

BOROUGH OF NAUGATUCK
CHARTER REVISION COMMISSION
FINAL DRAFT REPORT

The following Report constitutes the Final Draft Report of the Charter Revision Commission (“CRC”) of the Borough of Naugatuck and which is hereby submitted to the Board of Mayor and Burgesses of the Borough of Naugatuck in accordance with the provisions of the Connecticut General Statutes pertaining to Charter Revision by a political sub-division of the State of Connecticut. This Report contains definitive recommendations on the matters addressed by the CRC as well as revisionary/amendatory language.

PREFATORY NOTE #1: This Report is submitted subsequent to the appointing authority (Board of Mayor and Burgesses of the Borough of Naugatuck) making recommendations to the CRC concerning its Draft Report.

PREFATORY NOTE #2: In the proposed amendatory charter language set forth under the headings below ADDITIONS are in BOLD and DELETIONS are bracketed and in italics.

PROPOSED REVISIONS TO CHARTER:

I. FORM OF GOVERNMENT:

Issues presented and any proposals under this heading have been withdrawn by vote of the CRC.

II. CHANGE IN DATE OF MUNICIPAL ELECTION:

The CRC recommends that the date of the Municipal Election be moved from the first Monday of May in odd numbered years to the first Tuesday after the first Monday of November in odd numbered years.

The amendatory charter language for such recommendation is set forth below:

[Section 6.1. - Biennial meetings for election of officers.]

A meeting for the election of officers of the town and borough of Naugatuck shall be held on the first [*Monday of May, 1937*], **Tuesday after the first Monday of November, 2013**, and biennially thereafter, **except for the Office of Mayor**. The polls in each ward shall be open from six o'clock in the forenoon to eight o'clock in the evening on the day of each biennial meeting, and at special elections during the same hours unless otherwise provided by law. At the town and borough election of the town and borough of Naugatuck to be held on the first [*Monday of May of 1995*] **Tuesday after the first Monday of November, 2013**, and biennially thereafter, there shall be elected [*a mayor*], nine burgesses, [*a town clerk, three selectmen,*] a treasurer, eight bailiffs and a collector of taxes and other officers for whose election no special provision is made in the Charter of said town and borough, each of who[m] shall hold office for two years from the date of **the certification of the results of the election**. [*his election, except the mayor whose term of office shall be from the last Wednesday in May of 1995 at 8:00 p.m. through the third Monday in May of 1997 at 8:00 p.m.*] **A meeting for the election of the Mayor of the town and borough of Naugatuck shall be held on the first Tuesday after the first Monday of November, 2013, and quadrennially thereafter**. The polls in each ward shall be open from six o'clock in the forenoon to eight o'clock in the evening on the day of each **quadrennial** meeting, and at special elections during the same hours unless otherwise provided by law. At the town and borough election of the town and borough of Naugatuck to be held on the first [*Monday of May of 1995*] **Tuesday after the first Monday of November, 2013**, and **quadrennially thereafter, there shall be elected a mayor whose term of office shall be for four years from the first day of December of 2013 at 12:00 noon**. Burgesses shall be elected on an at-

large basis without regard for ward boundaries. No town committee, caucus or party convention shall endorse and certify to the town clerk, and no primary shall choose, and no nominating petition filed in accordance with the Connecticut General Statutes shall nominate, more than six candidates for the office of burgess. Each elector shall be entitled to vote for six burgess candidates with the nine candidates receiving the highest number of votes declared as being elected. The burgess receiving the highest number of votes in any municipal election shall be designated as the "Deputy Mayor" and the burgess receiving the next highest number of votes shall be designated as the "Second Deputy Mayor." If any burgesses receive an equal number of votes, the aforementioned offices shall be filled by vote of the board of mayor and burgesses, with only those burgesses tied for the highest number of votes eligible for election by said board, to both the office of "Deputy Mayor" and "Second Deputy Mayor."

III. CHANGE OF TERM OF OFFICE OF THE MAYOR:

The CRC recommends that the term of office for the Office of Mayor be extended from two (2) to four (4) years.

The amendatory charter language for such recommendation is set forth below:

NOTE: The following amendatory language is the same language set forth immediately above for the section of this Report pertaining to the proposal to change the date of the Municipal Election. The entirety of said language is set forth herein for ease of reference purposes, understanding and continuity.

[Section 6.1. - Biennial meetings for election of officers.]

A meeting for the election of officers of the town and borough of Naugatuck shall be held on the first [*Monday of May, 1937*], **Tuesday after the first Monday of November, 2013**, and biennially thereafter, **except for the Office of Mayor**. The polls in each ward shall be open from six o'clock in the forenoon to eight o'clock in the evening on the day of each biennial meeting, and at special elections during the same hours unless otherwise provided by law. At the town and borough election of the town and borough of Naugatuck to be held on the first [*Monday of May of 1995*] **Tuesday after the first Monday of November, 2013**, and biennially thereafter, there shall be elected [*a mayor*], nine burgesses, [*a town clerk, three selectmen,*] a treasurer, eight bailiffs and a collector of taxes and other officers for whose election no special provision is made in the Charter of said town and borough, each of who[m] shall hold office for two years from the date of **the certification of the results of the election**. [*his election, except the mayor whose term of office shall be from the last Wednesday in May of 1995 at 8:00 p.m. through the third Monday in May of 1997 at 8:00 p.m.*] **A meeting for the election of the Mayor of the town and borough of Naugatuck shall be held on the first Tuesday after the first Monday of November, 2013, and quadrennially thereafter.** The polls in each ward shall be open from six o'clock in the forenoon to eight o'clock in the evening on the day of each **quadrennial** meeting, and at

special elections during the same hours unless otherwise provided by law. At the town and borough election of the town and borough of Naugatuck to be held on the first [*Monday of May of 1995*] **Tuesday after the first Monday of November, 2013 , and quadrennially thereafter, there shall be elected a mayor whose term of office shall be for four years from the first day of December of 2013 at 12:00 noon.** Burgesses shall be elected on an at-large basis without regard for ward boundaries. No town committee, caucus or party convention shall endorse and certify to the town clerk, and no primary shall choose, and no nominating petition filed in accordance with the Connecticut General Statutes shall nominate, more than six candidates for the office of burgess. Each elector shall be entitled to vote for six burgess candidates with the nine candidates receiving the highest number of votes declared as being elected. The burgess receiving the highest number of votes in any municipal election shall be designated as the "Deputy Mayor" and the burgess receiving the next highest number of votes shall be designated as the "Second Deputy Mayor." If any burgesses receive an equal number of votes, the aforementioned offices shall be filled by vote of the board of mayor and burgesses, with only those burgesses tied for the highest number of votes eligible for election by said board, to both the office of "Deputy Mayor" and "Second Deputy Mayor."

IV. BUDGET REFERENDUM PROCESS:

The CRC recommends that in order for referenda to be held on the budget, which referenda is held subsequent to the initial referendum on the budget, that such referenda be subject to the securing of a petition signed by at least four (4%) percent of the of the electors registered on the last completed registry list.

The amendatory charter language for such recommendation is set forth below:

NOTE: The entirety of the language contained in SECTION 14 OF ARTICLE VI – SPECIAL ACTS 1953, ACT NO. 159-DEPARTMENT OF FINANCE is set forth herein for ease of reference purposes, understanding and continuity.

Section 14 Not later than fifteen days before the end of the fiscal year, the board of finance and the board of mayor and burgesses, meeting jointly, shall hold a public hearing on the budget as recommended by said boards. At least five days prior to said public hearing, the board of finance shall cause to be published, in a newspaper having circulation in the borough, a summary of the budget showing anticipated revenues by major sources, proposed expenditures by functions or departments and the amount to be raised by taxation, and shall give notice of the time and place of such public hearing. Not later than five days following said public hearing, the budget shall be adopted at a joint meeting of the board of finance and the board of mayor

and burgesses, and an official copy shall be filed with the controller. The board of mayor and burgesses shall immediately determine and set the amount of the tax rate and the date or dates when the taxes shall become due and payable.

Within fourteen (14) days of adoption of the budget, a petition requesting that such budget be put to a vote of the electors may be filed with the borough clerk. Petition forms shall be made available to the public by the borough clerk beginning on the day following the joint meeting of the Board of Mayor and Burgesses and Board of Finance at which the budget is voted upon for purposes of presentation at the public hearing as provided for herein. Any such petition shall specify whether such vote of electors is being sought for the town operating budget or for the board of education budget and shall specify whether such vote is being sought because the level of expenditures in said budgets is too high or too low. Said petition shall conform with the requirements of the general statutes, except as provided herein.

In the case of a petition seeking a vote of the electors on the Town Operating Budget, such petition shall contain the following wording: "We, the undersigned, being electors of the Town and Borough of Naugatuck, Connecticut, do hereby petition that the Town Operating Budget (the non-board of education budget) of the Borough of Naugatuck for the (specify budget year) fiscal year, be put to a vote of the electors because such budget is (specify: too high/too low)."

In the case of a petition seeking a vote of the electors on the Board of Education Budget, such petition shall contain the following wording: "We, the undersigned, being electors of the Town and Borough of Naugatuck, do hereby petition that the Board of Education Budget of the Borough of Naugatuck for the (specify budget year) fiscal year, be put to a vote of the electors because such Board of Education Budget is (specify: too high/too low)."

At the end of each page of signatures for said petition the following language shall appear: "I, the Circulator of this petition page, do hereby attest and state under penalties of False Statement that my name is (insert name), my address is (insert address) and that each person whose name appears on this page has signed the same in my presence and I either know each said signer or that said signer has satisfactorily identified himself or herself to me and that all of the signatures on this page were obtained not sooner than sixty (60) days prior to the filing of this petition. Dated at Naugatuck, Connecticut this (insert date). (Signature of Circulator)."

Each petition shall be signed in ink by a number of qualified electors equal in number to at least eight (8) percent of the electors registered on the last completed registry list. Upon the filing of any petition signature page, the borough clerk shall forthwith certify on each such page the number of signers thereon who are on the last completed voter registry list. Any page which does not contain the statements and certifications hereinbefore required, or which is determined by the borough clerk to have been circulated in violation of any other provision of this section or any relevant section of the Connecticut General Statutes relating to circulation of petitions, shall be rejected by such clerk. If within the specified filing period, a petition for a vote of the electors is found to contain a number of signatures equal to eight percent of the electors registered on the last completed registry list, the borough clerk shall forthwith certify said petition to the board of mayor and burgesses. **Any subsequent petition shall be signed in ink by a number of qualified electors equal in**

number to at least four (4) percent of the electors registered on the last completed registry list.

Nothing herein shall prohibit the simultaneous circulation of petitions for a vote of the electors on both the town operating budget and board of education budget and if both such petitions are circulated and contain the requisite number of signatures, there shall be two questions presented at the vote of the electors, one on the acceptance or rejection of the town operating budget and one on the acceptance or rejection of the board of education budget.

Within five (5) days after certification of such petition, by the borough clerk, the board of mayor and burgesses shall meet to set a date for such referendum and the budget shall be submitted to the electors at a referendum called by the board of mayor and burgesses to be held on any day of the week other than a Sunday or legal holiday, not earlier than twenty-two (22) days nor later than twenty-eight (28) days from the date of the meeting held by the board of mayor and burgesses calling the referendum.

The question(s) to be voted on at such referendum, whether for the town operating budget or board of education budget or both as the case may be, shall be determined by the petition(s) certified to by the borough clerk. The question(s) shall be presented on the ballot as follows:

"Shall the Town Operating Budget of (dollar amount) for the Borough of Naugatuck for the fiscal year (specify year) be adopted?"

Shall the Board of Education Budget of (dollar amount) for the Borough of Naugatuck for the fiscal year (specify year) be adopted?"

The voters shall be given the option to vote either "yes" or "no" on such question(s). At least fifteen (15) percent of the qualified electors shall have to vote to make the referendum effective. If less than fifteen (15) percent vote, the budget shall be deemed adopted. If at least fifteen (15) percent of the electors vote, and the majority votes to accept, the budget is approved. If at least fifteen (15) percent of the electors vote, and the total votes to reject exceeds the votes to accept, the budget shall be deemed rejected. If rejected, the board of finance and the board of mayor and burgesses shall present a revised budget at a public hearing, and adopt a revised budget within fourteen (14) days from the date of the referendum in which the budget was rejected. If necessary a total of three (3)[*referendums*] **referenda** may be held.

In the event of a referendum on the operating budget, the electors shall vote for any one of the three (3) following choices:

I accept the budget.

I reject the budget because it is too high.

I reject the budget because it is too low.

At least seven (7) days prior to a referendum, a summary of the total budget, broken down by proposed departmental appropriations shall be published in a newspaper having a general circulation in said town and borough.

V. MUNICIPAL OFFICE CHANGES:

The CRC recommends that the Office of the Town Clerk be changed from an elective position to an appointed position subject to the hiring process of the local government and that the Office of Assistant Town Clerk be appointed by the Board of Mayor and Burgesses.

The amendatory charter language for these recommendations is set forth below:

[Section 3.14. - Town clerk.]

The town clerk of said town **shall be appointed by the Board of Mayor and Burgesses in accordance with the standards established for the hiring of Borough officials , as established by said Board, as may be amended from time to time.** An assistant town clerk **may be appointed by the Board of Mayor and Burgesses in accordance with the standards established for the hiring of Borough officials, as established by said Board, as may be amended from time to time.** *[may, with the approval of the mayor and burgesses of said borough, appoint an assistant town clerk, and]* Said town clerk, ex officio, [shall] be the registrar of births, marriages and deaths of said town, and the assistant town clerk shall, ex officio, be the assistant registrar of births, marriages and deaths of said town. The office of town clerk and borough clerk shall not be held by the same person. *[, and the town clerk of said town shall hold his office for the term of two years from the first Monday of January next succeeding his election, and until his successor shall be elected and qualified.]*

In addition to the above change pertaining to the Office of Town Clerk the CRC recommends that certain unnecessary municipal offices be eliminated. Specifically, the CRC urges elimination of the following offices: Jurors, Board of Public Charities, Selectmen and the Board of Relief.

The CRC has made these recommendations because these offices are essentially nonexistent, have not had any members or any meetings in

years, perform no functions and/or have had their respective tasks and responsibilities assumed by another agency or agencies.

The amendatory charter language effectuating these recommendations is set forth below:

[Section 3.11. - Jurors.]

[The mayor and burgesses of said borough shall annually, on the first Tuesday of June, choose by ballot from the electors of said borough eighteen persons esteemed in the community as men of good character, approved integrity, sound judgment, and fair education, to serve as jurors from such town in the superior court, the court of common pleas of New Haven county, and the district court of Waterbury, and in trials before justices of the peace in said town, and in the borough court of said borough, for one year from the first day of the following September.

The mayor of said borough shall, on or before the first day of July in each year, send a list of the persons so chosen to the clerk of the superior court in New Haven county.

A certificate of the form provided by the chief justice of the supreme court of errors, and prepared and sent to the mayor of said borough by the clerk of the superior court, and signed by the mayor, shall be affixed to said list. All warrants summoning jurors from said town may thereafter be directed to the sheriff of said county, or his deputy, or either bailiff of the borough of Naugatuck.]

[Section 3.12. - Board of public charities.]

[There shall be in said borough a board of public charities, composed of six electors of said borough, who shall serve without compensation, two of whom shall be from each ward and shall be of different political parties and shall be appointed by the mayor, with the advice and consent of the burgesses, and whenever a vacancy shall occur in said board it shall be filled for the unexpired term in the manner provided aforesaid for the appointment of members. Annually in May two members of said board shall be appointed, as aforesaid, for the term of three years from the first Monday of June next following the date of appointment, and until their successors are appointed and qualified. The mayor and burgesses of said borough may remove any member of said board for cause, but no member shall be removed by said board unless five of the burgesses vote in favor of such removal, and the action of the board upon the removal of such member shall be final. Said board shall have power to appoint a superintendent of the poor, who shall hold office for two years, and until another shall be appointed and qualified in his stead, at such compensation as they shall prescribe, and to employ such other persons as may be necessary for the performance of the duties imposed upon said board. The mayor of said board shall, ex officio, be a member of said board of public charities, but shall have no vote in any of their proceedings, except in case of a tie, but the mayor shall not vote off a tie at the first meeting of said board of public charities when they go into session for the purpose of appointing a superintendent of the poor, and if said board fails to agree on same for a superintendent at said first meeting, the matter shall be laid over until the next meeting of the board, which shall be held within ten days thereafter, and a ballot shall be taken at such meeting before the mayor shall have authority to vote, and if the vote of said board is a tie the mayor may break such a tie by voting at such meeting of said board. The mayor shall preside at all meetings of said board of public charities at which he is present, and at all meetings of said board four members exclusive of the mayor, shall constitute a quorum, and the concurrence of four of them shall be

necessary for the transaction of business, except as herein otherwise provided. The members of said board of public charities, before entering upon the discharge of their duties, shall be sworn to a faithful discharge thereof. Said board of public charities shall have the general superintendence, management and control of the affairs of said borough relative to poor persons, insane persons and imbeciles. They shall be the overseers of the poor, and shall, at the expense of the borough, provide all articles necessary for the subsistence of all paupers, and shall possess all powers vested in, and perform all the duties imposed upon, selectmen relative to the support, control and removal of paupers, to the giving and receiving of notices to and from other towns relative to paupers, to the appointment of conservators, to the appointment of guardians, to the appointment of overseers of spendthrifts, to the confinement of habitual drunkards, dipsomaniacs and persons addicted to the immoderate use of narcotics or stimulants, to the custody of insane convicts, to the confinement of insane persons, to the care of insane paupers and indigent persons, to commitments to and removals from Connecticut Industrial School for Girls, to commitments to and removal from temporary homes for dependent and neglected children, to commitments to and removals from the Connecticut School for Imbeciles, to commitments to and removal from the Connecticut School for Boys, to contracting for the maintenance of insane poor at Hartford, to the burial of paupers, to delivering bodies for dissecting, to the burial of deceased soldiers and sailors, to giving directions to whom money for soldiers' orphans shall be paid, to returning lists of soldiers' orphans to the comptroller, to the visitation and inspection of boarding houses and nurseries for infants, in making returns in regard to deaf, dumb and blind persons, to giving foundlings in adoption, to indenturing apprentices for services, to bastardy proceedings, to forbidding the giving, sale or delivery of intoxicating liquors to persons addicted to the use of such liquors. The powers now vested in the inhabitants of the town of Naugatuck, its justices and selectmen, relative to the admission of persons to settlement therein shall be vested exclusively in said board of public charities. All applications for warrants for the removal of paupers shall be made by said board to the judge or deputy judge of the borough court of said borough, and said warrants shall be directed to and executed by any proper officer, and the lawful fees for the services of the same at the rate allowed for criminal process shall be paid by the town to which said pauper shall belong to said borough; provided nothing herein contained shall effect the validity of any action or notice of the selectmen of any other town relative to paupers. Said board of public charities shall also have the sole control and management of the town hall in said borough, and the clerk of the board of public charities shall be the employed welfare clerk of the welfare department.]

[Section 3.13. - Power of board of charities and committees to compel attendance and testimony of witnesses, etc.]

[The board of charities, and every committee appointed by the board of mayor and burgesses, shall have power to compel the attendance and testimony of witnesses, and commit for contempt in the same manner and to the same extent as the superior court for New Haven county, and to administer oaths by its chairman; and willful and false swearing before it shall continue the crime of perjury, and may be punished as such.]

[Section 3.21. - Three selectmen and town clerk to be chosen.]

[In addition to the officers now provided by law for said borough, there shall be chosen three selectmen and a town clerk, and for said purpose the annual borough meeting shall be the annual town meeting.]

Section 28. - [Board of relief.]

[The mayor and burgesses shall before the 15th day of June, next after the annual meeting of said borough, appoint a board of relief of said borough, consisting of three freemen residing within the limits thereof. Of the members of said board appointed in the year 1895, under this act, one shall be appointed for the term of three years, one for the term of two years, and one for the term of one year, and between the annual meeting of the borough and the fifteenth day of June in each year thereafter they shall appoint one person to act as a member of said board of relief for the term of three years next after the date of his appointment, and until his successor shall be appointed, and qualified: Which board of relief, at the end of fifteen days after the assessment list of said borough is made by said assessors shall have been returned to the clerk of said borough, as aforesaid, shall give notice of the time and place of their meetings as such board of relief, by written or printed notice put on the public signpost in said borough, at least ten days before the date of their said meeting, and at such meeting such board of relief may in all respects fully review the acts of said assessors in relation to said list and correct any error or injustice they may find to have been committed by such assessors, and shall have the same power and authority, and shall proceed in the same manner in relation to the assessments made by said assessors provided for in this Charter as the board of relief of towns have and do by law in relation to the list and assessment of towns, and the doings of assessors of towns, and said board of relief shall be lodged by said board with the clerk of said borough on or before the twenty-third day of February next after the appointment of said board. Nothing herein shall be construed to prevent the appointment of the mayor or any burgess as members of such board of relief.

Vacancies in said board may be filled by said mayor and burgesses for the unexpired term, and not more than two of the members of said board of relief shall, at any one time, be members of the same political party.]

VI. ELIMINATION OF OUTDATED LANGUAGE:

The CRC recommends that certain unnecessary language be eliminated from the Charter. Specifically, the CRC urges elimination of those sections set forth below.

The CRC has made these recommendations because said language is obsolete and ineffective.

The amendatory charter language effectuating these recommendations is set forth below:

Section 22. - [Violation of Charter relative to elections, etc.]

[Any person who shall without reasonable cause neglect to perform any of the duties required of him by the provisions of this Charter relating to elections, or who shall be guilty of fraud in performing them; and any person who shall make any alteration in the voting list herein specified, except as provided herein, and any person in charge of a ballot-box, who shall neglect to receive or deposit, or suffer the voter to deposit any vote duly offered, shall be fined not more than three hundred dollars or imprisoned for not more than one year in the county jail, or both.]

Section 23. - [Fraudulent registration as freeman; penalty.]

[Every person who shall fraudulently procure himself or another to be registered as a freeman on the registry list of said borough, shall be fined not more than five hundred dollars, or imprisoned in the county jail not more than one year, or both.]

Section 24. - [Fraudulent voting; penalty.]

[Every person not legally qualified who shall fraudulently vote, or attempt to vote at or in any freeman's meeting of said borough; and every legally qualified person who shall at such meeting fraudulently put into the ballot-box more than one vote at the same time, for any person for the same office, or upon the same question or matter then pending, or who shall fraudulently vote more than once at the same balloting, shall be fined not more than three hundred dollars, or imprisoned not more than one year in the county jail, or both.]

Section 25. - [Fraudulent abstracting of votes from ballot-box, etc.; penalty.]

[Every person who shall fraudulently abstract any vote from the ballot-box used at any meeting of the freemen of said borough within six months thereafter, or who shall, at such meeting, or within six months thereafter, fraudulently intermingle any vote or votes with the

votes legally deposited in any such box, shall be fined not more than five hundred dollars, and imprisoned not more than two years in the state prison, nor less than six months in the county jail.]

Section 58. - [Prosecutions.]

[All prosecutions for the violation of the penal provisions of this Charter, or of the by-laws of said borough, shall be prosecuted by the prosecuting attorney of the borough court of Naugatuck, as other criminal offenses, except as herein otherwise provided.]

VII. BIDDING PROCESS:

The CRC recommends that the bidding process be revamped to provide a less cumbersome process.

The amendatory charter language effectuating these recommendations is set forth below:

ART. VI – SPEC. ACTS 1953, ACT NO. 159

DEPT. OF FINANCE, SECTION 11

Section 11 The controller, or an employee designated by him and approved by the board of mayor and burgesses shall be the purchasing agent of the borough, and all supplies, materials, equipment, non-professional services and other commodities required by any department, office, agency, board or commission of the borough, including the board of education and probate court, shall be purchased through such agent on requisitions signed by the head of the department, office or agency, or chairman of the board or commission, or a responsible representative designated by such department head or chairman, and approved as to sufficiency of funds by said controller. Purchases shall be made in accordance with the [*following*] bidding procedures and under such regulations as shall be established by the board of mayor and burgesses **through ordinance.**

[Informal bidding procedure/purchases from \$1,000.00 to \$5,000.00. The controller, or his designated agent, shall prepare, adopt and maintain a vendor's catalogue file which file shall be kept current by the publication on an annual basis, of a notice in at least two area newspapers of wide circulation in the Borough of Naugatuck, soliciting vendors to complete a form provided by the controller's office so that they may be considered by such office to provide open market purchases from \$1,000.00 to \$5,000.00 including labor, goods or non-professional services needed by the borough. All open market purchases shall whenever possible be based on at least

three competitive bids and shall be awarded to the lowest responsible bidder. These bids shall be solicited by direct mail request to prospective vendors or by telephone.]

[Formal bidding procedure/purchases over \$5,000.00. If any open market purchases of labor, goods or non-professional services or a contract for the purchase of labor, goods or non-professional services involves the expenditure of five thousand dollars or more, the controller, unless it shall be determined by a formal recorded vote of two-thirds of the membership of the board of mayor and burgesses present and voting but no less than six members present and voting to be against the best interests of the borough, shall invite sealed bids or proposals, giving ten days public notice thereof by at least one publication in two area newspapers of wide circulation in the Borough of Naugatuck. This notice shall set forth a general description of such open market purchases, time and place where specifications may be obtained and the time and place for the opening of bids to the public. All such open market purchases shall whenever possible be based on at least three competitive bids and shall be awarded to the lowest responsible bidder, or if in the best interest of the borough, shall reject all such bids and proposals. If all such bids and proposals are rejected by the board of mayor and burgesses, no such purchase shall be made without a reinvasion of sealed bids under the aforesaid procedure.]

[General requirements in regard to informal and formal bidding procedures. A record of all open market orders and bids submitted shall be maintained and open to public inspection in the controller's office after the relevant open market purchase has been made. If the lowest bids received are for the same amount or unit price, quality and service being equal, the contract shall be awarded to a local bidder. No open market purchase of labor, goods or services or a contract for the purchase of labor, goods or services, including a continuing order or contract for the purchase of the same commodity over a period of time, shall be subdivided to avoid the intent of the bidding procedures. All purchases of services in connection with the purchase of materials from State of Connecticut shall be made in accordance with the aforesaid informal and formal bidding procedures. The controller or his designated purchasing agent shall record and maintain on file an explanation for all open market purchases from any bidder other than the lowest bidder.]

States of emergency. The mayor may upon his/her declaration of a state of emergency authorize and undertake only such temporary measures or work which are absolutely necessary to immediately relieve a serious threat to individuals or property or the probability of such serious threat. Within forty-eight hours of the declaration of a state of emergency, the mayor shall call a meeting of the board of mayor and burgesses at which time he shall advise the board of all emergency actions taken and the cost thereof. Thereafter, the board of mayor and burgesses shall take all further measures or complete any permanent restorative work by repairs or replacement in accordance with the aforesaid provisions of this section.

Dated at Naugatuck, Connecticut, this 16th day of December, 2011.

Respectfully Submitted,

M. Leonard Caine, III, Secretary
Charter Revision Commission