

WESTBROOK CHARTER COMMISSION
866 Boston Post Road
Westbrook, Connecticut 06498

October __, 2011

Draft Report

of the

*Westbrook Charter
Commission*

**SUBMITTED TO THE TOWN CLERK WITH INSTRUCTIONS TO TRANSMIT
TO THE BOARD OF SELECTMEN OF THE TOWN OF WESTBROOK:**

The Westbrook Charter Commission (hereinafter referred to as the “Commission”) appointed on June 28, 2010 respectfully submits this Draft Report including a proposed Charter to the Town Clerk of Westbrook with instructions to transmit it, along with all of its Exhibits, including but not limited to a proposed Charter, to the Board of Selectmen pursuant to Connecticut General Statutes Section 7-191(b) for its consideration and action pursuant to said Section 7-191.

Initially, the Commission wishes to thank the Board of Selectmen for the honor and privilege of being afforded the opportunity to serve the town with respect to the important task of drafting a proposed Charter which would best serve the interests of the Town of Westbrook. It is a duty which we have taken seriously and which we have diligently sought to fulfill.

The Commission has conducted substantial research, taken a survey, sought public input, and elicited testimony from numerous sources to investigate the advantages of implementing various potential forms of government as well as the range of possibilities regarding these forms of government. These sources were identified in more detail by the Commission’s presentation made through its Chairman John Ferrara at the Public Hearing which was held on **September 27**, 2011. This presentation is attached hereto as **Exhibit A** and made a part hereof.

Based upon our substantial research, investigation, study and analysis, the majority of the Commission has drafted an initial version of the Charter which provides for implementing a “Town Meeting – Board of Selectmen – Town Manager” form of government for the Town of Westbrook, a copy of which is attached hereto as **Exhibit B** and made a part hereof. This proposal includes maintaining the Town Meeting at the core of our local government so that our citizens will continue to be able voice their opinions and vote on issues as they have done in the past. It also provides for a qualified professional Town Manager to fulfill the function of Chief Executive Officer (CEO) to implement and administer the vision and policies established by the Board of Selectmen, and run the operations of the town on a day to day basis. The Board of Selectmen would be composed of nine (9) members who would, along with a First Selectman, continue to be elected in the same manner as the First Selectmen and Board of Selectmen are currently elected under our existing form of government. This new board would continue to act in its present role, but would also assume the duties of the current Board of Finance which would be merged into a new more encompassing Board of Selectmen. Accordingly, there would be no separately functioning board of Finance. Additionally, this version of the Charter would provide that the towns’ Treasurer, Town Clerk, and Tax Collector would not be elected, but would be hired by the Board of Selectmen. Additionally, the currently elected holders of these offices would be automatically hired, with their consent, to fill these positions at the expiration of their elected terms of office. Finally, except for the establishment of an Ethics Commission, the current boards, commissions and agencies of the town will continue, but some changes would occur with regard to their make-up, selection, and terms of office so that there would be more uniformity.

This is the version of the Charter that a majority of the Commission believes would best serve the interests of the Town of Westbrook. However, after consideration of the opinions stated at a recent public hearing, the Commission is not proposing this form of government for consideration at this time. Nevertheless, since this version has been given substantial thought and has been written and completed, it is made a part of this Draft Report in order to document it for consideration at a future time by future commissions.

At the present time, the Commission is formally proposing a modified version of the Charter which will provide for a qualified professional Town Manager to fulfill the function of Chief Executive Officer (CEO) to implement and administer the vision and policies established by the Board of Selectmen, and run the operations of the town on a day to day basis. A majority of the Commission felt that the Town Manager position was the most important part of the Charter to be implemented at the present time for many of the reasons stated in the presentation made by Commission member Pat Labbadia at the September 27, 2011. A modified version of this presentation is attached hereto as **Exhibit C** and made a part hereof.

Accordingly, after consideration of the comments made at public hearings, along with other input from the Community, the Commission has decided to formally propose a different Charter which does not make all of the changes it desires, but which provides for implementing a “Town Meeting – Board of Selectmen – Town Manager” form of government for the Town of Westbrook. Thus, this modified version, a copy of which is attached hereto as **Exhibit D** and made a part hereof, is the proposed Charter which is being formally submitted by the Commission, and it provides for the following:

1. A qualified professional Town Manager to fulfill the function of Chief Executive Officer (CEO) to implement and administer the vision and policies established by the Board of Selectmen, and oversee the daily operations of the town;
2. A five (5) person Board of Selectmen to represent the community, develop long-range vision, and establish policy to govern the overall operation of the town, which board shall include a First Selectman to function as the Chairman of the Board of Selectmen and as the official head of the town for all ceremonial and military purposes and for the purpose of receiving civil process;
3. A provision that the First Selectman and the members of the Board of Selectmen shall be elected as we do now, and that each of them shall serve without compensation except for the reimbursement of expenses incurred in the performance of official duties, as other boards do in the town;
4. A separate Board of Finance as the town currently has under existing state statutes;
5. A budget process which commences with the Town Manager's proposed budget, but which provides that all subsequent action on the budget shall be handled in the manner currently provided under applicable state statutes;
6. An elected Treasurer, Town Clerk and Tax Collector as the town presently has under existing state statutes;
7. No term limits as was originally suggested;
8. The addition of a new Ethics Commission; and
9. All boards and commissions shall continue as they currently exist, operate and are chosen pursuant to state statutes and town ordinances.

Although this is not the ideal or ultimate version of the Charter which the majority of the Commission would prefer, it does provide a starting point for the enactment of a Charter to best serve the Town of Westbrook moving into the future. Accordingly, this is the Charter the Commission is formally proposing at the present time.

The exhibits incorporated into this Draft Report will also be provided in electronic format on a CD for the convenience of the Board of Selectmen. In addition, the CD will contain some of the sources referenced by the Commission in its deliberations so that they will be available to the Board of Selectmen, and to the Community for future use.

Thank you.

Respectfully Submitted by the Westbrook Charter Commission duly appointed by the Westbrook Board of Selectmen on June 28, 2010:

Anne Barton
Lee Bridgewater
John Ferrara
Sid Holbrook
Paul Keryc
Mary Labbadia

Pat Labbadia, III
Mark Lynskey
Robert Schreck