

PROPOSED CHESTER DRAFT CHARTER v1 – 02 13 24
SUMMARY OF REVISIONS
FOLLOWING THE 1/31/24 PUBLIC HEARING

The following provides a summary of the revisions to the preliminary draft charter (*Preliminary Charter – Draft for 01 31 24 Public Hearing v14 – Revised 01 11 24*) presented at the Chester Charter Commission’s 2nd Public Hearing. These changes are incorporated into the Proposed Chester Draft Charter v1 – 02 13 24 transmitted to the Board of Selectmen for their consideration and Public Hearing.

- Minor revisions were made to Section number references in various Articles due to adding a new Section in Article 9. Also, the Table of Contents was updated due to revisions made to several Articles of the charter.
- Article 2; Section 2.7: Petition for Overrule of Action off Board of Selectmen: This Section provides for petitions to overrule actions of the Board of Selectmen. The text of 2.7(a) was revised to include all the actions previously provided for in Section 2.7. Text added was: *“or the making of such resolution or the taking of such vote”*
- Article 4; Section 4.3: Delegation of Duties: This Section describes the authority of the First Selectman to delegate duties. The revision clarifies the delegation of duties as including Selectmen or the Town Administrator – and deletes *“Town Officers who report to the First Selectmen”* since no Town officers report to the First Selectman.
- Article 5; Section 5.4: Supervision and Responsibilities (*re: Town Administrator*): The revision to this Section clarifies reporting structure for the Town Administrator – as being supervised by and reports through the First Selectman to the Board of Selectmen.
- Fiscal Authority:

The Town agencies designated with fiscal authority play a major role in determining the initiatives, projects, and overall delivery of services provided. Ultimately, regardless of the authority vested in the specific agencies, leaders, and staff, the ability for a community to operate efficiently and effectively in the delivery of services to its residents is reliant on collaboration, communication, and agreement of those involved in the financial policy, administration, and budgeting process.

In response to issues raised in the development of the preliminary draft charter, the Charter Commission modified the fiscal authorities framework included in the draft charter presented to the Board of Selectmen. The proposed structure provides for a balance in fiscal authority with increased oversight, checks and balances, and transparency for the Town’s budgetary approval process and financial operations including contingency fund transfers and additional appropriations.

The revisions are provided in Article 7: Elective Officers and Agencies and Article 9: Finance and Taxation. The revision to Article 7 provides for an elected Financial Accountability Board. Article 9 revisions specify the Financial Accountability Board’s budgetary responsibilities and the Board of Selectmen’s revised budgetary responsibilities along with opportunity for additional Town Meeting approvals for some financial actions. A summary of the revisions follows:

- Article 7; Section 7.3: Elective Officers and Agencies; (b) Financial Accountability Board: This Section provides for the election of a Financial Accountability Board of 5 members. Initially members will each be elected for a two-year term and subsequently for 4-year terms. This will offset the election of members of the Financial Accountability Board and members of the Board of Selectmen by having the election of these Boards in alternating Town elections providing for continuity in the Town’s financial management structure.

- Article 9; Section 9.2: Financial Accountability Board: This Section identifies that the duties and responsibilities of the Financial Accountability Board are those as specified in Article 9 of the Charter and that members of this board shall not be a member of any other agency while serving on this Board.
- Article 9; Section 9.3: Fiscal Advisory Committee: The name of this Committee was changed to “Fiscal Advisory Committee” from “Fiscal Policy Committee” to better align the name of the committee with its responsibilities. The Committee’s responsibilities include recommending a Long Range Capital Plan, a five year Capital Budget and proposed capital expenditures for the ensuing year to the Board of Selectmen. Additionally they advise and are advised by the Board of Selectmen and Town Administrator on financial issues and policies. Additionally, the Chairman or designee of the Financial Accountability Board shall serve on this Committee.
- Section 9.4: Finance Department: revision adds Financial Accountability Board and Fiscal Advisory Committee as limiting or infringing on the statutory rights of the Chester Board of Education on fiscal matters.
- Section 9.8: Budget Review: The revision of this section incorporates the Fiscal Accountability Board into the budget process. It provides for the Board of Selectmen to review its proposed budget with the Fiscal Accountability Board. The Fiscal Accountability Board then has the authority to modify the Board of Selectmen’s proposed Annual Town Budget. The budget as modified by the Financial Accountability Board is then presented by the Board of Selectmen at a Public Hearing. Documentation and the rationale for modifications made to the Board of Selectmen’s recommended Annual Town Budget by the Financial Accountability Board will be included in the budget presented for Public Hearing.
- Section 9.9: Public Hearings: The revision to this Section provides for the Financial Accountability to review and modify the Annual Town Budget following the Public Hearing.
- Section 9.10: Annual Budget Meeting: Provides for the Annual Town Budget as may have been modified by the Financial Accountability Board (instead of modifications being made by the Board of Selectmen) to be presented with any such modifications being noted.
- Section 9.11: Budget Referendum: Inserts Financial Accountability Board in place of Board of Selectmen as being the budget as presented by without amendment that is submitted to referendum
- Section 9.12 Laying of Taxes: The revision to this Section provides for the Financial Accountability Board to set the mil rate in consultation with the Board of Selectmen. The Board of Selectmen will set the dates that taxes shall be due and payable.
- Section 9.17: Transfer of Funds and Additional Appropriations: The title of this section was changed from “Transfer of Funds” to “Transfer of Funds and Additional Appropriations” and was reformatted to include 2 sub-sections – “Transfer of Funds” and Additional Appropriations” for clarity purposes.
 - a) Transfer of Funds:
 - a) (3) For the Contingency Fund: The Board of Selectmen’s Contingency Fund was changed to be a separate budget item as a Town contingency fund. The authority for the transfer of funds from the Contingency Fund was modified to incorporate the Financial Accountability Board and the Town Meeting. The Board of Selectmen retains authority to transfer up to 0.2% of the Total Town Government Budget. For transfers exceeding 0.2% of the Total Town Government Budget approval of the transfer request from the Board of Selectmen would need to be approved by the Financial Accountability Board. However, for any such transfer approved by the Board of Selectmen but not approved by the Financial Accountability Board, the Board of Selectmen may seek Town Meeting approval for the transfer.
 - a) (4) For the Capital Fund: Similar to (a) (3) above, provides for approval by the Financial Accountability Board, this section was revised to provide for transfers or release of funds recommended by the Board of Selectmen. However, for any such transfer or release of funds

approved by the Board of Selectmen but not approved by the Financial Accountability Board, the Board of Selectmen may seek Town Meeting such approvals.

- b) Additional Appropriations – The additional appropriations approval process was revised to provide for Board of Selectmen recommendations to be approved by the Financial Accountability Board, along with the Board of Selectmen being able to seek approval of a Town Meeting for additional appropriations not approved by the Financial Accountability Board.
 - For additional appropriations of no greater than 0.4% of the Total Town Government Budget, revised to provide for Financial Accountability Board approval of a Board of Selectmen recommendation. However, for any such additional appropriation approved by the Board of Selectmen but not approved by the Financial Accountability Board, the Board of Selectmen may seek Town Meeting approval.
 - For additional appropriations of greater than 0.4% of the Total Town Government Budget on recommendation of the Board of Selectmen with approval of the Financial Accountability Board an additional appropriation can only be made with approval of the Town Meeting. However, for any such additional appropriation approved by the Board of Selectmen but not approved by the Financial Accountability Board, the Board of Selectmen may appeal to the Town Meeting for approval.
- Section 9.18: Annual Town Report: The Annual Report is prepared by the Board of Selectmen. The revision to this Section provides for the report to be prepared in consultation with the Financial Accountability Board. Previously it was prepared in consultation with the Fiscal Advisory (formerly Policy) Committee.
- Section 9.19: Audit: The revision to this Section provides for the Financial Accountability Board to appoint the accounting firm to conduct the annual audit. Prior version had the Board of Selectmen appoint the auditor.
- Section 9.20: Budget Monitoring: The revisions to this Section include that the periodic expenditure reports while prepared by the Finance Director, they will be provided thru the Town Administrator; and the Financial Accountability Board was added to the agencies that will received such periodic reports.
- Section 9.21: Final Budget Reconciliation: The revisions to this Section include that the final financial report while prepared by the Finance Director, it will be provided thru the Town Administrator to the Board of Selectmen, Financial Accountability Board, Fiscal Advisory Committee.
- Article 11; Section 11.5: Provides for the transition of duties, responsibilities and functions of those formerly provided by the Board of Finance to the Board of Selectmen, Financial Accountability Board, and the Fiscal Advisory Committee upon the election of the Board of Selectmen and the Financial Accountability Board in November 2025.