to petition for a referendum on any ordinance passed by the Council (except an emergency ordinance) or a special appropriation of \$125,000 or more. This amount has been increased to \$375,000.

§410 & §411—Right of referendum on ordinances and Initiative: Language was added to both sections to clarify when an ordinance would be null and void if it went to referendum, and when it would become effective if approved at a referendum.

§415—Concurrent offices: this was re-worded to allow holding concurrent office under certain circumstances as allowed by State Statutes.

§501—Appointment, qualification and tenure of the Town Manager: language was added to reflect that the Town Manager shall reside within the Town within a period of no more than six months "from the first date of work as Manager with the possibility of an extension of up to six months at the discretion of the Council".

§603—Library Directors was changed to "Library Trustees".

§604—Board of Tax Review was changed to "Board of Assessment of Appeals" to conform to CGS.

§605—Board of Parks and Recreation: language deleted to reflect that the Town Manager does not require the concurrence of the Board to hire personnel within the department.

§607—Conservation Commission was changed to "Conservation/Inland Wetlands Commission" with new language added to clarify the Inland/Wetlands responsibilities per Connecticut General Statutes.

§609—is now "Auditor".

§611—Town Planner has been removed and made a part of §703. This change removes the hiring process from the Town Council and grants the power of appointment and removal to the Manager.

Article VII has been totally re-worked:

§701 is now "Removal by Manager" with new language.

§702 is now Town Clerk.

§703 is now Town Planner with new language.

§704 is now Highway Department.

§705 is now Engineering Department.

§706 is now Tree Warden.

§707 is now Department of Parks and Recreation.

§708 is now Department of Building Inspection.

§709 is Department of Human Services.

§710 is Department of Senior and Disabled Center Services.

§711 is Department of Police.

§712 is Department of Finance.

§712B—residency requirement for the Tax Collector has been removed.

§713 is now Purchasing Agent who is no longer part of the Department of Finance.

§805—Duties of the Council on the Budget: added ten days to the timeline for Council to adopt the budget.

§808—Transfer of appropriation: now includes, “Transfers among any capital project funds may occur at any time and are not subject to the six-month limitation stated above”.

§812—Borrowing in anticipation of taxes—has been eliminated at the suggestion of the Finance Director and endorsed by the Town Manager.

§813A—Competitive bidding—the \$10,000 threshold currently mandating an automatic bid process has been increased to \$30,000.

§813D—was added allowing the Manager to waive the procurement of a competitive bid during a state of emergency as defined by issues of public health, safety and welfare.

§815—Payments of claims: updated to indicate that all checks must be signed by the Treasurer and the Manager. All checks against the Board of Education must be countersigned by the Town Treasurer “who shall only serve in this role to verify the amount of funds to cover such payments”.

§1003—Existing office holders: added to insure a smooth transition from the current Charter to the adoption of the revised Charter.

Authorized by the Newington Town Council
Prepared by the Newington Town Clerk
Approved by the Newington Town Attorney