



# Town of Somers Charter Revision Commission

Reviewing the Town Clerk Role

# Town Clerk Role



## Question 1

“Shall the Town Clerk become an appointed rather than elected position?”

SOMERS CHARTER REVISION COMMISSION

# A Complex Job



The Town Clerk's Office offers many services, which include:

- Issuance of certified copies and archival of all vital records (birth, marriage, and death certificates)
- Recording and archiving of land records including deeds, mortgages, release of mortgages, liens, foreclosures, maps, affidavits, along with collecting State Convenience Tax monies and documents
- Issuing and keeping absentee ballots for all elections (federal, state, and local) and many more election-related responsibilities
- Gatekeeper of all Freedom of Information Act (FOIA) requests
- Oversees the FOIA guidelines compliance by Town boards and committees relating to agendas, meeting minutes, legal notices, committee make-up
- Issuing Dog Licenses; Hunting and Fishing Licenses
- Maintaining Registry of Justices of the Peace
- Filing Federal Military Discharge papers (DD214)
- Recording of Trade Names, maintaining local liquor licenses, providing Notary Public services
- Town Clerks are also expected to make decisions on things such as digitizing records, ensuring privacy and freedom of information, protecting against cyberthreats and whether to shred or retain official documents

# Changing Landscape



- The skills and expertise needed to be a Town Clerk have evolved, making it no longer wise to assume that someone who wins an election is the best one to do the job
- Being Town Clerk is far more technical than it was just a few years ago especially when you look at all the issues around early voting and absentee ballots
- There are more regulations and there's more scrutiny by the state that town clerks are doing the job correctly
- As of now, the only requirement is that the electee be a Somers resident
- There are expectations around the Town Clerk to assume full-time working hours and collaborates with other town Departments
- While our current Town Clerk works more than full time and collaborates effectively with town government and departments, this is not a guarantee



## Advantages of an Appointed Town Clerk

- Advocates for making the job appointed (hired) say that with no campaigning and no residency requirements, the towns will have the ability to search a wider and better pool of candidates and vet them based on their experience and qualifications
- There could be a greater likelihood of finding a candidate with Town Clerk experience by going outside Somers in the search for an appointed (hired) Town Clerk, which could decrease the learning curve
- The Town could better evaluate an appointed (hired) employee rather than an elected official and could remove them for poor performance. Not possible with an elected official

# Advantages of an Appointed Town Clerk



- Voters also are not in the position to supervise or evaluate the performance of a Town Clerk, and if an unqualified, inexperienced person came in there could be liability to the town if mistakes were made during the learning process
- There is the risk that if no one ran at all, it would leave this essential role—which is in charge of maintaining public records and running elections—vacant
- An elected official could be replaced by losing an election. An appointed career professional possessing credentials and certifications would bring stability and continuity to the position
- The Town Clerk position should be apolitical. If not, an elected Town Clerk might be influenced to make politically-based decisions from their political party



## Summary

- This is a detailed administrative position that requires a considerable level of expertise and subject knowledge
- Errors and omissions could have significant negative legal and financial implications
- The essential functions of this position are reliant on regulatory knowledge, not exclusively community knowledge
- This is the last remaining full-time, professional, elected position in the Town of Somers, and it is a leftover tradition from when the Town was a smaller community
- The Town has eliminated other elected full-time positions in the past in seeking the most qualified candidate, including the elected Treasurer, Assessor, and Tax Collector in 2013
- Time has come to make a similar change to the Town Clerk position

# Summary



- The Town does not elect its Fire Chief, Police Chief, Public Works Director, Superintendent of Schools, or the aforementioned Treasurer, Assessor, and Tax Collector. Moreover, there is no residency requirement for other department head positions in Town
- These positions report to elected officials who set policy. The Town Clerk should function the same way
- If appointed, the Town Clerk would report to the Board of Selectmen, and the Board of Selectmen reports to the voters. This demonstrates a well-run local democracy with a clear reporting structure and immediate accountability for full-time employees
- According to the state Secretary of State's website, since 2015 more than twenty (20) towns have switched over and now appoint rather than elect their Town Clerk
- As of December 2024, 43% of Connecticut Towns have appointed Town Clerks (72 appointed and 97 elected) – see map on last page



# Notification of Appointment



## 2024 Connecticut General Statutes

### Title 7 - Municipalities

#### Chapter 92 - Town Clerks

#### **Section 7-16a. - Notice to Secretary of the State of appointment of town clerk, vacancy in appointed office of town clerk.**

If a town clerk is appointed under a special law or a town charter, the appointing authority or, if none, the chief executive official of the town, shall, within ten days after such an appointment is made, file a notice of such appointment with the Secretary of the State, indicating the name and address of the person appointed, the date and method of such appointment and the law under which the appointment was made. Within ten days after a vacancy occurs in the appointed office of town clerk, the first selectman or chief executive official of the town shall notify the Secretary of the State of such vacancy.

(P.A. 87-387, S. 4.)

See Secs. 9-189, 9-189a re elected town clerks.

# In Closing



*“Town clerks are like everyone else. They want stability in their lives when it comes to jobs and salary. After putting in the effort to get the skills and experience, you still have to campaign for the job, and you could lose.”*

Patricia Spruance, President,  
Connecticut Town Clerks Association

