

CITY OF NEW BRITAIN, CONNECTICUT

Charter Revision Commission
Regular Meeting
May 10, 2022

MINUTES

1. Call to Order.

Daniel Salerno called the meeting to order at 6:06 p.m.

2. Roll Call.

Members in Attendance: Daniel Salerno, Neil Connors, Nathan Amos, Justin Dorsey, Carmelo Rodriguez and John Buckley. Sharon Beloin-Saavedra was absent.

3. Public Comment.

Salerno opened the floor to public comment. There were no comments from the public. Dorsey made a motion to elect Salerno as temporary chair. Motion was seconded by Connors. Approved 5-0. Salerno abstained.

4. Approve April 26, 2022 Meeting Minutes.

The Commissioners were provided a copy of the draft minutes from the April 26, 2022 Regular Meeting for review and approval. A motion was made by Dorsey to approve the minutes. Motion was seconded by Rodriguez. Approved 6-0.

5. Discuss Public Comment to Draft Report to the Common Council regarding Proposed Amendments to the City of New Britain's Charter.

Salerno discussed the Draft Report and noted that Beloin-Saavedra was ill and could not attend tonight's meeting or public hearing. He encouraged the Commissioners to raise issues related to the Charter but wanted to wait to vote on the draft report until a future meeting with Beloin-Saavedra in attendance. A discussion ensued regarding scheduling of a future meeting as Beloin-Saavedra might not be able to attend on May 12, 2022. Salerno proposed Thursday, May

19th for the next meeting. A motion was made by Connors to cancel the May 12, 2022 meeting and tentatively schedule a special meeting on May 19, 2022 at 6:00 p.m. Motion was seconded by Amos. Approved 6-0.

Dorsey thanked the representatives from Shipman & Goodwin for their assistance with the Charter revision process.

Buckley directed the Commissioners to the email received from Peter Gostin, which was sent to each of them prior to the meeting and included in their meeting packages. Buckley asked whether the Commission wanted to take up the Cost of Living Adjustment issue raised in Gostin's correspondence. Salerno stated that he believed the issue was raised previously and that the Commission decided not to take action on it. Salerno asked the Commissioners if there was any further comment in the issue. There was none.

Danielle Braun from Shipman & Goodwin directed the Commissioners to the draft Charter revision language she was asked to prepare regarding a residency requirement for the Town and City Clerk and the Revenue Collector. She noted that the draft language mirrors the residency requirement language in the Chief Operations Officer section. She further directed the Commissioners to a blackline provided to them that contained additional legal clean-up items, such as making the references to the "Town and City Clerk" consistent throughout the Charter, removing duplicative phrases, and replacing pronouns with descriptive language. Discussion ensued regarding the residency requirement. A motion was made by Connors to revise the current version of the draft report to include the draft language provided, which includes the residency requirement for the Town and City Clerk and the Revenue Collector and the legal clean-up items. Motion was seconded by Rodriguez. Approved 6-0.

6. Act on Draft Report to the Common Council regarding Proposed Amendments to the City of New Britain's Charter.

A motion was made by Dorsey to table action on this item until the next meeting. Motion was seconded by Rodriguez. Approved 6-0.

7. Adjournment.

Motion made by Dorsey to adjourn the meeting at 6:20 p.m. The Motion was seconded by Amos. Approved 6-0.

Submitted by:

Danielle M. Braun
Acting Recording Clerk

CITY OF NEW BRITAIN, CONNECTICUT

Charter Revision Commission
Regular Meeting
April 26, 2022

DRAFT MINUTES
(Subject to Approval)

1. Call to Order.

Sharon Beloin-Saavedra called the meeting to order at 6:02 p.m.

2. Roll Call.

Members in Attendance: Sharon Beloin-Saavedra, Daniel Salerno, Neil Connors, Nathan Amos, Justin Dorsey, Carmelo Rodriguez and John Buckley.

3. Public Comment.

Beloin-Saavedra opened the floor to public comment. There were no comments from the public.

4. Approve April 21, 2022 Meeting Minutes.

The Commissioners were provided a copy of the draft minutes from the April 21, 2022 Regular Meeting for review and approval. A motion was made by Dorsey to approve the minutes. Motion was seconded by Amos. Approved 7-0.

5. To tentatively vote on draft language to revise the Charter to include a position of Chief Operations Officer to work with the Mayor for daily management of the City of New Britain.

Beloin-Saavedra informed the Commissioners that Shipman & Goodwin LLP had prepared a blackline of the Charter with all of the changes recommended by the Commission, including draft language regarding the Chief Operations Officer. The Commissioners decided to discuss Agenda items #5 and #7 under Agenda item #8 below, reasoning that they could review all of the draft language in the blackline of the Charter and the draft report and then vote on them as a whole.

6. To tentatively vote to revise the Charter to change the number of members on the Board of Education and the election process.

Beloin-Saavedra commented that upon further consideration of this topic, she would like to keep the Charter as it is currently written. She stated her belief that the Commission should minimize the number of changes to the Charter so that the public is able to better focus on the proposed changes the Commission deems most important. She asked the other Commissioners if any of them wanted to revise the Charter to change the number of members on the Board of Education. Discussion ensued and none of the members expressed an interest in taking action on this item.

7. To tentatively vote on draft language for housekeeping and general language revisions in the Charter.

As discussed in item #5 above, the Commissioners opted to discuss this item under Agenda item 8 below.

8. Review and provide comments on preliminary draft report of the City of New Britain Charter Revision Commission.

Beloin-Saavedra directed the Commissioners to the draft report and the blackline changes to the Charter contained in their meeting packages. The Commissioners asked Danielle Braun from Shipman & Goodwin to read the revised Charter in blackline form on a line-by-line basis. Danielle Braun began to read the Charter and asked the Commissioners to stop her with any questions or concerns.

The Commissioners first asked a question regarding the language in new Section 8-8 (Town & City Clerk) and Section 8-9 (Revenue Collector). The Commissioners asked Braun and Mary Pokorski from Corporation Counsel whether these sections should use the same phrases describing appointment as are used in Section 8-2b regarding the appointment of department heads. After some discussion, the Commissioners agreed that the language in Sections 8-8 and 8-9 should be consistent with the appointment language in Section 8-2b. Braun wrote down the language and read it back to the Commissioners for their approval.

After Braun read the new Article XV (Chief Operations Officer) the Commissioners engaged in a discussion regarding the pros and cons of including a detailed job description and

list of qualifications in the Charter. The Commissioners agreed on minor revisions to the proposed language, including inclusion of the language in Section 8-2b language regarding appointment of Department Heads.

Braun read the new Article XVII Charter Revision to the Commissioners and members of the public in attendance. The Commissioners discussed and agreed upon revisions to the draft language provided.

Braun directed the Commissioners to a partial list of endnotes to the Charter. She explained that these are not technically part of the Charter and have not been updated on a regular basis causing them to be inconsistent. After discussion, the Commissioners agreed that they the draft report to the Common Council should include a direction to the Common Council asking them to revise or update them.

Connors made a motion to approve the revised Charter, including the additional revisions approved today as well as any other clean-up/conforming changes suggested by legal counsel. Motion seconded by Rodriguez. Approved 7-0.

Beloin-Saavedra directed the Commissioners to the draft report contained in their packages. Braun reviewed each of the sections of the draft report with the Commissioners. Discussion ensued amongst the Commissioners and they suggested minor revisions to the report.

Beloin-Saavedra indicated that she believed that the recommendation regarding filling vacancies for elected officials should include language encouraging the Common Council to include party leadership when filling any vacancy. Other Commissioners agreed with the change. Salerno noted that he was opposed to adding this language.

Before the Commissioners voted on the draft report, Braun reviewed the additional changes suggested by the Commission. Dorsey made a motion to approve the revised draft report, including the additional revisions approved today as well as any other clean-up/conforming changes suggested by legal counsel. Motion seconded by Amos. Approved 7-0.

Beloin-Saavedra requested that Braun send the Commissioners revised versions of the blacklined Charter and the draft report, including the changes voted on by the Commission and any clean-up/conforming changes suggested by Shipman & Goodwin and/or Corporation Counsel. She asked Braun to send a copy of the revised draft report and the blacklined copy of the Charter to the Town Clerk. Braun agreed.

9. Discuss Charter Revision.

Beloin-Saavedra reminded the Commissioners that there is a meeting scheduled for Tuesday, May 10th (immediately following the public hearing). She told the Commissioners that given the fact that they voted on the draft report and the blacklined Charter at tonight's meeting, she would like to cancel the May 3rd meeting. She also said she wanted to cancel the May 19th meeting, and that after the May 10th meeting, the Commissioners could decide whether they wanted to also cancel the May 12th meeting. Discussion ensued. The Commissioners agreed to cancel the meetings on May 3rd and May 19th.

10. Adjournment.

Motion made by Salerno to adjourn the meeting at 7:18 p.m. The Motion was seconded by Connors. Approved 7-0.

Submitted by:

Cheryl A. Rodzen
Acting Recording Clerk

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.

§8-6 - Government Operations.

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.

§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 development , building code inspection and enforcement, building zone regulations , subdivision regulation , 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.
- (b) **Other Governmental Responsibilities.** There may be departments responsible for the economic development of the City.

§8-8 – Town and City Clerk

- (a) **Appointment.** Effective November 11, 2025, the Town and City Clerk shall be hired through an open, competitive process in accordance with the Rules of the Civil Service Commission of the City of New Britain and the Code of Ordinances. The Town and City Clerk shall be appointed by and subject to the authority of the Mayor, following the consent of the Common Council. The minimum qualifications for the Town and City Clerk shall be a Bachelor's Degree in public or business administration or related field and a certification as a Connecticut Certified Town Clerk (CCTC). The Town and City Clerk shall serve a twelve month probationary period. At the time of the Town and City Clerk's appointment, said person need not be a resident of the City or the State of Connecticut, provided, however, the Town and City Clerk must become a resident of the City within one (1) year of said person's appointment.
- (b) **Duties.** The Town and City Clerk of the Town of New Britain shall be Town and City Clerk of the City of New Britain. The Town and City Clerk shall serve as Registrar of Vital Statistics, indexer of all records and as said Town and City Clerk and Registrar shall have all powers and duties conferred or imposed by law on Town Clerks and Registrars. The Town and City Clerk shall serve as clerk of the Common Council, and shall record its proceedings and actions in accordance with the provisions of the General Statutes, Ordinance and legislative procedure.

- (a) **Reports.** All fees collected by the Clerk shall be paid into the general fund of the City. Said Clerk shall provide reports as prescribed by Ordinance.
- (b) **Deputies.** Said clerk may appoint one or more deputies, who, after having taken the oath or affirmation provided by law for Town and City Clerk, shall assist said clerk, and when acting in the discharge of their clerical duties shall have all the powers and duties of said clerk. All acts of said deputies and all records kept by them shall have the same validity and effect as acts and records of said clerk.

§8-9 – Revenue Collector.

- (a) **Appointment.** Effective November 14, 2023, the Revenue Collector shall be hired through an open, competitive process in accordance with the Rules of the Civil Service Commission of the City of New Britain and the Code of Ordinances. The Revenue Collector shall be appointed by and subject to the authority of the Mayor, following the consent of the Common Council. The minimum qualifications for the Revenue Collector shall be a Bachelor's Degree in accounting, finance or related field and a certification as a Connecticut Certified Municipal Collector (CCMC). The Revenue Collector shall serve a twelve month probationary period. At the time of the Revenue Collector's appointment, said person need not be a resident of the City or the State of Connecticut, provided, however, the Revenue Collector must become a resident of the City within one (1) year of said person's appointment.
- (b) **Duties.** The Revenue Collector shall collect all taxes, assessment, fees and other revenues duly levied by and due and owing to the City, as provided for in the General Statutes of the State of Connecticut, this Charter and the Code of Ordinances. In case the collector shall not perform the duties of office, and on complaint of the Common Council, the Mayor shall issue a warrant directed to any proper officer, to collect out of the estate of the negligent collector the sum due, as ascertained by the Common Council.
- (c) **Reports.** The Revenue Collector, on November first of each year, shall report as prescribed by Ordinance on the status of all unpaid taxes that have remained unpaid for a period of two years or more.
- (d) **Deliveries to Successor.** It shall be the duty of the Revenue Collector, at the expiration or other termination of the term of office, to turn over and deliver to such successor in office all warrants, tax lists, tax warrants, books of account, documents, data and papers of every description in any way relating to the office or the business thereof.

Payments to Treasurer. The Revenue Collector shall pay to the City Treasurer each day all monies collected and shall be obligated to deliver to said Treasurer any information required by Ordinance regarding the sum of monies collected.

ARTICLE IX - BOARD OF EDUCATION AND THE DEPARTMENT OF EDUCATION

§9-1 - City as Consolidated District.

The City shall be a consolidated school district and it shall be in place of the Town of New Britain in all the duties, obligations, and other matters required by law of or by the Town concerning education, and it shall Act in such matters instead of the Town. All powers, obligations, rights, and property of the Town, whether as a Town or a consolidated school district, shall be vested in and belong to said City.

§9-2 - Board of Education Established.

The Board of Education is established in §6-4 of this Charter, above.

DRAFT

~~4/26/22~~5/10/22

CHARTER CITY OF NEW BRITAIN, CONNECTICUT



PUBLISHED BY ORDER OF THE COMMON COUNCIL

AS APPROVED BY REFERENDUM OF NOVEMBER 7, 2000

AMENDED NOVEMBER 7, 2000

AMENDED NOVEMBER 5, 2002

AMENDED NOVEMBER 8, 2016

REPUBLISHED BY ORDER OF THE COMMON COUNCIL 2017

§2-3 - Continuance of Obligations.

All property, rights of action, and rights of every description, and all securities and liens therefore and all existing debts and obligations are continued.

§2-4 - Powers of the City; Intergovernmental Relations.

In addition to all powers granted to cities under the Constitution and laws of the State of Connecticut or which may hereafter be conferred, the City shall have all powers specifically granted by this Charter and all powers fairly implied in or instant to powers expressly granted and all of the powers instant to the management of the property, government and affairs of the City, including the power to enter into contracts with the United States or any agency thereof, the State of Connecticut or any agency or political subdivision thereof, for services and the use of facilities, the exercise of which is expressly granted by the Constitution and general laws of the State of Connecticut. The enumeration of particular powers in this and any other article of this Charter shall not be construed as limiting this general grant of powers which shall be considered as an addition thereto. Said City shall exercise all the rights, powers, privileges, functions and jurisdiction essential to a proper exercise of its corporate functions, including all that may be necessarily incident to, or may be fairly implied from, the powers specifically conferred upon this corporation.

ARTICLE III - ELECTIONS AND ELECTORS

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

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.** 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) Treasurer; (3) Three members of the Board of Assessment Appeals (of whom no person shall vote for more than two members of said Board); (4) Eight Constables (of whom no person shall vote for more than four); (5) 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, (6) Fifteen members of the Common Council (of whom no person shall vote for more than two members of said Common Council), who shall be elected as set forth below in this Charter.
- (c) **Term of Office.** All of said officials shall hold their respective offices for a term of two years with the exception of the ~~City Clerk and~~ Board of Education whose term shall be four 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 Town and City Clerk. The form of the oath to be taken by the Town and City 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~~Town and City Clerk by any persons competent to administer oaths, and thereafter said ~~clerk~~Town and City 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 the Common Council shall be deemed to have resigned upon ceasing to be a resident of ~~that district~~its Common Council District. With the exception of the final three (3) months of the term of office, a member of the 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 the Common Council, the appointee shall be a resident of the ~~district~~Common Council 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.

§3-3 - Composition of the Common Council.

- (a) The Common Council shall be comprised of fifteen (15) members, consisting of three (3) members elected from each of the five (5) Common Council Districts. The minority party representation requirements of the General Statutes shall apply to each of the five (5) Common Council Districts separately.
- (b) No more than two candidates of the same political party shall be candidates for election in each Common Council District.

§3-4 - Establishment of Common Council Districts.

- (a) No later than thirty (30) days following the completion of reapportionment of the general assembly, as required by the Constitution of the State of Connecticut, as further set forth in the General Statutes the Common Council shall appoint a districting commission ("Appointment Date") consisting of four (4) to eight (8) members, no more than fifty (50) percent of whom shall be members of the same political party. The districting commission shall report to the Common Council no later than seventy (70) days following the Appointment Date, setting forth the recommended boundaries of the five (5) Common Council ~~districts~~Districts. If the districting commission fails to file its report with the Town and City Clerk by the close of business on the seventieth (70th) day following the Appointment Date, the provisions of subsection (f) of this section shall be invoked.

- (b) Common Council ~~districts~~Districts (1) shall be of substantially equal population and otherwise consistent with all federal and state constitutional and statutory requirements; (2) to the extent possible consistent with the preceding, shall maintain the integrity of recognized neighborhood planning areas; (3) shall be geographically contiguous and compact; and (4) to the extent possible consistent with the preceding, shall be consistent with existing legislative districts.
- (c) The districting commission shall be supported in its work by appropriate City staff which shall have available to it the necessary support to facilitate the work of the commission as well as such other professional assistance (subject to appropriation) as it shall choose.
- (d) The districting commission shall hold a public hearing at least one week before it submits its report to the Common Council, and shall make a tentative map of its proposed districts available to the public electronically, in hard copy available at the Town and City Clerk's office, and by causing it to be published in one or more newspapers of daily circulation in the City at least three (3) days before the public hearing. The districting commission may modify the tentative districts before submitting its report to the Common Council.
- (e) The Common Council shall vote on the establishment of Common Council ~~districts~~Districts within three (3) weeks of its receipt of the districting commission's report. The Common Council may amend the district boundaries recommended by the districting commission before approving districts, but the districts approved by the Common Council must comply with the standards of subsection (b) of this section. A resolution approving districts must be affirmatively supported by a majority of the members of Common Council, and shall not be subject to veto by the Mayor.
- (f) If the districting commission shall fail to file its report as set forth in subsection (a), above, or if the Common Council shall fail to approve Common Council ~~districts~~Districts within the time limit established by subsection (e), the Mayor shall appoint a three (3) member commission, no more than two (2) of whom shall belong to the same political party, which shall file a report with the Town and City Clerk delineating Common Council District boundaries within three (3) weeks of its appointment. The report of this Commission shall establish the boundaries of Common Council Districts.

Transition Provision. No later than thirty (30) days following the adoption of this Charter Amendment the Common Council shall appoint a districting commission as set forth in §3-4(a). The date of appointment in this Transition Provision shall constitute the "Appointment Date" for purposes of apportioning the Common Council Districts for the 2003 general municipal election. In all other respects the procedures set forth in §3-4(b)-(f) pertaining to the apportionment of the Common Council Districts shall proceed from the Appointment Date established in this transition provision and shall be in full force and effect. In no event shall the apportionment exceed the time permitted in C.G.S. §9-169f1*. [fn 1](#)

Footnotes:

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*DRAFTING NOTE: C.G.S. §9-169g requires the "reapportionment" of a legislative body to be adopted "Not later than June first in the year after the first regular general assembly election following a reapportionment of the general assembly".

ARTICLE IV - THE COMMON COUNCIL

§4-1 - Legislative Power.

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.

- (l) by Ordinance, the provision of penalties by fine, not to exceed the amount permitted by the General Statutes, for any one 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) Any other powers that may be granted by this Charter or by the General Statutes, as amended.
- (o) ~~(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 Council.

- (a) **Zoning Authority of the Common Council.** 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 Council.

- (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 Town and City Clerk shall be the clerk of the Common Council and shall record its doings.

§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 Town and 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 Common Council may, punish its members for disorderly behavior, and, by a vote of three fourths of its members, expel a member for due cause. A majority of all the members of said Common Council shall constitute a quorum for the transaction of business, and the vote upon any question shall be taken by yeas and nays at the request of one-fifth (1/5) of the members present. All meetings at which less than a majority of said Common Council is present may be adjourned to such time as the members present shall see fit.

§6-4 - Board of Education Established.

There shall be a Board of Education of said City consisting of ten members, with all the rights, duties, or powers concerning schools and educational matters vested in Boards of Education by the General Statutes.

§6-5 - Registrar of Voters.

There shall be Registrars of Voters as required by the General Statutes.

ARTICLE VII - THE GENERAL GOVERNMENT: BOARDS AND COMMISSIONS

§7-1 - General Requirements Concerning Membership on Appointive Boards and Commissions.

- (a) **Creation of Boards and Commissions: Number of Members, Terms.** The Common Council shall by Ordinance establish the number of Board and Commission members and terms of office. Except as otherwise provided by the General Statutes, the number shall always be odd, the term of office shall not exceed a term of four years and the following limitations shall be placed on the number of members who may serve: (1) For Boards and Commissions required by §§7-2 and 7-3 of this Charter, there shall be no less than three and no more than nine members; (2) for Department-related Boards and Commissions established by Ordinance pursuant to §7-4 of this Charter, there shall be no less than three and no more than a maximum number of members established by Ordinance; and (3) for Non-departmental Boards and Commissions established by Ordinance pursuant to §7-4 of this Charter, including but not limited to Committees, Task Forces, Blue Ribbon Panels, there shall be no less than three members.

The Common Council in establishing an Ordinance shall make provision for the appointment of a chair, the keeping of records and the frequency of meetings of Boards and Commissions.

- (b) **Appointment.** Except as otherwise provided by State law or this Charter, all members or alternate members of Boards or Commissions shall be appointed by the Mayor, subject to §5-2(e) of this Charter, for a term established by Ordinance and may not be removed from office during their terms except for cause, which shall not be political. In the event of a vacancy on any Board or Commission, a successor may be appointed, except that during the last month of the term of a Mayor who has not been re-elected to office, the Mayor may not appoint any Board or Commission member except on an acting basis for a temporary period ending no later than sixty days following the commencement of the term of office of the new Mayor. All Board or Commission members shall serve until their successors have been appointed and qualified.
- (c) **Publication of Boards and Commissions.** During the month of October of each year, the Town and City Clerk shall cause to be published at least once for general circulation within the City and shall post for thirty days in a conspicuous location available to the public in the office of such Town and City Clerk a list of all the Boards and Commissions of the City. Any elector desirous of serving on any Board, may express such desire in writing addressed to such Town and City Clerk who shall retain such correspondence on file for two years. The appointing authority of any member of any Board shall review such notices prior to making the appointment to such Board.
- (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.

- (b) **Other Governmental Responsibilities.** There may be departments responsible for the economic development of the City.

§8-8 – Town and City Clerk

- (a) **Appointment.** Effective November 11, 2025, the Town and City Clerk shall be hired through an open, competitive process in accordance with the Rules of the Civil Service Commission of the City of New Britain and the Code of Ordinances. The Town and City Clerk shall be appointed by and subject to the authority of the Mayor, following the consent of the Common Council. The minimum qualifications for the Town and City Clerk shall be a Bachelor's Degree in public or business administration or related field and a certification as a Connecticut Certified Town Clerk (CCTC). The Town and City Clerk shall serve a twelve month probationary period.
- (b) **Duties.** The Town and City ~~Clerk shall serve as the Town~~ Clerk of the Town of New Britain ~~shall be Town~~ and ~~the~~ City Clerk of the City of New Britain. The Town and City Clerk shall serve as Registrar of Vital Statistics, indexer of all records and as said Town and City Clerk and Registrar shall have all powers and duties conferred or imposed by law on Town Clerks and Registrars. The Town and City Clerk shall serve as clerk of the Common Council, and shall record its proceedings and actions in accordance with the provisions of the General Statutes, ~~Ordinance~~Ordinances and legislative procedure.
- (a) **Reports.** All fees collected by the Town and City Clerk shall be paid into the general fund of the City. Said Town and City Clerk shall provide reports as prescribed by Ordinance.
- (b) **Deputies.** ~~Said clerk~~The Town and City Clerk may appoint one or more deputies, who, after having taken the oath or affirmation provided by law for ~~the~~ Town and City Clerk, shall assist ~~said clerk~~the Town and City Clerk, and when acting in the discharge of ~~their~~said deputies' clerical duties shall have all the powers and duties of ~~said clerk~~the Town and City Clerk. All acts of said deputies and all records kept by ~~them~~said deputies shall have the same validity and effect as acts and records of ~~said clerk~~the Town and City Clerk.

§8-9 – Revenue Collector.

- (a) **Appointment.** Effective November 14, 2023, the Revenue Collector shall be hired through an open, competitive process in accordance with the Rules of the Civil Service Commission of the City of New Britain and the Code of Ordinances. The Revenue Collector shall be appointed by and subject to the authority of the Mayor, following the consent of the Common Council. The minimum qualifications for the Revenue Collector shall be a Bachelor's Degree in accounting, finance or related field and a certification as a Connecticut Certified Municipal Collector (CCMC). The Revenue Collector shall serve a twelve month probationary period.
- (b) **Duties.** The Revenue Collector shall collect all taxes, assessment, fees and other revenues duly levied by and due and owing to the City, as provided for in the General Statutes of the State of Connecticut, this Charter and the Code of Ordinances. In case the ~~collector~~Revenue Collector shall not perform the duties of office, and on complaint of the Common Council, the Mayor shall issue a warrant directed to any proper officer, to collect out of the estate of the negligent collector the sum due, as ascertained by the Common Council.
- (c) **Reports.** The Revenue Collector, on November first of each year, shall report as prescribed by Ordinance on the status of all unpaid taxes that have remained unpaid for a period of two years or more.
- (d) **Deliveries to Successor.** It shall be the duty of the Revenue Collector, ~~at the expiration or other termination of the term of office,~~ to turn over and deliver to ~~such~~the Revenue Collector's successor ~~in office~~ all warrants, tax lists, tax warrants, books of account, documents, data and papers of every description in any way relating to the office or the business thereof.

- (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 Town and City Clerk concurrently with its submission to the Common Council and within seven business days after its filing the Town and City Clerk shall publish the Mayor's Proposed Budget in a newspaper circulated or published in said City and include in the notice that it is available for public inspection at the Town and City 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.

§10-4 - Transfers and Budget Amendments During Fiscal Year.

- (a) The Common Council shall establish, by Ordinance , an amount of appropriation under the approved budget which the Mayor or designee, shall be authorized to transfer between line items within any department. Said Ordinance may establish individual and/or aggregate transfer limitations.

§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 (6) 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 (6) 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 Town and City Clerk concurrently with its submission to the Common Council and within seven business days after its filing the Town and City 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 Town and City 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.

abolished. All employees covered by collective bargaining agreements shall remain in said office until such time as the effect of the abolition has been negotiated if required by the General Statutes.

§14-7 - Continuance of Provisions.

The pensions heretofore granted by the City shall continue as prior to the effective date of this Charter.

§14-8 - Transfer of Records and Property.

All records, property and equipment whatsoever of any department, office, Board, Commission, authority or agency or part thereof, all of the powers and duties which are assigned to any other department, office, Board, Commission, authority or agency by this Charter shall be transferred and delivered intact to the office, department, Board, Commission, authority or agency to which such powers and duties are so assigned. If part of the powers and duties of any office, department, Board, Commission, authority or agency or part thereof are, by this Charter, assigned to another office, department, Board, Commission, authority or agency or part thereof, all records, property and equipment relating exclusively thereto shall be transferred and delivered intact to the office, department, Board, Commission, authority or agency to which such powers and duties are so assigned.

ARTICLE XV - SPECIAL ACT POWERS AND CHARTER PROVISIONS

§15-1 - Provisions Regarding the Acquisition of Park Land: Special Power Relating to the Acquisition of Land in the City and Berlin.

The City acting through the Common Council shall have power to acquire by purchase, condemnation, or otherwise, land or interests therein within the limits of the City, or land in the Town of Berlin for the purpose of providing public parks or playgrounds, or enlarging existing parks or playgrounds. Whenever the Common Council shall vote to acquire any tract of land for said purposes, and said City is unable to agree with the owners thereof, or persons interested therein, as to the price to be paid therefor, said City may take the same, and the damages or benefits accruing to any person by reason of such taking shall be appraised and assessed, and proceedings thereon shall be had in the same manner as provided in Article XIII of this Charter for the taking of land, and damages therefor being paid or deposited as provided in said Charter, such land and the interests therein shall remain the property of said City for such purposes, and the benefits assessed shall be collected and said City shall have a lien therefor in the same manner as provided in said Charter concerning highways.

§15-2 - Provisions Affecting the Police Benefit Funds.

- (a) **Governed by Collective Bargaining Agreement.** The provisions affecting the police benefit funds are governed exclusively by collective bargaining unit. Any retired ~~members~~member of the police department or the ~~recipients~~recipient of ~~theirs~~said member's death benefits not covered by collective bargaining agreement remain covered by the provisions of the Special Acts which govern the police benefit funds of the City.

§15-3 - Provisions Affecting the Firemen's Pension Fund.

- (a) **Governed by Collective Bargaining Agreement.** The provisions affecting the firemen's pension fund are governed exclusively by collective bargaining unit. Any retired ~~members~~member of the fire department or the ~~recipients~~recipient of ~~theirs~~said member's death benefits not covered by collective bargaining agreement remain covered by the provisions of the Special Acts which govern the firemen's pension fund of the City.
- (b) **Contents of Fund.** There shall be in the City a fund to be known as the "firemen's pension fund", to which shall belong, in addition to the present fund:

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 chairperson of the Board of Water Commissioners and the Mayor of the City or, in the absence or disability of the chairperson or Mayor, such other person as the Common Council may designate in the place of the chairperson or Mayor 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, said person 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. Said elector shall hold office until December thirty-first in the odd-numbered years, at midnight, and until said elector's 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.

- (o) **Liability for damages.** Nothing contained in this Article shall be construed as absolving the City from any liability to any person or corporation for damages which may be occasioned to the person or property of such person or corporation in addition to the damages agreed upon or ascertained in the manner provided in ~~§15-615-5~~(n) of this Charter by reason of the use made by said City of any land or rights or easements in land, watercourses, or ways, acquired by said City under the authority of this Article. If the land, or rights or easements in lands, watercourses, or ways are within the limits of said City, the Common Council may proceed to take the same in the manner provided in ~~§15-615-5~~(n) of this Charter.
- (p) **Petitions for improvements.** When the majority of the property owners on any street shall bring a petition to the Common Council of said City for the construction or extension of sewers in such street, said Common Council may order the construction or extension of such sewer, and assessments for benefits therefor may be made upon any person or corporation whose property is benefited by the construction or extension of the same, to the same extent and in the same manner as set forth in ~~§15-615-5~~(n) of this Charter; and said Common Council may, in addition to such assessments, require the petitioners for such sewer to pay, or give a satisfactory bond, payable to said City, to secure the payment of the expenses to which the City shall be put in making maps, surveys, and assessments for said sewer and the construction and extension of the same, and may require the payment of an additional sum for the privilege of making connections with said sewer.

§15-6 - The Lighting Plant.

If said City determines to operate a plant for the manufacture and distribution of electricity for lighting purposes in accordance with the provisions of 1958 General Statutes §7-213 et seq., and any corporation owning or operating an electric light plant in said City attempts to compel said City to purchase said plant in whole or in part in accordance with said provisions after the valuation and amount of the plant to be purchased has been determined in accordance with said chapter, said City shall have the right within one year after the valuation of such plant has been fixed by the court to recede from its former action to establish and operate such municipal lighting plant, by a vote of its Common Council and if said Common Council shall vote to recede from said action said City shall not be under any obligation to purchase such plant. No court to which application is made under said provisions shall pass a final decree directing said purchase to be made by said City until said City has had one year in which to determine whether or not it will recede from said proposed plan. The decree of the court as to the amount and value of the property to be taken or purchased and other matter described in 1958 General Statutes section 7-213 et seq. shall be a decree conditional upon said City failing to recede from its former action within 1 year from the date of such decree. If said City establishes a plant or plants for the manufacture and distribution of electricity for lighting purposes said City is hereby authorized to maintain, repair, enlarge, and operate said plant or plants for the manufacture and distribution of electricity for power; and to purchase electricity for lighting or power purposes from any corporation located or operating in the state, and said City is hereby empowered to lease any electric plant owned or operated by it to any person or corporation for such period not exceeding twenty-five years as the Common Council may determine.

§15-7 - Lien for Improvements.

- (a) **Notice and recording of lien.** 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 and City 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 and City 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 and City Clerk a certificate of lien listing the same information as in the notice of prospective lien but, instead of

Rodzen, Cheryl

From: Braun, Danielle M.
Sent: Tuesday, May 10, 2022 3:29 PM
To: Rodzen, Cheryl
Subject: FW: Section 15-9 Pensions
Attachments: Charter Revision Testimony - COLA Added To Pension 3-1-22.docx; Pension - Amendment To NB Charter 15-9 - Compensation Committee Recommendation Feb 2022.docx



Danielle M. Braun
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From: Sharon Saavedra <sharon.saavedra@yahoo.com>
Sent: Tuesday, May 10, 2022 3:09 PM
To: DANIEL SALERNO <dmsalerno@comcast.net>; carmelorodriguezjr@hotmail.com; Neil Connors <attorney@neilpconnors.com>; Justin <justin.dorsey@hotmail.com>; Nathan Amos <Nathan.Amos@newbritainct.gov>; Braun, Danielle M. <DBraun@goodwin.com>; JOHN BUCKLEY <jbuckley02@snet.net>
Subject: Re: Section 15-9 Pensions

EXTERNAL EMAIL

Hello to all

I am very sick and can't get out of bed . Danny will run public hearing tonight. Continue with discussions after the hearing but we will not hold a final vote tonight. We will rearrange schedule so that everyone can participate

Thank you for understanding

Sharon Saavedra

Sent from my iPhone

On May 10, 2022, at 12:57 PM, Sharon Saavedra <sharon.saavedra@yahoo.com> wrote:

Sent from my iPhone

Begin forwarded message:

O'Neil, Loreen A.

From: Rodzen, Cheryl
Sent: Tuesday, May 10, 2022 2:21 PM
To: O'Neil, Loreen A.
Subject: FW: Section 15-9 Pensions
Attachments: Charter Revision Testimony - COLA Added To Pension 3-1-22.docx; Pension - Amendment To NB Charter 15-9 - Compensation Committee Recommendation Feb 2022.docx



Cheryl A Rodzen
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From: Braun, Danielle M. <DBraun@goodwin.com>
Sent: Tuesday, May 10, 2022 1:43 PM
To: Rodzen, Cheryl <CRodzen@goodwin.com>
Subject: FW: Section 15-9 Pensions



Danielle M. Braun
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From: Sharon Saavedra <sharon.saavedra@yahoo.com>
Sent: Tuesday, May 10, 2022 12:58 PM
To: DANIEL SALERNO <dmsalerno@comcast.net>; carmelorodriguezjr@hotmail.com; Neil Connors <attorney@neilpconnors.com>; Justin <justin.dorsey@hotmail.com>; Nathan Amos <Nathan.Amos@newbritainct.gov>; Braun, Danielle M. <DBraun@goodwin.com>; JOHN BUCKLEY <jbuckley02@snet.net>
Subject: Fwd: Section 15-9 Pensions

EXTERNAL EMAIL

Sent from my iPhone

Begin forwarded message:

From: Sharon Saavedra <sharon.saavedra@yahoo.com>
Date: May 10, 2022 at 12:55:45 PM EDT
To: JOHN BUCKLEY <jbuckley02@snet.net>
Subject: Re: Section 15-9 Pensions

He submitted his letter after the first public hearing . It was accepted and became part of the minutes. With changes in elected to civil service positions and the council giving elected officials another raise , I didn't consider it a priority. Carmel raised this issue at one of our meetings as well.

Sharon Saavedra

Sent from my iPhone

On May 10, 2022, at 11:06 AM, JOHN BUCKLEY <jbuckley02@snet.net> wrote:

I was talking to Peter Gostin about some other things and he mentioned that he had submitted a letter to the CRC early on in our process.

It has a request for CRC to look at retiree COLA at the end of his letter.

I don't recall this.

He understands that we are locked in to the Public Hearing at 6 PM but was hoping we could discuss it at our meeting right after the hearing.

Call me if you need to 860-944-3060.

----- Forwarded Message -----

From: Peter Gostin <peter.gostin@newbritainct.gov>
To: jbuckley02@snet.net <jbuckley02@snet.net>
Sent: Tuesday, May 10, 2022, 10:44:18 AM EDT
Subject: Section 15-9 Pensions

Hi John,

Attached is the two page letter I submitted to the CRC prior to the first public hearing along with a proposed language amendment to Section 15-9 of the city charter. Please read and bring up to the commission at the next meeting after tonight's public hearing.

Please let me know if you have any questions.

Thank you!

Pete

Peter J. Gostin

Certified Registrar of Voters

Treasurer - ROVAC

27 West Main St. Room 507

New Britain, CT 06051

Tel: 860-826-3315

Fax: 860-612-4207

Cell: 860-977-5856

<https://voterregistration.ct.gov/OLVR> Register to vote, change your name, address and/or party affiliation

<https://portal.dir.ct.gov/LookUp.aspx> A voter is able to look up if and where they are already registered

https://www.newbritainct.gov/services/registrar_of_voters/default.htm Our website for additional information

<https://portal.ct.gov/SOTS/Election-Services/Voter-Information/Absentee-Voting> for Absentee Ballot Applications (fill out and return to your local Town Clerk)

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FROM: Peter Gostin
88 Brittany Farms Rd. J1
New Britain, CT 06053

Good evening Chairwoman Beloin-Saavedra and members of the Charter Revision Commission,

I'd like to speak on a couple of agenda items and bring forward a separate charter issue that the commission may want to consider.

Item 2 – Changing the current common council election provisions to a ward system with a minority party representation requirement in each ward as provided in Section 9-167a of the CT General Statutes.

I am in favor of this change. I support the 5 wards as they are currently outlined in the charter. This proposal would:

- 1) Necessitate the elimination of the at-large council members
- 2) Increase the ward membership of neighborhood representation from 2 members to 3 members
- 3) Provide each political party with representation across the city. Neither political party could be completely shut out of being represented as has been the case with our current system in the past and it can provide an opportunity for reaching across the aisle more often since each party's advantage wouldn't be so great as to ignore the minority side, if indeed one was present.

Item 4 – Creating a position of Chief Administrative Officer.

Outside of the additional line item in the city's budget this position would create I withhold any judgement regarding the pros and cons of having a CAO until an outline of what the position's duties and responsibilities were known. However, should this commission recommend such a position please adhere to the requirement for hiring department heads in city charter Article 8-2 (b)(1) as it relates to a contract term of office of no less than 4 years. Perhaps this new position may not be relatable to, or even

considered as, a department head, but trying to bringing on board someone with anything less than a 4 year contract might prove to be difficult.

Item For Consideration

Article 15-9 Provisions Affecting the Retirement and Pension of Elected Officials

This charter language provides a pension to any person serving the city in an elected capacity for 20 year or more. I ask that you consider adding language in this section for a cost of living adjustment.

As each of you may well appreciate, getting elected and serving the city for 20 years or more is a difficult task. Our city's forefathers who wrote this provision in the charter many decades ago recognized this and appropriately provided a mechanism to compensate their efforts.

Those who serve in full-time elected positions are required to leave their other employment, often times coming from the private sector. All previous employment benefits are forfeited for the duration of their elected time in office. This certainly has an effect, most likely negative, on the earning power these elected officials would otherwise have had.

It's true that elected officials do not have to run for elected office. Yet someone has to do so in order for the city to exist. A cost of living adjustment would address the diminished retirement earnings which negatively accrue over the years due to inflation. I have taken the liberty of adding such a provision to the existing charter language and am submitting copies to the commission for your consideration and deliberation. Also included are the payouts to the current recipients. A COLA provision would not even be a rounding error in the budget but it would be a token of recognition for the service these former elected officials provided to the city.

Thank you for your time this evening.

Suggested Amendment to Article 15-9

§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 their request to an annual pension for life of one-half of the compensation attached to the office at the time of 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. Effective February 2023 and each subsequent February thereafter an annual cost-of-living adjustment shall be applied to all pension payments outlined in this section based on the 12 month average percent adjustment of the preceding calendar year of the U.S. Consumer Price Index Northeast Table for Urban Wage Earners and Clerical Workers (CPI-W). Any decrease in said 12 month average percent adjustment shall not negatively affect the existing monthly pension payment.

Alternative Proposal

Effective January 2023 and each subsequent January thereafter an annual cost-of-living adjustment following the most current 1186 union contract wage adjustment schedule shall be applied to all pension payments outlined in this section.