

**PROPOSED REVISION OF THE  
CHARTER OF THE TOWN OF FAIRFIELD  
TO BE VOTED ON IN THE TOWN OF FAIRFIELD  
AT THE ELECTION TO BE HELD  
ON TUESDAY, NOVEMBER 8, 2022**

Pursuant to §9-369b(a) of the Connecticut General Statutes (C.G.S.), as amended, the following is a designation of the proposed amendments to the Charter of the Town of Fairfield, in accordance with C.G.S. §7-188. Said proposals were prepared by the Fairfield Charter Revision Commission and approved for submission to the electorate by the Board of Selectpersons. The proposed Charter revision was published in its entirety, in the *Fairfield Citizen* on September 9, 2022.

There is one Question on the Ballot. If a majority of the electors voting on these amendments to the Charter approve same, they shall become part of the Town's Charter.

Attest: Elizabeth P. Browne, MMC, MCTC, Town Clerk

### QUESTION

**Shall the Town of Fairfield Charter be reorganized to: (A) make it easier to use and understand; (B) modernize language and references throughout; (C) update and expand definitions; and (D) make substantive changes, including but not limited to the following: (1) uniform standards of conduct, civility and operations; (2) streamlined budget and contract approval procedures; (3) allow for greater competition in Board of Education elections; (4) modify Board of Selectperson vacancy process; (5) codify the current forty-member RTM with ten districts; (6) appointment of Constables; (7) codify the positions of Town Administrator and Chief of Staff; (8) modify residency and qualification standards for certain department heads; (9) update the Board of Library Trustees responsibilities; and (10) amend the process for updating the Town Seal.**

**Explanation.** The proposed Charter addresses issues raised during the review of the Charter including the reorganization and restructuring of the Town's governing document. Definitions are expanded to establish a common language for reading the document. The following explanation addresses key changes in each Article:

**Article I – Incorporation, General Powers, Construction, Organization and Standards:** Changes the structure of this Article by expanding definitions and moving the structure of government into Article II. Definitions provide a common usage to eliminate redundancy and ambiguity. The meeting and notice provisions align the Charter with changes in meeting protocols, laws and technology. It addresses Standards of Conduct (moved from current Article XI), ethics, Rules of Order and Civility, which incorporates the current parliamentary protocols<sup>1</sup> (current articles VIII and X) and standards for the treatment of the public and colleagues (New); open meeting and public record requirements (moved from current Articles VIII and X); and diversity on Boards and Commissions (New).

**Article II – Elected Officials and Elections.** There are several changes: (1) The Charter complies with the General Statutes regarding elections, unless otherwise noted in the Charter; (2) RTM

membership is fixed at the current 40 members and 10 districts, in lieu of up to 56 members and districts as determined by the RTM; (3) Seven elected Constables reduced to four appointed by the Board of Selectpersons; (4) Minority Party representation provisions for the Board of Education were modified to foster competition in certain election cycles; and, (5) Vacancy provision for the Board of Selectpersons was moved from Article VI and creates a selection process for the replacement member to serve until the next municipal election rather than a possible midyear special election.

**Article III – Representative Town Meeting (currently Legislative Branch).** The provisions dealing with the basis of representation on the RTM were moved from Article II to III and the composition reflects the changes set forth in Article II (10 districts/40 members). The new Charter requires at least one public hearing prior to adoption of an ordinance; The Board of Finance appeal and referendum provisions of current Articles IV and XIII, respectively, moved to this Article and the threshold for a referendum was increased from \$150,000 to \$500,000.

**Article IV – Board of Selectpersons and the First Selectperson.** Current Articles V (Executive Branch in General) and VI (Board of Selectman and First

Selectman) are now combined. The Board will now only review and approve contracts in excess of \$50,000, that are exempted from Town purchasing policies instead of all contracts of \$10,000 or more, (not applicable to the Board of Education). The First Selectperson's authority is explicitly delineated, including: (1) supervisory functions; (2) periodic reporting obligations to the RTM and Board of Finance, including quarterly reports of income and expense; (3) responsibility for presenting a proposed capital budget proposal; (4) prepare and maintain a 5-year capital plan for annual updates by the Board of Finance; (5) appointment and hiring of department heads, unless otherwise set forth under law; and (6) such additional powers established by ordinance. The Charter establishes executive staff functions; the positions of chief of staff and chief administrative officer are now established in the Charter. The compensation and purchase provisions of Articles V and XII moved to this Article.

**Article V – Other Elected Officers, Boards and Commissions.** This Article eliminates the election of Constables; makes specific reference to the staggering of terms of office; and requires the Town Plan and Zoning Commission to prepare a plan of conservation and development as required by General Statutes in lieu of a "master plan".

<sup>1</sup> Robert's Rules of Order

**Article VI - Boards and Commissions.** The Chief of Police and Town Attorneys are no longer required to be electors of the town. The Article sets forth the authority of appointed Town Officers including the source of authority, adherence to law and understanding of employee rights established under collective bargaining agreements. It includes a new standard, requiring the Director of Human Resources to prepare job qualifications “in accordance with nationally accepted professional standards and best practices in the applicable field” with review and update every 4 years or at the time of a vacancy. The term for Ethics Commission moves from July 1 to April 1 and the Board of Library Trustees term now commences July 1. There are provisions that require cooperation of town officials in assisting Boards and Commission in their tasks; requires compliance with the Article I requirements for standards of conduct, rules of order and civility and open meeting and public record keeping; and clarifies the role of the RTM to establish Boards and Commissions.

**Article VII – Appointed Town Officers.** Removes the requirements for the Director of Public Works (DPW) to be a professional engineer registered in the state and the Director of Health to be a licensed physician. The Directors will be required to meet standards set by the General Statutes

and to qualify with “nationally accepted professional standards and best practices” in public works or health department management. The DPW shall assign a Town Engineer to be the “chief technical advisor of the Town” who shall also be a member of the Flood Prevention, Climate Resilience and Erosion Control Board. The Director of Human and Social Services is required to coordinate the work of the department with “other entities on social services matters as authorized by the General Statutes, including matters which relate to the aging, people with disabilities, veterans, youth and underserved populations.” There will be 4 appointed Constables with staggered terms no more than 2 from the same political party, appointed by the Board of Selectpersons.

**Article VIII – Specific Appointed Boards, Commission, and Departments.** The Flood and Erosion Control Board has been renamed the Flood Prevention, Climate Resilience and Erosion Control Board and will have three alternate members. The duties of the Human Services Commission are clarified. The term “handicapped persons” has been replaced with “people with disabilities.” The term of office of the Board of Library Trustees shall be 3-years from the current 6-year term. The powers and duties have been updated to be consistent with contemporary national standards.

**Article IX – Budget.** The Article sets forth requirements designed to foster “public engagement” through cooperation by all officials, utilizing best practices in public finance, compliance with law and principles of accountability, transparency and outreach to the public. The budget is a “public record” available at the Office of the Town Clerk and other public facilities and the First Selectperson is required to disseminate information through various media.

The annual budget meeting changes from the first Monday to the second Monday in May and establishes joint meetings between the Boards of Selectpersons and Finance and allows for participation of the RTM.

Following the joint meetings, the Board of Selectpersons, following any additional meetings deemed necessary, shall submit the Executive Budget in such manner as required by the Board of Finance.

Upon receipt of the Executive Budget, the Board of Finance may hold meetings to review the budget proposed by the Board of Selectpersons. The Public Hearing requirement remains.

Upon receipt of the Board of Finance Proposed Budget, the RTM may hold additional meetings to review the

budget before the Annual Budget Meeting at which time the budget is adopted.

**Article X – Miscellaneous.** (1) The Town will be able to modify the Town Seal by Ordinance; (2) periodic consideration of charter review is required 10 years following approval of a charter revision; and, (3) the effective date of the Charter is November 27, 2022.