

# ***Resolutions and Proclamations***

June 2022

Proclamations and Resolutions  
June 2022

- **Resolutions:**

- *Adopted by the Board of Selectmen for administrative purposes.*
  - State grant
  - Federal grant
  - State mandated
- *Approval of an administrative action.*
- *Acknowledgement of and agreement to abide by specified statutes.*

**Proclamations and Resolutions  
June 2022**

- **Proclamations:**

- ***Issuer***-Generally the first selectwoman.
- ***Topic***-Must be relevant to the work of one or more town departments.
- ***Timing***-Issued in connection with a nationally recognized day and/or a planned activity.
- ***Format***-Presents facts related to the topic, including facts specific to Wilton. Encourages residents to participate in the related activity or consider how they might respond positively to the facts.
- ***Five annual proclamations:***
  - Domestic Violence Awareness Day-Police and social services matter. Can involve other departments
  - Overdose Awareness Day-Police, fire, EMS, WVAC and social services matter.
  - Gun Violence Awareness Day-Police, fire, EMS, WVAC and social services matter.
  - Sexual Assault Awareness Day-Police, fire, EMS, WVAC and social services matter.
  - Arbor Day-Environmental Affairs and Conservation Commission matter.

**Board and Commission Members  
Roles and Responsibilities**

***Conservation Commission***

June 2022

## Roles and Responsibilities OVERVIEW

***Appointed Boards and Commissions are part of town government and therefore are required to follow applicable***

- State statutes, including Freedom of Information Act (FOIA)
- Town ordinances
- Board of Selectmen policies and the operating policies implemented and overseen by the first selectwoman

***Appointed Boards and Commissions are authorized in one or more of the following ways:***

- Town Charter
- Town Ordinance
- State Statute
- Board of Selectmen Initiative

***The Conservation Commission is authorized by a town ordinance which is authorized by state statutes (see slides 11-13)***

## Roles and Responsibilities OVERVIEW

### *Applicable state statutes:*

- **Freedom of Information Act (FOIA)**
  - See details on slides 7 & 8.
- **Code of Ethics** (<https://ecode360.com/8024748>)
  - Defines conflicts of interest.
  - Board of Selectmen may also impose restrictions due to perceived conflicts of interest.
- **Minority Representation:**
  - Sets limits on the number of members from one party. Sets procedures for filling a vacancy if one party has a majority per the statute.

## Roles and Responsibilities OVERVIEW

### Freedom of Information Act (FOIA) Basics

The **Guide to Serving on a Board of Commission** contains this information and is available on the Town's website and therefore accessible during meetings if there is a question.

#### **Meetings:**

- *All in-person meetings must be **noticed at least 24 hours in advance**, except for the rare emergency meeting. All **remote meetings must be noticed at least 48 hours in advance.***
- *All in-person meetings must be **held in a public place, accessible to the public.***
- *The public has the **right to request personal notice of meetings.***
- *These rules **apply to full commission meetings and subcommittee meetings***
- *The **definition of a meeting is different under FOIA vs Roberts Rules.***
  - *A quorum is not required to qualify as a meeting under FOIA.*
  - *Any deliberative conversation, whether in person or by phone or by email, can be a meeting under FOIA. Exception of for a caucus.*

#### **Emails:**

- **All correspondence related to a commission should be via wiltonct.org email, not personal email.**
- *This policy requirement is **for your protection and the Town's protection.** Commissioner mails can be requested through a FOIA request or a legal request.*
- *If your correspondence is on your wiltonct.org email, the Town can easily produce responses to a request without your involvement. Legal requests could be received after you have left the commission.*
- **No deliberative conversations should occur by email.**
- *Other than for scheduling emails, best to avoid copying other commission members.*

## Roles and Responsibilities OVERVIEW

### *Freedom of Information Act (FOIA) Basics, cont.*

#### ***FOIA violation claims-in-person process:***

- ***Claim is reported to the FOIA Commission by a member of the public.***
- ***A representative for the Commission investigates and attempts to resolve the claim.***
- ***Hearings are required when the claim can't be resolved.***
- ***At the hearing, hearing officers tend to be deferential to the public.***
  - ***At a minimum, Town Counsel and the commission chair attend the hearing in Hartford. It typically takes a day's time due to delays.***
  - ***The individual filing the claim may request other members of the commission or other town employees attend and testify.***
  - ***Town Counsel, the chair, the first selectman/woman and others meet prior to the hearing to prepare for the hearing.***

#### ***Claims are expensive and time consuming:***

- ***During the 2013 -2015, the Town incurred numerous time consuming claims. One led to a case before the CT Supreme Court.***
- ***Procedures put in place, including town emails, [The Guide to Serving on Boards and Commissions](#), [videotaped training sessions](#) and a greater focus on compliance by board and commission members resulted in very few violations in the subsequent years.***



## Roles and Responsibilities OVERVIEW

### *Applicable Charter and policies:*

- Term length and 10-year limit.
- **The members may appoint a subcommittee within their own membership. Only the Board of Selectmen is empowered to appoint subcommittee members who are not already appointed members of the board or commission.**
- **Appointed boards and commissions do not have budgetary or spending authority.** Recommendations/requests can be made related to spending. All expenditures must be made from a department budget and comply with Town disbursement policies and procedures.
- **Appointed board and commissions, other than police and fire, do not have authority over town employees.**
  - The Town's Charter specifically prohibits Board of Selectmen members from directing Town department heads unless permission is received from the first selectman/selectwoman. By extension the same applies to the BOS appointed boards and commissions.
  - Town employees provide professional subject matter guidance and administrative support to boards and commissions.
- **The [2019 Plan of Conservation and Development](https://www.wiltonct.org/sites/g/files/vyhlf4046/f/pages/adopted_pocd_effective_10-01-2019.pdf) provides Town priorities.**  
([https://www.wiltonct.org/sites/g/files/vyhlf4046/f/pages/adopted\\_pocd\\_effective\\_10-01-2019.pdf](https://www.wiltonct.org/sites/g/files/vyhlf4046/f/pages/adopted_pocd_effective_10-01-2019.pdf))
- **Meetings generally follow Roberts Rules of Order.**
- **Press Releases should be submitted to the Coordinator of Community Affairs for distribution through the Town's e-alert system.** This ensure proper distribution and consistency of releases.

**BOS and POCD Priorities  
FY2023**

- **BOS Priorities**

- Trail Improvements
- Schenck's Island-accessibility, awareness and use

- **POCD Action Steps-Status**

- Discuss with BOS at a future meeting

Roles and Responsibilities  
CONSERVATION COMMISSION

*Role defined by Ordinance, informed by Statutes*

***Section 7-131a of the CT statutes.***

***Chapter 10 of the Town's ordinances, eff 12/1/1977*** (<https://ecode360.com/8025126>)

***Highlights:***

**10-1 Establishment; purpose.**

A commission...is hereby established pursuant to Section 7-131a....to organize, maintain and direct conservation activities for the Town of Wilton for the following purposes:

A. To constitute a Conservation Commission within the meaning of Section 7-131a and to have all the rights and powers conferred upon it by such statute.

B. To guide the development and conservation of the natural resources within the Town of Wilton.

C. To propose, manage and maintain or provide for the maintenance of open-space lands and lands devoted to nonintensive use, owned by the Town of Wilton.

D. To manage any privately owned property permanently dedicated to the conservation and nonintensive recreational uses of residents of the Town of Wilton.

E. To be an advisory and consulting body to private individuals and private and public groups on issues involved with the environment, conservation and land use.

F. To develop and sponsor educational programs promoting sound environmental practices.

## Roles and Responsibilities

### CONSERVATION COMMISSION

#### **Chapter 10 of the Town's ordinances**

##### ***Highlights:***

##### **§ 10-8 Responsibility to Board of Selectmen.**

The Commission shall be responsible and subordinate to the Board of Selectmen in all matters.

##### **§ 10-9 Powers and duties.**

A. Subject to § 10-8, the Commission shall have the powers and duties of a Conservation Commission as set forth in Section 7-131a of the Connecticut General Statutes, as amended. To further the purposes for which it is established, there is hereby delegated, conferred and confirmed to and upon the Commission, subject to § 10-8, the power and duty to

- **(1)** With the approval in advance of the Board of Selectmen, obtain technical assistance to carry out its responsibilities as set forth in this ordinance or the general statutes.
- **(2)** Solicit or receive or hold in trust, in the name of the Town, gifts, devises and bequests of real or personal property, or any interests therein, from private corporations or individuals for any of the conservation and related purposes of the Commission. The Commission shall administer such gifts of real or personal property for the Town and may accept such gifts subject to the terms of the gift after holding a public hearing thereon as provided in § C4-5B(5) of the Wilton Charter and after obtaining the approval of the Board of Selectmen to accept such gift. The Commission may execute any trust agreement or other appropriate documents in connection with any such gift.

## Roles and Responsibilities

### CONSERVATION COMMISSION

#### **Chapter 10 of the Town's ordinances**

##### **§ 10-9 Powers and duties, cont.**

- **(3)** Administer and maintain open space and land and facilities of the Town devoted to nonintensive recreational use. For purposes of this ordinance, "open-space use and nonintensive recreational use" is defined as land which is maintained in an undeveloped state for the purpose of conservation of natural or scenic resources or which is devoted to field trails, nature study, hiking, horseback riding and similar nonorganized activities which do not disturb the natural and indigenous character of the land.
- **(4)** Unless otherwise required by law, following the approval of the Town Meeting and the Board of Selectmen, enter into contracts, trust agreements and other appropriate documents in the name of the Town to enable the Town to receive grants, gifts or contributions of land or money for conservation or related purposes from the state or any political subdivisions, agencies and instrumentalities thereof or the federal government or any agency thereof.
- **(5)** Conduct research into the present and future utilization of land areas of the Town and to prepare maps, pamphlets and similar documents for the Commission's purposes.
- **(6)** Make recommendations to and assist the Planning and Zoning Commission in maintaining maps and technical information on wetlands and watercourses, as provided by § **18A-2** of the Code of the Town of Wilton and the Wilton Inland Wetlands Regulations.
- **(7)** With the approval of the Town Meeting, acquire land and easements in the name of the Town for conservation purposes.