TOWN OF SALEM BOARD OF SELECTMEN REGULAR MEETING MINUTES TUESDAY, AUGUST 7, 2018 – 7:00 P.M. SALEM TOWN OFFICE BUILDING

PRESENT

ABSENT

none

Kevin Lyden Edward Chmielewski, Jr. David Kennedy Ron LaBonte Hugh McKenney

CALL TO ORDER:

First Selectman Lyden called the meeting to order at 7:03 p.m.

1. PLEDGE OF ALLEGIANCE

2. APPROVAL OF MINUTES: JULY 3, 2018 REGULAR MEETING

M/S/C: Kennedy/McKenney, to approve the Regular Meeting Minutes of July 3, 2018, with the following amendment:

Page 1, item 4 – Correspondence/Public Comments, last sentence: GLA Member Neddo, a retired firefighter, reported that the two reservoirs dry hydrants, which are at least 95% clogged, have ...

Discussion: None. Voice vote, 5-0, all in favor.

3. CORRESPONDENCE/PUBLIC COMMENTS: none

4. AGENDA:

A. Bicentennial Committee Update

Selectman and Bicentennial Committee Co-Chairman Chmielewski reported on the Committee's progress. Using the guidelines presented by the Board of Selectmen, the Committee established its foundation by creating and approving a Mission Statement and determining their goals. The Committee plans to coordinate key events around which various Town organizations/groups would be invited to contribute to the celebration by hosting their own programs/events around the bicentennial theme. The first event will be a soft opening/kickoff at the Town's Annual Tree Lighting Ceremony in December during which a large sign/banner will be unveiled announcing the Town's Bicentennial. Whenever possible, the events will be dovetailed into existing Town events, e.g., the Memorial Day Parade, Baseball's Opening Day, etc. A multi-media presentation, created by Bruce Rodgers and summarizing the overall feel of the celebration, will be presented to the Board of Selectmen at their next regular meeting. Selectman and Bicentennial Committee Member Kennedy recited the Committee's Mission Statement and Goals. First Selectman Lyden commended the Committee and proposed that the Board of Selectmen provide any future Committees with guidance by establishing their charge at the time of their formation. Selectman McKenney agreed and suggested that it be incorporated on the list of items to revise in the Town Charter, should it not already be included. Selectman Chmielewski concurred.

M/S/C: Lyden/LaBonte, to approve and endorse the following Mission Statement for the Bicentennial Committee:

The goal of the Bicentennial Committee is to create a Town-wide celebration of the 200 years since the founding of Salem, CT, with events all year to honor the past and present leaving a legacy for the future.

Discussion: None. Voice vote, 5-0, all in favor.

Bicentennial Committee Member John Cooke stated that their formal approval and endorsement of the Mission Statement helps clarify their task, enabling them to move forward. Selectman Kennedy commended and expressed his appreciation of both Bicentennial Committee Members Cooke and Marilyn Vache for their contributions to the Committee thus far. Selectman Chmielewski stated that, armed with their charge, the Committee will begin approaching various Town organizations for their involvement and a master calendar of events will be created so as to properly coordinate and manage the events. In response to Bicentennial Committee Alternate Member William Schultz, First Selectman Lyden encouraged him to present his comments and ideas for the celebration to the Committee at their next meeting.

B. Appoint Bruce Rodgers to Bicentennial Committee

M/S/C: LaBonte/Chmielewski, to appoint Bruce Rodgers as a Full Member of the Bicentennial Committee. Discussion: None. Voice vote, 5-0, all in favor.

C. Appoint Marilyn Vache as a Full Member of the Bicentennial Committee
 M/S/C: Lyden/Kennedy, to appoint Marilyn Vache from an Alternate to a Full Member of the Bicentennial Committee. Discussion: None. Voice vote, 5-0, all in favor.

D. Appoint Chris Rios to the Gardner Lake Authority

Chris Rios is a long-time Salem resident and owner of property located on Gardner Lake. His wife, Anne Marie, who was previously appointed, is unable to serve on the Authority.

M/S/C: Lyden/Kennedy, to appoint Chris Rios as a Member of the Gardner Lake Authority. Discussion: None. Voice vote, 5-0, all in favor.

E. Secretary of the State letter regarding Electronic Voting (*related documents attached*) First Selectman Lyden provided a brief background regarding the possibility of allowing residents to vote electronically during the Town Meetings. Town Attorney William Kollman has consistently expressed his opinion that, while he is open to allowing residents to electronically view the meetings and ask questions, electronic voting should not be allowed due to the Town's inability to confirm the identity of the individual(s). After several conversations between Peter Sielman, who disagrees with the Attorney's opinion, the Attorney, and/or the First Selectman, it was decided to send the information to the Secretary of the State for her guidance. A letter, dated June 29, 2018, was received from the Office of the Secretary of the State and recited by the First Selectman. The letter concludes that it "would be a dangerous precedent to allow voting over unsecured networks." First Selectman Lyden opened the floor for comments.

John Cooke, 132 Gungy Road, who worked for the government in both Homeland Security and Cyber Security, concurred with the Secretary of the State, stating that the technologies are currently not in place to ensure a secure connection.

Selectman Kennedy, referring to the Special Town Meeting Minutes of January 13, 2010, noted that the motion was made and passed "to authorize Virtual Town Meetings *at the discretion* of the Board of Selectmen.", which, he presumed, means that it can be changed *at their discretion*. He also pointed out that, in the same minutes, Atty. John Butts responded positively to Hugh McKenney's question regarding the legal issues of whether the votes of those who are participating from home would be counted, contradicting his analysis included in the materials provided by Mr. Sielman that "There would, of course, be technical difficulties in ensuring that all town meeting participants are, in fact, authorized to participate pursuant to Section 7.6...."

Selectman McKenney stated his support, given the information and recommendation of the Office of the Secretary of the State and his knowledge of cybersecurity.

Selectman Chmielewski agreed with the Board's comments and commended the First Selectman for his detailed investigation and due diligence in dealing with this matter.

First Selectman Lyden stated that, procedurally, the Board of Selectmen cannot override the Town Meeting. Because the motion states that it is "at their discretion", he felt that the Board can choose not to authorize electronic voting. Selectman McKenney expressed his concern, feeling that the unquoted verbiage in the motion made at the January 13, 2010 Town Meeting was not part of the actual motion. First Selectman Lyden stated that a motion will be drafted and presented to the Board at their next meeting for approval.

F. Salem Fire Company ET Engine Update

Salem Volunteer Fire Company (SVFCO) Chief Gene Maiorano reported that, on June 28, 2018, the Fire Company's 1991 Pumper Truck ceased to run on its way to an emergency call. After conducting an extensive investigation, it has been determined that the damage was caused by the inadvertent use of a lower weight oil during the truck's last service. The Board of Finance has been kept apprised of the issue and has agreed to an additional appropriation. Discussions with the company who conducted the service are continuing and it is hoped that part or all of the expenses will be paid for by either the vendor and/or insurance company. In addition, the radiator has rusted and will cost approximately \$10,000.00 to replace/repair. First Selectman Lyden added that a new truck has been ordered and is scheduled to be delivered in 10 to 11 months. The Board will vote to approve the additional appropriation next month when the

amount is finalized. While the truck is being serviced, the Chesterfield, Lyme, Colchester, and Gardner Lake Fire Companies have agreed to help cover the Town.

On a different note, SVFCO Chief Maiorano invited the Board to the Fire Company to view their newly built storage building. The paving of the parking lot is pending.

G. Gardner Lake Fire Company Dry Hydrant Update

Gardner Lake Volunteer Fire Company Fire Chief James Savalle presented a brief background and provided an update of the dry hydrants located at 126 Old Colchester Road, which has been experiencing a significant reduction in the amount of water from Gardner Lake filling the dry wells due to debris. He expressed his concerns regarding the possibility of a significant draw down of the Lake and had requested the First Selectman, Montville Mayor Ronald McDaniel, and Bozrah First Selectman Glenn Pianka not recommend the drawdown of Gardner Lake. The Fire Company has been investigating possible options/solutions with the Oakdale Fire Department to ensure the accessibility of an adequate supply of water during the winter months as well as the safety of the firefighters when accessing the water. He also noted that Oxoboxo Lake will be drawn down 22 feet to allow the Army Corps of Engineers to properly inspect and repair the dam. First Selectman Lyden stated that Mayor McDaniel, First Selectman Pianka, and himself have approved a 2' draw down of Gardner Lake. Gardner Lake Authority Member Bob Neddo stated that it would have been helpful if such a presentation was provided to the Authority at one of their meetings and invited them their next regularly scheduled meeting. In response to Selectman McKenney, the time it takes to raise the Lake back to its original state is dependent upon the weather and the dry hydrants are routinely checked and maintained throughout the year.

H. Tax Collector Refunds

M/S/C: LaBonte/Kennedy, to direct the Town Treasurer to issue refunds, recommended and certified by the Tax Collector, as presented to the Board of Selectmen in the amount of \$1,320.84 (one thousand three hundred twenty dollars and eighty-four cents) on the 7th day of August 2018. Discussion: None. Voice vote, 5-0, all in favor.

5. REPORTS

A. First Selectman

First Selectman Lyden reported that the Tax Assessor's office hours have been extended longer than anticipated and presented an example of the additional benefits and services the Office is providing to the Town. Expressing his pride in the staff, he invited everyone to visit the Town Hall and meet everyone, if they haven't already done so.

Thanks to the Town's Safety Committee and employees, who have been trained in effective risk management practices, the Town has received a Member Equity Distribution Check in the amount of \$8,684.00 from CIRMA (Connecticut Conference of Municipalities); the funds will be deposited into the Town's General Fund.

Moody's Investment Service has removed the negative outlook that was placed on the Town due to the potential effects of the State's fiscal uncertainty and has upgraded the Town's Bond Rating from an A1 to an Aa3, based on the Town's strong management and increasing liquidity. He commended the Town's strong management team of employees and the leadership and fiscal responsibility of the Board of Finance and Board of Selectmen. Selectman Chmielewski commended the First Selectman.

B. Board of Education (BOE)

Selectman McKenney reported that the BOE Business Manager estimates that, as of mid-July 2018, approximately \$50,000.00 in unencumbered funds will be returned to the Town. The BOE also discussed the number of kindergarten children that are predicted to attend the School in the coming year at their recent meeting. Possible options were investigated should the number of students rise above 42. He commended the collaborative efforts the School is making with the East Lyme School District. First Selectman Lyden noted that, at its peak, the School welcomed 608 children in 2002; the current enrollment is approximately 395 students.

C. Board of Finance

O'Connor Davies, LLP, who was appointed as the Town's Auditor for Fiscal-Year 2017/18, recently visited the Town to conduct their preliminary work and will be returning in September to finalize their audit. He is expecting to return between \$70,000.00 and \$80,000.00 of unexpended General Government funds to the Town.

- D. Planning & Zoning Commission no meeting; no report
- E. Economic Development Commission no meeting; no report

F. Library

The Library continues to host a number of programs, including a Stuffed Animal Workshop on Wednesday, August 15, which includes a story and the creation of his/her own stuffed raccoon to take home. Those interested in participating must register. He commended the Friends of the Library who provide funding for many of these programs.

G. Military Liaison

Brigadier General Francis J. Evon, Jr., with whom Selectman Chmielewski was honored to serve, was recently appointed to serve as the Adjutant General of the Connecticut National Guard by Governor Dannell Malloy. He looks forward to having a positive collaborative relationship and programming under his leadership.

First Selectman Lyden added that the Eastern Connecticut Workforce Investment Board offers career counseling and resumé building to veterans as well as residents.

ADJOURNMENT

M/S/C: Kennedy/Chmielewski, to adjourn the meeting at 8:24 p.m. Discussion: None. Voice vote, 5-0, all in favor.

Respectfully Submitted by: Agnes T. Miyuki, Recording Secretary for the Town of Salem

ATTACHMENT E

Background:

Town Attorney William Kollman has stated in his opinion that electronic voting should not be allowed. Attorney Kollman has expressed his opinion and has had courteous talks with Mr. Peter Sielman regarding his opinion. Attorney Kollman has no issues with viewing meetings electronically or asking questions electronically. Mr. Sielman disagrees with Attorney Kollman's opinion. After several conversations, it was decided to send information to the Secretary of the State for guidance with this issue.

Attachments include:

- 1. Information provided by Mr. Sielman
- 2. Special Town Meeting minutes of January 13, 2010
- 3. Letter from First Selectman Lyden to the Secretary of the State dated May 9, 2018
- 4. Response from the Office of the Secretary of the State dated June 29, 2018

Attachment E 1

| Printed by: Kevin Title: | Lyden | Thursday, April 26, 2018 11:09:44 Al Page 1 of : | | | |
|------------------------------------|---|---|----|--|--|
| From: | "peter sielman" <apsielman@comcast.net></apsielman@comcast.net> | Wed, Apr 25, 2018 11:14:37 PM | #0 | | |
| Subject: | | | | | |
| То: | Kevin Lyden | | | | |
| Attachments: | Attach0.html / Uploaded File Sercretary of State Presentation.ppt / Uploaded John Butts opinion_PDF.pdf / Uploaded File | d File 6M 80K | | | |

Kevin:

I am attaching two files: An earlier presentation and the (then) Town Attorney's opinion.

I had forgotten the presentation. I call your attention to Secretary Merrill's comments made in Salem concerning increased participation in the chart entitled <u>Potentials For Action.</u>

The presentation covers both the rationale for and the procedures of the Virtual Town Meeting.

We have made changes to the emails by reducing the number sent out to each member of the Trusted Address List from 5 to 3. They are now:

"Comments/Questions", "YES" and "NO".

We had not previously covered Attorney Kollman's concern that unauthorized family members might reply to the emails (at the time selected for votes by the Moderator) while watching the Town Meeting on the Town's website or on television when Town Meetings are conducted at the TOB). Compared to the disenfranchisement of many people who would like to participate, but are unable to if we do not allow remote participation, this probability seems small.

However, it must be addressed!

We have a simple method for addressing it which should be applied <u>only</u> in those cases where the remote votes would alter the result compared to the outcome if only the votes of those physically present at the Town Meeting were counted.

We would require that remote voters always include the telephone number where they can be currently reached in the body of their reply to the "Yes" or "No" emails. In the case where the remote votes would alter the overall result, we would call that number to verify the voter's authenticity.

Regards,

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Peter

APPENDIX

THE CONNECTICUT TOWN MEETING EVOLUTION AND STAGNATION THOUGHTS ON A 17TH CENTURY INSTITUTION IN THE 21ST CENTURY.

OVERVIEW:

For an institution as ingrained in community life as the Connecticut Town Meeting, precious little has been written concerning its potential for change. In the 17th century, English colonists came together at intervals to make "orders necessary for the good government for the community." Eventually, as communities grew in size and the lack of defined leadership made such meetings unwieldy, the meetings came to elect a Board of Selectmen, which transacted town business between meetings. In time, the principal function of the town meeting became the election of town officers. During the 19th and 20th centuries, routine municipal administration became the sole province of Boards of Selectman; Town Meetings came to assume all legislative functions of the municipality. Statutory recognition has now been given to the fact that town "meetings" and "town elections" are now two separate activities. Elections are governed by state election laws, while the town meeting has been recognized as the town's legislative body. In short, the selectman and other town officials act as the administrative branch of town government; the town meeting acts as the legislative branch.

That much being well-settled, beginning in 1949, the Institute of Public Service of the University of Connecticut published a series of handbooks entitled "The Connecticut Town Meeting." The last version of the handbook was published in 1973. That handbook remains the best succinct guide to the role of the town meeting in Connecticut. It is unsurpassed in describing the conduct and powers of a traditional town meeting; the undersigned strongly recommends it to students of the genre.

Unfortunately, the handbook presents a view of the town meeting frozen in a time before television, telephones (let alone cell phones), fax machines, Internet access,

instant messaging and email. The town meetings described in the handbook would be familiar to Norman Rockwell.

Many concerned citizens now express the opinion that town meeting participation in Connecticut is on the decline. The question arises whether, in the interest of expanded participation, municipalities may, without statutory modification, expand participation by eligible citizens via electronic or by other means. In the opinion of the undersigned, the answer is a qualified "yes."

EXCERPTS FROM RELEVANT PORTIONS OF GENERAL STATUTES RELATING TO TOWN MEETINGS:

• § 7-1, Connecticut General Statutes

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> (a) Except as otherwise provided by law, there shall be held in each town, annually, a town meeting for the transaction of business proper to come before such meeting shall be designated as the annual town meeting. Special town meetings may be convened when the selectmen deem it necessary, and they shall warn a special town meeting on application of twenty inhabitants qualified to vote in town meetings, such meeting to be held within twenty-one days after receiving such application. Any town meeting may be adjourned from time to time as the interest of the town requires.

(b) Where any town's public buildings do not contain adequate space for holding annual or special town meetings, any such town may hold any such meeting outside the boundaries of the town, provided such meetings are held at the nearest practical locations to the town.

• § 7-5, Connecticut General Statutes

In any town, the place of holding town meetings may be determined by a majority of the voters present and voting at any town meeting specially warned and held for that purpose.

• § 7-6, Connecticut General Statutes

At any town meeting... any person who is an elector of such town may vote and 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 on an assessment of not less than \$1,000 on the last – completed Grand List of such town, district or subdivision... may vote...

• § 7-7, Connecticut General Statutes

.∦ * * ∦

All towns, when lawfully assembled... shall choose a moderator to preside at such meetings... and, except as otherwise provided by law, all questions arising in such meetings shall be decided in accordance with standard parliamentary procedure, **and** *towns, societies and municipal corporations may, by ordinance adopt rules of order for the conduct of their meetings* (emphasis added). The vote on any item on the call of a town meeting or other municipal corporation shall be taken by paper ballot if so voted at the meeting, if no petition has been filed under this section with reference to such item.

5) Article 1, Section 2 of the Connecticut Constitution of 1965.

All political power is inherent in the people, and all free governments are founded by their authority, and instituted for their benefit; and they have at all times an undeniable and indefeasible right *to alter their form of government in such manner as they may think expedient*" (emphasis added).

• § 1-200 (Freedom of Information Act)

(1) "Public Agency" ... means ... means any... legislative office of... an political subdivision of the state..."

(2) "Meeting" means any hearing or other proceeding of a public agency,... *whether in person or by means of electronic equipment,* to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction or advisory power"(emphasis added).

ANALYSIS:

Most of the aforementioned statutes relating to town meetings have a long remained substantially unchanged (One exception is Section 7.6, which was amended in 2002 to make clear "citizen" means "citizen of the United States," thereby relieving moderators and municipal attorneys everywhere of having to answer perennial questions from the uninformed.) During the past quarter century, in fact, the greatest evolution in statutes relating to town meetings has come in the area of Freedom of Information. The Freedom of Information Act explicitly recognizes that a meeting can take place "by means of electronic equipment." Section 1-200 of the General Statutes, therefore, read together with the town's explicit authority to adopt rules of order for the conduct of its meetings (Section 7-7), and the Constitution's recognition that the people have an undeniable and indefeasible right to alter their form of government in such manner as they may think expedient (Article 1, Section 2) lead the undersigned to conclude a Connecticut Town could conduct "virtual" town meetings. There would, of course, be technical difficulties in ensuring that all town meeting participants are, in fact, authorized to participate pursuant to Section 7.6. Those difficulties would differ in degree, but not in substance, from the difficulties that face town meeting moderators at every meeting when a voice vote is taken in an assembly room which contains not only eligible participants, but children, media representatives and other ineligible individuals.

Respectfully submitted,

John W. Butts Salem Town Attorney and Oft-times Moderator

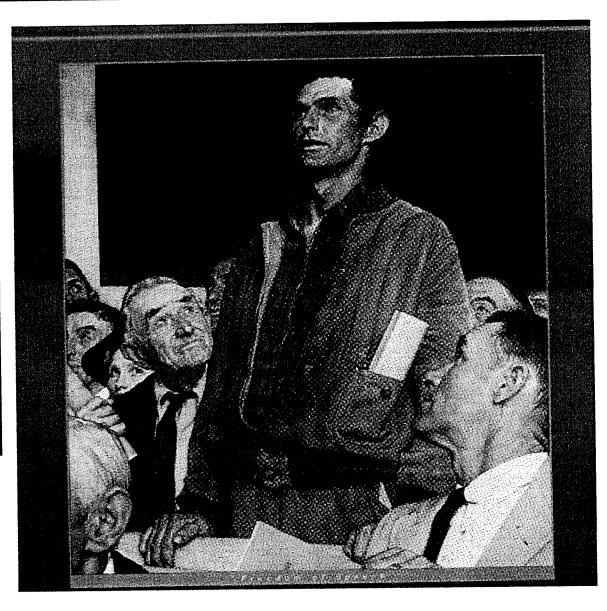
PARTICIPATION....

and things that can be done to enhance it.

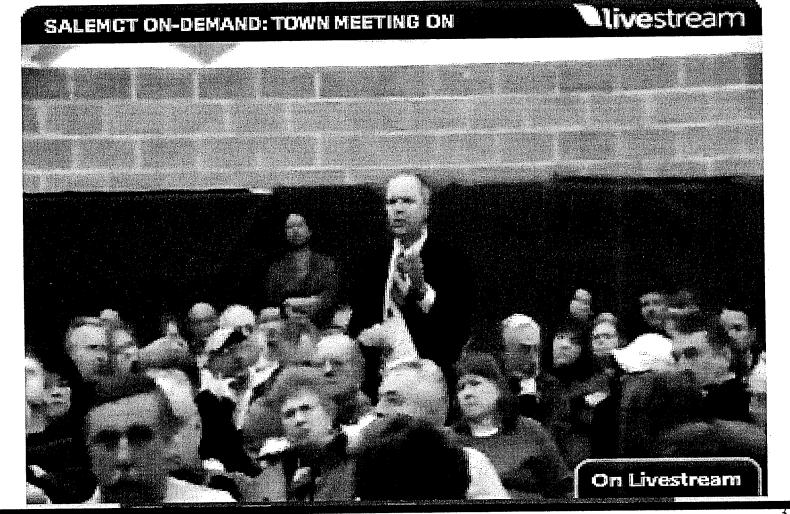
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BASIC PREMISES

Not everyone needs to participate but <u>More participation</u> - Greater legitimates - Better decisions - Political efficacy?



Using Salem's virtual town meeting....



<u>What is Virtual Town Meeting (VTM)?</u>

1) It is a normal town meeting conducted with **Attenders Remote Participants** (at home, on business, at

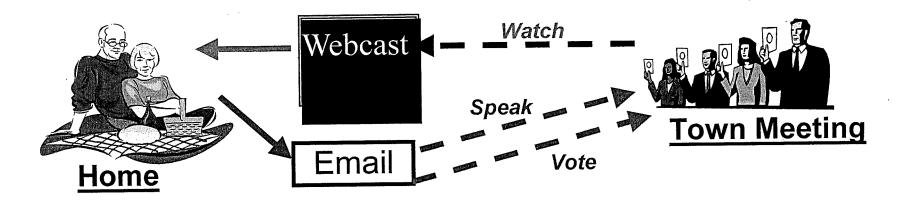
school, in the armed forces).

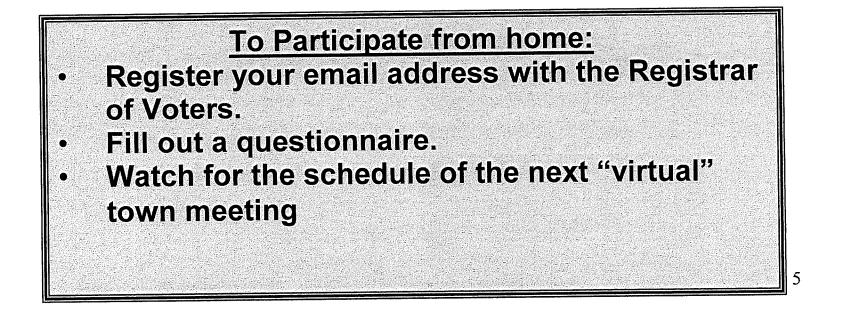
2) The town meeting proceedings are Webcast and/or Cablecast.... *live*.

3) **Remote participants** participate in deliberations and vote on motions via **Email** {~ 90 second delay}.

4) The Moderator performs the normal functions of:(a) selecting participants, (b) assuring that all participants understand the options and (c) controlling the voting.

"VIRTUAL" TOWN MEETING





<u> The Usual Suspects</u>

Caseblence, the French noticement played by Claude Raines, says to his subordinate. *Roubic coddae ustal suspects*, and then he and Rumphrey Bogant walk officiation the foot

In many Small New England Lowns, it is almost only the "usual suspects" who participate in town meetings and keep the legislative process going They are mostly political junkies, town employees, elected Board and Commission members, those who man the volunteer organizations and a few gadflies who enjoy hearing themselves speak

My hards off to them. They make the town meeting form of government work. The objective of this research is to understand why other people don't participate in town meetings and to explore a way of making the system work better by facilitating greater participation! In the meantime, I thank the "usual suspects", gadflies and all for making our democracy work as well as it does.

2006 SURVEY RESPONSES

"I can't participate because ..."

"I don't want to participate!"

"I did not know that I could or should participate"

7

RESEARCH RESULTS

| | PARTICIPATE REMOTELY? | | | |
|---|--------------------------|---------------|-----------|--------------|
| Voting Category | <u>Would</u> | <u>Unsure</u> | Would Not | <u>Total</u> |
| Does Not Vote | 2 (100%) | 0 (0%) | 0 (0%) | 2 (100%) |
| Votes Only in National Elections | 3 (30%) | 4 (40%) | 3 (30%) | 10 (100%) |
| Votes in National, State and Local Elections | 5 (56%) | 3(33%) | 1 (11%) | 9 (100%) |
| Votes in Referenda and All Elections | 8 (42%) | 4 (21%) | 9 (47%) | 19 (100%) |
| Total: | 18(45%) | 11 (28%) | 11 (28%) | 40 (100%) |

Although 17 of 40 of the interviewees stated a voting frequency different from the Registrar of Voters' records, the discrepancies were equally divided between those who overstated their voting frequency (9 of 40) and those who under-estimated their voting frequency (8 of 40). Note: Numbers in parentheses are row percentages.

| Reason Given | PARTICIPATE REMOTELY? | | | | | |
|--------------------------|-----------------------|----------|-----------|-----------|--|--|
| for Not Participating | Would | Unsure | Would Not | Total | | |
| Can't | 9 (56%) | 5 (31%) | 2 (13%) | 16 (100%) | | |
| Not Asked | 1 (33%) 1 (33%) | | 1 (33%) | 3 (100%) | | |
| Won't | 8 (38%) | 5 (24%) | 8 (38%) | 21 (100%) | | |
| Total: | 18 (45%) | 11 (28%) | 11 (28%) | 40 (100%) | | |

Note: Numbers in parentheses are row percentages.

The number of the second second of the second of the second second second second second second second second se

(1). Is the artendy selected eligible, non-perticipating voters were asked to be interviewed about town meeting participations co, his on the double the wares said that they Would same joans in townsmeeting in they, could do so nametaly.

d) If igne assigns all of the people who failed to respond to Interview requests (94) to have answered. Would Not (4) ithigh this percentiage of needo includents which Wordle participate remignaly fails to 1.3% (18 of 1.34)

(5) Aviandom sumpletor 134 implies a 95% controlence level of reflaming the entire population (or dire town) to within ±8%.

(6) Therefore, the data subcess that with a confidence level of 95%, that at least 5% (13% minus 8%) of the current incide panicipants in town meeting, would panticipate in some low inmeetings. If they could do so remotely,

Virtual Town Meeting Targets are:

------ The willing but not able,

------> The interested but tentative,

The knowledgeable but insecure,

-----> The busy but time-limited, and

-----> The cautious but curious.

<u>There are 2690 eligible voters in Salem</u>

Of whom....

- ^{2.8} 75 usually attend the Annual Town Meeting.
- ^{1.3} 35 usually attend most town meetings.
- $^{0.4}_{\%\%}$ 10 usually attend for minor issues.
- ^{4.8} 130 attended the January 13th (2010) School renovation meeting!

That's double the usual!

^{0.8} 21 more participated remotely!

VIRTUAL TOWN MEETING PARTICIPATION

| Meninal Jewan Merciningi Dente Saa | (Q)68 - 20(0)2 | Аріл .124010.9 | Oct. 2009) | Jan 20110 | May 2010 | NOV 2010 |
|---------------------------------------|-------------------|-------------------|----------------|--------------|-------------|-------------|
| Attendees | 46 | 11 | 12 | 130 | 72 | ↓ ↓ |
| Signers-up | Word of mouth | 118 | 148 | 179 | 200 | 277 |
| Uplink Mode | Cable | Cable | Cable + Web | Web | Web | 10.3 % |
| Remote Participants | 14 | 6 | 7 | 21 | 11 | |
| Percentage Increase | 30% | 54% | 58% | 16% | 15% | |
| Remotes as a % of Signers-up | NA | 5% | 5% | 12%* | 5% | |

* Approximately 50% of Signers-up attended the January 2010 virtual town meeting.

Virtual Town Meeting Mechanics

The System Must...

- 1. be easily utilized by those who choose to participate remotely.
- 2. have a minimum adverse impact on those who attend the virtual town meeting in person.
- 3. must be protected from fraud by excluding ineligible participants. <u>*Trusted Address List*</u>
- 4. cast out multiple votes from a single validated email address.
- 5. provide transparency so that attendees will be aware of the number of remote participants.
- 6. provide that the votes of attendees and the votes of remote participants must not influence each other through non-simultaneity [*Since Internet voting inserts a delay (of up to approximately 90 seconds)*], .
- 7. create and store a record of remote participant inputs.

TRUSTED ADDRESS LIST

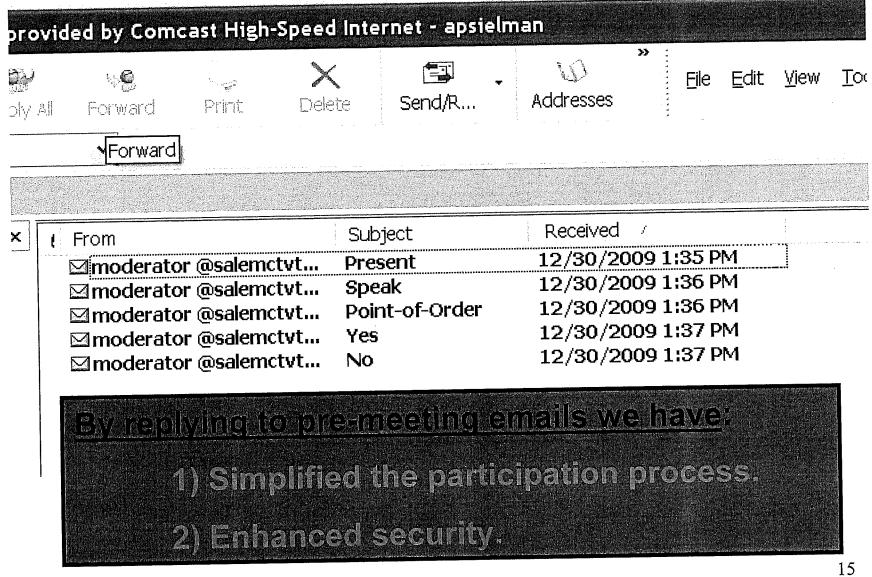
<u>jane.doe@email.com</u>

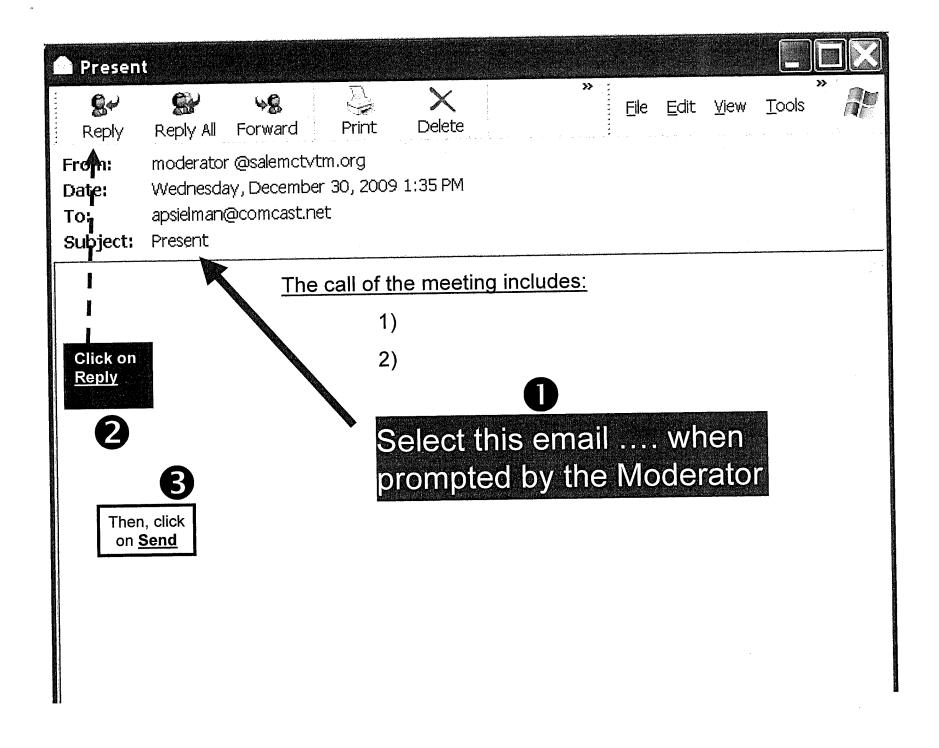
john smith@college.edu

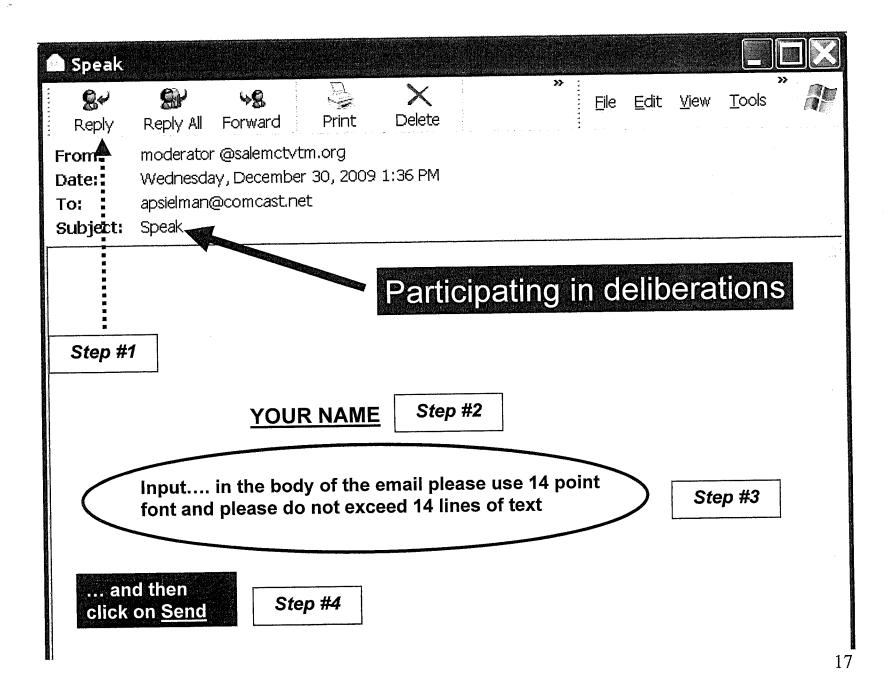
salemresident@company.net

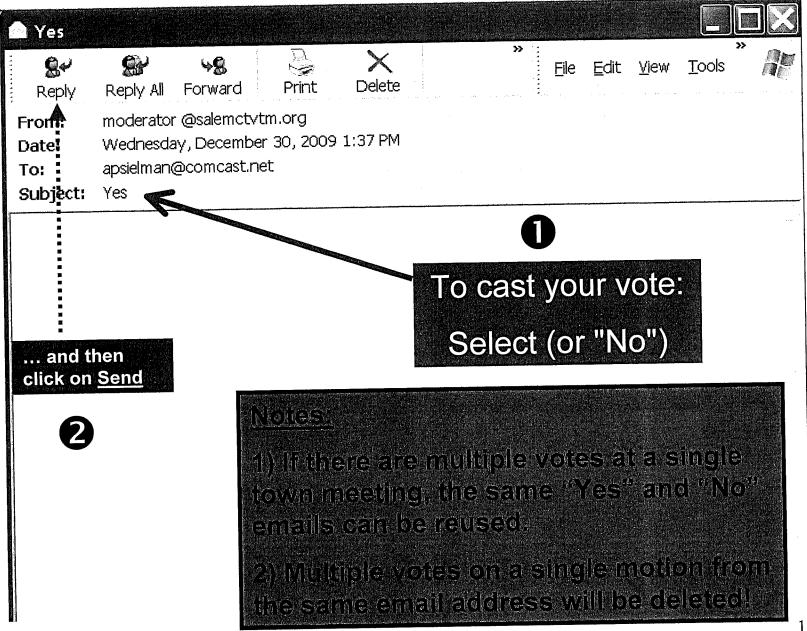
All other email addresses are rejected!

<u>We send out 5 emails to each Trusted Addressee:</u>

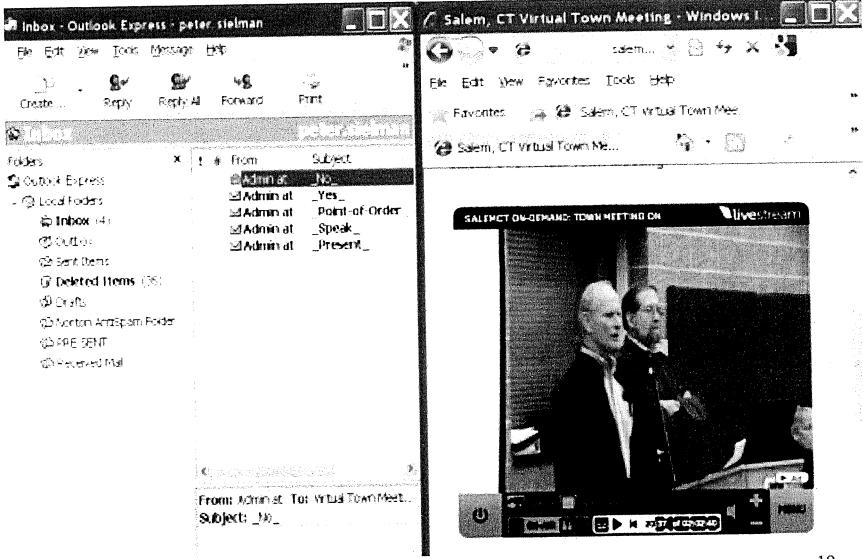




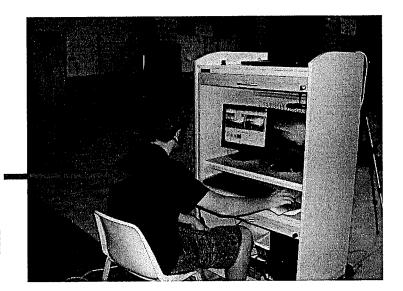




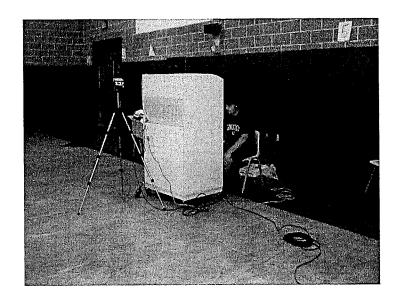
Dual Screen Set-up

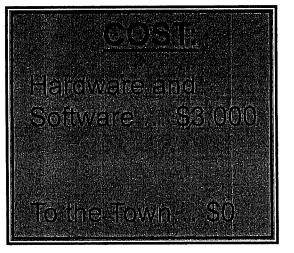


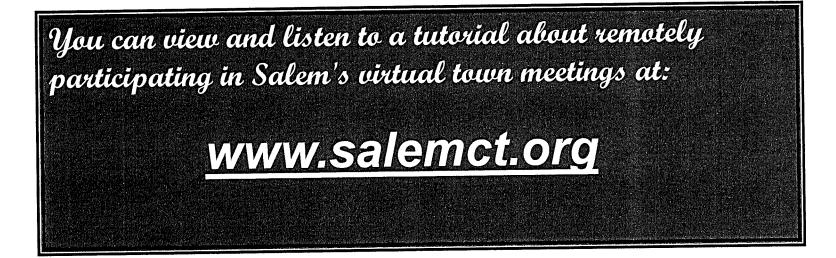
WEBCASTING CART



Will Spang High School Senior









POLITICAL EFFICACY and PARTICIPATION

A survey of Salem citizens who signed up to participate in Virtual Town Meetings was conducted to measure their feelings about politics.

Internal Political Efficacy measures the feeling that.....

"I am competent to understand and participate effectively in politics"

Presented here are the highlights of the analysis of the responses to that survey.

| SURVEY QUESTIONS-1 | I Agree strongly | I agree somewhat | I neither agree nor disagree | I dísagree somewhat | I disagree |
|--|---------------------|---------------------|---------------------------------|------------------------|------------|
| I feel tha <u>t I could serve</u> on a Town Board or Commission. | | | | | |
| I feel that town meetings are not a good way to make local decisions. | | | | | - |
| I feel that I have a pretty good <u>understanding</u> of the important issues facing our town. | | | | | - |
| I don't trust my fellow citizens. | | | | | ┢ |
| I feel that I am part of the Salem community. | | | | | - |
| I think that town meeting is a good form of democracy. | | <u> </u> | | | |
| I would be willing to participate in town meetings in the future. | | ļ | | | |
| I consider myself to be <u>qualified</u> to participate in Town affairs. | | ļ | | | - |
| I don't think that Town officials care much about what people like me think. | | | | | - |
| People like me don't have a say about what the Town does. | | | | <u> </u> | + |
| I think that I am as well informed about Town affairs as most people. | | ļ | | _ | |
| I think that operating under Robert's Rules of Order keeps town meeting orderly and efficient. | | | | | |
| I think that the town meeting Moderator is important for making the deliberations fair. | | | ļ | | |
| Sometimes I do not understand the complexities of Town government. | | | <u> </u> | | |
| I believe that it is important to discuss differences with people who disagree with me. | | | | | _ |
| I don't feel that I can contribute usefully to town meeting discussions of issues. | | <u> </u> | | | + |
| I think that town meeting participants consider what is good for the Town in deciding how to vote. | | | | | _ |
| I don't think that everyone who wants to be heard at town meeting gets to present their views. | | | | | |
| Participating in town meeting was an enjoyable experience. | | | | | |

For purposes of comparisons, please put a unique identifier (such as your name) here →______ It will be cut off after analysis.

Virtual Town Meeting and Political Efficacy

A case study based on a 19-statement questionnaire:

- 4 statements on Internal Political Efficacy
- ♦ 3 statements on External Political Efficacy
- 3 statements on Community Political Efficacy
- 9 statements on Town Meeting Political Efficacy

| RESPONSE | SCORE |
|------------------------------|-------|
| I agree strongly | 100% |
| I agree somewhat | 75% |
| I neither agree nor disagree | 50% |
| I disagree somewhat | 25% |
| I disagree strongly | 0% |

These are Not Randomly Selected Voters...

39 surveyed at the first virtual town meeting in October 2008... are mostly the *"usual suspects",* called: *"Attenders"*

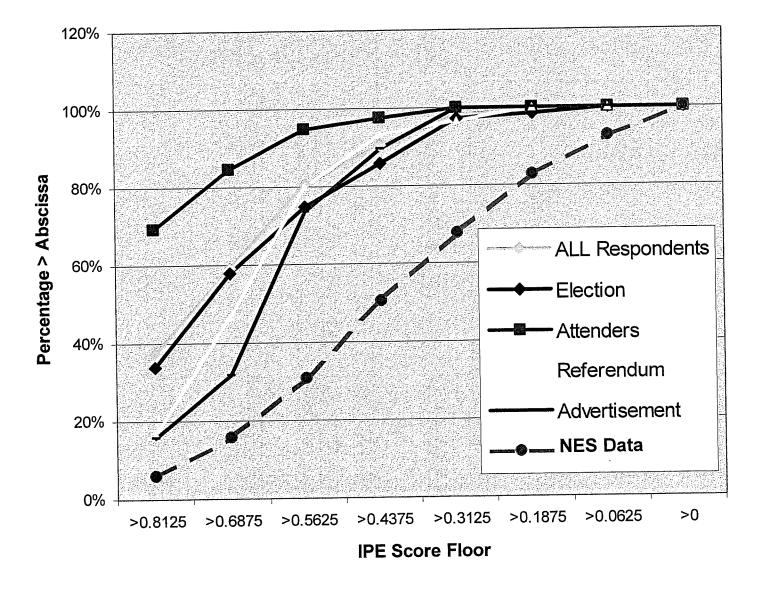
•71 surveyed at the November 2008 election... are self-selected out of 2000 voters (but did not include the first 39 Attenders) called: *"Election"*

•30 surveyed at a May 2009 Referendum... are self-selected out of 450 voters (who had not filled out a questionnaire previously) called: "*Referendum*"

•19 surveyed in response to a June 2009 advertisement in a Town quarterly newsletter called: *"Advertisement"*

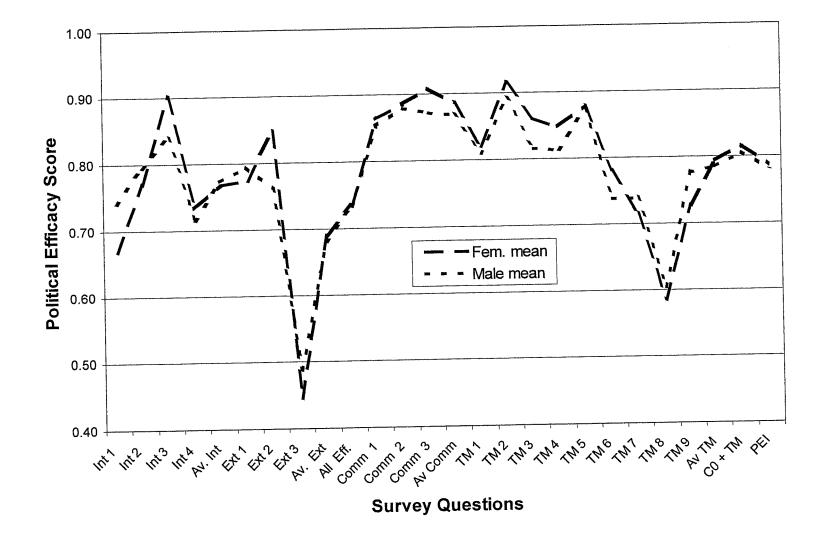
159 Respondents called: "All"

Internal Political Efficacy Comparisons National (NES) Data

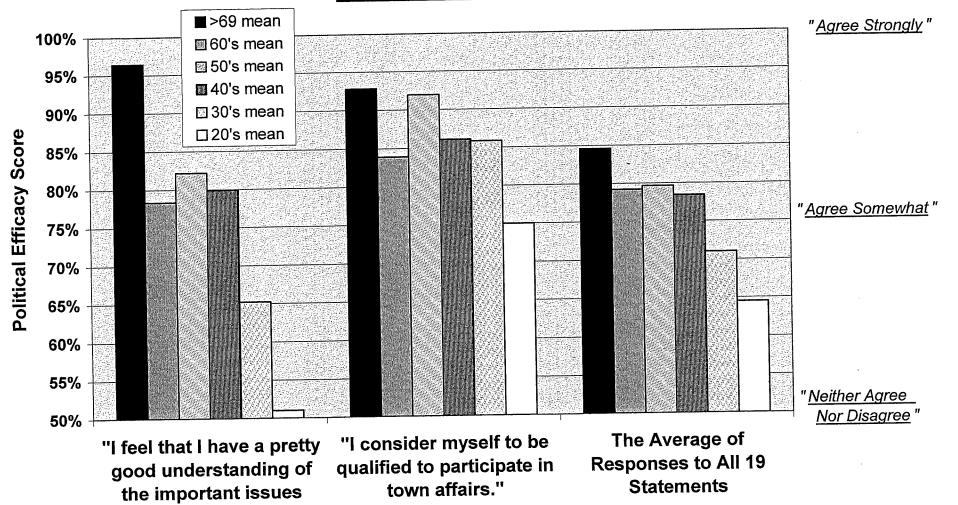


Gender Comparisons of Political Efficacy.

Gender Comparison



AGE COHORT RESPONSES



facing our town."

| Voting Participation versus I | nternal Politica | Efficacy score |
|-------------------------------|------------------|----------------|
|-------------------------------|------------------|----------------|

| <u>In 2008-9</u> | October Virtual Town Meeting | November National Election | May Budget Referendum | June Local Ad |
|--|---------------------------------------|----------------------------------|-----------------------------|---------------------|
| Potential Signers-up | 2690 | 2690 | 2690 | 2690 |
| Signed Up | 39 | 71 | 30 | 19 |
| Of these: Voted in Election | 39 100% | 71 100% | 28 93% | 16 84% |
| Of these: Voted in Ref. | 39 100% | 40 56% | 30 100% | 6 32% |
| Mean IPE Score (Internal Political Efficacy) | 88% | 73% | 71% | 69% |

Causal Arrow Connecting Participation and Political Efficacy

The "Usual Suspects" who regularly attend town meeting have substantially higher political efficacy indices than other groups.

Therefore: Political Efficacy

The new participants in town meeting have somewhat increased political efficacy indices after once trying remote virtual town meeting.

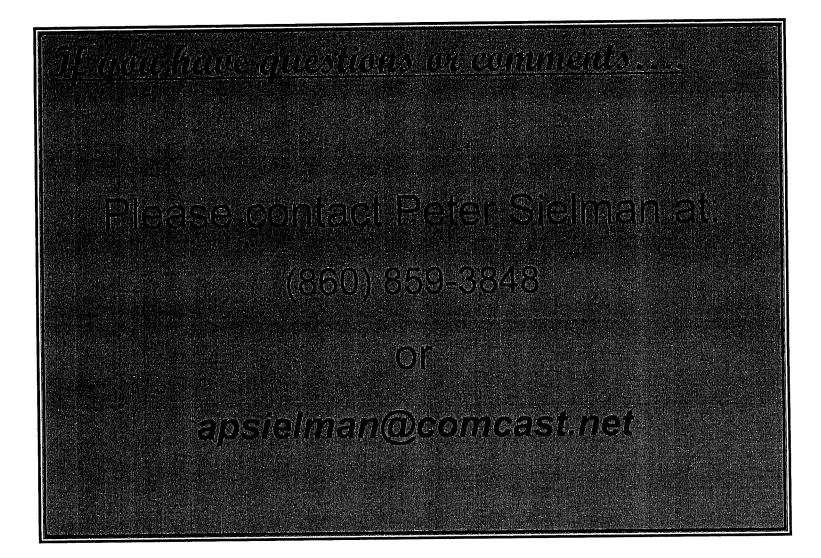
Does that mean that:

Participation

Greater Political Efficacy?

Potentials for Action....

- 1) <u>Secretary Merrill</u> (when visiting Salem) said that one of her priorities (once elected) is to increase participation.
- 2) Fostering remote participation has been shown to increase participation.
- 3) <u>Peter Sielman</u> is available (as a volunteer) to demonstrate to, and assist with, local government remote participation trials.
- 4) Are there ways that cooperation could increase the effectiveness of these efforts?



Attachment E 2

Special Town Meeting Salem School Media Room 260 Hartford Road, Salem, CT January 13, 2010

Meeting called to order at 7:34 p.m. by Kevin T. Lyden, First Selectman.

Moderator: Attorney John Butts, Esq. (M/S/C Don Bourdeau/Jim Savalle)

Clerk: Patricia J. Crisanti

The Clerk read the Posting Notice and Warning and noted that both had been duly posted and published in the Legal Section of **THE DAY** newspaper having a general circulation in the Town of Salem.

John Butts started with an overview description of the various areas of web-casting and Virtual Town Meetings and how they would work. Numerous citizens have signed up to participate in town Meetings, virtually. The number of meetings we could do that way was limited by a town meeting vote last year. And so, the first item on tonight's agenda is to extend the period that would allow the selectmen to authorize the virtual town meetings on a case by case basis. John asked the viewers at home to indicate they are present in the normal fashion. He explained the process.

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Item #1. (M/S/C Peter Sielman/Janet Griggs) Motion made to authorize Virtual Town Meetings at the discretion of the Board of Selectmen. "Shall the Town authorize the Board of Selectman to approve broadcasting, rebroadcast, and webcasting, of Town Meetings for the purpose of viewing and participating in the Town Meeting process making it more accessible to residents?"

Peter Sielman spoke about the process of continuing Virtual Town Meetings. He stated that 179 individuals have signed up so far to participate in virtual town meetings. He says it makes the meetings more Democratic by allowing more people access, when they are away at college, home-bound, on business trips etc. Initially there were three virtual town meetings approved. Now they would like to set it up to allow the Board of Selectmen to use their discretion when setting up the Virtual Meetings.

Elizabeth Lane asked if there was any cost to the town when producing the Virtual Town Meetings. The answer was, "No." Hugh McKenney asked a question about a previous problem, "When the virtual town meetings were started, votes that came in during the town meetings, were not considered binding because there were legal issues that had not been worked out. Have those legal issues been worked out and the people who are participating at home when they vote, will they count into the counting of the tally of the questions? The short answer is, "Yes" per John Butts. "We may be the only town in the state that has extended this courtesy to its citizens. It is an opinion that remote participant's votes are just as important as the votes of those who are present. While chatting on the question, 13 people have signed into the meeting. In order to sign in, you have to be and proved to the town that you are eligible to vote. There are safe e-mail addresses and strict structures being followed. If a moderator is not comfortable with a person or their identity, the moderator can toss that person out of the room."

Those residents present, if you are in favor of the motion presented please signify by saying "Aye" and the opposed please say, "No". The "Ayes" have it. Motion passed.

Item #2 (M/S/C Jim Fogarty/Bob Ross) Motion made to appropriate and authorize the expenditure of an American Recovery and Reinvestment Act Grant for \$36,868. "Shall the Town approve the American and

Reinvestment Act Grant funds in the amount of \$36,868 for mechanical upgrades at the Town Office Building?"

Kevin T. Lyden was asked to give more information on the grant. "This is a grant that will cost the town nothing. It is coming from the American Recovery and Reinvestment Act of 2009 Office of Policy and Management, Municipal Energy Efficiency and Conservation Block Grant. One of the objects is to use this for energy efficient retro-fits. Grants may be made to non-profit organizations and government agencies for the purpose of retro-fitting existing facilities to improve energy efficiency. Our town will receive \$36,868 for this. We have issues with the Town Hall and the cost to retro-fit it to make it more energy efficient, change the heat pumps, do the work. The bid for the work to be done by New England Mechanical is \$36,575." John Butts, asked," Am I correct, Mr. Lyden, that this is a zero tax impact to the town?" Kevin stated, "That's correct." Dennis Moore, a Salem resident, asked, "What is the Payback to the town?" Per Kevin, "This is guaranteed grant money. We just have to abide by one of the few stipulations they have." Bob Ross added, "That we have to appropriate the money up front so we can spend that money and the State reimburses every penny. It's kind of funny in that it is Federal money coming down from the State, OPM Office. So as soon as we apply for it, in a few weeks we will get a check from the State. Mr. Moore wanted a clearer picture of what the payback would be to the town, basically in energy savings. Don Bourdeau simply stated, one of the heat pumps has gone bad and the other three are about ready to go at Town Hall. So he has no idea of what the payback will be until the new fittings have been in place for awhile. A question was asked if this was a one person bid. Kevin stated the normal procedure is to get three bids. No one "at home" had any questions. There were no other comments or questions so the motion was put to a vote.

The voters at home were asked than, to vote yes or no on the motion and they had a minute to do so. John said that someone from home had stated, "Please ask people who are answering questions to do so with the microphone. They are very difficult to understand." All those in favor of this motion, please say "Aye". All opposed were asked to say "No". (There were none)

The "Ayes" have it unanimously. The viewers at home came through with 12 "Yes" votes and no "No" votes.

Item # 3. (M/S/C Dinis Pimentel/Daniel Kung) Motion made to authorize a Town appropriation of fifteen (15) million dollars to renovate Salem Elementary School, contingent upon a 30% reimbursement from the State, and further contingent upon future Town approval of a bond issue to fund said renovations.

John Butts reminded everyone that our charter prevents the town meeting from acting on this tonight in a binding fashion. An expenditure of this amount like our annual budget automatically gets transferred to a referendum. The final vote to move this motion forward would be to adjourn the vote to a referendum. Assuming we get to that point, I will ask your kind indulgence, until that time. Customarily the next step would be to have the Chairman of the building/study committee to give a brief presentation as to how we arrived at this point, and take questions and comments and then once everyone is satisfied, we turn it back to the moderator's town meeting format and move forward with the procedural motions that maybe in order. John asked Dinis Pimentel to come forward to give his power point presentation at this time. (See separate presentation in manila folder attached)

Dinis Pimentel introduced himself as the chairman of the School Renovation/building committee. He introduced some of the other members of the committee who were present at the meeting. (Jim Choquette, Kevin T. Lyden, Dick Asafaylo, Martha MacIntyre, Bill Weinschenker (Chairman of the BOF), and Dr. Donna Leake. He proceeded thru the presentation pointing out the problems that would need to be faced and corrected. He pointed out the different sections that were added onto the school during the various years starting with the 1940 original section. Additions were added in 1956, 1963,

1973, 1988, and 1994. Pictures of some of the school's current conditions that are deteriorating were presented in the slides. A particular problem is the continuing failure of the boiler in the boiler room. There is a large amount of pipes that are failing as well and will need to be replaced. A stairway built in 1963 leads to no where. If you try to leave the building, you end up in a courtyard.

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A question was asked, "How long does the town have to wait for reimbursement from the State for the renovations?" Dinis said he would come back to answer that question. The State will not pay for certain items. They will pay part of some things and again, they will pay full amounts of certain things. There are many areas in the school that have uneven heat. One room has 70 degree heat, another only 40 degrees. There is no work scheduled for the septic system. If we get this work started soon, we could save almost three million bucks. The sooner we start, the cheaper it will be to the town. With the economy being down, it gives the town a great opportunity for savings. There are a lot of people out of work, labor would be less expensive and the building process would most probably go quicker. Salem's reimbursement rate is normally 50%. But for this project it should be 30%. Collectively the buildings age is 27 years old (because the additions and changes were done during various years.) This is considered a renovation by the State legislature. There is no certainty of the exact amount of reimbursement from the State. It could be anywhere between 30% to 50%. They expect the whole renovation project to cost 15 Million, minus the State reimbursement rate of 30% (\$4.5 million) would cost the town, \$10.5 million worst case. If we get the approval now, we would be able to start the project in the summer of 2010. The project should be finished by December of 2011. That would be a school year and a half to finish the project. There would be an average mill rate increase of 1.9 mills or a tax increase of 8.2%. That would be an additional \$82.00 per \$1000 increase to present taxes. A question was asked, if there was any Federal Stimulus money available for this type of project. "If we delay the project, is there a chance that the State will be broke five years from now and not be able to dispense those funds?" The answer is, "The State, this year, is funding \$750 Million in school projects and the State has no history of cutting things in that area." The current reimbursement rate from the State, before penalties, is 50%.

Bruce Kirk asked, "Perhaps you might explain why the 15-year term for payment, instead of amortizing for a longer 20 to 30-year period which would lower your payments and off-set your higher interest rates." Dinis stated, "The type of project we are doing is certified for 20 years so by paying for it in 15 years..." Bill Weinschenker interjected, "This project actually requires 18 years of financing, with three years of construction costs. Certainly this will not complete all the work that has to be done at the school. If you finance for a longer period of time there will be higher interest costs. A ten-year bond would result in less interest costs, so it is a balance.

Cheryl Philopena added, "It looks like the mill increase would be <u>2.7 to 3 mills increase</u> on all taxes. If your assessment right now is \$250,000, your taxes are going to go up \$250 for each mill. If your assessment is \$500,000 now, your taxes are going to go up \$500 for each mill addition. So for a more accurate picture, you need to look at your own assessments. What does it mean to you. That is how you have to see it and figure it.

Shawn Reith asked, "Is this mill-rate proposed increase in addition to annual budget processes that will take place throughout the year?" An overwhelming "Yes" was heard throughout the room.

Vern Vesey asked about cost overruns and if they were figured into the total \$15 million cost. No, they are not according to the proposed builder. There was a difference of opinion on the cost of overruns....between Sean (the builder) and Vern Vesey (the building inspector). Vern stated that he has been through several major projects with Montville schools and that there have been numerous, numerous changes throughout from beginning to end affecting the cost involved with construction/renovations (changes in architectural oversights, oversights by engineers etc.) He questions if you should have a

higher number in mind above the \$15 million to cover any such oversights. He doesn't believe you will be able to look back and say, "Hey look at that, it only cost us \$15 Million dollars." I would say at least another 20% would not be unrealistic.

Diane Woronik spoke next, stating that ..."we are in a horrible economy right now and that houses are way below the value of the mortgages that have been taken out on them." I have two questions, "Number 1, does this whole plan have to take place within a year or can the school idea be spaced out over a longer term period and still receive reimbursement from the State? The second half of the question was, "Did I hear you say that the collective age of the school is 27, and that's why we're receiving 30%? And, if the collective age of the school was 30 yrs than we would receive 50%? Because if that is the case, than you would have 20% savings by waiting another 3 years.

Dinis continued. "If you bid this project out this spring, the construction market is still in a lull and that means that you are going to be securing that price which is the best price for doing it now in the spring..."

"That was not the question. The question was, Will the government still reimburse us the same if the project is extended over time." Dinis stated he would come back to that question. "I asked specifically about the government reimbursement. Are you better off just waiting to do the restoration work year to year?"

Further questions were asked and answered (refer to tapes for full audio).

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Dinis explained that all the space (high school-sized gymnasium) and hallways in the school caused penalties to be placed toward the project by the State. There is just so much square footage to be allowed per the number of students.

Tom Lane simply stated that the economy is bad and a lot of people have lost their jobs, his family included. He doesn't believe that it is an affordable idea at this time. Town taxes don't go down because they are based on local property values.

Dennis Moore and Richard Asafaylo, Selectman, made additional comments.

Gene Maiorano wanted to know if the Board of Finance was in favor of this project at this time. Dinis stated that they did not ask the Board of Selectmen nor the Board of Finance if they were in favor of this project. There were no specific endorsements.

Per Dinis, they would have the designs and the bids within 6 months.

Jim Savalle "The building as it stands right now with all the additions put on, currently meets code, correct? The stairway "that leads to no where" meets code, correct? Than when the engineers designed it, it met code, correct?" Don Bourdeau interjected, "The stairway leads to a courtyard. The stairway allows you to go out one way and in one way." Jimmy stated that the town should be ashamed of itself for lack of repairs to the school and all of our municipal buildings. That is why it is in such a sad state of disrepair.

(M/S/C Jim Savalle/Bruce Kirk) "I move to table this project until the BOE or the building committee comes up with a plan B."

John Butts stepped in to point out that a motion had been made by Jim Savalle and seconded by Bruce Kirk to table the project. "That means, it is a parliamentary procedure that closes discussion and takes the vote off tonight's agenda. It also stops the meeting from going forward to referendum. It means the issue

will need to be brought back to a town meeting the same way it arrived here in the first place. The Selectmen would put it on an agenda or a petition would be circulated among citizens qualified to vote to put it on the agenda. This is a point of order and not a debatable motion. This would close it down for tonight. Tabling an item removes it from debate for the present time.

An individual stated in a question, "Is it right that it took 18 months to get to plan A?" "Yes, per Dinis. "Than how long would it take to get a plan B?" "It should take less time than that, because originally we needed to understand what was done before." Dinis, said it would be less.

Janet Griggs asked for suggestions for a series of motions that would allow the presentation to go forward. It was asked to the motion maker/seconder if they wished to change their motion or if they wished to go forward with tabling it. It was stated that Mr. Pimentel had finished his presentation before the motion to table.

A tally was taken with respect to a survey of people – If you vote YES to this motion. It ends the debate. It ends our consideration tonight. It prevents next week's referendum. A YES vote is to table until an alternative plan is presented. If you vote NO, than we swing the clock back 12 minutes and we resume talking about it and keep going. A NO vote is to continue the discussion.

All those in favor of the motion to table, raise your hands. All those opposed to the motion to table, raise your hands. 85 here have voted YES. 5 at home have voted YES for a total of 90 YES votes to table the motion. 55 here have voted NO. 11 at home have voted NO for a total of 66 NO votes **not** to table the motion. The YES votes have it. The motion is tabled. The referendum scheduled for January 20th is cancelled.

Dinis thanked everyone for coming.

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There were no other items to come before the meeting. A motion was requested for adjournment.

(M/S/C Deanna St. Jean/Dinis Pimentel) Motion was made to adjourn the meeting. Meeting adjourned at 9:32 pm.

Respectfully Submitted, Patricia J. Crisanti, Town Clerk

Attachment E 3



Town of Salem

Salem, CT 06420-3809 270 Hartford Road Town Hall Tel. (860) 859-3873 Fax (860) 859-1184 www.salemct.gov

May 9, 2018

Ms. Denise Merrill Secretary of State **30** Trinity Street Hartford, CT 06106

Dear Denise,

I need your help with an idea for voting from a personal computer from a resident's home for Town Meeting Functions. A previous attorney thought it would not be an issue and be good for participation from residents who could not attend a Town Meeting in person.

Our current Town Attorney, William Kollman, disagrees and feels there is no positive way to assure that the person voting from their computer at home is actually that person. Myself, and the current Board of Selectmen concur with Attorney Kollman and respect his opinion. Attorney Kollman and the Salem Board of Selectmen feel comfortable answering questions from those viewing the Town Meeting from their homes; however, we do not feel comfortable authorizing voting from home unless there is an absolute identification of the individual voting.

We would appreciate any guidance you feel is warranted regarding this issue.

Respectfully,

r

Kevin T. Lyden

Attachment E 4



Office of the Secretary of the State State of Connecticut 30 Trinity Street P.O. Box 150470, Hartford, CT 06115-0470 DENISE W. MERRILL Secretary of the State

SCOTT D. BATES Deputy Secretary of the State

June 29, 2018

First Selectman Kevin T. Lyden Town of Salem 270 Hartford Road Salem, CT 06420

Dear First Selectman Lyden:

Secretary Denise Merrill asked me to respond to your letter of last month regarding the security and feasibility of a virtual town meeting. I apologize for the delay in our response.

We have authority to advise local officials regarding the proper methods of conducting municipal referenda. It is up to the individual towns and their respective town attorneys to determine to what extent our guidelines should be followed when conducting town meetings. Therefore we can only render advice regarding the analogous circumstances of voting at an election, primary or referendum.

Under CGS 9-3, interpretations by the Secretary of the State of elections law are presumed correct. The physical process of casting a ballot is outlined in CGS 9-261. The language in that statute speaks of electors "enter[ing] the polling place, announc[ing] the elector's street address, present[ing]" ID. Whether attending a meeting or entering a polling place, these are all activities that a person must be physically present to perform. Within the physical presence, there are accommodations made by the state to assist those with disabilities or those whose language is other than English.

Alternatively a person who is unable to physically be present in a polling location may cast a vote via absentee ballot pursuant to the Connecticut Constitution and CGS 9-135. This exception is not unconstrained, as the elector must fit into one of six categories which will allow an elector to cast an absentee ballot.

With online voting, the voter is not physically present and may or may not fit into one of the six categories of allowable absentee balloting. Beyond just the technological and security challenges, internet voting is limited by the fact that Connecticut only allows these two forms of voting.

In 2011, Secretary Merrill held a symposium to discuss the ability of voters to cast their actual votes using the Internet. The participants of the symposium included prominent computer scientists from MIT, the University of Michigan, and the Director of the Voting Technology Research Center at the University of Connecticut. It was the considered opinion of the majority of the participants that "there is no web-based voting system available today that could ensure the security, integrity and privacy of voted ballots." In fact, computer scientists and other security experts are unanimous in opposition to any system that would rely on the internet for the delivery and return of voted ballots by email or other electronic means, because of the possibility of fraud and other malicious attacks. The Department of Defense was forced to abandon the idea of providing ballots via the internet to the military stationed overseas because the pilot system was hacked multiple times.

Secretary of the State Main Line State Capitol Office Deputy Secretary of the State 860-509-6200 860-509-6121 fax 860-509-6209 860-509-6212 fax 860-509-6131 Business Services Division860-509-6002fax860-509-6069Legislation and Election Administration Division860-509-6100fax860-509-6127Management & Support Services860-509-6190fax860-509-6175

Internet Home Page: www.ct.gov/sots

That risk to democracy has only increased in the intervening years due to the attempted breaches and attacks to our voting systems by foreign actors, including, most notably, the Russian Government in 2016, as Connecticut was one of the 21 states targeted by Russian agents in the lead-up to the 2016 presidential election.

We share with you the desire to increase town meeting participation but we believe it would be a dangerous precedent to allow voting over unsecured networks. Perhaps a virtual meeting or televised meeting could be considered for those who are unable to attend in person, so that they can listen to the discussion and submit written questions via email, but we would recommend that only if the meeting were adjourned for voting at a later time, in person.

Please do not hesitate to contact our office if you have any other concerns.

Sincerely, euz Peggy Reeves

Director of Elections