

Handbook for Elected and Appointed Officials and Volunteers

Town of Chester, Connecticut

December 19, 2019



Table of Contents

- **How to Volunteer for a Board, Commission or Committee**

 - How Vacancies are Determined

 - Board & Commission Member Application

 - Board of Selectmen Approval Process and Guidelines for Filling Board and Commission Vacancies

 - Political Appointments

- **Your Participation**

 - Volunteer Code of Conduct

 - Town of Chester Ethics Policy

 - Robert's Rules of Order: Summary Version

 - Freedom of Information Act Summary

 - Section 8: Characteristics of an Effective Chairperson

 - Section 6: Responsibilities of a Board or Commission Member

- **Appendix**

 - List and Descriptions of Boards & Commissions

HOW TO VOLUNTEER FOR A BOARD, COMMISSION OR COMMITTEE

How Vacancies are Determined

Each Board or Commission is charged with certain tasks and a structure which determines the duration of the group, the number of members and the length of terms. The Town Clerk's Office keeps a record of vacancies on each Board and Commission and provides the Board of Selectmen with a monthly list of vacancies. A list of vacancies is published on the Town website at www.chesterct.org under the Town Clerk's page.

Board and Commission Member Application

If you are interested in serving on a Board or Commission, you will first need to fill out a Board and Commission Member Application. Applications are available in the First Selectman's Office. You must be a registered voter in the Town of Chester to serve on a board, commission or official committee.

Board of Selectmen Guidelines for Filling Board & Commission Vacancies

1. **General:** All nominees for filling unexpired terms or appointed positions will be highly qualified and willing to take the responsibilities of the appointment seriously. Said persons will keep the interest of the residents of Chester foremost in all their deliberations. All appointments must abide by the minority representation guidelines and Connecticut State Statutes. Volunteers who are not members of a registered political party (i.e. unaffiliated voter) should contact the First Selectman's office directly.

As has been past practice, recommendations shall be submitted to the First Selectman within 30 days of notification of a vacancy. The 30-day time span is to be considered a courtesy to all. In the best interests of the community, the Board of Selectmen may act sooner when it deems necessary. When more than one individual expresses interest, the individuals will be invited to the Board of Selectmen's meeting to discuss their interest.

2. **Unexpired Elected Terms:** An unexpired term of an elected official will be filled with the individual recommended by the Town Committee of the previous office holder's party. The absence of such recommendation shall be treated as a de facto endorsement of the other party's candidate.
3. **Unexpired Appointed Terms:** The Town Committee Chairman or their designated representatives may recommend a candidate to fill an unexpired term for appointed boards and commissions. Individuals appointed to fill unexpired appointed positions need not be from the same political affiliation as the individual whose term is being filled. In the absence of a joint recommendation this procedure shall default to #4 below, taking into consideration and

requirements for minority representation (see CT General Statute §9-167a below for explanation of minority representation)

4. **Appointments to Full Terms:** At the commencement of each new term of an appointed board or commission, each party will present the Board of Selectmen with a list of recommended applicants. The Board of Selectmen will consider recommendations of the parties and any other applicants without regard to party affiliation.
5. **Incumbents:** Incumbents will be given first consideration. However, past performance, meeting attendance, unique qualifications applicable to the position and willingness to serve must also be considered during the selection process.
6. **Alternate Members:** Whenever reasonable, first priority should be given to alternate members to fill full-term vacancies on the same board or commission. However, past performance, meeting attendance, unique qualifications applicable to the position and willingness to serve must also be considered during the selection process.
7. **After Appointment.** Once appointed by the Board of Selectmen, new members of Boards and Commissions must be sworn in by the Town Clerk to begin their term. The schedule of meetings is determined by each individual Board or Commission.
8. **Resignation from a Board or Commission.** Any member of a Board or Commission may resign from serving for any reason, depending on their individual circumstances. In order for that resignation to be effective, however, such member must submit a signed letter of resignation to the Town Clerk. The Town Clerk will then notify the Chairperson of the board or commission as well as the Board of Selectmen and each of the major party chairs.

Excerpt from Connecticut State Statute §9-167a:

Sec. 9-167a. Minority representation. (a) (1) Except as provided in subdivision (2) of this subsection, the maximum numbers of members of any board, commission, legislative body, committee or similar body of the state or any political subdivision thereof, whether elective or appointive, who may be members of the same political party, shall be as specified in the following table:

COLUMN I Total Membership	COLUMN II Maximum from One Party
3.....	2
4.....	3
5.....	4
6.....	4
7.....	5
8.....	5
9.....	6
More than 9.....	Two-thirds of total membership

“Handbook for Elected and Appointed Officials and Volunteers”

Page 4

2: Unexpired Elected Terms: An unexpired term of an elected official will be filled with the individual recommended by the Town Committee of the previous office holder’s party. The absence of such recommendation shall be treated as a de facto endorsement of the other party’s candidate.

Sec. 9-167a. Minority representation. (a)(1) Except as provided in subdivision (2) of this subsection, the maximum number of members of any board, commission, legislative body, committee or similar body of the state or any political subdivision thereof, whether elective or appointive, who may be members of the same political party, shall be as specified in the following table:

COLUMN I	COLUMN II
Total Membership	Maximum from One Party
3.....	2
4.....	3
5.....	4
6.....	4
7.....	5
8.....	5
9.....	6
More than 9.....	Two-thirds of total membership

(2) The provisions of this section shall not apply (A) to any such board, commission, committee or body whose members are elected wholly or partially on the basis of a geographical division of the state or political subdivision, (B) to a legislative body of a municipality (i) having a town meeting as its legislative body, or (ii) for which the charter or a special act, on January 1, 1987, provided otherwise, (C) to the city council of an unconsolidated city within a town and the town council of such town if the town has a town council and a representative town meeting, the town charter provides for some form of minority representation in the election of members of the representative town meeting, and the city has a city council and a body having the attributes of a town meeting, or (D) to the board of directors and other officers of any district, as defined in section 7-324, having annual receipts from all sources not in excess of two hundred fifty thousand dollars.

b) Prior to any election for or appointment to any board, commission, legislative body, committee or similar body of the state or any political subdivision thereof, the municipal clerk, in cases of elections, and the appointing authority, in cases of appointments, shall determine the maximum number of members of any political party who may be elected or appointed to such body at such election or appointment. Such maximum number shall be determined for each political party in the following manner: From the number of members of one political party who are members of

such body at the time of the election or appointment, subtract the number of members of such political party whose terms expire prior to the commencement of the terms for which such election or appointment is being held or made and subtract the balance thus arrived at from the appropriate number specified in column II of subsection (a) of this section.

(c) In the case of any election to any such body, the winner or winners shall be determined as under existing law with the following exception: The municipal clerk shall prepare a list of the candidates ranked from top to bottom according to the number of votes each receives; when the number of members of any one political party who would be elected without regard to this section exceeds the maximum number as determined under subsection (b) of this section, only the candidates of such political party with the highest number of votes up to the limit of such maximum shall be elected, and the names of the remaining candidates of such political party shall be stricken from the list. The next highest ranking candidates shall be elected up to the number of places to be filled at such election.

(d) If an unexpired portion of a term is to be filled at the same time as a full term, the unexpired term shall be deemed to be filled before the full term for purposes of applying this section. At such time as the minority representation provisions of this section become applicable to any board, commission, committee or body, any vacancy thereafter occurring which is to be filled by appointment shall be filled by the appointment of a member of the same political party as that of the vacating member.

Opinion from Richard Roberts:

Minority representation is much more complicated than it needs to be. If the alternates to the Board of Finance are elected, and there are two remaining Democratic alternates and the vacancy is in a seat formerly held by a Republican, CGS 9-167a(d) would require that seat to be filled by a Republican. That is because the "minority representation provisions" have become applicable – there are already the maximum number of Democrats that can serve as alternates, so the remaining spot has to be filled by a member of the same party as the vacating member. The rationale, it seems, would be that if the Democrats have the maximum number of members, they cannot "shut out" the Republicans entirely and appoint a Libertarian or Unaffiliated elector to fill the last spot. On the other hand, if the vacancy was caused by the resignation of an enrolled Democrat, any eligible person could fill that vacancy. I believe the CT Supreme Court reached this same conclusion in the case of *Grodus v. Burns* in 1983.