

THESE MINUTES ARE SUBJECT TO APPROVAL BY THE CHARTER REVISION COMMISSION

Members of the Charter Revision Commission held a meeting on Wednesday, January 21, 2015 in Meeting Room 1 at the Municipal Building, 3 Primrose Street, Newtown, CT Chairman Jeff Capeci called the meeting to order at 7:30pm.

Present: Jeffery Capeci, Tom Long, Eric Paradis and Dan Wiedemann

Members decided to include charter language from section 4-10 TERMS OF OFFICE in the General Provisions section of the proposed draft. The language was inserted verbatim and will only be modified if the Reorganization group has not already done so. Descriptions for the following Boards and Commissions were further refined:

- Board of Ethics
- Board of Building Appeals
- Design Advisory Board
- Self-Funded Health Insurance Fund Committee
- Cultural Arts Commission
- Board of Fire Commission

Mr. Capeci recessed the meeting at 10:15PM to be reconvened again at 7:30PM Thursday, January 22, 2015.

Mr. Capeci called the meeting to order at 7:30PM January 22, 2015 in Meeting Room 3. Commissioners formulated language for the Newtown District Health Department Board taken from By-laws provided by Health District Director, Donna Colbert. The Commissioners then revisited the descriptions for the following:

- Parks and Recreation Committee
- Public Safety Committee.

Commissioners then considered the status of charge items:

No	Charter Section	Suggestion	Status	Suggested By
6	2-30C	The need for more clear direction from the Charter was confirmed by the most recent elections for the Board of Education which was fraught with questions about minority representation. This section also does not address how minority representation is affected by the filling of a vacancy during a general election. This section of the charter should specifically define minority representation on the Board of Education and should be reviewed for consistency with 2-70a of the Town Charter, and sections 9-204 and 9-167a of the Connecticut General Statutes.	Still requires deliberation	BOE and Jim Gaston
7	2-40	BOF should mirror other boards and have the ability to fill a vacancy by a vote of its board and not an	Still requires deliberation	BOF

No	Charter Section	Suggestion	Status	Suggested By
		appointment. Town Hall Board of Managers has this ability, as does BOE. Should be consistent		
8	2-40C	The description for filling of vacancies is not consistent from board to board. Review this section for consistency.	Still requires deliberation	BOE
9	2-50, 2-130	Consider 4 year term for BOF and stagger the terms to elect three positions every two year for the purpose of continuity and stability.	Still requires deliberation	BOF
11	2-80	In subparagraph (b), the second line should say "who shall preside over its meetings (and a vice chairman who shall act as chairman in the absence of the chairman)" ... and so chose a clerk who shall not be a member of the Board.	Done	ETHBOM
12	3-10C	Suggestion was made to clarify language	Request Clarification from BoF, should consider adding language for setting salaries of Town Clerk and Registrars of Voters.	BOF and Bob Tait
16	4-100	The Conservation Commission and the Inland Wetlands Commission have been two separate Commissions for several years but that is not reflected in the Charter. So I suggest that Chapter 4-100 be retitled Conservation Commission and Inland Wetlands Commission and that an additional sentence be inserted, "There shall be an Inland Wetlands Commission composed of 7 members with such powers and duties as may from time to time be prescribed by ordinance and the General Statutes. The other suggestion would be to give the Inland Wetlands Commission its own article with the same language as above.	Done	Inland Wetlands Commission

No	Charter Section	Suggestion	Status	Suggested By
17	4-110A	After discussion with the Booth Library Board of Trustees, it was recommended that Section A of the Town Charter regarding the required number of Board Members be revised. It is felt that a more compact Board would be more efficient.	Done	CHBLBOT
18	4-110C	Section C regarding the length and number of terms a Board member serves should also be revised. It is felt that the section should be re-written to get new talent on the Board in a more timely manner.	Done	CHBLBOT
2	All	Review for appropriateness and consistency how appointed Boards and Commissions are included in the Charter	Done	BOS and LC Charter Charge Committee
73	New	Review term limits for boards, why do some have it and others do not?	Tom will compile this information; consensus of group is that term limits will not be changed.	BOS

Commissioners discussed charge #12. Mr. Capeci will request clarification from the Board of Finance. Language seems clear to commissioners. Mr. Capeci spoke with Ms. Llodra who requested the Commission consider adding language specifying who set the salaries of the Town Clerk and Registrars of voters. As elected officials, they do not report to the First Selectman. Mr, Capeci will request guidance regarding CT General Statutes and pay for elected officers. He will also ask if the "Annual Town Meeting" called out in the Fire Commission Ordinance is still relevant. Mr. Long volunteered to compile a list of Commissions and existing term limits in pursuit of charge item 73. The Commissioners agreed to meet on January 29 at 7:30pm.

Having No further business, the meeting was adjourned at 9:45pm.

Respectfully Submitted,

Jeff Capeci

Att A: Draft descriptions

Att B: Resolution creating Health District Board

Att C: Health District Board by-laws

DRAFT

GENERAL PROVISIONS FOR APPOINTIVE BOARDS

Unless otherwise specified in board, commission or authority detail sections herein and as from time to time may be prescribed by CT General Statutes and/or by Town ordinance, the terms below apply to all appointed boards, commissions and authorities.

TERMS OF APPOINTMENT

1. Board and commission members and authority delegates shall be appointed by the First Selectman with the approval of the Board of Selectmen. All appointments to fill unexpired terms shall be for the duration of said unexpired term only.
2. A First Selectman whose position as First Selectman will end as a result of not being re-elected or has chosen to vacate the office shall not make appointments from the date of the Town Election to the end of his/her term.
3. Minority representation for all appointed boards, commissions and authorities except the Board of Fire Commissioners, the Board of Ethics and the Public Safety Committee shall be per CT General Statutes 9-167a.
4. In the absence of one or more regular members and alternate members exist; present regular members of the Commission shall designate alternate(s) to act in the absent members' place. Alternates shall be chosen in rotation so that they shall act as nearly equal a number of times as possible.
5. Appointive boards required by this Chapter of this charter or hereafter by ordinance other than the Board of Fire Commissioners and the Board of Ethics may, in their discretion, appoint associate members, with voice but without vote, for terms no longer than the terms of members of the appointing board.
6. All members of appointive boards shall receive no compensation and shall be electors and residents of the Town and shall vacate their positions on ceasing to be electors or residents of the Town.
7. Appointive boards, other than those required by this of this charter, may be created, abolished and consolidated; their powers and duties established, altered and repealed; and the number and terms of office of their members established and changed by ordinance.
8. The First Selectman with the approval of the Board of Selectmen may, by resolution, establish such advisory or study committees as they find desirable in the discharge of their duties.

TERMS OF OFFICE

1. The terms of appointment to any appointive board, except the Building Appeals Board, shall not exceed 4 years and shall be established to expire, as nearly as is possible, at regularly staggered annual intervals, unless otherwise provided by this Charter or by the General Statutes.
2. The terms of office on all appointive boards and commissions shall commence on January 7th, unless otherwise required by law. The length of terms shall be as hereinafter specified.
3. Any vacancy on any appointive board or commission, from whatever cause arising, shall be filled by appointment by the Board of Selectmen for the unexpired portion of the term vacated, within 45 days of such vacancy. If such vacancy has not been filled by the Board of Selectmen within 45 days, the remaining members of such board or commission shall fill such vacancy subject to the provisions of Section 4-20 of this Charter.

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ECONOMIC DEVELOPMENT COMMISSION

1. Purpose

There shall be an Economic Development Commission, as established by ordinance, which will seek to implement orderly and planned economic development while always keeping in mind the character of the Town and shall have the power and duties set forth herein and as from time to time may be prescribed by ordinance and by the General Statutes.

2. Membership and Terms of Service

- a. The Commission shall be composed of nine (9) members
- b. The term of office shall be three (3) years. No person shall be appointed to more than two (2) consecutive full terms.

HATTERTOWN HISTORIC DISTRICT COMMISSION

1. Purpose

There shall be a Hattertown Historic District Commission, as established by ordinance, to preserve, within the Hattertown Historic District, as defined by ordinance, the educational, cultural, economic and general welfare of the public. This shall be achieved through the preservation and protection of the distinctive characteristics of buildings and places associated with the history of or indicative of a period or style of architecture of the Town of Newtown.

- a. Membership and Terms of ServiceThe Commission shall be composed of five (5) members and three (3) alternate members.
- b. The term of office shall be five (5) years for all members.

LAKE ZOAR AUTHORITY

1. Purpose

There shall be a Lake Zoar Authority, as established by ordinance, which shall act as an agent for member towns to exercise all powers relating to improving water quality, the enforcement of boating laws on said lake and such other powers as from time to time may be granted to the Authority by the legislative bodies of all member towns and the General Statutes.

2. Membership and Terms of Service

- a. Member Towns shall be the Town of Newtown and other towns having Lake Zoar within their territorial limits.
- b. The Authority shall be composed of three (3) delegates from each member town.
- c. The term of office shall be three (3) years.

LAKE LILLINONAH AUTHORITY

1. Purpose

There shall be a Lake Lillinonah Authority, as established by ordinance, which shall act as an agent for member towns to exercise all powers relating to improving water quality, the enforcement of boating laws on said lake and such other powers as from time to time may be granted to the Authority by the legislative bodies of all member towns and the General Statutes.

2. Membership and Terms of Service

- a. Member Towns shall be the Town of Newtown and other towns having Lake Lillinonah within their territorial limits.
- b. The Authority shall be composed of three (3) delegates from each member town.
- c. The term of office shall be three (3) years.

PENSION COMMITTEE

1. Purpose

There shall be a Pension Committee, as established by ordinance, which shall perform the duties set forth in the Other Post-Employment Benefits (OPEB) Trust Agreement, as amended from time to time, relating to the management of the assets held in the OPEB Trust.

2. Membership and Terms of Service

- a. The Committee shall be composed of seven (7) members.
- b. The term of office shall be two (2) years.

PUBLIC WATER AND SEWER AUTHORITY

1. Purpose

There shall be a Public Water and Sewer Authority, as established by ordinance, which shall plan and direct the development, acquisition, financing, construction, operation and maintenance of such water supply and distribution systems and sewerage systems as may be required to properly serve the needs of the Town.

2. Membership and Terms of Service

- a. The Authority shall be composed of seven (7) members two of which shall be made on the recommendation of the Board of Burgesses of the Borough of Newtown.
- b. The term of office shall be four (4) years.

SUSTAINABLE ENERGY COMMISSION

1. Purpose

There shall be a Sustainable Energy Commission, as established by ordinance, which shall identify, implement and support renewable energy use, energy efficiency and energy conservation programs in which the Town's residents, businesses, organizations and Town agencies can participate and that may result in cost savings to the Town or school district.

2. Membership and Terms of Service
 - a. The Commission shall be composed of nine (9) members.
 - b. The term of office shall be three (3) years.

INLAND WETLANDS COMMISSION

1. Purpose

There shall be an Inland Wetlands Commission, as established by ordinance, which shall act as the Town's Aquifer Protection Agency and to administer the Inland Wetlands and Watercourses Regulations and the Forest Practices Regulations of the Town of Newtown.
2. Membership and Terms of Service
 - a. The Commission shall be composed of seven (7) members.
 - b. The term of office shall be four (4) years.

COMMISSION ON AGING

1. Purpose

There shall be a Commission on Aging, as established by ordinance, which shall study the needs of and coordinate programs for the elderly and aging in Newtown. To act as agent for other Federal, State or Town Boards, Commissions or agencies or local private groups to carry out programs for the elderly and aging.
2. Membership and Terms
 - a. The Commission shall consist of 9 regular members and 3 alternate members.
 - b. The term of office shall be three (3) years for regular members and two (2) years for alternate members.

CONSERVATION COMMISSION

1. Purpose

There shall be a Conservation Commission, as established by ordinance, for the development and conservation of natural resources within the territorial limits of the Town of Newtown. The Commission shall advise on the appropriate use and management of the natural resources for the Town of Newtown.
2. Membership and Terms
 - a. The Commission shall consist of seven (7) members.
 - b. The term of office shall be four (4) years.

TRUSTEES OF THE CYRENIUS H. BOOTH LIBRARY

1. Purpose

The Cyrenius H. Booth Library shall be operated by the Board of Trustees and the Trustees shall have the status, powers and duties set forth in Special Act No. 108 of the 1931 session of the General Assembly as amended by Special Act No. 110 of the 1959 session of the General Assembly, which acts shall remain in full force and effect, except to the extent superseded or revised by this Charter.

2. Membership and Terms

- a. The Board of Trustees shall consist of a maximum of 16 members of which eight (8) shall be appointed by the Board of Selectmen and the remainder shall be elected by the vote of the remaining Trustees present and voting at a meeting warned for the purpose. The total membership shall be defined in the by-laws of the Board of Trustees in accordance with this paragraph.
- b. The term of office shall be three (3) years.
- c. Trustee term limits shall be defined in the by-laws of the Board of Trustees and shall treat all trustees the same regardless of method of placement.
- d. Vacancies shall be filled in accordance with section 2.a of this section and the by-laws of the Board of Trustees, except that vacancies filled by appointment of the First Selectman shall be filled in accordance with the **GENERAL provisions of this section.**

BOARD OF ETHICS

1. Purpose

The Board of Ethics shall administer the Code of Ethics, as defined by ordinance, receive and hear complaints of violations of The Code of Ethics and respond to requests from public officials seeking advice on the conformity of actions with the Code of Ethics. The Code of Ethics shall guard against improper influence or the appearance of improper influence, and to ensure public trust in the government. To that end, the Code of Ethics shall set standards on the conduct of all Town officials and employees as necessary or appropriate to prevent a conflict of interest or the appearance of a conflict.

2. Membership and Terms of Service

- a. The Board of Ethics shall be composed of six (6) regular members and two (2) alternate members.
- b. The term of office shall be four (4) years.
- c. No more than three (3) regular members and one (1) alternate member shall be of the same political party.
- d. Any member who has served for two full terms in succession shall be ineligible for reappointment to the Board for a period of 4 years after he/she last served on the Board.
- e. Each member shall serve until his/her successor has been appointed.
- f. No member shall serve more than two (2) full terms except to accommodate 2e.
- g. A quorum shall consist of four (4) members.
- h. An alternate member shall vote only in the absence of a regular member.

3. Duties

- a. The Board shall be charged with the administration of the Code of Ethics. The Board shall adopt and may amend reasonable rules and regulations for the administration of its proceedings. Prior to adopting or amending said rules and regulations, the Board shall hold a public hearing. Notice of the

date, time and place of the public hearing, together with the text of the proposed amendment, shall be published in a newspaper having a substantial circulation in the Town of Newtown not less than 10 days before the date of said hearing. All such rules and regulations, as currently amended, shall be made available at the office of the Town Clerk to any elector of the Town.

- b. The Board shall receive complaints of any violations of the Code of Ethics and shall, upon such complaint, investigate the same and may hold private hearings thereon if, in the opinion of the majority of the Board, said complaint warrants a hearing. Any complaint received by the Board must be in writing and signed by the individual making said complaint. Complaints made to the Board of Ethics shall not be made public unless and until the complaint is found to warrant an investigation. Upon receiving any complaint, the Board shall privately notify in writing the person against who said complaint has been filed, advising the concerned party of the specific nature of the complaint made and being investigated by the Board and the name of the complainant. Upon receipt of said notice from the Board, the party so notified that a complaint has been filed against him/her shall have the right to demand a full hearing by the Board. In the event the Board decides that a hearing is required, or the person whose conduct is being called into question demands a hearing, said hearing shall afford the person whose conduct is called into question the right to cross-examine anyone testifying against him/her, to meet and answer any complaint made of his/her conduct, and to present evidence in his/her own behalf. No hearing may be conducted with less than 4 members of the Board in attendance.
- c. In the event the Board shall receive complaints against any officer, official or employee of the Town, the investigation and disposition of which have been delegated to other boards or commissions created by the Charter or under the General Statutes, then the Board shall forward the complaint received to the appropriate board or commission. The board or commission to which such complaints are forwarded shall thereafter notify the Board of the disposition made of said complaint.
- d. The Board shall report to the Board of Selectmen its finding as to whether or not a violation of the Code of Ethics has occurred, together with recommendation as to dispositions to be made. The First Selectman with the approval of the Board of Selectmen shall thereupon take such action as it may deem appropriate including, but not limited to, removal from office, suspension or censure of the person(s) who is the subject of the complaint or dismissal of the charges, except that elected officials may not be removed or suspended from office.
- e. Whenever, an officer, official or employee of the Town is contemplating taking an action or participating in any proceeding and has any question concerning the conformity of that action or participation with the Code of Ethics, the officer, official or employee shall have the right to seek an advisory opinion of the Board. Such request must be submitted in writing and the resulting advisory opinion from the Board shall be in writing.
- f. All opinions, findings and recommendations of the Board, whether advisory or at the request of a complainant, shall be kept on file in the office of the Town Clerk.
- g. The Legislative Council, by regulation, may prescribe procedures permitting the reimbursement by the Town of any reasonable attorney's fees incurred in connection with an appearance before the Board of Ethics by an officer, official or employee of the Town.

4. Code of Ethics

- a. The Code of Ethics is an ordinance which can be amended in accordance with the procedures for amending ordinances except that the Board of Ethics, without a petition, may propose amendments. In the event that an amendment is so proposed, the Legislative Council shall have 60 days to approve, modify or reject said amendment.

BOARD OF BUILDING APPEALS

1. Purpose

The Building Board of Appeals which shall hear appeals to rejected permit applications for building matters.

2. Membership and Terms of Service

- a. The Commission shall be composed of five (5) members.
- b. The term of office shall be five (5) years.
- c. No person shall be appointed to more than two (2) consecutive full terms.
- d. Each member shall be qualified by experience and training to vote upon matters pertaining to building construction.
- e. No member of said Board shall vote on any question concerning a matter in which he is engaged as contractor, material dealer, architect or engineer, or in which he has a personal interest.

DESIGN ADVISORY BOARD

1. Purpose

The Design Advisory Board (DAB) shall review proposed commercial developments within the Town of Newtown in designated design districts that are adopted by the Newtown Planning and Zoning Commission (PZC). The DAB shall be advisory to the Newtown Planning and Zoning Commission.

2. Membership and Terms of Service

- a. The DAB shall consist of three (3) regular members, and two (2) alternate members.
- b. The term of office shall be three (3) years.
- c. A quorum is two (2) members one of which must be a regular member.

SELF-FUNDED HEALTH INSURANCE FUND COMMITTEE

1. Purpose

The Self-Funded Health Insurance Fund Committee shall be the stewards of the Self-Funded Health Insurance Fund (the fund).

2. Membership and Terms of Service

- a. The Commission shall be composed of three (3) regular members and two (2) alternate members.
- b. The term of office shall be three (3) years.
- c. No person shall be appointed to more than two (2) consecutive full terms.

NEWTOWN DISTRICT HEALTH DEPARTMENT BOARD

1. Purpose

The purpose of the Newtown District Health Department Board shall be to preserve and improve the status of public health by (1) upholding and enforcing the Public Health Code of the State of Connecticut and such ordinances and regulations as may be adopted by the District Board of Health;

and (2) working with other providers of health services in the District to better coordinate existing programs and to plan and implement new health programs

2. Membership and Terms of Service

- a. Each municipality and/or Borough which has voted to become part of the District shall, by its Board of Selectmen, appoint a representative(s) to serve on the District Board of Health and may appoint an alternate to serve in the absence of this representative.
- b. The term of office shall be three (3) years.

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CULTURAL ARTS COMMISSION

1. Purpose

The Newtown Cultural Arts Commission shall exist to stimulate, facilitate, coordinate and cooperate with existing organizations for the development of the arts. It shall serve as an information center and focal point in the community for activities in the arts.

2. Membership and Terms of Service

- a. The Commission shall be composed of nine (9) members.
- b. The term of office shall be three (3) years.

BOARD OF FIRE COMMISSIONERS

1. Purpose

Board of Fire Commissioners shall operate, supervise and manage the Newtown Fire Department. The Newtown Fire Department consists of all the volunteer fire companies located within the Town and under the supervision and management of a Board of Fire Commissioners.

2. Membership and Terms of Service

- a. The Board of Fire Commissioners shall be composed of one (1) member from each member fire company and two (2) at large members.
- b. Each of the member volunteer fire companies, in accordance with its bylaws and regulations, appoints one (1) person to serve on the board, these Commissioners appoint two (2) civilian members to complete the Board.
- c. Thirty (30) days after the start of a term or the existence of a vacancy, should a volunteer fire company fail to appoint a member, the commissioners shall make an appointment to fill the vacancy who shall not be a member of any fire company.
- d. The term of office shall be for three (3) years.

3. Duties

- a. The Board of Fire Commissioners shall be responsible for the financial management of the Fire Department and for the supervision and care of Town owned facilities, apparatus and equipment used by the Fire Department. It may set specifications which shall be followed in the purchase of apparatus, equipment and supplies by the Town for the Fire Department.
- b. The Board shall establish rules and regulations governing the operation and management of the Newtown Fire Department.
- c. The organization, government, membership and management of the Fire Department shall be in accordance with the by-laws and regulations of the member companies. Such by-laws and regulations may be amended by the Board of Fire Commissioners. Amendments to the by-laws, however, shall become effective only on approval by a majority of the volunteer fire companies which are members of the Fire Department.
- d. The Board of Fire Commissioners shall appoint a fire marshal and may appoint deputy fire marshals and fire policemen, who shall have the powers and duties prescribed for their offices by the General Statutes or by ordinance.

- e. Shall prescribe uniform conditions for admission of volunteer fire companies as members of the Newtown Fire Department.

PARK AND RECREATION COMMISSION

1. Purpose

The Parks and Recreation Commission shall, at all times, supervise, maintain and develop for recreational purposes such area or areas of land as may be donated or purchased for such use to the Town or assigned for such use by the Town. The Parks and Recreation Commission shall have sole supervision of any and all buildings and equipment installed in such parks areas. The Commission shall develop such recreational programs as the needs of the Town require, provided there is an appropriation(s), or private donation(s) have been received for this purpose.

2. Membership and Terms of Service

- a. The Parks and Recreation Commission is composed of seven (7) members.
- b. The term of office shall be for two (2) year terms.

PUBLIC SAFETY COMMITTEE

1. Purpose

There shall be a Public Safety Committee to review correctional safety and security issues at Garner Correctional Facility which affect the town of Newtown.

2. Membership and Terms of Service

- a. The Committee shall be composed of the warden or superintendent of the correctional facility. Other representatives shall be filled by the First Selectman in accordance with the **GENERAL provisions** of this section.

Attachment B:

LEGISLATIVE COUNCIL



EDMOND TOWN HALL
NEWTOWN, CONN. 06470

June 16, 1994

Ms. Cynthia Curtis
Town Clerk
Edmond Town Hall
Newtown, CT 06470

Dear Cindy:

At the Legislative Council meeting held on Wednesday, June 15, 1994, the following action was taken:

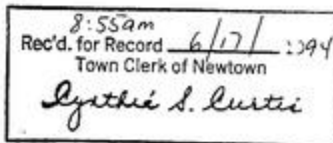
"Mr. Rochman moved the following resolution: RESOLVED that, pursuant to the provisions of Chapter 368f of the Connecticut General Statutes, the Town of Newtown by action of this Board, after a public hearing (held on June 7, 1994), unite with the Borough of Newtown to form the Newtown District Department of Health as soon as practicable but not later than June 30, 1994, and lawfully execute reimbursement agreement between the Town of Newtown and Borough of Newtown. Second by Mr. Borst. UNANIMOUSLY CARRIED"

Sincerely,

Melissa Pilchard

Melissa Pilchard
Acting Chairman

I do hereby certify that the above is a true and accurate transcript of the minutes of said meeting of the Legislative Council.



Jan Andras
Jan Andras
Administrative Secretary

Attachment C
BY LAWS
NEWTOWN DISTRICT
DEPARTMENT OF HEALTH
AS APPROVED/ADOPTED
BY
THE BOARD OF HEALTH
January 31, 2006
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Article I – General Information

Section 1. NAME. The organization shall be known as the **NEWTOWN DISTRICT DEPARTMENT OF HEALTH**, together and hereinafter referred to as the District.

Section 2. LEGAL STATUS. The District is organized under the provisions stated in Chapter 368f of the CT General State Statutes as a governmental agency.

Section 3. PURPOSE. The purpose of the District shall be to preserve and improve the status of public health by (1) upholding and enforcing the Public Health Code of the State of Connecticut and such ordinances and regulations as may be adopted by the District Board of Health; and (2) working with other providers of health services in the District to better coordinate existing programs and to plan and implement new health programs.

Section 4. ELIGIBILITY FOR SERVICE. The services of the District shall be made available to any person residing within the member towns without any requirement as to

term of residence; without regard to age, race, creed, color, national origin, sex, marital status, handicap, or religion as provided for in Title IV of the Civil Rights Act of 1965. Section 5. OFFICE OF THE DISTRICT. The District shall maintain offices providing reasonable access to all residents residing within the member towns.

ARTICLE II – DISTRICT OBJECTIVES

In agreement with the announced purpose to improve the status of public health in the District, the following are considered to be the most desirable aims of the District.

1. Create a healthy environment to enable the residents of the District to achieve optimal physical and mental health.
2. Cooperate with existing community organizations to encourage the coordination of parallel endeavors, to eliminate duplication in the provision of health services and to extend the scope of available health services.
3. Establish and maintain a continuing program of public education to increase community awareness in matters of health and District services.
4. Establish and maintain optimal standards for the delivery of District services.
5. Establish a system to periodically collect and analyze pertinent data related to the District and to plan, develop, and evaluate District services effectively.
6. Utilize whatever available public and private sources are appropriate to supplement the membership budget of the District

ARTICLE III – DISTRICT MEMBERSHIP

IN ACCORDANCE WITH STATE STATUTES

Section 1. ADMISSION. The District shall be composed of municipalities which, by vote of their respective legislative bodies, have formed a District Department of Health. The District Board shall vote upon the admission of other towns, cities, and boroughs to the District, provided that the legislative body of the requesting municipality has voted to enter the District and has applied for admission. Admission to the District shall be upon 2/3 majority vote of the Board of Health with the appointed Borough Board Member present.

Section 2. ANNUAL CONTRIBUTION. Membership in the District requires an annual minimum contribution of not less than one dollar (\$1.00) per capita, based upon the last annual population estimates established by the State Department of Health and Addiction Services. The revenues pay for a portion of the costs for operating the District.

Section 3. REPRESENTATION. Each municipality or borough involved shall appoint one member to the Board of Health for each 7,000 population, and one representative for each additional 7,000 population or part thereof. No municipality shall have more than five (5) representatives.

Section 4. ALTERNATE REPRESENTATION. An alternate representative to the District Board of Health may be appointed by the executive body or the legislative body of the municipality, whichever is applicable. Such alternate may attend and participate in Board meetings by presenting proper credentials. Only in the absence of the official representative may the alternate be allowed to vote.

Section 5. FISCAL YEAR. The fiscal year of the District shall be July 1 through June 30.

Section 6. RECEIPTS. All monies shall be made payable to the District and received by the Director of Health or his designees for deposit.

Section 7. DISBURSEMENTS. Any expenditure in excess of \$2,000.00, except in those instances where such expenditure has been specifically approved by the Board, must be signed by two (2) of the following: Chairperson or a designated Board member by the

Chairperson; and the Director of Health or other staff member designated by the Direction of Health.

Section 8. MEMBERSHIP FEES. By May 1 for payment by June 15, and by November 1 for payment by December 15, the District shall draw upon the Treasurer and/or Financial Director of each municipality within the District an equal amount per capita for such funds as have been appropriated by each municipality. The apportionment is to be at least one dollar (\$1.00) per capita based on the last annual population estimate by the State Department of Health and Addiction Services.

Section 9. STATE MATCHING FUNDS. The District shall quarterly apply to the State Health Department and receive an amount equal to the amount established by Statute, based on the last annual population estimate by the State Department of Health and Addiction Services.

The Board of Health shall hold a public hearing no later than the last Tuesday in March on its proposed budget, two (2) weeks notice of which shall be given in a local newspaper. Following said public hearing and before July 1 of each year, the Board shall adopt its annual budget for the fiscal year.

Section 10. ACCOUNTS AND AUDIT. The District shall keep accurate accounts of all receipts and disbursements. These accounts shall be audited annually by a Certified Public Accountant, appointed by the Board during the month of December, such audit to be transmitted to the members of the Board of Health and to each member town no later than April 1 following the close of the previous fiscal year.

Section 11. WITHDRAWAL. Any municipality by vote passed prior to January 1 in any year, may withdraw from the District, such withdrawal to become effective on the first day of July following, provided such municipality shall have been a member of the District for at least twenty-four (24) months prior to such vote of withdrawal.

ARTICLE IV – BOARD OF HEALTH

Section 1. POWERS. The powers of the Board of Health shall include, but not be limited to, the following enumerated powers. To sue and be sued; to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the District ; to make and from time to time amend and repeal rules and regulations to carry out the purposes and objectives of the District; to acquire real estate; and to have whatever other powers are necessary to properly carry out their responsibilities as an independent entity of government.

Section 2. MEMBERSHIP. Each municipality and/or Borough which has voted to become part of the District shall, by its Board of Selectmen, appoint a representative(s) to serve on the District Board of Health and may appoint an alternate to serve in the absence of this representative, as called for in Article III, Section 3 and Section 4.

Section 3. TERMS OF OFFICE. The term of office for members of the District Board of Health shall be three (3) years, except that, during the initial formation of the Board appointments shall be made by the executive governing body of the member towns.

Members of the Board of Health may be reappointed for successive terms.

Election of officers will take place every two years. Elections will take place in June and officers elected become effective July 1 to coincide with the fiscal year.

Section 4. VACANCIES. The executive body of the municipality shall be requested to fill vacancies within sixty (60) days so that the business of the Board of Health can be conducted in an orderly manner with the municipalities fully represented.

Section 5. OFFICERS. The board shall elect a Chairperson, Vice-Chairperson, Secretary, and Treasurer. The Secretary and Chairperson shall not be the same

individual. IF A VACANCY OCCURS, THE POSITION WILL BE FILLED BY SPECIAL ELECTION AT THE EARLIEST REGULARLY SCHEDULED MEETING AS IS POSSIBLE.

Section 6. REGULAR MEETINGS. The Board of Health shall meet at least quarterly on a day agreed upon by the Board, and at such other times as determined per Section 7 of Article IV.

Section 7. SPECIAL MEETINGS. The Board of Health shall meet at the request of the Chairperson or in the form of a motion, letter, or voice, of at least two (2) members.

Section 8. NOTICE OF MEETING. At least 24-hour notice of each meeting is required. A schedule of regular meetings shall be prepared and published prior to the beginning of the fiscal year and filed with the Town Clerk(s) in each member town as well as the

Secretary of State's Office.

ORGANIZATION OF MEETINGS:

1. Open meeting;
2. Citizen participation;
3. Review the minutes of previous meeting and their approval;
4. Communications and financial reports;
5. Reports of Officers and Director of Health;
6. Reports of standing committees;
7. Old Business
8. New Business
9. Adjournment

The official record of the Board meetings shall be the written approved minutes. Tapes shall be used for the purpose of preparing the minutes and be retained for a period consistent with The State of Connecticut General Administration Records, Retention/Disposition Schedule I: Municipalities.

Section 9. Quorum. A minimum of four members shall constitute a quorum for the transaction of business at regular or "special" meetings of the Board of Health.

Section 10. Executive Sessions. Executive Sessions will be held consistent with the FOIA requirement.

Section 11. Robert's Rules of Order. Robert's Rules of Order shall govern the proceedings at the meetings of the District.

Section 12. The By-Laws. The By-Laws of the Newtown Health District shall not be changed, modified, altered or canceled in any way except by 2/3 favorable vote by the Board of Health.

ARTICLE V – SPECIFIC DUTIES OF THE CHAIRPERSON

Section 1. Specific Functions. The Chairperson may, in the exercise of his/her independent judgment, approve or disapprove of various procedures in the implementation of policies of the Board of Health. His/her decisions will be subject to the approval of the Board. In listing some of the potential functions the Chairperson may perform, preclusion of additional duties is not intended.

(a) Approve or disapprove of various proposals of the Director of Health regarding actions to be taken to implement Board Policy.

(b) Assist in creating a harmonious linkage with officials and agencies in all member towns.

Section 2. DUTIES OF THE VICE CHAIRPERSON. In the absence of the Chairperson or in the event of his/her inability or refusal to act, the Vice Chairperson shall perform the

duties of the Chairperson and, when so acting, shall have the powers of and be subject to all the restrictions upon the Chairperson. In case of the resignation or death of the Chairperson, the Vice-Chairperson shall perform such duties until such time as the Board of Health elects a new Chairperson. The Vice-Chairperson shall perform such other duties as from time to time, may be assigned to him/her by the Chairperson or by the Board of Health.

ARTICLE VI – ADVISORY COMMITTEES

Section 1. General Powers. Advisory Committees may be created as necessary to make policy recommendations, monitor, advise and support district activities in certain function or program areas.

Section 2. Membership. Membership on the various Advisory Committees may be drawn from the agencies which will participate in one way or another in the function of program area of concern to the Committee, as well as from the general citizenry of the District. Such membership will be based as proportionately as possible on the population distribution of the member towns of the District. Representatives may be either providers or consumers of activities. At least one member of the District Board of Health must concurrently serve as a member of the Advisory Committee. The Director of Health shall also serve on the Committee, without voting privileges.

Section 3. Standing Advisory Committees. Standing Advisory Committees to the Board may be Public Nursing, Food Service Providers, Builders and related trades and other committees as may be established by vote of the Board.

Section 4. Term. Members of the Advisory Committees shall serve three-year terms, such terms to correspond with the organizational year of the District Board of Health.

Section 5. Other Committees. The Chairperson of the Board shall appoint any committees deemed necessary to carry out the activities of the Board of Health, subject to the unanimous approval of the Board.

ARTICLE VII – EMPLOYEES

Section 1. Employment of Professional Staff. The Board of Health, in agreement with State requirements, shall appoint and approve the employment of a Director of Health when a vacancy occurs. It will be the direct responsibility of the Director of Health to select, hire or fire other staff personnel in agreement with the approved Personnel Policies.

Section 2. Director of Health. The Director of Health, subject to the policy directives of the Board of Health, the CT Public Health Code, and the CT Public Health Statutes, shall be responsible for the day-to-day operation of the District. In addition, the Director of Health shall be responsible for the employment, training, supervision and tenure of all employees, subject to such rules, regulations or procedures established by the Board of Health, the State Department of Health Services, and the General Statutes of Connecticut.

Section 3. Personnel Policies. The Board of Health shall be responsible for the adoption of Personnel Policies and any amendments or revisions thereto. The Director of Health shall be responsible for the development of personnel procedures to implement these policies. Personnel Policies shall be reviewed at least every two (2) years, but may be reviewed at any time by request of a majority of the staff, or at such time that the Board of Health determines such review is necessary.

Section 4. Evaluation. The District Board of Health members shall meet annually in January, to evaluate the Director of Health in regard to his/her carrying out the objectives of the District and its By-Laws. Such evaluation shall be discussed with the Director of Health, and a written copy shall become part of the permanent records of the District at

the February session.

Section 5. Medical Advisor. The District Board of Health members shall appoint a Medical Advisor, who shall be a CT licensed M.D., for a term of two (2) years.

ARTICLE IX – MISCELLANEOUS

Section 1. Interpretation. It is intended that the provisions of these By-Laws be reasonably and liberally constructed to effectuate the purposes and objectives of the District. The provisions of these By-Laws shall be severable.

These By-Laws shall not be interpreted to be in conflict with any Federal, State or Local law.

If any phrase, clause, sentence or provision is declared to be contrary to the laws of any party, the constitutionality of the remainder of these By-Laws shall not be affected thereby.

Section 2. Amendments. These By-Laws may be altered, amended, added to or repealed as indicated in Article IV, Section 12. Written notice of the proposed alteration, amendment, addition or repeal shall be included in the notice of the Meeting at which the amendment will be considered, and shall be submitted at least one (1) month prior to the Board meeting at which such amendments will be considered for vote.