

PLANNING AND ZONING COMMISSION BYLAWS SUBCOMMITTEE SPECIAL MEETING
APRIL 16, 2009, 4:00 P.M. PAGE 1 OF 4

Comm. Barbara Plum, Comm. Les Adams, Comm. Carl Bolz
Comm. Ron Borelli (4:25 p.m.)

MEMBERS
PRESENT

Comm. Richard Pelletier, Comm. James Fortuna, Comm. Deborah
Kleckowski, Comm. Catherine Johnson, Comm. Quentin Phipps

MEMBERS
ABSENT

Sandra Russo-Driska, Town Clerk/Moderator

STAFF

The meeting was called to order at 4:00 p.m.

ITEM 1
CALL TO ORDER

Comm. Barbara Plum was appointed as Chair of the Subcommittee
and Comm. Carl Bolz was appointed as Secretary.

ITEM 2
APPOINTMENT
OF CHAIR AND
SECRETARY

The following meeting schedule was discussed and set: 1) Articles
VI-X will be discussed on Wednesday, April 29, 2009 at 6:00 p.m.
in Room B-20 in the Municipal Building; and 2) Articles XI to the end
will be discussed on Wednesday, May 6, 2009 at 6:00 p.m. in Room
208 in the Municipal Building;

ITEM 3
SET MEETING
DATES AND
TIMES FOR
FUTURE MEET-
INGS

The following procedures were set: 1) All suggestions shall
be in writing and dated with the name of the commissioner
submitting the changes; 2) All suggestions will be clearly
identified by article, section or subsection if so noted; 3)
Commissioners are strongly encouraged to present their
changes in person at the next subcommittee meeting; and 4)
if any commissioner cannot attend in person, all changes as
noted above must be submitted to Planning, Conservation
and Development Secretary II Ellen Hinze no later than
three (3) days prior to the next scheduled meeting.

ITEM 4
SET PRO-
CEDURE(S) ON
SUGGESTION
ON BYLAW
CHANGES TO
BE SUBMITTED
TO THE COM-
MISSION

A Special Meeting Workshop for the Planning and Zoning
Commission was scheduled for Wednesday, May 20, 2009
to commence immediately following the public comment/
workshop scheduled for 6:00 p.m. in the Council Chambers
in the Municipal Building.

ITEM 5
SET SPECIAL
MEETING
WORKSHOP
DATE FOR THE
P&Z COMMIS-
SION TO DIS-
CUSS BYLAWS

A Public Comment/Workshop of the Planning and Zoning
Commission Bylaws Subcommittee was scheduled for
Wednesday, May 20, 2009 at 6:00 p.m. in the Council

ITEM 6
SET SPECIAL
MEETING

Chambers in the Municipal Building.

WORKSHOP
DATE FOR
PUBLIC COM-
MENT TO THE
COMMISSION'S
SUGGESTED
CHANGES

The Bylaws as amended will be adopted at the regular meeting of the Planning and Zoning Commission scheduled for Wednesday, June 10, 2009 at 7:00 p.m. in the Council Chambers in the Municipal Building.

ITEM 7
SET DATE FOR
THE REGULAR
MEETING AT
WHICH THE
BYLAWS
WILL BE
ADOPTED

The Subcommittee began discussing the Bylaws. Comm. Ron Borelli entered the meeting at 4:25 p.m. It was noted that changes suggested and voted on would be in brackets and italics and that all changes, additions, etc., would immediately follow the sentence being altered. Also, language that will be stricken out is meant to be eliminated from the Bylaws. Article I: no changes. Article II: no changes. Article III: there was discussion to add language for clarification to the end of the section: "including all official records of the Commission and subcommittees approved by the same". A motion to approve was made by Comm. Barbara Plum and seconded by Comm. Les Adams. Vote was unanimous. Article IV: Section 1 – no changes. Section 2 – add "and City/Town Clerk. The Town Clerk" in the second line. A motion to approve was made by Comm. Ron Borelli and seconded by Comm. Barbara Plum. Vote was unanimous. Section 3 – add "and City/Town Clerk. The Town Clerk" in the third line. In the third sentence, add "a five (5) vote majority of seated members". A motion to approve was made by Comm. Carl Bolz and seconded by Comm. Barbara Plum. Vote was unanimous. New language to Section 4, "of the Commission seating", to be approved at the next meeting. Article V: Article 1 – no changes. Article 2 (a) – add "or alternate" after each "Commission member". A motion to approve was made by Comm. Carl Bolz and seconded by Comm. Barbara Plum. Vote was unanimous. Article 2(b) – no changes. Article 2(c) – remove the last

ITEM 8
DISCUSSION
ON ARTICLES
I-V

sentence “A gift is not a transaction irrespective of its value if its value if it is from a individual person given in consideration of a birthday, wedding, anniversary or like occasion”. A motion to approve was made by Comm. Barbara Plum and seconded by Comm. Carl Bolz. Vote was unanimous. Article 2(d) – no changes. Article 2(e) – add “and italicized” in the first sentence. A motion to approve was made by Comm. Barbara Plum and seconded by Comm. Carl Bolz. Vote was unanimous. Section 3 – no changes. Section 4(a) – change the first sentence to read as follows: “No member of the Planning and Zoning Commission (**including Alternates**) shall participate in the **public** hearing or **the discussion** of [the Commission upon] **a matter before the Commission if he [or she] has either direct or indirect** [interested in a] personal or financial **interest in the matter before the Commission**”. A motion to approve was made by Comm. Ron Borelli and seconded by Comm. Les Adams. Vote was unanimous. Section 4(b) – change to read as follows: “No member or alternate of the Planning and Zoning Commission shall participate in the **public** hearing or **the discussion of a matter before** the Commission [upon any matter] in which he [or she] has not completely familiarized himself with the **matter** under consideration. **Familiarization includes** reading the transcripts, [or listening to the tapes of the public hearing and] reviewing all pertinent reports **and correspondence, listening to recorded or other devices of the official minutes** [by the City staff and other supporting documents] **and visiting the site. *Simply reviewing minutes is not sufficient to prepare a commissioner to participate***”. Section 4(c) – add “and alternates” in the first sentence. Section 4(d) – add “and alternates” in the first sentence and “or alternate” in the second sentences. Section 4(e) – add “or alternates” in the first and second sentences. Change the last sentence to read as follows: “This provision shall not be construed to prohibit statements made at public meetings or hearings, [positions taken during collective bargaining sessions,] or public statements otherwise covered by **the guarantee of freedom of speech**”. Section 4(f) – add “or alternate” in the first sentence. Section 4(g) – add “or alternate” in the first sentence. Section 4(h) – add “or alternate” in the first sentence. A motion to approve was made by Comm. Carl Bolz and seconded by Comm. Barbara Plum. Vote was unanimous. Section 5(a) – add “or alternate” in the first sentence. Section 5(b) – add “or alternate” after each “commission member” in the paragraph. In the second sentence, change “disqualify” to “recuse”. Section 5(c) – move the existing language to new subsection (d). The new language for (c) will read as follows: “The provisions of this section shall not apply if the financial interest and the majority of the Commission considering the matter con-

cludes that such financial or personal interest sufficiently is remote from the matter to be merely incidental. The Commission member **or alternate** shall not participate in this determination". Section 5(d) – add "or alternate" in the first sentence after "Commission member". Change the second sentence to read as follows: "When appearing before an agency in the Commission member **or alternate's** own **behalf, the member or alternate must make his position as a Commission member known and that he/she is speaking as an individual, as a matter of public record** or being a party in any action or litigation to which the City is a party, written application to an approval from the Planning and Zoning Commission is not necessary". A motion to approve was made by Comm. Carl Bolz and seconded by Comm. Barbara Plum. Vote was unanimous. Section 6 – add "or alternate" in the first sentence. Section 7 – add the following paragraph at the end "At the next regular meeting following each municipal election, each regular and alternate member of the Commission shall sign the Statement of Ethical Conduct approved in these by-laws, or upon becoming a regular or alternate member of the Commission at another time, the member shall sign said statement if not already executed. The Statements will be retained in the Planning and Zoning Office". On the Statement of Ethical Conduct, add "as amended or revised" in the second paragraph after "By-Laws". A motion to approve was made by Comm. Carl Bolz and seconded by Comm. Barbara Plum. Vote was unanimous.

On motion and second by Comms. Barbara Plum and Les Adams the Commission adjourned the special meeting at 6:40 p.m.

ITEM 2
ADJOURNMENT

Respectfully submitted,

Sandra Russo-Driska
Town Clerk/Moderator