

Town of Ledyard
Linda C. Davis, Chairman
Ledyard Town Council

Final Report of
Proposed Charter Amendments
Adopted by Charter Revision Commission on June 7, 2018
Approved by the Town Council on June 27, 2018
To be Approved/Disapproved by the Electors
at the November 6, 2018 Election

Charter Revision Commission Membership

Stan Juber, Chairman
Bill Peckham, Vice Chairman
Kevin Dombrowski, Secretary
Pete Champagne
Hilary Jantzi (2017 only)
Bruce Johnson
Gordon Strickland, Jr.

The following are the proposed amendments to the Town Charter. Proposed revisions are noted as follows: (1) Additional language: ***bold underlined italics***; (2) Deleted language: ~~[bracketed strike out.]~~ Copies of the report are available on the Town's Web Page at: www.town.ledyard.ct.us and in the Town Clerk's Office during regular business hours.

CHAPTER II - ELECTIONS AND ELECTED OFFICIALS

SECTION 4. REGISTRARS OF VOTERS & JUSTICES OF THE PEACE

The nomination and election of the Registrars of Voters and Justices of the Peace shall be conducted in the manner prescribed in the Constitution and general laws of the State of Connecticut. ***Beginning with the next regular town election following adoption of this charter, Registrars of Voters shall serve for a term of four (4) years and until their successors have been elected and qualified.***

SECTION 5. BOARD OF EDUCATION

The Board of Education shall have such powers and duties as are or may be imposed or vested by the General Statutes upon boards of education in the several towns, which statutes shall prevail over any provisions of this Charter in event of conflict. ***The Board of Education shall have an organizational meeting in accordance with State Statute.***

SECTION 7. MINORITY REPRESENTATION

For the purposes of this section, a person shall be deemed to be a member of the political party on whose enrollment list his name appears on the date of nomination as a candidate for election provided any person who has applied for erasure or transfer of his name from an enrollment list shall be considered a member of the party from whose list he has so applied for erasure or ~~transfer [for a period of six months from the date of filing of such application]~~ ***transfer within the time period according to State Statute Sec. 9-391*** and provided further any person whose candidacy for election to an office is solely as the candidate of

a party other than the party with which he is enrolled shall *be deemed to be a member of the party of which he is such candidate.*

SECTION 8. VOTING DISTRICTS

There shall be at least two (2) Voting Districts. ~~[There shall be two (2) voting districts]~~
The voting districts shall remain as ~~[the same]~~ existed on the effective date of this Charter, and the number of voting districts shall not be increased, nor the boundaries altered except by ordinance of the Town Council.

Voting District lines shall be also be drawn to be in conformance with the lines of Congressional Districts, Senate Districts, or Assembly Districts as established by law.
~~[Voting district lines shall not be drawn to conflict with the lines of congressional districts, senate districts, or assembly districts as established by law.]~~

CHAPTER III - THE TOWN COUNCIL

SECTION 2. ORGANIZATION

With the Mayor presiding, the Town Council shall hold an organizational meeting at ~~[eight]~~ *seven* o'clock *p.m.* ~~[PM]~~ on the first Monday of December of the odd-numbered years, and shall elect one of its members to be chairman of said Town Council to preside at all meetings, but such office shall not deprive such chairman of his vote on any question.

SECTION 4. GENERAL POWERS AND DUTIES

Said Town Council shall have the power to enact, amend, or repeal ordinances, not inconsistent with this Charter or the General Statutes, and to create or abolish, by ordinance not inconsistent with this Charter or the General Statutes, boards, commissions, departments, and offices. *Upon recommendation of the Mayor, the Town Council may authorize the Mayor to contract for services* ~~[The Town Council may, upon recommendation of the Mayor, contract for services]~~ and use of facilities of the United States or any Federal agency, the State of Connecticut and any political subdivision thereof, or may, by agreement, join with any such political subdivision to provide services and facilities. In such cases as the Town may grant monetary support to any group for assisting them to render an essential Town service, it shall establish in writing the conditions of such grant.

SECTION 5. PUBLIC HEARING ON, PUBLICATION OF, AND PASSAGE OF ORDINANCES

Unless otherwise required by State statutes, [A] at least one public hearing, notice of which shall be given at least five (5) days in advance by publication [in a newspaper having circulation in said Town] on the Town Website and by posting a notice in a public place, shall be held by the Town Council before any ordinance shall be passed. Every ordinance, after passage, shall be filed with the Town Clerk and recorded, compiled, and published by him as required by law. Within ten (10) days after final passage, a summary of the ordinance(s) shall be prepared by the Town Clerk in consultation with the Town Attorney and published ~~[in a newspaper having circulation within the Town]~~ *on the Town Website.* Every ordinance, unless it shall specify a later date, shall become effective on the twenty-first (21) day after such publication following its final passage.

SECTION 6. POWER OF INITIATIVE

The electors of the Town shall have the power to propose ordinances to the Town Council as well as to petition for a Town meeting for the transaction of business proper to come before such meeting. Such powers shall be initiated by petition, filed by any elector of the Town with the Town Clerk, and, except as provided herein, shall conform to the requirements of the General Statutes. Said petition shall contain the full text of the proposed ordinance or the question to be presented at a Town meeting, and shall be signed in ink or indelible pencil by qualified electors of the Town equal in number to at least ten (10) percent of the electors registered at the last regular Town election. Said petition shall be accompanied by affidavits signed and sworn to by each circulator as provided in the General Statutes. The Town Clerk shall, within five (5) days after receipt of the last page of said petition within the time provided herein, determine whether the petition and affidavits contain the required number of valid signatures and certify said petition to the Town Council. If the Town Council fails to adopt an ordinance so proposed within thirty (30) days after a petition making such a proposal shall have been certified to the Town Council as provided herein, the electors may adopt or reject the same at a referendum called by the Town Council and held within ninety (90) days after such proposed ordinance has been certified to the Town Council. A majority vote of the electors to adopt the proposed ordinance shall not become effective unless a total of at least twenty (20) percent of the electors entitled to vote on the question shall have voted. Said ordinance shall become effective upon certification of the results of the voting thereon regardless of any defect in the petition. No ordinance which shall have been adopted in accordance with the provisions of this section shall be repealed or amended by the Town Council within ~~three~~ *two* years except by a vote of the electors. In the case of a petition for the call of a Town Meeting, the Town Council, at their next regular meeting, shall set a date for such Town Meeting, which meeting shall be no sooner than thirty (30) days but in no event longer than forty-five (45) days from that regular meeting of the Town Council. A majority vote of the qualified electors present and voting thereon shall be sufficient to decide any question at a Town meeting called in accordance with this section. Petitions which present practically the same question, in the judgment of the Town Council, as previously rejected, shall not be entertained within a period of less than one year.

SECTION 10. RELATIONS TO THE ADMINISTRATIVE SERVICE

Neither the Town Council nor any of its members shall direct the appointment of any person to any office or employment, or direct the removal of any person from any office or employment which office or employment, by the provisions of this Charter, the Mayor or any of his appointees are solely empowered to fill by appointment, provided the Mayor may seek advice from the Town Council regarding appointments, and provided further the Town Council may prefer charges in writing against any officer or employee appointed by the Mayor. The Town Council and its members shall deal with the personnel through the Mayor, and neither the Town Council nor any member thereof shall give orders to any of the subordinates of the Mayor either publicly or privately. Any Town Councilor willfully violating the provisions of this section, shall, upon conviction by a court of competent jurisdiction, be guilty of a misdemeanor and shall cease to be a Town Councilor. Nothing contained in this section shall, however, be construed as prohibiting the Town Council or its sub-committees from having access to public records or from requesting information from any agency, department, committee, board, or commission or requesting the presence of any employee before the Town Council for obtaining such information as the Town Council may consider necessary to perform its function. *Additionally, the Town Council shall be exempt from the restrictions contained in this section, when the Town Clerk is acting in the capacity as*

the Clerk of the Town Council, pursuant to Chapter VI, Section 2 of this Charter.
~~[Additionally, the Town Clerk when acting in the capacity as the Clerk of the Town Council, pursuant to Chapter VI, Section 2 of this Charter, shall be exempt from the restrictions contained in this section.]~~

SECTION 12. APPROVAL OF ORDINANCES AND APPROPRIATIONS BY THE MAYOR

If the Town Council shall pass the proposed ordinance by an affirmative vote of at least six (6) members within fourteen (14) days after such ordinance has been returned with the Mayor's disapproval, it shall become effective without his approval subject to said Section 5. If the Mayor does not return the proposed ordinance within the time required, it shall become effective without his approval subject to said Section 5. ~~[The Mayor may disapprove or reduce any item or items in any appropriation, whereupon the approved portion of the appropriation shall become effective unless the disapproved or reduced portion thereof is passed by the Town Council over the Mayor's veto in the manner herein provided in which case the entire appropriation shall become effective as finally passed].~~

CHAPTER IV - OFFICERS, BOARDS; AND COMMISSIONS APPOINTED BY THE TOWN COUNCIL

SECTION 3. PLANNING & ZONING COMMISSION

There shall be a Planning & Zoning Commission consisting of five (5) members and three (3) alternates.

The Town Council shall fill vacancies on the Planning & Zoning Commission from whatever cause arising, in the manner, for the terms, and with all the powers and duties, not inconsistent with this Charter, as prescribed in the General Statutes.

~~[SECTION 4. ZONING COMMISSION~~

~~[The Town Council, shall, by ordinance, appoint a Zoning Commission consisting of five (5) members and three (3) alternate members, for the terms and with all the powers and duties, not inconsistent with this Charter, as prescribed in the General Statutes of the State of Connecticut. The Town Council, at its discretion, may designate, by ordinance, that the duties of the Zoning Commission may be discharged by the Planning Commission.]~~

The Planning & Zoning Commission shall advise the Mayor, regarding the appointment and removal of a Zoning Official, who shall be charged with the implementation and enforcement of the policies and regulations of the Planning & Zoning Commission.

SECTION [6] 5. BUILDING CODE BOARD OF APPEALS

A Building Code Board of Appeals shall be appointed in accordance with the provisions of the State Building Code. Such board shall consist of five (5) members, all of whom shall meet the qualifications in the State Building Code. The Board shall annually select from its membership, a chairman and a vice-chairman. A member of the Building Code Board of Appeals of the Town of Ledyard may also be a member of the board of appeals of another municipality; a member of the board of appeals of another municipality may also be a member of the Board of Appeals of the Town of Ledyard.

SECTION [7] 6. BOARD OF ASSESSMENT APPEALS

There shall be three regular (3) members, and three (3) alternate members of the Board of Assessment Appeals. During any assessment year in which a revaluation becomes effective, or during which appeals from revaluation are heard, there shall be two (2) additional regular members of the Board of Assessment Appeals, appointed for a term of

one year. *The Board shall annually select from its membership, a chairman and a vice-chairman.*

SECTION 7. PERMANENT MUNICIPAL BUILDING COMMITTEE (NEW)
The Town Council shall, by ordinance, appoint a Permanent Municipal Building Committee for the terms and with all the powers and duties, not inconsistent with this Charter.

The Permanent Municipal Building Committee shall be charged with the oversight and management of construction and capital improvement projects, as assigned by the Town Council, for both the General Government and Board of Education along with those duties as may be prescribed in the establishing Ordinance.

CHAPTER VI - OFFICERS, DEPARTMENTS, AND BOARDS APPOINTED BY THE MAYOR

SECTION 1. TOWN ATTORNEY

The Mayor shall, with the approval of the Town Council, appoint ~~[a Town Attorney]~~ *Attorneys for the Town.* The Mayor may, with the approval of a two-thirds (2/3) majority of the Town Council, remove ~~[the Town Attorney]~~ *attorneys that have been appointed for the Town.*

The Town Attorney(s) shall be an attorney-at-law admitted to practice law in the State. He shall appear for and protect the rights of the Town in all actions, suits, or proceedings brought by or against it or any of its department, officers, agencies, boards, or commissions.

SECTION 4. DEPARTMENT OF FINANCE

The *Assessor and Tax Collector* ~~[and Assessor shall have the powers and duties imposed by law on such offices].~~

Assessor

The Mayor shall appoint, and may remove, an Assessor who shall have the powers and duties imposed by the General Statutes upon assessors of taxes. The Town Council may establish the qualifications and compensation of such assessor. Prior to assuming the duties of office, the Assessor shall be sworn to the faithful performance of his duties by the Town Clerk.

Tax Collector

The Mayor shall appoint, and may remove, a Tax Collector, who shall have the powers and duties imposed by the General Statutes upon municipal collectors of taxes. The Town Council may establish the qualifications and compensation of such Tax Collector. No person who has had certification as a Connecticut municipal collector suspended, revoked or denied may serve as tax collector. Prior to assuming the duties of office, the Tax Collector shall be sworn to the faithful performance of his duties by the Town Clerk. Upon the expiration of the collector's term of office, such collector shall deliver to his immediate successor in office any bills not fully collected and such successor shall have authority to collect the taxes due thereon.

If the Tax Collector becomes unable to discharge the duties of his office, the Mayor may appoint some suitable person as acting tax collector, who, upon being sworn and giving a bond satisfactory to the Town Council, may thereupon exercise all the duties

and perform all the functions of such tax collector until such time as such tax collector is found by the Mayor to have become able to discharge the duties of his office or until his successor is appointed and has qualified.

C. ~~[The]~~ Purchasing Agent

The Purchasing Agent of the Town shall purchase all supplies, materials, equipment, and other commodities required by any department, agency, board, or commission of the Town, except the Board of Education, on requisitions signed by the head of the department, office, or agency, or chairman of the board or commission, or responsible representative appointed by him.

Purchases shall be made under such rules and regulations as may be established by ordinance by the Town Council. If any purchase or contract for purchasing, including continuing an order or contract for the purchase of the same commodity for twelve months involves an expenditure greater than the amount established by the Town Council in the purchasing ordinance, the Purchasing Agent, unless it shall be determined by the Town Council for Town purchases, or the Board of Education for Board of Education purchases, to be against the best interests of the Town, shall invite sealed bids or proposals, giving ten (10) days public notice thereof by publication at least once in a newspaper having circulation in the Town, *or as allowed by State Statute*, and shall let the purchase or contract to the bidder representing the best value to the Town of Ledyard or may reject all such bids or proposals. All such sealed bids or proposals shall be opened publicly.

SECTION 5. DEPARTMENT OF PUBLIC WORKS

The Department of Public Works shall ~~[have supervision and control of]~~ *be responsible for* the maintenance of all Town-owned structures, except such structures as are under the control of the Board of Education and other commissions, when such commissions are created by ordinance of the Town Council, and of the planning, surveying, constructing and reconstructing, altering, paving, repairing, maintaining, cleaning, lighting and inspection of highways, sidewalks and curbs, public and private drains, and other public improvements, Town buildings, and the preservation, care and removal of trees within highways or public places, all engineering work of the Town, and the collection and disposal of garbage, rubbish and trash.

SECTION 6. DEPARTMENT OF LAND USE AND PLANNING

The Department of Land Use and Planning shall consist of the Chief Building Code Official, the Zoning *Enforcement* Official, the Wetlands Enforcement Official, *and* the Town Planner. ~~[and the Economic Development Coordinator]~~. The Mayor shall be the Director of Land Use and Planning until such time as he appoints another to the position of Director of Land Use and Planning.

A. CHIEF BUILDING CODE OFFICIAL

The Mayor shall appoint an officer, to be known as the Chief Building Code Official, to administer *and enforce* the State building code for a period of four years and until his successor qualifies and quadrennially thereafter shall so appoint a successor.

The Town of Ledyard may combine with one or more other communities in the appointment of a chief building code official for enforcing the provisions of the State building code in the same manner.

B. ZONING *ENFORCEMENT* OFFICIAL

The Zoning Official shall have the duty of assisting and advising the Mayor, the Town Council, the *Planning &* Zoning Commission, and the Zoning Board of Appeals on land-use matters and State laws, the comprehensive plan of zoning regulations, and perform such other duties as the Mayor may prescribe , *including enforcement*, not inconsistent with the duties and functions of the *Planning &* Zoning Commission and Zoning Board of Appeals under the General Statutes.

C. WETLANDS ENFORCEMENT OFFICIAL

The Wetlands Enforcement Official shall have the duty of assisting and advising the Mayor, the Town Council, and the Inland Wetlands and Watercourses Commission on land-use matters and State laws and the inland wetlands and watercourses regulations, and perform such other duties as the Mayor may prescribe , *including enforcement*, not inconsistent with the duties and functions of the Inland Wetlands and Watercourses Commission under the General Statutes.

D. TOWN PLANNER

The Town Planner shall have the duty of assisting and advising the Mayor, the Town Council, and the Planning & Zoning Commission on planning and on a master plan of development and land use, promoting economic development and ensuring that economic development projects are consistent with the Town's Plan of Conservation and Development, and shall perform such other duties as the Mayor may prescribe not inconsistent with the duties and functions of the Planning *& Zoning* Commission under the General Statutes. [~~The Town Planner shall have the duty of assisting and advising the Mayor, the Town Council, and the Planning Commission on planning and on a master plan of development and land use, and shall perform such other duties as the Mayor may prescribe not inconsistent with the duties and functions of the Planning Commission under the General Statutes.~~]

~~[ECONOMIC DEVELOPMENT~~

~~The Economic Development Coordinator shall have the duty of promoting economic development and ensuring that economic development projects are consistent with the Town's Plan of Conservation and Development and perform such other duties as the Mayor may prescribe not inconsistent with the duties and functions of the Economic Development Commission.~~

~~The Economic Development Coordinator shall be hired by the Mayor in consultation with the Economic Development Commission.~~

~~The Town Council, shall, by ordinance, establish an economic development commission consisting of seven (7) members that shall be appointed by the Mayor in accordance with the General Statutes. The Economic Development Commission shall be charged with establishing a comprehensive program to promote economic development in the Town of Ledyard and shall have such other powers and duties as prescribed by ordinance.]~~

B. Law Enforcement Division

Unless otherwise directed by ordinance establishing a Regional Law Enforcement Agency, the Law Enforcement Division shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, regulation of traffic, protection of rights of persons and property, and enforcement of the laws of the State and the ordinances of the Town and all rules and regulations made in accordance therewith.

All police officers of the Division shall have the same powers and duties with respect to the service of criminal process and enforcement of criminal laws as are vested in police officers by general statutes, and as may be specified by Division rules and regulations.

The Mayor shall ~~[be]~~ appoint the Chief of Police ~~until~~ subject to the approval of the Town Council [shall direct otherwise by ordinance]. If the office of the Chief of Police is vacant, the Mayor shall act as the Chief of Police until a replacement is appointed. Subject to approval by the Town Council, the Mayor may appoint an acting Chief of Police until a permanent Chief of Police is duly appointed.

E. Public Safety Commission

The Public Safety Commission shall be responsible for advising and assisting the Director of Public Safety in the planning and budgeting of public safety services for the Town. The Commission shall consist of nine members and include the: Town Fire Marshal; Ledyard Fire Company chief; Gales Ferry Volunteer Fire Company chief; ~~[Town Resident State Trooper or]~~ Chief of Police; Director of Civil Preparedness and Emergency Management; ~~[President]~~ Director of the Ledyard Volunteer Emergency Squad or the executive officer of any other organization licensed or certified to provide emergency ambulance service in Ledyard; Administrative Supervisor of the Ledyard Regional Visiting Nurse Agency; one school safety member nominated by the Board of Education; and the Administrator of Emergency Services.

CHAPTER VII: FINANCE AND TAXATION

SECTION 1. GENERAL FORM AND BUDGET PRESENTATION

The Mayor shall require each department, office, or agency of the general government of the Town, supported wholly or in part by Town funds, or for which a specified Town appropriation is made, to set forth, in narrative or such other form as the Mayor may prescribe, a program or programs showing services, activities, and work accomplished during the current year and to be accomplished during the ensuing year, and an estimate of those programs for the next five years. All such data as heretofore referred to in this section will be forwarded to the Town Council by the Mayor at the time of submitting his budget. The budget submission should include plans for dealing with additional reductions in State funding that might occur after the General Government and Board of Education budget are approved at referendum, as identified in Section 5. Plans will include reduction in services, use of Town surplus or an increase in tax levy. Such contingency plans shall be available at the time of the referendum.

The Board of Education shall annually prepare a budget submission to include the information required by the Town Council. The Board of Education budget will be submitted via the Mayor so that the budget document submitted to the Town Council represents the total fiscal requirements of the Town. The timing of the budget submission is discussed in Section 4 below. The budget submission should include plans for dealing with additional reductions in State funding that might occur after the Board of Education budget is prepared that could include reduction in services. Such contingency plans shall be available at the time of the referendum.

SECTION 3. DUTIES OF THE MAYOR ON THE BUDGET

- A. A budget message outlining the financial policy of the Town government and describing the important features of the budget plan indicating any major changes from the current year in financial policies, regionalization efforts, expenditures, and revenues together with the reasons for such changes, and containing a clear general summary of its contents.

- C. Itemized expenditures, presented in a standard format as specified by the Town Council, including the actual expenditures for each department, office, agency or activity, including the Board of Education, for the last completed fiscal year and the current fiscal year to date, a projection of expenditures to the end of [the total expenditures as estimated for] the current fiscal year, and the Mayor's recommendations of the amounts to be appropriated for the ensuing fiscal year for all *line* items (other than Board of Education line items), and such other information as may be required by the Town Council.

SECTION 4 DUTIES OF THE BOARD OF EDUCATION ON THE BUDGET

The Board of Education shall include in its budget submission the latest revenue figures for the current fiscal year and the best estimates of education-related revenue sources for the ensuing fiscal year. *The Board of Education shall also include as part of the budget submission, any steps taken to address changing enrollment.*

The Board of Education shall participate in the review of municipal improvements and capital projects that is conducted by the Mayor and the Planning Commission during the budget preparation process so that the Board's capital needs are reflected in a unified list of projects for the Town. *Such Capital Improvement Plan shall be included in the Board of Education Budget.*

SECTION 5. DUTIES OF THE TOWN COUNCIL ON THE BUDGET

The Town Council shall by resolution adopt and may modify a standard budget format for the Town, *including contingency plans for dealing with reductions in State funding that may occur after the budget is adopted at referendum.*

Following receipt of the proposed annual budget submitted by the Mayor, the Town Council shall confer with the Mayor, all department heads, boards, and any others deemed necessary for the understanding and fair consideration of the requested appropriations ~~[and sundry resolutions]~~.

In the event that the Town Council fails to file a recommended budget by the first Monday of May, the Town Clerk shall publish, according to the above procedure, the budget as transmitted by the Mayor in accordance with the provisions of Section 3 of this chapter.

If during the budget year, the State of Connecticut does not meet the grants and payments anticipated by the current budget, the Town Council may reopen the budget. The Mayor and Board of Education will provide input as to how to address the income shortfall. The Town Council will present a revised budget to a Town Meeting for information, then adjourn to the voting machines. If the revised budget is approved, a revised tax rate will be set by the Town Council. Should the revised budget not be approved, the Town Council shall appropriately reduce the current budget to eliminate the shortfall. This adjusted budget shall then automatically become the operating budget for the remainder of the fiscal year.

~~[In the event that the Town Council fails to file a recommended budget by the first Monday of May, the Town Clerk shall publish, according to the above procedure, the budget as transmitted by the Mayor in accordance with the provisions of Section 3 of this chapter.]~~

~~Should the Town Council fail to fix the tax rate within the time required herein, the tax rate shall be fixed by the Mayor and shall not exceed the annual budget requirements as approved by the annual Town Meeting.~~

Should the Town Council fail to fix the tax rate within the time required herein, the tax rate shall be fixed by the Mayor and shall not exceed the annual budget requirements as approved by the annual Town Meeting.

SECTION 6. ANNUAL TOWN MEETING

Should the referendum on the budget refer the budget back to the Town Council, the Town Council shall reconsider the budget and present it for a second vote on the voting machines ~~[two]~~ three weeks following the previous referendum.

~~[Should the second referendum on the budget again refer the budget back to the Town Council, the Town Council shall reconsider the budget and present it for a third vote on the voting machines two weeks following the previous referendum.]~~

In the event that the ~~[third]~~ second referendum does not approve a budget; the Town Council shall adopt a final budget by the fourth Monday in June. Should both the referenda and the Town Council fail to ~~[approve]~~ adopt a final budget by the fourth Monday in June, the budget ~~[most recently approved by the Town Council]~~ that was presented at the second referendum shall be deemed to have been adopted, and expenditures made in accordance therewith for the ensuing fiscal year.

SECTION 7. ADVISORY QUESTIONS

The questions may invite opinions on the proposed annual budget or they may invite opinions that could aid the town government on any issue within the authority of the Town of Ledyard.

Advisory questions may be proposed by petition of at least 100 Town electors or by the written request of at least ~~[two]~~ four of the elected town officers listed in Chapter II, Section 3.

SECTION 8. TOWN MEETING PROCEDURE

All Town meetings, including the annual Town Meeting, shall be called to order by the Chairman of the Town Council, or in his absence, by the ~~[Town Clerk]~~ chairman pro-tempore of the Town Council.

SECTION 10. EMERGENCY APPROPRIATIONS

For the purpose of meeting public emergencies threatening the lives, health, or property of citizens, emergency appropriations, the accumulative amount of which shall not exceed one (1) percent of the current tax levy in any one fiscal year, may be made upon the recommendation of the Mayor and by a vote of not less than six (6) affirmative votes of the Town Council. ~~[In the absence of sufficient general fund resources to meet such appropriation, additional means of financing shall be provided as specified in Section 9 of this chapter.]~~

SECTION 16. EMINENT DOMAIN

The taking of private property by eminent domain by the Town for public use, in accordance with State Statute, ~~[including economic development,]~~ shall be approved by a two-thirds vote on a resolution of the Town Council. ~~[and a simple majority vote at a~~

~~referendum, in which at least 15% of the registered voters participate, called and conducted in accordance with this charter.]~~

CHAPTER VIII - THE CLASSIFIED SERVICE

SECTION 2. THE CLASSIFIED SERVICE

The Classified Service shall include all full and part-time *employees of the Town of Ledyard, except:* ~~[members of collective bargaining units. The Classified Service SHALL NOT include:]~~ elected officers and persons appointed to fill elective office vacancies; officers appointed by the Town Council; Town Attorney; ~~[Director of Emergency Management;]~~ those positions covered by the Town Council Resolution Establishing Administrator/Department Head Benefits; all part-time, temporary or seasonal employees; persons employed in a professional capacity to make or conduct a temporary and special inquiry, study, or investigation; persons employed for a temporary and special inquiry, study, or investigation; and superintendents, principals, teachers, and all non-certified employees in the school system of the Town. All non-certified employees in the school system may be included in the classified service by request of the Board of Education and upon approval by the Town Council.

It shall be the duty of the Mayor to cause to be prepared a ~~[statement]~~ *job description* of the duties and responsibilities ~~[(Position Description)]~~ for each position in the Classified Service including the minimum qualifications for such position. These ~~[statements shall comprise the classification plan of the Town which]~~ *job descriptions* shall become effective upon approval by the Town Council and ~~[which]~~ may be amended, upon recommendation of the Mayor, by the Town Council. New or additional ~~[positions]~~ *job descriptions* in the Classified Service may be created and changes in the duties and responsibilities of existing ~~[positions]~~ *job descriptions* may be made by the Town Council upon the recommendation of the Mayor.

SECTION 3. POLITICAL ACTIVITY. (NEW)

No person employed in the classified civil service may use his official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office; directly or indirectly coerce, attempt to coerce, command or advise a state or local officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes.

Unless otherwise prohibited by federal or state law, a person employed in said classified service retains the right to vote as he chooses and to express his opinions on political subjects and candidates and shall be free to participate in political management and campaigns. Such activity may include, but shall not be limited to, membership and holding of office in a political party, organization or club; campaigning for a candidate in a partisan election by making speeches; writing on behalf of the candidate or soliciting votes in support of or in opposition to a candidate and making contributions of time and money to political parties, committees or other agencies engaged in political action, except that no classified employee shall engage in such activity while on duty or within any period of time during which such employee is expected to perform services for which he receives compensation from the Town, and no such employee shall utilize Town funds, supplies, vehicles or facilities to secure support for or oppose any candidate, party, or issue in a political partisan election.

SECTION ~~3.~~ 4. RETIREMENT OF TOWN EMPLOYEES

The Town Council may provide, by ordinance, retirement plans for the Town's regular full-time paid employees. *The Town of Ledyard Defined Benefit Plan was closed to new employees in 2014.* ~~[If the retirement plans include a Town pension fund, then said Town Council]~~ *The Town Council, or its designee* may authorize the transfer of the management and investment of the Town's ~~[pension funds]~~ *retirement plans* to any fiduciary institution chartered or licensed to operate in the State of Connecticut under the provisions of the General Statutes.

The Town of Ledyard Defined Contribution Plan was created on January 1, 2011 as the retirement plan for benefited and full-time employees. The Town Council, or its designee is authorized to transfer the administration or management of the plan within Federal and State regulation.

~~[The Town may enter into a contract with any insurance company authorized to do business in the State for the purpose of insuring the whole or any part of its retirement plan, may elect to participate in the Connecticut municipal employee's retirement fund or elect to participate in the Old Age and Survivor's Insurance system under Title II of the Social Security Act, in accordance with the provisions of the General Statutes, or may elect any combination thereof. - Nothing in this section would require the Town to maintain a defined benefit retirement plan.]~~

CHAPTER IX TRANSITION AND MISCELLANEOUS PROVISIONS

SECTION 6. CONFLICTS OF INTEREST

Any elected or appointed officer or any employee of the Town who has a financial interest or personal benefit, direct or indirect, in any contract, transaction, or decision of any board or commission to which the Town is a party, shall disclose *publicly* that interest to the appropriate board or commission and the Town Council *in advance of discussion or action on the matter*, which shall record such disclosure upon the official record of its meetings. The Town Council may by ordinance specify what is, or what is not, a conflict of interest for officials and employees of the Town.

SECTION 10. RATIFICATION

The question of the ratification of the ~~[2009]~~ *2018* amendments to this Charter shall be submitted to the electors of the Town of Ledyard on ~~[November 3, 2009]~~ *November 6, 2018* and, if ratified, shall become effective on ~~[November 3, 2009]~~ *the first Monday of December 2018.*

SECTION 11. EFFECTIVE DATE

This Charter became effective on November 2, 1971 and was revised effective November 6, 1973; November 7, 1979; November 5, 1985; November 5, 2002, *and November 3, 2009.*

The amendments to this Charter, if ratified, shall become effective ~~[December 3, 2009]~~ *December 3, 2018.*

All provisions of the Charter of the Town of Ledyard as adopted November 2, 1971, revised November 6, 1973, revised November 7, 1979; revised November 5, 1985; revised November 5, 2002; ~~[and]~~ revised November 3, 2009; *and revised November 6, 2018* are hereby confirmed.