Ethics Committee Minutes
Town of Killingworth, CT

Date: May 20, 2026

Location: Hybrid (Remote Access/Town Hall, Killingworth, CT)

Members in Attendance: Robert Rimmer (Chairperson), Gail Buller (Clerk), E. Oppenheimer, Derek Phelps, Michele Amendola

Guest: Joseph McQuade

Call to Order: This meeting was called to order by R. Rimmer at 7:07 pm.

Attorney Joseph McQuade from the law offices of Kainen, Escalera, and McHale had reviewed the Code of Ethics and suggested changes directly on the Google Doc before the April 2026 meeting. The Committee members reviewed the suggested changes individually before this meeting. During this meeting, the Committee discussed the suggested changes with J. McQuade and either accepted or amended his suggestions.

G. Buller made live changes to the Google Doc during the meeting. The following edits were made:

- Section 3, Number 3: Private Interests. A sentence was added: Nonetheless, a Town Officer may appear on behalf of themselves or their immediate family members in a proceeding in which the Town is a party, such as in an assessment appeal or tax dispute.
- Section 3, Number 11: Public Discourse. A sentence was added: Nothing contained herein shall be construed so as to unlawfully restrain the rights of Town officers to exercise their rights to free expression or assembly.
- Section 4: Harassment and Discrimination. J. McQuade re-wrote this section, keeping the original intent, and the Committee accepted these revisions: Town officers who serve as Town employees are subject to the Town's Equal Employment Opportunity, Non-Discrimination and Harassment, Workplace Accommodation, and similar policies. Violations of such policies may or may not constitute ethics violations. Town officers who are not Town employees are expected to familiarize themselves with Town policies regarding Equal Employment Opportunity, Non-discrimination and Harassment, Workplace Accommodations, and similar policies upon becoming a Town officer. Violations of such policies may constitute an ethics violation for such Town officers.
- Section 5, All applicable sections. Correspondence that was specified to be verified email or first class with tracking was simply changed to "written or electronic" to give the future Ethics Commission the leeway to communicate in the most convenient and practical way, without restriction.
- Section 5, All applicable sections. There was a discrepancy with time limits using calendar days and "business days." The Committee decided to use calendar days

throughout to avoid confusion. Fourteen business days were changed to 21 calendar days, and five business days were changed to seven calendar days, etc.

- Section 5, Number 1: Complaints. The period within which a complaint must be filed was reduced from 2 years to 1 year.
- Section 5, Number 2, Letter C: Confidential Investigation. The Ethics Committee discussed with J. McQuade both the legal and practical reasons for confidentiality and decided to leave the wording as is, to "urge" those involved to keep investigations confidential. As E. Oppenheimer stated, one "cannot legislate human nature."
- Section 5, Number 2, Letter E: Probable Cause. In a continuation of the discussion on confidentiality, the Committee agreed to accept J. McQuade's suggestion to alter wording within this section to read: At such time, the entire record of the investigation shall become public with the exception of personally identifiable information (such as social security numbers, dates of birth, etc.) and any information that is not subject to disclosure under state and federal Freedom of Information laws.
- Section 5, Number 2, Letter F: Hearings. The Committee accepted McQuade's recommendation to change this section to allow for a delay in proceedings when a respondent is also facing criminal charges. The section now reads: Upon a finding of probable cause, the Commission shall set a date for the commencement of a public hearing that shall be no more than fourteen days from the notice of finding of probable cause. Notwithstanding such time limit, the hearing may be delayed based on the agreement of all parties to the dispute, any criminal prosecution of the respondent(s), especially where evidence necessary to such hearing is not made available by the State, and, in the context of Town officers who are unionized Town employees, during the pendency of grievance proceedings and arbitration involving the alleged conduct at issue. Any delay in the hearing shall be at the sole discretion of the Commission.
- Section 5, Number 2, Letter G: Findings/Sanctions. The Ethics Committee had included a statement that, when the respondent was a member of the Board of Selectmen, the final decision would lie with the Ethics Commission. McQuade explained that members of the Board of Selectmen are elected, while members of the Ethics Commission are appointed, so that the body governing the Board of Selectmen would be the Town. The final sentence of this section was changed: In cases where the respondent(s) is/are a member or members of the Board of Selectmen, the final authority will lie with a Town Meeting.
- Section 7: Enforcement Mechanism. Pursuant to the above change, this section was also altered to include this statement: In the case of a violation by a member of the Board of Selectmen, the Town Meeting will prescribe the appropriate penalty, and its decision will be binding.
- Section 12: No Advisory Opinions. The Committee decided to add this section to state: The Ethics Commission shall not issue advisory opinions. Opinions of individual members of the Ethics Commission should not be relied upon for advice or counsel.

The Committee members are tasked with carefully reviewing the Code so that a final review can be conducted during the next meeting. After that time, R. Rimmer will provide a proposed final version of the Code to the Board of Selectmen. The Committee may then be asked to present the Code at an informational meeting for the public and then at a Town Meeting, where a vote to approve it or to request changes will be held.

G. Buller will share the Google Doc with all members.

Meeting adjourned at 9:35 pm

Next Meeting: June 1, 7:00 pm, at Killingworth Town Hall and virtually via Teams (link on the Town calendar).

Minutes Prepared by: Gail Buller