

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



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**LEGISLATION & ADMINISTRATION COMMITTEE OF THE RTM
SPECIAL MEETING AGENDA**

THURSDAY FEB. 22, 2024 7:00 P.M.

WPD TRAINING ROOM (41 AVERY LANE)

1. Establishment of quorum and call to order.
2. Public Comment.
3. Consideration and action on minutes of the September 18, 2023, committee meeting.
4. Initial consideration of issues previously referred to committee:
 - Review how RTM considers recommendations for committee assignments (RTC 6/6/22)
 - Public Act 22-3, AAC Remote Meetings Under the Freedom of Information Act (RTC 2/6/23)
 - Review of a "Public Comment Ordinance" (RTC 2/6/23)
 - Police Commission expansion to seven members (RTC 10/2/23)
5. Adjournment

encl: L&A Minutes 9/18/23
Kwasniewski Letter-Appointments
Public Act 22-3
Police Commission issue request
Police Commission ordinances

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2024 FEB 19 P 12:43
VITTES: [Signature]
TOWN CLERK

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**LEGISLATION & ADMINISTRATION STANDING COMMITTEE OF THE RTM
SPECIAL MEETING MINUTES
Monday, September 18, 2023
6:00 P.M. Waterford Town Hall**

Meeting Called to order at 6:00 PM by Chairperson Tom Dembek
Roll Call

Present: Thomas Dembek, Susan Driscoll, Timothy Fioravanti

Absent: Harry Colonis, David Welch

Others Present: RTM Member Nick Gauthier, Planning Director Jonathan Mullen, AICP

Public Comment
None

Agenda Item 5 - To Consider and act upon the minutes of the September 7, 2022 meeting.
MOTION made by Fioravanti, Second by Driscoll to accept the minutes.
Motion passed: 3-0

Agenda Item 5- Consideration of and possible action on items referred to committee:

A. Review of Chapter 2.56 – Economic Development Commission, RTC 06/06/22

Discussion ensued. Director of Planning Jonathan Mullen explained his interactions with the Economic Development Commission (EDC). The commission took an active role with the American Rescue Plan Funds by distributing grants to small business. The committee will play a role in an RFP to solicit responses from qualified consultants to develop an Economic Development Strategy for the Town of Waterford. The EDC has added a local businessperson as well as seated members from the real estate industry along with other members that give the commission a diverse perspective. He believes that the EDC is headed in the right direction. MOTION by Driscoll, seconded by Fioravanti to recommend the "Review of Chapter 2.56 – Economic Development Commission" be moved out of committee because the Director of Planning feels the EDC is moving in the right direction.

Motion passed: Unanimous

B. Review of a "Public Comment Ordinance" RTC 02/06/23

Brief discussion. More work to follow.

Motion to adjourn by Driscoll, seconded by Dembek at 7:38 PM

Motion passed: Unanimous

Respectfully submitted
Tom Dembek, Chair

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RTM Budget Meeting

May 9, 2022

Helen Kwasniewski

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2022 MAY -9 AM 11:20

Being a resident of Quaker Hill all my life as well as family ties of approximately 231 years to Quaker Hill these are my concerns and/or issues.

When the moderator/chairperson announces that there is openings on "Committees" these are my concerns: people that sign-up for these "Committees" should be checked out to see if they are qualified.

I know of someone that is on the "Building Committee" and the "Fire Review Committee" just to mention a few which I believe it not qualified.

For example remodel home with no permit (where required) and burned illegal several time.

Salaries: Salaries are extremely high as well out of proportion which in due time is going to bankrupt the town.

As a senior citizen concerns: Taxes are high for us, we have to make the choice of 1. Paying rent/mortgage, 2. Paying for medication(s), 3. Paying for food, 4. Paying for heat, 5. Paying for utilities. I propose that ALL taxes for senior citizens should be frozen for our lifetime period. Frozen means that taxes don't go up, like other town(s) in Connecticut.

Quaker Hill: Quaker Hill IS part of the Town of Waterford. It has an awful lot of history. The Quaker Hill resident needs ASAP a "Kiosk" so that we know what is happening at the elite side of town. I propose that 2 "traffic counter" be place in Quaker Hill 1. On Bloomingdale Road near the Quaker Hill School, 2. On Old Norwich Road near the Quaker Hill Green. Whoever has the highest "traffic count" that is where the "Kiosk" be period. Also public works can and should be able to assist with this install to save the town money.

It is now the time to consolidate some departments as well as re-organize some departments. We do not need heavy personnel load in some departments.

Department Heads/Directors should NOT be in the union like in the private sector. The union is going to bankrupt the town along with the high salaries.

Since taxpayers of the town pay their salaries ALL town workers should live in the town. In essence they work for us and we should be able "fire" where we the taxpayers see fit.

BULLYING: In the last few years there has been too many town resident who are bully, especially senior citizens by town employees and **BOARD MEMBER(S)**. This has fallen on **DEAF EARS** by department heads/directors period. I propose that ALL department heads/directors have "ANNUAL" meeting along with a sign in sheet with all of their people about **BULLYING**, which should be "ZERO TOLERANCE" or you will be "fire on the spot" period.

We have to get out of this mode that Waterford is rich and they can pay. News flash Waterford is NOT rich. We do not have Millstone and the Crystal Mall footed the bill.

Inclusion:

Waterford is extremely top heavy in salaries as well as personnel. Some of the departments have too many personnel that need to be assess. I have notice that jobs/positions have been created where some of these jobs/task can and should be added to current personnel in the departments.

Waterford has to take a stand to keep the taxes **LOW**. We have about 65% of the resident that are **SENIOR CITIZENS**.

If we don't start to take serious control of the Town Budget we **WILL** be bankrupt cause by greedy departments as well as the **UNION** period. I for one have a life style that is not making millionaires on my dime.

As John Sheenan (board member) has stated "keep in mind that we are spending the taxpayers money". Let this year be the year for the taxpayers.

Yes, I know "hope all I want"!

PLEASE PLEASE keep ALL of the residents and concerns in mind when reviewing these budgets.

Please do not vote unanimously. Please do not be afraid to send back department budget. Please vote individual NOT by party affiliate.

The goal is for a **ZERO INCREASE!**

FIRE SERVICE

WOW! Where to I begin!

Since March 1, 2015 has been poor to sub-standard to the Quaker Hill residents. We were told that if this change does not work out we will go back to what is was. We were lied to.

Never had concerns until last year.

For about 45 years always had a brush pile, which I got a "burn permit" then contacted the Quaker Hill Fire Department to burn my brush pile. This is the only way for me to get rid of it. I am a senior citizen who needs the assistance from the fire department. No problem until we got a new Fire Service Director as well as new Fire Inspector.

I was told by the Quaker Hill Fire Chief that they will get to it. I was lied to. Shame on you. Note that this chief has burn the brush pile in the past himself. Quaker Hill Fire house is definitely not community kind.

I was told by the new Fire Inspector that if the permit expires that he would renew it. I was lied to. Shame on you.

The new Fire Service Director stated to me "we didn't issue burn permits in Middletown. New bulletin this is Waterford and we do.

There are other resident(s) who burn without permits. I absolutely take "burning" VERY SERIOUS". Just because you own property does not mean you can do anything you want on your property.

Also was told that if the smoke from people who burn wood as well as smoke from barbequing that they can be shut down. I would like to see that happen.

Oswegatchie Fire House was deemed unsafe and still is. The town spent \$250,000 on a survey nothing has been done to this date. A pole in the ladies room is holding up the roof. WOW.

I propose that Jordan and Oswegatchie Fire Houses be combine and re-assign some of the fire personnel so that Quaker Hill and Goshen have better coverage.

The Fire Services budget should be decrease due to the fact the Quaker Hill and Goshen coverage is not what is equal to the other fire house in town.

The resident of Quaker Hill and Goshen should be getting a refund on their taxes NO DISCUSSION ABOUT IT PERIOD.

PUBLIC WORKS

This department needs to be "Pro Active" in Quaker Hill. Quaker Hill is part of the town located in the northern part of town.

They need to clean ALL culverts/drains. We had a new resident who moved to Quaker Hill that clear/clean a culvert/drain that is located in from of their house. Shame on Public Works.

I have contacted the director of Public Works about cutting down/trimming some trees, which is on the town side for about a 3+ years so that it doesn't obstruct my view of oncoming traffic (which is a speedway) when existing our driveways. I guess that I have to do their work and then charge them. If the trees land on wires that are across the street, oh well. Shame on Public Works.

I brought to the attention of the Public Works Director that some of these culverts as well as Hunts Brook need guard rails not guard post. I was told that is too expensive. I guess ALL LIVES does not matter to him. Shame on Public Works.

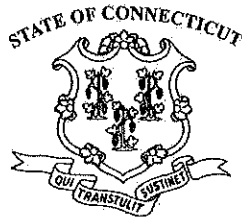
Several years ago there was an accident that left Public Works was notify about it and to this date debris is still has not been cleaned up. I was told this would be done. I was lied to. Shame on Public Works.

Public Works director was notify that one of his employees bully a senior citizen. Nothing was done about it. Shame on you.

In conclusion the director Public Works does not care about Quaker Hill, shame on you.

The employees as well as the director gets a very good salaries. When a resident brings concerns as well as issues should not have to wait 3 plus years. The budget should be decrease.

Thank you!



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Public Act No. 22-3

**AN ACT CONCERNING REMOTE MEETINGS UNDER THE
FREEDOM OF INFORMATION ACT.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 149 of public act 21-2 of the June special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section, "public agency", "meeting", "executive session", "electronic equipment" and "electronic transmission" have the same meanings as provided in section 1-200 of the general statutes. On and after [the effective date of this section until April 30, 2022,] July 1, 2021, a public agency may hold a public meeting that is accessible to the public by means of electronic equipment or by means of electronic equipment in conjunction with an in-person meeting, in accordance with the provisions of this section. Not less than forty-eight hours before any public agency, except for the General Assembly, conducts a regular meeting by means of electronic equipment, such agency shall provide direct notification in writing or by electronic transmission to each member of the public agency and post a notice that such agency intends to conduct the meeting solely or in part by means of electronic equipment (1) in the agency's regular office or place of business, (2) in the office and on the Internet web site of the Secretary of the State for

Substitute House Bill No. 5269

any such public agency of the state or quasi-public agency, in the office of the clerk of such subdivision for any public agency of a political subdivision of the state that is not a quasi-public agency, or in the office of the clerk of each municipal member of any multitown district or agency, and (3) if the agency has an Internet web site, on such Internet web site. Not less than twenty-four hours prior to any such meeting, such agency shall post the agenda for any such meeting in the same manner as the notice of the meeting in accordance with subdivisions (1) to (3), inclusive, of this subsection. Such notice and agenda shall include instructions for the public, to attend and provide comment or otherwise participate in the meeting, by means of electronic equipment or in person, as applicable and permitted by law. Any such notice and agenda shall be posted in accordance with the provisions of section 1-225 of the general statutes.

(b) Any public agency that conducts a meeting, other than an executive session or special meeting, as described in this section, solely by means of electronic equipment, shall (1) provide any member of the public (A) upon a written request submitted not less than twenty-four hours prior to such meeting, with a physical location and any electronic equipment necessary to attend such meeting in real-time, and (B) the same opportunities to provide comment or testimony and otherwise participate in such meeting that such member of the public would be accorded if such meeting were held in person, except that a public agency is not required to adjourn or postpone a meeting if a member of the public loses the ability to participate because of an interruption, failure or degradation of such person's connection to the meeting by electronic equipment; (2) ensure that such meeting is recorded or transcribed, excluding any portion of the meeting that is an executive session, and such transcription or recording is posted on the agency's Internet web site and made available to the public to view, listen to and copy in the agency's office or regular place of business not later than seven days after the meeting and for not less than forty-five days

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thereafter; and (3) if a quorum of the members of a public agency attend a meeting by means of electronic equipment from the same physical location, permit members of the public to attend such meeting in such physical location. Any public agency that conducts a meeting shall provide members of the public agency the opportunity to participate by means of electronic equipment, except that a public agency is not required to adjourn or postpone a meeting if a member loses the ability to participate because of an interruption, failure or degradation of that member's connection by electronic equipment, unless the member's participation is necessary to form a quorum.

(c) Any public agency other than the General Assembly that conducts a special meeting shall include in the notice of such meeting whether the meeting will be conducted solely or in part by means of electronic equipment and, not less than twenty-four hours prior to such meeting, shall post such notice and an agenda of the meeting in accordance with the provisions of subsection (d) of section 1-225 of the general statutes. If such special meeting is to be conducted by means of electronic equipment, such notice and agenda shall include instructions for the public, by means of electronic equipment or in person, to attend and provide comment or otherwise participate in the meeting, as applicable and permitted by law.

(d) Any vote taken at a meeting during which any member participates by means of electronic equipment shall be taken by roll call, unless the vote is unanimous. The minutes of the meeting shall record a list of members that attended such meeting in person and a list of members that attended such meeting by means of electronic equipment.

(e) Any member of a public agency or the public who participates orally in a meeting of a public agency conducted by means of electronic equipment shall make a good faith effort to state such member's name and title, if applicable, at the outset of each occasion that such member participates orally during an uninterrupted dialogue or series of

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questions and answers.

(f) Whenever a meeting being conducted by means of electronic equipment is interrupted by the failure, disconnection or, in the chairperson's determination, unacceptable degradation of the electronic means of conducting a meeting, or if a member necessary to form a quorum loses the ability to participate because of the interruption, failure or degradation of such member's connection by electronic equipment, the public agency may, not less than thirty minutes and not more than two hours from the time of the interruption or the chairperson's determination, resume the meeting (1) in person, if a quorum is present in person, or (2) if a quorum is restored by means of electronic equipment, solely or in part by such electronic equipment. In each case of resumption of such meeting, electronic access shall be restored to the public if such capability has been restored. The public agency shall, if practicable, post a notification on its Internet web site and inform attendees by electronic transmission of the expected time of resumption or of the adjournment or postponement of the meeting, as applicable, and may announce at the beginning of any meeting what preplanned procedures are in place for resumption of a meeting in the event of an interruption as described in this subsection.

(g) Nothing in this section shall be construed to require a public agency to offer members of the public who attend a meeting by means of electronic equipment the opportunity for public comment, testimony or other participation if the provision of such opportunity is not required by law for members of the public who attend such a meeting in person.

Sec. 2. Subsection (a) of section 10-51 of the 2022 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2022*):

(a) The fiscal year of a regional school district shall be July first to June

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thirtieth. Except as otherwise provided in this subsection, not less than two weeks before the annual meeting held pursuant to section 10-47, the board shall hold a public district meeting to present a proposed budget for the next fiscal year. Any public district meeting held pursuant to this section may be accessible to the public by means of electronic equipment or by means of electronic equipment in conjunction with an in-person meeting, in accordance with the provisions of section 149 of public act 21-2 of the June special session, as amended by this act. Any person may recommend the inclusion or deletion of expenditures at such time. After the public hearing, the board shall prepare an annual budget for the next fiscal year, make available on request copies thereof and deliver a reasonable number to the town clerk of each of the towns in the district at least five days before the annual meeting. At the annual meeting on the first Monday in May, the board shall present a budget which includes a statement of (1) estimated receipts and expenditures for the next fiscal year, (2) estimated receipts and expenditures for the current fiscal year, (3) estimated surplus or deficit in operating funds at the end of the current fiscal year, (4) bonded or other debt, (5) estimated per pupil expenditure for the current and for the next fiscal year, and (6) such other information as is necessary in the opinion of the board. Persons present and eligible to vote under section 7-6 may accept or reject the proposed budget except as provided below. No person who is eligible to vote in more than one town in the regional school district is eligible to cast more than one vote on any issue considered at a regional school district meeting or referendum held pursuant to this section. Any person who violates this section by fraudulently casting more than one vote or ballot per issue shall be fined not more than three thousand five hundred dollars and shall be imprisoned not more than two years and shall be disenfranchised. The regional board of education may, in the call to the meeting, designate that the vote on the motion to adopt the budget shall be by paper ballots at the district meeting held on the budget or by a "yes" or "no" vote on the voting tabulators in each of the member towns on the day following the district meeting. If submitted

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to a vote by voting tabulator, questions may be included on the ballot for persons voting "no" to indicate whether the budget is too high or too low, provided the vote on such questions shall be for advisory purposes only and not binding upon the board. Two hundred or more persons qualified to vote in any regional district meeting called to adopt a budget may petition the regional board, in writing, at least three days prior to such meeting, requesting that any item or items on the call of such meeting be submitted to the persons qualified to vote in the meeting for a vote by paper ballot or on the voting tabulators in each of the member towns on the day following the district meeting and in accordance with the appropriate procedures provided in section 7-7. If a majority of such persons voting reject the budget, the board shall, within four weeks thereafter and upon notice of not less than one week, call a district meeting to consider the same or an amended budget. Such meetings shall be convened at such intervals until a budget is approved. If the budget is not approved before the beginning of a fiscal year, the disbursing officer for each member town, or the designee of such officer, shall make necessary expenditures to such district in amounts equal to the total of the town's appropriation to the district for the previous year and the town's proportionate share in any increment in debt service over the previous fiscal year, pursuant to section 7-405 until the budget is approved. The town shall receive credit for such expenditures once the budget is approved for the fiscal year. After the budget is approved, the board shall estimate the share of the net expenses to be paid by each member town in accordance with subsection (b) of this section and notify the treasurer thereof. With respect to adoption of a budget for the period from the organization of the board to the beginning of the first full fiscal year, the board may use the above procedure at any time within such period. If the board needs to submit a supplementary budget, the general procedure specified in this section shall be used.

Approved April 28, 2022

September 30, 2023

Paul Goldstein, RTM Moderator
15 Rope Ferry Rd
Waterford, CT 06385

Re: Expand Board of Police Commissioners

Dear Mr. Moderator,

As you may recall, at our August meeting, members mentioned concerns about the lack of diversity among both elected and appointed officials, the limited networks available to seek volunteers, and the lack of information or outreach to members of the general public who are not aware of the numerous opportunities for volunteer service and input. Similar comments made at numerous meetings throughout the current term illustrate that there is a general consensus among members—regardless of party affiliation—that this is an issue worthy of consideration and resolution.

In the case of the Board of Police Commissioners, which over many years has been the epitome of "political" appointments, with frequent allusions to locked "R" seats and "D" seats, we can achieve an immediate expansion of our potential universe of volunteers by increasing the membership from five to seven through an ordinance revision. This is an option provided under the state statutes (CGS Chapter 104, Sec. 7-274) and, if you do the math, would have minimal-to-no strain on the ability to make quorum.

While the Police Department's public safety duties and policies are in the wheelhouse of the Public Protection and Safety Committee, board membership is not. Rather, the issue involves the RTM's duty to seek and seat capable, motivated citizens interested in serving the town and, hopefully, provide a diverse and productive mix of personalities and perspective.

For that reason, I respectfully request that this issue be referred to the Legislation and Administration Committee. L&A has been charged with consideration of revamping the manner in which the RTM handles its appointments. To date, there has been only one limited discussion on that topic, but since many of the questions and goals bound to come up in deliberations on both issues are similar, if not the same, it would be more efficient to have one committee consider both in tandem.

Thank you for your consideration of this matter.

Sincerely,



Susan Driscoll
RTM 4th District

Title 2 – ADMINISTRATION AND PERSONNEL

Chapter 2.16 - POLICE DEPARTMENT

2.16.010 - Established—Supervision.

There shall be maintained in the town a permanent police department which shall be under the supervision of a board of police commissioners.

(Prior code § 12-1)

2.16.020 - Board of commissioners—Created—Appointment, terms, political affiliation.

There shall be a board of police commissioners which shall consist of the first selectman, and four electors of the town appointed by the representative town meeting for four year terms, except that the initial terms of office of two appointed members of the board shall be for four years and the initial terms of the other two members shall be two years. Upon expiration of the initial terms, the term of office of all appointed members shall be four years. Not more than two appointed members shall be enrolled on a caucus list of the same political party. No appointed member of the commission shall hold any other elective or appointive office within the town, as long as he is a member of the board of police commissioners. Should a member of the board of police commissioners be unable to complete his term of office, or should a member resign from the commission, the remainder of his unexpired term shall be filled within sixty calendar days of the announcement of the vacancy, by appointment by the representative town meeting. Such a vacancy shall be filled with a person of the same political party as the member whose seat is vacated.

(Prior code § 12-2)

2.16.030 - Board of commissioners—General powers, duties.

The board of police commissioners shall have the general management and supervision of the police department and of the property and equipment used in connection therewith, shall make all needful regulations for the government thereof not contrary to law or this chapter and may prescribe suitable penalties for the violation of any such regulations or of this chapter, including suspension or removal from office of any officer or member of the police department. The board of police commissioners shall have the sole power of appointment and removal of the officers and members of the police department, subject to conditions provided in this chapter, and such appointees shall, after having served in the department for twelve consecutive months, hold office during good behavior and until removal for cause upon written notice and after public hearing with an opportunity to be heard personally or by counsel. The board of police commissioners shall maintain contact with the police department through the normal chain of command beginning with the chief of police.

(Prior code § 12-3)

2.16.040 - Duties of department—Police powers.

The police department, under the direction of the board of police commissioners, shall be responsible for the preservation of the public peace, prevention of crime, apprehension of criminals, regulation of traffic, protection of rights of persons and property and enforcement of the laws of the state, and the ordinances of the town and all rules and regulations made in accordance therewith. All members of the department, except clerks, shall have the same powers and duties with respect to the service of criminal process and enforcement of the criminal laws as are vested in officers by the general statutes.

(Prior code § 12-4)

2.16.050 - Composition of department—Types of appointments.

The police department of the town shall consist of a chief and such other officers, supernumeraries and clerks as the board of police commissioners may from time to time appoint. Appointments by the board of police commissioners may be as follows:

- A. A temporary appointment of an officer, other than a supernumerary, which shall be for a term of not more than twelve months;
- B. Probationary appointment of any member of the department for the first twelve months of service;

- C. Permanent appointment shall become automatic after satisfactory completion of twelve months' service as a *probationary or temporary appointee, except that appointments of supernumeraries shall be for a term of not more than one year, but such appointments may be renewed from time to time.*

(R.T.M. 6-5-00 (part); Prior code § 12-5)

2.16.060 - Personnel—Number and grades.

In addition to the chief, the board of police commissioners may appoint such officers of rank, patrolmen, supernumeraries and clerks as may be necessary to discharge the duties of the police department. The establishment of grades within the department shall be at the discretion of the board of police commissioners.

(Prior code § 12-6)

2.16.080 - Appointment of chief, officers.

Appointment as the chief of police or as any other officer of rank above sergeant shall be made only after certification of the applicant by the state personnel department. Request for examination and certification by said state personnel department shall be initiated by the board of police commissioners.

(Prior code § 12-8)