



**TOWN OF KILLINGLY, CT
PLANNING AND ZONING COMMISSION**

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2016 JUL -1 AM 10:42

Monday, June 20, 2016

Elizabeth M. Wilson

SPECIAL WORKSHOP MEETING

6:00 PM

Town Meeting Room, Second Floor

**Killingly Town Hall
172 Main St., Killingly**

MINUTES

I. **CALL TO ORDER** – Chair, Keith Thurlow, called the meeting to order at 6:08 pm.

ROLL CALL – Todd Nelson, Virge Lorents, Sheila Roddy, Keith Thurlow. Brian Card and Milburn Stone were absent with notice. Brian Card arrived at 6:51 pm to attend the regular meeting. Board Member William Ritter resigned earlier in the day.

Staff Present – Ann-Marie Aubrey, Director of Planning and Development; Elsie Bisset, Economic Development Director; William St. Onge, Town Attorney.

Also Present – Joyce Ricci, Town Council Liaison.

Bill Menghi, and Jaymie Cellucci from the Zoning Board of Appeals.

II. **SEATING OF ALTERNATES**

In the absence of Brian Card and Milburn Stone, Keith Thurlow stated that Virge Lorents would be seated as a voting member.

III. **CITIZENS' COMMENTS ON ITEMS NOT SUBJECT TO PUBLIC HEARING**

John Hallbergh, Jr., Hartford Pike, thanked Attorney St. Onge for providing this service and he thanked those in attendance for participating.

IV. **COMMISSION/STAFF RESPONSES TO CITIZENS' COMMENTS** – None.

V. **BUSINESS**

Educational Workshop on Parliamentary Procedure; Running a Meeting, Making Motions and Other Related Topics

Attorney, William St. Onge gave a presentation regarding Parliamentary Procedure for Municipal Meetings. He explained that the rules of procedure are important because (in his experience) a decision is much more likely to be reversed by a judge if someone takes an appeal due to a technical or procedural reason rather than for misapplying the law or not judging the facts correctly.

Topics covered:

- Conflict of Interest and recusing oneself: If a Commission Member has a personal or financial interest and cannot neutrally hear the information, then you should recuse yourself. This also applies if there is the appearance of a conflict of interest (e.g. recuse yourself for a family member even if you think you can justly make a determination). Or, you could disclose the reason, on the record, and offer that if anyone objects to your remaining, you would leave the room. He offered that he could be contacted for advice if there is an instance where it would be needed.
If a person recuses himself, Attorney St. Onge recommends leaving the room.
If a person should recuse himself, but refuses to do so, the Commission can make a formal request in the form of a motion. There is no statutory authority for this.
- He suggested that the Commission announce the order of presentation (who can speak when) before meetings because many people may have never attended a meeting before and may not be familiar with Robert's Rules.
- Give all reasons for decisions of applications. The Chair should ask if there is a motion to approve (the affirmative first), if none, then ask if there is a motion to deny. He suggested stating a good reason followed by a broad statement such as, "Based upon all of the testimony, the concerns of the citizens, and the criteria set forth in the Planner's Memo." Then, a motion to amend the motion could be made to add more reasons.
- If a Member of the Commission has specific personal knowledge by having walked the site, or otherwise, it should be stated for the record during the public hearing so that the opponents and proponents have an opportunity to comment on it.
- Using knowledge gained from the Internet. The theory of a public hearing is that you are making a record that a court can review if there is someone who disagrees with a decision made. But you are making a record and everyone is deciding the same matter based upon the same information that is available to everyone. If a Commission Member researches on the Internet and finds something that may be relevant, he/she should raise the question during the public hearing because the applicant or opponent have the right to know where the information came from (that you are basing your decision on) and for it to be addressed by both sides during the public hearing.
- Limited privilege. Once the public hearing is closed, only those items mentioned during the public hearing may be researched afterwards (such as checking with the Town Attorney or Town Staff to clarify a legal/technical point).
- Interventions. Any individual can intervene if they feel that the proposed activity poses a potential hazard to the public environmental trust of the air, water or natural resources of Connecticut. The individual would have to submit a sworn petition with the reasons and the reasons must be ones that the P&Z Commission has jurisdiction over.
- Additional evidence that people bring in: Video Tapes, CD's with photographs, Computers, etc.. These should be for a discreet period of time and there should be a written record with a copy available to everyone (such as putting it on the web).
Photographs should have the following information: who took the photo, where and when was it taken. There was discussion regarding possible tampering. Technology makes it tougher to preserve the concept of the public hearing. There was discussion regarding who would be responsible to pay to prove accuracy and how it could be handled. Since the meetings are televised, it would be on the record, so there should not be an instance where the Town would need to hire an expert.
- There was discussion regarding amendments to a main motion that has been seconded. Move to amend the main motion followed by discussion on the amendment. It can be amended one more time in addition to the first amendment which would be followed by discussion. The most recent is discussed first, working back to the main motion.
If it gets too confusing, the main motion can be restated if the second agrees.

Attorney referred to some book's that can be consulted.

- Cannot vote by proxy in Connecticut.
- Attorney St. Onge spoke of the importance of notices (publishing and accuracy).

Sheila Roddy asked if it is appropriate, when someone references a previous case decision that was made before a certain Commission Member was on the Board, to ask the Town to provide some background information. Attorney St. Onge explained that you would want to make very clear that it has precedential value.

Keith Thurlow asked about preliminary discussions. Attorney St. Onge advised keeping the comments as minimal as possible and he said that the Chair should say that it should be saved for the public hearing for a complete record.

VI. ADJOURNMENT

Motion by Todd Nelson to adjourn at 7:00 pm. Second by Sheila Roddy. Motion carried unanimously.

Respectfully submitted,



J.S. Perreault
Recording Clerk

Ann-Marie Aubrey

From: Jo-Ann S. Perreault
Sent: Monday, June 27, 2016 8:30 AM
To: Ann-Marie Aubrey
Subject: Minutes P&Z RegMtg Minutes 6-20-16 and P&Z SpMtg Minutes 6-20-16
Attachments: PZC Regular Meeting Minutes (6-20-16).doc; PZC Special Workshop Minutes (6-20-16 Regular Meeting).doc

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Blue Category

Good Morning Ann-Marie,

Attached are the Minutes for the above-referenced meetings. I wasn't sure if William Ritter should be mentioned at all as he had just resigned ??? And I wasn't sure if I should mention anything about Brian Card other than that he was absent with notice for the Special Meeting even though he arrived at the end ???

Please let me know of any changes.

Thank you,
Jo-Ann S. Perreault
Assistant Town Clerk
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