

## ORDINANCE ESTABLISHING HARWINTON WATER POLLUTION CONTROL AUTHORITY

1. Creation and Empowerment. The Town of Harwinton hereby creates a Water Pollution Control Authority (W.P.C.A.) with all the powers, purposes and objectives set forth in Chapter 103 of the Connecticut General Statutes as may, from time to time, be amended.

2. Members and Alternates. the W.P.C.A. shall consist of five electors of the Town of Harwinton. At least one member of the W.P.C.A. shall be a member of the Harwinton Planning Commission at the time said member is appointed or elected to the W.P.C.A. Should no such person be nominated at a town meeting for membership on the W.P.C.A., then the Board of Selectmen shall within 60 days appoint such person to membership on the W.P.C.A. There shall be two alternates on the W.P.C.A. who shall be electors of the Town of Harwinton. If a member is absent for any regular or duly called special meeting, the Chairman of the W.P.C.A. shall call upon an alternate to act in the capacity of that member.

3. Terms. The regular terms for members and alternates shall be for three years, or until their successors shall be elected and qualified.

4. Appointments and Elections. The initial members and alternates of the W.P.C.A. shall be appointed by the Board of Selectmen within sixty (60) days of enactment of this ordinance. One member and one alternate shall serve until the annual town meeting of 1980. Two members and one alternate shall serve until the annual town meeting of 1981. Two members shall serve until the annual town meeting of 1982.

Subsequent members and alternates of the W.P.C.A. shall be elected at the Annual Town meeting for three (3) year terms.

5. Vacancies. Should a vacancy occur on the W.P.C.A., the unexpired term shall be filled by the Board of Selectmen appointing one of the alternates to serve until the next annual town meeting. If no alternate is available, an elector of the Town of Harwinton shall be appointed. Should a vacancy occur among the alternates, the unexpired term shall be filled by the Board of Selectmen until the next Annual Town Meeting. At the next Annual Town meeting the Town shall elect an elector of the Town to fill the balance of the term vacated.

6. Resignation and Removal. A member or alternate of the W.P.C.A. may be removed for neglect of duty or misconduct in office by the Board of Selectmen after a hearing conforming to recognized standards of due process of law, including without limitation, an opportunity to review the charges made against him or her not less than ten (10) days prior to the date on which said charges shall be subject to such a hearing.

Any member or alternate of the W.P.C.A. who is absent from three consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the commission and after notice to the member the vacancy shall be filled as provided by Section 5 of this ordinance, except that the W.P.C.A. may vote to waive the requirements of this Section in each case where illness or other extenuating circumstances make it impossible for a member to meet the attendance requirements of this section.

7. Officers, Employees and Records. The W.P.C.A. shall hold its first meeting, not later than February 1, 1980. Subsequent annual meetings shall be held during the first fifteen (15) days of April, 1981 and each succeeding year. At each annual meeting the W.P.C.A. shall elect from among their number a Chairman, who may vote on all questions before the W.P.C.A. and shall appoint a Clerk who may be, but need not be a member. At each annual meeting the W.P.C.A. shall appoint an attorney and may employ such other persons as it may deem necessary to carry out its purposes and objectives, and shall prescribe and define their duties. The W.P.C.A. shall, not less frequently than annually, determine the compensation, if any, to be paid to the Clerk of the W.P.C.A., the attorney for the W.P.C.A. and all other employees of the W.P.C.A. If a member serves in the capacity of an employee, he shall not be paid therefor. The Clerk of the W.P.C.A. shall keep a complete record of the proceedings of the W.P.C.A. and shall file a copy of the record thereof with the Town Clerk. The W.P.C.A.'s records, except for those kept in executive session, shall be open for public inspection at all reasonable hours. All proceedings and records shall be subject to the provisions of Chapter 3 of the Connecticut General Statutes.

8. Notice of Meeting. The first meeting of the W.P.C.A. shall be called by the First Selectman and thereafter meetings of the W.P.C.A. shall be called by the Chairman or by any two members. All notices shall comply with Chapter 3 of the Connecticut General Statutes.

9. Financial Accountings. The W.P.C.A. shall maintain proper accounting and financial records and shall make a report to the Town at the annual town meeting. At its annual meeting, the W.P.C.A. shall prepare a budget of estimated revenues and expenditures for the ensuing fiscal year.

10. Compensation. Members shall serve without compensation.

11. Rules and Regulations. All rules and regulations established or revised for the transaction of authority business or concerning the operation, supervision, management, control and use of a sewage system shall be filed with the Town Clerk. No such rule or regulation shall be established or revised until after a public hearing, notice of which hearing shall be published at least ten (10) days before the date thereof in a newspaper having circulation in the Town of Harwinton.

12. Town Review. Whenever the Authority has determined in accordance with the provisions of Chapter 103 of the Connecticut General Statutes Revised that it is necessary to establish or repeal a sewer district; to acquire land, by purchase, condemnation or otherwise; or to raise funds by assessment, bond issue, or otherwise, it shall notify the Board of Selectmen of its decision in writing, stating its recommended action and the reasons therefor. Within 45 days of a receipt of the Authority's decision, the Selectmen shall warn a special town meeting, or shall include such item in the call of any town meeting to be warned, for the purpose of taking appropriate action with respect to the Authority's recommendation or decision.

Such town meeting shall be held in accordance with the provisions of Chapter 90 of the Connecticut General Statutes Revised. Any request for appropriations shall be subject to action by the Board of Finance in accordance with the provisions of Chapter 106 of the Connecticut General Statutes Revised. Any acquisition, lease or sale of land or construction of any sewer lines or facilities shall be subject to review by the Planning Commission in accordance with the provisions of Chapter 126 of the Connecticut General Statutes Revised and the regulations adopted by the Planning Commission.

13. Fiscal Year. The fiscal year of the W.P.C.A. shall coincide with the fiscal year of the Town.

14. Quorum. A quorum for the conduct of business shall be four members, including any alternate or alternates acting in that capacity.

Voted: December 18, 1979

Published: December 27, 1979

Effective: January 11, 1980

**AMENDED BY ORDINANCES 79 AND 84**