



**SOUTH CENTRAL REGIONAL COUNCIL OF GOVERNMENTS**

*Planning for Our Region's Future*

Bethany Branford East Haven Guilford Hamden Madison Meriden Milford  
New Haven North Branford North Haven Orange Wallingford West Haven Woodbridge

Carl J. Amento, Executive Director

**EXECUTIVE COMMITTEE**  
**MEETING NOTICE & AGENDA**  
**Wednesday, October 27, 2021 – 9:00A.M.**

**Location: 127 Washington Avenue, 4<sup>th</sup> Floor West  
North Haven, CT 06473**

**NOTICE: This is a Hybrid meeting. All Board members or their proxies are encouraged to attend in-person, but may attend remotely, and all guests will participate remotely.**

**Log-on Information to attend remotely is provided below:**

Join Zoom Meeting: <https://us02web.zoom.us/j/89725261314>

Call-In Number: +1-929-205-6099

Meeting ID: 897 2526 1314

The agenda and attachments for this meeting are posted and are available on our website at [www.scrkog.org](http://www.scrkog.org)

1. Call to order – *First Selectman Michael Freda, Chair*
2. Adopt Minutes of June 23, 2021 Executive Committee Meeting –  
*First Selectman James Zeoli, Secretary* Pages 2-3
3. Monthly Report on Status of Solid Waste & Recycling and Energy Conservation Programs Pages 4-9
4. Consideration of Resolution of SCRCOG Board Supporting the  
Transportation and Climate Initiative (TCI) Legislation Pages 10-12
5. Preliminary Review of Draft Partial Revision of SCRCOG By-Laws Pages 13-30
6. Report on Status of Funding for SCRCOG from RSG and DECD/ EDA
7. Other Business
8. Adjournment

The agenda and attachments for this meeting are available on our website at [www.scrkog.org](http://www.scrkog.org). Please contact SCRCOG for copy of agenda in a language other than English. Auxiliary aids/services and limited English proficiency translators will be provided with two week’s notice.

*“Necesidades especiales: a las personas con discapacidad auditiva se les proveerá con medios auditivos y/o intérpretes de signos. Igualmente intérpretes para personas que hablan poco inglés, pero será preciso avisar con dos semanas de antelación. Se puede solicitar la agenda en otro idioma que no sea inglés comunicándose con SCRCOG”.*



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Carl J. Amento, Executive Director

TO: **SCRCOG Executive Committee Members**  
FROM: **First Selectman Matthew Hoey, Acting Secretary**  
DATE: **October 20, 2021**  
SUBJECT: **SCRCOG Executive Committee Meeting Minutes of July 28, 2021**

**Present**

Bethany	Tom Ellis, <i>proxy for First Selectman Paula Cofrancesco</i>
Guilford	First Selectman Matthew Hoey, <b>Vice Chair</b>
Milford	Mayor Benjamin Blake
New Haven	Kevin Alvarez, <i>proxy for Mayor Justin Elicker</i>
North Haven	First Selectman Michael Freda, <b>Chair</b>
Woodbridge	First Selectman Beth Heller, <b>Immediate Past Chair</b>

SCRCOG Staff Carl Amento, Stephen Dudley, Rebecca Andreucci, Andy Cirioli

**NOTE: The July SCRCOG Executive Committee meeting was a hybrid meeting with members attending both in-person and remotely.**

**1. Call to order**

Chairman Freda called the meeting to order at 9:12 am.

**2. Adopt Minutes of June 23, 2021 SCRCOG Executive Committee Meeting**

Chairman Freda presented the Minutes of the SCRCOG Executive Committee of June 23, 2021, which were included in the agenda packet at pages 2-4. First Selectman Hoey moved for their approval. Kevin Alvarez seconded the motion, which passed with all in favor.

**3. FY 2021-22 Budget Revision #2**

Executive Director Amento presented the budget revision on pages 5-7 of the agenda packet. The revision reflected a small decrease in the actual amount of RSG funds allocated to the COG. First Selectman Heller moved to accept the amendment, and First Selectman Hoey seconded. All voted in favor.

**4. Report on Status of Solid Waste & Recycling Program**

First Selectman Hoey made a motion to add “Report on Status of Solid Waste & Recycling Program” to the agenda. Kevin Alvarez seconded, and all voted in favor.

Executive Director Amento presented the report on Pam Roach’s Energy Conservation and Solid Waste and Recycling deliverables. CT DEEP is in the process of developing guidelines for a \$5 million grant to begin food waste diversion programs. Executive Director Amento asked for feedback on what a “successful” program looks like to the Board. Mayor Blake stated that he would like to see a breakdown of the operating costs of a diversion program. Executive Director Amento noted that budget scenarios have been provided by DEEP Consultant Kristen Brown, whenever requested, after individual meetings between SCRCOG and each town. First Selectman Hoey stated that Guilford would benefit from SCRCOG continuing to coordinate this program. Chairman Freda stated that the work completed so far under the Solid Waste & Recycling program has been too focused on processes rather than deliverables. He would like to see more information on the financial benefit of these

programs, and for there to be a focus on assisting underserved towns. Tom Ellis concurred that Bethany's staff is stretched thin, so resources would be helpful.

**5. Resolution Designating the Arts Council of Greater New Haven as SCRCOG's Local Arts Agency for the purpose of Making Application for a National Endowment for the Arts Grant**

Daniel Fitzmaurice from the Arts Council of Greater New Haven presented the resolution found on page 8 of the agenda packet. The National Endowment for the Arts received a portion of American Rescue Plan money and has set up a grant program for local arts agencies. The funding would go to the Arts Council of Greater New Haven to be re-granted to small arts organizations. In order to be eligible for the grant, the Arts Council needs to be designated as SCRCOG's Local Arts Agency. The funding would be used to support arts organizations previously ineligible for financial assistance, and to create a creative workforce program to provide paid internships to artists. First Selectman Hoey stated he would like more information to share with his community to alert them of the grant. Mayor Blake asked if the designation was in perpetuity or just for the grant period? Daniel responded that it was solely for the grant period. Chairman Freda made a motion to approve, and First Selectman Hoey seconded. All voted in favor.

**6. Discussion Regarding American Rescue Plan Act funding**

Lou Mangini from Congresswoman DeLauro's office was introduced to discuss the American Rescue Plan. He mentioned his office has staff available to assist with questions to be directed to the Treasury Department. Most municipalities are still in the process of planning for how to spend the money. He would like to do an inventory of federal programs that exist, and would like to meet with Treasury to discuss the funding. Chairman Freda would be interested in having a roundtable discussion about the funding. First Selectman Hoey would like to know if the funding could be used to create an endowment. Tom Ellis stated his meeting with the state representatives was very helpful in answering ARP questions, but would like to know what the repercussions are in the case of using funds incorrectly. Mayor Blake stated he has created an ARP working group, which reviews ideas for compliance. They are looking to other funding programs to avoid redundancies. First Selectman Zeoli is planning on using some of the funds to support his health department. He is also looking at outdoor recreation improvements and air quality improvements in town buildings. Kevin Alvarez stated they will use some funds for youth programs and employing youth to repair city facilities. First Selectman Heller thanked Lou for his assistance. First Selectman Freda reiterated a roundtable discussion with the full Board would be helpful.

**7. Other Business**

There was no other business.

**8. Adjournment**

Mayor Blake moved to adjourn; First Selectman Hoey seconded. The meeting was adjourned at 9:55 am.

Respectfully submitted,

First Selectman Matthew Hoey, *Acting Secretary*



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Carl J. Amento, Executive Director

### MEMORANDUM

**FROM:** Carl Amento, Executive Director

**TO:** SCRCOG Executive Committee

**RE:** Solid Waste & Recycling / Energy Conservation Monthly Update – October 2021

**DATE:** October 20, 2021

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This memorandum highlights the key outputs and accomplishments of the Solid Waste & Recycling and Energy Conservation programs as performed by Pamela Roach from mid-September to mid-October 2021.

#### Energy Conservation

- Collaborated with Live Green on municipal EV readiness program, including planning for EV infrastructure and promoting EV Clarity Sessions, A-Fleet sessions, and zoning regulation coaching meetings. To date, five SCRCOG municipalities participated in clarity sessions and received certificates of completion.
- Planned and facilitated Energy Conservation Working Group meeting (9/15/21) which featured EV procurement and charging.
- Collaborated with Toyah Barigye at SolSmart to encourage SCRCOG municipalities to earn SolSmart designation. To date, SCRCOG and three SCRCOG municipalities have achieved designation.
- Assisted SCRCOG staff in sharing SolSmart resources and SCRCOG's implementation model with NVCOG (who is looking to establish their own SolSmart program).

#### Solid Waste & Recycling (SW&R)

- Scheduled and participated in meetings with Kristen Brown of Waste Zero and 13 of the 15 SCRCOG municipalities (remaining two municipalities were spoken to individually). These meetings were designed to:
  - Offer assistance/guidance with submitting letters of interest to CT DEEP for funding from their \$5 million waste reduction grant pool;
  - Discuss UBP/co-collection options that may be funded by CT DEEP grant; and
  - Discuss possibility of adding food scraps to each municipality's current leaf compost site or a new site.
- Scheduled and participated in meetings with Country Enterprises (the new owners of Wallingford facility), Kristen Brown of Waste Zero, and Andion (a Canada-based anaerobic digester company).
- Planned and facilitated Solid Waste and Recycling Working Group meeting (10/6/21) which featured updates on CT DEEP's \$5 million grant pool for towns to conduct UBP/Co-Collection of food waste pilots, Meriden's Co-Collection pilot, Clynk's Bottle Bag Drop Program, West Haven's food waste composting demonstration project, and a mobile application being developed for curbside textile pickups.
- Scheduled and participated in a logistical planning meeting with Meriden's UBP/Food Waste Co-Collection Pilot Team.
- Scheduled and participated in a meeting with Doug Colter, CET, Waste Zero (Kristen Brown and Courtney Forrester) and representatives of local schools to discuss logistics (i.e. education, signage, transportation of food scraps, and volunteer support) for West Haven's two-year food waste compost pilot project. USDA has supported this project by awarding West Haven a \$90,000 grant. This site will provide a local site for food waste diversion thereby making it easy to implement food waste diversion programs locally and economically by lowering transportation costs.



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Carl J. Amento, Executive Director

### MEMORANDUM

**FROM:** Carl Amento, Executive Director

**TO:** SCRCOG Executive Committee

**RE:** Solid Waste & Recycling / Energy Conservation Monthly Update – Mid-August to Mid-September 2021

**DATE:** September 15, 2021

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This memorandum highlights the key outputs and accomplishments of the SCRCOG Solid Waste & Recycling and Energy Conservation programs as performed by Pamela Roach from mid-August to mid-September 2021.

#### ENERGY CONSERVATION

- Collaborated with Live Green to promote their EV Clarity and AFleet sessions and to provide information on funding for EV charging stations to SCRCOG municipalities.
- Planned and prepared for 9/15 Energy Conservation Working Group Meeting, including development of agenda, encourage municipal leaders to participate, and enlisting Daphne Dixon of Live Green to present.
- Reviewed EV charging opportunities including an offering for free electric charger installation, operations, and maintenance and EV Fleet procurement collaborative opportunities.
- Continued collaboration with Toyah Barigye at SolSmart to encourage SCRCOG municipalities to achieve SolSmart designation. To date, SCRCOG and three SCRCOG municipalities (Guilford, Branford and Hamden as well as SCRCOG as a region) have achieved SolSmart designation.
- Researched other possible applications for solar power in the SCRCOG region, such as municipal buildings and properties, solar arrays on capped landfills, and community solar opportunities.

#### SOLID WASTE & RECYCLING (SW&R)

- Collaborated with SCRCOG municipalities and with Kristen Brown (WasteZero) on possible CT DEEP funded co-collection options that are designed to reduce food waste.
- Collaborated with SCRCOG municipalities and with Kristen Brown to devise a regional plan for diverting food waste to local leaf composting sites and West Haven's CT DEEP approved compost site.
- Continued to assist West Haven with their food waste compost pilot project which reduce transportation costs.
- Assisted West Haven with their application for the U.S. Department of Agriculture grant for a community compost and food waste reduction pilot project. West Haven is awaiting the possible award of \$90,000 to support the project. SCRCOG is a partner in the grant proposal.
- Worked with four other SCRCOG municipalities on proposals for DEEP funding for pilot co-collection projects.
- Collected Google aerial images of existing transfer stations and leaf composting facilities in SCRCOG municipalities for possible food waste diversion program.
- Collaborated with Sam King at Blue Earth on composting efforts within the SCRCOG region, i.e. diverting food scraps to the West Haven food waste compost pilot, Branford curbside food waste pilot, food scraps from schools, etc.
- Scheduled and attended meeting with the Town of Bethany and Kristen Brown (WasteZero) to discuss a possible software to use for curbside textile pickup.
- Researched and discussed with CT DEEP staff the future implementation of a "bagged bottle collection system" as part of the updated CT bottle bill. This project could receive funding from CT DEEP.



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Carl J. Amento, Executive Director

**MEMORANDUM**

**FROM:** Carl Amento, Executive Director

**TO:** SCRCOG Executive Committee

**RE:** Solid Waste & Recycling / Energy Conservation Monthly Update – August 2021

**DATE:** August 18, 2021

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This memorandum highlights the key outputs and accomplishments of the Solid Waste & Recycling and Energy Conservation programs as performed by Pamela Roach in the month of August 2021.

**Energy Conservation**

- Assisted Live Green with promoting EV Clarity and AFleet sessions to SCRCOG municipalities. To date five SCRCOG municipalities completed Clarity sessions and received Certificates of Completion.
- Attended Live Green's EV Zoning Regulations workshop and shared details with Energy Conservation Working Group. Workshop held in an effort to support EV Readiness for municipal officials. Specifically, municipal officials learn how to take action and implement EV zoning regulations that pave the way for broader EV adoption.
- Continuing collaboration with Toyah Barigye at SolSmart to encourage SCRCOG municipalities to achieve SolSmart designation. To date, SCRCOG and three SCRCOG municipalities have achieved SolSmart designation.
- Shared details with Energy Conservation Working Group on the State's announcement for new/increased electric vehicle incentives for CT residents. The newly approved incentives of the CHEAPR Rebate Program increased rebate amounts and expanded the CHEAPR program to cover used EV's as well as new EVs and provided additional incentives for income-eligible consumers.

**Solid Waste & Recycling (SW&R)**

- Conducted an in-person site visit at the Woodbridge Transfer Station with Public Works Director Warren Connors and virtually with Kristen Brown (Waste Zero, consultant to DEEP). The purpose of the site visit was to assess the site for a co-collection (MSW and food waste) pilot.
- Planned, facilitated and participated in UBP/co-collection follow-up meeting with the Town of Woodbridge.
- Continuing to assist West Haven with their food waste compost pilot program (approved by DEEP) which will begin August 24 – this site will provide a local facility for the diversion of food waste and the creation of compost. This will benefit SCRCOG municipalities which divert food waste to the West Haven site by reducing the tonnage of MSW (tipping fees) by lowering transportation costs.
- Working with Kristen Brown to develop an RFP for operation and management of food waste compost sites within the SCRCOG region. This will aid in our efforts to work toward developing a regional infrastructure for diverting food waste to local compost sites similar to West Haven's food waste compost pilot.

- Meriden's UBP/Food Waste Co-Collection Pilot application and grant was approved by CT DEEP –after collaboration with Kristen Brown and SCRCOG. This pilot has the potential to provide significant financial and environmental impacts and may serve as a model for other municipalities in the State.
- Collaborating with Sam King at Blue Earth regarding composting efforts within the SCRCOG region, i.e. food scraps being diverted to the West Haven food waste compost pilot, Branford curbside food waste pilot, food scraps from schools, other residential curbside food scrap pickups, and other composting efforts.
- Worked with Kristen Brown to draft a letter from SCRCOG to CT DEEP Commissioner asking that a SCRCOG Regional Bottle Bag Drop Program be considered for funding. Letter was submitted to the Commissioner before CT DEEP's August Public Hearing on stakeholder engagement for bottle bill implementation. Bottle Bill grant funding that would increase access is available. The Bottle Bag Drop Program would provide access, and convenience and will address demand (as we will see an increase in redeemables as containers are added and the deposit increases to \$0.10). The Program allows residents to deposit a bag full of redeemable bottles into containers that would be placed locally in parking lots of grocery stores, liquor stores, municipal lots. Residents would receive credit for the containers or may donate proceeds to a local charity. Municipalities would save money as curbside recycling and disposal of these containers would decrease.
- Participated on Branford's Vendor Selection Committee to review and interview RFP submissions for consulting services for Branford's MSW and Recycling Program. Efforts will focus on curbside collection practices, micro-recycling in CT, overall zero-waste, and possibly a waste characterization study for Branford.
- Attended and participated in-person at NVCOG's first SW&R Working Group meeting. Carl Amento and I offered SCRCOG's input and experience. Kristen Brown presented on USB/Co-collection programs and regional compost sites. NVCOG is planning to model its new program in their region on SCRCOG's Solid Waste & Recycling efforts in our region. They have already held a backyard composter/rain barrel sale in June after SCRCOG's in April. We will continue to assist NVCOG with our lessons learned.



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Carl J. Amento, Executive Director

**MEMORANDUM**

**FROM:** Carl Amento, Executive Director

**TO:** SCRCOG Executive Committee

**RE:** Solid Waste & Recycling / Energy Conservation Working Groups Monthly Update – July 2021

**DATE:** July 21, 2021

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This memorandum highlights the key outputs and accomplishments of the Solid Waste & Recycling and Energy Conservation Working Groups programs, led by consultant Pamela Roach, in the months of June-July 2021.

**Energy Conservation**

- Coordinated with Live Green (Clean Cities Coalition) with promoting Electric Vehicle (EV) Clarity and Fleet consulting sessions to SCRCOG municipalities, as follow up to Municipal EV Readiness Toolkit Training Series.
- Invited to present, and presented, to members of the CT Energy Network on SCRCOG energy programs and initiatives.
- Collaborated with Solar Connecticut to re-introduce SCRCOG municipalities to SolarAPP, a web-based free software tool which speeds the process that home solar installers must go through to secure a permit to install residential solar systems.
- Continued adding energy conservation news, events and resources to Basecamp for the benefit of the Working Group.

**Solid Waste & Recycling (SW&R)**

- Invited to present, and presented, on SCRCOG's regional food waste diversion and composting project to over 100 municipal and regional officials at the CT Coalition for Sustainable Materials Management (CCSMM) virtual meeting on July 16<sup>th</sup>.
- Planned, prepared for, presented, and facilitated SCRCOG Solid Waste and Recycling Working Group meeting on June 30<sup>th</sup> and a follow-up meeting with the Regional Food Waste Compost Planning Working Group (a subgroup of the Solid Waste & Recycling Working Group) on July 14<sup>th</sup>. Meetings are part of an effort to develop an infrastructure for local food waste diversion and composting.

- Planned, facilitated, and participated in Unit-Based Pricing (UBP)/co-collection follow-up meetings with the Towns of Bethany and Woodbridge.
- Coordinated with several public schools in the region on planning a Fall implementation of Food Waste Diversion programs in cafeterias and with SCSU regarding diversion of their food scraps to West Haven's compost site during that site's demonstration project.
- Coordinated with the City of New Haven, New Haven's Composting Collaborative, and City of West Haven on diversion of food waste to the West Haven Food Waste Composting demonstration project.
- Continued to assist West Haven in their development of a municipal food waste composting site and applications for grants to help fund it – this site will provide a local site for food waste diversion thereby making it easier to implement food waste diversion programs in all of the SCRCOG region and more economical as well by lowering municipal hauling costs.
- Worked with Kristen Brown of Waste Zero and the Town of Meriden to submit pre-application for permit and SMART Grant Application to CT DEEP for the Meriden Co-Collection Pilot Program – this pilot has the potential to create significant financial savings and beneficial environmental impacts which may result in it serving as a statewide model.
- Continued discussions with the Town of Branford regarding their Pre-Bid Meeting for their Trash and Recycling Study RFP. Branford is looking to focus on curbside collection practices, micro-recycling in CT, and an overall zero-waste strategy. Branford is also interested in having their own waste characterization study.
- Continued adding solid waste, recycling, food waste diversion and composting news, events and resources to Basecamp for benefit of Working Group.

## Draft Resolution Supporting Proposed Transportation and Climate Initiative (TCI)

At the September SCRCOG Board Meeting, CT DEEP Commissioner Katie Dykes presented on the Transportation and Climate Initiative (TCI) Program. As you may know, the TCI program is a multi-jurisdictional collaboration to cap and reduce greenhouse gases from the transportation sector and accelerate investments in an equitable, cleaner, and more resilient transportation system for Connecticut and the region. For your review, attached are an infographic describing the program (attached) and the Memorandum of Understanding (MOU) outlining Connecticut's commitment.

For more information, you may visit CT DEEP's TCI program webpage (<https://portal.ct.gov/DEEP/Climate-Change/Transportation-Climate-Initiative>) or the TCI program's FAQ webpage (<https://portal.ct.gov/DEEP/Climate-Change/TCI-P-Frequently-Asked-Questions>).



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Carl J. Amento, Executive Director

**-- DRAFT --**

***Resolution of the SCRCOG Board supporting the Proposed Transportation and Climate Initiative (TCI) Legislation***

**WHEREAS**, the Board of the South Central Regional Council of Governments is comprised of fifteen members, one mayor or first selectman from each municipality;

**WHEREAS**, the mission of the South Central Regional Council of Governments is dedicated to regional cooperation with results that benefit the entire region;

**WHEREAS**, transportation pollutants, including sulfur dioxide, carbon monoxide, nitrogen oxide, particulate matter, and other types of hydrocarbons and smog-forming pollutants have resulted in poor air quality in our region;

**WHEREAS**, in 2019, the American Lung Association ranked Connecticut as the 10th worst state for smog (ozone pollution);

**WHEREAS**, pollutants from transportation are known to exacerbate respiratory problems such as asthma and chronic obstructive lung disease; increase the risks from other health conditions, including cancer, heart disease, premature death; and significantly increase human and financial healthcare costs;

**WHEREAS**, Connecticut residents spend \$100 million per year on asthma care alone;

**WHEREAS**, children, people of color, the elderly, residents with pre-existing conditions, and those living in areas overburdened by pollution are especially vulnerable to the health risks of transportation pollution;

**WHEREAS**, the municipalities within the South Central Regional are in need of investments that include expanding access to reliable and convenient public transportation, increasing electric vehicle use and infrastructure, and expanding opportunities for active transportation such as biking and walking;

**WHEREAS**, we must act to improve our region's public health while investing in clean infrastructure that will benefit all residents of the region;

**WHEREAS**, in December of 2020 Governor Lamont signed a Memorandum of Understanding with Massachusetts, Rhode Island and the District of Columbia to commit the State of Connecticut to establish a program to be known as the Transportation and Climate Initiative Program ("TCI-P"), a program that would cap greenhouse gas pollution from motor vehicles through a market-based allowance program, the proceeds of which would be used to invest in clean transportation projects and related programs;

**WHEREAS**, in the 2021 regular session of the Connecticut General Assembly, legislation was introduced to give the State the authority to implement TCI-P, which legislation did not pass;



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Carl J. Amento, Executive Director

**WHEREAS**, TCI-P would make critical investments to create an affordable clean transportation system through initiatives like bus electrification, accessible electric vehicle charging infrastructure, and improved public transit, leading to better air quality for our communities.

**WHEREAS**, it is estimated that TCI-P would raise \$1 billion over ten years for the State's Special Transportation Fund to be spent on Connecticut's state and municipal transportation and infrastructure systems, creating local jobs in construction, public transportation, telecommunications, and manufacturing for our residents still recovering from the pandemic recession;

**WHEREAS**, TCI would emphasize environmental justice by prioritizing investments in communities that are overburdened by air pollution and underserved by the transportation system by requiring at least 50%, or half a billion dollars, of the TCI-P investments be made in such communities;

**WHEREAS**, An Equity and Environmental Justice Advisory Board – comprised of residents of communities overburdened by air pollution and underserved by transportation systems – would provide oversight to guide these prioritized investments;

**WHEREAS**, TCI's investments can lead to lower accident rates, lower vehicle operating expenses, and diminished road maintenance expenditures.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of the South Central Regional Council of Governments recommends that, to reinvigorate our economy and improve our region's public health, we urge those State Senators and State Representatives who serve the municipalities within the South Central Region, on behalf of our communities, to pass the necessary legislation to implement TCI-P in Connecticut.

**BE IT FURTHER RESOLVED:** that Carl Amento, as Executive Director of SCRCOG, is directed to deliver a certified copy of the signed Resolution on behalf of SCRCOG to those State Senators and State Representatives who serve the municipalities in the South Central Region.

*Certificate*

The undersigned duly qualified and acting Secretary of the South Central Regional Council of Governments certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Council of Governments on October 27, 2021.

Date: October 27, 2021

By:

\_\_\_\_\_  
First Selectman James Zeoli, *Secretary*  
South Central Regional Council of Governments

## Draft Partial Revision of SCRCOG By-Laws

October 2021

SCRCOG staff is working on a complete revision of the SCRCOG By-Laws., which were last amended in 2010. It is a rather large document, so we will be presenting proposed By-Laws revisions to the SCRCOG Board a section or two at a time over the next several months.

The By-Laws amendment process takes at least two months for each set of revisions. The current By-Laws read:

### *Article XIII. By-Laws Amendments*

These *By-Laws* may be amended by a vote of a majority of the representatives of the members of the Council at any regular or special meeting of the Council. Any proposed amendment to these *By-Laws* shall first be submitted to any regular or special meeting of the Council for preliminary consideration and only then, if preliminarily approved, placed on the agenda of the next succeeding regular or special meeting of the Council for formal adoption. Notice of any amendment shall be sent to all representatives of the Council.

The first portion of the By-Laws we are placing before the Board for consideration involves a Corrective Action cited by the U.S. Department of Transportation, in the Transportation Management Area Planning Certification Review, New Haven, CT, Transportation Management Area, May 26, 2021

**The corrective action cited was:** “SCRCOG and CTDOT should work together to formally include a state transportation official on the MPO Board, to comply with 23 CFR 450.310(d), no later than December 31, 2021. FHWA and FTA can provide guidance as needed”.

In response to this request for Corrective Action, the SCRCOG staff is proposing the addition of a new Article X “Metropolitan Planning Organization” which includes “a state transportation official on the MPO Board” who shall be a non-voting member.

**PROPOSED CHANGES ARE IN RED**

*South Central Regional Council of Governments By-Laws*

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Adopted: November 28, 1984

Effective Date: January 23, 1985

*Amendments*

Adopted by SCRCOG: June 25, 1986

October 26, 1988

May 26, 1993

September 14, 1994

May 28, 1997

May 24, 2000

November 15, 2000

February 28, 2001

January 27, 2010

April 28, 2010

October 27, 2010

**Anticipated: November 17, 2021**

*Preamble*

The purposes of the South Central Regional Council of Governments are to serve as a continuing forum to promote cooperative arrangements between its members to initiate and implement programs and coordinate actions on a voluntary basis determined to be of benefit to the South Central Connecticut Region and to serve as a regular forum for contact and discussion of items of mutual interest among town and city officials. The Council shall consider such matters of a public nature common to two or more members of the Council as it deems appropriate, including matters affecting the health, safety, welfare, education and economic conditions of the area as comprised by its members.

*Article I. Organization*

- A. *Name.* The name of this voluntary association shall be the South Central Regional Council of Governments.
- B. *Structure and Definitions.* The internal structure and organization of this voluntary association shall be according to the statutes of the State of Connecticut and as further provided in these *By-Laws*, and, as used in these *By-Laws*, the following terms shall have the meanings hereinafter ascribed to them, unless the context shall otherwise require:
  - (1) “Council” shall mean this regional council of governments as authorized and organized under Sections 4-124i through 4-124p of the *General Statutes* of the State of Connecticut.
  - (2) “Regional Planning Commission” shall mean a subdivision of the Council organized under Section 4-124o of the Connecticut *General Statutes*.
  - (3) Unless otherwise provided herein, terms used in these *By-Laws* shall have the same meanings as set forth in Section 4-124i of said *General Statutes*.
  - (4) “Member” shall mean each municipality of the South Central Region.
  - (5) “Representative” shall mean the mayor, first selectman or first selectwoman of the member city or town unless referenced in the context of the Regional Planning Commission.

*Article II. Declaration of Policy*

The Council finds and declares that the need for a Regional Council of Governments within the South Central Region (hereinafter “Region”), is based on the recognition that:

- A. Plans and decisions made by each local government with respect to land use, circulation patterns, capital improvements and economic development initiatives which affect the welfare of neighboring jurisdictions should be coordinated.
- B. It is imperative for the regional planning process to be directly related to the elected local government decision and policy makers, the chief elected officials.

- C. The people within the Region have a fundamental interest in the orderly development of the Region in which a large segment of the State's population is concentrated.
- D. Municipalities within the Region have a positive interest in the preparation and maintenance of a long-term comprehensive Plan of Development, hereinafter referred to as the "Plan", for the benefit of the Region to serve as a guide to the political subdivisions within the Region.
- E. The continuing growth of the Region presents problems that are not confined to the boundaries of any single town or city.
- F. The Region, by reason of its numerous governmental jurisdictions, presents special problems of development that can be dealt with best through a regional council of governments.
- G. In order to assure, insofar as possible, the orderly and harmonious development of the Region and to provide for the needs of future generations, it is necessary for the people of the Region to cooperatively plan for the future, as defined by statute, and for the Council to coordinate the activities of federal, state, regional and municipal agencies concerned with the Region and to render assistance and service and create public interest and participation for the benefit of the Region.

*Article III. Powers and Responsibilities*

The Council shall have all rights and authority and shall be subject to all of the responsibilities and duties as are granted to and required of a regional council of governments under the *General Statutes* of the State of Connecticut, as amended, or by special acts of the Connecticut General Assembly.

*Article IV. Functions*

- A. *Coordinating Functions.* The Council shall promote regional coordination and cooperation through activities designed to:
  - (1) Strengthen local governments and their individual capacities to deal with local problems.
  - (2) Serve as a forum to identify, study and resolve area-wide problems.
  - (3) Provide the organizational framework to insure effective communication and coordination among governmental bodies.
  - (4) Serve as a vehicle for the collection and exchange of information for the membership.
  - (5) Encourage action and implementation of regional plans and policies by local, state and federal agencies.
  - (6) Provide, if requested, mediation in resolving conflicts among members and between members and other parties.

(7) Provide technical and general assistance to members within its staff and financial capabilities.

*B. Regional Plan.* The Council may adopt a Plan of Development and recommend policy for the development of the Region. The Plan shall be based on comprehensive surveys and studies of the existing conditions and probable future growth of the Region. The Plan shall be made with the general purpose of guiding a coordinated and harmonious development that, considering present and future needs and resources, will best promote the health, safety and general welfare of the people and shall be developed in accordance with Article X.

*Article V. Membership*

*A. Eligibility.* All towns and cities within the Region are eligible for membership. To become a member of and retain membership in the Council, any town or city shall adopt Sections 4-124i through 4-124p of the Connecticut *General Statutes*, as amended, by ordinance of its legislative body.

*B. Annual Assessments.* Each member shall pay its annual assessment of Council costs as specified by the Council in an approved annual budget, provided that any such annual assessment shall be paid during July of each fiscal year as provided in Section C of Article XI. Any member who has failed to pay at least one-half of its assessment prior to October 1 and the balance by March 1 of any year shall be notified by the Secretary and shall not be eligible for continued voting membership on the Council after October 31 or March 31, respectively, of such year unless or until its dues for such year have been fully paid.

*C. Withdrawal.* Any member town or city may withdraw from the Council by adoption of an appropriate ordinance of its legislative body to become effective on the date of such adoption; provided that any such withdrawing member shall remain responsible for the payment of its dues for the balance of the then-current fiscal year of the Council, and, unless such withdrawing member shall give notice to the Council of its withdrawal not less than thirty (30) days prior to the end of the Council's fiscal year, such withdrawing member shall also be responsible for its dues assessment for the next succeeding fiscal year. Notice of withdrawal shall be given by certified mail of a copy of the pertinent ordinance to the attention of the Chairman(woman) of the Council as soon as reasonably possible following the adoption of such ordinance and shall be deemed given when received by the Chairman(woman).

*D. Operations.* The activities and affairs of the Council shall be managed by the representatives of its members.

*E. Suspended Membership.* Any member may be suspended from active membership for non-payment of assessments as provided in Section C, Article XI. Any such suspended member shall not be entitled to participate in the affairs of the Council but shall be permitted to again become an active member immediately upon payment of all its unpaid assessments.

*Article VI. Representation and Meetings*

- A. *Representation.* Each member of the Council shall be entitled to one representative on the Council who shall be the chief elected official and shall have one vote at meetings of the Council. In the event a chief elected official cannot attend a meeting of the Council, the chief elected official may, in writing, designate an alternate for that meeting who need not be an elected official. The designated alternate may vote on business matters presented to the Council.
- B. *Meetings*
1. *Regular Meetings.* Unless otherwise specified by resolution of the Council, the regular meetings of the Council shall be held on the fourth (4<sup>th</sup>) Wednesday of January, February, March, April, May, June, July, August, September and October; the third Wednesday of November; and the second Wednesday of December at such times and places as may be established by the Council.
  2. *Special Meetings.* Special meetings shall be held by call of the Chairman(woman) or by petition to the Secretary of the Council from at least 20 percent of the representatives to the Council.
  3. *Annual Meeting.* Unless otherwise specified by resolution of the Council, the annual meeting shall be held in January of each calendar year.
  4. *Call of Meeting.* Each representative shall be sent notices of regular meetings in writing by hand-delivery, or by electronic or facsimile transmission to be received by the representative at least seven (7) days before the meeting date. The notices shall include the place and time of the meeting and an agenda for the meeting. Only items included in the agenda shall be acted upon at such meeting other than routine ministerial and administrative matters, except by the unanimous approval of all representatives present and constituting a quorum. Notices of special meetings shall be sent in writing by hand-delivery, or by electronic or facsimile transmission to be received by the representative at least seven (7) days before the meeting date.
  5. *Minutes.* Minutes of the Council meetings and other official actions shall be filed in the Council's office and shall be of public record.
  6. *Standing Rules.* The Council may from time to time adopt or amend Standing Rules for the conduct of meetings of the organization.
- C. *Quorum.* A majority of the members of the Council or of a committee shall constitute a quorum. All meetings of the Council or committees shall be conducted in accordance with *Roberts Rules of Order*.
- D. *Action of the Council.* Action of the Council, except as otherwise provided, will require an affirmative vote of at least a majority of members of the Council present and voting and constituting a quorum.

- E. *Action of the Council on Appeals from Article X, Sections C and D.* Appeals by parties to Regional Planning Commission findings conducted under Article X, Sections C and D, shall be acted on by a majority of the representatives of the Council. The Council shall consider the finding of the Commission regarding any such matter, but shall be entitled to take any action regarding such matter as it shall deem appropriate.
- F. *Committees.* By resolution, the Council may establish such standing, special and advisory committees as it shall deem appropriate.

#### *Article VII. Officers*

- A. *Title and Terms.* Officers of the Council shall include a Chairman(woman), a Vice Chairman(woman), a Secretary and a Treasurer who shall be elected at the annual meeting of the Council and shall serve until their successors have been elected. No representative shall be eligible to serve more than one consecutive calendar year in the same office.
- B. *Election of Officers.* A Nominating Committee of three (3) members shall be appointed by the Council at the November meeting of the Council and shall serve until a succeeding Nominating Committee is appointed. The Nominating Committee shall send to the members of the Council, by hand-delivery, or by electronic or facsimile transmission to be received by the member at least seven (7) days prior to the annual meeting
- C. The slate of officers and Executive Committee members shall be elected by a two-thirds (2/3) majority vote of those present.
- D. *Vacancies.* In the event any vacancy occurs in any office during the year, a successor shall be proposed by the Nominating Committee and elected by the Council to serve the unexpired term. Such service shall not constitute a calendar year of service as specified in Article VII, A.
- E. *Chairman.* The Chairman(woman) of the Council shall be a duly elected member of the Council. He(she) shall preside at all meetings of the Council, and in his(her) absence, the Vice Chairman(woman) will preside and in the absence of the Chairman(woman) and Vice Chairman(woman), a member of the Executive Committee designated by the Chairman(woman). When so authorized by the Council, the Chairman(woman) and/or Executive Director may sign contracts in the name of the Council.
- F. The Chairman(woman) may call special meetings of the Council as specified in Article VI, Section B. As a representative on the Council, the Chairman(woman) shall have the right to vote on all matters which may come before the Council. The Chairman(woman) shall be a voting member of all committees, but shall not be considered as part of the quorum.
- G. *Vice Chairman(woman).* At the request of the Chairman(woman) or in the absence of the Chairman(woman), or during his(her) inability to act, the Vice Chairman(woman) shall assume the powers and duties of the Chairman(woman). The Vice Chairman(woman) shall have such other powers and perform such other duties as may be assigned to him(her) by the Council.

- H. Secretary.* The Secretary shall keep minutes of the meetings of the Council and the Executive Committee. The Secretary shall see that all meeting notices are duly given in accordance with the provisions of the *By-Laws* or as required by law, and shall perform such duties as may be assigned by the Council.
- I. Treasurer.* The Treasurer shall receive all money, property and securities of the Council delivered to him (her). Under the direction of the Treasurer, the Executive Director, or his(her)designee, will take charge of all funds and deposit all money so received to the credit of the Council in a bank or banks selected by the Executive Committee. Under the directions of the Treasurer, the Executive Director, or his(her) designee, shall make all disbursements, and an accurate record of receipts and disbursements will be kept and a report given to the Council at each regular meeting of the Council.

#### *Article VIII. Executive Committee*

The Executive Committee shall be made up of eight (8) members: the Chairman(woman), the Vice Chairman(woman), the Treasurer and the Secretary and three members chosen by the Council. The Chairman(woman) in the preceding year shall be a member of the Executive Committee. A quorum shall consist of five (5) Executive Committee members.

The Executive Committee shall meet at the call of the Chairman(woman), provided there shall be written notice of a meeting sent by hand-delivery, or by electronic or facsimile transmission, to be received by the members at least seven (7) days before the meeting, and shall have such powers and duties as are granted to it by the Council.

The Executive Committee shall have the following powers and responsibilities:

- A.* The Executive Committee shall supervise the annual audit of the books of the Council and employ auditors approved by the State Office of Policy and Management in connection therewith. The annual audit shall be made available for Executive Committee review no later than the second Wednesday in November following the end of the fiscal year and shall be reviewed for acceptance by a majority of the Executive Committee at the first Executive Committee meeting following receipt of the audit.
- B.* The Executive Committee shall adopt such personnel policies, administrative regulations and financial procedures as may be needed within the pertinent *General Statutes*, Federal requirements, the *By-Laws* and the program and budget adopted by the Council.
- C.* The Executive Committee shall have such other duties as are assigned to it by the Council as required for the management of the business affairs of the Council and consistent with the *General Statutes* and *By-Laws*.
- D.* The Executive Committee shall have the authority to create and discontinue staff positions of the Council except that of the Executive Director and to fix salaries within the approved budget of the Council.

- E. The Executive Committee shall recommend for approval by the Council any and all contracts of the Council, including any contracts with the Federal, State or other public, non-profit and private organizations. Proposed agreements, except those with an agency of the State of the Connecticut or of the United States, shall be reviewed as to legal form by an attorney designated by the Council before being advanced to Committee.
- F. The Executive Committee shall develop procedures to be used for awarding of contracts and of all non-recurring expenditures above one thousand dollars (\$1,000).
- G. The Executive Committee shall have the authority to recruit, select and fix the salary of an Executive Director subject to approval of the Council.
- H. The Executive Committee shall be responsible for carrying out policy decisions made by the Council.
- I. The Executive Committee shall consider a budget, as prepared by the Executive Director, and recommend for approval a budget to the Council during April of each year. Budget proposals shall reflect: (1) annual Council goals advanced by the Committee and approved by the Council at the time of annual budget approval; and (2) January personnel evaluations conducted by the Executive Director, including his(her) self-evaluation, under the direction of the Committee. During the course of the fiscal year, the Executive Committee shall review proposals for budget changes, amendments and transfers of funds between accounts that may be made from time to time and shall have the authority to approve such changes, amendments or transfers provided such changes, amendments or transfers do not increase the assessments of the members of the Council and do not exceed ten percent (10%) of the approved budgeted item. In order to recommend the annual budget to the Council, the affirmative vote of not less than a majority of the Executive Committee membership is required.
- J. The Executive Committee may with the concurrence of the Council appoint an Acting Executive Director.

*Article IX. Executive Director*

- A. *Appointment.* The Council, upon recommendation of the Executive Committee, shall appoint an Executive Director by a majority vote of all representatives of the total membership of the Council. The salary of the Executive Director shall be fixed at the time of the appointment and shall thereafter be reviewed annually at the time of the adoption of the budget.
- B. *Removal.* The Council may remove the Executive Director by a majority vote of all representatives of the total membership of the Council.
- C. *Duties and Responsibilities.* The Executive Director shall be the chief administrative officer of the Council. He(he) shall be responsible to the Council for the administration of the Council's affairs placed in his(her) charge by or under these *By-Laws* and for implementing policy directives. The Executive Director shall have the following duties and responsibilities:

- (1) The Executive Director shall prepare proposed annual Council fiscal year goals, January staff evaluations, proposed work programs and a proposed annual budget for submission to the Executive Committee and adoption by the Council. Upon adoption by the Council, he/she shall execute the work program and budget.
- (2) The Executive Director shall keep the Council advised as to progress of the work program of the organization by monthly reports accompanying meeting agendas and make recommendations to the Executive Committee concerning the affairs and operations of the organization as appropriate or necessary.
- (3) The Executive Director shall prepare notices, agendas and other material necessary for meetings of the Council and Executive Committee. The Executive Director shall prepare minutes of the Council and Executive Committee meetings on behalf of and with the approval of the Secretary.
- (4) The Executive Director shall prepare and administer the Council's financial accounting system in accordance with appropriate state and/or federal guidelines.
- (5) The Executive Director shall countersign with the Treasurer, or other designated officers, all checks issued by the Council, except that payroll checks may be processed electronically for direct deposit provided that such payroll checks are approved in writing and in advance by the Treasurer or other designated officers. The Executive Director shall prepare and administer a system of internal control over all cash disbursements that is consistent with appropriate state and/or federal guidelines.
- (6) The Executive Director, subject to prior concurrence of the Executive Committee, shall appoint personnel within the limitations of the approved budget and, when he/she deems it necessary, suspend or remove any employee. The Executive Committee shall review proposed job qualifications and establish an initial salary for each appointment in advance of personnel selection by the Executive Director. Any staff suspension or removal shall immediately be communicated to the Executive Committee. The Executive Director may authorize appropriate staff personnel who are subject to his/her direction and supervision to exercise the duties and responsibilities placed in his charge by or under these *By-Laws*.
- (7) The Executive Director shall perform such other duties and responsibilities as are required or prescribed by the Council or the Executive Committee.

#### *D. Evaluation Process*

- (1) The Executive Director shall submit goals and a proposed work program to the Executive Committee, along with the proposed budget, in April of each year. The budget and work program should be approved by the Council at its May meeting.
- (2) The Executive Director shall submit a progress report on the approved work program for discussion at each monthly Executive Committee meeting.
- (3) The Executive Director may submit proposed revisions, adjustments, additions and/or subtractions to the approved work program at any monthly meeting of the Executive Committee;

such amendments of the work program must be approved by the Executive Committee in order to become effective.

- (4) Monthly work program progress reports should be discussed at each meeting of the Executive Committee, and the Executive Committee should convey its satisfaction or dissatisfaction with such progress, and any recommendations for corrective action, to the Executive Director at such meeting.
- (5) If, at any time, the Executive Committee believes it would be beneficial, it may request the Council Chairman or the Personnel Committee to meet at another date with the Executive Director to discuss any issues that have arisen as to the Executive Director's performance. The Council Chairman and/or the Personnel Committee would then report on the outcome of such meetings.
- (6) The Executive Director shall submit a self-evaluation of his/her performance to the Executive Committee as part of the agenda package for both its January and its July meetings. The Executive Committee shall discuss with the Executive Director the self-evaluations and the Executive Director's progress with regard to the approved work program, as it may be amended.
- (7) Any salary increase for the Executive Director shall be determined in conjunction with the annual budget and shall be based upon the Executive Committee's review and assessment of the Executive Director's performance with regard to the approved work program and its review and assessment of the Executive Director's self-evaluations.
- (8) If, at any time, and after exhausting all reasonable attempts to resolve the matter otherwise, the Executive Committee believes that the performance of the Executive Director is so deficient as to warrant termination, it may vote to recommend such action to the Council. The Council would then proceed in accordance with the termination provisions of the By-Laws and the Employment Agreement.

#### *Article X. Metropolitan Planning Organization*

The Council shall serve as the Metropolitan Planning Organization (MPO) for the Region. The Policy Board of the MPO shall consist of the Council and such other stakeholders as may be required pursuant to federal statute or regulation.

- A. *Purpose.* South Central Regional Council of Governments is a metropolitan planning organization established under the requirements of 23 CFR 450C OPI:HEP, as required in urbanized areas with populations over 50,000, and as designated by local officials within the South Central Regional Council of Governments and by the Governor of the State of Connecticut. The South Central Regional Council of Governments is responsible, in cooperation with regional, state and other transportation providers, for carrying out the metropolitan transportation planning requirements of federal highway and transit legislation and regulation.

- B. *Membership.* MPO Policy Board membership shall be comprised of the members of the Council, one (1) transit provider representative, and one (1) state transportation representative. The transit provider official and the state transportation representative shall be non-voting members of the MPO Policy Board.
- C. *State transportation representative.* A State Transportation Representative shall be a non-voting member assigned by the Connecticut Department of Transportation.
- D. *Transit provider representation.* An official of a public agency that administers or operates a major mode of transportation in the metropolitan area, including a representative of a provider of public transportation, shall be a non-voting member.

Public Law 112-141 requires representation by providers of public transportation in each MPO that serves an area designated as a Transportation Management Area (TMA). The South Central Regional Council of Governments is such an MPO. The representative of a transit provider shall be either a board member (elected or appointed) or officer of a provider of public transportation in the metropolitan planning area.

The transit representative shall be appointed by the Council.

The transit representative shall maintain contact with the providers of public transportation in the metropolitan planning area throughout his/her term of service on the MPO Policy Board, and the representative must consider the needs of all eligible public transportation operators that provide service in the metropolitan planning area.

- E. *Quorum.* When acting in its MPO capacity, a majority of the voting representatives of the Council shall constitute a quorum.
- F. *Meetings of the MPO.* All regularly scheduled meetings of the Council shall serve as meetings of the MPO Policy Board and shall be advertised and accessible to the general public and persons with disabilities.

#### *Article XI. Regional Planning Commission*

- A. *Powers and Duties.* As directed by the Council, the planning duties and responsibilities of the Council shall be carried out by the Regional Planning Commission. The Commission shall act on behalf of and as a subdivision of the Council according to procedures as may be established by the Commission and approved by the Council. The planning duties and responsibilities of the Commission shall include but need not be limited to (1) comprehensive planning and (2) functional planning as follows:
  - (1) *Comprehensive Planning.* As directed by the Council, the Regional Planning Commission shall propose and keep up-to-date a Plan of Development as called for in Section 8-35a and related sections of the Connecticut *General Statutes*, as amended.

(2) *Functional Planning.* As directed by the Council, the Regional Planning Commission shall carry out planning activities for specific functional areas, directed at achieving more immediate implementation of policies contained in the Plan of Development for the region.

- B. *Reports, Plans and Policies.* The Council may instruct the Regional Planning Commission to prepare and keep up-to-date a Plan of Development and to prepare reports, plans and policies as required by law and by the Connecticut *General Statutes*, as amended, and may instruct the Commission to prepare other plans and documents as the Council shall deem appropriate. Any such instructions of the Council shall specify a reasonable time period in which the Commission shall take action required by such instructions.
- C. *Zoning and Subdivision Referrals.* All zoning and subdivision matters which by *Statute* are referred to the Council may be considered by, commented upon, and findings issued by the Regional Planning Commission.

Any party initiating a referral request to the Council or initiating an application giving rise to a referral by a municipal planning and/or zoning commission may appeal any finding of the Commission to the Council for further consideration. To be considered by the Council, all appeals must be received in writing within ten (10) days of the transmittal of the Commission finding; transmittal as established by postmark. Appeals shall fully state the reasons for review of the Commission's finding and, as initially received by the Council, shall constitute the sole basis for Council review.

Appeals by parties to Regional Planning Commission findings conducted under this Article shall be acted on by a majority of the members of the Council present at the next Council meeting. The Council shall consider the findings of the Commission regarding any such matter and the nature of the appeal but shall be entitled to take any action regarding such matter as it shall deem appropriate. If no appeal is filed, then the findings of the Commission shall be deemed the findings of the Council.

- D. *Other Referrals.* Other referrals or requests for comment to determine consistency with regional plans and policies, arising as a result of federal or state law or regulation, shall be addressed by the Commission. Matters pertaining to surface transportation planning, generally falling within the purview of 23 USC 134 and 49 USC 1602, shall however be addressed directly by the Council.
- E. *Submission of Commission Action to the Council.* Reports, plans and policies of the Commission, other than Commission findings in response to referrals under Sections C and D of this Article X from which no appeal has been taken as herein provided, shall be presented to the Council as proposals at the next regular meeting of the Council, and the Council shall act upon such submission (by adopting, rejecting, modifying or referring the same back to the Commission for further consideration) at the earliest practicable point in time.
- F. *Membership and Representation.* Each member of the Council shall appoint one representative to the Regional Planning Commission. The representative shall be an elector, and staff for or member of that member's planning commission. The representative shall be appointed by the planning commission with the concurrence of the appointing authority. Each member may also appoint an alternate who shall be an elector of such member and who shall be appointed by such planning

commission with the concurrence of the appointing authority. The alternate shall, when the representative of the member from which he is appointed is absent, have all the powers and duties of the representative. The representative and alternate shall serve until a successor is appointed by the appointing authorities.

Each representative shall be entitled to one vote in the affairs of the Commission but shall not be entitled a vote in the affairs of the Council.

- G. *Resignation.* In the event a representative or alternate of the Commission resigns, a copy of the letter of resignation shall be filed with the Secretary of the Council and the Secretary of the Commission, and sent to the appointing authority of the member represented by such resigning party.
- H. *Meetings of the Commission.* Unless otherwise specified by resolution of the Commission, the regular meetings of the Commission shall be held on the second (2nd) Thursday of each month subject to the right of the Chairperson of the Commission to cancel regular meetings in the absence of any business to come before any such meeting. Times and places of meetings shall be established by the Commission.
- I. *Special Meetings.* Special meetings of the Commission shall be held by call of the Council Chairperson or the Commission Chairperson or by petition of the Commission Secretary from not less than twenty percent (20%) of the representatives of the Commission.
- J. *Call of Meeting.* Each representative shall be sent notices of regular meetings in writing, by hand-delivery, or by electronic or facsimile transmission, to be received by the representative at least seven (7) days before the meeting date. The notices shall include the place and time of the meetings and an agenda for the meeting. Notices of each meeting shall also be sent to representatives to the Council. All items included in the agenda shall be acted upon at such meeting other than routine ministerial and administrative matters, except by the unanimous approval of all representatives present and constituting a quorum. Notices of special meetings shall be sent in writing by hand-delivery, or by electronic or facsimile transmission, to be received by the representative at least seven (7) days before the meeting date.
- K. *Quorum.* A majority of the Commission's authorized representatives shall constitute a quorum.
- L. *Action of the Commission.* Action of the Commission shall be by majority vote of those representatives constituting the quorum; provided, however, that adoption of a Plan of Development or part or amendment thereof, shall be by the affirmative vote of not less than a majority of all authorized representatives of the Commission.
- M. *Officers.* Officers of the Commission shall include a Chairman(woman), a Vice Chairman(woman) and a Secretary, to be selected by the Commission representatives. The officers shall perform all duties incident to the particular office. The officers shall serve for one year with new officers to be selected once a year at the regular meeting of the Commission in the month of January. No representative shall be eligible to serve more than two (2) consecutive years in the same office.
- N. *Executive Committee.* The Commission may establish an Executive Committee which may, in the absence a regular Commission meeting during a calendar month or in the absence of a quorum at a

regular Commission meeting, address zoning, subdivision and other referrals on behalf of the Commission. The Executive Committee shall consist of the Chairman(woman), Vice Chairman(woman), Secretary and four additional representatives. Four Executive Committee members shall constitute a quorum. The Executive Committee shall be elected at the January meeting.

- O. The Commission may, by resolution, establish such other committees as it shall deem appropriate.

#### *Article XII. Fiscal Management*

- A. *Fiscal Year.* The fiscal year of the Council for purposes of work program development, budgeting, accounting, auditing and fiscal reporting shall commence July 1.
- B. *Budget Adoption.* A preliminary budget shall be prepared on or before April 30 by the Executive Committee and disseminated to the Council. The preliminary budget advanced to the Council shall be based upon: (1) a detailed chart of expenditure accounts considered by the Executive Committee; (2) January and July personnel evaluations conducted by the Executive Director under the guidance of the Executive Committee; (3) a staffing-salary plan approved by the Executive Committee; and (4) proposed goals for the ensuing fiscal year which shall accompany the proposed budget. The Council may amend the preliminary budget and shall adopt said budget on or before May 31 of each year. In the event a budget is not adopted for the ensuing fiscal year, the budget for the preceding fiscal year shall be considered to be the approved budget until a new budget is adopted.
- C. *Membership Assessments.* In January of each year preliminary assessments for all participating members shall be established by the Council upon recommendation of the Executive Committee to assist in the municipal budgeting process for the ensuing fiscal year. Preliminary assessments shall be determined by comparing the member's population to that of the aggregate population of the members in amounts sufficient to provide funds believed necessary to sustain the following fiscal year's budget. Final assessments shall be established in concert with the annual budget and shall not exceed those fixed as preliminary assessments. As used in this Section, population shall be determined by the latest U.S. Census or by the most recent State Department of Public Health and Addiction Services estimated populations available to the Council on January 1. The circumstances of any member whose annual assessments have not been paid by the end of the first quarter of the Council's fiscal year shall be reviewed by the Executive Committee which may take action as it deems appropriate in accordance with Sections B, C and E of Article V.
- D. *Disbursements.* All disbursements shall be by check drawn on the Council depository or depositories. Prior to signing any check, the disbursement voucher shall be pre-audited and certified in writing as to the correctness and propriety of the disbursement by staff persons designated by the Executive Director.

Each check shall be signed by the Executive Director and countersigned by the Treasurer, except that payroll checks may be processed electronically for direct deposit provided that such payroll checks are approved in writing and in advance by the Treasurer or other designated officers. In the absence of the Executive Director or Treasurer, or in the event of their inability to sign, checks may be signed or countersigned by the Chairman or Vice Chairman or an alternate member appointed by the

Council. Facsimile signatures of the Executive Director or Treasurer may be used to sign and countersign checks, subject to policies approved by the Executive Committee.

- E. *Petty Cash Fund.* To facilitate prompt payment of small amounts, there may be a petty cash fund of a maximum of \$100.00. An advance of this principal sum is authorized to be placed in the custody of the Executive Director or a staff member designated by him(her), which fund when it nears depletion shall be replenished through the regular disbursement procedure.
- F. *Financial Reports.* At each regular meeting the Treasurer shall report to the Council on the Council's financial condition.
- G. *Annual Audit.* In accordance with Article VIII, Section B and under the direction of the Executive Committee, the Council shall contract with an independent certified public accountant to prepare a complete financial audit of its affairs under the provisions of the "Municipal Auditing Act" of the Connecticut *General Statutes*, as amended, and the U.S. Office of Management and Budget's Circular A-128 or its successor. Such audit shall be received by the Executive Committee not later than the second Wednesday in November following the close of the previous fiscal year and reviewed for acceptance by the Executive Committee at the first Executive Committee meeting following receipt of the audit and, upon acceptance, shared with representatives.

Copies of the annual audit shall be transmitted to persons as required by state *Statute* or specified in agreement(s) of the Council.

- H. *Funds, Gifts, Bequests, Contributions.* Funds, gifts, bequests and contributions may be received by the Council for its own use and purposes from any source including local, state and federal governments, individuals, corporations or associations.
- I. *Purchase of Goods and Services*

Good and services purchases will be accomplished at the lowest possible price consistent with qualitative needs and timely delivery. The Executive Director shall provide direct management control consistent with Article IX [duties of the Executive Director] of these *By-Laws*.

- (1) *Purchase Orders.* A purchase of or commitment to purchase goods and non-professional services shall occur only after approval of a purchase order by the Executive Director or his/her designee. The purchase order, signed by the Executive Director or his/her designee, shall assure adequate budget authority the availability of funds to make payment as necessary and Executive Committee approval if necessary. Each purchase order shall be associated with (charged to) an appropriate Council of Governments' project and work task.
- (2) *Expendable Supplies* Expendable supply purchases shall take advantage of favorable State of Connecticut Department of Administrative Services' purchasing arrangements when available and consistent with the Council's qualitative requirements. At a minimum, prices available to Connecticut agencies and municipalities as a result of statewide purchasing arrangements shall provide a bench mark. Expendable supplies may be purchased from other vendors offering goods below such prices or offering necessary goods unavailable from State

of Connecticut sources. Annual comparisons may be secured and evaluated for goods purchased on a recurrent basis.

- (3) *Services.* Costs associated with vendor services, including repairs, shall be assessed on an annual basis prior to the onset of each fiscal year to insure that the Council continues to purchase services in the most cost effective manner possible. Annual review shall include, but not be limited to, computer repair and maintenance, insurance, telephone service, photographic and printing services. The Executive Director shall share a review and recommendations with the Executive Committee each March as the Council's draft budget for the succeeding fiscal year is being prepared. The provision of accounting/auditing services shall be reviewed at least every five years; the longer review period reflecting benefits inherent in a sustained relationship. Annual accounting/auditing fee agreements shall be reviewed by the Executive Committee and approved by the Council at the time of annual budget approval.
- (4) *Consultants.* Professional consulting services shall, in general, be secured via a qualifications-based process insuring broad outreach and review. Outreach to secure proposals or qualifications statements shall be effected by direct mail and paid legal advertising. The Executive Director may, at his/her discretion and under unusual circumstances, suggest that the Executive Committee consider only a single consultant possessing unique prerequisites; clearly establishing skills and background which might render "sole source" selection in the best interests of the Council. The Executive Committee may refer resulting qualifications statements or proposals for comment and recommendation to committees established per Article V, F of these *By-Laws*.
- (5) The Executive Committee may, if deemed in the best interests of the Council, invite municipal, state and/or private sector personnel to frame requests for proposals or qualifications and/or assess consultant qualifications or proposals; sharing an assessment and a suggestion relative to a preferred consultant with committees established by the Council or the Council's Executive Committee. The Executive Committee shall consider each proposed agreement relative to budget, proposed fee and a recommendation received; advancing its recommendation to the Council of Governments. The Executive Committee's proposals shall be considered by the Council of Governments which shall make a final determination relative to consultant acceptability and fee.
- (6) *Capital Items.* Equipment purchases of \$1,000 or more (whether for a single unit or for several like units collectively costing more than \$999) shall be effected only after Executive Committee review and approval. A minimum of three quotations shall be secured for each item purchased. The Executive Director shall, reflecting upon a mix of cost, quality and COG experience, suggest a preferred vendor; clearly sharing the basis for the recommendation with the Committee. All major capital purchases, including computers, printers and copying equipment, shall be depreciated over their useful lives consistent with guidelines established in annual COG audits.

*Article XIII. Agreements*

The Council may enter into agreements with local political jurisdictions, the state government and its agencies, the federal government and its agencies, regional agencies, and other public, non-profit and private organizations for the purpose of carrying out the powers and duties conferred upon the Council by the *General Statutes*, as amended.

*Article XIV. By-Laws Amendments*

These *By-Laws* may be amended by a vote of a majority of the representatives of the members of the Council at any regular or special meeting of the Council. Any proposed amendment to these *By-Laws* shall first be submitted to any regular or special meeting of the Council for preliminary consideration and only then, if preliminarily approved, placed on the agenda of the next succeeding regular or special meeting of the Council for formal adoption. Notice of any amendment shall be sent to all representatives of the Council.