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Town Manager

# TOWN OF NEWINGTON

131 Cedar Street Newington, Connecticut 06111

## Conservation Commission

Anthony Ferraro  
Town Engineer

OFFICE OF THE CONSERVATION COMMISSION

NEWINGTON CONSERVATION COMMISSION

INTERNAL RULES AND PROCEDURES

### ARTICLE I

#### PURPOSE AND AUTHORIZATION

The objectives and purposes of the Conservation Commission of the Town of Newington are those set forth in the Connecticut General Statutes and the Ordinances of the Town of Newington. The Newington Town Council adopted the powers and duties delegated to the Conservation Commission in the aforementioned Statutes and Ordinances on June 25, 1974.

### ARTICLE II

#### NAME

The Commission shall be known as the Newington Conservation Commission and may hereinafter be referred to as the Commission.

### ARTICLE III

#### LOCATION OF OFFICE

The Office of the Commission shall be at the Newington Town Hall where all Commission records will be kept. Copies of all official documents, records, maps, etc. will be filed and recorded in the Office of the Town Engineer, except as otherwise required by law.

### ARTICLE IV

#### MEMBERSHIP

The Membership of the Commission and the terms of Office shall be as specified in the aforementioned Statutes and Ordinances.

## ARTICLE V

### OFFICERS AND STAFF

- Section 1 The officers of the Commission shall consist of a Chairman, a Vice-Chairman and a Secretary. There shall also be an Administrative Officer of the Commission.
- Section 2 The Chairman shall preside at all meetings and hearings of the Commission. He shall have the additional duties normally conferred by parliamentary usage on such Officers. The Chairman shall have the authority to appoint committees, call special meetings, and generally perform other duties as may be prescribed in these Internal Rules and Procedures. He shall also be authorized to act on behalf of the full Commission in approving all applications for permit as submitted before the Commission.
- Section 3 The Chairman shall be one of the Commission's regular members. He shall be entitled to discuss and vote on all matters before the Commission.
- Section 4 The Vice-Chairman shall be one of the Commission's regular members. He shall act for the Chairman in his absence and have the authority to perform the duties prescribed for that Office. He shall be entitled to discuss and vote on all matters before the Commission.
- Section 5 The Secretary shall be one of the Commission's regular members. He shall be responsible for preparing any correspondence as directed by the Chairman. He shall be entitled to discuss and vote on all matters before the Commission.
- Section 6 The Staff of the Commission shall be comprised of the Town Engineer and a Recording Secretary. They shall be non-voting members of the Commission who will provide technical and clerical assistance, as the Commission shall direct. The Town Engineer shall be responsible for providing technical and administrative assistance as it relates to the duties of the Commission; shall maintain a copy of the minutes and the records of the Commission; shall prepare the agenda of regular and special meetings under the direction of the Chairman; shall provide notice of all meetings to the Commission members; shall arrange proper and legal notice of hearings; and shall attend to correspondence as directed by the Commission. The Town Engineer will not make judgments or render an opinion on matters of policy which are reserved to the Commission. The Town Engineer shall serve as the Administrative Officer of the Commission. The Administrative Officer shall be a non-voting member of the Commission. The Recording Secretary shall take the minutes of all meetings and shall perform such other duties as are normally carried out by a Clerk.
- Section 7 The Commission shall appoint a Duly Authorized Agent in accordance with the Inland Wetlands and Watercourses Regulations of the Town of Newington dated February 12, 2008, as revised.

## ARTICLE VI

### ELECTION OF OFFICERS

- Section 1 An annual organizational meeting shall be held within the calendar month of December at which time Officers will be elected and rules and procedures reviewed and be made a part of the minutes of the annual meeting. The annual meeting may be held as part of the regular monthly meeting for December.
- Section 2 Nominations for the election of an Officer shall be made from the floor at the annual meeting. The order of the election of Officers, except Administrative Officer, shall be as listed in Section 1 of Article V.
- Section 3 A nominee for an Office receiving a majority of the votes of the Commission members present during the meeting shall be declared elected. The elected Officer shall serve for a one (1) year term which shall commence at the time of the election. If, at the end of the one (1) year term, a successor is not elected, the incumbent Officer shall continue to serve until his successor has been elected. The election of his successor shall be by regular election procedures as specified herein at the first regular or special meeting called for the purpose. This elected Officer shall serve until the next annual organizational meeting when the election of his successor would take place in accordance with Section 1 of this Article VI.
- Section 4 Resignation from the Commission shall be in written form and transmitted to the Town Clerk who will then forward the resignation to the Town Council.
- Section 5 Resignation of an Officer from that position, but not from the Commission, shall be in written form and transmitted to the Administrative Officer. During the next regular meeting, the Administrative Officer shall read the written transmittal into the record of the Commission after which the resignation will be considered accepted by the Commission.
- Section 6 An Officer vacancy shall be filled by regular election procedures as specified herein at the first regular or special meeting called for the purpose following the acceptance of the resignation.

## ARTICLE VII

### APPLICATION SUBMISSION POLICY

In order to be placed on the agenda for presentation at the next monthly meeting of the Commission, an application, together with supporting plans and documentation, shall be received by the Administrative Officer of the Commission no later than fifteen (15) calendar days prior to the next regular meeting.

An application received by the Administrative Officer within fourteen (14) calendar days of the next regular meeting of the Commission will not appear on the agenda as a matter for presentation for that meeting. However, its receipt will be noted into the record at that meeting and the clock will start on the sixty five (65) calendar day period in which the Commission may render a decision or determine the need for a public hearing.

## ARTICLE VIII

### MEETINGS

Section 1 Regular meetings will be held in Conference Room 3 of the Newington Town Hall on the third Tuesday of each month, except as may be otherwise noted in the schedule of meetings on file in the Office of the Town Clerk. In the event of a conflict with holidays or other events, the date and/or location of said meeting(s) may be changed at the time the annual schedule of meetings is prepared after a motion is made, seconded and passed by receiving at least four (4) votes in favor of the motion. The Town Engineer shall provide notices of all regular meetings to the Commission members in writing not less than 48-hours in advance of such meetings. Verbal notices may be given in such instances where short notice prevents the 48-hours notice specified above.

Section 2 Special meetings may be called by the Chairman when such meetings are deemed necessary to the interests and welfare of the Town provided that notices of such meetings are posted in the Office of the Town Clerk not less than 24-hours prior to the special meetings. The Town Engineer shall provide notices of all special meetings to the Commission members in writing not less than 24-hours in advance of such meetings. Verbal notices may be given in such instances where short notice prevents the 24-hours notice specified above.

Section 3 Emergency meetings may be called by the Chairman when such meetings are deemed necessary to the interests and welfare of the Town without notices of such meetings being posted in the Office of the Town Clerk provided copies of the minutes of such meetings, adequately setting forth the nature of the emergencies and the proceedings of the meetings, are filed in the Office of the Town Clerk not more than seven (7) days after the dates of the emergency meetings. The Town Engineer shall provide verbal notices of all emergency meetings to the Commission members.

Section 4 A meeting shall be called to order when the sum of the number of regular members present plus the number of alternate members present, immediately prior to the start of the meeting, is equal to or greater than four (4). Once a meeting has been called to order, the Chairman shall appoint an alternate member who is present to fill the position of a regular member who is absent. If a regular member, who is absent at the start of a meeting, arrives during the meeting, the regular member shall take his seat if no alternate member was appointed to fill that regular member's seat. If an alternate member was appointed to fill that regular member's seat, the alternate member shall turn the seat over to the regular member at the next agenda item. If, during a meeting, the number of regular members plus alternate members will decrease to less

than four (4), the meeting shall be adjourned before the number of members decreases to less than four (4). Only regular members and alternate members, who are appointed to fill the position of regular members who are absent, shall vote on a motion. During a meeting, a motion being voted on shall require at least four (4) votes in favor of the motion for the motion to pass except as otherwise provided elsewhere in these Internal Rules and Procedures or by the Connecticut General Statutes.

Section 5 All meetings of the Commission shall be open to the public. The notices of all regular meetings and special meetings shall specify the purpose of the meetings. No other business may be considered during meetings except after a motion is made, seconded and passed by receiving the unanimous vote of the Commission members present during the meeting.

Section 6 The duties of an alternate member shall be the same as a regular member except he shall not make motions and shall not vote on matters before the Commission unless he has been appointed to fill the position of a regular member who is absent at the start of a meeting, becomes absent during a meeting or is disqualified in accordance with Article IX below.

Section 7 Unless otherwise specified, "Robert's Rules of Order" shall govern the proceedings at the meetings of the Commission.

## ARTICLE IX

### DISQUALIFICATION

No member of the Commission shall participate in any meeting, hearing, or decision, when the member is disqualified for self-interest, personal interest, financial interest, or otherwise. In the event of such disqualification, it shall be entered on the record of the Commission.

## ARTICLE X

### ORDER OF BUSINESS

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

- A. Call to order
- B. Roll call and appointment of alternates.
- C. Approval of minutes of previous meeting(s).
- D. Public Hearing(s) when scheduled.
- E. Public Participation on non-agenda item(s). There shall be a two (2) minute time limit per person.

Note: Report on comments from Town Council liaison(s) will be accepted under this item.

F. New Business

Note: The review of the Administrative Officer, on each item to be presented as New Business, shall be presented to the Commission prior to said item being taken up by the Commission.

G. Old Business

H. Public Participation on non-agenda item(s). There shall be a two (2) minute time limit per person.

I. Communications and Reports

J. Adjournment

Section 2 A motion must be made, seconded and passed by receiving at least four (4) votes in favor of the motion in order to dispense with any item on the agenda or to change the order of business.

Section 3 These Internal Rules and Procedures may be suspended at any meeting after a motion is made, seconded and passed by receiving at least two-thirds of the votes of the Commission members present during the meeting.

## ARTICLE XI

### PUBLIC HEARINGS

Section 1 Public Hearings shall be scheduled by the Commission as necessary. They may be held immediately prior to regularly scheduled meetings.

Section 2 All Public Hearings prescribed by law shall be held in accordance with the requirements set forth for such hearings. A competent stenographer shall take the evidence and/or the evidence shall be recorded by a sound recording device at each Public Hearing before the Commission in which the right to appeal lies to the appropriate State Court. Proceedings of the Public Hearing shall be incorporated into the minutes of the Commission to be a permanent part of the record.

## ARTICLE XII

### CONDUCTING THE PUBLIC HEARING

Section 1 The Chairman of the Commission shall preside at the Public Hearing. In the event of his absence, the Vice-Chairman or a duly appointed Commission member shall act as presiding Officer.

- Section 2 The legal advertisement, with a notation of the dates of newspaper publication in which the advertisement of Public Notice was made, shall be read.
- Section 3 The presiding Officer shall prescribe the method by which the Public Hearing will be conducted. It shall be made clear to the public that all comments must be directed to the Chair, and only after being properly recognized by the presiding Officer.
- Section 4 All persons recognized shall approach the hearing table in order to facilitate the proper recording of comments. Each person shall identify himself and state his address prior to making any comments.
- Section 5 The presiding Officer shall assure an orderly Public Hearing and shall take the necessary steps to maintain the order and decorum of the Public Hearing at all times. The presiding Officer shall reserve the right to terminate the Public Hearing in the event the discussion becomes unruly or unmanageable.
- Section 6 The show of hands by those persons present for the purpose of taking an opinion shall not be allowed on any question at the Public Hearing. The Public Hearing shall be conducted only for the purpose of taking testimony to be considered in deliberations of the Commission.

### ARTICLE XIII

#### SPECIAL COMMITTEES

Special Committees may be appointed by the Chairman for the purposes and terms for which the Commission may approve.

### ARTICLE XIV

#### AMENDMENTS

These Internal Rules and Procedures shall be approved and adopted only after a motion is made, seconded and passed by receiving at least five (5) votes in favor of the motion and amendments shall be likewise approved and adopted only after a motion is made, seconded and passed by receiving at least five (5) votes in favor of the motion. This shall be done only after the proposed changes have been read and discussed at the previous meeting.

### ARTICLE XV

#### EFFECTIVE DATE

The effective date of these Internal Rules and Procedures and any amendments thereto shall be at the next regularly scheduled meeting following the approval of these Internal Rules and Procedures and any amendments thereto.