

November 6, 2018 Election
Charter Revision Ballot Questions & Explanatory Text

The questions are in bold followed by the explanation; changes to the Charter Sections are in red italics and strike-through italics. Questions are numbers in the sequence they will appear on the ballot.

- 5. SHALL LANGUAGE BE ADDED TO SECTIONS 602 AND 1006 TO PROVIDE THAT A REFERENDUM VOTE ON THE ANNUAL TOWN BUDGET SHALL BE HELD TWO (2) WEEKS, RATHER THAN ONE (1) WEEK, AFTER THE ANNUAL TOWN BUDGET MEETING IS ADJOURNED AND TO CLARIFY THAT ADDITIONAL REFERENDUM VOTES WILL BE HELD EVERY OTHER WEEK THEREAFTER UNTIL THE BUDGET IS ADOPTED?**

EXPLANATION: These changes to Sections 602 and 1006 will allow the town sufficient time to meet the statutory legal notice publication requirements. Due to requirements set by State Statute, the legal notice of the referendum must be published five (5) days prior to the referendum. The local newspaper requires all legal notices to be submitted by noon the day prior to publication. This presents a tight deadline and publication of the legal notice at least five days before the referendum is not always possible when there is only one (1) week between the budget vote and the date of the referendum.

SECTION 602. ANNUAL TOWN BUDGET MEETING

If the vote on the annual town budget is adjourned to a referendum, all further votes of the annual town budget shall be by referendum *to be held two weeks after the town meeting is adjourned and every other week thereafter* until final approval is given.

SECTION 1006. DUTIES OF THE TOWN MEETING ON THE BUDGET

The annual budget shall become effective only after it has been approved by resolution of the Board of Finance, and adopted at the annual town budget meeting. Should the annual town budget meeting fail to adopt the budget, the vote on the budget shall be adjourned to *referendum to be held two weeks after the town meeting is adjourned and on the following Tuesday and thence to automatically schedule additional referenda, as required* every other week thereafter until final approval is given.

- 6. SHALL LANGUAGE BE ADDED TO SECTION 205 AMENDING THE TIMEFRAME TO FILL VACANCIES IN ELECTIVE TOWN OFFICES FROM 45 DAYS TO 30 DAYS?**

EXPLANATION: This amendment to Section 205 - Vacancies will change the timeframe to fill an elective office vacancy from 45 days to 30 days.

- 7. SHALL LANGUAGE BE ADDED TO SECTION 205 PROVIDING THAT THE TERM FOR THE VACANT ELECTIVE OFFICE FILLED WILL CONTINUE FOR THE REMAINDER OF THE OFFICE TERM RATHER THAN UNTIL THE NEXT REGULAR ELECTION?**

EXPLANATION: This amendment to Section 205 - Vacancies will allow the term to be filled to the end of the unexpired portion of the term rather than until the next election.

SECTION 205.VACANCIES – ELECTIVE OFFICERS, SUBSECTION (a)

- (a) Unless otherwise provided by law, any vacancy, in any elective town office, including the Board of Education, but excluding the First Selectman, shall be filled ~~within forty-five (45)~~ *thirty (30)* days of such vacancy by appointment of the Board of Selectmen, to serve *for the unexpired portion of the term of the elective office so filled. until the first Monday of December following the next regular election, except that appointments to the Board of*

~~Education shall serve until the next regular election, as defined in Section 9-1 of the General Statutes, as amended.~~

- ~~(d) Except as otherwise provided in this Charter, if there shall be a regular election as defined in Section 9-1 of the General Statutes, as amended, before the expiration of the term of any office in which a vacancy occurs, such office shall be filled by appointment until said election as provided herein and subsequently by the election of a person to fill that office for the remaining portion of the term with such person to take office on the first Monday in December following the election, except that election of a person to the Board of Education who shall begin the day of election.~~
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8. SHALL THE SECTION CREATING THE PUBLIC SAFETY COMMISSION BE REPEALED?

EXPLANATION: This change is to repeal Section 808 – Public Safety Commission. The Public Safety Commission has been inactive since 2004. Currently the duties of the Public Safety Commission are performed by the Ad Hoc Emergency Services Committee.

SECTION 808. PUBLIC SAFETY COMMISSION – REPEAL

~~The Board of Selectmen, in accordance with Section 802 of this Charter, shall appoint a Public Safety Commission consisting of nine (9) members, said members to serve for terms of three (3) years. All appointments to this commission shall be made by the Board of Selectmen, in the manner provided herein, as vacancies on this board are created by the expiration of a member's term of service. Said commission shall draw lines of communication, form operational policies among the town agencies involved with public safety, and work with area towns having similar public safety problems in applying for Federal and State grants and technical assistance.~~

9. SHALL LANGUAGE BE ADDED TO SECTION 923 ENABLING THE BOARD OF SELECTMEN TO PROVIDE ADDITIONAL MEANS OF EMERGENCY SERVICES IN LIEU OF THE TOWN'S CURRENT VOLUNTEER SERVICES SHOULD THE ORGANIZATIONS BECOME INCAPABLE OF PROVIDING SERVICES AS DEFINED IN THEIR CONTRACTS?10.

EXPLANATION: This change to Section 923 will give the Town flexibility in determining who will provide emergency services to the Town should the organizations become incapable of providing the services as defined in their contract.

SECTION 923. EMERGENCY SERVICES

Emergency Services to the Town of Ellington will be provided by the Ellington Volunteer Fire Department, *Inc.*, ~~Crystal Lake Fire District~~/Crystal Lake Volunteer Fire Department and Ellington Volunteer Ambulance Corps, *Inc.* 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.

In the event that any of the above named organizations become incapable of providing the services as defined in their contract, the Board of Selectmen may provide for other means of delivery of emergency services in lieu of said volunteer company(s).

10. SHALL LANGUAGE BE ADDED TO SECTION 302 PROHIBITING THE TOTAL VOTES CAST FOR AN UNSUCCESSFUL FIRST SELECTMAN CANDIDATE FROM COUNTING TOWARD THE CANDIDATE'S VOTES FOR A SEAT ON THE BOARD OF SELECTMEN?

EXPLANATION: This change to Section 302 will change the current voting process so that votes for the unsuccessful candidate for First Selectman will no longer be counted as votes in favor of that candidate as a member of the Board of Selectmen.

SECTION 302. ELECTION AND TERMS OF OFFICE: TOWN ELECTION

First Selectman. The votes cast for the unsuccessful candidate for First Selectman shall *not* be counted for him/her as a member of the Board of Selectmen.

11. SHALL LANGUAGE BE ADDED TO SECTION 605 CLARIFYING THAT ADVANCE NOTICE OF A SPECIAL TOWN REFERENDUM TO OVERRULE ACTION TAKEN AT A TOWN MEETING BE PUBLISHED IN THE NEWSPAPER?

EXPLANATION: This amendment to Section 605 will clarify that legal notice of any special referendum to overturn action taken at a town meeting must be published at least 5 days prior to the date of the referendum in the local newspaper.

12. SHALL LANGUAGE BE ADDED TO SECTION 605 AMENDING THE MINIMUM PERCENTAGE OF VOTERS NEEDED TO VOTE IN A SPECIAL TOWN REFERENDUM TO OVERRULE ACTION TAKEN AT A TOWN MEETING FROM 15% TO 10%?

EXPLANATION: This amendment to Section 605 will also reduce the percentage of voters needed to turn out at such a special referendum from 15% to 10% in order to have a valid vote to override any action taken at a town meeting.

SECTION 605. POWER TO OVERRULE – TOWN MEETING ACTIONS, SUBSECTION (d)

All actions, including a negative action, of any town meeting shall be subject to overrule by a special town referendum in the following manner:

- (d) Within fifteen (15) days of receipt of said petition, so certified, the Board of Selectmen shall fix the time and place of said special referendum which shall be held not less than twenty (20) nor more than forty-five (45) days after the certification of said petition and notice thereof shall be given *at least five (5) days in advance by publication in a newspaper having general circulation in the town and by posting a notice in a public place* ~~in the manner provided by law (in Section 7-3 of the General Statutes, as amended) for the calling of a town referendum.~~

Any action so referred shall take effect upon the conclusion of such referendum unless a majority of those persons voting thereon, *shall have voted in favor of overruling such action, provided such majority being equal to at least fifteen (15) ten (10) percent of the qualified electors of the town, as determined from the latest official lists of the Registrars of Voters, shall have voted on the matter in favor of overruling such action.* To the extent permitted by law, the aforementioned provisions are intended to supersede the applicable portions of Section 7-7 of the General Statutes, as amended.

13. SHALL A CHAPTER ENTITLED “LIBRARY BOARD OF TRUSTEES” BE CREATED ALLOCATING RESPONSIBILITY FOR THE ADMINISTRATION OF HALL MEMORIAL LIBRARY TO THE LIBRARY BOARD OF TRUSTEES AND ALLOCATING EXCLUSIVE CONTROL FOR THE MAINTENANCE, CARE, AND REPAIR OF LIBRARY FACILITIES AND LIBRARY GROUNDS TO THE DEPARTMENT OF PUBLIC WORKS AND SHALL LANGUAGE BE ADDED TO SECTION 910 PROVIDING THAT THE DEPARTMENT OF PUBLIC WORKS SHALL HAVE EXCLUSIVE CONTROL OF THE CARE, MAINTENANCE, AND REPAIR OF HALL MEMORIAL LIBRARY FACILITIES AND GROUNDS?

EXPLANATION: These amendments continue to recognize the Hall Memorial Library Board of Trustees as being responsible for library operations and administration, but specifically allocates building and grounds maintenance of the Hall Memorial Library to the Department of Public Works. The sole purpose of these Charter amendments is to re-allocate library and grounds maintenance to the Department of Public Works.

LIBRARY BOARD OF TRUSTEES [new chapter to be added to Charter]

The Library Board of Trustees, elected as provided in Chapter III of this Charter, shall be responsible for the administration and use of Hall Memorial Library and will have all the powers and duties pursuant to State Statute 11-33 and 11-34. Notwithstanding any provision in this Charter and the State Statutes to the contrary, the Department of Public Works shall have exclusive control of the care, maintenance and repair of the library building and physical facilities and the library grounds.

SECTION 910. DEPARTMENT OF PUBLIC WORKS

The Board of Selectmen shall appoint a Director of Public Works, who shall possess such qualifications as are required for said office, and who shall serve for an indefinite term. It shall be the duty of the Department of Public Works to maintain, repair, clean and remove snow from all public streets and ways; maintain and operate storm sewers and other drains; care for and maintain all town buildings other than those under the jurisdiction of the Board of Education; *the Department of Public Works shall have exclusive control of the care, maintenance and repair of the library building and physical facilities and the library grounds.*
