

MINUTES
SPECIAL MEETING OF THE KILLINGWORTH
CHARTER REVISION COMMISSION
Monday, June 5, 2023 7:00 p.m. via GoToMeeting

Members in Attendance: Eric Nunes, Arjumund Abid, Joanne Gormann, Joan Gay, Casey Jacob, Kathy Zandi, Chair

Members Excused: Cathy Iino

Visitors (as identified on screen): First Selectman Nancy Gorski, Selectman Jamie Mowat Young and Clerk Jamie Sciascia (Via Telephone)

The meeting was Called to Order at 7:00 p.m. by K. Zandi, Chair

Chair Zandi spoke about finalizing the review of the BOS feedback. She reviewed the steps the CRC has taken since it was given the BOS feedback. She reported that since the last CRC meeting, Casey Jacob had gotten a paper copy of all the edits the Selectman's office had suggested for the Charter and compared that to the Table of suggested changes that First Selectman Gorski had provided. Many additional suggested edits were found and Casey Jacob created a 2 paged list for review in this meeting. That list was circulated by Chair Zandi to the CRC and the Selectmen prior to tonight. This list will provide the structure of the meeting tonight. Chair Zandi reminded the CRC that it needs to provide a final version to the BOS by June 8th. First Selectman Gorski and Selectman Young were in attendance to provide additional input.

Chair Zandi acknowledged Casey Jacob for all her work and stated how the Town of Killingworth will benefit from her due diligence.

Approval of Minutes:

Motion #1: Casey Jacob *Moved* and Joan Gay *Seconded* a motion to accept the Minutes from the CRC meeting that was held on March 22, 2023.

Voting to Approve: A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Voting to Abstain: J. Gorman

Motion passed (5-0-1).

Motion #2: Joan Gay *Moved* and Joanne Gorman *Seconded* a motion to accept the Minutes from the CRC meeting that was held on May 10, 2023 as presented.

Voting to Approve: C. Jacob, J. Gay, J. Gorman, K. Zandi

Voting to Abstain: A. Abid, E. Nunes

Motion passed (4-0-2).

Motion #3: Casey Jacob **Moved** and Kathy Zandi **Seconded** a motion to accept the Minutes from the CRC meeting that was held on May 18, 2023 as presented.

Vote: After discussion, the CRC did not have a quorum at the May 18th meeting. Therefore, the minutes couldn't be voted on and the motion was **Tabled**.

Approval of Clerk Invoice:

Motion #4 - Joan Gay **Moved** and Joanne Gorman **Seconded** a motion to accept the Clerk's invoice in the amount of \$220.00 with the date of invoice amended.

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Charter Review/Edits:

The CRC reviewed the following:

Section 1-2 (c):

The BOS suggested keeping the current language and adding "All references to CGS include statutes as articulated or amended." Casey Jacob stated that she has not added that to the draft since it is not a definition but a comment and the CRC has removed all similar comments. Selectman Young suggested that the Charter should state somewhere in the section "As amended" and also suggested checking with Attorney Dave Tycz. No action was taken.

Section 4-1 (d):

The BOS/Town Clerk suggested leaving Judge of Probate in since it still exists. At its 5-10-23 meeting CRC declined to do so since the Town is not in charge of that election. Tonight Casey Jacob raised the issue again. She pointed out that Section IV is currently named Town Elections but four of the six items in the section address when newly elected officers take office. She suggested possibly renaming the section.

Motion #5 - Kathy Zandi **Moved** and Joan Gay **Seconded** a motion to rename §4-1 "Town Elections and Initiation of Office" and to restore "Judge of Probate" to §4-1(d).

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Section 4-2 (b):

The BOS suggests deleting “excluding the Justice of the Peace” since it is an appointed and not an elected position.

Motion #6 - Eric Nunes *Moved* and Joan Gay *Seconded* a motion to remove “Justice of the Peace” from §4-2(b).

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Section 4-11, last paragraph

BOS suggests this edit:

Within the limits of its appropriations, the Commission may, by vote of a majority of its members, engage such employees, including the Zoning Enforcement Officer, Land Use Secretary, and legal counsel, as are necessary for its work and may contract with professional consultants. After discussion, the CRC declined.

Section 4-12:

The CRC had added a phrase “No member of the Planning and Zoning Commission shall serve on the Zoning Board of Appeals”. BOS suggests this is redundant since CRC has proposed that Charter § 4-2-(b) state that no person may hold two elected offices.

Motion #7 - Eric Nunes *Moved* and Joan Gay *Seconded* a motion to remove “No member of the Planning and Zoning Commission shall serve on the Zoning Board of Appeals” from §4-12 because it is redundant to §4-2(b).

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Section 4-16:

BOS suggests the section start with “Additional elective Boards”

Motion #8 - Eric Nunes *Moved* and Joan Gay *Seconded* a motion to add “elective” to §4-16 so that it reads “Additional elective Boards...”

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Section 5-2:

BOS suggests this edit: Only Electors of the Town of Killingworth shall be eligible for appointment. A person ceasing to be an Elector of the Town shall cease to hold office in the town, and the office will be deemed vacant.

Motion #9 - Eric Nunes *Moved* and Kathy Zandi *Seconded* a motion to revise §5-2(a) as follows (because “Elector” is defined in §1-2(e)):

- (a) Only Electors shall be eligible for appointment. A person ceasing to be an Elector shall cease to hold office in the Town, and the office will be deemed vacant.

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Section 5-11: The Water Pollution Control Authority

Per BOS and with Town Counsel approval, the Water Pollution Control Authority may be restored, with edits suggested by BOS.

Motion #10 - Eric Nunes *Moved* and Joan Gay *Seconded* a motion to restore the Water Pollution Control Authority as §5-11 as follows:

Section 5-11: The Water Pollution Control Authority

The Water Pollution Control Authority shall consist of five members serving without compensation for three-year terms ending December 31. The Authority shall

- (a) work with the Health Director/Health District to enforce sewage disposal regulations,
- (b) manage water pollution issues to include emerging contaminants and storm water management, and
- (c) have the powers and duties as set forth in Chapter 103 of the Statutes.

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

The CRC had planned to add the Parmelee Farm Committee to Section 15 but only if BOS arranged for the Town to approve it as a permanent Committee (since Permanent Committees are the only ones included in this section of the Charter). Tonight First Selectman Gorski stated that there are no plans to do so.

Motion #11 - Casey Jacob *Moved* and Kathy Zandi *Seconded* a motion to remove Parmelee Farm Committee from the Charter because it is not a permanent committee approved at Town Meeting.

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Section 5-14 Table:

BOS/Dawn added some information to the Table of Regional Organizations. On 5-10-23 the CRC approved the changes in principle (Motion #1 May 10) but could not review the details. Tonight those changes were reviewed individually and one additional Committee was added (Lower Connecticut River Valley Council of Governments Regional Planning Committee).

Motion #12 - Joan Gay *Moved* and Eric Nunes *Seconded* a motion to accept Table 5-14 Membership in Regional Organizations as revised.

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Motion #13 - Joanne Gorman *Moved* and Joan Gay *Seconded* a motion to remove all references to the Killingworth Code, based on Town Counsel feedback.

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Section 5-14 (c):

BOS proposed the following edit: The Selectmen may also join or be appointed to Regional Organizations that do not require budget actions by the Town.

Motion unanimously passed (6-0-0).

Motion #14 - Eric Nunes *Moved* and Joanne Gorman *Seconded* a motion to edit §5-14(c) to read as follows:

- (c) The Selectmen may also join or be appointed to Regional Organizations that do not require budget actions by the Town.

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Section 6-3:

BOS suggested adding the following: (e) to establish and maintain a personnel manual.

Motion #15 - Joanne Gorman *Moved* and Joan Gay *Seconded* a motion to add an item to §6-3: (e) “to establish and maintain a personnel manual.”

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Section 7-2:

BOS proposed a revision to §7-2 regarding the First Selectman may be the ex-officio member of all agencies of the Town but without the power to vote and be able to delegate this role to another Selectman.

Motion #16 - Eric Nunes *Moved* and Joan Gay *Seconded* a motion to revise §7-2 (d) to read: The First Selectman shall be an ex-officio member of all agencies of the Town, but without the power to vote. The First Selectman may, in writing, delegate this role to another Selectman.

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Section 7-3:

BOS had suggested the introduction to this section include “and approval of the BOS”. At its 5-10-23 and 5-18-23 meetings, CRC discussed but declined, since most of the responsibilities listed should not require BOS approval. At the 5-18-23 meeting, which was attended by Selectmen Annino and Young, it was agreed that the Selectmen would review again and see if there were a few First Selectman responsibilities that should be singled out for BOS approval. At its 5-31-23 meeting, the BOS approved recommended edits to Sections 6-3, 7-3 intro and 7-3 (a), and 7-7 and these were discussed tonight, resulting in three motions.

Motion #17 - Joan Gay *Moved* and Kathy Zandi *Seconded* a motion to revise §7-3(a) to read as follows:

- (a) administering the Town's personnel policies. This shall include the following:
- directing and supervising the performance of appointed or hired personnel consistent with approved job descriptions and performance expectations.
 - establishing annual performance objectives and communicating same to appointed and hired personnel by July 1.
 - conducting annual performance evaluations for appointed and hired personnel no later than September consistent with approved job descriptions and performance objectives.
 - recommending the creation, updating or modification of job descriptions subject to the review and approval by a majority of the Board of Selectmen.

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Motion #18 - Joan Gay **Moved** and Casey Jacob **Seconded** a motion to revise §7-3(c) to read as follows:

- (c) coordinating the administration of every Town agency, except for those functions expressly reserved or delegated to such Town agency by law or this Charter;

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Motion #19 - Joan Gay **Moved** and Kathy Zandi **Seconded** a motion to revise §7-3(h) to read as follows:

- (h) developing a draft prioritized set of objectives for the coming fiscal year for presentation and approval by a majority of the Board of Selectmen. Upon approval by the Board of Selectmen, this set of objectives shall serve as a guide in the development of the Annual Town Budget;

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

When it submitted its recommendations for Charter Revision in March, the CRC highlighted some information that currently resides in the 2009 Charter in §8-13 (a) and asked the BOS to advise if that material should be retained, and if so, where that language should now reside. Two motions resulted from tonight's discussion:

Motion #20 - Joan Gay **Moved** and Eric Nunes **Seconded** a motion to revise §9-2(c) and to add §9-2(d) to read as follows:

- (c) the development of long-range financial planning, and
- (d) the development of guidelines for salaries and mileage reimbursement rates and the communication of these guidelines to the Board of Selectmen on an annual basis.

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Motion #21 - Eric Nunes **Moved** and Joan Gay **Seconded** a motion that the last paragraph in §7-4(b) shall read as follows: The First Selectman, with the approval of the Board of Selectmen shall recommend to the Board of Finance salaries in conjunction with the annual budget preparation.

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

Section 7-7:

BOS proposed deleting “or others who report to the First Selectman”

Motion #22 - Eric Nunes *Moved* and Joan Gay *Seconded* a motion to amend §7-7 to read as follows: The First Selectman may delegate to another Selectman powers and duties that may be so delegated in accordance with the Statutes. Such assignments and delegations, if permanent, shall be made public knowledge through posting on the Town Bulletin Board and shall be filed with the Town Clerk and shall be made known to any Town agencies affected.

Voting to Approve: J. Gorman, A. Abid, C. Jacob, J. Gay, E. Nunes, K. Zandi

Motion unanimously passed (6-0-0).

The CRC noted that Town Counsel had provided feedback directly to Casey Jacob on 6-2-23 that capitalizing “Board”, “Commission” and “Committee” throughout the document may not be appropriate. The CRC agreed that it was too late in the process for such extensive re-editing to occur in time for the 6-8-23 deadline it had been given.

First Selectmen Gorski thanked the CRC for their hard work and Selectman Young echoed the First Selectman’s comment.

Chair Zandi thanked First Selectman Gorski and Selectman Young for attending the meeting and providing their input. Also, Chair Zandi thanked Casey Jacob for her hard work with providing a much higher quality product the CRC is able to now send off to the Townspeople.

This is the last meeting of the CRC and then First Selectman Gorski will dissolve the Committee once she accepts/or rejects the proposed Charter in July.

Chair Zandi thanked the CRC for all their hard work.

Joan Gay thanked Casey Jacob, the Committee and Chair Zandi for her Leadership.

Casey Jacob will send Chair Zandi the list of motions and Chair Zandi will update the Table that summarizes the work the CRC has completed..

Casey Jacob thanked Clerk Sciascia for working on the Minutes after each meeting.

Adjournment:

Chair Zandi adjourned the meeting at approximately 10:25 p.m.

Submitted By: Jamie Sciascia, Clerk