

**CHARTER REVISION COMMISSION 2020**  
**MINUTES**  
**JUNE 17, 2020**

A meeting of the Charter Revision Commission 2020 was held on Wednesday, June 17, 2020 remotely via Zoom teleconference. The meeting was called to order by Chair Kate Donahue at 7:08 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 was Chief Administrative Officer and Commission Clerk Cindy Katske.

All present recited the Pledge of Allegiance.

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

**Prior Minutes:** Moved by Tom Tesoro, seconded by J.C. Cinelli to approve the minutes of the June 10, 2020 meeting. The motion carried unanimously.

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

1. Chapter VIII, Section 4, regarding the number of candidates that may be nominated. Following discussion, moved by Nancy Gardiner, seconded by Tom Tesoro to approve the following language for Chapter VIII, Section 4:

“The determination of the number of members of any one (1) political party to be appointed or elected under this Charter shall be made as provided in Section 9-167a of the General Statutes, as amended. The provisions of this section shall have no application to the Town Council. Unless specifically required by the General Statutes or by other provision of this charter, no party may nominate for office more candidates for any board or commission than the number determined in accordance with the provisions of Section 9-167a of the Connecticut General Statutes as amended.” The motion carried unanimously.

2. Chapter VIII, Section 5, regarding vacancies: The Commission discussed proposed language drafted by Cindy Katske and determined that the section should also be reorganized. Moved by Tom Tesoro, seconded by Nancy Gardiner to approve the following language for Chapter VIII, Section 5:

- A. For the purposes of this section 5, a vacancy shall occur upon:
  - (i) The receipt by the Town Clerk of the incumbent's written resignation;
  - (ii) The death of the incumbent;
  - (iii) The incumbent's ceasing to reside in or be an elector of the Town.

- B. The Town Clerk shall, within forty-eight (48) hours of notice of a vacancy, post a public notice of the vacancy on the home page of the Town website. For purposes of the previous sentence, notice of a vacancy shall be defined as when the Town Clerk learns of a vacancy or, in the case of resignation, the receipt by the Town Clerk of the incumbent's written resignation.
- C. A vacancy in any office, board or commission subject to appointment shall be filled for the unexpired portion of the term by the appointing authority herein designated.
- D. A vacancy in the Office of the First Selectman shall be filled as provided in chapter III, section 3.
- E. A vacancy in an elective office, board or commission other than the Council shall be filled as follows:
- (i) By special election if a petition therefor is filed with the Town Clerk, as provided by law, within ten (10) days after notice of such vacancy has been posted on the Town website in accordance with subparagraph (b), *supra*; but in such event, the First Selectman shall have the right to fill the vacancy until said special election is held.
  - (ii) By appointment by the First Selectman in the event such a petition for special election is not filed in accordance with the provisions of subparagraph (C)(i), *supra*, unless otherwise required by State law.
- F. Persons appointed by the First Selectman to fill vacancies in elected boards or commissions or elective offices shall be of the same political party, if any, as the person vacating the office.

The motion carried unanimously.

3. Chapter VIII, Sections 7F and 8D, regarding the term "ballot labels": The Commission discussed this issue and will ask Town Attorney Dan Schopick for guidance. The Draft Report will note that this is an open item.

4. Chapter VIII, Section 7H, regarding publication and posting of referendum questions: The Commission discussed proposed language drafted by Cindy Katske. Moved by J.C. Cinelli, seconded by Martin McCann to revise Chapter VIII, Section 7H to read as follows:

H. *Publication and Posting.* Prior to any referendum election the Town Clerk shall cause the text of each measure affected to be:

- (i) printed twice in a newspaper having circulation in the Town, the first (1<sup>st</sup>) posting to be not fewer than seven (7) days prior to such election and the second (2<sup>nd</sup>) posting to be not fewer than two (2) days nor more than six (6) days prior to such election, and
- (ii) posted on the Town website not fewer than seven (7) days prior to such election.

The motion carried unanimously.

5. Chapter V, Section 2D(ii) and (iii), regarding supplemental appropriations: Cindy Katske reported that Finance Director Maria Pires recommended that these dollar amounts be raised to \$10,000 and \$20,000, respectively. Moved by Susan Gilson, seconded by Tom Tesoro to change the dollar amount in Chapter V, Section 2D(ii) from \$2,000 to \$10,000 and to change the dollar amount in Chapter V, Section 2D(iii) from \$10,000 to \$20,000. The motion carried unanimously.

**Draft Report:** The Commission discussed presentation and posting of the Draft Report and redlined version of the Charter, and decided to create a third document containing a summary of the major changes proposed. Kate Donahue and Cindy Katske will work on that.

The following reasoning was reviewed for inclusion in the Draft Report:

1. Calendar days, throughout the Charter: The Commission reviewed explanatory language drafted by Cindy Katske. No changes needed.
2. Chapter III, Section 15, regarding bonds: The Commission reviewed explanatory language drafted by Attorney Schopick. No changes needed.
3. Chapter VII, Section 3, regarding the Board of Education: The Commission reviewed explanatory language drafted by Attorney Schopick and discussed revisions, to be drafted by Kate Donahue and Cindy Katske, to include language about the increase to eight members.
4. Chapter VII, new Section 21, regarding the Commission on Aging. The Commission reviewed explanatory language drafted by Cindy Katske. No changes needed.
5. Chapter VII, new Section 22, regarding the Commission on Youth. The Commission reviewed explanatory language drafted by Cindy Katske. No changes needed.
6. Chapter VIII, Section 4, regarding the Majority Limitation. The Commission reviewed explanatory language drafted by Attorney Schopick. No changes needed.
7. Chapter VIII, Section 7F(ii), regarding Referendum. The Commission reviewed explanatory language drafted by Cindy Katske. No changes needed.
8. Chapter VIII, Section 9, regarding Referendum on Bonded Debt. The Commission reviewed explanatory language drafted by Cindy Katske. No changes needed.
9. Chapter VIII, Section 10, regarding Registrars of Voters. The Commission reviewed explanatory language drafted by Cindy Katske. No changes needed.

10. Review of the Introduction: The Commission reviewed introductory language drafted by Cindy Katske and made several revisions.

The Chair reviewed the timeline and the Committee discussed its recommendations for presenting the questions on the ballot. Questions should include four year terms for the First Selectman, Treasurer, and Town Clerk, changes in the number and terms of the Board of Education members, seven voting districts, and a catch-all question. The draft report will be presented to the Town Council first at a committee meeting on July 6 at 7:00 p.m. and then at the full Town Council meeting on July 9 at 7:30 p.m. All Commission members should attend both meetings if possible.

Moved by Tom Tesoro, seconded by Martin McCann to adjourn at 8:38 p.m. The motion was approved by unanimous consent.

Respectfully submitted,

**Cindy Katske, Clerk**

## Draft Language for review on 6/17/20

### Section 4. ~~Majority Limitation~~Minority Representation

The determination of the number of members of any one (1) political party to be appointed or elected under this Charter shall be made as provided in Section 9-167a of the General Statutes, ~~Rev. of 2004~~as amended. The provisions of this section shall have no application to the Town Council. Unless specifically required by the General Statutes or by other provision of this charter, no~~No~~ party may nominate for office more candidates for any board or commission than the number determined in accordance with the provisions of Section 9-167a of the Connecticut General Statutes as amended. No person may vote for more candidates to serve on any board or commission than the largest number that any political party may nominate. Subject to the exceptions specifically listed in this section, the maximum number of members of any elected or appointed board, commission, committee or similar body of the Town who may be members of the same political party shall be as specified in the following table:

### Chapter VIII Section 5D

- D. For the purposes of this section 5, a vacancy shall occur upon:
- (i) The receipt by the Town Clerk of the incumbent's written resignation;
  - (ii) The death of the incumbent;
  - (iii) The incumbent's ceasing to reside in or be an elector of the Town;

provided, however, that within 48 hours of any such occurrence the Town Clerk shall post a notice of the vacancy on the home page of the Town Website.

### Chapter VIII Section 7H

- H. *Publication and Posting.* Prior to any referendum election the Town Clerk shall cause the text of each measure affected to be:
- (iii) printed twice in a newspaper having circulation in the Town, the first (1<sup>st</sup>) posting to be not fewer than seven (7) days prior to such election and the second (2<sup>nd</sup>) posting to be not fewer than two (2) days nor more than six (6) days prior to such election, and
  - (iv) posted on the Town website not less than seven (7) days prior to such election.