STATE OF CONNECTICUT · COUNTY OF TOLLAND
INCORPORATED 1786

TOWN OF ELLINGTON

55 MAIN STREET · P. O. BOX 187
ELLINGTON, CONNECTICUT 06029-0187
TEL 860-870-3100 FAX 860-870-3102
www.ellington-ct.gov

MICHAEL P. STUPINSKI
First Selectman

MICHAEL P. SCUDIERI
Deputy First Selectman

PETER J. CHARTER
DENNIS W. FRAWLEY
ANN L. HARFORD
A. LEO MILLER, JR.
JAMES M. PRICHARD

NOTICE OF PUBLIC HEARING
TOWN OF ELLINGTON
Monday, February 5, 2007

Notice is hereby given that the Town of Ellington will hold a public hearing on Monday, February 5, 2007 at 7:15 p.m., prevailing time, at the Town Hall Meeting Hall, 55 Main Street, Ellington, Connecticut, for the purpose of allowing citizens to comment upon the proposed revisions to the Town Charter.

Interested citizens are encouraged to attend.

The proposed charter revisions are available to review in the Town Clerk's Office and First Selectman's Office.

DATED at Ellington, Connecticut, this 16th day of January, 2007.

BY ORDER OF THE BOARD OF SELECTMEN

MICHAEL P. STUPINSKI
FIRST SELECTMAN

Journal Inquirer – 1/29/07

CHARTER REVISION COMMISSION
DRAFT REPORT
12/12/06

Proposed Charter Revision Ballot Questions

Questions as they will appear on the ballot are in bold italic; following each question is an explanation.

1. ***Shall the Planning & Zoning Commission, consisting of 7 regular members and 2 alternate members, & the Zoning Board of Appeals, consisting of 5 regular members and 3 alternate members, be appointed by the Board of Selectmen?***

[Currently the Planning & Zoning Commission is an elected commission with 6 regular members and 3 alternate members. Change to: SECTION 809. PLANNING & ZONING COMMISSION: The Planning & Zoning Commission shall consist of seven (7) members, said members to serve staggered terms of four (4) years. The Board of Selectmen shall appoint two (2) alternate members to the Planning & Zoning Commission who shall serve for terms of two (2) years. The two (2) alternate members shall not be of the same political party.

Currently the Zoning Board of Appeals is an elected board with 6 regular members and 3 alternate members. Change to: SECTION 827. ZONING BOARD OF APPEALS: The Zoning Board of Appeals shall consist of five (5) members to serve staggered terms of four (4) years. The Board of Selectmen shall appoint three (3) alternate members to the Zoning Board of Appeals who shall serve for a term of two (2) years. No more than two (2) of the alternate members of the Zoning Board of Appeals shall be from the same political party.]

2. ***Shall a Shared Services Commission be established for the purpose of recommending areas (building maintenance, finance, information technology, etc) where the sharing of support services between the Town and the Board of Education is in the best interest of Town residents by increasing efficiency and reducing costs?***

[SECTION 828. SHARED SERVICES COMMISSION: The Board of Selectman shall appoint a Shared Services Commission, in accordance with the provisions of Section 802 of this charter, consisting of seven (7) members. Five (5) members shall be citizens, one of whom will be the chairman, who are not employees of the Town or the Board of Education and shall serve staggered terms of three (3) years; one (1) member from the Board of Education and one (1) member from the Board of Selectmen shall each serve for two (2) year terms. The Shared Services Commission shall investigate areas where services may be shared and other town boards, commissions and employees shall cooperate with and provide information to this commission. The commission may negotiate with town agencies to effect sharing of services and shall make recommendations, at minimum annually, for the sharing of support services (building maintenance, finance, information technology, etc) between the Town and the Board of Education that are in the best interest of Town residents by increasing efficiency and reducing costs. Recommendations for the sharing of support services will not undermine the ability or legal authority of either the Town or the Board of Education to conduct their respective missions.]

3. Shall the Board of Selectmen review and approve all general government budgets and annually review and modify goals?

[Add to SECTION 504. GENERAL POWERS AND DUTIES – "The Board of Selectmen will review and approve all general government budgets before submitting to Board of Finance"; and "The Board of Selectmen shall determine and set all policies of the operation of the Town not specifically granted to another Board or Commission by statute or this charter and shall develop and shall annually review and modify as needed, goals to be accomplished over the next five (5) years."]

4. Shall the Annual Town Budget Meeting be adjourned to a referendum?

[This change to SECTION 602. ANNUAL TOWN BUDGET MEETING automatically adjourns the Annual Town Budget Meeting to referendum. This change will also effect SECTION 1006.DUTIES OF THE TOWN MEETING ON THE BUDGET.]

5. If the Annual Town Budget Meeting is adjourned to a referendum, shall it thence automatically sent to another referendum until final approval is given?

[This change eliminates the subsequent Town Budget Meetings and potential delay of sending out the tax bills. This change will also effect SECTION 1006.DUTIES OF THE TOWN MEETING ON THE BUDGET.]

6. Shall specified financial limits be increased as recommended by the Finance Officer and the Charter Revision Commission to recognize inflation?

[This change will affect the following sections:

- SECTION 504. GENERAL POWERS AND DUTIES increase $20,000 to $40,000; adjusts for inflation.
- SECTION 603. SPECIAL TOWN MEETINGS (c) & (d) increase $20,000 to $40,000; adjusts for inflation.
- SECTION 813. PERMANENT BUILDING COMMITTEE (b) re: cost of construction projects, increase $20,000 to $40,000; adjusts for inflation.
- SECTION 1004. DUTIES OF THE BOARD OF FINANCE ON THE BUDGET – change contribution to the Capital Reserve Fund to 7% (remove maximum); maintains Town's credit rating.
- SECTION 1004. DUTIES OF THE BOARD OF FINANCE ON THE BUDGET – increase amount from $30,000 to $40,000 for expenditures or transfers requiring a town meeting; adjusts for inflation.
- SECTION 1008. EMERGENCY APPROPRIATIONS – increase maximum emergency appropriation from $100,000 to $250,000; adjusts for inflation.
- SECTION 1009. EXPENDITURES AND ACCOUNTING – allows Board of Finance to approve additional appropriations in an amount up to $40,000 or to close out a capital projects under $40,000, which was approved at the Annual Town Budget meeting; adjusts for inflation]

7. Shall purchases that exceed $500,000 be sent to referendum?

[This change to SECTION 603, new subsection (j), will require purchases that exceed $500,000 be approved at a referendum.]

8. Shall non-residents, employees and taxpayers be appointed to Ad Hoc (temporary) committees?

[This change to SECTION 802. APPOINTMENT AND ELIGIBILITY allows non-electors, i.e., school personnel, town employees, Resident State Troopers, to be appointed to ad hoc (temporary) committees.]

9. Shall the Public Safety Commission be repealed and replaced with new Emergency Management Commission and expand the duties and term of the Director of Emergency Management?

[New section: "SECTION 823. EMERGENCY MANAGEMENT COMMISSION: The Board of Selectmen shall appoint, in accordance with the provisions of Section 802 of this charter, an Emergency Management Commission consisting of nine (9) members, to serve staggered terms of three (3) years: four (4) members shall be citizens who are not members of any of the emergency services within the Town of Ellington; one (1) member from the Ellington Volunteer Fire Department; one (1) member from the Crystal Lake Volunteer Fire Department; one (1) member from the Ellington Volunteer Ambulance Corps; one (1) member from the Police Department and the Director of Emergency Management who shall serve as the Chair.

The Emergency Management Commission will take direction from the Board of Selectmen and issue requested reports, shall prepare, exercise and maintain a comprehensive plan to allow the Town to conduct consequence management for both natural and man-made disasters. The Commission shall review and maintain all Town emergency plans consistent in format for plans developed by the State of Connecticut and the National Response Plan. The Commission shall maintain active communications with all town emergency service providers, surrounding municipalities, state and federal agencies to ensure that the Town maintains the ability to provide its citizens with continuity of government, crisis and consequence management. The Commission shall disseminate informational and educational materials to enhance public awareness of disaster response and planning."]

[Add to SECTION 908. DIRECTOR OF EMERGENCY MANAGEMENT: "The Director of Emergency Management shall be responsible for ensuring required training under National Incident Management System for Town Officials and commission members; applying for state and federal grants for homeland security; developing response plans and assigning staff members/Town agencies to specific support functions; executing specific response plans; exercising Town response plans no less than biennially; serves as the primary advisor to the First Selectman during a consequence management response, providing timely input to request state and federal aid per the Stafford Act. The Director of Emergency Management shall also serve as Chairman of the Emergency Management Commission." & "shall serve for a term of three (3) years." This change is consistent with Federal Emergency Management Administration language and the Emergency Management Commission terms.]

10. Shall a Senior Center Endowment Fund Committee and Flood and Erosion Control Board be established in the Charter, per Town Ordinance?

[Established by ordinance September 20, 2004. SECTION 824. SENIOR CENTER ENDOWMENT FUND COMMITTEE: The Board of Selectmen shall appoint, in accordance with the provisions of Section 802 of this charter, a Senior Center

Endowment Fund Committee consisting of three (3) members to serve staggered terms of three (3) years. The members of the committee shall be Ellington residents and all three members shall be sixty-two (62) years of age or older."]

[Established by ordinance June 19, 2006. SECTION 825. FLOOD AND EROSION CONTROL BOARD: The Board of Selectmen is designated as the Flood and Erosion Control Board.]

11. Shall an Ethics Commission be established in the Charter?

[SECTION 826. ETHICS COMMISSION: The Board of Selectman shall appoint an Ethics Commission, in accordance with the provisions of Section 802 of this charter, consisting of (5) members to serve staggered terms of (4) years. The Ethics Commission shall promote and affirm ethical behavior of the Town's boards, commissions, employees, elected and appointed officials. The Ethics Commission shall draft an Ethics Code for the Town for Board of Selectmen approval. The Ethics Commission will receive inquiries and requests for advisory opinions from town officials, employees, consultants and residents regarding possible code violations and will respond with formal procedures. The Ethics Commission will review, evaluate, resolve and adjudicate, as appropriate, ethical issues and concerns; disseminate informational and educational materials to enhance public awareness of the code; and maintain open-minded impartiality in all Ethics Commission dealings consistent with the application of precedent and rationale in its decision making.]

12. Shall SECTION 918. FIRE DEPARTMENT AND SECTION 920. AMBULANCE SERVICE be repealed as replaced with SECTION 923. EMERGENCY SERVICES?

["SECTION 923. EMERGENCY SERVICES: Emergency Services to the Town of Ellington will be provided by Ellington Volunteer Fire Department, Crystal Lake Fire Department and Ellington Volunteer Ambulance Corps. The Board of Selectmen shall execute a written contract with each agency specifying details of such service. As a minimum, each contract will delineate type and scope of services provided, primary response areas, financial relationships and reporting requirements between the Town of Ellington and each agency. Each contract shall be reviewed and revised as necessary by the Board of Selectmen and each agency no less than biennially." New section includes all emergency services and contract requirements to cover potential legalities and liabilities.]

13. Shall the Board of Selectmen have the authority to separate the Town's operating budget and the Town's education budget after it has failed at least once at referendum?

[SECTION 1006. DUTIES OF THE TOWN MEETING ON THE BUDGET – This change allows the Board of Selectmen to separate the municipal and education budgets after it has failed at referenda.]

14. Shall all grants that have the potential to impose any financial burden on the Town be approved by the Board of Selectmen and the Board of Finance prior to acceptance and establish separate funds for the purpose of receiving money other than from taxes?

[SECTION 1009. EXPENDITURES AND ACCOUNTING – This change puts the Town on notice of future costs of maintaining grant awards, i.e., labor, equipment, insurance and allows the Town to accept donations for specific accounts/projects.]

15. Shall Technical changes be made to the Charter to comply with State Statutes and collective bargaining agreements and to clarify ambiguities and format?

- SECTION 203. MINORITY REPRESENTATION – Remove "or appointive"

[For clarity purposes, minority representation language will be included in Chapter VIII. APPOINTED BOARDS AND COMMISSIONS.]

- SECTION 205. VACANCIES—ELECTIVE OFFICES (d) – Add "except that election of person to the Board of Education who shall begin the day of election."

[Charter states that the term will run to the first Monday of December following the next regular election; however, all Board of Education terms commence on the date of their election.]

- SECTION 302. ELECTION AND TERMS OF OFFICE: TOWN ELECTION (d) – Change Two members to Three Members.

[In the last Charter revision, the Board of Library Directors terms where changed from 6 years to 4 years. The above change will accurately reflect the staggered terms]

- SECTION 703. APPOINTMENTS AND TERMS – Change Board of Selectmen to First Selectmen.

[Grammatical change]

- SECTION 801. GENERAL – Add new boards/commissions and remove deleted board/commissions.

[Formatting change]

- SECTION 802. APPOINTMENT AND ELIGIBILITY – Add minority representation for appointed boards/commissions.

[This change places language for minority representation for appointed boards/commission in appropriate chapter.]

- SECTION 802. APPOINTMENT AND ELIGIBILITY – Add language addressing alternate members' powers and duties.

[This change will remove repetitive language in individual boards/commissions sections.]

- SECTION 805. CONSERVATION COMMISSION – Add 2 alternate members.

[Currently the Conservation Commission has 7 regular members with no alternate members. The additional members will ensure a quorum.]

- SECTION 810. INSURANCE ADVISORY BOARD – change biennially appoint four or five to three or two.

[Technical change.]

- SECTION 817. BOARD OF ASSESSMENT APPEALS – Add 2 alternate members.

[Currently the Board of Assessment Appeals has 3 regular members with no alternate members. The additional members will ensure a quorum.]

- SECTION 819. PLANNING & ZONING COMMISSION – ALTERNATES – repeal this section if question #1 is passed.

[Technical change.]

- SECTION 820. ZONING BOARD OF APPEALS – ALTERNATES – repeal this section is question #1 is passed.

[Technical change.]

- SECTION 914. CONSTABLES – remove "The Board of Selectmen shall appoint, not later than thirty (30) days after the commencement of their first term of office under the provisions of this charter, such number of Constables as are deemed necessary by the Board of Selectmen. Said Constables shall serve for a term of two (2) years and shall have all powers and duties, not inconsistent with this charter, conferred or imposed by Chapter 95 of the Connecticut General Statutes, as amended, on such officers and such other powers and duties as may be prescribed by the Board of Selectmen. "

[Per labor contracts]

- SECTION 922. TOWN PLANNER – Revise duties as reflected in job description.

[This change is consistent with job description and other Department Heads.]

- SECTION 1004. DUTIES OF THE BOARD OF FINANCE ON THE BUDGET – change the date of the public hearing on the budget from April 30 to the second Tuesday in April.

[This change will allow sufficient time for budget deliberations and to publish legal notices.]

- SECTION 1005. DUTIES OF THE BOARD OF FINANCE – change audit completion date from on or before the 30th of September to "in accordance with Connecticut State Statute Section 7-393, as amended".

[This change consistent with Connecticut General Statutes 7-393.]

- SECTION 1011. PURCHASING – Remove repetitive language.

[Clarification of section.]

- SECTION 1102. THE CLASSIFIED SERVICE – remove specific job titles.

[This change removes confusing language.]

- SECTION 1104. PERSONNEL RULES - add "and regulations" after rules.

[This change properly identifies Personnel Rules and Regulations document.]

- SECTION 1211. EFFECTIVE DATE – add effective date.

Presented to the Board of Selectmen January 8, 2007.

Charter Revision Commission: Joe Wehr, Chairman
Charlotte Adams
John O'Shaughnessy
Tim Olmsted