

SCHEDULE A TO THE RESOLUTION TO APPROVE
THE PREPARATION OF AN EXPLANATORY TEXT
FOR THE CHARTER REVISION REFERENDUM QUESTIONS

EXPLANATORY TEXT FOR ELECTION DAY REFERENDUM QUESTIONS
ON AMENDMENTS TO THE MONTVILLE TOWN CHARTER

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.

This 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.

Full copies of the Existing Charter (the Town's Charter as it exists prior to any changes being made) and the Proposed Charter (the Proposed Charter as approved by the Town Council on January 15, 2009), including blacklined copies showing the changes from the Existing Charter, are available at the Town Clerk's office.

The following is an overview of each of the three Charter Revision Referendum questions. A detailed list of the Sections of the Charter to be modified by each question is available at the Town Clerk's office.

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.

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.

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.

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