

CHAPTERS V & VI: Summary of Revisions

Section 501. Appointments by council.

- Removed reference to town treasurer.
- Added reference to Section 504 with respect to the office of town attorney.

Section 502. Town manager.

- Removed reference to residency requirements.

Section 504. Town treasurer.

- **Removed – no revised language.**

Section 505. Town attorney.

- ***Will become Section 504.***
- Added language to give TC more time to select a new town attorney (must now initiate process within sixty [60] days)
- Added language to clarify town attorney requirements

Section 601. Department of public safety.

- Removed references to fire department
- Added reference to civil defense
- Added references to emergency medical services
 - Added division of emergency medical services

Section 602. Department of fire.

- Moved department of fire to its own section
- Added clarifying language
- ***No substantive changes***

Section 604 (*previously Section 603*) Department of finance.

- Revised title of Director of Finance to Chief Financial Officer; removed redundant language
- Removed references to town treasurer and substituted language for authority to countersign checks (Subsection d.)

Section 605 (*previously Section 604*). Department of library services.

- Changed “board of library directors” to “board of library trustees”
- Director of library services may recommend removal of departmental employees but only TM can remove
- Revised internal reference to Classified service (previously Section 606, now Section 612)

Section 606. Department of building and land use.

- New section.

Section 607. Department of senior services.

- New section.

Section 606. Department of social and youth services.

- New section.

Section 606. Department of human resources.

- New section.

Section 501. Appointments by council.

- a. The Council shall appoint a Town Manager for an indefinite term.
- b. The Council shall also appoint a Town Attorney and shall fill any vacancy which may occur for the unexpired portion of the term. The Town Attorney shall hold office until a successor is appointed and qualified pursuant to Section 504.
- c. The Council shall appoint a three-member Board of Assessment Appeals for a term of two (2) years.
- d. In making appointments to boards and commissions the Council shall not appoint more than a bare majority of members registered with one political party to any board or commission. In filling an unexpired term, the Council shall appoint an elector belonging to the same political party as the person vacating the office.

Section 502. Town Manager.

- a. The Town Manager shall be chosen exclusively on the basis of his or her executive and administrative qualifications, character and experience. The Town Manager shall devote his or her full time to the duties of the office.
- b. The Town Manager shall be the Chief Executive Officer of the Town. The Town Manager shall be directly responsible to the Council for the administration of all departments, agencies and offices, in charge of persons or boards appointed by the Town Manager and shall supervise and direct the same. The Town Manager shall have the powers and duties now or hereafter conferred upon the chief executive offices of towns by the Connecticut General Statutes and in addition thereto the following specific powers and duties:
 1. To see that all laws and ordinances governing the town are faithfully executed;
 2. To make a monthly report to the Council and to attend its meetings, with the right of full participation in all discussions but without the right to vote;
 3. To recommend to the Council from time to time such measures for its adoption as the Town Manager may deem necessary or expedient;
 4. To keep the Council fully advised as to the financial condition of the Town;
 5. To keep the Council fully advised as to the financial condition of the Town;
 6. To exercise such other powers and duties as may be required of him or her by the Council not inconsistent with the provisions of this charter.
- c. The Town Manager shall be the purchasing agent of the town and all supplies, materials, equipment and other commodities required by any department, office, agency, board or commission of the Town, except the Board of Education and the Department of Library Services, shall be purchased through him or her on requisitions signed by the head of the department, office or agency or Chairman of the Board of Commission and approved as to the sufficiency of funds by the Director of Finance. The Town Manager shall serve as purchasing agent for the Board of Education, and the Department of Library Services if requested to do so by the Chairperson of the Board of Education or the Chairperson of the Board of Library Directors.

Purchases shall be made in accordance with such rules and regulations as may be established by the Council.

If any purchase or contract for purchasing, including a continuing order or contract for the purchase of the same commodity over a period of time, involves the expenditure of one tenth of one percent (.1%) of the total annual budget of the town for the current fiscal year or more, the Town Manager shall invite sealed bids or proposals, giving ten (10) days' notice thereof by at least one publication in a newspaper having a circulation in the Town, and shall let the purchase or contract to the lowest responsible bidder with the right to reject any or all bids and proposals. All such sealed bids or proposals shall be opened publicly. No single transaction shall be divided for the purpose of evading the provisions of this section. Upon the recommendation of the Town Manager that to do so would serve the best interests of town, or upon its own initiative, the foregoing requirement for competitive bidding may be waived by a majority roll call vote of the Council with the yeas and nays recorded in the minutes of the meeting. (Amended December 14, 1965, and November 7, 1984)

- d. The Town Manager shall appoint and may remove the directors created by this Charter or ordinance. All such appointments shall be made on the basis of technical and administrative qualifications, character and experience. Subject to the provisions of Section 612 of this charter, all appointments to positions in the classified service within the Department of Finance, Department of Public Safety, Department of Public Works and any other department created by ordinance as provided by Section 611 of this Charter shall be made by the director in charge of that department with the approval of the Town Manager. All other appointments to positions in the classified service, except those within the Department of Library Services as provided by Section 605 of this Charter, shall be made by the Town

Manager. Subject to the approval of the Council, the Town Manager may, in lieu of making an appointment, perform the duties of the director of any of the several departments and the duties of any position in the classified service, except those of the Director of Library Services and those of positions with the Department of Library Services. (Amended December 14, 1965)

- e. In case of the temporary inability of the Town Manager to serve, the suspension of the Town Manager or absence from town, or in the event of a vacancy in the office of Town Manager from whatever cause arising, the council shall have power to designate any person not a member of the Council to act as Town Manager.
- f. The Town Manager may be removed by resolution passed by a majority vote of the entire membership of the Council which shall include a statement of the reasons therefore and the effective date of such removal. A copy of such resolution shall be given to the Town Manager in hand or by registered mail forthwith. If the Town Manager shall so request by writing received in the office of the Town Clerk within ten (10) days thereafter, the Town Manager shall be given a public hearing by the Council at which the Town Manager may be represented by counsel and the effective date of the Town Manager's removal shall be that stated in the resolution or a date fixed by the Council for public hearing, whichever shall be later. Coincident with or subsequent to the passage of the resolution of removal, the Council may, by a majority vote of its entire membership, suspend the Town Manager from duty. During the period of such suspension the Town Manager shall be paid his or her regular salary but the same shall terminate upon the effective date of his or her removal. The action of the Council in removing the manager shall be final and there shall be no appeal from it.

Section 505. Town attorney.

- a. The Town Attorney shall be appointed by the Council. The appointment of a Town Attorney shall be determined on the basis of the qualifications and character and fitness of the attorney(s) or law firm(s) in consideration, as well as any other factors considered relevant by the Council.
- b. The Council shall initiate the process to appoint or reappoint the Town Attorney within sixty (60) days of Council members having been sworn into office on odd-numbered years.
- c. Until such time as the Council appoints or reappoints the Town Attorney, the current Town Attorney shall continue in his or her capacity as the Town Attorney.
- d. In the event that the current Town Attorney is removed pursuant to Section 703 of this charter, the Council shall immediately initiate the process of appointing a new Town Attorney as outlined in Subsection a. of this Section.
- e. The Town Attorney may be an individual or a law firm. In the case of an individual, the individual shall be an attorney-at-law in good standing admitted to practice law in Connecticut. In the case of a law firm, the members of the firm performing work on behalf of the Town in the State of Connecticut shall be attorneys-at-law in good standing admitted to practice law in Connecticut.
 - 1. In the event of the appointment of a law firm to serve as Town Attorney, the firm shall designate a member of the firm, acceptable to the Council, as the Principal Town Attorney, who shall serve as the primary contact and the individual of primary responsibility in the relationship of the law firm with the Town. The Principal Town Attorney may designate one or more attorneys-at-law at the firm as an Assistant Town Attorney to perform any of the duties incumbent upon the law firm serving as Town Attorney. The term of any Assistant Town Attorney so designated shall be co-terminus with that of the Town Attorney.
 - 2. In the event of the appointment of an individual to serve as Town Attorney, the Council may, from time to time, and at the discretion of the Council, appoint one or more Assistant Town Attorneys who may or may not be a member of, or be associated with a law firm of which the Town Attorney is a member. The term of any Assistant Town Attorney so appointed shall be co-terminus with that of the Town Attorney.
 - 3. No Town Attorney, no Assistant Town Attorney, and no attorney-at-law at a firm with which the Town Attorney, or an Assistant Town Attorney, is associated in any manner shall simultaneously hold any elected or appointed office or position under the government of the Town of Bloomfield.
- f. The Town Attorney, or such special counsel as he/she shall designate, shall have the following powers, after authorization by the Council:
 - 1. Appear for and protect the rights of the Town in all actions, suits or proceedings brought by or against it or any of its departments, officers, agencies, boards, or commissions.

2. Be the legal adviser of the Council, the Town Manager and other town officers, boards and commissions in all matters affecting the town and shall, upon request, furnish them with a written opinion on any questions of law involving their respective powers and duties.
3. Prepare or approve all forms of contracts and other instruments to which the town is a party or in which it has an interest.
4. Have the power, with the approval of the Council, to appeal from orders, decisions, and judgments and, subject to the approval of the Council, to compromise or settle any claims by or against the Town.

Section 601. Department of public safety.

There shall be a Department of Public Safety which shall consist of the divisions of Police, Emergency Medical Services, and Civil Defense. The head of the Department of Public Safety shall be the Director of Public Safety who shall be appointed by the Town Manager but who, until the Council otherwise determine, shall be the Town Manager. The Director of Public Safety shall be the traffic authority as defined in the Connecticut General Statutes.

- a. *Division of police.* There shall be a Division of Police consisting of the Chief of Police and such other officers and employees of such ranks and grades as the Council may determine. The Division of Police 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 laws of the state, and the ordinances of the town and all rules and regulations made in accordance therewith. All members of the Division of Police 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 the Connecticut General Statutes. The powers and duties of the Dog Warden as provided in the Connecticut General Statutes shall be vested in the Division of Police. The Chief of Police shall be the executive officer of the Division of Police.
- b. *Division of emergency medical services.* There shall be a Division of Emergency Medical Services consisting of the Bloomfield Volunteer Ambulance service, volunteer emergency medical technicians, contracted paramedics, and such other personnel and services as the Council may deem necessary or desirable. The Division shall be headed by the Bloomfield Volunteer Ambulance Coordinator ("Coordinator"), and such Coordinator shall be assisted by the volunteer emergency medical technicians who shall serve as Deputy Chiefs. The Coordinator is responsible for maintenance of and training on all aspects of the Town's emergency operations plan, as well as maintaining the Emergency Operations Center. The coordinator shall also assist the Chief of Police with emergency operations.
- c. *Division of civil defense.* There shall be a Division of Civil Defense consisting of a Director and an advisory council appointed by the Town Manager and such other officers and employees as the Council may from time to time determine. The Director of Civil Defense shall have the powers and duties prescribed by the Connecticut General Statutes and such other duties as may be assigned to the director by action of the Council.
- d. The Council shall establish such other divisions under the Department of Public Safety as required by State Statutes or as determined as necessary by the Council.

Section 602. Department of Fire.

It is the intent of this Charter that fire protection shall continue to be provided by the volunteer companies heretofore established in the organization and conduct of which no change is contemplated. The Town, however, by this Charter, preserves the right to establish or encourage the establishment of additional volunteer companies, until the Council shall by ordinance otherwise determine.

- a. There shall be a Fire Chief who shall direct the operation of fire companies at fires, institute and conduct suitable training programs for fire fighters in cooperation with company officers and perform such other duties as may be prescribed by ordinance or the orders of the Town Manager. There shall also be other officers and employees of such rank and grades as the volunteer companies heretofore established may provide. The Fire Chief shall be the executive head of the division of fire and as such shall have charge and control of the administration and discipline of the fire department and of the buildings, property, apparatus, and equipment thereof.
- b. There shall be a Fire Marshal from within each Fire Department. The Fire Marshal shall have all powers and duties as provided in the Connecticut General Statutes and such other duties as prescribed by ordinance and subject to operating rules of the Fire Department.

If in its opinion the interests of the town shall so require, the Council may enter into agreement with any fire district, prior to the elimination of said district, whereby the fire protection service of said district or any other service or function thereof shall be assumed by the town. In such an event, the provisions of this charter with respect to such service shall take effect in the same manner as though said fire district or districts were eliminated.

Section 604. Department of finance.

- a. There shall be a Department of Finance headed by a director, who shall have the title of Chief Financial Officer.
- b. It shall be the duty of the Chief Financial Officer, assisted by the Town Accountant, to install, maintain and operate for the town a modern municipal accounting system showing the current condition of all funds and appropriations; to keep such other accounts and records not specifically required by the law to be kept by other officers as may be prescribed by the Council; to file with the Town Manager and Council at least quarterly a current financial statement in such form and manner as the Council may from time to time prescribe; to prepare and file with the Town Manager and Council within sixty (60) days after the end of each fiscal year a report covering all financial transactions of the Town for such fiscal year; to prescribe the form of accounts to be kept by each department, office, board, commission and agency of the Town except the Board of Education, to prescribe the times at which and manner in which monies collected on the Town's account by each department, officer, board, commission or agency shall be paid into the Town treasury; and to perform such other duties as may be prescribed by the Council or Town Manager.
- c. No purchase shall be made by any department, board, commission, officer or agency of the town, other than the Board of Education, except upon requisition and no such requisition and no contract for public work or other services to the Town Hall be valid unless the Chief Financial Officer, after examining the same, has certified in writing that there is a sufficient unencumbered balance of an appropriation applicable thereto to pay the same. The Chief Financial Officer shall record the amount of each requisition and contract as an encumbrance on the appropriation from which it is to be paid.
- d. No voucher, claim or charge against the Town shall be paid until the same has been audited and approved by the Chief Financial Officer for correctness and legality. Checks shall be drawn and approved by the Chief Financial Officer for the payment of approved claims which shall be valid only when countersigned by a town officer designated by the Mayor for such purpose, who shall be properly bonded in accordance with Section 8 of this Charter.
- e. The Assessor and Tax Collector respectively shall have all the powers and duties conferred on assessors and boards of assessors and on tax collectors by the Connecticut General Statutes and such other duties as may be assigned them by the Council or the Chief Financial Officer.

Section 605. Department of library services.

- a. There shall be a Department of Library Services headed by the Director of Library Services who shall be responsible for the administration of the public library system of the Town. The Director of Library Services shall be appointed by the Board of Library Trustees. Such appointment shall be made exclusively on the basis of his or her professional and administrative qualifications, character and experience.
- b. The Director of Library services may be removed by the Town Manager upon a resolution passed by a majority of the entire membership of the Board of Library Trustees which shall include a statement of the reasons therefore and the effective date of such removal.
- c. The Director of Library Services shall appoint, and may recommend removal of, employees of the Department of Library Services, subject to the provisions of Section 612 of this Charter.

Section 606. Department of parks, recreation, and leisure services.

There shall be a Department of Parks, Recreation, and Leisure Services which shall consist of the Director of Leisure Services, and such other employees as the Council may determine.

- a. The Department of Parks, Recreation, and Leisure shall determine the uses of Town parks and public greens, and such other public grounds as the Council may direct; shall recommend to the Council the acquisition and development of new parks and recreational places; shall plan and arrange recreational facilities and programs for the Town; and shall have such other powers and duties as may be conferred upon it by ordinance. Members of the Department shall be appointed by the Council for staggered terms of four (4) years.

- b. The Director of Leisure Services shall administer the recreation programs and shall have the authority to fill authorized positions in the department. The Director shall have supervision and control of all park programming, recreation areas and facilities belonging to the Town.

This section shall be subject to Sec. 612 of the Town Charter.

Section 607. Department of Building and Land Use.

There shall be an administrative department in the Town of Bloomfield, known as the Building and Land Use Department that contains the Building Division, and the Planning, Zoning and Economic Development Division, The Department of Building and Land Use shall consist of the Director and such other employees as the Council may determine.

The Department shall contain two Divisions:

- a. The Building Division under the direction of the Building Official, who shall report to the Director of Building and Land Use, shall be responsible to ensure a safe, healthy built environment for community members through enforcement of the State of Connecticut Building Code. The Division shall also work in partnership with other town and multi-district departments to enforce the Town's Housing Code and Property Maintenance Code; and
- b. The Planning, Zoning and Economic Development Division under the direction of the Director of Building and Land Use shall work to enhance the orderly development of the Town, maintain the quality of residential neighborhoods, minimize environmental impacts and support business districts, These outcomes shall be accomplished through proper planning and the effective development, administration and enforcement of State and local regulations, This Division shall provide staff support to various boards and commissions including the Town Planning and Zoning Commission, Zoning Board of Appeals, Economic Development Commission, Design Review Board, Conservation, Energy and Environment Commission, Tax Increment Financing Advisory Committee, Economic Development Agency, and the Bloomfield Housing Partnership.

This section shall be subject to Sec. 612 of the Town Charter.

Section 608. Department of Senior Services

There shall be a Department of Senior Services consisting of a Director and such other employees as the Council may determine. The Director of Senior Services shall be responsible for the overall administration of a senior center and its programs, services, and staff, The Director of Senior Services shall have such powers and duties as conferred by the Connecticut General Statutes, shall serve as a municipal agent for elderly persons, and shall have such additional powers and duties as prescribed by the Council.

The Director shall be responsible for the delivery of services to the residents who utilize the resources of the senior center, Responsibilities shall also include, among other such responsibilities as determined by the Council to be necessary or desirable:

- a. Supervision of the mini-bus service providing transportation to residents who are older adults, or medically eligible Individuals over the age of 18;
- b. Supervision of senior services programs and providing Information, referral and access to senior services benefits;
- c. Staff assistance to the Commission on Aging; and
- d. Such other duties and responsibilities as the Council or Town Manager may assign.

This section shall be subject to Sec. 612 of the Town Charter.

Section 609. Department of Social and Youth Services.

There shall be a Department of Social and Youth Services, consisting of a Director and such other employees as the Council may determine. The Director of Social and Youth Services shall be responsible for the overall administration of all programs, services and staff provided at or by the Department of Social and Youth Services, The Director of Social and Youth Services shall have such powers and duties as conferred by the Connecticut General Statutes and shall have such additional powers and duties as prescribed by the Council.

The Director of Social and Youth Services shall be responsible for the management of Bloomfield's emergency shelter. Responsibilities shall also include other responsibilities as determined by the Council to be necessary or desirable.

This section shall be subject to Sec. 612 of the Town Charter.

Section 610. Department of Human Resources

There shall be an administrative Department of the Town of Bloomfield known as the Department of Human Resources. The Department of Human Resources shall consist of the Director of Human Resources, and such other employees as the Council may determine.

- a. The Department of Human Resources shall be responsible for procedures for the hiring, termination, retention, promotion, performance counseling and review of all personnel for all departments.
- b. The Department Director shall ensure that recruiting policies and procedures are administered fairly and equitably, and that employees are provided with a work environment that provides equal opportunity for learning and personal growth.
- c. The Department of Human Resources shall be the repository of all personnel records, and shall administer the personnel policies required by the Town Charter, all collective bargaining agreements, and all other labor agreements ratified by the Council.
- d. The Director of Human Resources will present to the Council for its approval a Rules, Regulation, and Policy Handbook.

Responsibilities shall also include such other duties and responsibilities as the Council or Town Manager may assign.

This section shall be subject to Sec. 612 of the Town Charter.