

**CHARTER REVISION COMMISSION 2020**  
**MINUTES**  
**JUNE 10, 2020**

A meeting of the Charter Revision Commission 2020 was held on Wednesday, June 10, 2020 remotely via Zoom teleconference. The meeting was called to order by Chair Kate Donahue at 7:01 p.m.

**Members Present:** In attendance were Commissioners 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.

All present recited the Pledge of Allegiance.

**Public Comment:** Laurel Anderson, a member of the League of Women Voters, and former Registrar of Voters, gave input on Chapter VIII, Section 10 regarding appointment of Deputy Registrars; Chapter VIII, Section 4, regarding how many candidates may be nominated; Chapter VIII, Section 7, regarding references to paper ballots or voting machine ballot labels; and Chapter VIII, Section 7F, regarding Board of Finance recommendations after a referendum.

**Prior Minutes:** Moved by Nancy Gardiner, seconded by J.C. Cinelli to approve the minutes of the June 3, 2020 meeting. Moved by Martin McCann, seconded by Tom Tesoro to change "Chapter III" in item number 18 to "Chapter VII." The motion to amend carried unanimously, and the motion as amended carried unanimously.

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

1. Commission on Aging: Moved by Nancy Gardiner, seconded by Susan Gilson to approve the following language for a new section in Chapter VII on the Commission on Aging:

**"SECTION 21. Commission on Aging.**

A. *Composition and appointment.* The Town shall have a Commission on Aging, which shall consist of eight (8) members appointed by the First Selectman for a term of two (2) years. No fewer than four (4) members shall be age 55 or older. No more than five (5) members shall be members of the same political party.

B. *Officers.* The Commission have a Chairman, a Vice-Chairman and a Secretary.

C. *Duties in general.* The Commission shall study the conditions and needs of older adults in the community in relation to housing, economics, employment, health, recreation and other matters. It shall analyze the services for older adults provided by the community, both by public and private agencies, and shall make recommendations to the Town Council regarding the development and integration of public and private agencies, in cooperation with state and other services to the extent possible. The Commission shall also act as an advisory body to the

Director of the Senior Center. The Commission shall have all the powers and duties conferred or imposed by the General Statutes and the ordinances of the Town.

D. *Transition.* All members of the Senior Citizen Commission as of November 2020 shall be deemed members of the Commission on Aging and shall serve the remainder of their current terms.”

Moved by Nancy Gardiner, seconded by Martin McCann to delete section 21 subsection B. The motion carried unanimously, and the motion as amended carried unanimously.

2. Commission on Youth: Moved by Martin McCann, seconded by Susan Gilson to approve the following language for a new section in Chapter VII on the Commission on Youth:

**“SECTION 22. Commission on Youth.**

A. *Composition and appointment.* The Town shall have a Commission on Youth consisting of six (6) members appointed by the First Selectman for a term of two (2) years. No more than four (4) members shall be members of the same political party. The Commission shall have two non-voting youth members appointed by the First Selectman for a term of one (1) year.

B. *Duties in General.* The purpose of the Commission on Youth is to advise and assist the First Selectman with developing, planning, coordinating and/or conducting programs and/or activities that address the health, social, employment and general welfare needs of the youth of the Town of Trumbull. Such programs and activities shall avoid unnecessary duplication of those provided by public and private agencies. The Commission shall act as an advisory body to the Director of Parks and Recreation and any other Town department, except the Board of Education, charged with providing services and programs to the youth of our Community. The Commission shall act as an advocate for youth programs and expenditures before the Board of Finance and the Town Council during budget preparation. The Commission shall have all the powers and duties conferred or imposed by the General Statutes and the ordinances of the Town.”

The motion carried unanimously.

3. Chapter VIII, Section 9B, regarding referendum on projects over \$15 million. The Commission reviewed language proposed by Town Attorney Dan Schopick and Nancy Gardiner regarding indexing for inflation. Moved by J.C. Cinelli, seconded by Tom Tesoro to revise Chapter VIII, Section 9 as follows:

**“Section 9. Bonded Debt.**

A. Refinancing of existing bonded debt, at comparable or lower rates, shall not be subject to referendum. All other issuance of bonded debt (whether or not combined with a refinancing package) shall be subject” to referendum as follows:

B. For debt taken out for all purposes (including but not limited to education, construction, golf course or other enterprise fund debt) referendum must be held for all projects exceeding \$15 million. The \$15 million amount shall be indexed annually in January using the annual Consumer Price Index for All Urban Consumers (CPI-U) for the Northeast Region, with \$15 million and the 2020 annual CPI-U for the Northeast Region used as the

baseline for the calculation. If the indexing calculation results in an amount lower than \$15 million, the floor for the referendum requirement will remain at \$15 million. The indexed amount will be by vote of the Board of Finance and approval by a two-thirds (2/3) vote of the Town Council. A single project cannot be bonded in multiple smaller amounts in order to avoid this referendum provision.

C. Voting Procedure. Voting at such election shall be in accordance with state law, provided that the hours for voting may be increased at the discretion of the Town Council.

D. Form of Question. The voting ballots or voting machines shall state the following question: "Shall the proposed bond issue in the amount of \$ \_\_\_\_\_ [amount of adopted], as adopted by the Trumbull Town Council on \_\_\_\_\_ [date of adoption] be approved. The voting machine or paper ballot shall provide means of voting "yes" or "no" on the question so presented.

E. Procedure after Referendum. A simple majority of those voting will determine whether the issuance of the bond issue is approved. However, if the number of votes cast is not at least five (5%) percent of the number of eligible electors, then the bond issue shall be deemed approved.

F. Any bonded debt proposed that is not approved by referendum cannot be brought up again for referendum until the later of (1) The next Municipal election, or (2) One (1) year."

The motion carried unanimously.

4. Chapter VII, Section 3, Board of Education: The Commission discussed language drafted by Attorney Schopick. Moved by Tom Tesoro, seconded by Susan Gilson to revise Chapter VII, Section 3 to read as follows:

"A. *Composition and Election.* The Board of Education shall continue as established, subject to and pursuant to the General Statutes, consisting of seven (7) members, each of whom shall be elected for a two (2) year term. Commencing with the 2021 election, the Board of Education shall be composed of eight (8) members.

Each political party may nominate candidates for election as members of the Board of Education as provided in Section 9-204a of the General Statutes, provided however that not more than one-half (1/2) of the total membership shall be registered with the same political party.

In the 2021 election, four (4) members shall be elected for a two (2) year term. Not more than one-half (1/2) of those members elected shall be registered with the same political party. In the 2021 election, four (4) members shall be elected for a four (4) year term. Not more than one-half (1/2) of those members elected shall be registered with the same political party.

Commencing with the 2023 election, all members shall be elected for a four (4) year term.

B. *Powers and Duties.* The Board of Education shall have all of the powers and duties conferred or imposed by the General Statutes on Boards of Education."

The motion carried unanimously.

5. Chapter VII, Section 8, regarding the Police Commission. Attorney Schopick requested that the Commission correct a sentence in the new section on the Police Commission to specify that vacancies on the Commission be filled by the Town Council on recommendation of the First Selectman. Moved by Tom Tesoro, seconded by Martin McCann to add language to Chapter VII, Section 8 clarifying that a vacancy on the present Police Commission shall be filled by the Town Council on recommendation of the First Selectman.

6. Chapter VIII, Section 10, regarding Registrars of Voters. Pursuant to input provided by former Registrar of Voters Laurel Anderson, it was moved by Nancy Gardiner, seconded by Susan Gilson to delete the last sentence of Chapter VIII, Section 10 regarding appointment of deputy registrars of voters. The motion carried unanimously.

7. Chapter VIII, Section 4, regarding nominations for election. The Commission discussed the input provided by former Registrar of Voters Laurel Anderson about the confusion that has existed over the years with regard to the number of candidates for certain offices that may be nominated by the political parties. Attorney Schopick will look into this and come back with information for the next meeting.

8. Chapter VIII, Section 7, regarding use of the terminology “paper ballots or voting machine ballot labels” in the Charter. We will look at this and come back with language at the next meeting.

9. Chapter VIII, Section 7F(ii)(a) and (b), regarding the time within which referendum results must be certified. Moved by Nancy Gardiner, seconded by J.C. Cinelli to replace “said referendum vote” with “certification of the vote” in Chapter VIII, Section 7F(ii)(a) and (b). The motion carried unanimously.

10. Chapter VIII Recommendation of the League of Women Voters regarding reference to state statute on voting process. The Commission discussed this recommendation and it was determined that such language is not necessary. No action was taken.

11. Recommendation of David Kayne to delete the provision making the First Selectman an ex-officio member of the Town Council. There is a statute providing that the chief executive shall be an ex-officio member of all boards and commissions. No action was taken.

12. Recommendation of David Kayne to provide three-year terms rather than two-year terms. The Commission has already discussed terms and is proposing four-year terms.

13. Recommendation of David Kayne to switch to the term “Mayor” rather than “First Selectman” for the town’s chief executive. Discussion ensued. Moved by Tom Tesoro, seconded

by Nancy Gardiner to change the title of the chief executive from First Selectman to Mayor. The motion failed 2-2-2 (YES: Tom Tesoro, Nancy Gardiner; NO: J.C. Cinelli, Martin McCann; ABSTAIN: Kate Donahue, Susan Gilson)

**Draft Report:** The Commission reviewed the following provisions of the draft report and the reasoning for the recommendations.

1. Chapter III, Sections 1, 6D, and 7, regarding term of office of the First Selectman, Treasurer, and Town Clerk. The Commission discussed proposed language drafted by Tom Tesoro. No substantive changes needed.
2. Chapter III, Section 3, regarding First Selectman succession in the case of absence, disability, vacancy, etc. The Commission reviewed proposed language drafted by Tom Tesoro. No changes needed.
3. Chapter III, Section 6G, regarding purchasing. The Commission reviewed explanatory language drafted by Martin McCann. No changes needed.
4. Chapter VIII, Section 9, regarding bonded debt. Attorney Schopick will draft language for the next meeting.
5. Chapter VII, Section 1A, regarding the Board of Finance alternate members. The Commission reviewed explanatory language drafted by Tom Tesoro. No substantive changes needed.
6. Chapter VII, Section 3, regarding the Board of Education.
7. Chapter VII, Section 8A, regarding the Police Commission. The Commission reviewed explanatory language drafted by Cindy Katske. No changes needed.
8. Chapter VII, Section 17, regarding the Ethics Commission. The Commission reviewed explanatory language drafted by Martin McCann. No changes needed.
9. Chapter VII, Section 23D, regarding removal of appointees. The Commission reviewed explanatory language drafted by Cindy Katske. No changes needed.
10. Chapter VII, Section 24, regarding posting requirements. The Commission reviewed explanatory language drafted by Cindy Katske. No changes needed.
11. Chapter II, Section 2, regarding the number of voting districts and representation on the Town Council. The Commission reviewed explanatory language drafted by Nancy Gardiner. One change was made to reflect that four district configurations are possible.

**Review of Charter Use of “Days”—Determination of whether to use calendar or business days.**

1. Chapter III, Section 2C. The Commission determined that it should be calendar days.
2. Chapter III, Section 6B, third paragraph. The Commission determined that it should be calendar days.
3. Chapter III, Section 12(B)(v). The Commission determined that it should be calendar days.
4. Chapter IV, Section 2B. The Commission determined that it should be business days.
5. Chapter IV, Section 3A. The Commission determined that it should be business days.
6. Chapter V, Section 2C. The Commission determined that it should be calendar days.
7. The Commission looked at the dollar amounts in Chapter V, Section 2D(ii) and (iii) and whether they should be adjusted. Cindy Katske will get clarification for the next meeting.
8. Chapter V, Section 2E. The Commission determined that it should be calendar days.
9. Chapter VI. The Commission determined that it should be calendar days.
10. Chapter VII, Section 4B. The Commission determined that both instances should be calendar days.
11. Chapter VII, Section 21. The Commission determined that both instances should be business days.
12. The Commission discussed the title of Chapter VIII, Section 4. The statutes use the term minority representation. Moved by Nancy Gardiner, seconded by Tom Tesoro to change the title of Chapter VIII, Section 4 from Majority Limitation to Minority Representation. The motion carried unanimously.
13. Chapter VIII, Section 5C(i). The Commission determined that it should be business days.
14. Chapter VIII, Section 6B. The Commission determined that it should be business days.
15. Chapter VIII, Section 6C. The Commission determined that both instances should be calendar days.
16. Chapter VIII, Section 7B(i). The Commission determined that it should be calendar days.
17. Chapter VIII, Section 7B(vii). The Commission determined that it should be calendar days.

18. Chapter VIII, Section 7F(ii)(a) and (b). The Commission determined that both instances should be business days.
19. Chapter VIII, Section 7H. The previous change that was made needs to be changed back. Posting on the town website should also be added. Cindy Katske will draft language for the next meeting.
20. Chapter VIII, Section 7I. The Commission determined that it should be calendar days.
21. Chapter VIII, Section 8B(i). The Commission determined that it should be calendar days.
22. Chapter VIII, Section 8B(vi). The Commission determined that it should be calendar days.
23. Chapter VIII, Section 8E(ii), (iii), and (iv). The Commission determined that all instances should be business days.
24. Chapter IX, Section 7. Discussion ensued regarding updating to Election Day 2020, and the appropriate effective date of the Charter changes. Moved by Tom Tesoro, seconded by Martin McCann to replace "November 8, 2011" with "November 3, 2020" and to replace "30 days after the election" with "December 1, 2020." The motion carried unanimously.  
Moved by Martin McCann, seconded by Susan Gilson to accept the changes to calendar days as indicated above. The motion carried unanimously.  
Moved by Tom Tesoro, seconded by Nancy Gardiner to adjourn at 9:25 p.m. The motion was approved by unanimous consent.

Respectfully submitted,

**Cindy Katske, Clerk**