

Middletown CRC Issues

Chapter I

Follow-up/Due Diligence

Drafting/Legal

Definitions (Attorney Mednick)

Chapter II

Follow-up/Due Diligence

Drafting/Legal

Sec. 2: Status of Council Districts

Sec. 1: Repeal reference to Sheriffs (Attorney Mednick)

Sec. 2: Eliminate Office of Treasurer

Sec. 1: Eliminate transitional language (Attorney Mednick)

Sec. 4: Stagger Council and Mayoral terms

Sec. 4: Term Limits (Attorney Mednick)

Sec. 5: P&Z Approval Threshold

Chapter III

Follow-up/Due Diligence

Drafting/Legal

Sec. 2: Organization of Council/ Clerk should work for Council
Sec. 2 Common Council elected by District

Sec. 5A: Revise 15 day rules (General Counsel)

Sec. 3: Presiding Officer
Sec. 3 Open ended Public comment

Sec. 7B: Definition of "public interest" for purposes of initiative
(General Counsel)

Sec. 4C: Mayoral Salary Issue

Sec. 8 Bolster Council Investigative Authority

Sec. 9: Ethics Standard/Nepotism/Legal Representation/
New Online conduct of officials

Comment of Counsel: Ethics standards; Publication Standard; Organization and Guiding rules for the transaction of business;

Chapter IV

Follow-up/Due Diligence

Drafting/Legal

Sec. 1: Mayoral Salary Issue

Sec. 1B: Mayor's Administrative Assistant = Chief of Staff
(Attorney Mednick)

Sec. 4: Eliminate Office of City Treasurer (see, Chapter II,
above)

Sec. 1B: Common Council should appoint the Corporation Counsel
(Attorney Mednick)

Middletown CRC Issues

	Sec. 3A: Change Title: "Tax Assessor" to "Assessor" (Attorney Mednick)
	Sec. 7: Separate taxing district for Board of Education (General Counsel)
	Sec. 8: Change Office of City Attorney to General Counsel (SGM)
Comment of Counsel: Sec. 2.C. What does "in charge of persons or Boards appointed by Mayor" mean (see, note)? Sec. 2A. Role of the Deputy Mayor? Sec. 6: Why the provision on Selectmen? Sec. 7 Board of Education (Should it have its own chapter? Budget requirements?) Emergency powers: are they delineated anywhere? How do you transfer funds if needed? How do you adopted ordinances?	
Chapter V	
Follow-up/Due Diligence	Drafting/Legal
	Sec. 2A: Define Director (Attorney Mednick)
Comment of Counsel: There are virtually no standards for the creation of departments or uniformity for the treatment of Department Heads addressing, among other things, employment contracts; authority of department heads; qualifications, compensation; residency; l, etc. Should there at least be categories of departments, such as, Government Administration (Finance, Tax Collector, Assessor, Purchasing, Personnel and Human Resources); Sec. 6 Public Safety (Police and Fire); Health and Community Services; Public Work and Parks, Engineering; Town Planning, Building, Zoning Enforcement, Environment and Economic Development; and, Other Departments	
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Chapter VI	
Follow-up/Due Diligence	Drafting/Legal
Sec. 1: Last Minute Budget Provisions are problematic/address budget timelines	
Comment of Counsel: Fairly scant process. I would recommend a session on your budget process since you need to address timelines in order make certain that there is a linear and clear process for the adoption of a budget	
Chapter VII – No Issues	
Chapter VIII	
Follow-up/Due Diligence	Drafting/Legal

Middletown CRC Issues

New: Mandate creation of Civilian Review Board	Sec. 2B: Director of Planning & Zoning replace the Director of Public Works on P&Z Commission (Attorney Mednick)
New: Requirements for Boards and Commission?	
Comment of Counsel: As with departments there are virtually no standards for the creation of boards and commissions	
Chapter IX	
Follow-up/Due Diligence	Drafting/Legal
Sec. 2A: Review \$750,000 standard for the issuance of bonds	
Chapter X	
Follow-up/Due Diligence	Drafting/Legal
Sec. 1: BoE personnel/classified service	New: Charter should reflect values of diversity, equity, inclusion and affirmative action in hiring practices, including hiring panel concept
	New: Introduce performance appraisal for municipal employees, including annual review
Chapter XI	
Comment of Counsel: Periodic review of the charter?	

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PASSED OVER ITEMS

Preamble	No Preamble
Chapter II Officers and Elections	<ul style="list-style-type: none"> • <u>New:</u> Consideration of the pros and cons of the City Manager/Council form of government.
Chapter III Common Council	<ul style="list-style-type: none"> • <u>Sec. 4C.5:</u> Authority to approve contracts, including consideration of duration/length of contracts. • <u>Sec. 4C.5:</u> With respect to litigation, should there be a litigation settlement committee? Should “all” contracts be subject to approval or just multi-year, contracts in excess of a certain dollar amount? Contracts in excess of budgeted amounts, thereby requiring budget transfers or budget adjustments? • <u>Sec. 4D:</u> Appropriation Authority for the Council pertaining to the (1) Middletown Fire District; (2) South Fire District; and (3) Westfield Fire District. While no proposal has been advanced there has been a firestorm of opposition to consolidation of fire districts. Opposition to five person fire department oversight commission. • <u>NEW:</u> There should be whistleblower protection.
Chapter IV Duties and Powers of Elected Officials and Other City Officers (The Mayor)	<ul style="list-style-type: none"> • <u>Sec 7:</u> Board of Education should be revamped. • <u>Sec. 7:</u> Facilities should be controlled by the City not the BOA.
Chapter V Departments of the City	<ul style="list-style-type: none"> • <u>NEW:</u> Personnel Department should be independent of the General Counsel.

Middletown CRC Issues

Chapter VI Finance and Taxation

- **Sec. 1:** Budget should be approved by super-majority.
- **New:** Veteran and Senior Citizen Tax Assistance (Water and Sewer).