

BY-LAWS
CONSERVATION COMMISSION
INLAND WETLAND AGENCY



TOWN OF WATERTOWN
CONNECTICUT

CONSERVATION COMMISSION/INLAND WETLANDS AGENCY

Regular Members:

Craig Palmer, Chairperson

Tom Murphy, Vice Chairperson

Edwin Dalton, Secretary

Joe Polletta

George Touponse

Luigi Cavallo, Jr.

Pierre Moran

Alternate Members:

Charles Beliveau

Scott Tearman

Ed Norton

Adopted February 22, 1995

Revised April 26, 1995

Revised February 28, 1996

Revised March 27, 1996

Adopted April 24, 1996

Revised March 10, 2011

Revised March 14, 2013

Revised March 13, 2014

Revised January 11, 2018

Adopted July 9, 2020

Adopted August 12, 2021

Article I
Purpose and Authorization

The objective and purposes of the Conservation Commission/Inland Wetland Agency of the Town of Watertown, Connecticut, are those set forth in Chapter 440, Section 22a-36 through 22a-45, and Chapter 97 and 98, Section 8-131a, 7-148 (c) (8) (A) (B) (D) of the Connecticut General Statutes, latest revisions as amended, and those powers and duties delegated to Conservation Commission/Inland Wetland Agency by Town Ordinance Division 2. Section 2-131 through 2-137.

Article II
Name

The Commission shall be known as the Conservation Commission/Inland Wetland Agency, Town of Watertown, Connecticut.

Article III
Office of Agency

The Office of the Conservation Commission Inland Wetland Agency shall be located within the Land Use office, Watertown, Connecticut, where all Commission records will be kept. Copies of all official documents, records, maps, etc. will be filed or recorded in the Office of the Town Clerk.

Article IV
Membership

The Conservation Commission/Inland Wetland Agency shall consist of seven (7) regular members and three (3) alternate members who shall be electors of the Town of Watertown. The Town Council shall appoint regular members and alternate members for a term of three (3) years. Any vacancy shall be filled by appointment of the Town Council to serve the unexpired term of the member whose office has been vacated. Alternate members shall, when seated as herein provided, have all the powers and duties set forth in the Connecticut General Statutes or any special act relating to Watertown for the Conservation Commission/Inland Wetland Agency and its regular members. If a regular member is absent or disqualified, the Chairperson of the Commission shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting. All Alternates may be involved in discussions included on the agenda, but may not vote unless designated to act as a regular member by a Chairperson

The Conservation Commission/Inland Wetland Agency will request that the Watertown Town Council seek the resignation of any Commission member who fails to attend three (3) consecutive regular meetings without good cause. Such request will be made only after a 2/3 vote of the voting members of the entire Commission. "Resignations from the Commission shall

be in written form. The original resignation letter should be delivered to the Town Clerk, who will make copies available to the Chairperson, the Wetlands Enforcement Officer, the Chairpersons of the respective Town Committees, and the Chairperson of the Town Council”. Sample letter of resignation on file in the Office of the Conservation Commission/Inland Wetland Agency.

Article V **Officer and Their Duties**

- Section 1.** The Officers of the Commission shall consist of a Chairperson, Vice Chairperson and a Secretary.
- Section 2.** The Chairperson shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such Officers. The Chairperson shall have the authority to appoint committees, call Special Meetings, and generally perform other duties as may be prescribed in these by-laws.
- Section 3.** The Chairperson shall be one of the Commission members and shall have the privilege of discussing all matters before the Commission and of voting thereon.
- Section 4.** The Vice Chairperson shall act for the Chairperson in the absence of the Chairperson, and have the authority to perform the duties prescribed for that office. The Vice Chairperson shall be a Commission Member.
- Section 5.** The Secretary, with staff assistance, shall keep the minutes and records of the Commission, shall prepare the agenda of regular and special meetings under the direction of the Chairperson, shall provide notice of all meetings to Commission members, shall arrange proper and legal notice of hearings; shall attend to correspondence of the Commission, and shall perform other duties as normally carried out by a Secretary. The Secretary shall act for the Chairperson in the absence of the Chairperson and Vice Chairperson and shall have the authority to perform the duties prescribed for that office. The Secretary shall be a Commission member.
- Section 6.** In the absence of the Secretary, due to illness, personal or disqualification reasons, the Chairperson shall appoint a Secretary pro-tem who shall be a commission member.
- Section 7.** In the absence of all elected officers of the Commission, the longest continuously serving member of the Commission shall preside as Chairperson at a duly called meeting, and shall have the duties normally conferred by parliamentary usage of such Officer.

Section 8. The Conservation Commission/Inland Wetland Agency shall have all powers and duties set forth in the Connecticut General Statutes or any special act relating to the Town of Watertown with respect to conservation and inland wetland matters.

Section 9. Conflict of Interest and Predisposition: In accordance with Section 22a-42(c) of the Connecticut General Statutes, all commission members shall follow the following statute:

“...No Member or alternate member of such board or commission shall participate in the hearing or decision of such board or commission of which he is a member upon any matter in which he is directly or indirectly interested in a personal or financial sense. In the event of such disqualification, such fact shall be entered on the records of such board or commission and replacement shall be made from alternate members of an alternate to act as a member of such commission in the hearing and determination of the particular matter or matters in which the disqualifications arose.”

Article VI **Election of Officers**

Section 1. An annual organizational meeting shall be held on the first meeting date in February, at which time officers will be elected and by-laws reviewed and be made a part of the minutes of the annual meeting. If for some reason elections of officers do not take place, then refer to Article V, Section 7 as to who will preside over the meeting.

Section 2. Two-thirds (2/3) or five (5) of the voting members must be present before election of officers can take place. If two-thirds (2/3) of the members are not present, the election of officers will be held at the next scheduled meeting in March.

Section 3. Nominations shall be made from the floor at the organizational meeting and election of the officers specified in Section 1 of Article V shall follow immediately thereafter.

Section 4. A candidate receiving a majority vote from the voting membership of the Commission shall be declared elected and shall serve for one year or until a successor shall take office.

Section 5. Vacancies in offices shall be filled by regular election procedure described above in Section 2, 3, and 4.

Article VII Meetings

Section 1. Regular meetings will be held on the second Thursday of each month at 6:30 P.M. as a place voted by a majority of members of the Commission. In the event of conflict with holidays or other events, a majority at any meeting may change the date of said meeting. The Secretary shall notify the membership of regular meetings not less than 48 hours in advance of such meeting.

In accordance with the Freedom of Information Act, agendas for special meetings must be posted a minimum of 24 hours prior to a special meeting being held by the Agency. Special Meeting agendas may not be amended by the Agency at the special meeting once they are posted in the Town Clerk's Office. The notice of such a meeting shall specify the purpose of such a meeting, and no other business may be considered.

Section 2. Four members of the Commission shall constitute a quorum and the number of votes necessary to transact business.

Section 3. All Commission meetings shall be open to the public when in session except when in executive session.

Section 4. Executive sessions may be held upon an affirmative vote of two-thirds (2/3) of the members of the Commission present and voting taken at a public meeting and stating the reason for the executive session as defined in Section 1-200 (6) of the Connecticut General Statutes.

Section 5. The minutes shall be recorded by a sound recording device at each meeting of the Commission. Proceedings of meetings shall be incorporated into the minute's book of the Commission to be a permanent part of the record.

Section 6. Unless otherwise specified, Robert's Rules of Order dated September 2020, (latest revision) shall govern the proceedings at the meetings of this Commission.

Section 7. Field Inspections. When the commission determines that a field inspection is appropriate, the Commission shall set a time and place at the convenience of the members to gain on site knowledge of the proposed activity. The applicant or his agent shall be present and the following shall be provided:

1. Adequate access to the property;
2. All wetlands on the site shall be delineated and flagged by a certified Soil Scientist and the soil scientist report shall be provided; and
3. All building locations shall be marked.

No testimony may be taken on the field inspection by the Commission.

Article VIII
Order of Business

Section 1. Unless otherwise determined by the Chairperson, the order of business at regular meetings shall be:

1. Call meeting to order
2. Roll call;
3. Public participation;
4. Action on minutes;
5. Pending applications;
6. New applications;
7. Old business;
8. New business
9. Communications and bills;
10. Reports from officers and committees
11. Reports from staff
12. Public participation
13. Adjournment

Section 2. A motion from the floor must be made and passed in order to dispense with any item on the agenda or change the order of business.

Section 3. No new business submitted for action by the Commission shall be acted upon unless it is submitted at least three (3) or more days prior to a regular meeting date. Provisions of this section may be waived by a two-thirds (2/3) vote of the members present.

Article IX
Hearings

Section 1. The Commission may hold optional public hearings, in addition to required hearings, when it decides that such hearings will be in the public interest.

Section 2. All public hearings prescribed by law shall be held in accordance with the requirement set forth for such hearings in Chapter 440, Section 22a-36 through 22a-45 of the Connecticut General Statutes.

Section 3. A competent stenographer shall take the evidence or the evidence shall be recorded by a sound recording device and audio visual if operable at each hearing before the Commission. Proceedings of the hearing shall be incorporated into the minute's book of the Commission to be a permanent part of that record.

Article X
Conducting The Public Hearing

- Section 1.** The Chairperson of the Commission shall preside at the public hearing, or if absent, the Vice Chairperson or a duly appointed Commission member shall act as a presiding officer as set forth in Article V of the By-Laws.
- Section 2.** The Secretary shall read the legal advertisement and note the dates and the newspapers in which the advertisement appeared. The reading of the legal advertisement may be dispensed with by a majority vote of the Commission.
- Section 3.** A summary of the question or issue shall be stated by the applicant or designated agent at the opening of the public hearing. Comments shall be limited to the subject advertised. In any event, the Commission shall have the privilege of speaking first. The Chairperson shall describe the method by which the hearing shall be conducted.
- Section 4.** The Chairperson shall first call for statements from the proponents. The opponents shall be given equal opportunity to comment. The order is reversible, at the discretion of a majority of the Commission Members present. Whichever the case may be, each group shall make its presentation in succession without allowing an intermixture of comments pro or con.
- Section 5.** It shall be made clear at the hearing that all questions and comments must be directed through the chair only after being properly recognized by the presiding officer.
- Section 6.** All persons recognized shall approach the hearing table in order to facilitate proper recording of comments. Before commenting in the matter before the hearing, each person shall give his name and address.
- Section 7.** The presiding officer shall assure an orderly hearing and shall take necessary steps to maintain the order and decorum of the hearing at all times. In the event the hearing becomes unruly or unmanageable, the presiding officer shall reserve the right to act in accordance with Section 1-21h of the Connecticut General Statutes to restore order and adjourn the hearing to another time or place.

Article XI
Wetland Enforcement Officer

- Section 1.** The Wetland Enforcement Officer or his designated agent shall carry out the duties as directed by the Chairperson of the Conservation Commission/Inland Wetland Agency upon majority vote of the Commission.

Section 2. Within the limits of the funds available for its use, the Commission may employ such consultants as it deems fit to aid the Commission in its work.

Section 3. The Wetland Enforcement Officer shall attend all Commission meetings. In the absence of the Wetland Enforcement Officer, due to illness, personal or disqualification reasons, the Land Use Administrator shall attend the commission meetings.

Section 4. Town Engineer will attend when needed at the discretion of the Wetlands Enforcement Officer and the Chairperson.

Article XII **Committees**

Section 1. Special committees may be appointed by the Chairperson for the purpose and terms which the Commission approves.

Article XIII **Public Relations**

Section 1. The Chairperson or a duly appointed Commission member or staff personnel shall act as public relations or publicity director for the Commission. His duties include the preparation of all news releases to be distributed to the communications media.

Section 2. In the matter of the press, radio and television representatives, the Commission shall comply with Section 226 of the Connecticut General Statutes as amended.

Article XIV **Use of Electronic Devices**

Except as provided below, cell phones and all other electronic devices should be turned off or at least silenced during the meeting and should not be used or consulted except in case of a family or other emergency. It is preferable if all electronic devices are turned off entirely during the meeting. Texting, emailing or conversing on any social media or other media platform during a meeting is to be avoided and any electronic communications with anyone whether a member of the commission or not about matters before the commission at the meeting are forbidden entirely. If a commissioner must take a phone call or a text he should excuse himself from the room. Notwithstanding the foregoing, the use of a tablet or other device for purposes of keeping one's personal notes is permissible.

Article XV
Amendments

These By-Laws may be amended by two-thirds (2/3) or more affirmative votes of the entire membership of the Commission, only after the proposed change has been read and discussed at the previous regular meeting.