



Chester Charter Commission

Meeting Minutes

Charter Commission Charter Drafting Session: April 8, 2024

Location: Chester Town Hall First Floor Meeting Room

CALL TO ORDER

The 4.8.24 meeting of the Chester Charter Commission was called to order at 6:31 PM by Richard Strauss, Chairman. In attendance included: Commission members; Brian Dailey, Richard Strauss, Lol Fearon (on the phone), Mark Borton, Jesse Gnazzo, and Ian McLachlan. Pat Holloway was absent. Also in attendance was Cindy Lignar, Pat Bandzes, and Paul Radicchi. There was an audience of citizens of 2.

APPROVAL OF MINUTES

A motion was made and seconded to approve the draft minutes from the March 28th Charter Drafting Session. No discussion followed, the motion carried unanimously.

CONFER WITH BOARD OF SELECTMEN CONCERNING THEIR RECOMMENDATIONS FOR CHANGES IN THE PROPOSED DRAFT CHARTER

Per state statute, the Board of Selectmen scheduled a special meeting on this date with the Charter Commission to confer on the Board of Selectmen recommendations for changes to the draft Charter. First Selectwoman Cindy Lignar opened discussion noting there were several non-substantive changes to the draft charter proposed by the Board of Selectmen. These were briefly reviewed. Discussion then moved to the input received during the March 28 public hearing.

- Petition for Overrule of Action of Bboard of Selectmen: The duration of time the public will have to secure the required signatures for petitioning on ordinances adopted by the Board of Selectmen was discussed. It was explained that in addition to the 20 days following publication of an adopted ordinance provided to file a petition (time period stated in Section 2.7 of the Charter), several prior steps in the ordinance adoption process effectively extends the public's opportunity to petition to more than a month. (See attached Ordinance Adoption/Petition Process Chart)
- Appointment of the Planning and Zoning Commission: The concern regarding the Planning and Zoning Commission being appointed rather than elected was discussed. The rationale provided by those in attendance at the public hearing centered on the importance of the decisions being made by the Commission, and a desire to have its members closer to the public by way of election. In response it was stated that those on the Planning and Zoning Commission are required to follow statutes and regulations. It was stated that it would be more appropriate for the Board of Selectmen to appoint people that are qualified, interested, and committed to serving on the Planning and Zoning Commission. The appointment process was discussed, including the



input from the Republican Town Committee and Democratic Town Committees and reaching out to the public directly, including unaffiliated voters. The Board of Selectmen, who would then conduct interviews and ultimately appoint members to the Commission. It was also raised that there is no recourse or action that the town can take with elected officials that are not fulfilling their duties (such as low attendance at meetings or failure to complete required training). However, in accordance with the Charter appointed officials can be removed by way of a $\frac{2}{3}$ vote of the BOS. Additionally it was noted that 7 of the RiverCOG towns (including Deep River and Essex) have appointed Planning and Zoning Commissions.

The original charge from the Board of Selectmen to the Charter Commission was referenced, as well as the specific issues the Commission were asked to address. It was added that the appointment process is about enfranchising our residents. Chester's recent election history was discussed, noting that due to the state's minority representation requirements, voters have limited choices on who is elected; and mostly the election of Planning and Zoning members have been uncontested over the last 6 elections. The appointment process may also increase the voice of the unaffiliated voters of Chester which comprise roughly 40% of the electorate.

AUDIENCE OF CITIZENS – JOINT MEETING

An audience member asked why it was decided to make the town clerk's position an appointed position rather than an elected position. It was responded that the duties of the job, as well as the required training were taken into consideration when making that decision. The audience member then asked what the cost would be to the town to hire a town Administrator. A survey conducted by the Charter Commission found Town Administrator salaries were in a range of approximately \$110k - \$125k. It was also noted that if a Town Administrator were to be hired, it is very likely that the salary of the First Selectperson would be reduced due to their changing role. It was added that due to the complexity of municipal government today, small towns may perhaps need professional management more than ever before. It was noted that appointed town employees, such as the Town Administrator and a Town Clerk do not need to be town residents. This will open up the pool of potential applicants for those positions. Additionally, it was mentioned that Professional Town Administrators have expertise and networks that will help to save the town money, noting legal fees as an example, as well as to locate and obtain grants.

The Commission was asked if they wanted to speak on the proposed Financial Accountability Board (FAB). It was explained that the major change between the Board of Finance and the FAB is in regards to transparency. The Budget process will remain essentially the same with the Board of Selectmen eventually recommending a budget to the (FAB). The FAB still has the authority to make changes to the proposed budget, but must specifically list the changes that are made, and provide rationale for any reductions or additions. Under our current municipal government structure, there is no such requirement. Any changes made to the proposed budget by the current Board of Finance are typically negotiated in budget workshops in preparation of the proposed budget, but not specifically listed nor explained. It was added that the FAB will be



elected for four year terms in elections offset with the election of the Board of Selectmen.

An audience member asked if the Board of Selectmen will have the authority to override a decision to change the proposed budget by the FAB. It was clarified that this is not the case, and reiterated that the change is in regards to achieve a goal for increased transparency.

CHARTER COMMISSION ACTION ON BOARD OF SELECTMEN RECOMMENDATIONS

The Consensus amongst the Charter Commission was that the Draft Proposed Charter best reflects what is in the best interest for the Town. A motion was made by Ian to adopt the BOS recommendations, and that to indicate that the Commission reviewed the request to consider the issue of appointing members to the Planning and Zoning; and that it was agreed by the Commission to that the Planning and Zoning Commission should remain as an appointed agency as provided for in the Draft Proposed Charter. This was seconded by Brian. There was no discussion, and the motion passed unanimously.

UPDATE CHARTER CONVERSATIONS

There are a few more Charter Conversations scheduled (4/15, 4/17, 4/24, and 5/1). Ian suggested that if the Charter were to be sent to referendum, it would be wise to hold more charter conversations in the fall.

CHARTER TRANSITION PLANNING DRAFT MEMO REVIEW

It was mentioned that consideration of a codification process that creates an electronic database of town legislation (charter, ordinances, and regulations) will be added to the Transition Planning memo to be sent to the Board of Selectmen.

AUDIENCE OF CITIZENS – CHARTER COMMISSION

It was suggested that we invite Town Administrators and First Selectmen to speak at Charter Conversations. It was also asked if there are job descriptions for Town Administrators on our website. It was noted that we have three on the Charter Website.

ADJOURNMENT

The Charter Commission meeting adjourned at 8:41 PM.

Respectfully Submitted by: Brian Dailey, Secretary, Chester Charter Commission

ORDINANCE ADOPTION /PETITION PROCESS

