

DRAFT Charge of the Charter Revision Commission - 2022

WHEREAS, pursuant to Section 7-190(a) of the Connecticut General Statutes, the Board of Selectmen of the Town of Winchester may appoint a Charter Revision Commission consisting of several electors of the Town of Winchester; and

WHEREAS, pursuant to Section 7-190(b) of the Connecticut General Statutes, the Board of Selectmen desires to make recommendations to the Charter Revision Commission and recognizes that the Charter Revision Commission will be empowered to consider other items outside this ; and

WHEREAS, pursuant to Section 7-190(b) of the Connecticut General Statutes, the Board of Selectmen must establish when said Commission shall submit its draft report to the Board of Selectmen; therefore be it

RESOLVED, by the Board of Selectmen of the Town of Winchester, that the following recommendations be directed to the Charter Revision Commission:

- Review, consider, and propose technical changes to the Town Charter to ensure that all terms are clearly defined, all sections are easily understood, and that all current practices are clearly reflected within the document; and
- Clearly define the criteria that an individual must meet to serve as an elected or appointed official of the Town of Winchester; and
- Review and streamline sections of the Charter, as outlined in the attached table*, pertaining to the appointment of Town officials.

RESOLVED, by the Board of Selectmen of the Town of Winchester, that the Charter Revision Commission shall submit to the Town Clerk its draft report no later than June 15, 2022.

*The table below exemplifies all the areas of the Charter that the Charter Revision Commission should review and work to streamline. Items marked “Remove” are those that the Board of Selectmen recommends removing from the Charter; those marked “New” are those that the Board recommends adding to the Charter; those marked “Modify” are those that the Board recommends the Charter Revision Commission review and consider amendments to for the purpose of streamlining appointment procedures.

	ARTICLE II ELECTIONS	
Remove	Section 202. ELECTIVE OFFICERS B. Town Clerk. A Town Clerk for a term of two (12) years or such period as may be specified by the General Statutes.	
	ARTICLE VI OFFICERS AND BOARDS DIRECTLY RESPONSIBLE TO THE BOARD OF SELECTMEN	
Modify	Section 601. BOARD OF TAX REVIEW There shall be a Board of Tax Review which shall consist of three (3) members. The Board of Selectmen shall, each October, appoint one (1) member to the Board of Tax Review for a term of three (3) years. Said Board of Tax Review shall have the same powers and duties and shall, in equalizing and adjusting valuations assessment lists, proceed in all respects as though elected by ballot for and on behalf of the Town of Winchester. Any member of the Board of Tax Review may be removed from office by the Board of Selectmen for cause after hearing but, in case of such removal, the Selectmen shall cause to be recorded in the records of said Board a statement of the reasons therefor.	
Modify	Section 602. ECONOMIC DEVELOPMENT COMMISSION There shall be an Economic Development Commission which shall consist of seven (7) regular members and four (4) alternate members who shall be appointed by the Board of Selectmen. Both the regular members and alternate members shall serve for terms of five (5) years and shall be appointed so that no more than three (3) regular terms or one (1) alternate term shall expire in any one year. The first alternate members’ terms shall be appointed respectively for one (1), two (2), three (3) and four (4) years. Any vacancy in the membership of the Commission shall be filled for the unexpired portion of the term by the Town Manager. The members of the Commission shall receive no compensation for their services as such but shall be reimbursed for their necessary expenses incurred in the performance of their official duties. The Commission may appoint employees necessary for the discharge of its duties. The Economic Development Commission shall exercise all powers set forth in Chapter 97 of the Connecticut General Statutes. The Economic Development Commission is further designated as the Development Agency of the Town of Winchester and shall exercise all the powers granted to such agencies as set forth in Chapter 132 of the Connecticut General Statutes. All actions taken by the Economic Development Commission prior to the effective date of this Charter are hereby ratified.	
Modify	Section 603. PARK AND RECREATION BOARDS A. Membership. There shall be a Park and Recreation Board, hereinafter the “Recreation Board”, which shall consist of not fewer than nine (9) members nor more than thirteen (13) members appointed by the Board of Selectmen. A member of the Board of Selectmen, the superintendent of the town schools, the principal of the parochial school, and the principal of the Gilbert School	

	<p>shall be ex-officio members. Members shall serve for terms of six (6) years or until</p> <p>their successors are appointed except that the members of such Recreation Board first appointed shall be appointed for such terms that the terms of one-third of the members shall expire every two (2) years thereafter. Any vacancy occurring otherwise than by expiration of term shall be filled by the Selectmen for the unexpired portion of the term. The members shall serve without compensation.</p> <p>B. Rules and Regulations. Members of the Recreation Board shall elect their own chairman and secretary and all other necessary officers, each to serve for a period of one year. The Recreation Board shall have power to adopt rules and regulations for the conduct of all business within its jurisdiction. A majority of the members shall constitute a quorum for the transaction of business.</p> <p>C. Powers. The Recreation Board shall have power and authority to establish, maintain and conduct playgrounds, swimming pools, baths, bathing beaches, gymnasiums, recreation places, and public gardens and provide for entertainments, concerts and celebrations. It may use for these purposes any ground or building which the Board of Selectmen or Board of Education may from time to time, provide, acquire, authorize, offer, designate or set apart for such use by the Recreation Board. Said Recreation Board shall have the power, with the consent of the Board of Education and the trustees of Gilbert School likewise to use the school grounds, buildings or other facilities which may be offered either temporarily or permanently for playground and recreational purposes; and may receive donations and gifts from individuals, corporations or others for equipment, improvement, maintenance or supervision. Nothing contained in this paragraph shall be construed as taking away any powers of the Selectmen to establish, maintain, and conduct public parks, playgrounds, bathing beaches and other recreation places.</p> <p>D. Expenditures. All expenses incurred by the Recreation Board for the aforesaid purposes shall be payable from Town appropriations and from any private gifts that may be received. The Funds appropriated shall be credited to the Recreation Board account and may thereafter be expended by the Recreation Board with the approval of the Selectmen for the purposes enumerated above. Said Recreation Board, however, shall not expend or enter into any contract by which the Town shall become liable for any sum which shall exceed the total appropriation and credit.</p>	
Modify	<p>Section 604. ZONING BOARD OF APPEALS</p> <p>There shall be a Zoning Board of Appeals of the Town of Winchester, which shall consist of five (5) regular members and three (3) alternate members, also referred to as “the panel of alternates”. All members of this board shall be electors of the Town of Winchester and shall not be members of the Planning and Zoning Commission and shall hold no salaried municipal office. Such Board shall be appointed by the Board of Selectmen, terms of members shall be for five (5) years. Terms of office shall be staggered so that no more than one (1) regular term and one (1) alternate term shall expire in any one year. Members serving as of the effective date of this Charter shall continue to serve the remainder of their existing term. Said Board shall have those powers and duties conferred and imposed upon such Board by the Connecticut General Statutes. Members shall serve without compensation.</p>	
Modify	<p>Section 605. WATER AND SEWER COMMISSION</p> <p>A. Membership. The Commission shall consist of five (5) electors of the Town of Winchester who shall be appointed by the Board of Selectmen and serve without compensation. The Term of each member shall be five (5) years. Members shall be appointed so that one (1) term expires at the end of each year. Whenever a vacancy occurs, the Selectmen shall appoint a successor to hold office for the unexpired portion of the term. A Commissioner shall continue in office until his successor is appointed. The Commission shall elect a chairman from among its own members at the first meeting and annually thereafter at the first meeting held after the first day of July in each year. The Commission shall appoint a clerk who need not be a member of the Commission, and may appoint an attorney and other such employees as it may deem necessary and shall prescribe and define their duties. The clerk shall keep a complete record of the proceedings of the Commission and shall file the same with the Town Clerk. All such records shall be open for public inspection at reasonable</p>	

	<p>hours. Meetings of the Commission may be called by the Chairman or any two (2) members upon twenty-four (24) hours notice thereof.</p> <ol style="list-style-type: none"> 2. Designation of the Water Pollution Control Authority. The Commission is designated as the Water Pollution Control Authority for the Town of Winchester. It shall exercise all powers accorded to Water Pollution Control Authorities by the Connecticut General Statutes, including the establishment of sewer rates. 3. Designation of Water Commission. The Commission is designated as the water commission to the Town of Winchester and shall exercise all powers as set forth in Article XIV of the Charter, including the establishment of water rates. 4. Finances. The accounts for the Winchester Water District and the Water Pollution Control Authority shall be maintained separately. The Commission shall maintain proper accounting and financial records and shall make an annual report to the Selectmen. The Commission shall prepare annually a budget of the estimated revenues and expenditures for the ensuing fiscal year. 	
Modify	<p>Section 606. WINCHESTER HOUSING AUTHORITY</p> <p>The Commissioners of the Housing Authority of the Town of Winchester shall be appointed by the Board of Selectmen according to the provisions of the Connecticut General Statutes.</p>	
Modify	<p>Section 607. PLANNING AND ZONING COMMISSION</p> <ol style="list-style-type: none"> 1. There shall be established a Planning and Zoning Commission of the Town of Winchester. The Commission shall consist of five (5) regular members and three (3) alternate members, who shall be electors of the Town of Winchester and who shall hold no salaried municipal office and who shall not be a member of the Town of Winchester Zoning Board of Appeals. The First Selectman and the Superintendent of Public Works shall be ex-officio members of the Commission. Both regular and alternate members of the Commission shall be appointed by the Board of Selectmen. All members shall each serve for terms of five (5) years, the regular and alternate members shall be appointed so that no more than one (1) regular term and one (1) alternate term shall expire in any one year. Members serving as of the effective date of this Charter shall continue to serve the remainder of their existing term. <p>Officers and Powers of Planning and Zoning Commission. Said Commission shall annually elect a chairman and a secretary, shall adopt rules for the transaction of business, and shall keep a public record of its activities. Said Commission shall have all powers accorded to Planning Commissions and Zoning Commissions by the Connecticut General Statutes. Members shall serve without compensation. All zoning ordinances in effect on the effective date of this Charter not inconsistent with the provisions of this Charter shall continue in full force and effect until modified, repealed or superseded by said Commission.</p>	
Modify	<p>Section 608. FIRE DEPARTMENT</p> <p>The Board of Selectmen shall organize and regulate a volunteer fire department and provide for the enlistment of fire companies, and for the equipment, regulation and control of fire companies. Regulations may include provisions concerning all personnel matters and may provide that the authority for administering such matters be delegated by the Board of Selectmen to a person or persons within the Fire Department. The Board of Selectmen shall, solely on the recommendation of the members of the Fire Department, appoint a Chief of the Fire Department, who shall have charge of all engine houses, engines, hoses, tools and implements of every kind and character used for the purpose of extinguishing fires. Subordinate officers shall be chosen in accordance with fire department bylaws.</p>	
Modify	<p>Section 609. INLAND WETLANDS AND WATER COURSES AGENCY</p> <p>There shall be an Inland Wetlands and Water Courses Agency composed of nine (9) members who shall be drawn from electors at large, and who shall be appointed by the Board of Selectmen. Terms</p>	

	<p>of office shall be of three (3) years and members shall be appointed so that the terms for three (3) members shall expire at the end of each year.</p> <p>In addition, the First Selectman, the Superintendent of Public Works, the Health Officer, and the Town Manager shall be ex-officio members of the Agency. The Agency shall have all the power and responsibilities as set forth in Section 22A-42 of the Connecticut General Statutes, as may be amended from time to time. Members shall serve without compensation.</p>	
Modify	<p>ARTICLE VII</p> <p>OFFICERS AND ADMINISTRATIVE DEPARTMENTS UNDER THE TOWN MANAGER</p> <p>Section 701. JURISDICTION AND DUTIES</p> <p>The Board of Selectmen may, by ordinance, prescribe, alter or amend the jurisdiction and duties of any department provided for by this Article.</p> <p>Section 702. EXECUTIVES OF DEPARTMENTS</p> <p>Each department, set forth in this Article, shall be administered by an executive head under the direction and control of the Town Manager, and subject to the rules and ordinances of said Town. Such heads of departments shall be appointed by and shall hold office at the pleasure of the Town Manager, except as otherwise provided by this Charter.</p>	
NEW	<p>Section 711 . Town Clerk</p> <p>The Town Manager shall appoint and may remove, subject to such rules and regulations as may be adopted pursuant to the merit system provisions of Article XII of this Charter, and the State Statutes, a Town Clerk who shall perform such duties as may be prescribed by the State Statutes, the Board of Selectmen, or the Town Manager.</p>	
Modify	<p>Section 801. SALARIES</p> <p>Salaries of all Directors and other employees of the classified service of the Town shall be determined by the Board of Selectmen, in conformity with a systematic pay plan for the positions involved, upon recommendation of the Town Manager, providing nothing herein shall be construed to limit the power of the Board of Education to fix the compensation of employees of the school system. The Town Clerk shall receive a salary in lieu of all fees, and such salary shall be determined by the Board of Selectmen.</p>	