

CHARTER REVISION COMMISSION
KILLINGWORTH, CT
SPECIAL MEETING MINUTES*

May 3, 2021

Conducted as a Virtual Meeting via GoToMeeting

Members Present: Robert Rimmer (Chair), Walter Adametz, Joan Gay, Nancy Gorski, Mary Casey Jacob, Mary Meixell, Kathleen Zandi (7:35pm).

Others Present: Catherine Iino, Ed Sirignano, Eileen Blewitt (7:40pm), Shauna Ham, clerk.

1) Call to order. At 7:05pm, Chairman Rimmer called the meeting to order.

2) Public Input. None.

3) Approval of April 14, 2021 and April 27, 2021 minutes.

Motion: W Adametz moved to approve the minutes of April 14, 2021. J Gay seconded.

Motion: MC Jacob moved, and J Gay seconded, to make the following amendments to the minutes of April 14, 2021:

- Correct spelling of member names: “Mary Casey Jacob” and “Mary Meixell”
- Page one, paragraph one, sentence three: remove: “...frequently throughout the review process,” so the sentence reads: “Rimmer provided a history of the Commission’s activities, noting the present Charter has been reviewed, item by item, and Town Counsel David Tycz has been consulted.”
- Page one, paragraph one, sentence four: remove “...and other reforms we researched and reviewed as well,” so the sentence reads: “Note was made that statutory requirements restrict the changes that can be made.”
- Page one, solid bullet point three: remove existing wording entirely and replace with: “How does the size of a board and minority representation requirements impact opportunities for members to consult with each other between meetings?”
- Page two, solid bullet point one, indented bullet point two: remove “...and should be researched to ensure compliance,” and rewrite point so that it reads: “Statutory requirements may override desired Charter provisions.”
- Page two, solid bullet point four, indented bullet point: remove existing wording entirely (“unaffiliated voters are currently underrepresented throughout Town government”).

Vote, to approve amendments as proposed: Five in favor, none opposed, W Adametz abstained. Motion passed (5-0-1).

Vote, to approve minutes of April 14, 2021 as amended: Five in favor, none opposed, W Adametz abstained. Motion passed (5-0-1).

Approval of the minutes of April 27, 2021 were tabled to the next meeting.

4) Review and Discussion of Current Charter and Revisions to Current Charter.

- Consider “Designated Medium” re: town notices in Charter §§1-2(b), 3-3 and 7-3(m). Conn. Gen. Stat. §7-3.

Sec. 7-3 of the CT General Statutes (hereafter CGS) states, “Notice of a town meeting shall be given by posting, upon a signpost or other exterior place near the office of the town clerk of such town and at such other place or places as may be designated as hereinafter provided, a printed or written warning signed by the selectmen, or a majority of them, and by publishing a like warning in a newspaper published in such town or having a circulation therein....” There is no requirement by state statute that notice be published in a “daily” medium.

- §1-2(b) of the current Charter states, “‘Designated Medium’ means the medium designated by the First Selectman as prescribed by law.” Members agreed this section does not need to be revised.
- §3-3 of the current Charter does not mandate a daily medium, but does require notices be posted “on the exterior sign post at the Town Office Building,” which is more specific than required by CGS §7-3. There was a suggestion the Commission consider removing the signpost requirement from §3-3 of the Charter, and change the wording so that it is more in keeping with the state statute. R Rimmer will send CGS §7-3 to MC Jacob and J Gay for reference while drafting revisions.
- §7-3(m) of the current Charter states that one of the responsibilities of the First Selectman is “designating a daily medium having a general readership that includes the Town of Killingworth, which medium shall be the “designated medium” to be used for all legal notices required by this Charter or the Statutes.” There was a recommendation to alter the wording to, “designating a medium having a general following in the Town of Killingworth...” to remove both the word “daily” and “readership.” The CGS currently require notice to be published in a newspaper, but replacing “readership” with “following” should allow the town the flexibility to select an electronic medium if the state were to alter that requirement in the future.

Motion: W Adamez moved to reword §7-3(m) such that the designated medium no longer specifies “daily” and “readership.” K Zandi seconded.

Vote: All in favor, motion passed unanimously (7-0-0).

- Consider use of gender terms throughout the Charter.
 - A suggestion was made to address the issue in the definitions section rather than change the entire Charter.
 - Regarding gender-neutral changes to titles (e.g. replacing “selectman” with “selectperson”), R Rimmer commented that they might want legal guidance. W Adamez noted that, in speaking with the town clerk, there may be concerns with ballot wording and the State.

- o MC Jacob expressed two main aspects of the Charter she feels needs addressing in regard to gender terms: 1) avoid pronouns all together (remove “he/she,” “his/her,” and insert gender-neutral if/when pronouns cannot be avoided) and ensuring consistency throughout the Charter, and 2) changing to gender-neutral titles. Jacob agreed that they need a legal opinion regarding titles, but felt strongly that the language should be updated throughout the Charter rather than addressed only in the definitions.

Motion: MC Jacob moved to change the language throughout the Charter to remove gender-specific pronouns. K Zandi seconded.

Vote: All in favor, motion passed unanimously (7-0-0).

- Consider eligibility of non-residents to appointive boards and committees. Charter §5-2.

§1-2(c) of the current Charter defines “elector” as “a citizen of the United States who has attained the age of eighteen years, who is a bona fide resident of the town of Killingworth, and who has been admitted to the voter rolls by the Registrars of Voters or Town Clerk, as provided by Connecticut General Statutes Section 9-12.”

§1-2(e) of the current Charter defines “voter” as “an elector as well as any citizen of the United States of the age of eighteen years or more who, jointly or severally, is liable to the Town, district or subdivision for taxes assessed against him/her on an assessment of not less than one thousand dollars on the last-completed Grand List of the Town, as provided by Connecticut General Statutes Section 7-6.”

- o C Ino discussed the value of allowing voters, people who own property in Killingworth but are not residents of Killingworth, to serve on appointed boards and committees. She cited several examples, including a person who is not a citizen but who is profoundly involved in the community, a person who is deeply involved in various organizations but lives out-of-state half the year, and a person who has many services to offer, has an office in town, but cannot serve because he moved his residence. These are all people who could provide valuable contributions on various appointed boards/committees in Killingworth, but are ineligible because the current Charter restricts their involvement.
- o Members agreed that allowing voters to serve on appointed (not elected) boards is a reasonable way to be more inclusive; §5-2(a) could be changed to read “electors and voters” instead of only “electors”.

Motion: J Gay moved to add “voters” to §5-2(a). K Zandi seconded.

Vote: All in favor, motion passed unanimously (7-0-0).

Motion: J Gay moved to expand the use of “voters,” in addition to “electors,” to all applicable sections of Article 5. K Zandi seconded.

Vote: All in favor, motion passed unanimously (7-0-0).

There was some discussion about §5-4(e), as several members had the first sentence crossed out in their notes from earlier in the revision process. Member consensus was to leave the section as it currently appears in the Charter. No change, so no motion required.

There was discussion regarding §5-4(c), to shorten and reword the first sentence such that it reads, “The Town Clerk, upon receiving a resignation or notice of a vacancy, shall forthwith notify the Board of Selectmen and the chairmen of the Town political committees, and shall at the same time publish an announcement as prescribed by law.”

- Review of detailed BOF budget calendar in Charter §9-3.

Members agreed that the calendar is useful both to residents and to Board of Finance members, but perhaps it could be refined. Members agreed to confer with the Board of Finance and Finance Director for their input on any suggested refinement/changes.

- Remove Charter §9-1(d) as superfluous?

Members discussed the redundancy of this section, as meeting rules apply to all boards.

Motion: MC Jacob moved to delete §9-1(d). J Gay seconded.

Vote: All in favor, motion passed unanimously (7-0-0).

C Iino suggested the inclusion of a preamble. She will send her written recommendation to MC Jacob and J Gay for reference as they draft revisions.

- Review over-expenditure process, Charter §9-4(c) and Consider Bid Procedure from current \$10,000.00, Charter §9-5(f).

Members discussed the threshold amounts for expenditures requiring a town meeting and bidding amounts requiring RFPs as outdated and needing to be increased. Figures could remain written as set dollar amounts, just increased, or they could be written as a selected percentage of the total or department budgets, a method seen in some other towns’ charters.

- The Commission created a subcommittee for researching and proposing revisions relating to monies and expenditure items; subcommittee members are W Adametz, N Gorski, and R Rimmer.

Members agreed to schedule additional Special meetings for 7:00pm on Wednesday, 5/19/2021 and Thursday, 5/20/2021.

R Rimmer will revise the list of remaining discussion items, with input from members.

J Gay reported that the 1/04/21 minutes show that a second survey had been discussed, but this does not mean that there has to be a second survey.

R Rimmer reminded the Commission of their timeline; providing the Board of Selectmen take the maximum review time, they need to submit their draft by 6/01/21 in order to get on the November ballot.

5) Adjournment: The meeting adjourned at 9:22pm.

Respectfully submitted,

Shauna Ham