

June 19, 1973

To: The Board of Selectmen
Chester, Connecticut

Report of Charter Study Committee

At the end of March 1973, the Board of Selectmen requested the Chairmen of the Town Committees of the Democratic and Republican parties to establish a study group to consider the feasibility of a charter form of government for Chester. The Study Committee in question was accordingly organized under the Co-Chairmanship of Mrs. Helen Brooks and Robert Baskin with Frank Carr, Edmund Delaney, Nathan Jacobson and Barbara Stedman. The Committee held a number of meetings and reviewed materials relating to the Home Rule Law prepared by the Connecticut Public Expenditure Council, Inc. The Committee met with Richard W. Lafferty, Director of the Municipal Consulting Service, and Peter L. Holzmeister, Research Associate of the Council. The Committee also conferred with Attorney Robert S. Poliner who reviewed the experiences of the town of Durham under a home rule charter which was adopted in the latter part of 1972. Durham was considered to be of special interest because it is located in central Connecticut, it is only slightly larger than Chester, and it has somewhat of a similar environment.

After this review and study, the Committee has met and has reached the conclusion that the establishment of a formal charter commission under the provisions of Section 7-190 of the Home Rule Law would be premature at this time but that the possible advantages of a charter are such that the matter should be reviewed in two years in the light of the conditions which may be prevailing in Chester at that time.

The Committee has considered the advantages and disadvantages of a charter for the town of Chester at the present time and believes that it would be of interest to the Selectmen and to the citizens of Chester to comment on the respective advantages and disadvantages.

The advantages were generally speaking thought to be the following:

(1) The drafting of a charter would result in a codification of the laws, regulations and ordinances of the town under one cover thus making them readily available to the public.

(2) A charter would provide Chester with a flexible instrument of government thus assuring for Chester the statutory advantages of the Home Rule Law. Section 7-194 of the Home Rule Law enumerates the specific powers which are guaranteed to towns, cities or boroughs which operate under a charter. While many of these advantages are already available under the general statutes, they are clearly enumerated and specified in the Home Rule Law.

(3) The establishment of a charter commission would stimulate discussion and provide an opportunity for educating people in the problems and possibilities of local government.

(4) A charter is sufficiently flexible to provide for many different forms of local government. The Committee considered that the present form of government in Chester was generally responsive to the needs of the citizens and all members of the Committee felt that if a charter should be proposed it should provide for the continuation of the Board of Selectmen and the Town Meeting as presently functioning.

(5) There is a definite trend in Connecticut toward government by local charter and 82 towns in Connecticut now have such a local charter. Chester, as a growing community, will probably have a charter sooner or later based on the general trends of local government.

(6) The public policy of Connecticut as expressed by the Legislature favors home rule under a charter.

On the negative side, the following observations were developed:

(1) It would be possible to update a booklet covering Chester ordinances and regulations without the necessity of a formal charter.

(2) Although a charter could be drafted so as to include all laws, regulations and ordinances, many charters do not do so but merely contain cross references to the General Statutes. The Durham charter, for instance, does not really explain the powers and duties of specific officers or boards such as the Tax Collector, the Town Clerk, the Board of Tax Review, the Treasurer, or the Board of Assessors but merely states that such officers or boards shall function in accordance with the General Statutes.

(3) Ordinances for specific purposes can readily be adopted or repealed without having to go through the more complicated procedures required to amend a basic charter.

(4) The work of a formal charter commission is extremely time-consuming and would involve extended studies and professional assistance which would be a burden upon the many qualified people who are already devoting considerable time to the town as members of commissions, boards and other agencies. Professional assistance would involve considerable expense at a time when other services are already being curtailed on account of budgetary considerations.

(5) The establishment of a formal charter study commission would open up the entire question of the form of government and the advantages and disadvantages of the Selectmen-Town Meeting form of government as distinguished from the Council-Manager or Mayor-Council or Representative Town Meeting type of government. The experience of other towns has been that charter studies have tended to polarize groups within the town with resulting division of opinion.

(6) The growth of Chester has not been so great as to make it necessary to reconsider its form of government at this time. While it is true that about 4/5 of the population of Connecticut live in municipalities with a charter, charters are more appropriate for large towns than for small towns. Of the 169 towns in Connecticut, 82 representing the larger towns have charters and 87 do not. If Chester adopted a charter, it would be the smallest town in the state to so do. No other towns in the Lower Connecticut River Valley have adopted a charter and presumably, therefore, have not felt the absence of a charter to be a handicap.

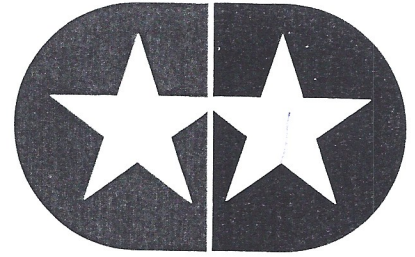
The individual members of the Committee all expressed the view that the study of the possibilities of a charter had been extremely beneficial and rewarding. Since we have recommended that this question be reviewed in two years' time, we believe that it would be in the best interests of the people of Chester for the Selectmen to call a public information meeting in the early fall so that members of this Study Committee may discuss various aspects of the charter question with the people of Chester with a view to generally informing them and stimulating further discussions in this field.

Respectfully submitted

by s/ Helen Brooks
Helen Brooks, Co-Chairman

s/ Robert Baskin
Robert Baskin, Co-Chairman

Chester Democratic
Town Committee
P.O. Box 159
Chester, Conn. 06412



Robert J. Baskin, Chairman
203:526-9892

February 28, 1973

Mr. Robert Blair
First Selectman
Town Office Building
Chester, Connecticut 06412

Dear Mr. Blair:

Several times during the last year I have called upon you to initiate action to create a Charter Commission. I regret that no action has been taken on my informal proposals.

Please allow me to restate the advantages to all the citizens of Chester of having a town charter.

In 1957, the General Assembly passed the Home Rule Law. This law provided that local communities may write their own charter. This law has helped local citizens, who know their own local problems best, to find solutions for these problems at home. It has also removed the need to go before the entire General Assembly to pass legislation affecting only a particular locality.

Chester has no charter. This means that we are ruled by State statutes and a few Town Ordinances. Therefore, we must basically refer to State laws to find the answers to our questions. We would prefer to seek solutions in our own laws or charter.

Not only would a charter provide flexibility to the government of Chester, but it also would set forth the powers and duties of each of the town officials and the Town Meeting in one document. For the average citizen this has to be a great improvement over the present situation. Without being an expert one has to look through hundreds of sections of General Statutes to find many of these same facts.

The definition of powers and duties is terribly important both to the average citizen and to the elected officials. To the average citizen, the charter is a guide to the town government, thus making it easier for him to seek aid or redress. To the town official it is a definitive statement of how much or how

Mr. Robert Blair
Page two
February 28, 1973

little authority has been entrusted to him.

At a recent Town Hearing much displeasure was expressed concerning executive sessions, called by Chester Commissions. A possible cause of poor attendance at town meetings is distrust of government by citizens.

The process of writing a charter, with its mandatory citizen involvement, and a charter, which spells out duties and powers of commissions, could go a long way towards rebuilding a trust of government.

A Charter Commission would make recommendations about our government to the townspeople. The Commission would consider the principles of sound government, evaluate the existing structure of our administration, hold public hearings for Chester citizens, local officials and governmental experts, and propose retention or changes in our form of government. These recommendations would be in the form of a charter which would place Chester's destiny in our own hands rather than in the hands of legislators in Hartford.

The Charter Commission will not directly change any of our present laws and procedures. It will allow us to review these items and choose the most effective methods. It will allow Chester to make its own choices--giving the town a more efficient operation, making more effective use of our tax dollars.

To initiate a Chester Charter Commission would require the appointment of a five to fifteen member board by our Selectmen with voter approval.

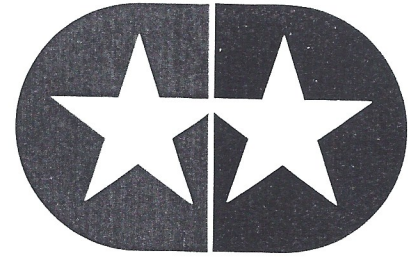
I therefore call upon you, Mr. Blair, as First Selectman, to provide the necessary leadership which would allow Chester to use its own resources and skills to prepare and improve our town government through a charter for Chester.

Sincerely,

A handwritten signature in cursive script that reads "Robert Baskin". The signature is written in dark ink and is positioned above the typed name.

Robert Baskin

Chester Democratic
Town Committee
P.O. Box 159
Chester, Conn. 06412



Robert J. Baskin, Chairman
203:526-9892

March 23, 1973

Mr. Robert Blair
First Selectman
Town Office Building
Chester, Connecticut 06412

Dear Mr. Blair:

I am writing you concerning appointment of a Charter Commission, at the request of the Chester Democratic Town Committee. I corresponded with you earlier on February 28, 1973 with a formal request for the creation of such a Charter Commission. As yet, I have received no formal response nor has my letter been brought before the entire Board of Selectmen for consideration. In my letter you will note I gave reasons why a Charter would be of benefit to our town. In remarks attributed to you by the Old Saybrook Pictorial on March 14, 1973, you indicated that you may appoint a Charter Study Committee to present its findings to the town. The Town Committee assumes you were referring to a separate body from a Charter Commission and concurs with your suggestion. In a resolution passed by the Town Committee at its meeting of March 20, 1973, the Chester Democratic Town Committee went on record as urging the Board of Selectmen; to appoint a Charter Study Committee. This Committee would do preliminary research concerning the feasibility and advisability of Chester creating a Charter Commission. We feel that if you are reluctant to formally appoint a Charter Commission, such a study committee could provide the information necessary to help you make a decision.

The topic of a Charter Commission has been discussed by the Democratic Town Committee several times over the past year and in response to your statement that the request for a Charter Commission was mine rather than the Town Committee's, the referred to resolution was passed.

I would like to add that several statements attributed to you are erroneous. It was indicated that your research had discovered that no town in the state the size of Chester has a town charter. There are four towns in Connecticut with populations under 4,700, namely Columbia, Durham, Marlborough, and Middlefield, which do have town charters. Altogether, there are eight towns

Mr. Robert Blair
Page two
March 23, 1973

in Connecticut with populations of 7,000 or less which have local charters. You are also quoted as saying that towns that do adopt charters are still limited to the fifty-eight powers authorized in the general statutes. It appears that a misunderstanding exists, for rather than being limited by fifty-eight powers, indeed, when a town adopts a charter, there are fifty-eight additional powers that are granted.

In conclusion may I say that I, too, consider the creation of a charter, serious and not something you "jump into". Certainly a committee to study the advisability of adopting a charter would be logical and I support it. I also offer my services to the Board of Selectmen or to a Charter Study Committee.

Sincerely,

A handwritten signature in black ink that reads "Robert J. Baskin". The signature is written in a cursive style with a vertical line separating the first and last names.

Robert J. Baskin
Chairman