

Chapter V. Offices and Departments

Sec. 5.1 Corporation Counsel.

- (a) The Mayor shall appoint, and may remove, a Corporation Counsel, who shall be an attorney of at least five years practice in the State of Connecticut.
- (b) The Corporation Counsel shall appear for and protect the rights of the town in all actions, suits or proceedings brought by or against it or any of its departments, officers, agencies, boards or commissions. The Corporation Counsel shall be the legal advisor of the Town Council, the Mayor, and all town officers, boards and commissions in all matters affecting the town and shall upon written request furnish them with a written opinion on any question of law involving their respective powers and duties.
- (c) When a board or commission requests an opinion, the Corporation Counsel shall prepare a written opinion stating his or her best advice as to the legality, efficacy or validity of the actions or positions proposed by the board or commission requesting the opinion. In a final paragraph of the written opinion, the Corporation Counsel shall indicate whether the conclusion follows with substantial certainty from the applicable law or whether it simply represents his or her best judgment as to applicable law and that there is some degree of uncertainty in determining what a court will ultimately decide. In all cases where the Corporation Counsel has indicated in his or her written opinion that the conclusion follows with substantial certainty from applicable law, such written opinion will be binding upon the board or commission which requests such opinion. This subsection does not apply to opinions requested by the Town Council.
- (d) Upon request the Corporation Counsel shall prepare or approve forms of contract or other instruments to which the town is a party or in which it has an interest.
- (e) The Corporation Counsel shall have power to appeal from orders, decisions and judgments and, subject to approval of the Council, to compromise or settle any claims by or against the town. The Corporation Counsel shall have such other powers and duties as may be prescribed by the Town Council.
- (f) If in special circumstances or for any investigation under Chapter III, Section 7 the Council deems it advisable, it, by resolution, may provide for the temporary employment of counsel other than the Corporation Counsel.
- (g) The Corporation Counsel shall appoint, and may remove, such part time assistant Corporation Counsels and temporary employees as he or she deems necessary. In addition, there shall be a full time Assistant Corporation Counsel who shall be a member of the classified service and subject to all of the provisions of Chapter VII of this Charter.

Sec. 5.2 Town Clerk.

The Mayor shall appoint, and may remove, a Town Clerk, who shall have all powers and duties conferred or imposed by law on town clerks, who may act as Clerk of the Town Council if selected, and who shall have such other powers and duties as are prescribed in this Charter or by the Council. The Town Clerk shall appoint and remove, subject to such rules and regulations as may be adopted pursuant to the merit provisions of Chapter VII of this Charter all deputies, assistants or employees in the office. The Town Clerk shall receive a compensation fixed by the

Council and all fees collected by the office shall be paid into the town treasury. The Town Clerk may, at his or her option, become a contributing member of the town retirement system.

Sec. 5.3 Town Treasurer.

The Town Treasurer shall be Treasurer of town funds and school funds, and shall countersign all checks. He or she shall be responsible for the issuance of bonds authorized by the town, the payment of interest and principal obligations on debt of the town, the borrowing of money in anticipation of taxes, or other issuance of temporary notes, and all duties imposed by the General Statutes on the Treasurer of the town. The Town Treasurer shall also be agent of the town deposit fund. The Treasurer may at his or her option become a contributing member of the town retirement system.

Sec. 5.4 Administrative Departments.

There shall be the following administrative departments: a Department of Finance, a Human Resources Department, a Department of Development, a Treasury Department, a Police Department, a Fire Department, a Public Works Department, a Department of Parks and Recreation, a Department of Inspections and Permits, a Department of Health and Social Services, a Department of Youth Services, and a Department of Libraries. Such departments shall, except as otherwise provided in this Charter, have the powers and duties prescribed by law and by ordinance or by resolution of said Council.

Sec. 5.5 Department of Finance.

(a) The Department of Finance shall be responsible for the keeping of accounts and financial records, the assessment and collection of taxes, special assessments and other revenues, the control over expenditures and such other powers and duties as may be required by ordinance or resolution of the Town Council.

(b) The department shall in addition have responsibility for developing applications of electronic data processing to town financial and operating information, for the planning and placement of insurance of the town's risks, and for the administration, including further planning, of the town retirement system.

(c) Accounts shall be kept by the Department of Finance showing the financial transactions for all departments and agencies of the town. Forms for such accounts shall be prescribed by the Director of Finance with the approval of the Mayor. Financial reports shall be prepared for each quarter and for each fiscal year and for such other periods as may be required by the Mayor.

Sec. 5.6 Director of Finance.

(a) Except as provided in Chapter IV, Section 3 of this Charter, the Mayor 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 town. The Director of Finance shall exercise his or her powers and discharge his or her duties under the supervision of the Mayor. The Director of Finance shall appoint and may remove, subject to such rules and regulations as may be adopted pursuant to the merit system provisions of Chapter VII of this Charter, a Tax Collector, an Assessor, a Purchasing Agent, and all other employees of the Department of Finance. Subject to the approval of the Mayor, the Director of Finance may perform the duties of any office under his or her supervision and may consolidate one or more such offices under one person.

(b) The Tax Collector and the Assessor shall have the powers and duties imposed by law on such officers, and shall have such other powers and duties as the Council may prescribe.

(c) The Purchasing Agent of the town shall purchase all supplies, materials, equipment and other commodities required by any department, agency, board or commission of the town except the Board of Education, libraries and the Probate Court, on requisitions signed by the head of the department, office or agency or Chairman of the board or commission or responsible representative appointed by him or her. Nothing herein contained shall be construed to prevent the town Purchasing Agent from serving as Purchasing Agent for the Board of Education, libraries or the Probate Court upon the request of the Board of Education, a Judge of such Court or the Director of Libraries. Purchases shall be made under such rules and regulations as may be established by the Council, provided, 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 above the threshold limit established by the Town Council by ordinance, the Purchasing Agent, unless it shall be determined by the Council to be against the best interests of the town, shall invite sealed bids or proposals, giving ten days public notice thereof by publication at least once in a newspaper having circulation in the town and shall award the purchase or contract to the lowest bidder thereon, or may reject all such bids or proposals. All such sealed bids or proposals shall be opened publicly.

Sec. 5.7 Director of Human Resources.

The Mayor shall appoint and may remove the Human Resources Director. The Director shall have responsibility for administering the merit system provided for in this Charter, he or she shall initiate programs for the recruitment of the best available persons to fill vacant positions in the town service, for continued training and evaluation of the employees and officers, for employee relations generally, for assistance to department heads and the Mayor in dealing with organized employees, and for interpreting to the employees and potential employees the opportunities and terms of employment with the Town of East Hartford. The Director shall have a general responsibility for making employment with the town attractive to able people, productive and efficient, equitable in its relationships, fair in its opportunities, and personally satisfying. The Director shall, for these objectives, develop and propose to the Mayor, the Council, or both, from time to time changes in personnel policies. In addition to these duties and those following from Chapter VII, he or she may be assigned additional tasks by the Mayor or the Council. The Director shall appoint and remove subject to such rules and regulations as may be adopted pursuant to the merit provisions of Chapter VII of this Charter all assistants or employees in the office. The Director shall exercise his or her powers and discharge his or her duties under the supervision of the Mayor.

Sec. 5.8 Department of Public Works.

The Department of Public Works shall have supervision and control of the maintenance of all town owned structures, except such structures as are under the control of the Board of Education, the planning, surveying, constructing and reconstructing, altering, paving, repairing, maintaining, cleaning, lighting and inspecting of highways, sidewalks and curbs, flood control, public and private storm drains, and other public improvements, town buildings, and the preservation, care and removal of trees within highways or public places, all engineering work of the town and the collection and disposal of garbage, rubbish and ash, provided that the inspection of sidewalks shall be a function of the Department of Inspections and Permits, and shall have such other powers and duties as the Town Council may prescribe. Any provision of this section to the contrary notwithstanding, the Department of Public Works may maintain and care for school buildings and grounds, but only if and to the extent and for the period requested by the Board of Education and approved by the Council, provided the costs are charged against the Board of Education's appropriations

Sec. 5.9 Director of Public Works.

Except as provided in Chapter IV, Section 3 of this Charter, the Mayor 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 Chapter VII of this Charter, shall appoint and may remove such deputies, assistants and employees as he or she may deem necessary and shall prescribe their duties. The Director of Public Works shall exercise his or her powers and discharge his or her duties under the supervision of the Mayor. He or she shall organize the work of the department in such manner as he or she shall deem most economical and efficient. The Director of Public Works shall be the Tree Warden, and shall have all the powers and duties thereof as provided in the General Statutes, as amended.

Sec. 5.10 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 town and all rules and regulations made in accordance therewith. All members of the department 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.

Sec. 5.11 Chief of Police.

(a) Except as provided in Chapter IV, Section 3 of this Charter, the Mayor shall appoint and may remove subject to the provisions of the General Statutes, as amended, a Chief of Police who shall appoint and may remove, subject to such rules and regulations, as may be adopted pursuant to the merit system provisions of Chapter VII of this Charter, all other officers and employees of the Police Department including a Dog Warden whose powers and duties shall be as provided in the General Statutes, as amended. The Chief shall exercise his or her powers and discharge his or her duties under the supervision of the Mayor.

(b) The Chief of Police shall assign all members of the department to their respective posts, shifts,

details, and duties. He or she shall make rules and regulations concerning the operation of the department and the conduct of all officers and employees thereof. He or she 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.

Sec. 5.12 Fire Department.

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

Sec. 5.13 Fire Chief.

(a) Except as provided in Chapter IV, Section 3 of this Charter, the Mayor shall appoint and may remove subject to the General Statutes, as amended, a Fire Chief who shall appoint and may remove, subject to such rules and regulations as may be adopted pursuant to the merit system provisions of Chapter VII of this Charter, all other officers and employees of the Fire Department as may be necessary. The Chief shall exercise his or her powers and discharge his or her duties under the supervision of the Mayor.

(b) The Chief shall assign all members of the department to their respective posts, shifts, details and duties. The Chief shall make rules and regulations concerning the operation of the department and the conduct of all officers and employees thereof. The Chief 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.

(c) The Mayor shall appoint and may remove subject to the rules and regulations adopted pursuant to the merit system provision of this Chapter VII of this Charter, the Fire Marshal in accord with this Charter. The Fire Chief shall assign the Fire Marshal his or her respective posts, shifts, details and duties. The Fire Department shall have responsibility for the fire inspections and shall cooperate with the Zoning Enforcement Officer and the Department of Health and Social Services in the enforcement of the housing and fire codes.

Sec. 5.14 Department of Development.

The Mayor shall appoint and may remove the Director of Development. The Director of Development shall coordinate insofar as possible the planning and zoning activities, the renewal activities, and the capital planning activities of the town with the view of conserving desirable existing values and achieving economically, socially, and aesthetically desirable development in the town. It shall be a special duty to be aware of development opportunities arising from federal and state programs and to propose programs for the use of these opportunities in East Hartford. It shall be a further task to assemble and convey to representatives of business, industry, and land development interests information for their East Hartford development decisions. The Director shall appoint and may remove, subject to such rules and regulations as may be adopted pursuant to the merit system provisions of Chapter VII of this Charter, such assistants and employees as may be necessary. He or she shall exercise his powers and discharge his or her duties under the

supervision of the Mayor.

Sec. 5.15 Planning and Zoning Commission.

Upon the adoption of an appropriate ordinance, there shall be a combined Planning and Zoning Commission and the present separate commissions for these purposes shall be terminated.

Sec. 5.16 Department of Health and Social Services.

The Department of Health and Social Services shall be responsible for the administration of the public health and social service programs of the town. The Director of Health shall be the Director of Health and Social Services. The Mayor shall appoint and may remove the Director of Health in accordance with state law. The Director of Health and Social Services shall have all the powers and duties relating to the poor and defective and dependent persons vested by law in the selectmen of towns and shall also be director of public assistance. Further, the Director 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 council may prescribe. Subject to the General Statutes and in accordance with the merit system provided under Chapter VII of this charter, the Director may appoint and may remove assistants and employees.

Sec. 5.17 Director of Libraries.

(a) The Director of Libraries shall administer and coordinate the affairs of town libraries under the general supervision of the Mayor. Upon the vacancy of the Director of Libraries by the person serving in such position on July 1, 2004, and whenever thereafter there is a vacancy in such position, the Mayor shall appoint and may remove the Director. He or she shall be responsible for the development of library resources and library services to the town. He or she shall appoint and may remove, in accord with this Charter, assistants, librarians and other employees in the town libraries.

(b) The Town Council may, by ordinance, create or abolish a Library Board. The Board shall have the powers as established by ordinance and as set forth herein.

(c) The library board shall from time to time confer with the Director of Libraries with respect to: the use of the town's public library facilities; the Director of Libraries' annual proposed budget for library services; the selection and acquisition of materials; the development, implementation and alteration of programs; and capital planning. The Library Board shall confer with the Director of Libraries with respect to the acquisition and selection of library materials and composition of collections.

(d) The Library Board and Director of Libraries shall collaborate on the proposed annual budget prior to submitting to the Mayor and shall have input to the evaluation of the facility, its services and the director position and shall prepare an annual report on the state of the libraries.

Sec. 5.18 Department of Parks and Recreation.

The Department of Parks and Recreation shall have custody over and develop and maintain the parks, playgrounds, and other recreation facilities of the town and shall develop and provide the recreation programs and services deemed needed in the town, and shall have such other powers and duties as the Town Council may prescribe.

Sec. 5.19 Director of Parks and Recreation.

The Mayor shall appoint and may remove a Director of Parks and Recreation 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 Chapter VII of this Charter, shall appoint and may remove such deputies, assistants, and employees as may be deemed necessary and shall prescribe their duties. He or she shall exercise his powers and discharge his or her duties under the supervision of the Mayor. The Director shall organize the work of the department in such manner as he or she shall deem most economical and efficient.

Sec. 5.20 Department of Inspections and Permits.

The Department of Inspections and Permits shall have responsibility for the enforcement of all state and local laws, codes, regulations, and ordinances governing land use, the construction, alteration, or repair of, or the making of additions to, buildings or other structures, and for the enforcement of the subdivision regulations, making the necessary inspections and, upon compliance, issuing the appropriate permits. The head of the department, or a duly appointed designee, shall be the Zoning Enforcement Officer. The department shall have responsibility for the sidewalk inspections performed by the town. The department shall cooperate with the Planning and Zoning Commission and the Director of Development and shall have responsibility for proposing improvements in the codes and ordinances it enforces and in the methods of enforcement. The department shall have such other responsibilities as the Council may prescribe.

Sec. 5.21 Director of Inspections and Permits.

The Mayor shall appoint and may remove the Director of Inspections and Permits. The Director of the department shall be responsible for the efficiency, discipline, and good conduct of the department and shall exercise his or her powers and discharge his or her duties under the supervision of the Mayor. The Director shall appoint and may remove in accord with this Charter such deputies, assistants and employees as may be deemed necessary and shall prescribe their duties. The Director may call on law enforcement officers, prosecutors and the Corporation Counsel for assistance in enforcement of the laws and regulations under his or her charge.

Sec. 5.22 Department of Youth Services.

(a) The Department of Youth Services shall be responsible for informing, educating and counseling the youth of East Hartford with regard to social issues. The Department shall also coordinate all activities of the various Town Departments involving youth activities and problems and train department personnel in handling youth problems.

(b) Director of Youth Services. The Mayor shall appoint and may remove the Director of Youth Services. The Director of Youth Services shall administer the office and coordinate youth services under the supervision of the Mayor. The Director shall appoint and may remove, in accord with this Charter, employees of the Department.

Sec. 5.23 Board of Zoning Appeals.

There shall be a Zoning Board of Appeals with the members and alternates appointed by the Mayor, with the consent of Council, in accord with the General Statutes and ordinances of the town. It shall have the powers, duties and responsibilities prescribed by the statutes and ordinances.

Sec. 5.24 Official Bonds.

The Mayor, Town Clerk, Director of Finance, and agent of the town deposit fund, Tax Collector, Director of Public Works, Director of Inspections and Permits, and such other officers and employees as may be required to do so by the Council shall, before entering on their respective official duties, execute to the town, in the form prescribed by the Council and approved by the Corporation Counsel, and file with the Town Clerk, a surety company bond in a penal sum to be fixed by the Council, conditioned upon honesty and/or the faithful performance of such official duties. Nothing herein shall be construed to prevent the Council, if it deems it to be in the best interests of the town, from prescribing a name schedule bond, schedule position bond or blanket bond, or from prescribing which departments, offices, agencies, boards or commissions shall be covered by a specific type of the aforementioned bonds. Premiums for such bonds shall be paid by the town.

Sec. 5.25 Salaries.

Salaries of all directors and other officers and all employees in the classified service of the town shall be determined by the Council, in conformity, with a systematic pay plan for the position involved, upon recommendation of the Mayor, provided nothing herein shall be construed to limit the power of the Board of Education to fix the compensation of employees of the school system.

Sec. 5.26 Political Activity.

No person holding a full time appointed position in the nonclassified service of the town shall be required to make any contribution to the campaign funds of any political party or candidate for public office nor shall he or she be required to take any part in the management, affairs or campaign of any political party.