

A Proviso in Support of a Charter Revision Update

Published in the East Hartford Gazette May 5, 2022

The East Hartford Charter Revision Commission is completing its work of making its recommendations to the Town Council, which, if approved, will go to the voters in November. The laborious process of Charter Revision, which establishes the legal basis for town governance, takes place every 15 years or so. The last Charter was written in 2004. It is likely that this current revision would be operative through the mid-2030s. The diligent work the Charter Revision commissioners have undertaken is a highly consequential one.

One of the critical issues raised was whether the town government should have as its executive head a strong mayor supported by a Chief Administrative Officer (CAO) or a town manager whose primary report would be to the Town Council. Several municipalities surrounding East Hartford—Glastonbury, Wethersfield, South Windsor, and Manchester—have town management forms of government. Hartford is modeled on the strong mayoral form of government supported by a full time Chief Operating Officer. There are several cities and large towns in CT that broadly parallel East Hartford demographics supported by a strong mayor model, which can be drawn upon for determining the strengths and weaknesses of that model. Manchester is the best model to help town leaders evaluate the strengths and weaknesses of the town manager form of government since its demographics are broadly congruent with East Hartford and that form of governance has been in place since the late 1940s.

The Revision Committee conducted sessions on both forms of governance—the September 20th meeting for an overview of the town manager form and October 12 for the strong mayor form of government. Discussion of these issues and a 5-4 Democratic vs Republican split in support of the strong mayor took place in a Commission meeting workshop on October 22. Unfortunately, that session was not taped, so the citizenry do not have access to the specifics of what transpired in that session. Taped meetings can be accessed here (<https://www.easthartfordct.gov/charter-revision-commission-2021/pages/charter-revision-commission-meeting-recordings>).

In my view, this critical matter of executive governance was not given the level of attention it merits in terms of systematically thinking through what form of governance would best meet East Hartford, say by the target year of 2030. I have spelled out my positions and concerns in three substantial written comments that can be accessed on the Citizen's Comments link of the Charter Revision Commission website (<https://www.easthartfordct.gov/charter-revision-commission-2021/pages/citizens-comments>). I am in general support of the recommendation of the Commission in proposing a strong mayoral form of executive governance (which is now based on a four-year term), supported by a full-time CAO. However, I also maintain that since the issue of the type of governance that would be best for East Hartford was not, nor could not have been, as thoroughly addressed as desirable in the limited time span allowed and the multiple tasks the Commissioners had to address, I amend my support with the following Proviso drawn from my slightly edited second citizen's comment, namely, that:

The town manager versus strong mayor discussion requires a longer examination and a need for a Proviso to be added to the new Charter for a possible revision somewhere between 2027-2030. By that time, the strong mayor model would have been in place for at least five years. This would provide a decent interval to assess its viability. It would also provide time for a committee or working group to be set up, perhaps in 2025, to review the issue of governance, including the prospect of transforming to a town manager, as East Hartford moves into the 2030s.

The town council chair suggested that a new Charter could be established if this matter of governance became a critical one. The purpose of the Proviso is to allow the soon to be adopted Charter to remain in place while considering an important amendment to it. This would be less cumbersome than a call for a new Charter, particularly if the proposed Proviso could address the singular issue identified above without the need to re-write the entire town document.

In my third citizen's comment sheet, I asked the following questions:

1. Is it legally permissible to add such a Proviso into the charter that I am recommending?
2. If the answer is yes, are there reasons why it should not be done?
3. If the answer is no, what options are available, short of a Charter revision, to revisit the issue of the prospect of shifting governance toward a town manager format if that is deemed necessary or desirable?
4. If there are no options available, what would be the significance of this dilemma if the demands of governance by 2030 require a significant revisit of this core issue?
5. In short, would structure prevail over the functioning needs of town government as East Hartford moves toward the year 2030? Or are there formats and strategies in place that would enable the town leaders to make the changes needed to assure the best possible forms of governance are in place to meet the dynamic needs of the town without the need for a cumbersome Charter revision?

To conclude, the current Charter Commission has done valiant work, but, given that a new Charter will likely remain in place into the mid-2030s, the critical matter of the relationship between the town's executive and legislative branches requires a more sustained examination which the proposed Proviso is designed to address. In brief, it would provide a timely opportunity to explore the strengths and limitations of the two forms of executive governance in considerable depth and make any necessary changes in a timely fashion without the need for a total Charter overhaul.

In terms of my own preference, I am undecided, but think a substantive discussion of the advantages and limitations of both forms of governance is in order. This is especially so in a place called East Hartford, in which the governing, business, and community-based sectors are seeking to redesign the town in a variety of significantly productive ways.

