

# Overview of the Charter Review Commission and Charge



By John F. Sullivan  
Assistant Town Attorney  
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# A Brief History of Government in Manchester

The Town of Manchester was Carved Out from the Town of East Hartford and Incorporated as a Town in 1823 by a Special Act of the General Assembly

*Resolved by this Assembly, the Parish of Orford, in the Town of East Hartford, with all the inhabitants residing within the limits of the Parish of Orford, be, and the same is hereby, incorporated into a distinct and separate Town by the name of “Manchester,” and the inhabitants aforesaid, and their successors forever, residing within said limits, shall have and enjoy all the powers, privileges and immunities enjoyed by other Towns in this state, with the right of sending one (1) representative to the General Assembly of this State.*

-Article I. Incorporation



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The original form of government for the newly created Town of Manchester was the old-fashioned New England Town Meeting, with a Moderator and Warrants advising of the meeting.

*“The first Town meeting in said new Town shall be holden at the meetinghouse in the Parish of Orford on the sixteenth day of June next, at nine o’clock in the forenoon, and George Cheeney, Esq., shall be Moderator thereof, who shall warn said meeting by posting a warning on the public signpost in said new Town and such other place or places as he may think proper, at least six (6) days before said first meeting. And all subsequent meetings shall be holden at or near said meetinghouse in Orford; and the officers of said Town chosen at said first meeting shall hold their offices until others are legally chosen and sworn in their stead.”*

-Article I. Incorporation



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The town officials elected at that initial meeting were:

- One town clerk;
- One treasurer;
- Three selectmen;
- Two constables;
- Five highway surveyors;
- Eight haywards; and
- Three Pound Keepers.

At subsequent Town Meetings later that year and in 1824, an assessor, tax collector and various inspection officials were added to the list of town officials.



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- For nearly 125 years, the Town meeting, as the legislative body, remained the central institution of town government. It elected all officers, made appropriations, levied taxes, laid out and maintained roads, provided for the care of the poor, passed ordinances in accordance with the General Statutes and controlled all local forms of government.
- The elected selectmen exercised the executive power on behalf of the Town throughout the year.
- In 1932, the Town abolished the local school districts and became responsible for the operation of the schools.



# A Brief History of Government in Manchester

## The Role of the Legislature and the Special Act.

- Subsequent to the original Special Act authorizing the creation of the Town, and in parallel with Manchester's Town Meeting / Selectmen local exercise of governmental powers, the Legislature authorized a series of Special Acts enabling the Town to perform certain functions such as creating a water company, water and sewer works, transferring land, and transferring funds among other specific powers. - *See Special Acts of the Manchester Charter*



# A Brief History of Government in Manchester

## The Role of the Legislature and the Special Act.

- The necessity for the Legislature to enact such Special Acts granting such powers, is that as a creation of the state, a municipality has no inherent powers of its own.



# A Brief History of Government in Manchester

## Manchester Adopts the Council-Manager Form of Government 1946 - Present

- Following World War II, the Town Meeting / Selectmen hybrid proved not to be an effective form of government for growing towns such as the one Manchester was becoming.
- Consequently, in 1946, the Town adopted a Charter with a council – manager form of government. This structure was ratified again in a 1947 Home Rule Act referendum.





# A Brief History of Government in Manchester

## Manchester Adopts the Council-Manager Form of Government 1946 - Present

- Under the Charter adopted in 1946, the Town Meeting was abolished, and its Legislative Power was vested in a nine-member Board of Directors ('BOD').
- The Chair and Vice Chair of the BOD are also denominated as the Mayor and Deputy Mayor for ceremonial purposes but exercise no executive powers.



# A Brief History of Government in Manchester

## Manchester's Council-Manager Form of Government 1946 - Present

The Executive Authority of the Town is vested in a non-elected professional versed in public administration, who is denominated as the General Manager.

The General Manager is the sole employee hired by the Board of Directors. In turn, the General Manager is responsible for the hiring of all the Department Heads established by Charter and/or state statute.



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- After the adoption of the Manchester Charter adopted in 1946 some prior Special Acts were repealed but others were retained to become part of the Town's organic law. – (*See Charter Sec. 20-8*)
- The Legislature continued to adopt a number of Special Acts pertaining to Manchester from 1953 through 1976.
- Since 1982, the Legislature no longer passes any Special Acts relating to specific municipalities and general municipal powers are found in Chapters 98 and 99 of the General Statutes.



# The Home Rule Act and the Manchester Charter

- Home Rule is Now Part of the 1965 Connecticut Constitution.
  - ✓ C.G.S.A. Const. Art. 10, § 1 is the enabling provision providing for the delegation of legislative authority to political subdivisions.
  - ✓ Statutory Authority for municipalities to act is found in Chapter 98 of the General Statutes.
  - ✓ The powers afforded to charter towns are found in Chapter 99 of the General Statutes.



# The Home Rule Act and the Manchester Charter

Purpose of the Home Rule Act is twofold:

1. Relieve the General Assembly of the burdensome task of handling and enacting special legislation of local municipal concern; and
2. Enable a municipality to independently draft and adopt or amend a home rule charter or ordinance so as to conduct their own business and to control their own affairs under the principle that the municipality itself knows better what it wants and needs than the state at large.



# The Role of the Charter Revision Commission

1. Consider those recommendations included in the charging document.
2. The commission may also consider other items for inclusion in the charter as it deems desirable or necessary.



# Requirements and Deadlines

1. Following formation of the Charter Revision Commission, the Commission must hold at least two (2) public hearings. The first hearing must be before commencing its substantive deliberations, and the second before submitting its draft report to the Board of Directors. The Commission may hold other hearings that it deems necessary. (Conn. Gen. Stat. § 7-191(a))
2. The Commission must submit its draft report, including the proposed charter revisions, to the Board of Directors through the Town Clerk within sixteen (16) months of its appointment. (Conn. Gen. Stat. § 7-190(b))
3. After receiving the Commission's Draft Report, the Board of Directors must hold at least one public hearing. The last public hearing must be no later than forty-five (45) days from the date the Town Clerk received the Commission's Draft Report. (Conn. Gen. Stat. § 7-191(b))



# Requirements and Deadlines

4. The Board of Directors has until the fifteenth 15<sup>th</sup> day following its last public hearing to recommend changes to the Commission. If no changes are recommended, the Commission's Draft Report becomes final after 15 days. (Conn. Gen. Stat. § 7-191(c)).
5. If the Board of Directors recommends changes in the Commission's Draft Report within the fifteen (15) day period, the Commission has thirty (30) days after the Board of Directors' recommendation, to act on said recommendations. (Conn. Gen. Stat. § 7-191(c)).





# Requirements and Deadlines

6. Within fifteen (15) days following receipt of the Final Report, the Board of Directors, by a majority vote of the entire Board of Directors, may accept the Final Report, reject the Final Report, or reject separate provisions. If the Board of Directors accepts the Final Report, the proposed charter revisions must be submitted to the voters at a general or special election within fifteen (15) months of the Board of Directors' acceptance. (Conn. Gen. Stat. § 7-191(d)(e))

