



Chester Charter Commission Preliminary Draft Charter

OVERVIEW

October 26, 2023

Members of the Charter Commission

- **BOS named Nominating Committee to recommend candidates for the Charter Commission**
- **Nominating Committee considered 14 applications for the Commission & recommended candidates for a 7 member commission**
- **BOS accepted recommendations of the Nominating Committee and appointed the Commission on 5/10/23**



THE COMMISSION

Mark Borton

Brian Dailey

Lol Fearon

Jesse Gnazzo

Pat Holloway

Ian McLachlan

Richard Strauss



Process: To date (May – October 2023)

- **Reviewed BOS Charter Resolution, Governance Study Report, State Statutes, & Charter Adoption Process and Timeline**
- **Received presentations to inform Commission members and residents on Charter considerations**
- **Developed consensus for drafting Charter to address Charter Resolution charge. Developed Preliminary Draft Charter**



Meeting Held & Scheduled

May 31: Organizing

June 6: Familiarization – Governance Study Report Review

June 20: Chester Board/Commission Chairs

June 21: Public Hearing & Commission Meeting

June 26: Speaker - Mark Walter, Town Administrator, Columbia

June 27: Presentation @ Town Staff Meeting

June 29: Speaker - Karl Kilduff, Town Manager, Clinton

July 6: Speaker - Matt Hart, Exec. Dir., CRCOG; and Matt Knickerbocker, Town Administrator, Wilton

July 19: Speaker - Sam Gold, Executive Director, RiverCOG

July 25: Speakers - former & current First Selectman, Portland Susan Bransfield & Ryan Curly

August 2: Charter Drafting Workshop Session

August 21: Speaker - Andy Tierney, Town Manager, Hebron

August 30 (W): Charter Drafting Workshop Session

September 21 (R) Charter Drafting Workshop Session

September 27 (W): Charter Drafting Workshop Session

October 10 (T): Charter Drafting Workshop Session

October 17(T): Charter Drafting Workshop Session

October 26 (R): Progress Briefing on Charter Development

October 30 (M): Progress Briefing on Charter Development

November 13 (M): Charter Drafting Workshop Session

November 21 (T): Charter Drafting Workshop Session

December 5 (T): Charter Drafting Workshop Session

December 18 (M): Charter Drafting Workshop Session

2024 Meetings: January – May, 2024 to be determined



BACKGROUND

Historical Selectmen – Town Meeting form of government is largely antiquated

- **Created at a time (1600s) vastly different from present day**
- **Local government becoming increasingly more complex – accelerated during and following Covid**
- **Some changes can only be enacted by Charter – while others can be made by ordinance**
- **A Charter is needed to address the challenges identified in the Governance Study and the Commission's Charge put forth in the Charter Commission Resolution**



CHESTER GOVERNANCE FRAMEWORK

CHESTER GOVERNANCE FRAMEWORK STATE STATUTE (TODAY)		
Exeutive Authority	Legislative Body	Fiscal Authority
First Selectman (CEO) Board of Selectmen	Town Meeting	Board of Finance

CHESTER GOVERNANCE FRAMEWORK PRELIMINARY DRAFT CHARTER		
Exeutive Authority	Legislative Body	Fiscal Authority
First Selectman (CEO) Town Administrator Board of Selectmen	Shared Board of Selectmen & Town Meeting	Town Administrator, Board of Selectmen & Fiscal Policy Committee



WHY A CHARTER

A Chester Town Charter will prescribe a clear governance structure for policy and decision-making that:

- **Addresses the growing COMPLEXITY of town government**
- **Improves CONTINUITY of executive leadership**
- **Provides a governance framework for the future**
- **ENABLES recruitment and maintenance of a professional staff**
- **Expands opportunities for meaningful citizen PARTICIPATION & ENGAGEMENT in the social, economic and financial well-being of the town.**
- **Increases administrative FLEXIBILITY to ADAPT to changing needs in the future**



KEY CHARTER PROVISIONS

- **Expands the Board of Selectmen to 7 members with 4-year terms and incorporates the duties of the Board of Finance**
- **Creates Fiscal Policy Committee to advise and be advised by the Board of Selectmen and Town Administrator on all financial issues and policies**
- **Creates position of Town Administrator reporting to the Board of Selectmen**
- **Establishes shared legislative authority between the Town Meeting and Board of Selectmen**
- **Addresses challenge in finding citizens to serve on Boards and Commissions**



THE ARTICLES

- **Article 1: Incorporation and General Powers**
- **Article 2: Town Meeting**
- **Article 3: Board of Selectmen**
- **Article 4: The First Selectman**
- **Article 5: Town Administrator**
- **Article 6: Elections**
- **Article 7: Elective Officers and Agencies**
- **Article 8: Appointive Agencies, Departments, & Other Entities**
- **Article 9: Finance and Taxation**
- **Article 10: Intergovernmental Relations**
- **Article 11: Transition and Miscellaneous Provisions**



THE ARTICLES

An Overview



ARTICLE 1: Incorporation & General Powers

- **Section 1.1: Incorporation**
- **Section 1.2: Rights & Obligations**
- **Section 1.3: General Grant of Powers – *provides for powers granted to towns by Constitution & General Statutes – and those specifically granted by Charter***
- **Section 1.4: Legislative Bodies – *specifies Chester's legislative bodies shall be the Town Meeting and the Board of Selectmen – with legislative powers as expressly conferred by the Charter***
- **Section 1.5: Definitions**



ARTICLE 2: Town Meeting

- **Specifies legislative powers vested in Town Meeting holding the Annual Town Meeting, Annual Budget Meeting and Special Town Meetings per terms of Charter and General Statutes**
- **Town Meeting required for approval of the Annual Town Budget, appropriation/authorization for issuance of bonds, notes, borrowing, purchase or sale of real estate interests and contracts for use of Town property**
- **Provides for Referendums for certain appropriations or other actions requiring a Referendum**
- **Provides for citizen petition and process for calling Special Town Meetings for overruling certain actions of the Board of Selectmen**
- **Provides for citizen petition and process for Special Town Meetings for Enactment of Ordinances or Other Action**



ARTICLE 3: Board of Selectmen (1)

- **7 member Board of Selectmen with 4-year terms**
- **All elected at same time**
- **Provides competition for member election**
- **Minority Representation set at maximum of 4 from majority party**
- **First Selectman election separate from Selectmen election – but counts in calculating minority representation**
- **Transition to 7-member board would be after the November 2025 election**



ARTICLE 3: Board of Selectmen (2)

- **Powers and duties include those provided by the Charter, Constitution and General Statutes**
- **Legislative Authority shared with Town Meeting. Selectmen authorized to adopt/repeal ordinances, create/modify/abolish Town agencies**
- **Establishes administrative and personnel policies**
- **Appoints Town Administrator**
- **Duties include those specified in Article 9 – Finance & Taxation – upon 7-member BOS taking office – November 2025**
- **Appoints members of Town agencies and officials with delegation to Town Administrator for some Town official appointments**
- **Responsible for filling Town agency vacancies**



ARTICLE 4: First Selectman

- **Serves as Town's Chief Executive Officer**
- **Responsible for implementation of BOS actions**
- **Delegates some duties to the Town Administrator**
- **Provides guidance to Town Administrator for administration of town affairs and day-to-day operations**
- **Coordinates and guides BOS in discharge of Board's responsibilities**
- **Develops annual priorities as a policy guide for budget development**
- **Maintains complete records of activities of the office**



ARTICLE 5: Town Administrator

- **Appointed by the Board of Selectmen**
- **Serves as the Town's Chief Administrative Officer**
- **Selected exclusively based on technical & administrative qualifications, character, educational background, training/certification and professionally related experience**
- **Works under general direction of First Selectman & BOS**
- **Responsible for administration of Town departments & agencies – except Board of Education**
- **Conducts continuous review of the Town's current/future needs**
- **Identifies grant opportunities and assists in applying and implementing same**
- **Serves on Fiscal Policy Committee**
- **Responsibilities assume participation in budget development and management**



ARTICLE 6: Elections

- **Provides for regular and special Town elections.**
- **Establishes Minority Representation requirements for agencies. Decreases maximum from one Party, as compared to General Statutes, for agencies with 5 and 7 members.**
- **Provides for BOS to fill vacancies for elected agencies**
- **Recognizes specific process for filling Region 4 Board of Education and Registrars of Voters vacancies.**
- **Provides opportunity for Special Elections to fill elective vacancies per General Statutes.**



ARTICLE 7: Elective Officers & Agencies

- **Provides for elective agencies to consist of no more than 7 members**
- **Provides for 4-year terms for elective officers**
- **Establishes agencies and officers to be elected**
 - **First Selectman and 6 members of the BOS**
 - **Chester Board of Education – 7 members**
 - **Region 4 Board of Education – 3 members**
 - **Registrars of Voters – 2**
 - **Nomination of Justices of the Peace - 11**



ARTICLE 8: Appointive Agencies, Departments, & Other Entities (1)

- **BOS to establish departments appropriate and necessary for Town administration per Charter and General Statutes**
- **Town Administrator appoints department heads in consultation with the BOS; all other employees appointed by Town Administrator**
- **Several officials appointed by BOS in consultation with the Town Administrator:**
 - **Finance Director**
 - **Tax Collector**
 - **Town Clerk/Registrar of Vital Statistics**



ARTICLE 8: Appointive Agencies, Departments, & Other Entities (2)

- **Appointive Agencies include:**
 - **Agencies previously elected: Board of Assessment Appeals, Board of Library Trustees, Planning and Zoning, Zoning Board of Appeals**
 - **Agencies currently appointed: Board of Fire Commissioners, Cedar Lake Watershed Commission, Citation Hearing Officers, Conservation Commission, Economic Development Commission, Harbor Management Commission, Inland Wetlands & Watercourses Commission, Park & Recreation Commission, Retirement Board, & Water Pollution Control Authority**
- **Provides for appointive agencies to consist of no more than 7 members without alternates**
- **Provides for 4-year terms for appointive officers**



ARTICLE 8: Appointive Agencies, Departments, & Other Entities (3)

- **BOS may also appoint committees by resolution as necessary**
- **BOS to fill all vacancies in appointive agencies – for balance of term**
- **Provides for member of an agencies to be removed from office for cause by two-thirds vote of BOS**



ARTICLE 9: Finance and Taxation (1)

- **Establishes framework for financial management and budget process**
- **BOS assumes responsibility and accountability for budget development and performance**
- **Aligns the Town's fiscal authorities with the responsibility to support and achieve Town policy and initiatives**



ARTICLE 9: Finance and Taxation (2)

- **Creates Fiscal Policy Committee to advise and be advised by the Board of Selectmen and Town Administrator on all financial issues and policies**
 - **Recommends long range capital improvement plan, including 5-year capital budget and capital expenditures for ensuing year to BOS for consideration**
 - **Recommended capital plan/budget submitted to BOS by January 15, - updated annually**
 - **Committee to be kept informed of issues and policies**
 - **Chaired by First Selectman; members include: Town Administrator, Finance Director, Chairs or designees of Chester Board of Education, Economic Development Commission, Planning and Zoning, and the Superintendent of Schools or designee**



ARTICLE 9: Finance and Taxation (3)

- **Finance Director also serves as Treasurer**
- **Treasurer designates Deputy Treasurer with BOS approval**
- **Provides for budget process: budget message, preliminary budget estimates, budget preparation, budget review, public hearings, the Annual Budget Meeting, process for budget Referendum, laying of taxes (setting the mil rate) and issuance of tax bills**
- **Budget operations are described for appropriations, purchasing, expenditures and accounting, transfer of funds, Annual Town Report, audit, budget monitoring, final budget reconciliation, public emergency expenditures, and expenditures before adoption of the budget**



ARTICLE 10: Intergovernmental Relations

- **The Town may enter into agreements with the United States or any federal agency, the State of Connecticut and any political subdivision to provide municipal services and/or use of facilities**
- **The Board of Selectmen may contract for providing and/or sharing of services which the Town provides through an appointed Town official, commission, or agency**
- **The Board of Selectmen may recommend to the Town Meeting that the Town enter into agreements or contracts for the sharing of services provided by any elected official of the Town with the United States or any federal agency or the State of Connecticut and any political subdivision. Approval of such contracts and/or compacts shall be by the Town Meeting**
- **Provides for BOS to make appointments to boards and committees of political subdivisions and organizations providing services to the Town**



ARTICLE 11: Transition & Miscellaneous Provisions

- **Provides for the transition to operating in accordance with the Charter**
- **Establishes all existing laws and ordinances shall continue in effect, except as they are inconsistent with the provisions of the Charter**
- **Any amendment to the Charter shall be in the manner prescribed by the General Statutes**
- **Prescribes for transfer of powers from an agency abolished by the Charter to the agency assuming such powers and duties**
- **Establishes transition process for formerly elective agencies to become appointive agencies**
- **Provides Charter effective date – 12 noon, January 1, 2025**



NEXT STEPS



Process – Next Steps

- Review / Revise Preliminary Draft Charter
- Finalize Draft Charter
- BOS holds Public Hearing(s)
- Consider BOS recommendations for changes, if any
- Final Charter submitted to BOS for action
- BOS Votes to send Proposed Charter to Referendum

Note:

Consideration of Charter is a deliberative two-year process with BOS decision to create Governance Study Committee through completion of work by the Charter Commission and finally a town-wide referendum to consider adoption.



Charter Development/Adoption Schedule

DATE	DAYS	ACTIONS
4/12/23	START	RESOLUTION ADOPTION (INITIATION)
5/12/23	30	30 days after Initiation – Deadline for appointment of Charter Commission
6/21/23		Prior to beginning substantive work – Charter Commission holds an initial public hearing
		Commission meets and prepares draft report
		After completion of draft report but before submission to Board of Selectmen Charter Commission holds a second public hearing
4/1/24	323	Draft report submitted to Town Clerk, who forwards same to Board of Selectmen
		Board of Selectmen holds at least one public hearing
5/15/24	45	45 days after submission to Board of Selectmen – last date on which last public hearing may be held by Board of Selectmen
5/30/24	15	15 days after last public hearing – deadline for Board of Selectmen to recommend changes to Charter Commission. If no changes are recommended, report becomes final
6/29/24	30	30 days after receiving recommendations for changes from Board of Selectmen – Deadline for Charter Commission to respond to Board of Selectmen with final report
7/14/24	15	15 days after receiving final report from Charter Commission – Deadline for Board of Selectmen to approve or reject some or all proposed charter provisions
8/13/24	30	30 days after approval of report by Board of Selectmen or submission of petition calling for rejection – deadline for publishing full charter or proposed provisions
8/29/24	45	45 days after rejection of proposed charter by Board of Selectmen – Deadline for submission of petition calling for referendum on rejected provisions
9/5/24	60	60 days before general election – Deadline for final town (BOS) action to set referendum question(s). In the case of the adoption of an initial charter, it probably makes sense to have it be one single question unless there are specific issues of concern.
9/20/24		45 days before general election – Deadline for Town Clerk to certify questions to SOTS (NOTE: BASED ON PRIOR ELECTIONS 2019, 2021, 2023 - SOTS DATE IS 1st THURSDAY IN SEPTEMBER.)
11/5/24		Election Day
12/5/24		30 days after Election Day – deadline for Town Clerk to forward revised charter to state.

