

SCHEDULE A TO THE RESOLUTION TO APPROVE
THE DETAILED LIST OF CHARTER SECTIONS TO BE MODIFIED
BY THE CHARTER REVISION REFERENDUM QUESTIONS,
AS APPROVED BY THE TOWN COUNCIL ON JULY 15, 2009

On the November 3, 2009 election ballot, there will be three referendum questions regarding the Montville Town Charter.

The Town Charter defines the form of government for the Town and sets out the roles and responsibilities of most elected and appointed town officials. The Charter also codifies the basic framework for how government is conducted, such as the processes for adopting ordinances, the town budget and the identification and operation of the various departments of the town government. Periodically, towns update their charters to reflect changes in the way the business of government is conducted, to reassign roles and responsibilities or to clarify certain provisions. This process is called Charter Revision.

On August 13, 2007, the Montville Town Council adopted a resolution establishing a Charter Revision Commission. The Charter Revision Commission reviewed numerous proposed amendments to the Town Charter and presented its Final Report to the Town Council. On January 15, 2009, the Town Council approved the Final Report of the Charter Revision Commission, with some modifications. On July 15, 2009, the Town Council approved the three charter revision questions which will appear on the November 3, 2009 ballot. The Charter Revisions that are approved by the electors of the Town at the Referendum will take effect immediately, except for transitions that are allowed under the Charter.

The questions and explanatory text approved by the Town Council on July 15, 2009 is included in this detailed list of the Sections of the Charter to be modified by each question.

The questions and explanatory text has been prepared by the Town Clerk pursuant to Sec. 9-369b(a) of the Connecticut General Statutes and is intended to not advocate either the approval or disapproval of the referendum questions.

References to the "Existing Charter" means the Town's Charter as it exists prior to any changes being made. References to the "Proposed Charter" means the Proposed Charter as approved by the Town Council on January 15, 2009. Full copies of the Existing Charter and the Proposed Charter, including blacklined copies showing the changes from the Existing Charter, are available at the Town Clerk's office. The explanatory text is also available at the Town Clerk's office.

The following is an explanation of each of the three Montville Charter questions. The Sections of the Charter to be modified by each question are listed below. In cases where the Sections of the Charter have modifications relating to different questions, the changes to the Section that would be modified if the question is approved is noted in parentheses. If there are no parentheses after the Section number, all changes in that Section apply to that question.

QUESTION 1

Shall the Town Charter be amended to create the appointed position of Town Manager, remove the elected position of Mayor and make related changes to the powers and duties of the Town Council, including creating a new position of a Mayor that is a member of the Town Council?

OVERVIEW

Question 1 presents for approval to the voters of the Town of Montville a proposal which will provide for the position of Town Manager, who will assume most of the administrative functions of the Town that are currently overseen by the Mayor. The Town Manager would be appointed by and be responsible to the Town Council, which could also remove the Town Manager by a two-thirds vote. The Town Manager will not have a veto over actions of the Town Council as the Mayor presently has. The new position of Mayor would be the chairperson of the Town Council, the ceremonial head of the Town, and the Chairperson of the Economic Development Commission. The new position of Mayor would be elected separately for a two-year term and six Councilors at large would also be elected for two-year terms. The political party of the elected Mayor would be counted in determining minority representation on the Town Council.

Many sections of the Charter would be changed to replace the word “Mayor” with “Town Manager.”

If Question 1 is not approved by the voters and Question 3 is approved by the voters, then the references to Town Manager or Manager will remain or mean the Mayor.

CHARTER SECTIONS AFFECTED BY QUESTION 1

PROPOSED CHARTER

C102 Rights and Obligations

C203 Elective Officers

(replace “a Mayor and a Town Council consisting of seven members” with “a Town Council consisting of six councilors and a Mayor”)

Letter A

C204 Minority Representation

Letter B (add “The office of Mayor shall be determined first, and the political party of the elected Mayor shall be counted in determining minority representation of the Town Council.”)

C208 Vacancies

C301 Composition

C302 Compensation; Expenses

C303 Organization

(except for changes noted with Question 3)

C304 General Powers and Duties

Letter A (7)

Letter A (9)

Letter A (12)

Letter A (14)

C305 Prohibitions

Letter A (add “or the Mayor” and “or Mayor”)

Letter B

Letter C

C306 Vacancies; Forfeiture of Office; Filing of Vacancies

Letter A (add “or Mayor”)

Letter B (add “or Mayor”)

C312 Ordinances in General

Letter C

C404 Parks and Recreation Commission

(replace “Mayor” with “Town Manager”)

C407 Water and Sewer Commission

Letter B

C418 Establishment of other Boards, Commissions and Departments not provided by this Charter

(add “under the Town Manager,” delete “in the classified service,” delete “the Mayor” and add “in accordance with C419 and C503.”)

C501 Appointment and Removal

Letter A

Letter B

C502 Duties

C503 Appointments and Terms

C602 Town Clerk

C603 Department of Finance

Letter C (replace “There shall be a Director of Finance of the Town of Montville. The qualifications for this office shall be established by the Town Council. The Mayor shall recommend not fewer than three candidates for the position of Director of Finance to the Town Council for selection.” with “The Manager shall appoint and may remove a Director of Finance”, replace “Mayor” with “Manager” and replace “his” with “the Manager’s”)

C605 Department of Public Works

(replace “Mayor” with “Manager”)

Letter A (replace “Mayor” with “Town Manager”)

C607 Department of Social Services

Letter A

C608 Building Department

Letter A (replace “In accordance with the provisions of C408 of this Charter, the Mayor” with “The Manager”)

C701 General Form of Budget Preparation

C702 Department Estimates

(replace “Mayor” with “Town Manager”)

C703 Duties of Town Manager and Town Council on Capital Program

Letter A

C704 Duties of Town Manager on Budget

(replace “Mayor” with “Town Manager”)

Letter C (replace “Mayor” with “Town Manager”)

C705 Duties of Town Council on Budget

Letter A

C706 Emergency Appropriations

C708 Expenditures and Accounting

Letter B (replace “Mayor” with “Town Manager”)

Letter J (replace “Mayor” and “he” with “Town Manager”)

C711 Official Bonds

C801 Town Meeting

C802 Procedure

(replace “Chairman of the Town Council” with “Mayor,” replace “Chairman” with “Mayor” and replace “his” with “Mayor’s”)

C804 Petition for Enactment of Ordinances

Letter A

C901 The Classified Service

Letter A

Letter B

C902 Personnel Rules

EXISTING CHARTER

C203 Elective Officers

Letter B - Deleted

C304 General Powers and Duties

Letter A (17) – Deleted

C501 Election and qualifications – Deleted

C504 Absence, disability, vacancy. – Deleted

C505 Veto Power of the Mayor – Deleted

QUESTION 2

Shall the Town Charter be amended to abolish the Public Safety Commission, establish a Board of Fire Commissioners and a Board of Police Commissioners and add new Charter sections relating to the Municipal Animal Control Officer and Emergency Dispatchers?

OVERVIEW

Question 2 presents for approval to the voters of the Town of Montville a proposal which will abolish the current Public Safety Commission and replace it with a seven member Board of Police Commissioners and a seven member Board of Fire Commissioners. The Board of Police Commissioners will have the authority to hire a Police Chief to replace the current Resident State Trooper and to convert the current constabulary to a Police Department. The dispatchers and the Animal Control Officer would be part of the Police Department. The four volunteer fire companies will each have one member on the seven member Board of Fire Commissioners, which will have the authority to hire the full time paid firefighters and the Fire Marshall, and will be responsible for and coordinate all fire protection services in the Town. All new positions created by either Board would require approval in the annual budget adopted by the Town Council.

CHARTER SECTIONS AFFECTED BY QUESTION 2

PROPOSED CHARTER

C405 Board of Police Commissioners

C405A Municipal Animal Control Officer

C405B Emergency Dispatchers

C408 Board of Fire Commissioners

EXISTING CHARTER

C408 Public Safety Commission - Deleted

QUESTION 3

Shall the Town Charter be amended to combine the Conservation Commission with the Inland Wetlands and Watercourses Commission, give Town boards, commissions and other agencies the right to hire certain personnel necessary to carry out their functions

subject to budgetary funding and Town Council approval, require that the taking of property by eminent domain be approved by a two-thirds vote of the Town Council and a majority vote at a referendum and make grammatical, technical, administrative and other changes and clarifications?

OVERVIEW

Question 3 presents for approval to the voters of the Town of Montville all other changes as shown in Proposed Charter, except for those changes not submitted for approval in **Questions 1 and 2** and includes the following changes:

1. The terms of the Registrars of Voters will change from two years to four years.
2. Voting districts will only be changed after redistricting by the General Assembly every ten years.
3. The Town Council or Mayor prohibition from holding other Town employment will extend to include contracts with the Town for goods and services from a company in which the Councilor or Mayor is an officer, director or member having a financial interest.
4. The procedures for submitting and enacting ordinances and resolutions and making appointments will be clarified, including the rights of each Councilor and the Mayor.
5. Section C401 has been revised to clarify the duties of the Town Attorney, especially in cases on conflict of interest.
6. Section C406 provides for the combining of the Conservation Commission with the Inlands Wetlands and Watercourses Commission.
7. Section C417 provides for a vacancy to occur on boards, commissions, and authorities if a member misses four consecutive meetings in any twelve month period.
8. Section C419 gives the Town boards, commissions and other agencies the right to hire certain personnel necessary to carry out their functions, subject to budgetary funding and Town Council approval.
9. Section C604 provides for the Town Assessor to be separated from the Finance Department and report directly to the Town Manager.
10. Section C606 provides for the creation of a Department of Information Systems that will be responsible for the installation, maintenance, services and upgrading of all Town owned data processing, data communication and information management systems.
11. Section C610 provides for the hiring of a full time Town Engineer instead of contracting with an Engineering firm.
12. Section C613 provides for a Department of Human Resources that will be responsible for assisting the applicable appointing authority in the hiring, terminating, retention, promotion and performance counseling, and review of all personnel for all departments, boards, commissions and authorities, except the Board of Education.
13. Section C710 eliminates the need for a Councilor or the Mayor to be on the board of directors of an organization that receives contributions from the Town. The organization will now have to submit financial data with its request for donations.
14. Section C805 provides that the taking of property by eminent domain be approved by a two-thirds vote of the Town Council and a majority vote at a referendum.

15. Section C908 allows appointing authorities to require an employee not covered by a collective bargaining agreement to reside in the Town of Montville as a condition of employment.

If Question 1 is not approved by the voters and Question 3 is approved by the voters, then the references to Town Manager or Manager will remain or mean the Mayor.

CHARTER SECTIONS AFFECTED BY QUESTION 3

PROPOSED CHARTER

C202 Regular Town Elections

C203 Elective Officers

(except for changes noted with Question 1)

Letter B

Letter D

Letter E

C204 Minority Representation

Letter B (except for changes noted with Question 1)

C205 Independent and Minority Party Candidates

C206 Voting Districts

C303 Organization

(replace “8:00” with “7:00” and replace “administered” with “administrated”)

C304 General Powers and Duties

Letter A (4)

C305 Prohibitions

Letter A (except for changes noted with Question 1)

C306 Vacancies; Forfeiture of Office; Filing of Vacancies

Letter A (except for changes noted with Question 1)

Letter B (except for changes noted with Question 1)

C307 Judge of Qualifications

C308 Code of Ethics and Investigations

C310 Procedure

Letter A

C312 Ordinances in General

Letter B

C314 Actions Requiring a Resolution

C315 Appointments and Resignations

C401 Town Attorney

C403 Planning and Zoning Commission

C404 Parks and Recreation Commission

(except for changes noted with Question 1)

C406 Inland Wetlands, Watercourses and Conservation Commission

Letter A

Letter B

Letter C

C416 Appointments and Removals

C417 Vacancies

**C418 Establishment of Other Boards, Commissions, and Departments not Provided
by this Charter**

(except for changes noted with Question 1)

**C419 Appointment Authority for Employees of Elected and Appointed Boards,
Commissions and Other Agencies**

C601 Administrative Offices and Departments

C603 Department of Finance

Letter A

Letter C (except for changes noted with Question 1)

C604 Town Assessor

C605 Department of Public Works

Letter A (except for changes noted with Question 1)

C606 Department of Information Systems

C608 Building Department

Letter A (except for changes noted with Question 1)

C609 Recreation Department

Letter A

C610 Town Engineer

C611 Youth Services Bureau

C612 Office of Civil Preparedness

C613 Department of Human Resources

Letter A

C702 Departmental Estimates

(except for changes noted with Question 1)

C704 Duties of Town Manager on Budget

Letter C (except for changes noted with Question 1)

C708 Expenditures and Accounting

Letter B (except for changes noted with Question 1)

Letter E

Letter I

Letter J (except for changes noted with Question 1)

C710 Contributions

C802 Procedure

(except for changes noted with Question 1)

C803 Petition for Overrule of Action of Town Council

C805 Voter Approval of Eminent Domain Takings

C903 Conflict of Interest

C905 Prohibitions

C907 Political activities of all classified service

C908 Residency Requirements

C1009 Transition Committee

EXISTING CHARTER

C405 Conservation Commission – Deleted

C406 Inland Wetlands and Watercourses Commission – Modified

C409 Town Engineer - Moved