

DRAFT REPORT

CITY OF NEW BRITAIN CHARTER REVISION COMMISSION 5/24/16

Pursuant to Resolution # 333385, dated February 10, 2016, the Charter Revision Commission (CRC) has been meeting to consider possible changes to the Charter of the City of New Britain. The Commission has discussed all six recommendations set forth by the Common Council, as well as other sections of the Charter identified by the public, and our studies of the Charter. The Commission has solicited input from public officials, city employees, and the general public through public hearings, public participation, and by invitation to address the Commission.

Following is a summary of our recommendations to the Council, including pertinent information we considered in arriving at these decisions. The recommended changes to the Charter are attached as appendices.

We were charged by the Council to address the following:

1) Change the positions of Tax Collector and Town Clerk from elective positions to appointed positions.

The Commission does not recommend that the positions of Tax Collector and Town Clerk become appointed positions. There is a great deal of merit, we believe, in moving the Tax Collector to a Civil Service position, due to the specific skill set that is required to perform this function. After much research and discussion, the Commission found that the changes into the Charter and the preparation required by Civil Service to create this position were too intricate to be performed in the timeframe we were given to complete this report. We suggest that some groundwork be laid in developing a job description and requirements for qualification for this position, and that the Charter be reopened in the near future with the goal of making this change.

2) Change the term for the office of Mayor from two (2) years to four (4) years.

After discussing the pros and cons of this change at length, the Commission recommends that the term of the Mayor be increased to a four (4) year term. The term of those elected to the Common Council will remain two (2) years, serving as a mid-term election, providing the citizens an opportunity to provide a system of checks and balances to the Mayor. In concert with this change of term, we also recommend that the term of the Tax Collector also be increased from a two (2) year term to a four (4) year term.

3) Change the Common Council election provisions to ensure minority representation on the Common Council.

The Commission does not recommend changing the current system of electing members of the Common Council. Our hybrid system of 5 At-Large Alderpersons, and 10 Ward Alderpersons is preferred by the Town Chairs of both major political parties; it allows flexibility in selecting candidates from throughout the City; ensures neighborhood representation; may encourage party

and racial diversity; and it is a system that encourages participation by citizens to run for office within the more comfortable confines of their own neighborhoods.

4) Remove provisions related to boards and commissions that are unnecessary and replace them with references to existing boards and commissions.

The Commission does not recommend removing any of the boards and commissions currently provided for in the Charter. The Commission does recommend adding the addition of the Public Works Commission (which currently exists by ordinance) to the Charter to ensure that it cannot be disbanded. The CRC believes that the function of public works is so critical to local government that it should be enumerated in the Charter. The current Directors of Public Works and Parks, Recreation, and Community Service were both called before the Commission to ensure that their operations were not in any way hindered by the current Charter provisions. There are relatively few Boards and Commissions included in the Charter; most are established by ordinance. The Commission feels that this enables City government to have the flexibility required to deal with any new/reorganized City departments.

5) Include a compensation plan, or provisions for establishing and updating a compensation plan, for non-union, elected, and appointed individuals.

The CRC reviewed several possible Compensation Plans, but ultimately decided that we do not recommend inclusion of any one, specific plan in the Charter. We recognize that the salaries set for many of the above officials are outdated and require adjustment. Thus, we do recommend amended language in Section 4-2 (n) that would require the Common Council to review, establish, and act upon rates of compensation for elected officials in every even-numbered year.

6) Include provisions to include a Golf Authority to oversee all operations at the Stanley Golf Course

The Commission does not recommend a provision to establish a separate authority to over the Stanley Golf Course (SGC). The Commission interviewed the current Director of Parks, Recreation, and Community Services regarding the oversight and operations of SGC, and the role of the Parks & Recreation Commission in that oversight. We determined that the current Parks and Recreation Commission is well able to handle the business of the SGC and all other aspects of the Department, and that if future needs dictate, a separate commission or authority can be established by ordinance.

Additional changes recommended by the Charter Revision Commission:

- Delete Section 8-6 a and a(1), pertaining to the Parks and Recreation Department, and amend the current language in 8-6 (b) to include Parks and Recreation. The current Charter does not include comparable sections for other existing departments and this revision is intended to provide consistency and flexibility.
- Amend Section 10-3d of the Charter that requires posting of the Mayor's proposed budget in a daily newspaper within 3 days to require posting in a newspaper within 7

days. Add language requiring posting on the City website. This change is recommended to allow the flexibility of publishing in a less-costly weekly, rather than daily paper.

- Amend Section 11-2b of the Charter to require a five (5) fiscal year budget rather than an annual six (6) year budget. This change is recommended to reflect actual accounting practice.
- Move Section 8-5(d), The Centralized Purchasing System, and subsection (1), The Purchasing Agent, under the Department of Finance - Section 8-5(a) and subsection (1) - to reflect the current organizational structure.
- Amend Section 15-4(h) to allow the Board of Water Commissioners to reflect to change the billing cycle from semi-annually to monthly or quarterly, as they see fit. Revise language stating that bills are due and payable within one month to due and payable within 30 days.
- Amend Section 15-9 to include time served as an Elective Official by appointment of the Common Council to fill a vacancy.

Additional items considered by the CRC but not recommended for change at this time

- Adding discipline powers to the Board of Fire Commissioners.
Discipline powers are set forth in the Collective Bargaining Agreement between the City of New Britain and New Britain firefighters.
- Changing the length of time that the Board of Finance has to submit their recommended budget to the Mayor from 75 days to 60 days.
Current timelines are appropriate given the number of factors to be considered in creating a budget.
- Adding a Cost of Living Adjustment to pension plans for qualifying elected officials.
Retirement benefits are sufficient as-is.
- Prohibition of municipal employees from serving on the Common Council.
Connecticut General Statutes § 7-421(e) provides the right of municipal employees to serve on governmental bodies.

Recommended Ballot Questions

- Shall the term of Office of the Mayor be changed from a two year term to a four year term commencing in the election of 2017?
- Shall the term of Office of the Tax Collector be changed from a two year term to a four year term commencing in the election of 2017?
- Shall the remainder of the changes to the Charter as recommended by the Charter Revision Commission be approved?

DRAFT 5/24/16



CHARTER

CITY OF

NEW BRITAIN, CONNECTICUT

**PUBLISHED BY ORDER OF THE
COMMON COUNCIL**

AS APPROVED BY REFERENDUM OF NOVEMBER 7, 2000
Revised through November 5, 2002

ARTICLE I

CONSTRUCTION OF THE CHARTER OF THE CITY OF NEW BRITAIN

§1-1 Title.

The title of this Act shall be the Charter of the City.

§1-2 Definitions and Titles Generally.

The definitions contained in the General Statutes govern the interpretation of this Charter. Articles and Sections are for the purpose of ready reference and shall not be held to limit, extend or effect the interpretation and meaning of the text.

§1-3 Time of Appointments and Meetings Generally.

Except as otherwise provided in this Charter, any appointment to office or election by the Common Council to fill a vacancy required herein to be made on or before a certain day shall be, if made after that day, as valid and effective as if made on the day specified. If the day on which any meeting specified to be held shall be a Saturday, Sunday or legal holiday, the meeting shall be held on the first business day following. Any meeting required by this Charter to be held on a certain day shall be deemed, for all purposes, to be a regular meeting. The Mayor shall designate the place of all meetings provided for in this Charter, unless the place of meeting is specified herein or fixed by Ordinance. However, in the absence of any such designation by the Mayor, the person responsible for calling the meeting shall designate the place thereof.

§1-4 Definitions.

Whenever used in this Charter:

(a) "Board". For the purposes of this Charter and except as otherwise provided by law, the term "Board" shall include all public appointed Boards, agencies, Commissions, authorities or like entities of the City.

(b) "Capital Project" means (1) any physical betterment or improvement or any preliminary studies or surveys relative thereto; (2) the acquisition of real property or other property of a permanent nature; (3) the purchase or acquisition of equipment for any public betterment or improvement when first erected or acquired which cost exceeds an amount set by the Common Council, from time to time; (4) major alterations and repairs to existing buildings, structures or equipment which cost exceeds an amount set by the Common Council, from time to time; or (5) any lease which commits the City to more than one year of aggregate payments in an amount set by the Common Council, from time to time.

(c) "Code of Ordinances" or "Ordinances" shall mean the powers of the municipality in order to (1) establish rules or regulations of general municipal application, the violation of which may result in the imposition of a fine or other

penalty; (2) create a permanent local law of general applicability; or (3) accomplish other objectives permitted by the General Statutes.

(d) "Data" includes all public books, records, papers, files, correspondence, other recorded information and such computer records, as may be further defined by Ordinance, pertaining to the affairs of the City, in the custody of any person holding public office or employment or in the custody of any department or agency as otherwise defined in the General Statutes.

(e) "Department or Agency" shall include, but not be limited to, any department, office, bureau, Board, Commission, Authority, agency, program, or part thereof, within the government of the City created by this Charter or Ordinance.

(f) "Effective Date" unless otherwise specified in this Charter shall mean "~~July~~January 1, 20042017".

(g) "Elector" shall have the meaning contained in the General Statutes.

(h) "General Statutes" shall mean the General Statutes of the State of Connecticut as amended from time to time.

(i) "Law" includes, but is not limited to, decisions of courts and administrative bodies, federal or state legislative enactments, rules and regulations and local ordinance and regulations.

(j) "Municipality and/or City" means the City¹.

(k) "Non-Capital Project" means any project for which indebtedness is incurred pursuant to Article XII of this Charter that is not a Capital Project as defined by this Charter.

(l) "Officer" or "Office" means any Officer or Office in this City.

(m) "Public Notice" means a notice published in a daily newspaper of general circulation distributed in the City. A Public Notice of a meeting or hearing shall state the time and place thereof, and shall be published at least once not more than thirty days nor less than twenty-four hours prior to the meeting or hearing unless otherwise provided in this Charter or prescribed by the laws of the State of Connecticut.

(n) "Special Acts" or "Special Laws" shall mean the acts of the General Assembly pertinent to the City.

(o) Where reference is made to "Action to be taken by a Department Head," the specified action may be taken by that Department Head or his or her designee.

ARTICLE III

ELECTIONS AND ELECTORS

§3-1 Application of General Laws; Qualification of Electors; Polling Hours⁹.

Except as otherwise provided in this Charter, all elections within and for the City shall be held pursuant to the provisions of the general laws of the State of Connecticut. At any City election, the polls shall be kept open as required by the General Statutes. The Common Council of said City may by Ordinance duly passed and published, divide the City into two or more voting districts; and all provisions of law now existing, or which may hereafter be enacted, regulating the holding of elections in the other voting districts of said City shall be applied to said new voting districts when so established.

§3-2 Terms of Office of Elective Officers; Date of Elections; Special Elections.

(a) **Commencement Date of the Term of Office**¹⁰. The term of office of elected officers hereunder shall commence at noon on the Tuesday following their election and until their respective successors are elected and have qualified.

(b) **Date of Election of Elective Offices**. Except as hereinafter provided, on the Tuesday after the first Monday in November and in the odd numbered years thereafter as the term of office shall fall, the electors of the City shall elect from their number by a plurality of ballots the following officers: (1) Mayor; (2) City and Town Clerk; (3) Collector of Taxes; (4) Treasurer; (5) Three members of the Board of Assessment Appeals¹¹ (of whom no person shall vote for more than two members of said Board); (6) Eight Constables (of whom no person shall vote for more than four); (7) Five members of the Board of Education (of whom no person shall vote for more than three members of said Board), whose terms of office shall be staggered as prescribed by Ordinance¹²; and, (8) Fifteen members of the Common Council, who shall be elected as set forth below in this Charter.

(c) **Term of Office**. ~~All Commencing with the November 2017 election, all of said officials shall hold their respective offices for a term of two~~four years with the exception of the ~~City Clerk and Common Council, Treasurer, Board of Education, Assessment Appeals and Constable~~ whose term shall be ~~four~~two years.

(d) **Residential Requirements for Elective Office**¹³. All officers elected by said City shall be electors of said City and all members of the Common Council representing districts shall be residents of their respective Districts.

(e) **Oaths of Office** ¹⁴. Every officer of the City shall be sworn before entering upon the duties of office by the City Clerk. The form of the oath to be taken by the clerk shall be as follows:

ARTICLE IV

THE COMMON COUNCIL

§4-1 Legislative Power¹⁷.

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 Council¹⁸.

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 ¹⁹.

(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.

(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 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 both²⁰. Said fine and penalties shall be set by Ordinance.

(l) by Ordinance, the provision of penalties by fine, not to exceed the amount permitted by the General Statutes, for anyone 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 ²¹.

(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 ²².

(n) ~~to establish the rates of compensation for (1) the members of the succeeding Common Council²³ and (2) the Mayor²⁴ and other officers²⁵, department heads and employees subject to the provisions of the budget,~~

~~contract, collective bargaining agreement or other agreement.~~ (e) 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 Council²⁶.

(a) **Zoning Authority of the Common Council²⁷.** 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 Council²⁸.

(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.

(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 ²⁹.

§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

§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.

§4-10 Removal from office³⁴: 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 hearing³⁵.

§4-11 Compensation of Elected Officials and Other Officers.

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 Council²³, (2) the Mayor²⁴, (3) the Tax Collector, (4) the City Clerk, (5) the Registrars of Voters, (6) the Corporation Counsel, (7) the Clerk of Committees, (8) the Treasurer and (9) other officers²⁵, department heads and employees subject to the provisions of the budget, contract, collective bargaining agreement or other agreement.

(d) **Residency Requirement.** No person may serve on a Board unless such person is an elector of the City. If any person who is a member of a board shall move from the City, such person's membership on such Board shall be immediately terminated.

(e) **Dual Appointment Prohibited; Exceptions.** Except where otherwise provided by general or special law, no person may serve as an appointed member of more than one Board at the same time, with the exception of Charter Revision or other Boards of finite duration or unless such person is a member of the Common Council assigned as a liaison to such Board to represent the Common Council.

(f) **Political Composition⁶⁶.** The political affiliation of the members of appointed Boards or Commissions or panel of alternates shall reflect the requirements of the General Statutes with respect to minority party representation.

(g) **Compensation Prohibited.** No member of any appointive Board shall receive compensation for services as such member.

(h) **Removal.** The Mayor may initiate proceedings to remove a member of any appointive Board, Commission, or relevant position or "panel of alternates" for any of the following reasons: (1) misconduct in the performance of duties; (2) persistent absence; (3) conviction of a felony; (4) conviction of a misdemeanor which would undermine the public confidence in the member's ability to perform the duties of office. Rules of Procedure for the removal of said member, and additional grounds for removal, shall be set by Ordinance⁶⁷.

§7-2

Appointive Boards and Commissions Required by Charter.

The following Boards and Commissions shall be established, by Ordinance, subject to the provisions and powers enumerated in the General Statutes, Special Acts and this Charter:

(a) **The Parks and Recreation Commission⁶⁸.** Said Commission shall advise and consult with the department head pertaining to the duties and conduct of the department(s) charged with responsibility of the park and recreation functions of the City. In general, the Commission shall be responsible for policy-making and evaluation with the advice of the department head(s). This shall include, but not be limited to, the adoption of such rules and regulations not inconsistent with the General Statutes, the provisions of this Charter or Ordinance or applicable provisions of trusts and wills, related to the use, preservation and enjoyment of all public parks and recreation areas of the City.

(b) **The Police Commission⁶⁹ and The Fire Commission⁷⁰.** Said Police and Fire Commissions shall advise and consult with the Police Chief and Fire Chief pertaining to the duties and conduct of the departments charged with responsibility for the police and fire functions, respectively, of the City. The Commissions shall advise and consult with the respective Chief pertaining to the Chief's duties and to the conduct of the department and together with the Chief

shall make all rules and regulations relating to the administration of the department which it may deem necessary or advisable, which rules shall be printed and made available to the public. In general, the Commissions shall be responsible for policy- making and evaluation with the advice of the Chief.

(c) The Civil Service/Personnel Commission⁷¹. Said Commission shall exercise the powers and duties contained in the General Statutes and Special Laws of the State of Connecticut as prescribed by the Code of Ordinances.

(d) Zoning Board of Appeals⁷². Said Commission shall exercise the powers and duties contained in the General Statutes or as prescribed by the Code of Ordinances.

(e) Board of Finance and Taxation. There shall be a Board of Finance and Taxation.

(1) Powers and Duties. Said Board shall exercise the powers and duties necessary to [i] prepare a Proposed Budget Ordinance as set forth in section 10-3 of this Charter, [ii] review and report, to the Mayor, on the financial and budgetary condition of the city, including the Board of Education and Department of Education, based on the monthly financial reports required by section 10-5 of this Charter and in the audited financial statements, and [iii] conduct such other business as may come before it, including, but not limited to, any reports relating to the financial and budgetary condition of the city as may be prescribed by ordinance.

(2) Financial Review Powers. Furthermore, said Board has the power and authority, subject to the approval of the Common Council, to audit and examine⁷³, or cause to be audited and examined, the books and accounts of any and all of the departments and officials of the city, including the Board of Education and Department of Education, in any way affecting the finances of the city. Moreover, the Board shall review the contents of the annual audit and make recommendations to the Mayor regarding the manner and means of improving the city's financial and budgetary condition.

(3) Duties Relating to the Capital Budget. Said Board shall give recommendations to the Mayor regarding the annual capital budget, in the manner set forth in section 11-2 of this Charter.

(4) Qualifications. In addition to the requirements of this Charter and the provisions of the Ordinance a minimum of one-third of the members of said Board shall have training and experience in financial matters as evidenced by being a certified public accountant, having earned a bachelor, master or doctorate degree in business, finance or public administration, having not less than five years service as the financial officer of a business, having not less than five years service as an elected or appointed public official, having not less than five years service as a public administrator, or having a similar degree or

experience or such other qualifications as may be further defined by Ordinance.

(f) **Veterans Commission.** Said Commission shall exercise the powers and duties prescribed by this Charter and such as are contained in the General Statutes or Special Acts and as prescribed by the Code of Ordinances. Said Commission shall employ a full time clerk, in accordance with the provisions of §8-2(f), below, and shall maintain an office that shall be open at times designated by ordinance. Said commission shall employ whatever part-time assistance it deems necessary, with the approval of the Common Council.

(g) **Board of Public Works.** Said Board shall advise and consult with the department head pertaining to the duties and conduct of the department(s) charged with responsibility of the streets, engineering, fleet and facilities management, maintenance of parks, field services and utility division functions of the City. The Board shall be responsible for policy- making and evaluation with the advice of the department head(s). This shall include, but not be limited to, the adoption of such rules and regulations not inconsistent with the General Statutes, the provisions of this Charter or Ordinance.

§7-3

Appointive Boards and Commissions Required by Special Act.

The following Board shall be established, by Ordinance, by virtue of the provisions of the Special Acts pertinent to this City and subject to the provisions and powers enumerated in the General Statutes, Special Acts and this Charter:

(a) **Board of Water Commissioners⁷⁴.** Said Commission shall exercise the powers and duties prescribed by the Special Laws of the City as codified in this Charter and such as are contained in the General Statutes and as prescribed by the Code of Ordinances.

(b) **Fairview Cemetery Commission⁷⁵.** The care, management, and improvement of the public cemetery, known as Fairview cemetery, in said city, shall be vested in said Commission which shall have all the powers⁷⁶ vested by the Special Laws of this City as codified in this Charter and such as are contained in the General Statutes concerning cemeteries. Moreover, there shall be established, as an enterprise fund, a Perpetual Care Fund for the Fairview Cemetery which fund shall be comprised of private donations and fees for the maintenance of said Cemetery. All decisions regarding said Fund shall be within the exclusive control and dominion of the Commission. Said Commission shall establish procedures and safeguards, including the requirement of a surety bond, as determined by the Director of Finance, in order to administer said Fund in a manner consistent with their fiduciary responsibility for said Fund.

§7-4

Appointive Boards and Commissions Established by Ordinance.

The Common Council may establish, by Ordinance, such Boards and Commissions as are necessary to effectuate the powers and purposes of the City as enumerated in the General Statutes, Special Acts and this Charter⁷⁷.

(1) **The Fire Chief**⁹¹. The head of the department shall be the Fire Chief. The Chief shall be responsible for the efficiency, discipline and good conduct of the department.

(2) **The Fire Marshal**. There shall be a Fire Marshal who shall be appointed in the same manner as a department head. The fire marshal's duties shall be governed by the provisions of the General Statutes pertaining to fire hazards and the fire safety code, the provisions of this Charter and Ordinance. Said marshal may be assigned to other responsibilities within the department. The Fire Chief shall not serve as the Fire Marshal.

(c) **Other Governmental Responsibilities**. There may be departments responsible for the preservation and promotion of the public health⁹², welfare, human services⁹³ and building safety and inspection⁹⁴ for the City.

§8-5

Government Administration.

There shall be established a centralized system of government administration specifically designed to reduce duplication of services and efficiently foster the delivery of services to the City. The City shall effectuate such centralized system upon the general government and shall endeavor, by mutual agreement, to confer such benefits upon the Department of Education.

(a) **The Department of Finance**⁹⁵. The department shall be responsible for the keeping of accounts and financial records, the custody and disbursement of City funds and money, control over expenditures and such other duties and powers as may be required by the General Statutes, this Charter or Ordinance.

(1) **The Director of Finance**⁹⁶. The head of the department shall be the Director of Finance. The director shall be responsible for the efficiency, discipline and good conduct of the department. The Director of Finance shall have a fiduciary responsibility to the City and shall, at all times, be required to accurately report information to the Mayor, Common Council and the Board of Finance and Taxation.

(A) **The Centralized Purchasing System**¹⁰³. There shall be a central purchasing system for the City covering the purchase of all supplies, materials, equipment and other commodities required. In order to advance the provisions of this Charter, the Common Council shall establish by Ordinance the rules and regulations governing the operation of said central purchasing system in a manner consistent with the General Statutes, this Charter, Ordinance and standards established by organizations such as the National Institute of Governmental Purchasing and the National Association of State Purchasing Officials as well as the Model Procurement Code and Ordinances prepared by the American Bar Association. Any provisions referring to purchasing inconsistent with the terms of this section referred to elsewhere in this Charter are hereby expressly repealed.

(i) **The Purchasing Agent**¹⁰⁴. The head of the system shall be the Purchasing Agent and shall be appointed or designated by the Mayor. The Purchasing Agent shall make all purchases of supplies, materials, equipment, and contractual services for all departments, offices, Boards, Commissions, institutions and other agencies of the City, in a manner consistent with this Charter. The Purchasing Agent shall be responsible for the efficiency, discipline and good conduct of the system.

(b) **The Office of the City Assessor**⁹⁷. The City Assessor shall have the powers and shall perform all duties prescribed for assessors in the General Statutes, together with such other powers and duties as may be prescribed by this Charter or the Ordinances of the City.

(1) **The City Assessor**⁹⁸. The City Assessor shall be head of the department. The City Assessor shall be responsible for the efficiency, discipline and good conduct of the department. The City Assessor shall be chosen on the basis of training and full-time professional experience in the field of property appraisal and assessment law administration prior to appointment and shall be a certified municipal assessor pursuant to the provisions of the General Statutes⁹⁹.

(c) **The Personnel Department. Labor Relations**¹⁰⁰. The department shall be responsible for the administration of the civil service system and all other matters affecting civil service employment, collective bargaining and all the employees of the City. In order to advance the purpose of this Charter, the Common Council, upon recommendation of the Civil Service Commission, shall establish all rules and regulations relating to employees of the City.

(1) **The Personnel Director**¹⁰¹. The head of the department shall be the Personnel Director. The Personnel Director shall be responsible for the efficiency, discipline and good conduct of the department.

(2) **Equal employment opportunity and affirmative action**¹⁰². It shall be the policy of the City to guarantee equal opportunity to all qualified applicants and to all employees with respect to initial employment, advancement and general working conditions, without respect to age, race, creed, color, sex, or national origin. The Personnel Director, in consultation with the Civil Service Commission, shall develop and maintain a comprehensive and systematic affirmative action plan which will assure equal opportunity in recruitment and selection, job structure, promotion policies, training to improve job performance and upward mobility, and all other related procedures and practices. Said Affirmative Action Plan shall be effective upon approval by the Common Council.

(d) ~~**The Centralized Purchasing System**¹⁰³. There shall be a central purchasing system for the City covering the purchase of all supplies, materials, equipment and other commodities required. In order to advance the provisions of this Charter, the Common Council shall establish by Ordinance the rules and~~

~~regulations governing the operation of said central purchasing system in a manner consistent with the General Statutes, this Charter, Ordinance and standards established by organizations such as the National Institute of Governmental Purchasing and the National Association of State Purchasing Officials as well as the Model Procurement Code and Ordinances prepared by the American Bar Association. Any provisions referring to purchasing inconsistent with the terms of this section referred to elsewhere in this Charter are hereby expressly repealed.~~

~~(1) **The Purchasing Agent**¹⁰⁴. The head of the system shall be the Purchasing Agent and shall be appointed or designated by the Mayor. The Purchasing Agent shall make all purchases of supplies, materials, equipment, and contractual services for all departments, offices, Boards, Commissions, institutions and other agencies of the City, in a manner consistent with this Charter. The Purchasing Agent shall be responsible for the efficiency, discipline and good conduct of the system.~~

§8-6

Government Operations.

~~(a) **The Parks and Recreation Department**¹⁰⁵. The department shall There may be departments responsible for the control, development, operation and management of all public grounds, buildings, equipment and facilities provided by the City for park and recreational purposes. These responsibilities shall include, but not be limited to, the adoption of such rules and regulations not inconsistent with the General Statutes, the provisions of this Charter or Ordinance or applicable provisions of trusts and wills, related to the use, preservation and enjoyment preservation and promotion of all public works¹⁰⁶, parks and recreation areas of the City.~~

~~(1) **Director**. The head of the department shall be the director. The director shall be responsible for the efficiency, discipline and good conduct of the department.~~ **(b) Other Governmental Responsibilities.** ~~There may be departments responsible for the preservation and promotion of public works¹⁰⁶, engineering¹⁰⁷, parking garages, buildings, including, but not limited to school buildings and additions thereto¹⁰⁸, public trees, cemetery or burial grounds and other city property.~~

§8-7

City Planning, Zoning Enforcement and Economic Development.

(a) City Plan and Zoning Enforcement Departments. There shall be department(s) responsible for the coordination of the planning and zoning functions, including but not limited to, the development of a master plan or plan of development¹⁰⁹, building code inspection and enforcement, building zone regulations¹¹⁰, subdivision regulation¹¹¹, the renewal activities and the capital planning activities of the City. Each of these departments shall be constituted to perform such functions and have such powers and duties as are imposed by the General Statutes, Special Acts, this Charter and Ordinance. The directors of each department established by Ordinance shall be subject to the provisions of this Charter generally applicable to department heads.

ARTICLE X

BUDGETARY PROCEDURES

§10-1 Fiscal Year.

The fiscal year shall be the Uniform Fiscal Year as determined by the General Statutes.

§10-2 Tax Districts¹¹⁵.

There shall be one taxing district in said City, comprising all the territory within the limits of the City and Town of New Britain, unless as otherwise provided by the General Statutes and approved by the Common Council.

§10-3 Budgetary Procedures.

(a) **Annual Budget Estimates¹¹⁶.** The Mayor or designee shall have the power to require the several City officers to furnish all the information which they may possess and to exhibit all records, books, contracts, reports and other papers and documents in their respective departments, including the Department of Education, or in their possession, requisite, in the opinion of the Mayor, to enable the discharge of the duties imposed upon the Mayor by this Charter; and it is hereby made the duty of all City officers to furnish and exhibit the same when so required.

(1) **Submission of Estimates by Departments.** The officers of the several departments of the City shall, not later than the second Friday in January of each year (unless such day occurs before the tenth day of January¹¹⁷ in which event the date shall be not later than the third Friday in January), transmit simultaneously to the Mayor or designee and the Board of Finance and Taxation, estimates in detail of the amounts of money required by their several departments for the ensuing fiscal year, with a corresponding statement of the amounts expended the previous fiscal year ("Department Submission"). Said officers shall submit the estimates required by this section using the forms, systems, and/or methods prescribed by the Mayor or designee.

(b) **Annual Budget Preparation.** The Mayor and the Board of Finance and Taxation shall prepare an annual budget of the city.

(1) **Submission of Proposed Budget to Mayor.** Not later than seventy-five days following the receipt of the annual estimates the Board of Finance and Taxation shall present to the Mayor a Proposed Budget Ordinance ("Proposed Budget") for the ensuing fiscal year consisting of those items enumerated in section 10-3(c) of this Charter.

(2) **Submission of Mayor's Proposed Budget to Common Council.** Not later than ninety days following the receipt of the annual

estimates the Mayor shall present to said Council the Mayor's Proposed Budget Ordinance ("Mayor's Proposed Budget") for the ensuing fiscal year consisting of those items enumerated in section 10-3(c) of this Charter.

(c) Required Contents for Budget Submissions. The Proposed Budget and Mayor's Proposed Budget shall include the following information:

- (1) a budget message outlining the financial policy of the City and describing in connection therewith the important features of the budget proposal indicating any major changes from the current fiscal year in financial policies, expenditures and revenues and the reasons therefore, and containing a clear general summary of its contents;
- (2) an itemized statement of proposed appropriations for current expenses for each budgeted City agency for the ensuing fiscal year, with comparative statements of appropriations and expenditures for the current and preceding fiscal year and the increase and decrease between the current and ensuing fiscal years in the appropriations recommended;
- (3) an itemized statement of the estimated revenues of the City including all sources other than the property tax with comparative statements for the current and preceding fiscal year¹¹⁸;
- (4) the proposed rate of taxation;
- (5) a statement of bonds to mature and the interest payable on bonds outstanding; and
- (6) the proposed capital budget.

(d) Publication of Mayor's Proposed Budget. The Mayor's Proposed Budget shall be filed with the City Clerk concurrently with its submission to the Common Council and within ~~four~~seven business days after its filing the Clerk shall publish the Mayor's Proposed Budget in a ~~daily~~-newspaper circulated or published in said City¹¹⁹ and include in the notice that it is available for public inspection at the Clerk's office and on the City's website.

(e) Deliberations of the Common Council. The Common Council shall consider and Act upon the Mayor's Proposed Budget until it shall take a final action thereon, which shall not be later than sixty (60) days following the date the Mayor's Proposed Budget Ordinance was submitted to the Common Council. The Common Council shall hold at least one public hearing on the Mayor's Proposed Budget. The Common Council shall have the power by a majority vote of the entire Common Council to increase, decrease or create individual lines of appropriations; to decrease the total appropriation, rate of taxation and estimated revenues; or to increase the total appropriation, rate of taxation or estimated revenues, as recommended by the Mayor; however, final adoption of the Mayor's Proposed Budget shall be governed by the provisions of §10-3(e)(1) of this Charter. The total amount of the annual appropriations for any fiscal year shall

ARTICLE XI

CAPITAL PROJECTS BUDGET PROCEDURES

§11-1 Mayor to Initiate the Capital Projects Budget Process.

The Mayor shall initiate the development of a Capital Projects Budget in the same manner, subject to the same powers and in accordance with the same time-frame as the general fund budget as contained in Article X, above.

§11-2 Capital Improvement Program¹²⁶.

(a) **Annual Capital Projects Program Estimates.** It shall be the duty of the officers of the several departments, including the Department of Education, to submit annually to the Mayor or designee and the Board of Finance and Taxation, a recommended capital projects or improvement program which shall include the proposed method of financing each individual capital project or improvement and shall be based on estimates of the costs of such projects as submitted by each department, office or agency annually in the same manner as the annual estimates prepared for the Proposed Budget, pursuant to §10-3(a).

(1) **Submission of Capital Projects Budget Estimate.** The officers of the several departments of the City shall, not later than the second Friday in January of each year (unless such day occurs before the tenth day of January in which event the date shall be not later than the third Friday in January), simultaneously transmit to the Mayor or designee and the Board of Finance and Taxation in detail the ~~sixfive~~ (65) year Capital Projects Budget. Said officers shall submit the estimates required by this section using the forms, system, and/or methods prescribed by the Mayor or designee.

(b) **Capital Projects Budget Preparation.** The Mayor and the Board of Finance and Taxation shall prepare an annual ~~Six Five~~ (65) Fiscal Year Capital Projects Budget for the City.

(1) **Submission of Proposed Capital Projects Budget Ordinance to the Mayor.** The Board of Finance and Taxation, or such other Commission as designated by ordinance, shall submit to the Mayor a proposed Capital Projects Budget within seventy- five Days of receipt of the Capital Projects Budget Estimates.

(2) **Submission of the Mayor's Proposed Capital Projects Budget Ordinance to the Common Council¹²⁷.** The Mayor within ninety days of receipt of the Capital Projects Budget Estimates shall present to the Common Council a Mayor's Proposed Capital Projects Budget.

(c) **Required Contents for Estimates and Capital Projects Budget Submissions.** The Capital Projects Budget Estimates, Proposed Capital

Projects Budget and the Mayor's Proposed Capital Projects Budget for the ensuing fiscal year will provide the following information: the proposed expenditures for capital projects and the respective amounts proposed to be raised therefore in the annual operating budget and the amounts, if any, proposed to be raised from the issuance of bonds, from special assessments, or from other sources.

(d) **Publication of the Mayor's Proposed Capital Projects Budget.** The Mayor's Proposed Capital Projects Budget shall be filed with the City Clerk concurrently with its submission to the Common Council and within ~~four~~seven business days after its filing the Clerk shall publish the Mayor's Proposed Capital Projects Budget in a ~~daily~~-newspaper circulated or published in said City and include in the notice that is available for public inspection at the Clerk's office and on the City's website.

(e) **Deliberations of the Common Council.** The Common Council shall consider and act upon such Mayor's Proposed Capital Projects Budget until it shall take a final action thereon, which shall not be later than sixty (60) days following the date the Mayor's Proposed Capital Projects Budget Ordinance was submitted to the Common Council. The Common Council shall have the power by a majority vote of the entire Common Council, to increase, decrease or create Capital Projects. In the event said Council fails to consider and vote on the Capital Projects Budget recommended by the Mayor upon expiration of the above- referred sixty-day period, then the Capital Projects Budget proposed by the Mayor shall be the final Capital Projects Budget.

(f) **Disapproval of the Capital Projects Budget by the Mayor.** If the Mayor shall disapprove the Capital Projects Budget as approved by the Common Council, or any part of such Capital Projects Budget, the Mayor shall issue a veto message and proceed as otherwise provided for in this Charter, and a two-thirds (2/3) vote of the entire Common Council shall be required to override said veto.

(g) **Approved Capital Projects Budget.** If either the Mayor approves the Capital Projects Budget as approved by the Common Council or the Common Council overrides a Capital Projects Budget vetoed by the Mayor, said Capital Projects Budget shall be final.

(f) **State retirement fund**¹³⁷. Any regular full-time member of the fire department of the City appointed to his office after June 22, 1953, shall be eligible to receive benefits under the provisions of the municipal employees' retirement fund of the State and shall not receive benefits from the firemen's pension fund of said City.

§15-4

Provisions Regarding the Board of Water Commissioners and The Water Department¹³⁸.

(a) **Establishment of Department and Commission.** The Common Council shall establish, by Ordinance, a Water Department and Board of Water Commissioners ("Commission") with the powers conferred by the Charter of the City or the General Statutes¹³⁹.

(b) **Inspection of books**¹⁴⁰. The books of account and other papers, documents, and books of said water department shall be, at all times, open for the inspection of the Mayor or his designee, Common Council, or a committee duly appointed for such purpose by said Common Council.

(b) **Powers and duties of the Commission**¹⁴¹. The Commission shall have the power, and it shall be its duty, to construct, maintain, operate and manage the water works of said City, and all property, rights and privileges connected therewith and shall exercise all powers heretofore, or which may hereafter be, granted to or vested in the City, by legislative or other authority, relating, directly or indirectly, to the acquisition, maintenance and operation of the water works and a water supply for the City. Said department is authorized and empowered, subject to the necessary approvals required by the Charter, to: (1) purchase and take conveyances for and in the name of the City of all lands, or other estates or privileges, necessary or convenient for the City water supply; (2) make contracts for labor and materials; to dam and hold in sufficient quantities waters of any streams; (3) lay and construct all necessary pipes, aqueducts or reservoirs; (4) make use of the ground or soil under any railroad, street, or private way, for the purpose of laying pipes or aqueducts in such manner as to least obstruct or impede travel thereon, causing all damage thereto to be repaired; (5) make and establish public reservoirs and hydrants under the direction of the Common Council; to regulate the distribution and use of water and establish the prices to be paid therefor and generally to attend to the construction, supervision, care and management of the water works, and (6) exercise any additional powers that may from time to time be conferred upon the department by Ordinance or otherwise by law. The department may enter upon or into any land or buildings of any resident within said City for the purpose of shutting off or for repairing the water supply of said property, and may call upon the police force or any Constable of said City to assist or protect them in the discharge of their duty.

(1) **Director of the Water Department.** The head of the department shall be the Director.

(d) **Budget estimates**¹⁴². The department shall comply with all provisions of the Charter relating to finances and budgetary procedures.

(e) **Rates**¹⁴³. The estimates of receipts, to be approved as aforesaid, shall include the rates proposed to be charged for the use of water or other water charges to be collected by or for the use of said water department, and said Board of Water Commissioners shall, during such year, charge the water rents or charges for the ensuing year in accordance with the rates or charges so approved by the Common Council, but no such rate or charge shall be less than actual cost.

(f) **Limitation on expenditures**¹⁴⁴. Said Board of Water Commissioners shall not, during the year for which said estimates are made, either by entering into contracts or obligations, or by payments, or otherwise, except as hereinafter provided, exceed the estimates of expenditures as approved by the Common Council.

(g) **Supplemental estimates**¹⁴⁵. If at any time during the year for which such estimates of receipts and expenditures are made, it shall be desirable, in the opinion of the Water Commissioners, to change the same, said Board of Water Commissioners shall make a supplemental estimate, which shall be submitted to the Common Council of said City, for approval, in like manner as hereinbefore provided, and when such estimate is so approved, said Board may make the expenditures or collect the receipts or charges so approved.

(h) **Water bills**¹⁴⁶. Said Board of Water Commissioners shall, on such dates as it may by rule provide, make bills for the use of water and for water rents and provide when the same shall become due and payable, which bills shall be made due and payable within ~~one month~~ thirty days after they are made up, and the receipts from which shall be paid to the City Treasurer by said Board as it collects the same. Said Board may divide the entire territory served by the City into separate districts and may prescribe different due dates in the different districts respectively, all persons liable to pay water rents or charges to be charged for the same semi- annually for each six months' service provided, however, the Board may change the payment schedule to monthly or quarterly if deemed to be in the best interests of the City.

(i) **Shutoff of water**¹⁴⁷. Upon failure of any person to pay such bills and charges, or any debts owed to the department, said Board may discontinue the supply of water to such person or to the property of such person, or take such other action for the collection of such rents and charges as is by law provided.

(j) **Interest on arrears**¹⁴⁸. The Board ~~may~~ shall add to water rents or charges for the use of water ~~ten per cent of the amount of such charges~~ interest at the rate of one and one-half percent, per month, or any portion thereof, from the due date for failure to pay the same for more than thirty days after it shall have become due. ~~The Board may charge interest at the rate proscribed by the Common Council on all money owed the department.~~ In cases where liens on property for securing of water rents shall be filed, such penalties shall be secured by such liens.

(k) **Use of revenue**¹⁴⁹. The proceeds of all water rents, and all other receipts and income of the Board of Water Commissioners, shall be set apart and applied only to the obligations of said City arising out of the construction,

§15-7

Lien for Improvements¹⁸⁰.

(a) **Notice and recording of lien¹⁸¹.** Whenever the appropriate Boards or Commissions of jurisdiction shall have approved any projected public improvements all or part of the cost of which may, upon completion, become a lien upon the property benefited thereby, such Board shall file in the office of the Town Clerk a notice of such prospective lien listing the names of the record owners of all parcels of land which may be subject to such a lien, a description of each parcel sufficient to identify the same and the estimated amount of the prospective lien against each parcel. The Town Clerk shall record such notice of prospective lien upon the land records of the Town of New Britain and shall cause the name of each such record owner to appear in the general indices of said land records as a grantor and the City as grantee. Upon completion of such improvement and assessment of benefits therefor, such Board shall file in the office of the Town Clerk a certificate of lien listing the same information as in the notice of prospective lien but, instead of an estimated amount, shall state the amount assessed by the board of compensation and assessment or other body having jurisdiction to fix such amount, against each parcel. Such lien shall take effect as of the date of filing the notice of prospective lien, but, if no notice of prospective lien has been filed, it shall take effect as of the date of filing the certificate of lien. No lien for a public improvement shall exist which has not been recorded in conformity with this Article.

(b) **Release of lien¹⁸².** When any projected public improvement for which a notice of lien has been filed has been abandoned or completed and paid for or has otherwise ceased to be a lien against any parcel of land mentioned in such notice of lien, the board filing such notice of prospective lien or the collector to whom such assessment has been paid with interest, fees and charges as provided by law shall promptly file with the Town Clerk a release of such lien listing the names of the record owners of all parcels of land affected by such release and a description of each parcel sufficient to identify the same. The Town Clerk shall record such release upon the land records of the Town of New Britain and shall cause the names of each such record owner to appear in the general indices of such land records as a grantee and the City as grantor.

§15-8

The Police Power of Arrest.

Chapter 19 of number 420 of the Special Acts of 1961 is amended by adding section 1907 as follows: The members of the police department of the City shall have the same authority and power to arrest any person or persons for crimes or misdemeanors committed on the lands, property or estate of the City, situated in any town in this State and owned or used by said City, and within the distance of one hundred rods from said lands, property or estate, as they have to make arrests within the limits of the City. Nothing in this section shall affect the police jurisdiction of any other town in which the City may own or possess property¹⁸³.

§15-9

Provisions Affecting the Retirement and Pension of Elective Officials¹⁸⁴.

Any full-time or part-time elective official of said city who has served as an elective official for a period of twenty years, either continuously or cumulatively, shall be entitled at histheir request to an annual pension for life of one-half of the

compensation attached to the office at the time of ~~his~~^{their} request for said pension, payable in monthly installments. As used in this section, "elective official" means any official elected by the electors of the city or any subdivision thereof, inclusive of appointments by the Common Council to fill a vacancy of an elective office. Upon the death of any elective official or of any person who has been an elective official, the surviving spouse of such elective official shall receive a pension for life or until such surviving spouse remarries in an amount equal to one-half of the amount to which such official was entitled, but not less than one thousand dollars per year, payable in monthly installments.

§15-10

The Fairview Cemetery.

(a) **Contracts; regulations; fees; superintendent; investments¹⁸⁵.** The Fairview Cemetery Commission shall have power to make contracts for the purchase of land and may take lands in the name of said city, for the uses and purposes of said cemetery, in the manner provided by law. The Commission shall make all needful rules and regulations concerning the use, management, and care of said cemetery, and of the lots therein, and establish and fix, and, from time to time, in its discretion, change or alter all fees and charges in connection with said cemetery; shall, in accordance with rules and regulations of the Civil Service Commission, fix the compensation of all persons employed by it; shall have power to sign, on behalf of said city, deeds of lots in said cemetery without being authorized to do so by the common council, and shall cause all deeds or other certificates of title to lots in said cemetery to be recorded in the town clerk's office. The Fairview Cemetery Commission shall be trustees of all funds heretofore left to the town of New Britain or its Commission, by gift or bequest for the care of cemetery lots, or for any other purpose in connection with said cemetery; may be appointed by the probate court trustee of any fund for cemetery purposes in connection with said cemetery or for the care of private lots; may take such fund either in trust or absolutely and by gift or devise for cemetery purposes, and shall invest the same in accordance with the laws governing the investment of trust funds; may approve all contracts for cemetery purposes; and shall be custodian of all cemetery records, maps, and papers. No investment shall be changed or principal funds withdrawn from deposit without the written order of the full Commission. The income from the funds may be collected by the Commission.

(b) **Trustee; revenue; payment of bills; reports¹⁸⁶.** Said Commission may appoint a bank as its agent in the performance of its duties in the care and custody of said trust funds and the investment thereof in securities in which trust funds may be invested by the laws of the state, at such compensation, if any, as may be fixed by said Commission, and such agent may be required to give bond, with surety, payable to the city, conditioned for the faithful performance of its duties. The Commission shall cause to be paid to the city treasurer all moneys received from the sale of lots, from burials and from any and all sources of income other than the principal of trust funds the income of which is to be used for the perpetual care of lots. Said Commission, from time to time, shall report to the director of finance a list of bills and accounts for such expenses as have been incurred by said Commission and approved by it, and the director of finance shall thereupon verify with the city treasurer whether the balance in the city treasury to the credit of the Commission is sufficient to pay such bills or