

CHARTER REVISION COMMISSION 2020
MINUTES
MAY 13, 2020

A meeting of the Charter Revision Commission 2020 was held on Wednesday, May 13, 2020 remotely via Zoom teleconference. The meeting was called to order by Chair Kate Donahue at 7:06 p.m.

Members Present: In attendance were Commissioners Kate Donahue, Tom Tesoro, Susan Gilson, Nancy Gardiner, 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: There was no public comment.

Prior Minutes: Moved by Tom Tesoro, seconded by Nancy Gardiner to approve the minutes of the April 29, 2020 meeting. The motion carried unanimously.

Moved by Tom Tesoro, seconded by Susan Gilson to approve the minutes of the May 6, 2020 meeting. Moved by Nancy Gardiner, seconded by Martin McCann to amend the minutes of the May 6, 2020 meeting by changing the second to last sentence in paragraph 2 from “The Senior Center could get incorporated into Senior Center programming” to “The Senior Center cabarets could get incorporated into Senior Center programming.” The motion carried unanimously.

Moved by Nancy Gardiner, seconded by Susan Gilson, to amend the minutes of the May 6, 2020 meeting by changing the second to last sentence in paragraph 8 from “and to change the first sentence of Chapter IV, Section 2A” to “and to change the first sentence of Chapter IV, Section 2B.” The motion carried unanimously.

The motion as amended carried unanimously.

Timeline: The Commission discussed its June 1 due date for submitting a draft report to the Town Council. There is some room for extension of the due date to get the charter questions on the ballot. An extension until the end of June could work. Moved by Martin McCann, seconded by Tom Tesoro, to ask the Town Council to extend the due date of the Commission’s report to the Town Council to June 29, 2020. The motion carried unanimously.

Prioritizing: The Commission discussed how to prioritize the provisions of the charter that should be addressed. The Commission members agreed to focus first on the things that would take effect for the election in 2021. There are also some items left from last week’s meeting to discuss.

Charter Review: The Commission reviewed the following topics.

1. Chapter II, Section 1, requiring a return to seven equally balanced districts: The Commission discussed the language to be used and where it should be placed. Town Attorney Dan Schopick will draft something for the next meeting.

2. Chapter II, Section 6, regarding the effective date of appointments. Moved by Kate Donahue, seconded by Nancy Gardiner, to add at the end of Chapter II, Section 6 the following language: "The fifteen (15) day period shall not apply to appointments made of members of Boards, Commissions, and Committees. Such appointments shall become effective immediately upon posting on the town website." The motion carried unanimously.
3. Chapter III, Section 6G, regarding purchasing. The Commission discussed the recommendation by town staff to delete any language that would be covered in the town's Purchasing Policy. This issue was tabled until next week to give the Commissioners a chance to review the Purchasing Policy.
4. Chapter VII, Section 3, regarding the Board of Education. Discussion ensued regarding increasing the number of members to eight and the effect of having a board split evenly between the parties. Town Attorney Dan Schopick will look into what happens when the board deadlocks and will report back next week.
5. Term limits: Town Attorney Dan Schopick reviewed information he had received from the Connecticut Conference of Municipalities. Not many towns have term limits, according to that information. Stratford limits certain boards and commissions and has extended term limits to the mayor. Where there are term limits, they limit consecutive terms, so after a break, a person can run again. Discussion ensued, and this issue was tabled until the next meeting when all Commission members are present.
6. Chapter III, Section 3, regarding succession to the office of First Selectman in the case of absence, disability, vacancy, etc. Moved by Tom Tesoro, seconded by Martin McCann to approve the language for Chapter III, Section 3 as proposed by Tom Tesoro and revised at the meeting on May 6, 2020, with the words "(need specifics from Dan)" removed in section C. The motion carried unanimously.
7. Chapter VII, Section 1, regarding Board of Finance alternates: A state statute provides that there is a three-month waiting period before you can get out of a party or get into a new party, precluding people from switching parties to get appointed. Discussion ensued regarding whether a longer waiting period is desirable and whether a specific party affiliation of alternates should be required. The Commission agreed to table this issue until all Commissioners are present.
8. Senior Commission and Youth Commission: Should these be included in the charter? The Senior and Youth Commissions are not currently included in the charter, but the Commissioners agreed that they should be. Tom Tesoro will draft proposed language for including the Senior Commission (Commission on Aging) and Youth Commission for consideration at the next meeting.
9. Chapter VII, Section 19, Arts Commission: Input was received both for and against folding the Arts Commission functions into the Parks and Recreation Commission. The Arts Commission puts on the Arts Festival each year. There are more things the Commission could be doing. Discussion ensued. Consensus was to leave it as is. No vote required.
10. Chapter VII, Section 18, Conservation Commission: Town Attorney Dan Schopick questioned whether the Conservation Commission is seated in accordance with the charter or the ordinance. At one point the Commission was eliminated from the charter and then was put back in. He will look at this for next week.

11. Chapter VII, Section 8, Police Commission: Tom Tesoro questioned whether it's the duty of the Commission, and not the Chief of Police, to appoint police officers. It was determined that there is a state statute providing that the Police Commission is the appointing body.

The Commission's public hearing scheduled for May 20, 2020 will be cancelled since it is required to be held after the Commission is finished with its work. A regular meeting will be held on May 20.

Moved by Nancy Gardiner, seconded by Susan Gilson to adjourn at 8:59 p.m. The motion was approved by unanimous consent.

Respectfully submitted,

Cindy Katske, Clerk

Chapter III, Section 3, as adopted 5/13/20

Chapter 3, Section 3. Absence, Disability, Vacancy, etc.

- A. In the event of a temporary absence of 30 calendars days or less, the First Selectman may, by letter filed with the Town Clerk, appoint the Town Treasurer as Acting First Selectman. In the event the Town Treasurer is unable or unwilling to serve, the First Selectman may, by letter to the Town Clerk, appoint the Chairman of the Town Council as Acting First Selectman. The Acting First Selectman shall have all the powers and duties of the First Selectman except that unless otherwise required by law, the Acting First Selectman shall neither make any appointments to any Board or Commission nor sign any agreements binding the Town nor hire or fire any employees that serve the Town at the pleasure of the First Selectman.
- B. The Office of the First Selectman shall be deemed Vacant upon the occurrence of any of the following:
 - 1. Death of the First Selectman.
 - 2. The retirement or resignation of the First Selectman.
 - 3. If the First Selectman ceases to have a principal residence in the Town.
 - 4. If the First Selectman is, as determined by the Town Council, absent from office, for any reason, for a continuous period of not fewer than 90 calendar days. Vacation time shall not be considered in determining the period of absence.
- C. In the event that the Office of the First Selectman becomes vacant as defined in Section 3 B, the Council shall call for a Special Election to fill the remainder of the term of the outgoing First Selectman. Such Special Election shall be held in compliance with state statute.
- D. During the period beginning with the Office of the First Selectman becoming Vacant and ending with the swearing in of a new First Selectman, the Town Treasurer shall become Acting First Selectman. 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 become Acting First Selectman. In the event neither the Treasurer nor the Chairman of the Town Council is willing and able to serve, the Town Council shall, by a vote of 2/3rds of the members present and voting, appoint an Acting First Selectman who shall be a resident and elector of the Town. The Acting First Selectman shall have all the powers and duties of the First Selectman except that unless otherwise required by law, the Acting First Selectman shall not sign any contracts binding the Town for a period exceeding his term as Acting First Selectman. Any appointments made by the Acting First Selectman shall expire at the end of the Acting Selectman's term, unless state law requires otherwise.
- E. If a vacancy occurs within a period of six months or less from the date of a regularly scheduled election for the Office of First Selectman, there shall be no Special Election and the Acting First Selectman shall fill the remaining portion of the term of office.