

DRAFT REPORT  
CITY OF NEW BRITAIN  
CHARTER REVISION COMMISSION  
6/1/16

Pursuant to Resolution # 33385, dated February 10, 2016, the Charter Revision Commission ("CRC" or "Commission") 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.

The following is a summary of our recommendations to the Council, including pertinent information we considered in arriving at these decisions. The proposed Charter amendments are attached to this report and shown in blackline form.

We were charged by the Council to address the following:

**1) Change the Collector of Taxes and City 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 to 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 of office for 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 be increased from a two (2) year term to a four (4) year term. The CRC recommends this change be made by revising Section 3-2(c) of the Charter.

**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 or no longer exist 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 Public Works Commission (which currently exists by ordinance) to the Charter as the Board of Public Works 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. The CRC recommends that the "Board of Public Works" be added as a new subsection (g) to Section 7-2 of the Charter.

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

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 amending the Charter to require the Common Council to review, establish, and act upon rates of compensation for elected officials in every even-numbered year. This change would require that Ordinance #2-338, Section (1), be revised. The CRC recommends that this be accomplished by deleting Section 4-2(n), re-lettering Section 4-2(o) as Section 4-2(n), and adding a new Section 4-11 to the Charter.

**6) Include provisions to establish a Golf Authority to oversee all operations at Stanley Golf Course.**

The Commission does not recommend a provision to establish a separate authority to oversee 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:**

- Amend Section 1-4(f) and Section 14-3 to reflect the new effective date of the Charter revision. Said changes shall be effective on January 1, 2017 and any provisions applying to municipal elections shall first apply to the municipal elections of 2017.
- Move Section 8-5(d), The Centralized Purchasing System, including subsection (1), The Purchasing Agent, to a new section under the Department of Finance - Section 8-5(a) and subsection (1) - to reflect the current organizational structure.
- 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 Sections 10-3(d) and 11-2(d) of the Charter that requires publishing of the Mayor's Proposed Budget and Proposed Capital Projects Budget in a daily newspaper within 4 business days to require publishing in a newspaper within 7 business 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 newspaper.
- Amend Sections 11-2(a)(1) and (b) of the Charter to require a five (5) fiscal year Capital Projects Budget rather than an annual six (6) year Capital Projects Budget. This change is recommended to reflect actual accounting practice.
- Amend Section 15-4(h) to allow the Board of Water Commissioners to change the billing cycle for water bills 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 15-4(j) to require that the Board shall add interest at a rate of 1 ½% per month on delinquent water bills.
- Amend Section 15-9 regarding Retirement and Pension of Elected Officials 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 its 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 Collector of Taxes 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?

**Ministerial Matters**

- The Common Council should consider removing the endnotes from the Charter, as they have not been updated on a current basis and are not part of the Charter itself. Accordingly, the proposed Charter amendments do not contain endnotes. Should the Common Council accept this recommendation, the Preface of the Charter should be updated as shown in the attached document.

## Proposed Charter Amendments

### §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, ~~2004~~2017".

(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 City.

(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.

(p) Where reference is made to "Mayor or designee," the identity of the designee shall at all times be determined, in the sole discretion, of the Mayor.

**§3-2  
Elections.**

**Terms of Office of Elective Officers; Date of Elections; Special**

**(a) Commencement Date of the Term of Office.** 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 Appeals (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 Ordinance; 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.** 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.** 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:

"You, A. B., do solemnly swear that you will faithfully perform the duties of the office of Town Clerk and of clerk of the City of New Britain so long as you continue the clerk thereof; that you will make true entries and records of all the votes and proceedings of said City and all such other matters as by law or by the Ordinances of said City are to be recorded in your office; that you will deliver true copies of the records in your office when they shall be required of you, on the receipt of lawful fees therefor, so help you God."

Such oath shall be administered to such clerk by any persons competent to administer oaths, and thereafter said clerk shall administer to all other officials of said City the following oath:

"You, A. B., having been elected to the office of \_\_\_\_\_ for the City of New Britain, solemnly swear that you will faithfully and honestly perform the duties of the office of \_\_\_\_\_ for the City of New Britain to the best of your judgment and skill, so help you God,"

and the fact of the administration of such oath shall be entered upon the City records.

**(f) Vacancies in Various Elective Offices.**

**(1) Vacancies Resulting From Changes In Member's Residence or Political Party Registration.** A member of Common Council elected from a district shall be deemed to have resigned upon ceasing to be a resident of that district. A member of the Common Council elected at large shall be deemed to have resigned upon ceasing to be a resident of the City. With the exception of the final three (3) months of the term of office, a member of Common Council who changes political party registration and thereby impacts the balance of political parties in a Common Council District, as required by §3-3, below, shall be deemed to have resigned.

**(2) Filling Vacancies.** A vacancy in any elective office or in office occupied by Common Council appointees, from whatever cause arising, shall be filled by majority vote of the Common Council within sixty (60) days following the vacancy, provided any vacancy shall be filled by appointment of a person of the same political party as the appointee's predecessor and, in the case of a member of Common Council elected from a district, the appointee shall be a resident of the district in which the vacancy occurs. An appointment made after the expiration of sixty (60) days shall nonetheless be valid. The person so chosen shall hold office for the remainder of the term and until such successor shall be elected and shall have qualified.

## §4-2

### **Powers of the Common Council.**

The Common Council shall have the following powers:

- (a) to enact Ordinances in the manner provided in this Charter not inconsistent with law, or this Charter, for the government of the City and the management of its business, for the preservation of good order, peace and health, for the welfare and safety of its inhabitants and the protection and security of their property. It is authorized and empowered, by Ordinance or resolution, to regulate, amplify and define the corporate powers. The Common Council may prescribe fines and penalties for the violation of any Ordinance, and otherwise provide for the enforcement and collection of the same when not inconsistent with law or this Charter.
- (b) to establish and maintain a budget system including but not limited to the assessment, levy and collection of taxes for general, special or emergency purposes in the manner prescribed by law, and to adopt the capital and operating budgets of the City and the Board of Education in the manner prescribed by law and this Charter and the operative Ordinances adopted hereunder.
- (c) to fill vacancies in elective offices, in the manner provided in this Charter and to impeach or remove from office any elected officer I in the manner provided in this Charter
- (d) to establish a procedure for the adoption of fees charged by City departments.
- (e) in the name of the City, to receive gifts of money or property in excess of a value to be determined by the Common Council by Ordinance. Gifts of a lesser value may be received by the Mayor or by persons the Mayor may designate, in the name of the City.
- (f) to undertake public improvements, approve the issuance of public bonds and other financing instruments related thereto and to assess benefits and damages therefor, in the manner provided for in this Charter or as otherwise provided by law.
- (g) to approve the appointment of department heads designated by the Mayor.
- (h) to provide for the form and regulate the manner of making - contracts including, without restriction the approval or rejection of collective bargaining agreements and arbitration awards, in accordance with the requirements of the General Statutes. In furtherance of this power all parties charged with the responsibility for negotiating any collective bargaining agreement or participating in subsequent arbitration proceedings are required to submit the contract and the arbitration award to the Common Council in manner that assures timely consideration within the provisions of the General Statutes. For these purposes, submission

means delivery to the Mayor, in the capacity as Presiding Officer of the Council, the President Pro Tempore and the City Clerk. Said Common Council may establish such other reporting requirements as it deems necessary to carry out the purposes of this provision.

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

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

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

(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.

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

(n) ~~to establish the rates of compensation for (1) the members of the succeeding Common Council and (2) the Mayor and other officers, department heads and employees subject to the provisions of the budget, contract, collective bargaining agreement or other agreement.~~(o) Any other powers that may be granted by this Charter or by the General Statutes, as amended.

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

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

**§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 Commission.** 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 Commission and The Fire Commission.** 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 Commission.** 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 Appeals.** 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 examine, 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.

**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.** 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.** 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.** 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.** 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.** 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.** 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 Statutes.

**(c) The Personnel Department. Labor Relations.** 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.** 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.** 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.** 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.** 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.** The department shall be 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 of all public 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 works, parks, recreation, engineering, parking garages, buildings, including, but not limited to school buildings and additions thereto, public trees, cemetery or burial grounds and other city property.~~

§10-3

**Budgetary Procedures.**

(a) **Annual Budget Estimates:** 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 January 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 year;

(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 City 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 not exceed the estimated income for that fiscal year. In the event said Council fails to consider and vote on the budget recommended by the Mayor upon the expiration of the above-referred sixty-day period, then the budget recommended by the Mayor shall be final and the appropriations, revenues and the rate of taxation contained therein shall be the legal appropriations and the legal rate of taxation for the City for the ensuing year.

**(1) Final Vote of the Common Council.** The final vote of the Common Council to approve the Mayor's Proposed Budget for the ensuing fiscal year shall be by majority vote.

**(f) Publication of Due Dates for Taxes.** Moreover, the Common Council shall fix the time or times when such taxes shall become due and payable; and the changes in said estimates made by the Common Council, and the amount of the tax, and the time when it is due and payable shall be published once in each daily newspaper in said City.

**(g) Disapproval of the Budget by the Mayor.** If the Mayor shall disapprove the budget as approved by the Common Council, or any part of such 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.

**(h) Approved Budget.** If either the Mayor approves the budget as approved by the Common Council or the Common Council overrides a budget vetoed by the Mayor, said budget shall be final and the appropriations, revenues and the rate of taxation contained therein shall be the legal appropriation and rate of taxation for the City for the ensuing fiscal year ("Approved Budget"). In the event said Council fails to override the Mayor's veto and sixty-day period referred to in §10-3(e) of this Charter expires, then the Mayor's Proposed Budget shall be the Approved Budget.

§11-2

**Capital Improvement Program.**

**(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 ~~six~~five (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 Council.** 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

fourseven 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.

**§14-3**

**Effective Date.**

The 2000 amendments to this Charter shall take effect on July 1, 2001 and any amendments applying to municipal elections shall apply first to the municipal elections of 2001. The 2016 amendments to this Charter shall take effect on January 1, 2017 and any amendments applying to municipal elections shall apply first to the municipal elections of 2017.

§15-4

**Provisions Regarding the Board of Water Commissioners and The Water Department.**

**(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 Statutes.

**(b) Inspection of books.** 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.** 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.** The department shall comply with all provisions of the Charter relating to finances and budgetary procedures.

**(e) Rates.** 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.** 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.** 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.** 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.** 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.** 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.** 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, maintenance, and operation of its water system, including the principal and interest of the bonds, scrip, or evidences of indebtedness of said City now outstanding or hereafter issued in connection with or for the benefit of said water works.

**(l) Power to issue bonds and notes.** Said Board of Water Commissioners shall not have power to obligate said City in any manner requiring it to issue bonds or notes, or to contract obligations in excess of its appropriations, without having first obtained the approval of the Common Council of said City.

**(m) Extension of mains; assessments.** When, in the opinion of the Board of Water Commissioners, public convenience and necessity shall require the extension of any main pipe within the City or other localities where the Board of Water Commissioners is empowered to make extensions and it shall vote to make such extension, said Board shall assess the cost of such extension, as hereinafter provided, against the land and the buildings thereon, found by said Board to be especially benefited thereby and abutting upon the road, street or highway in which such main is to be laid, in proportion to the frontage of such land upon such road, street and highway.

**(n) Determination of extension costs.** In determining the cost of any extension of water pipes or mains for the purpose of assessments upon owners of property on account thereof, said department may deduct the cost for the laying of any water main of greater size than would reasonably be necessary for the accommodation of the owners of the property assessed for such extension, and, in determining for assessment purposes the cost of any extension of water service, it may base the same upon the average cost of laying an 8-inch main during the last preceding year, provided such cost shall not exceed the special benefits to the property through which such extension is laid.

**(o) Notice of hearing on extension.** Before said Board shall vote to make any such extension, at least ten days' written notice of the proposed extension shall be given by mail to the known owner or owners of the land and buildings upon which the cost of such water mains may be assessed and of the time and place when objections to such extension will be heard by said Board, and notice of such hearing shall be published at least once not less than five days prior thereto in a daily newspaper of general circulation in the City.

**(p) Rate of assessment; term.** Upon the completion of the construction of such water main, said Board shall assess upon the owners of record of the land and buildings specially benefited thereby a sum equal to ten per cent of the cost of the improvement, less the actual receipts from water rents for each preceding year from date, in proportion to the frontage of such land upon such road, street or highway. Each year thereafter, for not more than ten years from the completion of such extension, said Board shall assess, in the same manner and on the same basis, the owners of record of such property.

**(q) Notice of assessment.** Notice of assessments shall be given by mailing bills for the same to the persons assessed, and all assessments shall be due and payable on the date prescribed by said Board.

**(r) Lien of assessment.** Each amount so assessed, with interest as hereinafter provided, shall be a lien upon the land and buildings on account of which it was assessed from the date of its assessment, but shall not continue for more than six months from such date unless the Board shall, within such period of six months, lodge, for record, with the Town Clerk of the town within which such land and buildings are situated, a certificate, signed by the secretary or other authorized representative of the Board, describing the premises and the amount assessed thereon.

**(s) Recording of lien.** Whenever the Board of Water Commissioners shall have approved any projected public improvement 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 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 Common Council 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 Charter.

**(t) Interest; foreclosure of liens.** Interest on the amount of such assessments unpaid thirty days after the same shall have been made shall be at the rates proscribed by the Common Council for the first year and thereafter; and such liens may be foreclosed in the same manner as mortgages on real estate. Such liens shall take precedence over all other encumbrances upon such lands except taxes

**(u) Release of lien.** 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 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 name of each such record owner to appeal in the general indices of such land records as a grantee and the City as grantor.

**(v) Ascertainment of damages; payment.** Whenever disagreement shall be had between said Board and the owner or owners of any property or privileges which may be required for the purposes of this chapter, as to the amount of compensation or damages to be paid to such owner or owners for the same, or whenever such owner shall by law be incapable of contracting or be absent from this state, such compensation or damages may be assessed by three disinterested persons, under oath, appointed by any judge of the superior court, on application made to said judge, by or on behalf of either party, after such notice shall be given of such application as said judge shall see fit to prescribe; which said appraisers shall be sworn, and having given such notice as they shall see fit to prescribe to all parties in interest in regard to the time and place of making such estimate, shall assess such damage and shall report their doings, embracing the amount of their assessment, to the clerk of the superior court for Hartford county, to be by him recorded; and thereupon such assessment shall be taken and held to be a final adjustment of said compensation and damages between said parties, and upon payment thereof, said Commissioners may proceed with the construction of said works, without liability to any further claim for compensation or damages.

**(w) Sale of municipal water.** The City, acting by its Board of Water Commissioners, (subject to approval by the Common Council) is authorized to use or to sell or otherwise dispose of any water from its sources of water supply as now existing or hereafter enlarged or extended, for municipal purposes and for domestic, commercial, manufacturing industrial or other uses. The City may sell or dispose of water from its sources of water supply to owners or occupiers of property near its supply pipes or lines. Nothing herein shall compel said City against its will to furnish water outside the limits of said City.

**(x) Sale or lease of unused lands.** The Board of Water Commissioners is authorized to sell, convey or lease any land acquired at any time by the City for the use or benefit of the City water supply, which it shall deem unnecessary or inadvisable for the City to continue to hold and the sale or leasing of which has been approved by the Common Council, provided any deed for the sale or transfer of such land shall be executed on behalf of the City by the chairman of the Board of Water Commissioners and the Mayor of the City or, in his absence or disability, such other person as the Common Council may designate in his place to Act in the premises.

**(y) Supply of water to other towns.** The City, acting through its Board of Water Commissioners, may supply water and extend its mains into and for the use of the inhabitants of other municipalities for the benefit of the property located therein; or for the use of any fire district or water company within such Towns, in the same manner and subject to the same conditions as provided in this chapter for the supply of water to the inhabitants of the City and upon such terms and other conditions as may be

agreed upon by its Board of Water Commissioners, subject to the approval of the Common Council.

**(z) Contracts with Metropolitan District.** The Metropolitan District and New Britain are authorized to enter into contracts with each other for the purchase, sale, exchange or delivery of water and for the conferring of any right or privilege incidental to the use or enjoyment of the same. Such contracts or agreements on behalf of the City shall be made by the Board of Water Commissioners of said City, but shall not become effective until approved by the Common Council and the Mayor of said City; and such contracts or agreements in behalf of the Metropolitan District shall be made by the Board of Water Commissioners of said district, and Mayor of said City. For the purpose of carrying out any such contract or agreement, said City shall have the right to lay and maintain water mains, and suitable connections to such mains, and, in connection therewith, shall have the same rights and be subject to the same duties and obligations in respect thereto and to the laying and repair thereof as though the same were within the limits of the City.

**(aa) Taking of lands in Plainville and Southington.** The Board of Water Commissioners of the City, for the purpose of improving and increasing the water supply of said City, is hereby authorized and empowered on behalf of said City, to take, hold, and use the water of any spring or springs, stream or streams, or other waters, and any land necessary or convenient for constructing aqueducts and reservoirs within the limits of the Towns of Plainville and Southington, to such extent as may be necessary and expedient in carrying into effect the objects of this chapter; and any land or water right, title, privilege, or franchise which may be required, taken, or impaired for the purpose aforesaid shall be compensated for and the damages therefor ascertained, liquidated, and paid in the manner provided in §15-5(w) of this Charter, provided that this section shall not enable the City to take and appropriate any streams of water whose natural course is westwardly and to or towards the village of Plainville, but only such streams as naturally flow eastwardly and towards New Britain or Shuttle Meadow reservoir.

**(bb) Injury to water; penalty.** If any person shall willfully and maliciously corrupt the water in any reservoir, hydrant, aqueduct pipe or other portion of the City waterworks, or destroy or injure any portion of such works, or any materials or property used or designated to be used in connection therewith, he shall forfeit and pay to said City treble damages and shall be fined not more than Five Hundred Dollars or imprisoned not more than one year or both.

**(cc) Elector to sit with Board.** The Common Council shall select an elector of said City, to sit with the District Board of the Metropolitan District, and who shall have a vote only on matters concerning water. He shall hold office until December thirty-first in the odd-numbered years, at midnight, and until his successor shall be chosen and shall have qualified. Before January first in the even-numbered years, the Common Council shall choose a successor for a term of two years. In case of the death,

resignation, refusal to serve or removal from the City of the member so selected, the Common Council shall fill such vacancy for the unexpired portion of the term.

**§15-9****Provisions Affecting the Retirement and Pension of Elective Officials.**

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 ~~his~~their 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.