

Chapter IX. Transition and Miscellaneous Provisions

Sec. 9.1 Transfer of Powers.

(a) The powers which are conferred and the duties which are imposed upon any commission, board, department or office under the General Statutes or any ordinance or regulation in force at the time this Charter shall take effect, if such commission, board, department or office is abolished by this Charter, shall be thereafter exercised and discharged by the commission, board, department or office upon which are imposed corresponding or like functions, powers, and duties under the provisions of this Charter.

(b) All commissions, boards, departments or offices abolished by this Charter, whether elective or appointive shall continue in the performance of their duties until provision shall have been made for the discontinuance of such commissions, boards, departments or offices and the performance of their duties by other commissions, boards, departments or offices created under this Charter and until the town shall have notified the members of such commissions, boards, departments or offices as are abolished by this Charter that their successors have been qualified.

(c) All appointive powers now or hereafter conferred by the General Statutes upon Boards of Selectmen shall be exercised by the Town Council unless otherwise specifically provided in this Charter. The powers of the Board of Selectmen in the Town of East Hartford, shall hereafter be limited to those set forth in the Constitution of the State of Connecticut, as amended.

Sec 9.2 Present Employees to Retain Positions.

All persons holding permanent positions in the service of the town on the effective date of this Charter (April 2, 1968), whose positions are included in the classified service by the terms of this Charter, shall immediately become members of the classified service and retain such positions until promoted, transferred, reduced in rank, or removed in accordance with the provisions of this Charter. All other employees of the town on the effective date of this Charter (April 2, 1968), whose positions are not abolished by the provisions of this Charter, shall retain such positions pending action by the Town Council or the appropriate officer charged by this Charter with powers of appointment and removal. Any provisions of law in force at the time this Charter shall take effect, and not inconsistent with the provisions of this Charter, in relation to personnel, appointment, ranks, grades, tenure or office, promotions, removal, pension and retirement rights, civil rights or any other rights and privileges of employees of the town, or any office, department or agency thereof shall continue in effect, until or unless amended or repealed in accordance with the provisions of this Charter.

Sec. 9.3 Conflict of Interests.

The Town Council shall adopt a conflict of interest ordinance regarding activities of any elected or appointed official or any employee of the town within the classified service as outlined in Chapter VII of this Charter with appurtenant penalties for the violation thereof.

Sec. 9.4 Transfer of Records and Property.

All records, property and equipment whatsoever of any commission, board, department or office or part thereof, all the powers and duties of which are assigned to any other commission, board, department or office by this Charter, shall be transferred and delivered intact to the commission, board, department or office to which such powers and duties are so assigned. If part of the powers and duties of any commission, board, department or office or part thereof are by this Charter assigned to another commission, board, department or office, all records, property and equipment relating exclusively thereto shall be transferred and delivered intact to the commission, board, department or office to which such powers and duties are so assigned.

Sec. 9.5 Legal Proceedings.

No action or proceeding, civil or criminal, pending on the effective date of this Charter (April 2, 1968) brought by or against the town or any commission, board, department or office thereof, shall be affected or abated by the adoption of this Charter or by anything herein contained; but all such actions or proceedings may be continued notwithstanding that functions, powers and duties of any commission, board, department or office party thereto may, by or under this charter, be assigned or transferred to another commission, board, department or office, but in that event the same may be prosecuted or defended by the head of the commission, board, department or office to which such functions, powers and duties have been assigned or transferred by or under this Charter.

Sec. 9.6 Existing Laws and Ordinances.

(a) All general laws of the State of Connecticut applicable to the town and all ordinances of the town shall continue in full force and effect, except insofar as they are inconsistent with the provisions of this Charter.

(b) Upon the adoption of this Charter all provisions of special acts relating to East Hartford and now in effect which are in conflict with this Charter shall cease to apply and all provisions of such acts not in conflict with this Charter shall continue in effect.

Sec. 9.7 Amendment of Charter.

This Charter may be amended in the manner prescribed by law.

Sec. 9.8 Saving Clause.

If any section or part of any section of this Charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this Charter nor the context in which said section or part thereof so held invalid may appear, except to the extent that an entire section or part of a section may be inseparably connected in meaning and effect with the section or part of a section to which such holding shall directly apply.

Sec. 9.9 Effective Date.

The Charter will be in effect from the date of adoption for purposes of conducting a special election and shall be fully effective on April 2, 1968.

Sec. 9.10 Provisions for Special Election.

A meeting of the electors of the Town of East Hartford for the election to municipal offices shall be held on April 2, 1968. At such meeting there shall be elected a Mayor, Treasurer, and nine members of the Town Council of whom not more than six may be of the same political party, three Selectmen and seven Constables. They shall take office from the date of election, and the aforesaid persons shall hold office until their successors qualify.