

City of New Britain, Connecticut
Proposed Charter Amendments

On June 22, 2022, the Common Council of the City of New Britain (the "City") passed Resolution 35684-2, whereby the proposed amendments to the City's Charter shown in report 35684-1 submitted by the Charter Revision Commission on June 8, 2022 were approved.

The Charter Revision Commission's report, a complete copy of the Charter and the proposed amendments are available in the Town and City Clerk's office located at 27 West Main Street, Room 109, New Britain, CT. Copies of the Charter and the proposed amendments will be mailed to any person who makes a request for a copy to the Town and City Clerk's office.

Pursuant to the requirements in Connecticut General Statutes §7-191(d), this notice includes the portions of the Charter being amended. For each section of the Charter being amended, introductory language is provided in italics and the heading to the Section in which the amendment will be made is included, but this information is not part of the Charter amendment. In each section of the Charter being amended, the language being deleted from the current Charter provision is crossed out and the language being added to the current Charter provisions is underlined.

Section 1-4, subsections (f) and (o) of the Charter shall be amended to read as follows:

§1-4 Definitions.

(f) "Effective Date" unless otherwise specified in this Charter shall mean "January 1, ~~2017~~2023".

(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~~the designee of the Department Head.

Section 3-2, subsections (b), (c), (e) and (f)(1) and (f)(2) of the Charter shall be amended to read as follows:

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

(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) 3 Three members of the Board of Assessment Appeals (of whom no person shall vote for more than two members of said Board); (6) ~~4~~ 8 Eight Constables (of whom no person shall vote for more than four); (7) ~~5~~ 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, (8) ~~15~~ 15 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.

(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 ~~clerk~~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 ~~elected from a district~~ shall be deemed to have resigned upon ceasing to be a resident of ~~that district~~. ~~A member of the~~ its Common Council ~~elected at large shall be deemed to have resigned upon ceasing to be a resident of the City 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 ~~elected from a district~~, 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.

Section 3-3, subsections (a) and (b) of the Charter shall be amended to read as follows:

§3-3 - Composition of the Common Council.

(a) The Common Council shall be comprised of fifteen (15) members, consisting of ~~two~~ ~~three~~ (23) members elected from each of the five (5) Common Council Districts ~~and five (5) elected at large.~~ 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.

Section 3-4, subsections (a), (b), (d) and (e) and (f) of the Charter shall be amended to read as follows:

§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.

(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.

Section 4-2, subsection (h) of the Charter shall be amended to read as follows:

§4-2 Powers of the Common Council.

(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 Town and City Clerk. Said Common Council may establish such other reporting requirements as it deems necessary to carry out the purposes of this provision.

Section 4-2, subsection (o) of the Charter shall be deleted:

§4-2 Powers of the Common Council.

~~(o) Any other powers that may be granted by this Charter or by the General Statutes, as amended.~~

Section 4-4, subsection (c) of the Charter shall be amended to read as follows:

§4-4 - Officers of the Common Council.

(c) **Clerk.** The Town and City Clerk shall be the clerk of the Common Council and shall record its doings.

Section 4-5 of the Charter shall be amended to read as follows:

§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 neas 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.

Section 4-6, subsection (c) of the Charter shall be amended to read as follows:

§4-6 - Procedure for Enacting Ordinances, Resolutions, etc.; when Ordinances effective; approval of Mayor.

(c) The Town and City Clerk shall record upon City records all approvals or disapprovals of such votes, resolutions, orders, or Ordinances by the Mayor, and shall attest by signature the fact that such vote, resolution, order, or Ordinance has been adopted without the signature of the Mayor whenever the Mayor shall fail to approve or disapprove any such vote, resolution, order, or Ordinance within the time limited for the same.

Section 4-11 of the Charter shall be amended to read as follows:

§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.

Section 5-2, subsection(d) of the Charter shall be amended to read as follows:

§5-2 – Powers.

The Mayor shall have the power:

(d) to appoint all officers, department heads and employees, including the Chief Operations Officer, of the City with the exception of the employees, experts or professional consultants of the Common Council and as otherwise provided by this Charter, the provisions of the Ordinance and regulations governing civil service and collective bargaining agreements, if applicable, and to fill, by appointment, a vacancy in any office for which the Mayor shall be given the power to appoint the incumbent to such office.

A new subsection (h) shall be added to Section 5-3 of the Charter as follows:

§5-3 - Duties.

It shall be the duty of the Mayor to:

(h) to appoint the Chief Operations Officer in accordance with Section 16 of this Charter.

Article VI of the Charter shall be amended to remove existing Section 6-1 and Section 6-2. Existing Sections 6-3 through 6-7 shall be renumbered Sections 6-1 through 6-5. There will no longer be Sections 6-6 and 6-7. The new Article VI shall read as follows:

ARTICLE VI - OTHER ELECTIVE OFFICES

§6-1 – City Clerk

(a) ~~_____ **Duties.** The Town Clerk of the Town of New Britain shall be City Clerk of said City. The Town Clerk shall serve as Registrar of Vital Statistics, indexer of all records and as said Town Clerk and Registrar shall have all powers and duties conferred or imposed by law on Town Clerks and Registrars. The City Clerk shall serve as clerk of the Common Council, and shall record its doings in accordance with the provisions of the General Statutes, Ordinance and legislative procedure.~~

(b) ~~_____ **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.~~

(c) ~~_____ **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.

~~§6-2~~ – Collector of Taxes.

~~(a) — **Duties.** The Collector of Taxes shall collect all taxes and assessments duly levied by 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.~~

~~(b) — **Reports.** The Collector of Taxes, 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.~~

~~(c) — **Deliveries to Successor.** It shall be the duty of the Collector of Taxes, 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.~~

~~(d) — **Payments to Treasurer.** The Collector of Taxes shall pay to the City Treasurer each day all monies collected, but shall be obligated to deliver to said Treasurer any information required by Ordinance regarding the sum of monies collected.~~

~~§6-3~~ - Treasurer.

(a) **Duties.** The Treasurer of said City shall have the powers and responsibilities of municipal treasurers conferred by the General Statutes as well as those contained in this Charter and the Ordinances. In addition thereto the Treasurer shall: (1) pay all orders drawn upon the Treasurer by the Director of Finance; (2) comply with all orders that may be made concerning the office by the Common Council; and (3) keep books of account in which shall be set down in detail receipts and payments by the Treasurer, and said accounts shall be open to the inspection of the Mayor, Director of Finance or Common Council at all proper times. Furthermore, each department, Board, Commission, committee or officer of said City and any person who shall collect or receive money belonging to the City shall immediately pay to the City Treasurer all monies so collected or received.

(b) **Deputy.** The Mayor may appoint a Deputy Treasurer, who shall act in case of the absence, inability or disability of the Treasurer, which Deputy Treasurer shall be from the same political party as the Treasurer then holding office, and such person shall furnish a satisfactory bond for the faithful performance of the duties of office.

~~§6-46-2~~ - Board of Assessment Appeals.

There shall be a Board of Assessment Appeals which shall have the powers and shall perform all the duties prescribed for Boards of Assessment Appeals in the General Statutes, together with such other powers and duties as may be prescribed by this Charter or the Ordinances of the City.

~~§6-56-3~~ - Constables.

There shall be eight Constables who shall have the rights, duties or powers vested in Constables by the General Statutes.

~~§6-66-4~~ - 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.

~~§6-76-5~~ - Registrar of Voters.

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

Section 7-1, subsection (c) of the Charter shall be amended to read as follows:

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

(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.

Section 8-2, subsection (g) of the Charter shall be amended to read as follows:

§8-2 – Appointment of Department Heads, General Requirements.

(g) **Surety Bonds of Certain City Officials.** The following employees of the City, shall severally give bonds, with surety, to said City in such manner and form as the General Statutes or Ordinances shall prescribe, for the faithful performance of the duties of their respective offices: the Director of Finance, Purchasing Agent, Treasurer, ~~Tax~~Revenue Collector, Constables, and any and all officers and employees of said City in any department thereof, charged with the custody and control of property, monies, or goods of said City, or the collection or disbursement of the same, as determined by the Director of Finance or otherwise required by the General Statutes, this Charter or Ordinance. The premiums for said bonds shall be paid by the City.

A new Section 8-8 shall be added to the Charter as follows:

§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 shall serve as the Town Clerk of the Town of New Britain 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, Ordinances and legislative procedure.

(c) **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.

(d) **Deputies.** 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 the Town and City Clerk, and when acting in the discharge of said deputies' clerical duties shall have all the powers and duties of the Town and City Clerk. All acts of said deputies and all records kept by said deputies shall have the same validity and effect as acts and records of the Town and City Clerk.

A new Section 8-9 shall be added to the Charter as follows:

§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 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 to turn over and deliver to the Revenue Collector's successor 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.

Section 9-2 of the Charter shall be amended to read as follows:

§9-2 - Board of Education Established.

The Board of Education is established in ~~§6-66-4~~ of this Charter, above.

Section 10-3, subsections (a) and (d) of the Charter shall be amended to read as follows:

§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 ~~theysaid City officers~~ 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.

(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.

Section 10-5, subsection (a) of the Charter shall be amended to read as follows:

§10-5 - Monthly Financial Reporting.

(a) **Report.** The Director of Finance shall submit monthly to the Mayor, the Common Council, the Board of Finance and Taxation and any other entity designated by Ordinance a report showing: (1) each appropriation with transfers, if any, to and from the same, the expenditures charged against each appropriation during the preceding month, and the total charges for the year to the end of the preceding month, and the balance remaining in such appropriation; (2) the budgeted revenue estimated to be received from each and every source, the actual receipts from each source for the preceding month, the total receipts from each source for the year to the end of the preceding month, and the balance remaining to be collected

or an estimate of the balance that will be collected; and (3) for the last four months of the fiscal year, the projected budget surplus or deficit for the fiscal year. Each monthly report shall also be filed in the office of the Town and City Clerk where it shall be available for public inspection.

Section 11-2, subsection (d) of the Charter shall be amended to read as follows:

§11-2 - Capital Improvement Program.

(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.

Section 14-3 of the Charter shall be amended to read as follows:

§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. The 2022 amendments to this Charter shall take effect on January 1, 2023 and unless as provided otherwise herein, any amendments applying to municipal elections shall apply first to the municipal elections of 2023.

Section 15-2, subsection (a) of the Charter shall be amended to read as follows:

§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 ~~their~~his~~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.

Section 15-3, subsections (a), (d) and (f) of the Charter shall be amended to read as follows:

§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 ~~their~~his~~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.

(d) **Investment of Fund.** The firemen's pension fund of said City shall be kept and invested in the name of said City, as trustee, and the securities shall be in the custody of the Treasurer of said City. Said fund shall be kept, invested and reinvested in such manner and in such securities, permitted by the laws of this State relating to trust funds, as shall be designated by the Board of Trustees, consisting of the Mayor, the City Treasurer, the members of the Board of Fire Commissioners and three active members of the fire department, the latter to be appointed by the Common Council of said City once in two years at its May meeting, upon the nomination of the active members of the fire department of the City, for a term of two years and until their successors shall be appointed and shall have qualified. Said Board of Trustees may regulate the manner of disbursements from said fund. The ~~chairman~~chairperson of the Board of Fire Commissioners shall be the ~~chairman~~chairperson of the Board of Trustees and the clerk of the fire department shall be the clerk of the Board of Trustees. Said Board of Trustees shall meet semiannually or more frequently if necessary.

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

Section 15-4, subsections (b), (c)(1), (r), (s), (u), (v), (x), (aa), (bb) and (cc) shall be amended to read as follows:

§15-4 - Provisions Regarding the Board of Water Commissioners and the Water Department.

(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~~the Mayor's designee, Common Council, or a committee duly appointed for such purpose by said Common Council.

(c) **Powers and duties of the Commission.**

(1) **Deputy Director of the Water DepartmentPublic Works, Utilities Division.**
The head of the ~~department~~division shall be the Deputy Director of Public Works, Utilities Division.

(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 and City 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 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 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 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.

(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 and City 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 and City 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 appear 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~~said appraisers 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~~said clerk 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.

(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~~chairperson of the Board of Water Commissioners and the Mayor of the City or, in ~~his~~the absence or disability of the chairperson or Mayor, such other person as the Common Council may designate in ~~his~~the place of the chairperson or Mayor to Act in the premises.

(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~~provided in §15-4(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~~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. ~~He~~Said elector shall hold office until December thirty-first in the odd-numbered years, at midnight, and until ~~his~~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.

Section 15-5, subsections (l), (n), (o) and (p) of the Charter shall be amended to read as follows:

§15-5 - Provisions Regarding Sewers, Drains and Garbage and Rubbish Disposal

(l) **Assessments for improvements.** (1) Said Common Council shall have power to assess such portions as it may deem reasonable of the cost of the public works and improvements upon the property within the limits of said City not having already paid a regular assessment for sewer benefits, for the carrying off of the stagnant, surface, or other drainage for which said sewer, drain, or improvement may be constructed, or which may be in any way improved or benefited thereby; and the sum so assessed shall be a lien upon the said property, subject to the provisions of this Charter as to the continuance, foreclosure, collection, and release of the same and subject also to all the other provisions relating to liens; and, in assessing such benefits, said Common Council shall not be limited to the property abutting on said improvements, but benefits may be assessed upon any person or corporation whose property is benefited by the construction of such sewer drain or improvement. (2) Upon the execution of any order of the Common Council of said City for the construction of any lateral branch or connecting public sewer, there may be assessed by the Common Council of said City, upon all persons whose property is, in the judgment of said Common Council, especially benefited thereby, a reasonable part of the expense of such lateral branch or connecting public sewer, and of the main or trunk sewer into and through which such lateral branch or connecting sewer is discharged; always provided, that no person shall be assessed for sewer purposes

under this Article beyond the amount to which ~~his~~said person's property is especially benefited, whether the property on account of which such assessments are made is located along the line of a main or trunk sewer, or of a lateral branch, or a connecting sewer.

(n) **Acquisition of land or rights; damages.** Whenever, under the provisions of this article, it shall in the judgment of the Common Council become necessary or expedient for said City to take and acquire any land, or rights or easements in lands, watercourses, or ways within the limits in said City or Town of New Britain or the Town of Berlin and Newington, or either of them, the Common Council of said City shall appoint a committee to prepare a descriptive survey of the work contemplated being done therewith or thereupon and to agree with the parties as to the damages on account of such work; and the agreement made by them, if any, having been ratified by said Common Council and the sums agreed upon as to damages having been paid to the parties entitled thereto, or deposited to their credit in the City treasury, said City may go on to the completion of said improvement and do the acts necessary or convenient for that purpose; but if said Common Council shall be unable to agree with the parties interested as to the damages aforesaid, any judge of the superior court or of the supreme court of errors may, on application of said City or of any party in interest, after causing such notice to be given of the pendency of such application as ~~hesaid judge~~ shall deem just and reasonable, appoint three judicious and disinterested freeholders of the county of Hartford to estimate such damages; and said committee, having been duly sworn and having given notice of the time and place of its meeting for the purpose aforesaid, in the manner prescribed by said judge, shall meet at the time and place designated, and having heard all of the parties in interest who shall appear before it, shall determine the amount of the damages sustained by any and all persons or corporations whose lands, watercourses, or ways, or rights or easements therein, shall have been taken by said City pursuant to the provisions of this article, and in determining said damages, said committee may take into account the special benefits received by said parties. Thereupon said committee shall report in writing to said judge who may confirm, correct or set aside said report as ~~hesaid judge~~ may deem just, in which latter case, said committee or a new one to be then appointed by said judge, shall proceed as before, and said report being finally accepted by said judge shall be recorded by the clerk of the superior court for Hartford county, and the award of damages therein contained shall be final between the parties; all papers connected with case, by whomsoever held, shall then be delivered to the clerk of the City, who shall keep the same on file for public inspection, and said damages being paid or deposited as aforesaid, said City may proceed to complete said public improvement and do all acts necessary or convenient for the purpose.

(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 ~~§45-615-5~~(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 ~~§45-615-5~~(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 ~~§45-615-5~~(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.

Section 15-7, subsections (a) and (b) of the Charter shall be amended to read as follows:

§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 an estimated amount, shall State the amount assessed by the board of compensation and assessment or other body having jurisdiction to fix such amount, against each parcel. Such lien shall take effect as of the date of filing the notice of prospective lien, but, if no notice of prospective lien has been filed, it shall take effect as of the date of filing the certificate of lien. No lien for a public improvement shall exist which has not been recorded in conformity with this Article.

(b) **Release of 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 or the collector to whom such assessment has been paid with interest, fees and charges as provided by law shall promptly file with the Town and City 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 and City Clerk shall record such release upon the land records of the Town of New Britain and shall cause the names of each such record owner to appear in the general indices of such land records as a grantee and the City as grantor.

Section 15-8 of the Charter shall be amended to read as follows:

§15-8 - The Police Power of Arrest.

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

Section 15-10, subsection (a) of the Charter shall be amended to read as follows:

§15-10 - The Fairview Cemetery.

(a) **Contracts; regulations; fees; superintendent; investments.** The Fairview Cemetery Commission shall have power to make contracts for the purchase of land and may take lands in the name of said city, for the uses and purposes of said cemetery, in the manner provided by law. The Commission shall make all needful rules and regulations concerning the use, management, and care of said cemetery, and of the lots therein, and establish and fix, and, from time to time, in its discretion, change or alter all fees and charges in connection with said cemetery; shall, in accordance with rules and regulations of the Civil Service Commission, fix the compensation of all persons employed by it; shall have power to sign, on behalf of said city, deeds of lots in said cemetery without being authorized to do so by the common council, and shall cause all deeds or other certificates of title to lots in said cemetery to be recorded in the ~~town clerk~~ Town and City Clerk's office. The Fairview Cemetery Commission shall be trustees of all funds heretofore left to the town of New Britain or its Commission, by gift or bequest for the care of cemetery lots, or for any other purpose in connection with said cemetery; may be appointed by the probate court trustee of any fund for cemetery purposes in connection with said cemetery or for the care of private lots; may take such fund either in trust or absolutely and by gift or devise for cemetery purposes, and shall invest the same in accordance with the laws

governing the investment of trust funds; may approve all contracts for cemetery purposes; and shall be custodian of all cemetery records, maps, and papers. No investment shall be changed or principal funds withdrawn from deposit without the written order of the full Commission. The income from the funds maybe collected by the Commission.

A new Article XVI shall be added to the Charter as follows:

ARTICLE XVI CHIEF OPERATIONS OFFICER

§16-1 Chief Operations Officer

There shall be a Chief Operations Officer who shall work with, and report directly to, the Mayor. The Chief Operations Officer shall perform any tasks, duties or functions that are within the scope of the duties of the office of the Mayor and have been delegated from the Mayor to the Chief Operations Officer. The Chief Operations Officer shall make periodic reports to the Common Council and shall attend its meetings.

(a) **Appointment.** The Chief Operations Officer 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 Chief Operations Officer shall be appointed by and subject to the authority of the Mayor, following the consent of the Common Council. The Chief Operations Officer shall be given a contract of at least four (4) years, subject to a twelve month probationary period.

(b) **Job Description.** The Personnel Director, after consultation with the Mayor, shall establish a detailed job description for the Chief Operations Officer. Such job description shall include the requirement that the Chief Operations Officer shall be a full-time employee who is responsible for the daily management of the City, including the administration and supervision of all departments and offices.

(c) **Qualifications.** The Chief Operations Officer shall have a Master's Degree in Public Administration or Business Administration or a minimum of ten years of progressively responsible municipal government experience as a City/Town Manager, Assistant Manager or Senior Municipal Department Director. Any additional job qualifications shall be established by Ordinance following the recommendation of the Personnel Director. At the time of the Chief Operations Officer's appointment, said person need not be a resident of the City or of the State of Connecticut, provided, however, the Chief Operations Officer must become a resident of the City within one (1) year of said person's appointment.

(d) **Removal.** The Chief Operations Officer may be removed from office for cause, which shall not be political, upon the recommendation of the Mayor and the affirmative vote of two-thirds of the Common Council.

A new Article XVII shall be added to the Charter as follows:

ARTICLE XVII CHARTER REVISION

§17-1 Charter Revision

No later than January 2027, and no later than every five (5) years thereafter, the Common Council shall appoint a Charter Revision Commission, pursuant to the General Statutes. Nothing in this section shall limit the right of the Common Council to appoint a Charter Revision Commissions other than the Commission required by this section.