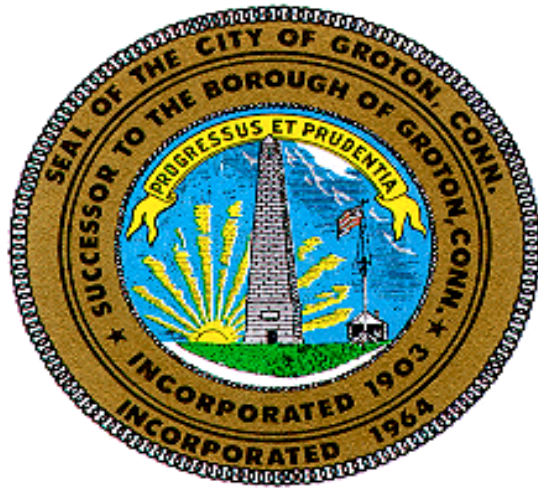


**CITY OF GROTON
CONNECTICUT**

CHARTER



EFFECTIVE MAY 4, 1987

CITY OF GROTON CHARTER

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CHARTER

ARTICLE I (INCORPORATION)

Section 1 – (Corporate Limits)

The territorial limits and boundaries of the corporation of the “CITY OF GROTON” shall be as follows: Beginning at the point on the bank of the Thames River due west from a monument located at the junction of the north line of Grove Avenue with the east line of Fairview Avenue; thence running due east to said monument; thence easterly along the north line of Grove Avenue twelve hundred feet to a drill mark on a large boulder; thence running south 32°07’ east crossing Grove Avenue and the New London and Providence Turnpike one hundred and seventy-two rods, more or less, to a drill mark on a large boulder standing about forty feet northeasterly of the corner of a barn near the house formerly the residence of P. L. Shellens; thence in a course about south 9°25’ west crossing the Old Post Road and the New York, New Haven and Hartford railroad about forty rods to a monument at the southwesterly line of said railroad right of way; thence southeasterly following the southerly line of said railroad right of way, one hundred and ninety-five rods, more or less, to a point in said railroad right of way line marked by a monument; thence in a due south course one hundred and ninety-four rods, more or less, to a monument on the south line of the Lower or Old Poquonnock Road one hundred and eighty feet west from the range of the west face of the main building of the “Max Pollack Company Thread Mill”; thence easterly with the south line of said Old Poquonnock Road, five hundred and sixty feet to a monument set at the point where the stream leading into Baker’s Cove, sometimes known as Birch Plain Creek, comes up to the road line; thence southerly with the midline of said stream and of Baker’s Cove to a point due north of a monument on the eastern extremity of Pine Island; thence due south through said monument on Pine Island to the south boundary line of the town of Groton; thence west by said south boundary line to the division line between the town of New London and Groton; thence north by said division line to a point due west from the point of beginning first above mentioned; thence due east to said point of beginning.

Section 2 – (General Grant of Powers)

All citizens of this state dwelling within the territorial limits described in section one shall be a body politic and corporate by the name of the City of Groton; and by such name they and their successors shall have perpetual succession and be capable in law of suing and being sued, of pleading and being impleaded in all suits of any nature, and of purchasing, holding and conveying any estate, real or personal, and may have a common seal and alter or change the same at pleasure, and shall be and remain absolutely vested with the title to and improvements of all the lands, tenements, hereditaments, rights and estates which, since the original incorporation of said city, have to become vested in said city, and of which said city has never been lawfully divested hitherto, and shall have all the inherent powers generally conferred upon a city by the statutes of this state.

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Section 3 - (Dual Citizenship)

The inhabitants of the Town of Groton domiciled within the limits designated in section one shall be entitled to all the privileges and subject to all the burdens of said town in the same manner and to the same extent as though this act were not in effect.

ARTICLE II (ELECTIONS)

Section 1 – (Qualifications of Elector)

Every elector of the Town of Groton, domiciled in the City of Groton, shall be an elector of the City of Groton, and shall have the right to vote at city elections and meetings.

Section 2 – (General)

- (a) Nomination and election of such elective municipal officers, boards and commissions as are provided for in this charter shall be conducted, and the registrars of voters of the voting districts within the City of Groton boundaries shall, prior to the first Monday of May prepare lists of electors qualified to vote therefor, in the manner prescribed in the constitution and general laws of the State of Connecticut.
- (b) The election of municipal officers of the City of Groton shall, as determined by this Charter, be held on the first Monday of May (odd-numbered years). At such election there shall be elected a mayor, six (6) members of the city council, a clerk and a treasurer, all for terms of two (2) years. The terms of all municipal officers shall commence at 8 o'clock P.M. on the first Monday following their election, and they shall hold office until their successors have been chosen and qualified. Except as otherwise provided in his charter, all elective city officers, boards and commissions shall have the powers and duties prescribed by law.
- (c) Any elector of the Town of Groton, who has been a resident of the city for the year next preceding the aforementioned date (first Monday in May), shall be eligible to any elective office.
- (d) City meetings, elections, primaries, initiatives, referenda, and recall, unless specifically regulated by this Charter, shall be subject to the pertinent provisions of the General Statutes of the State of Connecticut.
- (e) A plurality of votes shall determine the offices of mayor, clerk and treasurer. The position of councilor shall be determined by the candidates who shall receive the highest number of votes. In the event of a tie between the two or more candidates for councilor receiving the lowest number of votes, an adjourned election shall be held in accordance with the provisions of the General Statutes, as amended, to determine who shall be elected.
- (f) Upon removal of residence from the city, the mayor, clerk, treasurer, or any city councilor shall immediately cease to hold office.
- (g) Elected officers shall be liable to removal from office for any corrupt act or practice, malfeasance, mismanagement, mental incapacity, incompetency for the proper performance of official duties,

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wilful abuse of powers, gross neglect of duty, extortion, bribery, wilfully concealing any fraud committed against the city, giving bond for any person having a contract with the city, or for any person against whom criminal action is pending, or for the wilful violation of any requirement of the charter or ordinances. Such removal shall become effectively immediately upon an affirmative vote of four councilors.

ARTICLE III (MEETINGS OF MAYOR AND COUNCIL)

Section 1 – (First Meeting)

At eight o'clock P.M. on the next succeeding Monday of May following the regular election, the mayor and council shall meet at the usual place for holding such meeting, and the newly elected officers shall be sworn to faithfully perform their official duties. At such a meeting a deputy mayor shall be chosen by a majority vote of the council to serve until the next regular election.

Section 2 – (Regular Meeting)

Subsequent regular meetings of the mayor and council shall be held on the first and third Monday of each month, and such meetings may be adjourned from time to time.

Section 3 – (Special Meeting)

A special meeting of the mayor and council may be called at the direction of the mayor or three councilors by mailing a notice thereof to each member at least three days, Sundays and holidays excepted, before the time set therefor.

Section 4 – (Emergency Meeting)

In case of an emergency, as the same is defined in CGS Section 1-21 as the same may be amended, an emergency meeting may be held without notice, provided the nature of the emergency is described in the minutes of said meeting.

Section 5 – (Quorum)

At any meeting of the mayor and councilors, a total of five (5) shall constitute a quorum for transaction of business. No vote shall be adopted except on the approval of a majority of the full council.

Section 6 – (Vote by Mayor)

At any meeting of the mayor and council when a vote shall result in a tie, the mayor shall vote to dissolve such tie, but shall not vote otherwise.

Section 7 – (Vote by Deputy Mayor)

At any meeting of the mayor and council, the deputy mayor, while acting as mayor, may vote as a councilor and, in addition thereto, shall cast a vote in case of a tie.

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ARTICLE IV (CITY MEETINGS)

Section 1 – (Convening Authority)

A special city meeting shall be convened when the mayor and council deem it necessary. They shall convene such a meeting on petition signed by twenty (20) qualified electors and citizens within fifteen (15) days after receiving such petition. Such meetings may be adjourned from time to time. At all business meetings the mayor shall preside. In the absence of the mayor, the deputy mayor shall preside. In the absence of the deputy mayor, a councilor designated by those councilors present shall preside.

Section 2 – (Call of and Voting Rights)

City meetings shall be called according to the provisions of Section 7-3 of the General Statutes, 1958 Revision, as amended. As such meetings, only electors of the City of Groton and citizens qualified under the provisions of Section 7-6 of the General Statutes, 1958 Revision, as amended shall be entitled to participate and vote.

Section 3 – (Annual City Budget Meeting)

The annual city budget meeting shall be held on the first Monday in June for the following purposes: (a) to authorize appropriations for the ensuing fiscal year; (b) to levy a tax sufficient to cover approved appropriations and to set a date for its collection; (c) to act on other matters set forth in the warning or which may legally come before such a meeting. The budget shall become effective when approved by the annual budget meeting, provided, no appropriation exceeding that for the same purpose recommended by the mayor or for any other purpose not so recommended by the mayor shall be made, except by an affirmative vote of three percent or more of the electors, and qualified citizens of the City of Groton. By a majority or more present and voting at such meeting, an amount of money less than that recommended may be appropriated. Should the annual budget meeting fail to approve a budget as specified herein, the budget as recommended by the mayor shall be deemed to have been finally adopted and expenditures shall be made in accordance therewith.

Section 4 – (Authority to Lay Taxes)

The electors and qualified citizens may, at any legal meeting, lay taxes upon the polls and ratable estate, the assessment list to be taken from the assessment list of the town last perfected before such levy by any assessor of the town, upon request of the mayor, in the same manner that town taxes are laid by statute; except that the mayor and council shall constitute the board of relief for said city and shall perform duties and have the power of boards of relief of towns.

Section 5 – (Fiscal Year)

For accounting purposes, the fiscal year shall extend from the first day of July in one year, to the thirtieth day of June in the succeeding year. Effective date of this section shall be 00.01 A.M. on 1 July 1977.

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ARTICLE V (POWERS AND DUTIES OF MAYOR AND COUNCIL)

Section 1 – (General Powers)

The mayor and council shall have power to exercise the powers hereinafter specified and those conferred by statute.

Section 2 – (General Duties)

The mayor and council shall manage, regulate and control the finances and the real and personal property of the city, and shall provide the mode of keeping the accounts and the method of adjusting and paying claims. All interdepartmental services shall be by written order and shall be properly represented in the accounting.

Section 3 – (Transfer of Funds)

Funds shall not be transferred from one account to another without prior approval of the qualified electors at the annual city budget meeting, or a special city meeting.

Section 4 – (Establishment of Committees)

The mayor, with the approval of the council may appoint such committees as may be deemed necessary to whom may be referred any appropriate business.

Section 5 – (Appraisals and Assessments)

- (a) The mayor and council shall have the power to appraise, or cause to be appraised, the benefits or damages accruing to any property resulting from any public work or improvement, and they shall also have power to assess, or cause to be assessed, any such benefits. They shall give reasonable notice to the owners of such property of the time and place for a hearing. Such notice shall be deemed reasonable if sent by registered mail at least ten days prior to the date set for such hearing.
- (b) When the mayor and council shall have completed such assessment of benefits or appraisal of damages, they shall give notice by registered mail to any person upon whom or for whose benefits such assessment or appraisal, as the case may be, shall have been made. In case of assessment of benefits, they shall establish a payment date and order the same paid; in case of appraisal, they shall order the damage to be paid to the party entitled thereto.
- (c) If any person shall be aggrieved either by the assessment of benefits or the appraisal of damages so made, he may, after notice received as aforesaid apply in writing to the superior court for a reassessment or reappraisal in the manner provided by law.
- (d) Nothing contained herein shall prevent the mayor and council from proceeding to assess benefits, appraise damages, or exercise rights of eminent domain in accordance with pertinent provisions of the General Statutes relative to such assessment, appraisal, or exercise of rights of eminent domain by municipalities.
- (e) Each assessment of benefits, water rate, electric rate, service charge and other charge and installment thereof, if any, levied by the City of Groton, shall be due and payable at such time as

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may be fixed by the mayor and council of said city. If any assessment, rate, charge, or any installment or portion thereof, shall not be paid on or before the same date of the next succeeding month corresponding to that of the month on which it shall become due, such unpaid assessment, rate, charge, installment or portion thereof shall thereupon be delinquent and shall be subject to interest at the rate and in the manner provided by the General Statutes for delinquent property taxes from the time that such assessment, rate, or charge shall become due and payable to the date of payment. Each addition of interest shall become, and shall be collectible as, a part of such assessment, rate, or charge. Each assessment, rate, and charge of the City of Groton shall constitute a lien upon the real estate benefited or served thereby from the date of levy of such assessment, rate, or charge. Each lien may be continued by certificate by the Mayor of the City of Groton, shall be recorded in the land records of the Town of Groton and released in the same manner, mutatis mutandis, as tax liens are continued, recorded and released under the provisions of the General Statutes. The same lien fees shall be charged as are charged in the case of tax liens, and shall become, and shall be collectible as, a part of the assessment, rate, or charge. Each such lien shall take precedence over all other liens and incumbrances, except taxes, and may be foreclosed in the same manner as a tax lien. The person authorized to collect any such assessment, rate, or charge shall have become due and payable, to collect it at any time by authority of any mandatory provision for the collection of taxes in the General Statutes or in a public or special act.

Section 6 – (Gifts, Donations and Bequests)

The mayor and council shall have authority to receive gifts, donations and bequests for public purposes and public trusts, and to agree to and prescribe conditions and terms regarding the same.

Section 7 – (Water Acquisition and Distribution)

The mayor and council, citizens, and qualified property owners of said city are authorized to purchase, acquire and convey from any source of supply, and take and use the water of any stream, lake or pond, in whole or in part, within the limits of the towns of Groton and Ledyard, except the waters of Lantern Hill brook and Lantern Hill pond; to hold, convey and distribute such water into and through the second voting district* and such portion of the third district* of the Town of Groton as lies west of the main brook emptying into the head of Palmer's Cove, west of the village of Noank, by means of reservoirs, pipes, aqueducts, pumps and other suitable works, in such quantities as the necessities and conveniences of said voting districts and the inhabitants thereof may require. *Second and third voting districts as approved by the General Assembly July 24, 1868 and July 11, 1872.

Section 8 – (Generation, Purchase and Sale of Power and Gas)

The mayor, council, and citizens of said city are empowered to produce, purchase, generate and manufacture gas and electricity and to sell and use the same for the purpose of furnishing light, heat and power to any persons who may desire the same and, for that purpose, shall have the right to build, maintain and operate wires or other electrical conductors and gas pipes necessary for said business over, through or under any or all of the streets, avenues, lanes, and highways in the territory as described in Section 7 and to take and hold any lands, property, or privileges, and to exercise any powers that may be necessary or convenient for carrying into effect any purpose of this act.

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Section 9 – (Control and Supervision of Utility Department)

- (a) The mayor and council shall have control and supervision of the Utilities Department which shall be administered by a board of five commissioners, including the mayor, designated as the City of Groton Utilities Commission.
- (b) The mayor with the approval of the council shall at their first meeting each year, appoint by majority vote one elector of the city to serve as utility commissioner for a term of four years beginning the first day of June succeeding such appointment. Each commissioner shall be sworn to the faithful performance of his duties.
- (c) Should a vacancy occur in the office of utility commissioner, an elector of the city shall be appointed by the mayor with the approval of the council to serve for the unexpired portion of the term.

Section 10 – (Committee to Confer with Town Council on Highway Funds)

A committee of three city councilors shall be appointed annually to confer with the Town Council of the Town of Groton to determine the amount of money which shall be necessary and proper for the making or repairing of the streets and highways of said town within the limits of the city during the current fiscal year of the city. In the event of disagreement, the amount shall be determined by a committee of three composed as follows: one appointed by the highway commissioner or his deputy, one appointed by the Groton Town Council, and one appointed by the mayor with the approval of the council of the City of Groton. The sum determined shall be paid by the town into the treasury of the city, and the town shall not be liable to make or repair any street or highway within the limits of the city.

Section 11 – (Suspension and Dismissal of Appointed City Officers)

The mayor and council may determine their rules of procedure and may suspend or dismiss any appointed city officer upon charges preferred by the mayor or two councilors, when sustained by a vote of any four councilors.

Section 12 – (Vacancies in Elective Office)

Should a vacancy occur in the office of Deputy Mayor, the council shall choose one of their number to complete the unexpired portion of such term. If, for any reason, the office of Mayor shall be vacated, the deputy mayor shall serve as mayor until the next regular election, and an elector of the city shall be chosen, by a majority of the vote of the remaining councilors, to serve as councilor until such regular election. Should a vacancy occur in the office of councilor, clerk, or treasurer, an elector of the city shall be chosen by a majority vote of the council to serve in such office until the next regular election.

Section 13 – (Authority Over Public Works)

The mayor and council shall have exclusive authority and, within the limits of the city, control over all streets and highways, sidewalks, city beaches, parks and grounds, collection and disposal of garbage and ashes.

- (a) The mayor and council shall have the authority to lay out necessary streets or highways in accordance with Section 13a-71 of the General Statutes. The procedure for accepting streets and

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the naming and renaming thereof shall be the same as that provided in Article V, Section 14, for the adoption of ordinances. They shall regulate the numbering of houses, buildings, and lots.

- (b) Benefits or damages accruing to any property as the result of the layout, grading or alteration of any street or highway shall be subjected to the procedure specified in Section 5 (a), (b), (c) and (d) of this article.
- (c) The mayor and council shall regulate or prohibit the excavation or opening of city streets, highways, and public grounds for public or private purposes, and the location of any work or thing therein, whether temporary or permanent, upon, over or under the surface thereof; provide for lighting the streets, highways and other public places; regulate the planting, protection and removal of trees, plants and shrubs in public places; and provide for the fencing of any lands fronting on a public street or highway, wherever and whenever the mayor and council deem it necessary.
- (d) The mayor and council shall have control of all sidewalks and crosswalks. They shall cause to have sidewalks laid out and establish their grade and curb lines; to designate that streets shall have sidewalks either on one or both sides, subject to the procedure for adopting ordinances in Section 14, and to designate the kind of sidewalks to be constructed. Benefits or damages accruing to any property hereunder shall be subject to the procedure specified in Section 5 (a), (b), (c), and (d) of this article.
- (e) The mayor and council shall have power to lay out and alter city beaches, parks and grounds, and to procure land for the same by gift, purchase or contract or by condemnation; but no park shall be purchased, received or laid out unless its purchase or acceptance shall be ratified by a vote of the electors and qualified citizens of the city. The mayor and council shall be responsible for the maintenance of city beaches, parks and public grounds and all expenses incurred in the specific appropriation voted thereof.
- (e) The mayor and council shall take such measure as they shall consider necessary for the collection and disposal of garbage and solid waste.

Section 14 – (Ordinances)

- (a) The mayor and council shall have power to make, alter, repeal, and enforce ordinances not inconsistent with the provisions of this act or the State Statutes, and to prescribe penalties not exceeding a fine of one hundred dollars (\$100.00) or thirty (30) days imprisonment or both, for any violation of the same. Any person who shall violate any such ordinance may be proceeded against by criminal complaint, warrant and judgement for commitment as in other criminal cases.
- (b) (Emergency Ordinances)
An ordinance states to be a public emergency measure and stating the facts constituting such public emergency shall become effective immediately after publication thereof as required in subsection (c) of this section. Every such emergency ordinance including any amendments thereto, shall automatically stand repealed at the termination of the sixty-first (61st) day following

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passage of said ordinance, unless it shall have been regularly adopted in accordance with paragraph (c) of this section.

- (c) Ordinances, to become effective, shall be presented in written or printed form and shall (a) be approved at a regular meeting of the mayor and council; (b) within seven (7) days thereafter be published twice in a daily newspaper of general circulation in the city, and (c) in the absence of an intervening referendum petition as defined in subsection (e) of this section, be approved by a majority vote of the mayor and council at the first or second succeeding regular meeting. The effective date of each ordinance shall be published within ten (10) days after its final approval.

- (d) (Power of Initiative)

The qualified electors of the city shall have the power to propose ordinances to the council. If the council fails to adopt an ordinance so proposed without any change in substance within thirty (30) days after a petition making such a proposal shall have been certified to the council as provided herein, the electors may adopt or reject the same at a referendum called by the council and held within ninety (90) days after such proposed ordinance has been certified to the council. Any such petition may be filed by any elector of the city with the city clerk and, except as provided herein, such petition shall conform to the requirements of Section 7 of the General Statutes, as amended. Said petition shall contain the full text of the ordinance proposed and shall be signed in ink or indelible pencil by qualified electors of the city equal in number to at least five percent (5%) of the electors registered at the last regular municipal election. Said petition shall be accompanied by affidavits signed and sworn to by each petitioner as provided in said Section 7. The city clerk shall, within ten (10) days after receipt of the last page of said petition within the time provided herein, determine the petition and the affidavits to be sufficient in the manner prescribed in subsection (e) of section 14 and certify said petition to the council. A majority vote of the qualified 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 on the question. 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 council except by vote of the qualified electors.

- (e) (Power of Referendum)

The qualified electors of the city shall have the power to approve or reject at a referendum, as herein provided, any ordinance adopted by the council except an emergency ordinance adopted in accordance with the provisions of subsection (b) of this section. Ordinances submitted to the council by initiative petition as provided in section 14(f) of this article and adopted by the council shall be subject to a referendum in the same manner as other ordinances. Within twenty (20) days after the publication of any ordinance as provided in section (d) of this article, which ordinance may be subject to referendum as provided herein, a petition requesting that such ordinance be either repealed or submitted to a vote of the qualified electors may be filed by any elector of the city with the city clerk. Any such petition shall conform to the requirements of section 7-9 of the General Statutes as amended, except as provided herein. Said petition shall contain the full text of the ordinance to be repealed or submitted to referendum and shall be signed in ink or indelible pencil by qualified electors of the city, equal in number to at least twenty (20) of the electors registered at the last regular municipal election. Said petition shall be accompanied by affidavits

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signed and sworn to by each circulator as provided in said section 7-9. The city clerk shall, within five (5) days after receipt of the last page of said petition within the time provided herein, determine the petition and the affidavits to be sufficient in the manner prescribed. A majority vote of the qualified electors to repeal such 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 on the question. Within ten (10) days after the petition shall be filed, the city clerk shall determine whether it is signed by a sufficient number of electors, attach thereto a certificate showing the result of his examination, and mail notification of his finding to the circulator and initial signer of each such paper. In case of insufficiency, he shall state the extent thereof. An insufficient referendum petition may be supplemented within fifteen (15) days after the certification of insufficiency by the filing of a supplementary petition with the required additional signatures in the form prescribed for an original petition. If the city clerk shall find the supplemented petition insufficient, he shall file it in his office and make notification of his finding in the manner prescribed above, and no further action shall be had on such insufficient petition. If a referendum petition be found sufficient by the city clerk he shall certify that fact to the council at its next regular meeting. If the petition be acceptable to the mayor and council, they shall amend the measure, and it shall thereafter be considered a new ordinance and be subjected to the procedure prescribed in subsection (c). If a referendum petition be unacceptable to the mayor and council they shall submit the measure to the electors at the next annual or a special referendum election held within sixty (60) days after the referendum petition has been certified to the council, and it shall become effective upon approval at such election. Ordinances, or parts thereof, to be submitted to the electors shall be submitted by ballot. There shall appear upon the official ballot a title which may be distinct from the legal title of any such referred measure and which shall be a clear, concise statement, without argument or prejudice, descriptive of the substance thereof. The ballot title shall be prepared by the city clerk. The ballots used, when voting upon any such measure, shall have, aside from the ballot title thereof, the two propositions herein indicated:

(Title of measure with general statement of substance thereof)

FOR THE MEASURE

AGAINST THE MEASURE

Provision shall be made so that an elector may vote for either proposition by making a cross mark (X) to the left of such proposition or by equivalent arrangement on a voting machine. Any number of measures may be voted upon at the same referendum election and on the same ballot, but each measure shall be submitted separately.

(f) (Suggested Forms for Petitions and Affidavits)

(A) FORM OF PETITION FOR INITIATIVE OR REFERENDUM.

The petition for initiative or referendum shall be in the following form:

WARNING: ALL SIGNATURES SHALL BE IN INK OR INDELIBLE PENCIL.

We, the undersigned qualified electors of the City of Groton, hereby present this petition under the provisions of Article V, Section 14 of the Charter of said City, (here insert the word "initiating" or the words "requesting the repeal of") the following ordinance (here insert the text of the ordinance as provided by the city clerk), and we certify that we are qualified electors of the City of Groton, residing at the addresses set opposite our names, and that we have not signed this petition more than once

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submitted to the council an annual budget as provided in subsections (b) and (c) of this section and shall exercise such other powers and duties as may be authorized by ordinance or resolution of the council not inconsistent with this charter. The council shall not diminish by ordinance, vote or otherwise the powers and duties of the mayor, except those powers and duties imposed on him by the council under the provision of this section.

- (b) The mayor shall require each department, office or agency of the city supported wholly or in part by city funds, or for which a specific city appropriation is made, to set forth, in narrative or other such 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.
- (c) The mayor shall compile preliminary estimates for the annual budget. On or before the second Monday in March the head of each department, office or agency of the city as described in Section 2 (b) of this article shall file with the mayor on forms prescribed and provided by him, a detailed estimate of the expenditures to be made by his department, office or agency and such other information as may be required by the council or the mayor.
- (d) On the first Monday in April the mayor shall submit his proposed budget to the council for their consideration and recommendations. On the third Monday in May, the proposed budget shall be published in a daily newspaper of general circulation in the city, and copies of said budget shall be made available to the electors at the office of the city clerk.
- (e) The mayor shall cause to be prepared a statement of the duties and responsibilities of each position in the classified service and of the minimum qualifications for appointment to such positions. He shall cause to be prepared a set of personnel rules as prescribed in Article IX, Section 2.

Section 3 – (Mayoral Appointments)

- (a) The mayor shall appoint, with the approval of the council, all department heads and other officers, and those employees of the city requiring a formal examination for qualification or certification to their respective positions, except employees in the offices of elected officers or boards and officers and boards appointed by the city council. In lieu of any appointment by the mayor or any of his appointees to any office under his jurisdiction, the mayor may perform, subject to the approval of the council, the duties of any office under his jurisdiction. In the absence of the city treasurer or the city clerk or because of the inability of either to act, the mayor may countersign checks.
- (b) Appointments made or authorized by the mayor and council shall be confined to citizens of the city except in such specific cases as the council may suspend this requirement.

Section 4 – (Mayor – Signing of Orders)

The mayor shall countersign all orders drawn by the clerk, and no such order shall be valid unless so countersigned.

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Section 5 – (Deputy Mayor)

Whenever the mayor shall be temporarily absent or unable to perform the duties of his office, the deputy mayor, or, in case of inability of the latter, the senior councilor shall act as mayor and while so acting shall have the powers and duties conferred and imposed upon the mayor. All acts of such deputy mayor or councilor, while serving as mayor, shall have the same effect as like acts performed by the mayor, and such temporary performance of the mayor's duties shall in no way disqualify such deputy mayor or councilor from performing any of his duties as deputy mayor or a councilor. At any meeting of the mayor and council, the deputy mayor or councilor, while acting as mayor, may vote as a councilor, and, in addition thereto, vote in case of a tie.

Section 6 – (Clerk)

- (a) The clerk shall keep the records of the city and make due entry therein of all votes and proceedings of the city and of all votes and proceedings of the mayor and council. After each meeting of the mayor and council, he shall transmit to each member a copy of its proceedings. He shall make a record of his own acts in serving notices of orders or votes passed by the mayor and council. He shall cause all ordinances approved by the mayor and council to be carefully engrossed in the records and published in accordance with the provisions of Article V, Section 14(c), and shall certify such publication; but his omission to engross any such ordinance or to certify publication thereof shall not impair or affect its validity in any respect.
- (b) The clerk shall have the custody and charge of and shall safely keep all records, documents, papers, and maps in proper files in his office. He shall have custody and charge of the city seal and shall cause it to be affixed to instruments and writings as he may be authorized to do by the mayor and council. Failure to affix the city seal shall not affect the validity of any instrument or writing otherwise duly authorized.
- (c) The clerk shall draw and sign all orders for money for disbursements approved by the mayor and council.

Section 7 – (Treasurer)

- (a) The treasurer shall have and exercise the same relative powers and duties in said city as town treasurers have in their respective towns. He shall pay no money out of the city treasury except on order properly countersigned by the mayor and shall be accountable to the city.
- (b) The treasurer shall render statements to the mayor and council as desired, and shall annually prepare a statement of all monies received and disbursed by him for the fiscal year for inclusion in the annual report.

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ARTICLE VII (APPOINTED CITY OFFICERS – DUTIES)

Section 1 – (Attorney)

The mayor with the approval of the council shall appoint, and may remove, a city attorney, who shall be an attorney at law admitted to practice law in this state. He shall appear for and protect the rights of the city in all actions, suits or proceedings brought by or against it or any of its departments, officers, agencies, boards, and commissions. He shall be the legal advisor of the city council, the mayor and all city officers, boards and commissions in all matters affecting the city and upon written request shall furnish them with a written opinion on any question of law involving their respective powers and duties. Upon request he shall prepare or approve forms of contracts or other instruments to which the city is party or in which it has an interest. He shall have power, with the approval of the council, to appeal from orders, decisions and judgements and, subject to approval of the council, to compromise or settle any claims by or against the city. If in special circumstances the council deems it advisable, it may provide, in addition, for the temporary employment of counsel other than the city attorney.

Section 2 – (Auditor)

At their first meeting annually, the mayor with the approval of the council shall appoint an auditor, who shall be a certified public accountant and shall hold office for one year. He shall submit to the mayor and council a detailed audit of all city accounts including all city utility department accounts.

Section 3 – (Tax Collector)

The town tax collector shall serve as city collector as provided in number 142 of the special acts of 1929.

Section 4 – (Other Appointed City Officers)

- | | |
|------------------------------|--------------------------|
| (a) Director of Finance | See art. X section 1 (a) |
| (b) Director of Public Works | See art. X section 2 (a) |
| (c) Director of Utilities | See art. X section 3 (a) |
| (d) Chief of Police | See art. X section 4 (a) |
| (e) Fire Chief | See art. X section 5 (a) |
| (f) Director of Health | See art. X section 6 (a) |
| (g) Director of Recreation | See art. X section 7 (a) |

ARTICLE VIII (UTILITIES COMMISSIONERS)

Section 1 – (Membership)

There shall be five (5) commissioners, including the mayor who shall be chairman, pursuant to Article V, Section 9 of this Charter.

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Section 2 – (Quorum, Voting)

Three commissioners shall constitute a quorum for the transaction of business. At all meetings of the commissioners, the mayor, when present, shall preside and shall have a vote. No vote shall be adopted except on the approval of a majority of all the commissioners.

Section 3 – (General)

The utility commissioners may appoint a clerk and a treasurer and may fix the salaries of such officers. The treasurer of said commissioners shall give a bond to the city, with proper sureties thereon, conditioned upon the faithful performance of his duties. The commissioners shall draw orders on their treasurer for payment of all obligations of said utility departments.

Section 4 - (Records, Reports and Budget)

The utilities commissioners shall keep a record of their official proceedings and accounts in accordance with the Uniform System of Accounts Prescribed for Electric Utilities and for Water Utilities by the State Public Utilities Commission. They shall render to each annual meeting a general statement showing the fiscal year's transactions and the condition of the utility properties. Such statements shall be sworn to by one or more of the said commissioners and recorded in the records of the city. The utilities commission shall cause to be prepared and shall approve an annual budget for the electric department and the water department by May 31st. The commissioners shall also render statements to the mayor and council as they may require.

Section 5 – (Responsibilities)

- (a) The utility commissioners shall make rules and regulations regarding the use and distribution of all utilities, propose the rates therefor, and collect the same.
- (b) All transactions of said commissioners shall be subject to the approval of the mayor and council. Major transactions of the commissioners, including the extension of utility services, acquisitions or sale of real property, establishing rates, and expenditures of a major nature shall be proposed in advance to the mayor and council and subjected to the procedure established for the adoption of ordinances in Article V, Section 14; provided an extension or improvement of any utility which has been ordered by the proper state authority shall not be subject to referendum; and provided further that the establishing of rates and charges shall not be subject to referendum.
- (c) No rate or charge for any utility service shall be established until after a public hearing before the utilities commission at which all consumers of water, gas, or electricity, owners of property served or to be served and others interested shall have had an opportunity to be heard concerning such proposed rate or charge. The utility commissioners shall initially establish rates to be charged for gas and electricity sold and services rendered by the department. Rates shall be fair, reasonable and compensatory and shall be uniform for all customers within the same class; but different rate schedules may be applied to different classes of customers as determined by the utility commissioners. Rates within the city limits may be less, but shall be no greater than for the same class of consumers outside the city limits. Rates shall not be changed more often than once in three

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months; and any change shall take effect on the first day of the month. Such rates shall be fixed in accordance with State Statutes (7-222, or as amended).

- (d) The utility commissioners shall initially establish rates to be charged for water sold and services rendered by the department. Rates shall be fair, reasonable and compensatory and shall be uniform for all consumers within the same class, but different rate schedules may be applied to different classes of consumers as determined by the utility commissioners. Rates within the city limits may be less, but shall be no greater than for the same class of service outside the city limits. Such rates or charges shall be sufficient in each year for the payment of the expense of operation, repair, replacements and maintenance of such system, for payment of all bond interest and principal costs and for such return on investment as allowed by law.
- (e) The utility commissioners may require reasonable deposit as security for the payment of charges for utility service and may provide for the return of the deposits when satisfactory consumer credit has been established.

Section 6 – (Powers)

The utilities commissioners, or their duly authorized representatives, may enter any land in the territory specified in Sections 7 and 8 of Article V for the purpose of making necessary surveys. Subject to the provisions of Section 4 of this article, the utilities commissioners may take any lands, rights, easements, privileges, or franchise which may be necessary for executing the powers conferred upon them, and may agree with the owner or owners of any such property or franchise as to the compensation therefor. In case of disagreement, the procedure specified in Article V, Section 5(a), 5(b), 5(c) and 5(d) shall apply.

ARTICLE IX (CLASSIFIED SERVICE)

Section 1 – (Merit System)

All officers and employees in the classified service of the city as described in Section 2 below, shall be appointed on the basis of merit and in conformity with recognized principles of public personnel administration.

Section 2 – (General)

The classified service shall include all employees and appointees to all positions now or hereafter created except the following: elective officers and persons appointed to fill vacancies in elective offices; members of boards and commissions; officers appointed by the council; the director of finance, the director of public works, the director of recreation, the chief of police, the fire chief, the health officer, and assistant health officer, director of utilities, persons employed in a professional capacity to make or conduct a temporary and special inquiry, study or investigation, and persons employed for a temporary period not exceeding ninety (90) days. It shall be the duty of the mayor to cause to be prepared a statement of the duties and responsibilities of each position in the classified service and of the minimum qualifications for appointment to such positions. These statements shall comprise the classification plan of the city, which shall become effective upon approval by resolution of the council. New or additional positions in the classified service may be created and changes in the

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duties and responsibilities of existing positions may be made by resolution of the council upon the recommendation of the mayor. A pay plan for all positions in the classified service shall be similarly prepared, adopted and amended. The mayor shall also cause to have prepared a set of personnel rules which shall provide, among other things, for the method of holding competitive examinations, administration of the classification plan, probationary periods of employment, hours of work, vacations, sick leaves and other leaves of absence, removals, and such other rules as may be necessary to provide an adequate and systematic procedure for the handling of the personnel affairs of the city. Such rules and any amendments thereto shall become effective upon being approved by the council and filed by the mayor with the city clerk. Copies of such rules and amendments thereto shall be distributed to all members of the classified service.

ARTICLE X (CITY DEPARTMENTS)

Section 1 – (Finance)

The department of finance shall be responsible for the keeping of accounts and financial records, special assessments and other revenues, the custody and disbursement of city funds and money, the control over expenditures and such other powers and duties as may be required by ordinance or resolution of the city council. Accounts shall be kept by the department of finance showing the financial transactions for such departments and agencies of the city, as the council may direct. Forms for such accounts shall be prescribed by the director of finance with the approval of the council. Financial reports shall be prepared for each quarter and for each fiscal year and for such other periods as may be required by the council.

(a) The Director of Finance; powers and duties.

Except as provided in article VI, section 3 of this charter, the mayor with the approval of the council shall appoint and may remove a director of finance who shall have direct supervision over the department of finance and the administration of the financial affairs of the city, including the trusteeship of the notes, bonds or certificates of debt issued by said city. The director of finance may appoint and may remove, subject to such rules and regulations as may be adopted pursuant to the merit system provisions of article IX of this charter, a purchasing agent, and all other employees of the department of finance.

(b) The purchasing agent of the city shall purchase all supplies, materials, equipment and other commodities required by any department, agency, board or commission of the city except the department of utilities, on requisitions signed by the head of the department, office or agency or chairman of the board or commission, or a responsible representative appointed by him. Nothing herein contained shall be construed to prevent the city purchasing agent from serving as the purchasing agent for the department of utilities upon the request of the utilities commission. Purchases shall be made under such rules and regulations as may be established by the council.

Section 2 – (Public Works)

The department of public works shall have supervision and control of the maintenance of all city owned structures, and of the planning, surveying, constructing and reconstructing, altering, paving, repairing, maintaining, cleaning, and inspecting of highways, sidewalks and curbs, public and private

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drains and other public improvements, city buildings, the preservation, care and removal of trees within highways or public places, all engineering work except utilities of the city, and the collection and disposal of garbage and solid waste. The department of public works shall have supervision and control of all beaches, parks, and grounds used for park purposes belonging to the city, and of buildings, structures, apparatus, and equipment used in connection therewith except utilities; shall administer all laws, ordinances and regulations, if any, governing the construction of buildings and other structures, including all plumbing, mechanical, gas and oil burner installations therein; and shall have such other powers and duties as the city council may prescribe. However, until such time as the mayor and council may appoint a director of public works, maintenance of public beaches, public parks and public grounds shall remain with the superintendent of beach and parks.

(a) **The Director of Public Works; powers and duties.**

The mayor, with the approval of the council, shall appoint and may remove a director of public works who shall be responsible for the efficiency, discipline, and good conduct of the department and who, in accordance with such rules and regulations as may be adopted pursuant to the merit system provisions contained in article IX of this charter, shall appoint and may remove such deputies, assistants and employees as he may deem necessary and shall prescribe their duties. He shall exercise his powers and discharge his duties under the supervision of the mayor and council. He shall organize the work of the department in such manner as he shall deem most economical and efficient. He shall be the tree warden and shall have all the powers and duties thereof as provided in chapter 451 of the General Statutes, as amended. However, until such time as the mayor and council may appoint a director of public works, supervision concerning streets and highways, sidewalks, garbage, rubbish, ashes and trees shall remain with the superintendent of highways.

Section 3 – (Utilities)

The department of utilities shall have supervision and control of the maintenance of all city owned sewer, electric, water, gas, traffic control, street and park lighting structures and fixtures; and of the planning, surveying, constructing and reconstructing, altering, repairing, maintaining, and inspecting of all utilities services. The utilities department shall have supervision and control of all buildings, structures, apparatus and equipment dedicated to the exclusive use of the utilities department and shall administer all laws, ordinances, and regulations, if any, governing the various utilities systems and their installation, and shall have such other powers and duties as the city council may prescribe.

(a) **The Director of Utilities; powers and duties.**

The mayor, with the approval of the council, shall appoint and may remove a director of public utilities who shall be responsible for the efficiency, discipline, and good conduct of the department and who, in accordance with such rules and regulations as may be adopted pursuant to the merit system provisions contained in article IX, section 1 of this charter, shall appoint and may remove such deputies, assistants, and employees as he may deem necessary and shall prescribe their duties. He shall exercise his powers and discharge his duties under the supervision of the mayor and council. He shall organize the work of the department in such a manner as he shall deem most economical and efficient. Upon ratification of article X, section 3, the general manager shall become director of public utilities.

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Section 4 – (Police Department)

The police department 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 city, and all rules and regulations made in accordance therewith. All members of the department, except clerical and other personnel without law enforcement responsibilities 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 General Statutes, and all powers and duties imposed by law on constables except as otherwise provided by department rules and regulations.

(a) The Chief of Police; powers and duties.

Except as provided in article VI, section 3 of this charter, the mayor with the approval of the council shall appoint and may remove subject to the provisions of section 7-278 of the General Statutes, as amended, a chief of police. The chief of police shall assign all members of the department to their respective posts, shifts, details and duties. He shall make rules and regulations concerning the operation of the department and the conduct of all officers and employees thereof. He shall be responsible for the efficiency, discipline and good conduct of the department and for the care and custody of all property used by the department. Disobedience to the lawful orders, rules and regulations of the chief shall be grounds for dismissal or for other appropriate disciplinary action.

(b) The mayor and council of the City of Groton shall have power, for cause, after a hearing on charges made in writing, to remove, reduce in rank, or suspend without pay, any officer in the police department, by a majority vote of the council, provided no reduction in rank, removal or suspension shall be made for political reasons. Charges against any officer may be preferred by the mayor and council, a statement of which charges, together with notice of time and place of hearing, shall be served upon the person accused at least forty-eight hours before the time fixed for the hearing. Any officer of the department who shall be removed by the mayor and council may make application to the court of common pleas, within and for the county of New London, in the nature of an appeal from the order or removal, which application shall be made returnable not more than six nor less than three days from the date of such order of mayor and council, and a copy thereof shall be served upon the mayor at least forty-eight hours before the time at which it is made returnable. Such court, having given such further notice as it may deem necessary, shall forthwith hear such application, and may approve, modify or revoke such order, and may award costs, at its discretion. The decision of such court shall be final. During the pendency of such application, such order of the mayor and council shall be in effect, subject to the power of such court, if such order shall be modified or revoked, to make its decree effective as of the date of such order.

(c) Whenever written complaint signed by three residents shall be presented to the mayor and council, charging any member of the police department with a refusal or neglect to discharge the duties imposed upon him, the mayor and council shall fix a day and place for a hearing upon such charges and notify such accused member to appear before them at the time and place named. If the mayor and council shall find such charges true, they shall thereupon impose such punishment as in their judgment will be just. The mayor and council shall have power to summon witnesses and to

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compel the production of books, papers or documents bearing upon such charges, in the same manner and to the same extent as a court may do in the trial of any action, civil or criminal.

Section 5 – (Fire Department)

The fire department shall be responsible for the protection of life and property within the city from fire and for the enforcement of all laws, ordinances and regulations relating to fire prevention and fire safety.

(a) The Fire Chief; powers and duties.

Except as provided in article VI, section 3 of this charter, the mayor with the approval of the council shall appoint and may remove subject to the provisions of section 7-302, 29-46 and 29-47 of the General Statutes, as amended, a fire chief, who shall be the local fire marshal. He shall assign all members of the department to their respective posts, shifts, details and duties. He shall make rules and regulations concerning the operation of the department and the conduct of all officers and employees thereof. He shall be responsible for the efficiency, discipline and good conduct of the department and for care and custody of all property used by the department. Disobedience to the lawful orders, rules and regulations of the chief shall be grounds for dismissal or for other appropriate disciplinary action. The mayor with the approval of the council may appoint a deputy fire chief and such deputy fire marshals as may be necessary. Special act 312-25 spec. laws 1055 (1949) is hereby repealed.

Section 6 – (Health Department)

The health department shall be responsible for the preservation and promotion of the public health and shall perform such functions and shall have such powers and duties as are imposed by law on directors of health and such other powers and duties as the mayor and council may prescribe.

(a) The Director of Health; powers and duties.

The mayor with the approval of the council and subject to the provisions of the General Statutes relating to the appointment of directors of health, shall appoint a director of health and an assistant director of health who shall be administrative head of the health department. He shall organize the work of said department in such manner as he shall deem most economical and efficient. Subject to the provisions of the General Statutes and in accordance with such rules and regulations as may be adopted pursuant to the merit system provisions of article IX, Section 1 of the charter, he may appoint and may remove assistants and employees. He shall be charged with the enforcement of all laws, ordinances, rules and regulations in respect to the public health.

Section 7 – (Recreation Department)

The recreation department shall be responsible for the planning, administering, scheduling and operation of all recreational programs.

(a) The Director of Recreation Recreation; powers and duties.

The mayor, with the approval of the council, shall appoint and may remove a director of recreation who shall be responsible for the planning, administration, scheduling and direction of all city recreational programs. He shall work closely with and function as an advisor to the City of Groton Beach and Parks Commission. He shall, in accordance with such rules and regulations to

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the merit system provisions contained in Article X, section 1 of this Charter, appoint, and may remove, such deputies, assistants and employees as he may deem necessary and shall prescribe their duties.

ARTICLE XI (RETIREMENT PLAN)

Section 1 – (Definitions)

The following words and phrases as used in this article, unless a different meaning is plainly required by the context, shall have the following meanings: “Retirement system” shall mean the plan established by this article for retirement of all regular full time employees of the City of Groton; “retirement board” and “the board” shall mean the board herein created for the administration of the retirement system; “pension” shall mean a payment made to an employee according to the provisions of this article other than a return of contributions; “retirement fund” shall mean the fund derived from contributions made as herein provided for the payment of pensions under this article.

Section 2 – (Retirement System)

A Retirement System shall be established by the mayor and approved by the council that defines employee applicability, amount of employee and city contribution, retirement qualifications and benefits, records requirements and other administrative procedures. In the event of any conflict between the terms of this charter, the provisions of the Retirement Plans, and said collective bargaining agreements adopted pursuant to the Municipal Employee Retirement Act of the State of Connecticut, CGS Section 7-467, the terms of said collective bargaining agreements shall govern.

Section 3 – (Retirement Board)

The management of the retirement system for the City of Groton shall be vested in a retirement board consisting of the mayor, who shall be chairman, a city councilor and a utility commissioner, each to be appointed biennially by the mayor, one member of the regular fire department, one member of the regular police department, one member of the regular public works department, and one member of the regular utilities department, one member from the city retiree association and one member from that group of city employees, including management, not represented by a collective bargaining unit. The members representing the fire department, police department, public works department and utilities department shall be chosen by the members of their respective departments biennially. The members representing non-bargaining unit employees shall be chosen by all employees in that category biennially. The member representing the city retiree association shall be chosen by that organization biennially. The term of each member shall continue until his successor shall be elected or appointed and shall have qualified. In the event of a vacancy on said board, such vacancy shall be filled in the same manner as the member so to be succeeded was appointed or elected. In no event shall any person remain a member of said board except during the time he continues to hold the office, or employment in the department or non-bargaining unit from which he was appointed or elected. The members of the retirement board shall serve without compensation. The board shall make by-laws and regulations not inconsistent with the law; shall employ such actuarial, medical, clerical and other services as may be necessary for the proper operation of the retirement system, and shall do all things necessary and proper toward carrying out the purpose for which the retirement system is created. The board shall submit annually to the board of mayor and council of the city a schedule of its estimated expenses

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necessary for the administration of this act, and all such expenses of administration shall be paid by the city. The board shall be the trustee of the retirement fund and shall have full control and management thereof, with power to invest and reinvest the same in accordance with the laws of the state governing the investment of trust funds. The board of mayor and council of the city is empowered to designate which, if any, members of the retirement board shall furnish bonds, and is further empowered to designate the amount of such bonds, the cost of which shall be paid by the city. The retirement board shall meet annually and designate the frequency of meetings between the annual meeting.

Section 4 – (Permissive Insurance of Plan)

The retirement board may enter into a contract with any insurance company authorized to transact business in Connecticut to insure the entire plan or such portion thereof as the board shall deem advisable; provided any such contract, before actually being consummated, shall be approved by a majority vote of the board of mayor and council of the city. All premiums paid to any insurance company under this section shall be paid out of funds received by said board from employees and from the city, as herein before provided.

Section 5 – (Limitations of Action)

No action for amounts due under the provisions of this article brought but within six years after the right of action shall accrue. Persons legally incapable of bringing an action when the right shall accrue may sue at any time within three years next after becoming legally capable of instituting suit. All amounts not claimed within said period shall remain a part of the retirement fund.

Section 6 – (Exemption from Taxation)

The right of any person to a pension or to the return of contributions, any benefit or right accrued or accruing to any person under the provisions of this article and the cash and securities held under this article shall be exempt from any state or municipal tax, and exempt from levy and sale, garnishment, attachment or any other process and shall be unassignable.

Section 7 – (Annual Report)

The retirement board shall, on or before July fifteenth of each year, file with the board of mayor and council of the City of Groton an annual report showing the financial condition of the retirement system as of the end of the last-completed fiscal year, and setting forth such other facts, recommendations and data as may be of value to the members of the retirement system and the City of Groton.

Section 8 – (Change or Discontinuance)

If as a result of the amendment of the Federal Social Security Act or enactment of other federal, state or other legislation, all of the employees eligible under the retirement system, or all of the class or classes thereof determined by conditions pertaining to their employment in the service of the city, become entitled to old age benefits or income, the retirement board may recommend to the city changes in the retirement plan provided by this article. The changes so recommended shall become effective if approved by the City of Groton at a city meeting. The changes so recommended by the retirement board to become effective if approved by the City of Groton at a city meeting may include a provision that services of individuals in positions covered under the retirement plan need not be excluded in determining coverage under the old-age and survivor's insurance system under title II of the Social Security Act, as amended, as defined in House Bill number 2031 of the 1955 general assembly entitled, "An Act enabling municipalities to participate in the Federal Social Security

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System.” Such changes shall not affect the retirement income benefits already provided for employees who have reached their normal retirement date on the effective date of such change, or to be provided for other employees by the contributions made by the employees and the regular contributions made by the city prior to the effective date of such change. The retirement system may be discontinued by the City of Groton by adoption of an appropriate resolution at two city meetings held at least one year, and not more than two years, apart. Such discontinuance shall not affect those employees who at the date of the second city meeting had already retired or reached their normal retirement date. The rights of employees who have not retired or reached their normal retirement date shall be as provided by section 4 hereof.

ARTICLE XII (EFFECTIVE DATE PRIOR CHARTER NULL AND VOID)

This charter shall become effective on May 4, 1987 and render previous charters null and void.

ATTEST:

**James Carlson
City Clerk**