

**TOWN OF THOMPSON
INLAND WETLANDS COMMISSION
815 RIVERSIDE DRIVE
NORTH GROSVENORDALE, CT. 06255**

BYLAWS OF THE THOMPSON INLAND WETLANDS COMMISSION

Revised April 4, 2023

ARTICLE I PURPOSE AND AUTHORIZATION

The objectives and purposes of the Town of Thompson Inland Wetlands Commission are those set forth in the Connecticut General Statutes section 22a-36 through 22a-45, as amended, and those powers and duties delegated to the Town of Thompson Inland Wetlands Commission by the aforementioned statutes and by ordinances enacted by the Town of Thompson in accordance with its regulations established there under (hereafter referred to as “the IWC Regulations”).

ARTICLE II NAME

The Commission shall be known as the Thompson Inland Wetlands Commission.

ARTICLE III OFFICE OF AGENCY

The office of the Thompson Inland Wetlands Commission shall be the Municipal Building at 815 Riverside Drive, North Grosvenordale, CT, where all Commission records will be kept.

ARTICLE IV MEMBERSHIP

1. The membership, terms of members and the filling of vacancies shall be as specified in the ordinance adopted on May 20, 1974, as amended May 6, 2019, establishing the Commission and the aforementioned general statutes. The number of members shall be five (5) and two (2) alternates, with terms of office of five (5) years for staggered terms of five (5) years beginning on March 15th wherein no more than two (2) terms expire in the same calendar year.
2. Resignations from the Commission shall be in writing and transmitted to the Chair, who will then forward it to the Board of Selectmen and the Town Clerk.
3. The Chair may recommend to the Board of Selectmen the removal of any member who misses more than 50% of the Commission's regular meetings in a calendar year.

ARTICLE V OFFICERS AND THEIR DUTIES

1. The officers of the Commission shall consist of a Chair, Vice-Chair, and a Treasurer.

2. The Chair shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers. The Chair shall have the authority to seat alternates, appoint committees, call special meetings, establish the agenda, and generally perform other duties as may be prescribed in these bylaws.
3. The Chair shall have the privilege of discussing all matters before the Commission and of voting thereon.
4. In the absence of the Chair, the Vice-Chair shall preside and have all the powers and duties of the Chair as stated in these bylaws. In the event that the Vice-Chair is acting Chair at the start of the meeting, he or she shall remain as Chair throughout the entire meeting.
5. The Treasurer shall be responsible for reporting on account balances in the Commission's budget at its regular meetings and shall on the request of the Commission conduct an investigation of expenditures from the inland wetlands budget and report to the Commission with the results of the requested investigation. The Treasurer may from time to time conduct an investigation of expenditures from the inland wetlands budget and report to the Commission any concerns regarding such expenditures.

ARTICLE VI STAFF AND THEIR DUTIES

1. The Commission may by a majority vote appoint a duly authorized agent to carry out specific functions and duties as prescribed by the Commission. These duties may include:
 - a) making determinations of regulated activities except for those identified in section 4 of the IWC Regulations and issuing wetlands agent approvals provided the duly authorized agent has provided proof of completing the comprehensive training program developed pursuant to § 22a-39(l) of the Connecticut General Statutes,
 - b) issuing notices of violation and enforcement orders,
 - c) making permit compliance inspections,
 - d) investigating complaints, and
 - e) authorize the expenditure of funds up to \$100 without the prior approval of the Commission.
2. The duly authorized agent shall make a report to the Commission at its regular meeting. Such report shall consist of a list and description of all determination, approvals and activities performed.
3. Any determination or approval made by the duly authorized agent is subject to appeal and/or approval by the Commission.
4. The Commission shall include in its annual fiscal budget proposal funding for a Recording Secretary who may be hired by the chief elected official. The Recording Secretary shall in coordination with the Chair or the duly authorized agent produce and file agendas, minutes, draft and arrange for the publication of legal notices, draft permits for approved applications, keep records of the Commission all in accordance with the Freedom of Information Act (Chapter 14 of the Connecticut General Statutes), the Inland Wetlands and Watercourses Act

(§ 22a-36 through 22a-45 of the Connecticut General Statutes) and other applicable statutes and perform other such duties as may be identified in a job description for the Recording Secretary.

ARTICLE VII ELECTION OF OFFICERS

1. An Annual organizational meeting shall be held on the second Tuesday in April at which time officers will be elected and bylaws reviewed and be made a part of the minutes of the annual meeting. A majority of the members must be present before election of officers can take place.
2. Nominations shall be made from the floor at the annual organizational meeting and elections of the officers specified in Section 1 of Article V shall follow immediately thereafter.
3. A candidate receiving a majority vote of those present shall be declared elected and shall serve for one year or until his successor shall take office.
4. Vacancies in offices shall be filled by election at a meeting warned for the purpose.

ARTICLE VIII MEETINGS

1. In the event that both Chair and Vice-Chair are absent at the start of a meeting, the Treasurer shall preside and have all the powers and duties of the Chair as stated in these bylaws and he or she shall remain as Chair throughout the meeting.
2. Alternates shall be seated by the Chair as regular members in alphabetical order by last name on a rotating basis. Unseated alternates may take part in Commission discussions but shall not vote except for election of officers.
3. An annual schedule of regular meetings shall be adopted at the November meeting for the following calendar year to be forwarded to the Town Clerk for filing under the Freedom of Information Act (see § 1-225(b) of the Connecticut General Statutes). Regular meetings will be scheduled for the second Tuesday of every month at 7:00 P.M. to be held either in a municipal building, virtually via ZOOM or in a hybrid format via ZOOM, except when there is a conflict with holidays or other events. Conflicts may be resolved by scheduling a regular meeting to an alternative date or alternatively by cancelling the regularly scheduled meeting and holding a special meeting in accordance with the requirements of the Freedom of Information Act (see § 1-225 of the Connecticut General Statutes).
4. Three (3) members constitute a quorum and no action on an agenda item may be taken in the absence of a quorum. If a member recuses himself/herself from any agenda item that results in a lack of a quorum, then no business on that item may be transacted.
5. All Commission meetings shall be open to the public unless closed by a two-thirds vote of the members present for an executive session.

6. Executive sessions closed to the public shall be limited to types of discussions specified in the state Freedom of Information Act, including but not limited to the following:
 - a) Specific employees (unless the employee agrees to an open session),
 - b) Strategy relating to negotiations regarding pending claims to litigation,
 - c) Security matters, and
 - d) Real estate acquisition
7. The Chair shall govern the proceedings at the meetings of the Commission using as a guide Robert's Rules of Order, 11th edition in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Commission may adopt.

ARTICLE IX CONFLICT OF INTEREST AND DISQUALIFICATION

No member of the Commission shall participate as a Commission member in a hearing or decision of the Commission upon any matter in which he/she (or any member of his/her immediate family) is directly or indirectly involved financially and/or is an abutter of the property in question. If a member declares a conflict of interest, he/she must state that they have this interest and abstain from voting.

ARTICLE X ORDER OF BUSINESS

1. Unless otherwise determined by the Chair, the order of business at regular meetings shall be:
 - A. Call to Order & Role Call
 - B. Appointment of Alternates
 - C. Action on Minutes of Previous Meetings
 - D. Citizen's Comments Pertaining to Agenda Items
 - E. Applications
 - a. Old Applications
 - b. New Applications
 - c. Applications Received After Agenda was Published
 - F. Permit Extensions / Changes
 - G. Active Violations and Pending Enforcement Actions
 - H. Other Business
 - I. Citizen's Comments
 - J. Reports
 - a. Budget and Expenditures
 - b. Wetlands Agent Report
 - K. Correspondence
 - L. Signing of Mylars
 - M. Comments by Commission
 - N. Adjournment
2. A motion from the floor must be made and passed by a majority vote of the Commission members present in order to dispense with any item on the agenda or change the order of business.

ARTICLE XI

PUBLIC HEARINGS

1. A public hearing shall only be held by the Commission on any application in accordance with section 9 of the IWC Regulations and § 8-7d of the Connecticut General Statutes. All applications, maps, and documents relating to the hearing shall be open for public inspection. Any person may appear and be heard at any public hearing.
2. Where possible, public hearings shall be completed in a single session. However, the hearing may be continued (to a date and place certain) where necessary for the full development of the evidence, for the full participation of the parties, or for such other substantial purposes, provided that the public hearing shall be completed within thirty-five (35) days from the date it commenced, unless the applicant consents to an extension. Verbal notice at the public hearing as to the date and place where the continuation will take place shall be considered sufficient notice to interested parties.

ARTICLE XII

CONDUCTING THE PUBLIC HEARING

1. If a recording by a sound-recording device is made at the direction of the Commission, then such recording shall be maintained as a public document in accordance with the Freedom of Information Act and § 7-109 of the Connecticut General Statutes. An order of presentation and documents offered shall be submitted into the minutes of the Commission.
2. An officer of the Commission shall preside as Chair at the public hearing in accordance with Article V and Article VIII of these bylaws.
3. At the opening of the public hearing the Chair shall state a summary of the question or issue that is the subject of the public hearing and shall describe the method of conduct of the hearing including the order presentations, the reading of the legal advertisement and the involvement of the public at the hearing.
4. Comments shall be limited to the subject advertised for hearing.
5. Each party and members of the public shall make their presentation as provided for in the Chair's opening statement in succession without allowing an interruption of comments pro or con.
6. The Chair shall make clear to the hearing participants that all questions and comments must be directed through the Chair only after being properly recognized.
7. All persons recognized shall approach the hearing table in order to facilitate proper recording of comments. Before commenting on the matter before the hearing, each person shall give his/her name and address.

8. The Chair shall assure an orderly hearing and shall take necessary steps to maintain the order and decorum of the hearing at all times. The Chair shall reserve the right to terminate the hearing in the event the discussion becomes unruly and unmanageable.
9. The polling of persons present at the hearing shall not be allowed on any general question presented to the Commission or applicant at the public hearing. The hearing shall be conducted only for the purpose of taking testimony to be considered in deliberations during the regular meeting of the Commission.

ARTICLE XIII THE HEARING RECORD

1. The hearing record shall consist of the following:
 - a) any recording of the hearing made at the direction of the Commission,
 - b) minutes of the hearing, and
 - c) all physical evidence and material received (i.e.: legal documents, reports, plans, etc).
2. Reports, documents, and plans received at previous meetings may be entered into the record of the public hearing.
3. Decisions shall be based solely on the contents of the hearing record. Documentary evidence not entered into the record of the hearing shall not be considered when rendering a final decision.

ARTICLE XIV COMMITTEES

Committees may be appointed by the Chair for purposes and terms that the Commission approves.

ARTICLE XV EMPLOYEES

Within the limits of the funds available for its use, the Commission may seek the employment of such staff personnel and/or consultants as it sees fit to aid the Commission in its work. Appointments shall be made by the Board of Selectmen.

ARTICLE XVI AMENDMENTS

These bylaws may be amended by a majority (3) vote of the entire voting membership of the Commission only after the proposed change has been read and discussed at a previous regular meeting except that the bylaws may be changed at any meeting by the unanimous vote of the entire voting membership (5) of the Commission.