

5.1.3. Library Board:

The City shall have a Library Board elected as provided by Section 2.4.1(e) of this Charter no more than four (4) members of ~~which~~ **whom** shall be from the same political party. The members shall hold no other elected office within the City. The Board shall operate a library system in the City and shall appoint and may remove, **(subject to the approval of the Mayor)**, such librarian, librarians, and other personnel as may be necessary or convenient to the operation of the system. [The Board shall make and adopt bylaws, rules and regulations for the governance of the library and reading room and shall have exclusive control of the expenditure of all monies collected to the credit of the library fund, have the supervision, care and custody of the grounds, rooms or building set apart by the Board of Alderman for library purposes;] provided that all such monies collected and received shall be placed in the custody of the Finance Director to the credit of its library fund and shall be kept separate from other monies of the City and shall be drawn upon by the proper officers of the City upon duly authenticated vouchers of the Directors. The Board shall have the power to receive, manage and expend any gifts for library purposes, and shall have custody of such gifts, including, but not limited to, any endowment funds.

(there is a trust; need interpretation clarification)

5.1.4. Planning and Zoning Commission:

(a) The City shall have a Planning and Zoning Commission elected as provided by Section 2.4.1(f) of this Charter, no more than ~~four (4)~~ **five (5)** members of ~~which~~ **whom** shall be from the same political party. The members shall hold no other elected or appointed office within the City. The Commission shall have such duties as are provided by the General Statutes of the State of Connecticut relating to planning and zoning, and, subject to the approval of the Mayor, shall appoint and may remove zoning and planning officers and such professional and other personnel as may be necessary or convenient to the operation of the commission.

(b) There shall be two (2) alternate members elected to the Planning and Zoning Commission **as provided by Section 2.4.1 (f)**, ~~at the election in November 1995 and biannually thereafter for a term of two (2) years~~ no more than one (1) of whom shall be from the same political party. ~~The alternate members shall hold no other elected or appointed office within the City.~~ The Chairman of the Planning and Zoning Commission shall, when a regular member is unable to attend a meeting or is otherwise unable to participate, select an alternate in place of such member firstly from the same political party as the member ~~who is unable to attend the meeting or otherwise unable to participate~~ and if an alternate from the same political party is not available, then the Chairman shall select the second alternate. [If two (2) members are unable to attend or participate, both alternates shall be seated, provided that the minority representation requirements of the **Connecticut** General

Statutes are not thereby violated in which event the Commission shall proceed on the matter without the participation of any alternate.]

(Comm. Bellis to check State Statute regarding alternate members not in attendance)

Section 5.2. Appointed by the Mayor.

The Mayor shall provide notification to the clerk of the Board of Aldermen on all appointments at least fifteen (15) days prior to the appointment.

(discussion needed on verbiage use on accomplishment prior to notification)

5.2.1. Parks and Recreation Commission:

The City shall have a Parks and Recreation Commission consisting of twelve (12) members, no more than seven (7) of whom shall be from the same political party, appointed by the Mayor to serve for a staggered term of four (4) years. ~~The terms of three (3) members shall expire each year of a four-year cycle.~~ The Commission shall operate and maintain a system of public recreation facilities and activities in the city and, subject to the approval of the Mayor, shall appoint and may remove a Director of Parks and Recreation, and the Superintendent of Parks and Recreation ~~and such other personnel as may be necessary or convenient to the operation of the system.~~ The director of Parks and Recreation shall report to the Administrative Assistant on a day-to-day basis to carry out the directions of the Parks and Recreation Commission. The Commission shall have the power to receive, manage and expend any gifts for Parks and Recreation purposes ~~which funds shall be subject to audit in compliance with Connecticut General Statutes and City Ordinances.~~

(discussion needed for # of members and verbiage use, Ron Herrick discussion)

5.2.2. Board of Zoning Appeals:

The City shall have a Board of Zoning Appeals, consisting of five (5) regular members and three (3) alternate members, no more than three (3) of which regular members and no more than two (2) of which alternate members shall be from the same political party, appointed by the Mayor to serve for staggered terms of five (5) years. ~~The term of one (1) regular member shall expire each year of a five-year cycle and the term of one (1) alternate member shall expire in the third, fourth and fifth years of a five-year cycle.~~ The Board of Zoning Appeals shall have all of the powers

and duties granted to and imposed upon them under the appropriate provisions of the Connecticut General Statutes and Ordinances and Resolutions adopted by the Board of Aldermen.

(State Statute clarification regarding # of alternate members)

5.2.3. Conservation Commission:

The City shall have a Conservation Commission, consisting of seven (7) members, no more than four (4) of whom shall be from the same political party, appointed by the Mayor to serve for staggered terms of three (3) years. ~~The terms of two (2) members shall expire in the first and second years of a three-year cycle and the term of one (1) member shall expire in the third year of a three-year cycle.~~ The Conservation Commission shall have all of the powers and duties granted to and imposed on conservation commissioners under the appropriate provisions of the ~~Connecticut General Statutes~~ Connecticut General Statutes and Ordinances and Resolutions adopted by the Board of Aldermen. The Commission may appoint and remove a Natural Resource Manager subject to the approval of the Mayor.

(check on funds)

~~5.2.4. Jury Committee:~~

~~The City shall have such Jury Committee as may be authorized by the Statutes of the State, as they may be amended from time to time, consisting of such persons and appointed in such manner as be provided therein.~~

5.2.4.5. Economic Development Commission:

The City shall have an Economic Development Commission, consisting of five (5) members, no more than ~~three (3)~~ three (3) of which whom shall be from the same political party, appointed by the Mayor to serve for staggered terms of five (5) years. ~~The term of one (1) member shall expire each year of a five-year cycle.~~ The Commission shall promote development of the economic resources of the City and [shall have such duties and powers as are set forth in the Connecticut General Statutes and Ordinances and Resolutions adopted by the Board of Aldermen.]

(verbiage)

5.2.5.6. Inland Wetlands Commission:

The City shall have an Inland Wetlands Commission, consisting of seven (7) members, no more than four (4) of whom shall be from the same political party, and two alternates of whom not more than one (1) shall be from the

same political party, appointed by the Mayor to serve for staggered terms of five (5) years. ~~The term of one (1) member shall expire in the first second years of a five-year cycle and the terms of two (2) members shall expire in the fourth and fifth year of a five-year cycle.~~

The Commission shall administer the Inland Wetlands regulations and shall have such duties and powers as are set forth in the Connecticut General Statutes of the State of Connecticut relating to Inland Wetlands Commissions.

[The Commission, subject to the approval of the Mayor, shall appoint and may remove a Wetlands Enforcement Officer and such professional and other personnel as may be necessary or convenient to the operation of the Commission.]

(possibly insert paragraph on all other Commissions that are appointed by the Mayor)

Section 5.3. Appointed by the Board of Aldermen.

5.3.1. Board of Tax Review:

The City shall have a Board of Tax Review, consisting of three (3) members, no more than two (2) of which shall be from the same political party, appointed by the Board of Aldermen to serve for staggered terms of three (3) years. ~~The term of one (1) member shall expire each year of a three-year cycle.~~

(may need additional verbiage or refer to Section 5.5)

5.3.2. Public Building Committees:

The City shall have a Public Building Committee for each public building project which ~~is bonded or~~ **may** reasonably ~~may~~ exceed ~~One Three~~ **One Three** Hundred Thousand Dollars (~~\$1300,000.00~~) in total cost. Each committee shall consist of from five (5) to nine (9) members as appointed by the Board of Aldermen to serve for an indefinite term until completion of the public building project for which the committee was appointed. The Board of Aldermen shall appoint each committee no later than fourteen (14) days after the Board has first authorized the expenditure of any funds for the public building project. At the first meeting of each committee, the committee shall elect, by plurality vote, a chairman from its members to serve until completion of the public building project for which the committee was appointed. Each committee shall supervise the public building project for which it was appointed, ~~develop a project program with input from the appropriate department head or representative of the Board/Commission for which the project is being completed and shall have such other powers as conferred~~

upon them by the Board of Aldermen. Each committee shall supervise the public building project for which it was appointed, and shall appoint and may remove such professional service providers and such other personnel as may be necessary or convenient to the supervision of the project. Each committee shall have the power to issue change orders which do not result in an increase in the total cost of the project above the authorized total bond issue or cost. No committee shall have the power to award contracts or waive bids on any project, but a committee may recommend the acceptance or rejection of any bid on any project or the waiver of the bids.

5.3.3. Public Employee Appeals Board:

The City shall have a Public Employees Appeals Board consisting of five (5) members appointed by the Board of Aldermen to serve for staggered terms of five (5) years. ~~The term of one (1) member shall expire each year of a five-year cycle. Subject to the provisions of any applicable collective bargaining agreement, t~~ The Board shall hear, within ~~ten (10)~~ **twenty (20)** days of filing, the appeal of any employee of the City, ~~unless covered by a collective bargaining agreement grievance procedure,~~ who has completed any probationary period of employment, and who may have a grievance involving his/*her* employment or the merit system. The Board shall submit its decision in writing to the Mayor, and the decision of the Board shall be final unless within ten (10) days of receipt of the decision the Mayor shall submit a different decision in writing to the Board, in which event the decision of the Mayor shall be final unless within ten (10) days the Board shall reaffirm its original decision in writing after the affirmative vote of at least four (4) members.

(review if 10 days is enough time)

Any decision which becomes final hereunder may be appealed to the Superior Court for the Judicial District of Ansonia/Milford or such other Judicial District as may have jurisdiction within twenty (20) days from the date the decision becomes final.

5.3.4. Water Pollution Control Authority:

The City shall have a Water Pollution Control Authority consisting of eight (8) members appointed by the Board of Aldermen to serve for staggered terms of four (4) years. ~~The terms of four (4) members shall expire in the second and fourth years of a four-year cycle.~~ The Water Pollution Control Authority shall have such powers as are set forth in ~~Connecticut General Statutes, of the General Statutes,~~ as the same may be amended from time to time. It shall also control the revolving sewer fund. The provisions of this Charter relating to the award of contracts, letting to bid, etc. shall be applicable to the Water Pollution Control Authority.

~~Section 5.4. Appointed by the Mayor and Confirmed by the Board of Aldermen;~~

~~———— The City shall have a Board of Ethics consisting of three (3) members, none of which three (3) members shall be from the same political party, and no more than one (1) of which shall hold any elected or appointed office with the City. The Board shall be appointed by the Mayor and confirmed by at least a majority of the full membership of the board of aldermen to serve for staggered terms of three (3) years. The term of one (1) member shall expire each year of a three year cycle. The Board may draw, and from time to time may amend, a code of ethics, including specific provisions for enforcement of the code, which code and amendments the Board of Aldermen may adopt from time to time as an ordinance of the City.~~

5.3.5. Board of Ethics

The City shall have a Board of Ethics which shall have all the powers conferred upon and imposed by Ordinance of the City. The Board of Ethics will consist of five (5) members of whom no more than two (2) shall be from the same party and will be appointed by the Board of Aldermen for a term of three (3) years. The terms of the members shall be staggered in a manner that not more than two (2) members' term will expire in any year. Members of the Board of Ethics shall not be an employee of the City, hold any elected office, hold any other appointed position as defined in Section 5.2 and 5.3 of this Charter, or provide goods or services to the City.

There shall be an Ethics Code adopted by the Board of Aldermen which may be amended from time to time and which shall be in compliance with requirements of the Connecticut General Statutes. The Board of Ethics shall, on a continuous basis, review the Ethics Code of the City, including provisions for enforcement, and recommend any suggested changes to the ordinance to the Board of Aldermen for consideration.

(Full Board needed for discussion)

Section 5.5. General Provisions.

Unless otherwise provided by this Charter or the laws of the City or State, the following general provisions shall govern all boards, commissions and other bodies referred to in this Chapter 5:

- (a) Members shall serve without compensation, but may receive reimbursement for reasonable and necessary expenses in accordance

with procedures as established by the Finance Director.

- (b) Members shall be electors of the City.
- (c) Members shall hold no more than one (1) appointed position, as defined in Sections 5.2. and 5.3. of this Charter.
(open for discussion)
- (d) A simple majority shall constitute a quorum for the transaction of business.
- (e) No ex-official member shall have a vote.
- (f) At its first regular meeting following the date on which the newly elected or appointed members take office, each board, commission and other body shall elect, by plurality vote, a chairman from its members who shall serve until the next regular election or appointment of members to the board, commission or other body. A chairman, by virtue of his/her position, shall not be deprived of his /her vote nor given an added vote, unless otherwise specified in the provisions of this Charter.
- (g) Each board, commission and other body shall establish its own rules of procedure provided they are not inconsistent with any other section of the Charter.
- (h) Each board, commission and other body shall have all powers and duties conferred or imposed upon such a board, commission or other body under the Connecticut General Statutes, ~~General Statutes~~, as amended from time to time, and shall also have all powers and duties specifically conferred or imposed by this Charter or the laws of the City or State or United States, and all other powers and duties fairly incident to those specifically conferred or imposed.
- (i) No board, commission or other body shall have the power to obligate the City in an amount greater than is available in its budget.
- (j) Each appointment or removal shall be in accordance with Chapter 8 of this Charter if applicable to the position in question.
- (k) If not re-appointed, no member as defined in Sections 5.2. or 5.3. shall serve beyond his/her designated term,

unless the appointing authority fails to appoint a replacement. In such case he/she shall serve until a replacement has been appointed per Section 9.6.2. Appointed Office of Charter.