

BETHEL RESIDENT FILES SUIT AGAINST STRAITON, OTHERS FOR CHARTER VIOLATIONS AND ABUSE OF PROCESS

Date: September 19, 2022

Subject: *Suit filed today against Richard Straiton and the Town of Bethel for assuming the position of First Selectman in violation of the Bethel Town Charter.*

Bethel - - Daniel Nostin, a resident of the Town of Bethel, filed suit today against Richard Straiton and others for violations to the Bethel Town Charter and abuse of process in the appointment of Richard Straiton as First Selectman of the Town of Bethel.

Former First Selectman Matthew Knickerbocker submitted his resignation from the Office of the First Selectman which was “effective at midnight on Tuesday, September 6, 2022.” At 8:31 AM on September 7th, Richard Straiton filed a letter of resignation with Lisa Bergh, Town Clerk. The letter indicated that his resignation as Selectman would be effective at 8:59 AM on September 7th. In his letter, Mr. Straiton continued, “And I am asking to be sworn in as First Selectman at 9:00 AM on that date.”

According to Section C5-4(B)(4) of Bethel’s Charter, if a vacancy in the office of the First Selectman “occurs more than 180 days prior to the next regular Town Election, a special election shall be held forthwith under the Connecticut General Statutes to fill the vacancy in the office of the First Selectman.” Note: the next regular Town Election will be held on November 7, 2023. On September 7th shortly after 9:00 AM, the Town Clerk swore Richard Straiton into the Office of the First Selectman, as he requested.

To comply with the Town Charter, Section C5-4(A) & (B), the Board of Selectmen should have formally chosen one of the Selectmen to serve as “Acting First Selectman” to carry out the duties of the First Selectman in the interim, until the Bethel voters elect a First Selectman to fill the vacancy. After the special election, the Acting First Selectman would continue as a Selectman unless elected to be First Selectman by the Bethel voters.

With the resignations of Knickerbocker and Straiton, the Board of Selectmen currently has just one member, Bryan Terzian. Section C4-2(B) of the Bethel Town Charter mandates that two members of the Board of Selectmen constitute a quorum for the transaction of business at any regular or special meeting. Until Straiton’s former seat on the Board of Selectmen is filled in accordance with the law, the Board of Selectmen cannot conduct any Town business.

The legal action brought today, filed in the Danbury Superior Court, seeks to:

- 1) Overturn the swearing-in of Straiton as he was illegally sworn in as the First Selectman;
- 2) Compel Richard Straiton and the Town of Bethel to comply with the Town Charter and hold a Special Election.

The suit has been filed by Attorneys Timothy M. Herbst and Owen T. Weaver of Marino, Zabel & Schellenberg, PLLC on behalf of Bethel resident Daniel Nostin, who is Vice Chairman of the Bethel Republican Town Committee and a member of the Bethel Board of Education.