

**Proposed Revision of
The Charter of the City of Middletown**

**To be voted on in the City of Middletown
in the Election to be held on
Tuesday, November 2, 2021**



Benjamin Florsheim
Mayor

Ashley Flynn-Natale
City & Town Clerk

**PROPOSED REVISION OF THE
CHARTER OF THE CITY OF MIDDLETOWN**

**TO BE VOTED ON IN THE CITY OF MIDDLETOWN
IN THE ELECTION TO BE HELD
ON TUESDAY, NOVEMBER 2, 2021**

Pursuant to §9-369b(a) of the Connecticut General Statutes (C.G.S.), as amended, the following is a designation of the proposed amendments to the Charter of the City of Middletown, in accordance with C.G.S. §7-188. Said proposals were prepared by the Middletown Charter Revision Commission and approved for submission to the electorate by the City Council. The proposed revision of the Charter was published, in its entirety, in the Hartford Courant on September 1, 2021.

The Middletown Questions will be designated as Question Nos. 1 and 2. If a majority of the electors voting on this amendment to the Charter approve same, it shall become a part of the City's Charter.

Attest: _____

Ashley Flynn-Natale
City & Town Clerk

QUESTION #1

Shall the Charter be revised and reorganized to facilitate public understanding and access to local government by instituting: (a) clear standards of ethical conduct for local officials; (b) uniform procedures enhancing board and commission operations; (c) greater accountability and standards of compensation in the budget process; (d) nonpartisan council leader positions; and, (e) equal employment opportunities?

Explanation. The question deals broadly with restructuring the governance, policy development and regulatory powers of the City of Middletown, in the first instance, by organizing the Charter by governmental function. The following addresses some of the key provisions in each Chapter:

Chapter I – Incorporation and General Powers: Assembles definitions used throughout the Charter in one location.

Chapter II – Officers and Elections: The position of Treasurer is eliminated, conflict of interest and ethics standards are established; removal provisions for department heads and appointed officials are consolidated; and, grounds are created for removal of elected officials.

Chapter III – The Common Council. Creates position of President and President Pro Tempore replacing Deputy Mayor; President presides in absence of Mayor and act as Mayor in temporary vacancy of Mayor; Council Clerk to be

appointed by and under authority of Council President; Council has ability to retain outside legal counsel on individual matters;

Chapter IV - The Office of the Mayor. Creates the position of Chief of Staff replacing the Administrative Assistant; eliminates the positions of Corporation Counsel, Deputy Mayor and the elected Treasurer; establishes a baseline compensation for the Mayor tied to that contained in the FY 2021-2022 budget and a protocol for increasing said compensation on the basis of the Consumer Price Index; and, replaces the title "City Attorney" with "General Counsel" and defines the functions of the office.

Chapter V - Departments of the City. Sets forth the powers and purpose of City Departments; establishes legal procedures for the creation and reorganization of departments; reaffirms the Mayors ability to remove Department Heads for cause; and, creates general requirements for the qualification and authority, titles and bond requirements for Department Heads.

Chapter VI - Finance and Taxation. Restructures in linear fashion the budget process; eliminates newspaper publication in lieu of compliance with the public notice provisions of the Charter allowing electronic publication unless otherwise required by law; added procedures for final action on the budget including a required public hearing and protocols for addressing disclosure of information prior to final action.

Chapter VII - Sanitary Disposal District. No changes.

Chapter VIII - Boards and Commissions. Sets forth the general requirements for all appointed boards and commissions including method of creation, appointment, term limitations (three consecutive terms), vacancy, removal, residency requirements, prohibition of compensation, minority party representation, restrictions pertaining to members of the Board of ethics, prohibition of compensation, required cooperation between board members and departments officials and publication of boards and commissions to increase the applicant pool of potential members. The chapter also mandates the creation of a Board of Ethics.

Chapter IX - Bonding Powers. Clarifies the authorization requirements for council action and referenda authorizing the issuance of bonds. The provisions do not change the current threshold of \$750,000.

Chapter X - Personnel Policies. Establishes standards for equal opportunity, diversity, equity, affirmative action and inclusion for the hiring and promotion of City employees. Other issues addressed in Question #2.

Chapter XI - Generally. The provisions of the revised Charter shall take effect "upon adoption by the voters...unless otherwise set forth in the Charter".

QUESTION #2

Shall the Charter be revised to transfer hiring and supervision responsibilities for custodians, secretarial and cafeteria staff, tradespersons, central office staff, and other employees who do not require State Board of Education certification at Middletown Public Schools from the Mayor to the Board of Education and the Superintendent of Schools?

Explanation. The question deals restructuring the definition of the classified service to exclude non-certified employees working at the Board of Education. In effect, these employees will report to the Board of Education as opposed to the Mayor.

Chapter X - Personnel Policies. Effective on July 1, 2022, non-certified employees working at the Board of Education shall be Board of Education employees and no longer included in the City's Classified Service after June 30, 2022. Employees unionized as of that date will retain unionized status and all non-certified employees working at the Board of Education, including non-bargaining employees, will retain benefits in existence as of June 30, 2022 unless and until otherwise negotiated. The Board of Education will have sole and exclusive control over the appointment of and wages, hours, and the conditions of employment for all non-certified staff working at the Board of Education after June 30, 2022, except as provided herein. After June 30, 2022, the job duties and responsibilities of the non-certified employees working at the Board of

Education that existed prior to June 30, 2022, shall remain in effect and be recognized by the Superintendent. Thereafter, it will be the duty of the Superintendent to seek approval from the Board of Education on any changes made to the duties and responsibilities of the non-certified positions working at the Board of Education, including the compensation and minimum qualifications of said positions. Any negotiation of benefits on behalf of the non-certified employees working at the Board of Education that occurs after June 30, 2022, will be negotiated with the Superintendent or designee and ratified by the Board of Education except that insurance and pension benefits must be negotiated with the Mayor and ratified by the Common Council. The negotiation of insurance and pension benefits will occur collaboratively. Non-certified employees working at the Board of Education after June 30, 2022, who are eligible to receive a pension, will be considered City employees for pension purposes and continue to be part of the City's pension plan. After June 30, 2022, the Board of Education may only create new non-certified positions, add additional employees to existing non-certified job classifications, or reclassify non-certified positions with financial approval by the Common Council.