

**PUBLIC NOTICE
TOWN OF WOLCOTT
REFERENDUM
11-02-21**

Take notice that the proposed amendments to the Wolcott Town Charter, which will be placed on the November 2, 2021 ballots, for the electors of the Town of Wolcott to approve or to not approve, are listed below. **The referendum is to take place on Tuesday, November 2, 2021, between the hours of 6:00 a.m. and 8:00 p.m. at all voting districts.** The ballot question relating to the proposed amendments to the Charter will appear as follows:

QUESTION

"Shall the Town of Wolcott Charter be amended as provided in the Charter Revision Commission's Final Report dated June 24, 2021?"

YES NO"

CRC additions in bold and deletions with brackets. This is for subsections changed only.

**CHAPTER III
THE TOWN COUNCIL**

SEC. 306. GENERAL POWERS AND DUTIES OF THE COUNCIL.

(f) Said Council shall determine the compensation **including salary and medical insurance cost share** of the Mayor, the Registrars of Voters, Town Clerk, Tax Collector, Treasurer, Board of Assessment Appeals, succeeding Council and the officers and employees appointed by the Council. Once the Council has established the compensation of an elected official serving a two (2) year term, said compensation shall neither be increased nor decreased until after the expiration of that term. Increment pay increases shall be instituted as follows: Increment #1 shall begin with the first pay period after the November election; increment #2 shall begin with the first pay period in November of the following year. The Council may adjust the compensation of any official serving a four (4) year term every two (2) years under the same restrictions as herein provided. Town Clerk and the Registrars of Voters incremental pay shall begin with the first pay period of their term and continue under the same restrictions as herein provided. Council shall determine the charges, if any to be made for services by the Town or for the execution of powers vested in the Town as provided in Chapter I of this Charter, for the government of the Town and its business.

(h) The Council shall authorize the Mayor to execute for and **[in] on** behalf of the Town, bonds, notes and other evidence of indebtedness and also, to sign contracts and agreements other than purchase and employment contracts under the jurisdiction of the Mayor or the Board of Education. Any purchase contract or order involving an expenditure which exceeds \$150,000.00 within the then current fiscal year for any item or service or multiple items or services of like kind, or which requires expenditures under the jurisdiction of the Mayor to be made in subsequent fiscal years, shall require Town Council approval. Collective Bargaining Agreements between the Town and duly recognized and constituted unions, other than those agreements under the jurisdiction of the Board of Education, shall require Council approval. On recommendation of the Mayor, the Council shall have authority to approve purchase of real property, or the sale of Town owned real property, up to **[\$100,000.00.] \$150,000.00** Any amount in excess of **[\$100,000.00 to \$150,000.00] \$150,000.00 to \$200,000.00** must be brought

to a Town Meeting. **Dollar amounts in this sub section shall be increased in five (5) years by ten (10)%.** Any amount in excess of this must be brought to a Town Referendum. However, it shall not be permissible under this provision for the Council to approve the purchase or sale of any contiguous pieces of real property within a two (2) year period, unless the purchase or sale of all real properties involved occurs simultaneously, in which case, the aggregate amount of all real properties involved shall be subject to the aforementioned dollar limitations.

(i) The Council shall have the power to remove for cause, after a hearing, any appointee made by the Council to any Board, Commission or Agency authorized under this Charter. **On any Board, Commission or Agency in which the Council has appointing authority, per this Charter, the Council shall fill any subsequent vacancy.**

(n) The Council shall nominate one or more of its members to represent the Town on the board of any organization or corporation, to which the Town has contributed more than **[five hundred dollars (\$500.00)] two thousand five hundred dollars (\$2,500.00.)** Such liaison(s) so appointed shall serve only as a channel or channels of communication back to the Council and shall have no voting power on said boards.

SEC. 307. ORDINANCES.

(a) At least one public hearing, notice of which shall be given at least five days in advance by publication **in summary** in a newspaper having a circulation in said Town and by posting a notice in a public place[,], **and a full publication on the towns website**, shall be held by the Council before any ordinance, including ordinances originating under Section 308 of this Charter shall be passed except an ordinance relating to the appointment or designation of officers, or to the Council or its procedure.

(d) Every ordinance, after passage, shall be given a serial number and be recorded by the Town Clerk in a book to be kept for that purpose which shall be properly indexed. The Council shall also submit a copy of each ordinance after passage to the Town Clerk and the various Boards and Departments involved. Within ten days after final passage, all ordinances shall be given **[one full publication] a summary** in a newspaper having circulation within the Town [,] **referring to the full publication posted on the town website.** Every ordinance, unless it shall specify a later date, shall become effective on the twenty-first day after such publication following its final passage, provided an ordinance stated to be a public emergency measure and stating the facts constituting such public emergency shall become effective immediately after such publication and no public hearing or notice of public hearing shall be required for any public emergency measure.

SEC. 309. POWER OF REFERENDUM

(b) The Power of Referendum may also be exercised by the affirmative vote of at least **seven [eight]** members of the Council present and voting.

CHAPTER IV

BOARDS, COMMISSIONS AND DEPARTMENTS

SEC. 401. TERMS OF OFFICE

(c)All members of all **appointed** boards, committees, commissions and ad hoc committees shall serve without monetary compensation, monetary value or in-kind benefit, whatsoever.

SEC. 402. MINORITY REPRESENTATION.

(b) Vacancies in appointed positions shall be posted on the Town website for a minimum of five days prior to the appointing authority taking action on any final appointments. Any person affiliated with a party or not so affiliated shall have the ability to submit their name to the appointing authority. The appointing authority shall give due consideration to the recommendations of the major political parties before final appointments are made.

SEC. 408. CHIEF OF POLICE.

(b) The Chief of Police shall assign to, and may remove from, their respective posts, shifts, details and duties, all officers and employees of the department. He or she shall establish written

rules and regulations concerning the operation of the department and the conduct of all officers and employees thereof. He or she shall be answerable to the Mayor for the efficiency, discipline and good conduct of the department, and for the care and custody of all property used by the department. Any appointments to the department must be made with the recommendation of the Chief of Police and the approval of the Mayor. Any promotions in the department must be made with the recommendation of the Mayor and Chief of Police. [and the approval of the Town Council.]

SEC. 409 ASSESSOR.

(b) The position of the Assessor shall hold no other elected or appointed position within the government of the Town of Wolcott or the State of Connecticut, **notwithstanding other provisions of the Charter.**

SEC. 410. PLANNING AND ZONING COMMISSION. The Mayor shall appoint a Planning and Zoning Commission subject to the approval of the Council which shall consist of five (5) electors of the Town, not more than three (3) of whom shall belong to any one political party, with duties as prescribed by the General Statutes.

(a) Terms of Office shall be as follows: Pursuant to General Statutes, no more than three commissioners may be replaced at any one time. Terms and appointments shall be as follows: Beginning January 1, 2006, the appointing authority shall appoint three (3) members to a one-year term and two (2) members to a two-year term. Beginning January 1, 2007, those positions whose one-year term has expired will then be appointed to a two-year term. From that point forward, all positions shall be appointed to a two-year term. Such appointees shall continue to serve until their successors are appointed and qualify. At the conclusion of municipal elections and appointments to the Commission, an organizational meeting shall be held at their next scheduled meeting. **[Pursuant to Section 8-19 of General Statutes, if a vacancy arises prior to the completion of a term, such vacancy shall be filled by the Commission for the unexpired portion of the term.]**

[SEC. 411. MUNICIPAL COUNTRY CLUB COMMISSION a.k.a FARMINGBURY HILLS COMMISSION. There shall be a Municipal Country Club Commission a.k.a. Farmingbury Hills Commission whose purpose shall be defined in the General Statutes and Town Ordinances.

(a) Membership and Terms of Office: The Board shall be composed of five (5) members not more than three (3) of whom shall be of any one party who are electors of the Town of Wolcott, appointed by the Mayor with the approval of the Town Council. Terms of office shall be consistent with this Charter.]

SEC. 412. BUILDING INSPECTOR.

(b) All shall perform duties as prescribed by Local Ordinance and General Statutes.

[Section 412 (a) Building Inspector to read:]

SEC 415. MUNICIPAL FINANCE OFFICER:

(a) There shall be a Municipal Finance Officer who shall be hired by the Town Council and shall be responsible to the Mayor.

The current town council appointed auditing firm shall submit to the Town Council for its approval qualification criteria to be followed by an interview committee. This qualification criteria must be adopted by the Town Council within 30 days of ratification of this charter. No appointment or reappointment may be made without a current council approved qualification criteria policy in place.

The Town Council shall appoint an interview committee made up of: The Mayor, Two Minority Council Members, Two Majority Council Members and One **nonvoting** Member of the Town Appointed Auditing Firm. The interview committee shall submit to the full Council a finalist.

The appointment or reappointment of a Municipal Finance Officer shall occur only with a minimum of seven (7) affirmative votes of the Council. The term of employment shall be for a

two year contracted period approved by the Council that shall begin July 1st on non election years, retroactive to July 1, 2002. Sixty days prior to the expiration of the contract, the Town Council must vote to renew or non-renew that contract. In the case of non-renewal of the existing contract, the interviewing committee shall convene and proceed in accordance with this Charter. Should a vacancy occur in this position prior to the second year contracted date the Chief Accountant shall assume the position of the Municipal Finance Officer on an interim basis **not to exceed 6 months.**

SEC. 416. TOWN ATTORNEY

(g) All Departments, Boards, Commissions, and the Board of Education, Superintendent and Managers shall forthwith submit a copy of all legal notice of claims, suits, and actions of any kind to the Town Attorney.

SECTION 423. COMMISSION FOR INDIVIDUALS WITH SPECIAL NEEDS. The Mayor shall appoint a Commission for Individuals with Special Needs, consisting of twelve (12) electors of the Town, no more than eight (8) of whom shall be members of the same political party and at least one of whom shall be a handicapped person. **[In addition to the twelve appointed members, the Mayor, the Chief of Police and the Director of Health or the Executive Director of the Health District of which the Town of Wolcott is a member, whichever the case may be, shall serve as ex-officio members with voting powers.]** The Commission's powers and duties shall be as prescribed by Town Ordinance and the terms of office shall be consistent with this Charter.

SECTION 427. COMMISSION ON VETERAN'S ADVOCACY. The mayor shall appoint a Commission on Veteran's Advocacy consisting of seven members not more than four of whom shall be from one political party. One member shall be nominated by the Wolcott Veterans of Foreign Wars Post 1979, and one member shall be nominated by the Wolcott American Legion Post 165, and the Wolcott Assessor. The Commission's powers and duties shall be as prescribed by the Town Ordinance and terms shall be consistent with the Charter.

CHAPTER V MAYOR

SECTION 501. MAYOR.

(g) The Mayor shall appoint, or remove, all department heads and other officers and employees of the town, except as otherwise specifically provided by this Charter and except employees in the offices of elected officers or boards and officers and boards appointed by the Council. Notwithstanding the foregoing, employment contracts with the Deputy Chief of Police, Superintendent of Public Works, Chief Accountant, and Senior Center Activities Coordinator, shall require Council approval as shall the removal of any such department head from office. In lieu of any appointment by the Mayor of any of his or her appointees to any office under his or her jurisdiction, subject to approval of the Council, the Mayor may perform the duties of such office. **On any Board, Commission, or Agency in which the Mayor has appointing authority, per this Charter, the Mayor shall fill any subsequent vacancy.**

(h) In the event of the Mayor's absence or disability for a period of three (3) or more days, but less than thirty (30) days, the Chairman of the Town Council shall be temporary Mayor, notwithstanding section 301 herein, unless the Mayor has designated such a person. If the Mayor designates other than an elected Town official, his or her designee must be approved by the Council. The temporary Mayor shall conduct such business as is necessary to the daily management of Town affairs. After more than thirty (30) consecutive days of his or her disability, the Office of Mayor shall be filled by the Chairman of the Town Council on an interim basis as temporary mayor until such time as an Acting Mayor is appointed. Within an additional thirty (30) consecutive days of his or her disability the Office of Mayor shall be filled by an

Acting Mayor appointed by the party from which the Mayor was elected. If the Mayor was elected as an Unaffiliated Candidate, that being a candidate not elected from a “Major Party” or a “Minor Party” or as a candidate not having a “Party Designation Committee,” all as defined in Section 9-372 of the Connecticut General Statutes, then a Town Meeting shall be scheduled by the Town Council to be held within thirty (30) days after the next meeting of the Town Council to select an Acting Mayor. Any resident eligible to hold public office may file a verified petition with the Town Clerk signed by at least the equivalent of 1% of the total number of votes cast in the last regular election for the Office of Mayor of the Town of Wolcott, to become a candidate at the Town meeting. The Town Committee of each party may designate a candidate for Acting Mayor at said Town Meeting. The Chairman of the Council shall serve until the Town Committee or Town meeting certifies the appointment of Acting Mayor, in accordance with this provision. Nothing herein shall be construed to preclude the elected Mayor from resuming his or her office during the term of said office. If the absence of the Mayor is due to disability during his or her term of office, the Council shall make provision to pay him or her his or her full salary for a period of [**three**] **six weeks**. Compensation for the Acting Mayor shall be at the same rate as that of the elected Mayor. The Acting Mayor shall have all the powers and duties of the Mayor.

CHAPTER VII FINANCE AND TAXATION

SEC. 703. APPROPRIATIONS, LAYING OF TAX.

(a) Not less than thirty (30) days before the beginning of the fiscal year, the Council shall hold a public hearing, at which budgets for the ensuing fiscal year, as prepared pursuant to the provisions of Section 701 and 702, shall be presented, and at which all persons shall be heard in regard to any appropriation which they are desirous that the Council should recommend or reject. The Council shall, after such public hearing, hold a special meeting at which it shall consider the budgets so presented and any other matters brought to its attention and shall thereupon prepare and cause to appear in a newspaper having a substantial circulation in the Town, a report in a form prescribed by the [Commissioner of Revenue Services] **Secretary of the Office of Policy and Management** containing the itemized information prescribed by **CGS. [by Section 7-344 of the General Statutes.]**

SEC. 704. POWERS OF THE MAYOR AND COUNCIL AS TO EXPENDITURES, INTER AND INTRA DEPARTMENT TRANSFERS, TOWN MEETINGS.

(c) All transfers whether interdepartmental or intradepartmental within the approved budget for any fiscal year may be made upon the recommendation of the Mayor with approval by the Council. Intradepartmental transfers can be done without Council approval for any amount under [**\$100.00.**] **five thousand dollars (\$5,000.00).**

(d) If any occasion arises whereby more money is needed for any budget item of the Town than has been appropriated as provided in this Charter, the Mayor may approve additional expenditures up to five thousand dollars (\$5,000.00), not to exceed the contingent fund, and shall notify the Council of such fact within thirty (30) days and the Council shall make **the** necessary appropriations, therefore.

(e) If any occasion arises whereby an additional appropriation is required in amount exceeding [**\$5,000.00**] **twenty thousand dollars (\$20,000.00)** but less than [**\$20,000.00**] **fifty thousand dollars (\$50,000.00)**, said appropriation may be made upon recommendation of the Mayor with the approval by the Council up to a maximum additional appropriation of [**\$50,000.00.**] **one hundred thousand dollars (\$100,000.00).**

(f) In the event that an additional appropriation exceeds [**\$20,000.00**] **one hundred thousand dollars (\$100,000.00)** , such appropriation shall not be made until the same has been voted by the Town at a meeting called for such purpose, provided that said appropriation has been recommended by the Mayor and approved by the Council.

(g) At such time as the **cumulative** total of all additional appropriations during any fiscal year exceeds the sum of **\$100,000.00** [**\$50,000.00**], no further appropriation shall be made until the same has been voted by the Town at a meeting called for such purpose, provided that said appropriation has been recommended by the Mayor and approved by the Council.

(c) Public Bidding Procedure. The Council, the Mayor, and all boards, commissions and agencies of the Town of Wolcott shall be required to put out to public sealed bid all expenditures for any one (1) item or service in excess of [ten thousand (\$10,000.00)] **twenty five thousand dollars (\$25,000.00)** dollars. One item or service is defined as but is not limited to any single item or service, any single purchase order for multiple items or services of like kind, any contracts for multiple items or services whose sum total exceeds [\$10,000.00] **twenty-five thousand dollars (\$25,000.00)**. All bids shall be published in a newspaper having a local circulation at least one (1) time prior to the date set for opening of bids, the first date of publication to be at least fifteen (15) days prior to date set for opening of bids. The notice of bids shall contain **[the purpose of the bidding, the specification,]** a notice of where more particular detail may be obtained and the date and time and place of bid opening. The public shall have the right to attend bid openings at the date, time and place set in the notice. The Town of Wolcott shall reserve the right to reject any or all bids.

Notwithstanding the foregoing, the following expenditures shall be exempt from the provisions of the above public bidding procedure with the approval of the Town Council, or the Board of Education for those expenditures under the jurisdiction of the Board of Education.

SEC.907. EFFECTIVE DATE. This Revised Charter shall take effect on **January 1, 2022**.

The full text of the proposed Charter may be examined and copies may be obtained from the Town Clerk's Office at Wolcott Town Hall, 10 Kenea Avenue, Wolcott, CT, between the hours of 8:00 a.m. to 4:30 p.m., Monday through Wednesday; Thursdays 8:00 a.m. to 5:30 p.m.; Fridays 8:00 a.m. to 12:00 p.m. A copy shall be mailed to any person requesting one from the Town Clerk's Office. The full text of the proposed Charter is also posted on the Town of Wolcott website at www.wolcottct.org

Dated at Wolcott, CT August 9, 2021

David Valletta, Chairman, Wolcott Town Council
