

Town of Somers – Charter Revision Commission
DRAFT of EXPLANATORY TEXT
LOCAL BALLOT QUESTIONS – CHARTER REVISION
State General Election - November 4, 2025

Ballot Question No. 1: Shall the Town Clerk become an appointed rather than elected position?

EXPLANATORY TEXT: The question asks shall the Town Clerk of Somers become an appointed rather than elected position in accordance with the recommendation set forth in the final report of the bipartisan Town Charter Revision Commission? The question requires a choice: YES ___ NO ___

Under the current Town Charter, the position of the Town Clerk is an elected position with a four-year term in office. The Charter Revision Commission proposed revision recommends that the Town Clerk become an appointed position. This is the last remaining full-time, professional, elected position in the Town, and it is a leftover tradition from when the Town was a smaller community. The Town does not elect its Fire Chief, Police Chief, Public Works Director, Superintendent of Schools. Moreover, there is no residency requirement for other department head positions in Town. These positions report to elected officials, the Board of Selectmen, who set policy. The Town Clerk should function the same way. In prior referendums, the Town has voted to eliminate other elected full-time positions including the elected Treasurer, Assessor, Tax Collector and make them appointed positions. These positions have been acknowledged to be professional positions needing a qualified employee. The question proposes to consider making a similar change to the Town Clerk position. The proposed change if passed would become effective at the end of the current elected term or the resignation of the incumbent, whichever comes first.

SPECIFIC CHARTER CHANGES NEEDED

Change (Delete) Current Language

§ 3-6. Town Clerk. [Amended 11-6-2013, effective 11-6-2013]

The electors shall elect a Town Clerk for a term of four years. The Town Clerk shall have those powers and duties prescribed by the Connecticut General Statutes.

Adopt Recommended Amendment

§ 3-6. Town Clerk.

There shall be a Town Clerk serving a term of four years **reviewable annually by the Board of Selectmen. The Board of Selectmen shall establish and periodically review a written job description for the Town Clerk including any required certifications, licenses, or degrees.** The Town Clerk shall have those powers and duties prescribed to Town Clerks the Connecticut General Statutes **and shall report to the Board of Selectmen. A panel comprised of the First Selectman, Town Administrator¹, and the Chief Financial Officer shall submit a nomination to the Board of Selectmen for appointment as Town Clerk. Should the nominated candidate fail to be appointed for any reason, the panel shall then reconvene and submit subsequent nominations until a candidate is seated.**

¹ To be included only if ballot question number 2 is approved.

Town of Somers – Charter Revision Commission
***DRAFT* of EXPLANATORY TEXT**
LOCAL BALLOT QUESTIONS – CHARTER REVISION
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Ballot Question No. 2: Shall the Board of Selectmen appoint a Town Administrator who reports to them and oversees the day-to-day operations of the Town?

EXPLANATORY TEXT: The question asks shall the Board of Selectmen appoint a Town Administrator who reports to them and oversees the day-to-day operations of the Town in accordance with the recommendation set forth in the final report of the bipartisan Town Charter Revision Commission? The question requires a choice: YES ___ NO ___

For years in Somers, the Town Meeting-Selectmen has been our local form of government. This offers high levels of citizen involvement, giving residents direct say in their town's budget and laws. However, the process can be challenging, especially now when the Town regularly faces more complex issues. To address these challenges, some towns combine aspects of both direct democracy and professional management. The Charter Revision Commission recommended that the Board of Selectmen appoint a Town Administrator who reports to them and oversees the day-to-day operations of the Town. An appointed Town Administrator applies professional skills and training to assist the Board of Selectmen and to administer the daily operations of the Town. People often confuse the roles of Town Managers and Town Administrators. While both are involved in the day-to-day administration of a town, the key difference lies in their reporting structure and degree of independence. Town Managers often have more autonomy and authority, with staff reporting directly to them, whereas Administrators typically work under the direct supervision of the town's Board of Selectmen. With a Town Administrator, the form of government does not change. It was further recommended by the Charter Revision Commission that the First Selectman position be relieved of daily management responsibility and scaled back to part-time hours. The goal of the new Town Administrator position is to ensure consistency and continuity of Somers's administrative operations. By charter, the First Selectman remains the CEO of the Town, and the new Town Administrator reports to the First Selectman. The Board of Selectman retains the overarching policy-making authority for the Town. All is done while preserving the Town Meeting at the central core of our Town government so that ultimately the town's people remain in control. The proposed change if passed would become effective at the end of the current elected term or the resignation of the incumbent, whichever comes first.

SPECIFIC CHARTER CHANGES NEEDED

Change (add/delete) Current Language

CHAPTER IV, Board of Selectmen,

§ 4-1. Composition.

- a. The First Selectman and two Selectmen shall comprise the Board of Selectmen, and each shall be for a term of two years, in accordance with the General Statutes. During any election, an unsuccessful

candidate for the office of First Selectman shall be deemed ineligible for a seat on the Board of Selectmen regardless of the number of votes that candidate shall receive. No person may simultaneously seek the office of First Selectman and the office of Selectmen. [Amended 11-6-2013, effective 11-6-2013]

- ~~b. The First Selectman, while serving his term of office, shall not hold any paid civil office under the government of the United States, the State of Connecticut or any subdivision thereof, except that of Notary Public.~~
- b. Notwithstanding the provisions of the General Statutes, at each biennial election, each elector shall be entitled to cast votes equal to the number of seats on the Board. The members of the Board of Selectmen shall be elected in accordance with the provisions of the minority representation statutes.

§ 4-2. First Selectman.

- a. At each biennial Town election a First Selectman shall be chosen by the electors of the Town as provided in § 3-1. of this Charter.
- b. The First Selectman shall be the Chief Executive ~~and Administrative~~ Officer of the town and shall have the powers and duties of the First Selectman prescribed by the General Statutes and by this Charter. ~~The First Selectman shall receive such compensation as shall be recommended by the Board of Selectmen and approved in the annual budget. The First Selectman's position shall be part-time as recommended by the Board of Selectmen. He~~ The First Selectman shall be responsible to the Board of Selectmen for the ~~administration of agencies under the direct supervision of the Board, and~~ shall execute or cause to be executed town ordinances, and regulations or resolutions voted by the Board of Selectmen.
- c. ~~He The First Selectman~~ shall preside over meetings of the Board of Selectmen, ~~when present, and prepare the agenda in conjunction with the Town Administrator.~~ The Second Selectman shall preside in the absence or disability of the First Selectman, shall perform such other duties of an absent or disabled First Selectman as the Board may designate by resolution or regulation.
- ~~d. The salary of the First Selectman shall not be diminished during his term of office.~~
- d. ~~He The First Selectman~~ shall be an ex-officio member of all Board and Commissions of the town, but such ex-officio membership shall be without vote except in the Board of Selectmen. ~~He The First Selectman~~ shall be given reasonable notice of all meetings of Boards and Commissions by their Chairmen or Secretaries and may in writing appoint another member of the Board of Selectmen to represent ~~him~~ ~~The First Selectman~~ at any meeting of a Board or Commission.
- e. The First Selectman, as the chief elected official, may represent the Town at local, regional, or statewide meetings, events, or various committees or task forces.
- f. The First Selectman, under the general policy direction of the Board of Selectmen, shall be responsible for providing guidance to the Town Administrator in the coordination and administration of the Town agencies and departments, except those functions expressly reserved or delegated to such agencies by the Connecticut General Statutes.
- g. The First Selectman shall continuously review the current and future needs of the Town. The First Selectman may require reports and information submitted by the Town Administrator, or agencies reporting to the Administrator.

Adopt Recommended Amendment

To establish and incorporate the Town Administrator position into the Town Charter, add the following language:

§ 4-6. Town Administrator (NEW)

The Board of Selectmen shall appoint a Town Administrator who reports to them and oversees the day-to-day operations of the Town. The following describes the nature, role, functions of the Town Administrator position and the requirements of the incumbent:

(a) Qualifications

The Town Administrator shall be chosen on the basis of their executive and administrative skills, character, education, training, experience and shall meet the qualifications listed in the Town's Town Administrator position description. The Town Administrator is not required to be a resident of the Town of Somers.

(b) Appointment

The Town Administrator shall be appointed by the Board of Selectmen. The Town Administrator is an exempt position of indefinite term. The compensation and benefits shall be in accordance with the town's classification and policies and be consistent with the Town's Employee Handbook.

(c) Duties and Responsibilities

The Town Administrator shall be the Chief Administrative Officer of the Town of Somers and is responsible to the Board of Selectmen for the supervision, direction, and administration of all its departments, agencies, and offices. The Town Administrator may perform the duties of any officer under his or her authority, subject to the approval of the Board of Selectmen.

The Town Administrator may, subject to the approval of the Board of Selectmen, appoint or remove any administrative officer, or town employee(s) in accordance with the provisions of Connecticut General Statutes, provisions of the Town's Employee Handbook, or other rules and regulations concerning town employees. (Excludes employees under the Board of Education).

The Town Administrator may, with the approval of the Board of Selectmen, enter into contracts or agreements with the United States Government, or any agency thereof; with the State of Connecticut or any agency or political subdivision thereof; any person; body politic; corporation, firm, or partnership.

The Town Administrator shall be responsible to the Board of Selectmen for the functions delineated in the Town Administrator Position Description as approved or amended by the Board of Selectmen. The Town Administrator shall work collaboratively with the First Selectman.

(d) Removal of the Town Administrator

The Town Administrator may be removed by a 2/3 vote of the entire membership of the Board of Selectman. At least thirty (30) days before the proposed removal of the Administrator, the Board of Selectman shall adopt a resolution stating their intention to remove the Administrator and the reasons, therefore. A copy of the resolution shall be served upon the Town Administrator who, within ten (10) working days, may demand a public hearing, in which case the Administrator shall not be removed until such hearing has been held. The Board of Selectmen may suspend from duty the Town Administrator upon passage of the resolution provided that the salary and benefits of the Administrator shall continue until removal from office. The action of the Board in removing the Town Administrator shall be final.

Town of Somers – Charter Revision Commission

DRAFT of EXPLANATORY TEXT

LOCAL BALLOT QUESTION – CHARTER REVISION

State General Election - November 4, 2025

Ballot Question No. 3: Shall the Planning and Zoning Commissions be combined into a single appointed body?

EXPLANATORY TEXT: The question asks shall the Planning and Zoning Commissions be combined into a single appointed body in accordance with the recommendation set forth in the final report of the bipartisan Town Charter Revision Commission? The question requires a choice: YES ___ NO ___

The current Town Charter language states in § 5-5, "There shall be a Planning Commission ..." and in § 5-6, "There shall be a Zoning Commission ..." Both commissions have five members, serving four-year terms and three alternate members serving one-year terms. Also, both have the powers and duties prescribed by the state's General Statutes. Having two separate commissions has at times contributed to a disconnect between planning, zoning, and land use policy resulting in duplication, inefficiency, confusion, and frustration for those undertaking efforts to improve development in the community. The Charter Revision Commission recommended that the Planning and Zoning Commissions be combined into a single body with seven members. Eighty-five percent of the cities and towns in Connecticut have a combined Planning and Zoning Commission to support more efficient and collaborative relationships between planning, zoning and the community. The creation of a single commission will speed up the application and approval process to facilitate and encourage economic development. If approved the change will be effective January 1, 2026.

SPECIFIC CHARTER CHANGES NEEDED

Change (Delete) Current Language

§ 5-5. Planning Commission. [Amended 11-6-2013, effective 11-6-2013]

There shall be a Planning Commission of five members serving four-year terms with the powers and duties of Planning Commissions prescribed by the General Statutes. There shall be three alternate members of the Planning Commission, serving one-year terms, with the powers and duties prescribed by the General Statutes.

§ 5-6. Zoning Commission.5 [Amended 11-6-2013, effective 11-6-2013]

There shall be a Zoning Commission of five members serving four-year terms with the powers and duties of Zoning Commissions prescribed by the General Statutes. There shall be three alternate members of the Zoning Commission, serving one-year terms, with the powers and duties prescribed by the General Statutes.

Adopt Recommended Amendment

§ 5-5. Planning and Zoning Commission.

There shall be a **Planning and Zoning Commission** of **seven** members serving four-year terms with the powers and duties of Planning Commissions prescribed by the General Statutes.

There shall be three alternate members of the **Planning and Zoning Commission**, serving one-year terms, with the powers and duties prescribed by the General Statutes.

§ 5-6. [Deleted/Left blank]

Town of Somers – Charter Revision Commission

DRAFT of EXPLANATORY TEXT

LOCAL BALLOT QUESTION – CHARTER REVISION

State General Election - November 4, 2025

Ballot Question No. 4: Shall the dollar amount over which a special appropriation exceeds thus requiring approval by vote of a Town Meeting be revised?

EXPLANATORY TEXT: The question asks shall the dollar amount over which a special appropriation exceeds thus requiring approval by vote of a Town Meeting be revised in accordance with the recommendation set forth in the final report of the bipartisan Town Charter Revision Committee?; YES ___ NO ___

Under § 6-7. Special appropriations in the current Town Charter, when a proposed special appropriation exceeds the amount prescribed in the state statutes CGS 7-348, approval of a Town Meeting is required. As it pertains to Somers, the amount prescribed in CGS 7-348 is \$20,000. This means that whenever a special appropriation exceeds the \$20,000 threshold that a Town Meeting approval is required. Since that \$20,000 amount in the state statutes was established in 1990 and has not been updated since then, the Charter Revision Commission felt that the \$20,000 amount was too low to merit action by a Town Meeting. In this Charter amendment, the Commission has recommended substituting a formula rather than a specific dollar amount. Using such a computation would allow the upper limit amount to self-adjust and stay in line with increased costs and inflation. The formula would determine the upper limit by taking two-tenths of one percent (0.2%) of the most recently adopted budget (General Fund budget multiplied by 0.2 %). For example, if the most recent adopted budget is \$42,000,000, the upper limit would be \$84,000 (\$42 million X 0.2%) rather than the \$20,000. The amount of the threshold would be indexed to the amount of the budget.

SPECIFIC CHARTER CHANGES NEEDED

§ 6-7. Special appropriations.

- a. The Board of Finance on request by ~~town agencies~~ the Board of Selectmen and/or the Treasurer may make special appropriations from ~~surplus revenue~~ the unassigned General Fund surplus balance (amounts that are available for any purpose; these amounts are reported only in the General Fund and are not otherwise restricted, committed, or assigned) or from an approved contingency fund. Any such appropriation or combination of appropriations, in excess of ~~the amount prescribed in CGS 7-348~~

two-tenths of one percent (0.2%) of the most recently adopted (General Fund budget multiplied by 0.2 %) shall require approval by a vote of Town Meeting upon recommendation of the Board of Finance.

- b. When the town is maintaining a reserve fund for capital and non-recurring expenditures in accordance with the General Statutes, payments into the reserve fund shall be made upon the recommendation of the Board of Finance and approval by vote of Town Meeting. An appropriation from the reserve fund in an amount not more than ~~the amount permitted in GGS 7-348~~ two-tenths of one percent (0.2%) of the most recently adopted General Fund budget may be made on recommendation of the Board of ~~Finance Selectmen~~ and approval by the Board of ~~Selectmen Finance~~; a recommended appropriation of more than that amount shall require approval by vote of Town Meeting. Appropriations for construction or other permanent improvements, from whatever source derived, shall not lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned, provided that any project shall be deemed to have been abandoned if three fiscal years shall elapse without any expenditure from or encumbrance of the appropriations therefor. [Amended 11-7-2006, effective 12-7-2006]
- c. Special appropriations other than those from ~~the unassigned General Fund surplus balance (amounts that are available for any purpose; these amounts are reported only in the General Fund and are not otherwise restricted, committed, or assigned) surplus revenue~~ or from an approved contingency fund may be made only by a vote of Town Meeting on recommendation of the Board of Finance. If such an appropriation is voted before the tax is laid in accordance with Section 6-5, it shall be included in the appropriations of the town, which the tax must cover. If it is voted after the tax has been laid, the Town Meeting must direct the Board of Selectmen to borrow such amount as is necessary and the amount so borrowed shall be appropriated in the next annual budget and paid from the tax next laid.
- d. The provisions of this section shall not be a limitation on the power of the town to issue bonds or other obligations for appropriations or indebtedness in accordance with the General Statutes.