

**CHARTER REVISION COMMISSION 2020**  
**MINUTES**  
**APRIL 29, 2020**

A meeting of the Charter Revision Commission 2020 was held on Wednesday, April 29, 2020 remotely via Zoom teleconference. The meeting was called to order by Chair Kate Donahue at 7:04 p.m.

**Members Present:** All Commission members were in attendance, including Kate Donahue, Tom Tesoro, Susan Gilson, Nancy Gardiner, J.C. Cinelli, and Martin McCann. In addition to the Commission members were Town Attorney Dan Schopick and Chief Administrative Officer and Commission Clerk Cindy Katske.

**Public Comment:** There was no public comment.

**Prior Minutes:** Moved by Nancy Gardiner, seconded by Tom Tesoro to approve the minutes of the April 15, 2020 Public Hearing. The motion carried unanimously.

Moved by Susan Gilson, seconded by Martin McCann to approve the minutes of the April 22, 2020 meeting. Moved by Nancy Gardiner, seconded by Tom Tesoro to amend the minutes by specifying that First Selectman Vicki Tesoro recommended a six-member Board of Education rather than an eight-member board as stated in the minutes. The motion to amend carried unanimously, and the motion as amended carried unanimously.

**Charter Review:** The Commission reviewed the following topics.

1. Chapter III, Section 3, regarding absence, disability, etc. of the First Selectman: a draft prepared by Tom Tesoro, attached to these minutes, was discussed. Tom Tesoro will attempt another draft for the commission to review.
2. Chapter VII, Section 17, regarding Ethics Commission: The Commission discussed input received from Ethics Commission Chair Tom Lee. Martin McCann will draft some proposed language for discussion at the next meeting.
3. Chapter III, Section 6G, regarding purchasing: the Commission discussed suggested language from Superintendent of Parks and Recreation Dmitri Paris. Nancy Gardiner will research how other town charters address this issue and invitations will be sent to some town employees to attend the next meeting to give more input on this provision.
4. Chapter VII, Section 19, regarding the Arts Commission: the Commission discussed a proposal by Superintendent of Parks and Recreation Dmitri Paris to eliminate the Arts Commission and have its function taken over by the subcommittee of the Parks and Recreation Commission. J.C. Cinelli will contact Arts Coordinator Emily Areson and Arts Commission Chair Regina Butler to get their input.
5. Chapter II, Section 5B, regarding posting of meeting agendas: the Commission discussed a question by Superintendent of Parks and Recreation Dmitri Paris asking for clarification about posting requirements. No changes to the charter are needed at this time.

6. Chapter VII, Section 11E, regarding acceptance of gifts by the Parks and Recreation Commission: the Commission discussed language suggested by Superintendent of Parks and Recreation Dmitri Paris. Moved by Martin McCann, seconded by J.C. Cinelli to add the words “and/or recreation” after the word “park” in Chapter VII, Section 11E. The motion carried unanimously.

7. The Commission discussed a suggestion from Senior Citizens Commission Chair Marcy Kelly regarding clarification of the purpose of the Senior Citizens Commission in the charter. That commission is not currently included in the charter. It is in the Municipal Code. Also discussed was the issue of reconstituting a Youth Commission. Tom Tesoro will reach out to the town’s youth coordinators for input, and Cindy Katske will reach out to the Senior Center Director and Senior Citizen Commission Chair for more input.

8. Chapter VII, Section 1, regarding Board of Finance alternate members: The Commission discussed input from First Selectman Vicki Tesoro regarding party affiliation and length of time of prior party affiliation of alternate members. Moved by J.C. Cinelli, seconded by Nancy Gardiner to table discussion of party affiliation requirements of Board of Finance alternates in Chapter VII, Section 1A.” The motion carried unanimously.

9. The Commission discussed term limits as suggested by First Selectman Vicki Tesoro. Town Attorney Dan Schopick will try to obtain information from CCM (Connecticut Conference of Municipalities) for discussion at the next meeting.

10. The Commission discussed a suggestion from First Selectman Vicki Tesoro to insert a provision granting an appointing authority the power to remove a member of an appointed board or commission for failure to attend a specified number of meetings with health as an exception. Moved by Susan Gilson, seconded by J.C. Cinelli to add a subsection D to Chapter VII, Section 23 to read as follows: “The appointing authority may remove any member of an appointed commission or board for failing to participate in at least fifty (50) percent of the meetings in a fiscal year or failing to participate in three (3) consecutive meetings.” The motion carried unanimously.

Moved by Tom Tesoro, seconded by Susan Gilson to adjourn at 8:58 p.m. The motion carried unanimously.

Respectfully submitted,

Cindy Katske, Clerk

### **SECTION 3. Absence, Disability, Vacancy, etc.**

**1. Temporary Absence:** Temporary absence shall be defined as an absence of 30 consecutive calendar days or less except for illness where a temporary absence shall be defined as 90 consecutive calendar days or less. The Town Clerk shall notify the public, no later than 2 business days of a temporary absence that will exceed 30 calendar days.

**A.** In the event of a temporary absence by the First Selectman, the First Selectman shall, by letter to the Town Clerk, appoint the Town Treasurer to serve as Acting First Selectman. The Acting First Selectman shall assume all the powers and duties granted the First Selectman under the Charter.

**B.** In the event the Town Treasurer is unable or unwilling to perform the duties of the First Selectman, the Chairman of the Town Council shall assume the duties of Acting First Selectman.

**C.** In the event the Chairman of the Town Council is unable or unwilling to perform the duties of First Selectman, the Town Council by a 2/3rds vote of those present and voting may appoint an Acting First Selectman provided such appointee is willing and able to serve and shall be an elector of the Town of Trumbull.

**D.** In the event of an illness of greater than 90 calendar days, the First Selectman shall be deemed ineligible to perform their duties and succession shall be determined by the rules in Section 3, subsection "2" Vacancy.

**2. Vacancy:** Vacancy shall be deemed to exist in the event of the death, retirement, resignation, removal from office, incarceration for a period exceeding 30 consecutive days, ineligibility for illness as defined in Section 3, Subsection "1D" above, establishment of a primary residence outside of Trumbull or any other situation where the First Selectman is deemed not to be an elector in the Town of Trumbull. The Town Clerk must duly record the date the vacancy began and duly warn and notify the public of the date the vacancy began. Such notice shall be given no later than 2 business days from the date the vacancy occurred.

**A.** In the event of a vacancy as defined above, the Town Treasurer shall assume the duties of Acting First Selectman for a period not to exceed 180 calendar days.

In the event the Town Treasurer is unwilling or unable to perform the duties of Acting First Selectman, the Chairman of the Town Council shall assume the role of Acting First Selectman for a period not to exceed 180 days. The time served by the Treasurer as Acting First Selectman shall count toward the 180 day period permitted for the Chairman of the Town Council to serve in the capacity of Acting First Selectman.

In the event, the Town Treasurer and the Chairman of the Town Council are unwilling or unable to serve, the Town Council, by a 2/3rds vote of those present and voting, may appoint an Acting First Selectman for a period not to exceed 180 days, provided such appointee is willing and able to serve and shall be an elector of the Town of Trumbull. The time served by the Town Treasurer and the Chairman of the Town Council shall count toward 180 day period permitted the appointee of the Town Council to serve as Acting First Selectman.

**B.** In the event of a vacancy where the unexpired term of the First Selectman exceeds 180 consecutive calendar days, a Special election must be held within 60 days after the completion of the 180 day period. In that event, the Town Council shall hold a special meeting, duly warned and noticed, for the purpose of setting a date for such Special Election. The position of Acting First Selectman, for the period between the vacancy and the Special Election, shall be filled as proscribed in Section 3, Subsection 1 above.

**3. Petition for Special Election:** Nothing contained above shall prevent a petition, by the Electors of the Town of Trumbull, for Special Election for any vacancy or temporary absence exceeding 90 consecutive calendar days. Said petition shall be filed with the Town Clerk within 15 calendar days from the date of the vacancy as noticed by the Town Clerk. Such petition shall be filed by the electors of the Town of Trumbull whose numbers are equal to or greater than 5% of those who voted for the

**Office of First Selectman in the preceding Town election. Said petition must be verified by the Town Clerk no later than 5 business days from the date of submission.**

**In the case of such petition, duly verified by the Town Clerk, the Town Council will call a Special Meeting, duly warded and noticed, within 10 calendar days of the verification of the position by the Town Clerk. At such special meeting, a date for special election shall be set, said date is not to exceed 60 days from the date of the vacancy as noticed by the Town Clerk.**

**4. Appointments by the Acting First Selectman: Any appointments made by the Acting First Selectman will expire at the end of the Acting First Selectman's term unless State Law requires otherwise.**