



TOWN OF SOUTHINGTON

INFORMATION AND
GUIDELINES FOR BOARDS,
COMMITTEES AND
COMMISSIONS

Prepared by the Office of Corporation Counsel, January, 2023

This handbook was created by the Office of Corporation Counsel of Southington CT in January, 2023. This handbook is intended for use by appointed and elected officials of the Town of Southington. This document is only a guideline and not legally binding and is not intended for legal purposes. Any formal legal questions should be directed to the Corporation Counsel through the Town Manager or to the Town Attorney through the Town Council. Thanks goes to the Town of Newington, Connecticut, whose own handbook was the roadmap for this handbook.

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1. INTRODUCTION

Board, Committee, and Commission members have a critical role in the Town of Southington (collectively referred to as ToS throughout this document). They serve as a conduit for citizen input, gathering, analyzing and recommending options to the Town Council. Any citizen can come before any Board, Committee or Commission (collectively referred to throughout this document as BCC's) of the town to offer an opinion or make a suggestion for the betterment of the community as a whole. The individuals who serve on Boards, Committees and Commissions are respected and appreciated volunteers in the community. Your dedication to improving the town by serving is what makes Southington a great place to live.

1.1. Purpose

The purpose of this booklet is to assist the many boards, committees, and commissions of the ToS in functioning effectively and in a manner consistent with all applicable laws and rules. It provides a brief description of procedures, and also provides details about important state statutes, such as the Freedom of Information Act and Code of Ordinances. This booklet merely provides guidance on important legal procedures, and is not intend to amend, supersede or supplement existing law. The statutes and regulations of the State of Connecticut contain the full range of legal obligations of committee members and local officials and should there be any question or ambiguity in interpreting this booklet, the advice of the Town Manager and Corporation Counsel should be sought.

1.2. Familiarity with the [Town Charter](#)

All members should familiarize themselves with the [Town Charter](#) and the Annual Town Report for information regarding BCC's. All members should review each set of laws and ToS ordinances that pertain to the particular BCC on which they sit. The Charter is the organic law of the Town. It functions for the ToS as constitutions do for the State and Federal Governments. It lays out the basic structure of Town Government and apportions powers and duties to officials and agencies. In addition, it specifies important procedures, especially pertaining to town finances and personnel practices. The Charter can only be amended through a town-wide referendum. Citizens appointed to committees for the first time are well advised to begin their familiarization with a reading of the Charter to understand the functioning of town Government. Copies may be obtained from the Town Clerk and on the ToS website at Southington.org.

1.3. Familiarity with the [Code of Ethics](#)

All members must familiarize themselves with the [Code of Ethics](#). The Code of Ethics is the bedrock of quality Southington government. The Town Code requires the Town Clerk to provide a copy of the Code of Ethics to every Town official, member of any board, commission or agency before entering upon the duties of their office. Any member of a BCC may request an ethics opinion from the Town Attorney if they desire a professional opinion in connection with a potential ethics issue. Any opinion issued by the Town Attorney is protected by attorney-client privilege and may only be disclosed by the party who requested the opinion.

2. FORMATION OF BCC's & MEMBERSHIP

The duties and responsibilities of your BCC may be derived from one or more of four official documents or “source laws.” The Park and Recreation Board, Board of Tax Review, Zoning Board of Appeals, Library Board, Housing Authority, and Police and Fire Commissions, are specifically provided for in the Charter. In addition, there are some BCC’s that also derive their powers and duties from the Connecticut General Statutes. Matters relating to Municipalities can be found in [Title 7](#) in the Connecticut General Statutes and Planning and Zoning in [Title 8](#).

Certain committees are created pursuant to local ordinances passed by the Town Council. Their powers and duties may be found in the Southington Code of Ordinances. Unlike the Charter, which can only be modified by the voters, the Southington Code of Ordinances can be modified by the Town Council. A public hearing must be held before any proposed modification to the Southington Code of Ordinances is voted on by the Town Council. The Code is available for reference at the Town Clerk's office and Town website. Some of these may also have Connecticut General Statutes which apply to their responsibilities and procedures.

Some committees are created by resolution or vote of the Town Council. These are usually study committees, sub-committees of the Town Council or task forces and their powers and duties originate from the resolutions or votes which created them or amendments to those resolutions or votes. You should contact the Corporation Council if you have particular questions about your responsibilities, obligations or powers in connection with your appointment on a BCC.

The members of the BCC shall act as a body and no member shall act on behalf of the BCC unless authorized by the committee.

Members of all BCCs, upon their appointment, agree to the following responsibilities during their term of office. They shall:

- Demonstrate respect, fairness, consideration, and courtesy to others.
- Respect the authority of the chair.
- Prepare in advance of meetings and be familiar with issues on the agenda.
- Be respectful of other people’s time, stay focused and act efficiently during meetings.
- Serve as a model of leadership and inspire public confidence in Town government.
- Act and speak with honesty and integrity.
- Be wary of conflicts of interest, and seek advice when appropriate.

2.1. Newly Formed BCC’s

2.1.1. BCC Formation

The appointing authority of the BCC is the Southington Town Council. If your BCC is newly created, the Town Manager, Town Clerk or Corporation Council will call for the first official meeting. The Agenda will include, but not limited to:

- 1) Election of officers;
- 2) Review of the BCC's charge;
- 3) Discussion of BCC's goals;
- 4) Discussion of FOI requirements;
- 5) Discussion of the Code of Ethics;
- 6) Setting future meeting dates; and
- 7) Public Participation ([See Section 4.9](#)).

2.1.2. BCC Nomination Procedure

Individuals seeking appointment are directed to contact the Chairperson and/or the Nominating Chairperson of their political party or the Town Clerk if the individual is unaffiliated or there is no local Chairperson of their political party. The clerk would then relate the interested person's name to each locally registered party.

2.1.3. Appointment

2.1.3.1. Regular Members

For Town Council appointments, regular members are nominated and confirmed by the Town Council. For Town Manager appointments, regular members are appointed by the Town Manager.

2.1.3.2. Alternate Members

Some BCC's officially have alternate members whose positions are established by law, Charter, code, or Town Council vote or resolution. Official alternate members may vote and may be counted as a quorum when they are seated as a full member, by the chairperson or their designee.

2.1.3.3. Ex Officio Members

If there are Ex Officio members of the committee, they hold their position by virtue of their official capacity. That capacity may be as an elected Town official, as an administrator, ToS employee or advisor, as a member of another BCC or as a representative of a local club or organization, etc. Ex officio members do not have the right to vote unless the source law states that they do.

2.1.4. Resignation

A member who is no longer able to serve or who no longer desires to serve should supply a resignation promptly so that the vacancy may be filled. A written resignation shall be submitted to the Town Clerk. Resignations are not official

and will not be acted upon by the Town Council until the Town Clerk receives a Letter of Resignation.

2.1.5. Removals or Terminations

In rare circumstances, the Town Council may ask for a member's resignation, or if necessary, terminate the appointment in accordance with the Southington Town Charter, Chapter X. Adoption of a Resolution or decision and, written notification to the BCC member will be given by the appointing authority in the event of such action.

2.2. Committee Orientation

2.2.1. Swearing In Before commencing your service, it is required that you be "sworn in." The Town Clerk or Deputy Town Clerk will perform this function. Occasionally BCC's are sworn in as a group, but usually individual members take their oath by appearing at the Town Clerk's office. You may not participate in your BCC's activities until you are sworn in. At this time, the Town Clerk will present you with the following information to review:

- a. Ethics Packet;
- b. Disclosure Form (if applicable); and
- c. BCC Booklet.

2.3. Proper Official Conduct: Members

Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, Boards, Committees and Commissions, the staff or public.

2.4. Proper Official Conduct: Ethics

The ToS has adopted a Code of Ethics, Part 1, Chapter 28, of the Code of Ordinances, which deals with the requirement of ethical conduct and certain disclosures by its officials. Members of BCC's are, by definition, "officials" of the ToS, so you are required to become familiar with it. The laws regarding conflict of interest are complex and any BCC member or local official should seek proper advice before acting in a manner that may cause a potential liability to the Town.

2.5. Proper Official Conduct: Social Media and Public Communication

The ToS depends upon an environment of tolerance and respect for the achievement of its goals in serving the citizens of the ToS. In that spirit, public comments in any forum, that contain racial slurs, encourage violence, express bigotry toward a group based on their race, religion, national origin, sexual orientation, gender, or any other legally protected

classification may be considered conduct unbecoming a town official and may constitute good cause for removal for any appointed or elected official.

3. OFFICERS

3.1. Elections

BCC's usually elect a chairperson, vice-chairperson and for some BCC's, a secretary. The officers are normally elected by the members of the BCC at its first meeting, and either annually or bi-annually thereafter. In some instances, the chairperson is designated by the appointing authority or enabling legislation. Election of officers shall be by open nomination. It shall be the responsibility of the chairperson to notify the Town Clerk of changes in officers.

3.2. Chairperson/Vice-Chairperson

The chairperson presides at all meetings and makes official communications on behalf of the BCC. The chairperson is not an administrative official with directive or operating authority. The chairperson has the same rights as other members to offer resolutions, make or second motions, discuss questions, and should vote on all actions before the BCC, unless a conflict exists.

Responsibilities of the Chairperson

- Consult with the staff liaison in drafting the meeting agenda.
- Attend Town Council meetings as needed to represent the BCC.
- Make the public feel welcome at meetings.
- Keep discussions orderly, focused, efficient, impersonal, and fair.
- Monitor attendance of commission members and act as necessary, pursuant to [Section 4.4](#).

Responsibilities of the Vice Chairperson are to substitute for the Chairperson as needed.

3.3. Staff Assistance/Clerical Help

If the Town Council has not made arrangements for a staff liaison and/or clerical assistance, the BCC should contact the Town Manager's office. Staff Liaisons/clerical shall assist the BCC by:

- Attending all meetings.
- Preparing agendas in conjunction with the Chair.
- Providing background and context on agenda items.
- Offering professional expertise and recommendations about an issue and alert the BCC of possible detrimental actions.
- Interpreting codes, ordinances, policies and other regulations.
- Ensuring that motions and minutes reflect the intent of the BCC.

4. CONNECTICUT FREEDOM OF INFORMATION ACT AND MEETINGS

All BCC meetings shall follow Robert's Rules of Order unless otherwise provided for in the BCC's bylaws or other adopted rules. Attachment C

4.1. Freedom of Information Act Requirements (FOIA)

All local public officials and agencies in Connecticut are subject to the State's Freedom of Information Act ([Connecticut General Statutes, Chapter 14](#)). All members, new or experienced, are required to become current with the basics of this Chapter. If any member of a BCC has further questions on the FOI Act, they should contact the Town Manager or Corporation Counsel for further information.

The most important provisions of the law pertain to the need [for proper meeting notices \(agendas\)](#) (normally 24 hours, posted in the Town Clerk's office), [the filing of minutes](#) (normally 7 days, submitted to the Town Clerk's office) and the [holding of open meetings](#).

A summary of important provisions of the Freedom of Information Act is attached in Appendix A of this booklet. Also see [Section 4.2](#) below.

4.2. Executive Session

Executive sessions are restricted to the following reasons:

1. Personnel;
2. Strategy & negotiations regarding claims & litigation;
3. Security matters;
4. Real Estate; and
5. Matters that would disclose exempted public records.

A committee may meet in executive session only for the purposes listed below:

- (A) Discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee, provided that such individual may require that discussion be held at an open meeting;
- (B) Strategy and negotiations with respect to pending claims or pending litigation to which the public agency or a member thereof, because of the member's conduct as a member of such agency, is a party until such litigation or claim has been finally adjudicated or otherwise settled;
- (C) Matters concerning security strategy or the deployment of security personnel, or devices affecting public security;

- (D) Discussion of the selection of a site or the lease, sale or purchase of real estate by the state or a political subdivision of the state when publicity regarding such site, lease, sale, purchase or construction would adversely impact the price of such site, lease, sale, purchase or construction until such time as all of the property has been acquired or all proceedings or transactions concerning same have been terminated or abandoned; and
- (E) Discussion of any matter which would result in the disclosure of public records or the information contained therein described in subsection (b) of [CGS § 1-210](#).

Please note, most committees will generally be permitted to avail themselves to a very limited number of the above-cited reasons to enter into executive session. In the instances where a committee has concerns regarding the application of the executive session privileges, they should seek guidance from the Town Manager or Corporation Counsel prior to the specific meeting.

4.3. Meetings Subject to the Freedom of Information Act

All meetings of a BCC, that do not fall within the exceptions listed above in [Section 4.2](#), must be open to the public and accessible.

4.4. Attendance

Members and alternates of BCC's should attend at least 75% of all posted meetings of the BCC, for the calendar year. If members of the committee are not attending regularly, the chairperson should discuss this matter immediately with the individual. If discussions do not produce improvement, the Chairperson should advise the BCC's nominating authority of the failure to adhere to policy.

If you are unable to attend the meeting you **MUST** notify the Chairperson prior to the start of the meeting. Excused absences shall be defined as those which meet both of the following requirements:

- (A) The absent member informed the BCC chair of their intended absence prior to the scheduled meeting (unless extenuating circumstances prevent advance notice), and
- (B) The absence is due to circumstances such as death in the family, family or personal illness, accident, scheduled vacations, business commitment or other unusual or unforeseen circumstances.

4.5. Meeting Quorums

No meeting of a BCC may be held unless a quorum is present. A quorum is 51% of the membership or a larger number of members as set forth in the BCC rules, by-laws or authorizing statutes. No unofficial (i.e. "off-the-record") meetings are allowed. The Freedom of Information law prohibits them (see [Section 4.1](#)).

4.6. Organizational Meeting.

BCCs shall hold Organizational Meetings as provided for in their organizational structure. The agenda for established BCC's should include:

- A. Election of Officers;
- B. Meeting Dates;
- C. Review of the FOI Act ([Section 4.1](#)); and
- D. Review of the Code of Ethics.

4.7. Agenda Posting

All meeting agendas (regular or special) shall be filed with the Office of the Town Clerk for posting on the Agenda board and the ToS website. The Town Clerk's Office appreciates receiving agendas by email at least two business days prior to a meeting. The Chairperson is responsible for ensuring the agenda is sent to the Town Clerk on time. If a town staff member is assigned to the BCC, that member shall prepare the agenda for the Chairperson's approval. If there is no staff member assigned, the Chairperson shall be responsible for drafting the agenda. A sample agenda template is included in Attachment A.

The following information shall be included in every agenda/meeting posting:

- The name of the public body that is meeting.
- The date and time of the meeting.
- Where the meeting is being held (location, room, address).
- Any topics that are reasonably expected to be discussed at the meeting in sufficient details to reasonably advise the public of the general issues to be discussed, provided however, that if a topic was not reasonably expected at the time of posting, it may be discussed at the meeting.
- Any revisions to the posting should be made as soon as possible prior to the meeting.

Agendas/meeting postings must be publicly posted no less than 24 hours prior to the meeting.

Any committee member may request to have an item placed on the agenda by notifying the committee chairperson and the staff liaison assigned to serve the committee. The chairperson has full discretion and authority to determine what is and what is not formally put on the agenda. If the committee does not have rules of procedure which prohibit it, items may be added to the agenda at the meeting itself, by a 2/3 vote of those present and voting. ([See Appendix B - HIGHLIGHTS OF THE CONNECTICUT FREEDOM OF INFORMATION ACT, "Public Meetings," Item III.](#))

TYPE		NOTICE/MEETING DATES	AGENDA/NOTICE CONTENTS	ADDING TO AGENDA/NOTICE
Regular		Regular meeting dates shall be filed yearly with the Town Clerk no later than Jan. 31 st	Agenda available no later than 24 hrs. prior to meeting	Agenda items may be added by a 2/3 vote of members present and voting
Special		At least 24 hrs. before the meeting in the Town Clerk's office (excluding weekends & holidays) *	At least 24 hrs. before the meeting. Time, place and all business to be conducted must be listed on the Agenda*	NOT PERMITTED
Emergency (should only be called after review and approval by Corporation Counsel or Town Manager)		None required, IF emergency is justified	None required, IF emergency is justified	ONLY the emergency matter may be considered
		*Filed with the Town Clerk		

(CGS. § 1-225)

4.8. Meeting Times

All BCC's should schedule times for meetings which allow participation by all members. Meeting schedules should consider the adopted list of Town Observed Holidays when scheduling meetings.

Each board, commission or committee must file a schedule of regular meetings for the ensuing year or two years. The filing is made with the Town Clerk by the chairperson or staff liaison. Newly created committees must file a schedule of regular meetings for the balance of the calendar year as soon as possible after their organization. Calling a special meeting shall be governed by the Town Council, Rules of Procedure, as revised.

4.9. Public Participation

When appropriate, ToS agencies should maximize the opportunity for public participation. All regular BCC agendas should have a standing public communication item on the agenda, if it is appropriate for the particular BCC. The Chairperson should make a standardized statement prior to opening the meeting to public communication. The statement should provide at a minimum:

- a. only citizens or taxpayers of Southington may speak;
- b. provide for a time limit on individual speakers and a timer will be used for each speaker;
- c. state that speakers shall address the BCC and not members of the audience;
- d. the speakers shall conduct themselves in a respectful manner and the BCC will be respectful back; and

- e. the BCC members may not respond to a speaker (one-way communication) at the meeting but can look into anything brought up during public communication. In rare circumstances the BCC may ask staff to address an issue that is brought up in public communication.

An individual may not disrupt a meeting of a BCC and the chairperson shall instruct any individual or group of individuals who are disrupting a meeting to be silent. If after clear warning a person continues to be disruptive, the chairperson shall order the person to leave the meeting. Failure to abide by any such order may warrant police involvement at the request of the BCC.

Members should conduct themselves at public meetings in a manner that is fair, understanding, and gracious. Members should be considerate of all interests, attitudes, and differences of opinion. They should also take care to observe the appearance as well as the principle of impartiality.

4.10. Minutes of Meetings

All BCC’s shall create and maintain accurate minutes of all meetings.

Minutes are not intended to be a transcript of the meeting, but rather an accurate recording of the meeting topics discussed and actions taken by the BCC. The minutes must:

- State the date, time, (location, room, address);
- List all members present and all members absent;
- Summarize each topic discussed by the BCC;
- Clearly state all motions made; and
- Include a record of any actions or votes taken by the BCC.

Minutes must be filed with the Town Clerk within seven (7) calendar days after the meeting. If a ToS staff member is assigned to the board they are responsible for ensuring minutes get filed with the Town Clerk within the prescribed time frame. If there is no ToS staff assigned, the Chairperson is responsible for timely filing of minutes. Each member of the BCC, the Town Council’s liaison(s) and pertinent Town staff personnel should be provided with copies of minutes as soon as they have been completed. BCC members are responsible for reviewing the previous meeting minutes prior to adoption.

Type	Filing Minutes
Regular & Special	Within 7 business days AFTER the meeting
Emergency	Within 72 hrs. AFTER the meeting (excluding weekends & holidays). Minutes must state the reason for the Emergency

(CGS. §1-225)

4.11. Rules of Procedure

Formal Rules of Procedure should be adopted for BCC's. Any BCC not having rules shall be governed by the Town Council, Rules of Procedure, as revised.

4.12. Meeting Schedule

BCC's should not meet on holidays observed by town government, or other recognized holidays.

4.13. Public/BCC Members Recording of Meetings

4.13.1. Any member of the public or BCC member has a right to make an audio or video recording of an open session of a public meeting as long as the recording does not interfere with the meeting.

4.13.2. Any member of the public or BCC member wishing to record a meeting must first notify the public and is expected to comply with reasonable requirements established by the chair so that said recording does not interfere with the meeting.

4.13.3. The Chairman may prohibit such recording if it's reasonably found to be disruptive to the meeting.

5. LEGAL AND PROCEDURAL ADVICE

5.1. Town Attorney & Corporation Counsel

Under the Town Charter, Chapter IX, the Town Attorney is the legal advisor to the Town Council. The ToS also has an Office of Corporation Counsel which is a non-partisan office led by an attorney who reports directly to the Town Manager. BCCs should obtain advice from the Corporation Counsel. To obtain the Corporation Counsel's advice, the committee chairperson or the staff liaison assigned to the BCC, should call the Town Manager or Corporation Counsel directly.

5.2. Legal Opinions

Requests for formal legal opinions shall be made in writing by the chairperson or the staff liaison assigned to the BCC and forwarded to the Town Manager. Formal written requests to the Corporation Counsel must include a copy to the Town Manager. In the event a member is requesting an opinion that will be legally privileged under Section 28-17 of the ToS Code of Ordinance, the request should indicate the confidential nature of it to protect the confidentiality of the requestor and no confidential information should be disclosed to any party other than the Town Attorney or Corporation Counsel.

5.3. Procedural Advice

Information on procedures not covered in these guidelines may be obtained by contacting the Town Manager's Office.

5.4. Liability

The ToS carries public official liability insurance. Should you or your BCC be sued for actions taken on behalf of the ToS, you will be indemnified through this policy and the ToS will provide legal representation. You are cautioned that ultravires acts (arbitrary abuses of authority or other acts outside of the scope of one's official duties) are not necessarily covered, especially if the act is willful or wanton. Questions of legal authority should be taken up with the Corporation Counsel to avoid such exposure.

6. COMMUNICATIONS

Any oral or written communication through any medium, including electronic mail or social media, between or among any committee member on any public business within the BCC's jurisdiction is considered deliberation and thus subject to the Freedom of Information Act.

Distribution of the following information and materials outside of a meeting is not considered deliberation so long as the material or information does not express any opinions of a committee member:

- Meeting agendas
- Scheduling or procedural information
- Reports or documents that will be discussed at the meeting

7. BUDGETS

7.1. BCC Budgets

In general, an individual BCC does not have a budget unless one is authorized by the Town Council at the time of its formation. If a BCC anticipates a need to expend funds, it can request a budget for the next fiscal year through the Town Manager; or, if funds are needed during a fiscal year, it can make a request to the Town Manager or, appointing body for a transfer from available funds.

7.2. Expenses

Before a BCC member incurs expenses connected with their assignment, they must obtain approval by their chairperson and the Town Manager.

8. REPORTING PROCEDURES

8.1. Consultation with Appointing Authority

If the BCC wishes to consult with its appointing authority, they should contact the Town Manager's office to schedule a meeting.

8.2. BCC Reports

The Town Manager or Town Council, may from time to time, request a BCC to provide updates, reports or completed projects for acceptance.

8.3. Annual Town Report

All appointed committees should file an annual report of committee activities for the Annual Town Report. The chair or other designated member should detail committee membership, including changes, and a one-to three-paragraph explanation of major accomplishments and future plans. A request for committee reports is issued each year, and are due in the Town Manager's Office no later than the last business day in September of each year regardless of notice.

9. SOURCES OF INFORMATION

Town of Southington, Code of Ordinances

Town of Southington, Town Charter, Approved December 14, 1965 and Effective October 8, 2022.

Connecticut General Statutes:

- Title 1, Chapter 14, Freedom of Information Act.
- Title 7, Municipalities.
- Title 8, Zoning, Planning, Housing and Economic and Community Development.
- Title 12, Taxation

APPENDIX A

Definitions

BCC - any appointed or elected board, commission, council, authority, committee or sub-committee created by the Town of Southington.

By-Laws – A set of rules adopted to outline the powers and duties of its members.

Code of Ethics – A written set of guidelines issued by an organization to its workers and management to help them conduct their actions in accordance with its primary values and ethical standards.

Code of Ordinances – A document of all laws, rules or regulations adopted by the elected governing body of a municipality.

Freedom of Information Act – Enacted in 1975, is a series of laws that guarantee the public access to public records of governmental bodies in Connecticut.

Jurisdiction – The area of responsibility covered by a particular BCC appointed or elected by the town.

Meeting – a deliberation by any BCC or subcommittee thereof where it is intended that the body will have a discussion on any matter within the body's jurisdiction.

Meeting Types

- Regular Meeting – A meeting held based upon an adopted annual schedule of meetings to discuss and take action upon specific noticed items.
- Special Meeting – A meeting held which has not been previously noticed to discuss and take action on a specific item or items.
- Emergency – a sudden, generally unexpected occurrence or set of circumstances demanding immediate action.
- Executive Session – A session which is closed to the general public to discuss specific topics that may disclose privileged information. (See Section 4.2 & Appendix B)

Member Types – Makeup of the membership of appointed or elected BCC's.

- Regular Member – Member of a BCC who was nominated by a party and confirmed by the Town Council or Town Manager.

- Alternate Member – A member of a BCC, who during the absence of a regular member, shall act in the place and stead of such member and perform such duties as that member.
- Ex-Officio Member – A member who hold their position by virtue of their office and their official capacity.
- Defacto Member – A member authorized to continue in their office until reappointed or replaced by the appointing authority.

Public Participation – Seeks and facilitates the involvement of those potentially affected by or interested in a decision. This can be in relation to individuals, governments, institutions, companies or any other entities that affect public interests. The principle of public participation holds that those who are affected by a decision have a right to be involved in the decision-making process. Public participation implies that the public's contribution will influence the decision.

Quorum – Is 51% of the membership or a larger number of members as set forth in the BCC rules, by-laws, Charter, Code or authorizing statutes.

Staff Liaison – An individual assigned to assist a BCC in the performance of its statutory duties.

- Corporation Counsel (ToS staff position) – An attorney appointed by the Town Manager to represent municipal government and BCCs. Reports directly and accountable only to the Town Manager.
- Town Attorney (ToS Charter position) – Appointed by the Town Council to represent the Town Council and municipal government. Reports directly and accountable only to the Town Council.
- Town Charter – A legal document establishing a municipality such as a city or town.
- Town Clerk – The elected official responsible for upholding constitutional law and the rules and regulations of the ToS. The official keeper of ToS records.
- Town Council – The elected governing body of the Town of Southington (ToS).
- Town Manager – An official appointed by the Town Council to direct the daily administration of the town government. Reports directly and accountable only to the Town Council.

APPENDIX B

HIGHLIGHTS OF THE CONNECTICUT FREEDOM OF INFORMATION ACT

(Be sure to consult Connecticut General Statutes §1-200-259)

PUBLIC AGENCIES

I. THE PUBLIC HAS THE RIGHT TO OBTAIN RECORDS AND ATTEND MEETINGS OF ALL PUBLIC AGENCIES WITH CERTAIN LIMITED EXCEPTIONS.

- State and local government agencies, departments, institutions, boards, commissions and authorities and their committees.
- Executive, administrative or legislative offices, and the judicial branch and the Division of Criminal Justice with respect to their administrative functions.
- Certain other entities based on the following criteria: (1) whether the entity performs a governmental function; (2) the level of government funding; (3) the extent of government involvement or regulation; and (4) whether the entity was created by the government.

PUBLIC MEETINGS

I. MEETINGS, INCLUDING HEARINGS AND OTHER PROCEEDINGS, MUST BE OPEN TO THE PUBLIC – EXCEPT IN LIMITED SITUATIONS.

- A public meeting is any hearing or other proceeding of a public agency, or gathering of or communication by or to a quorum of a multi-member agency, to discuss or act upon any matter over which it has authority.
- The following are not public meetings: meetings of certain personnel search committees; collective bargaining strategy and negotiating sessions; caucuses; chance or social gatherings not intended to relate to official business; administrative or staff meetings of a single-member agency (e.g., mayor); and communications limited to notice of agency meetings or their agendas.
- No registration or other requirements may be imposed on a member of the public seeking attendance at a public meeting.
- The public, as well as the news media, may photograph, record or broadcast meetings, subject to prior reasonable rules regarding non-interference with the conduct of the meeting.

II. ONLY THREE KINDS OF MEETINGS ARE RECOGNIZED UNDER THE FREEDOM OF INFORMATION ACT: REGULAR, SPECIAL AND EMERGENCY.

- A state agency must file each year a schedule of its regular meetings with the Secretary of the State. A town or city agency must file each year a schedule of its regular meetings with the clerk of the town or city. A multi-town district or agency must file each year a schedule of its regular meetings with the clerk of each municipal member of the district or agency. A special meeting may be called up to 24 hours (excluding weekends, holidays, and days on which the office of the Secretary of the State or municipal clerk, as the case may be, is closed) before the time set for the meeting. A special meeting is called by filing a notice stating the time, place and business to be transacted.

- A state agency files this notice with the Secretary of the State; a local agency files this notice with the municipal clerk; a multi-town district or agency files this notice with the clerk of each municipal member of the district or agency.

- An emergency meeting may be held without complying with the preceding notice requirements. However, the agency must file its minutes, including the reason for the emergency, within 72 hours (excluding weekends and holidays) of the meeting with the Secretary of the State if a state agency; or with the municipal clerk if a local agency; or with the clerk of each municipal member if a multi-town district or agency.

III. YOU ARE ENTITLED TO RECEIVE A COPY OF THE NOTICE AND AGENDA OF A MEETING.

- An agency is required to send a notice of its meetings, where practicable at least 1 week prior to the meeting date, to any person who has made a written request. The agency may establish a reasonable charge for this service.

- Each agency must make available its agenda for each regular meeting at least 24 hours before the meeting to which it refers. New business not on the agenda may be considered and acted on only on a 2/3 vote of the members of the agency. New business may not be added to an special meeting agenda.

IV. AGENCY MINUTES AND RECORD OF VOTES MUST BE AVAILABLE TO THE PUBLIC.

- The minutes of each agency meeting must be made available to the public within 7 days of the session to which they refer in the agency's office if it has one; or, if none, in the office of the Secretary of the State for state agencies or in the municipal clerk's office for local agencies. In the case of special meetings, the 7 day period excludes weekends and holidays. The minutes must contain the record of each member's vote on any issue before the agency.

- The minutes of a meeting at which an executive session occurs must indicate all persons who were in attendance at the closed session, except for job applicants who were interviewed.

V. CONDUCT OF MEETINGS

- In the event that any meeting of a public agency is interrupted by any person or group of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meetings, the members of the agency

conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit such public agency from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the meeting.

EXECUTIVE SESSION

I. AN AGENCY MAY CLOSE TO THE PUBLIC CERTAIN PORTIONS OF MEETINGS BY A VOTE OF 2/3 OF THE MEMBERS PRESENT AND VOTING. THIS VOTE MUST BE CONDUCTED AT A PUBLIC SESSION.

- Meetings to discuss the following matters may be closed: specific employees (unless the employee concerned requests that the discussions be open to the public); strategy and negotiations regarding pending claims and litigation; security matters; real estate acquisition (if openness might increase price); or any matter that would result in the disclosure of a public record exempted from the disclosure requirements for public records.

- Any business or discussion in a closed session must be limited to the above areas.

- The agency may invite persons to present testimony or opinions in an executive session, but their attendance must be limited to only the time necessary for that testimony or opinion.

PUBLIC RECORDS

I. MOST RECORDS OR FILES OF STATE AND LOCAL AGENCIES, INCLUDING MINUTES OF ALL THEIR MEETINGS, ARE AVAILABLE TO THE PUBLIC FOR INSPECTION OR COPYING.

- This includes information or data which is typed, handwritten, tape recorded, printed, photographed or computer-stored.

- Most inter-agency and intra-agency memoranda or letters.

II. RECORDS SPECIFICALLY EXEMPTED FROM DISCLOSURE BY FEDERAL LAW OR STATE STATUTE ARE NOT AVAILABLE TO THE PUBLIC.

- In addition, the following records may not be available to the public:

some preliminary drafts or notes; personnel or medical files; certain law enforcement records, including arrest records of juveniles and some witness and victim identification information; records relating to pending claims and litigation; trade secrets and certain commercial or financial information; test questions used to administer licensing, employment or academic examinations; real estate appraisals and construction contracts until all of the property has been acquired; personal financial data required by a licensing agency; records relating to collective

bargaining; tax returns and communications privileged by the attorney-client relationship; names and addresses of public school students; information obtained by illegal means; certain investigation records of reported misconduct in state government or names of state employees who report such misconduct to the state Attorney General or Auditors; certain adoption records; election, primary, referenda and town meeting petition pages, until certified; certain health authority complaints and records; certain educational records; certain records, when there are reasonable grounds to believe disclosure may result in a safety risk; and certain records, if disclosure would compromise the security or integrity of an information technology system. Also, records of personnel search committees need not be disclosed if they would identify executive level employment candidates without their consent.

III. YOU MAY INSPECT PUBLIC RECORDS DURING REGULAR OFFICE HOURS, BUT COPIES, PRINT-OUTS OR TRANSCRIPTS SHOULD BE REQUESTED IN WRITING.

- The fee for a copy of a public record from a state agency must not exceed 25¢ per page. The fee for a copy of a public record from a non-state agency must not exceed 50¢ per page. The fee for a computer disk, tape, printout or for a transcript, or a copy thereof, must not exceed the actual cost to the agency involved. The agency may also require the prepayment of these fees if their estimated cost is \$10.00 or more. No sales tax may be imposed for copies of the public records requested under this Act.
- The agency is required to waive any fee for copies if the person requesting the copies is poor and cannot afford it; or if the agency determines that the request benefits the public welfare.
- There is an additional charge for a certified copy of a public record.
- You are entitled to prompt access to inspect or copy public records. If an agency fails to respond to a request within four business days, such failure can be treated as a denial of the request.

<http://ct.gov/foi>

ATTACHMENT A SAMPLE AGENDA

Town of Southington
Name of BCC

Committee Members:

Jane Doe, Chair
John Smith, Vice Chair
John Doe
Jane Doe
John Doe
Jane Doe
John Doe (Ex-officio)

NOTICE AND AGENDA

Special/Regular Meeting, Day of Week, Month Day, Year – Time

Location of Meeting Room, Building Name, Street Address, Southington, CT

1. Call to Order
2. Roll Call
3. Determination to a Quorum
4. Public Communications
5. Old Business:
 - a. First Item
 - b. Second Item
 - c. Third Item
6. New Business
 - a. First Item
 - b. Second Item
 - c. Third Item

7. Adjournment

*Remarks of any qualified elector or taxpayer (town resident over age 18) shall, in the discretion of the Chair, be limited to 4 minutes

ATTACHMENT B SAMPLE MINUTES

MINUTES OF THE TOWN OF SOUTHINGTON BCC

Regular Meeting, Day of Week, Month Day, Year – Time
Location of Meeting Room, Building Name, Street Address, Southington, CT

A regular meeting of Town of Southington XXX Committee was called to order at 5:00 PM. The following voting members were in attendance:

John Doe, Chairman, Jane Doe, Jane Doe, John Doe

Mr. John Doe arrived at 5:10PM.

Mr. John Doe left the meeting at 5:45PM.

The following non-voting members were also in attendance: John Doe (Ex-officio), and Jane Doe, Clerk of the Committee and Parliamentarian (Ex-officio).

A quorum was determined.

Discussion Items/Old Business:

Summarize discussion, record any votes

Public Communication:

John Doe: Address of speaker, brief summary of communication

Jane Doe, Address of speaker, brief summary of communication

Hearing no further business, the Chairman asked for a motion to adjourn. Mr. John Doe made a motion to adjourn. Mrs. Jane Doe seconded the motion. Motion passed unanimously.

ATTACHMENT C

ROBERT'S RULES OF ORDER REFERENCE

Action	Request	Interrupt Speaker?	Need a Second?	Debate?	Amend?	Votes Necessary
Introduce main motion	"I move to..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move to amend the motion by..."	No	Yes	Yes	Yes	Majority
Move item to committee	"I move that we refer this item to committee"	No	Yes	Yes	No	Majority
Postpone item	"I move to postpone the matter until..."	No	Yes	Yes	No	Majority
End debate	"I move the previous question"	No	Yes	Yes	No	Majority
Objection	"Point of order"	Yes	No	No	No	Chair Decision
Recess meeting	"I move that we recess until..."	No	Yes	No	No	Majority
Adjournment	"I move to adjourn"	No	Yes	No	No	Majority
Request information	"Point of information"	Yes	No	No	No	None
Overrule the chair's ruling	"I move to overrule the chair's ruling"	Yes	Yes	Yes	No	Majority
Enforce the rules or incorrect procedure	"Point of order"	Yes	No	No	No	None
Table a Motion	"I move to table ..."	No	Yes	No	No	Majority
Take up a tabled item	"I move to take item from the table..."	No	Yes	No	No	Majority
Close the meeting for executive session	"I move to go into executive session, barring the public and press and including (insert non-members of body attending, if any)"	No	Yes	No	No	Majority
Personal preference-noise, distractions, room temperature	"Point of privilege"	Yes	No	No	No	None