

CONNECTICUT RIVER GATEWAY COMMISSION

REGULAR MEETING MINUTES

February 25, 2021

Present/Absent: [Excused absence (E); Unexcused absence (U)]

Chester: *Tom Brelsford , Jenny Kitsen*
Deep River: **Jerry Roberts, Conal Sampson**
East Haddam: **Crary Brownell, Joel R. Ide**
Essex: **Claire Mathews, Misha Semenov**
Fenwick: *Newton Brainerd, Borough Warden*
Haddam: **Susan Bement, Mike Farina**
Lyme: **J. Melvin Woody, Wendy Hill**
Old Lyme: **Suzanne Thompson, Greg Futoma**
Old Saybrook: **Bill Webb, Tom Gezo**
Regional Reps: **Raul Debrigard (N), Laurie Giannotti (S)**
DEEP: **David Blatt**

Staff: **J H Torrance Downes**
Guests: Local Old Saybrook residents Jeff Meotti, Diane Aldi, Susan Malton, Shelley Graf, Ann Czepiel, Barbary Harms. For the “Smoke on the Water” petitioner, Attorney Ed Cassella, Property Owner Jon Kadama, Chef Colt Taylor.

Call to Order

This meeting was convened using the Zoom online platform. The agenda was formally posted in all eight Gateway member towns as required, with information directing interested members of the public to join the meeting online. Chairman **Thompson** called the online regular meeting of the Connecticut River Gateway Commission to order at 7:03pm.

Introduction of New Member

Laurie **Giannotti** of Deep River was introduced as the newest Regional Representative to the Commission. RiverCOG appointed Ms. Giannotti to the position of Regional Representative, South. She is President of the Deep River Land Trust and is employed by CT DEEP as Trails and Greenways Program Coordinator.

Approval of Minutes

Gezo moved approval of the 1/28/21 meeting of the Commission. **Farina** seconded the motion. **Matthews** moved to amend the minutes by referring to Andy Fisk of the Connecticut River Conservancy. The motion as amended passed unanimously.

Informal Presentation of Zoning Regulation Petition concerning Outdoor Restaurants and Temporary Trailers

Staff explained that the presentation was to be informal and that required no decision by the Gateway Commission this evening. Per Section 25-102g CGS, Gateway members will receive the “official” decision of the Zoning Commission following the completion of the local review process. At that time, the Gateway Commission will be responsible for deciding whether the proposed regulations can be ‘approved’ as consistent with the Gateway mission of protecting the scenic quality of the river. The intent of this discussion is to provide guidance to the applicant and to the Zoning Commission in a comment letter that will be sent following this review.

Attorney Ed Cassella presented for the petitioner. The proposed regulations would allow the establishment of an “outdoor restaurant” on the site of the former Dock & Dine Restaurant. All current Gateway regulations will still apply to the project. Currently, outdoor dining is approvable in Old Saybrook as an “accessory use” to a traditional indoor restaurant. The new regulations would allow an all-outdoor restaurant that would be

operated for a maximum of 180 days per year (late April to early October) and would be annually reviewed by the Zoning Commission prior to the start of each year's 180 day period. An ordinance change is also required that would allow temporary structures – trailers – to be located in the VE flood zone within which the property exists. The regulations also require a "storm evacuation plan" to remove the temporary structures and tables, etc. to an off-site location in the event of a storm. Both the regulations and the ordinance must be approved before the applicant can apply for a Special Permit to specifically allow the proposed use on the property. The Gateway Commission would have an opportunity to review and comment on the Special Permit application to provide advisory comments.

The Commissioners questioned the details of the plan and how they might affect the aesthetics of the riverfront site. They requested that staff send a letter to the Saybrook Zoning Commission including ' Gateway Commission's comments and suggestions, and noting that the Gateway Commission will provide its official decision following the completion of the local process as required under Section 25-102g CGS. One such request was for the consideration of inclusion of language in the proposed regulations that would manage aesthetic considerations as none was present in the current draft being reviewed.

Rules and Procedures Committee

Presentation of Ongoing Changes to Rules of Procedure Document

Following review of the proposed changes that had been reviewed by members at the 1/28/21 meeting, **Woody** moved approval of the several changes that had already been reviewed. changes. **Farina** seconded the motion which was unanimously approved. The approval did not include two omissions and the proposed language regarding members who resign and are required to continue until a successor is appointed by the representative's town. The Committee will continue to work on language and will present it to Commission members for approval at succeeding meetings.

Chairman's Report.

Thompson reported on the schedule of virtual public input meetings for the proposed CT National Estuarine Research Reserve (NERR) and encouraged interested Commissioners to participate. The schedule of those meeting was included in the 1/28/21 Staff Report. **Thompson** and **Futoma**, attended Freedom of Information training in Old Lyme and noted that CT Executive Order No. 7B, issued March 14, 2020, requiring recording and posting of virtual meetings would be provided to staff. **Woody** asked if that meant recordings of committee meetings. **Debrigard** commented that committees don't have a quorum or make decisions, just recommendations. Thompson noted that Public Information Officer Tom Hennick will address the Commission at its March meeting.

Finance Committee:

Matthews reported that the Finance Committee met with Essex Financial and, as recommended by the investment firm, made adjustments to the equity/income balance, modifying from a 65/35% balance to a 69/31% balance. **Mathews** moved and **Bement** seconded a motion to pay the RiverCOG staffing bill of \$3,065.63. The motion was approved unanimously.

Rules and Procedures Committee.

In reporting out on the adoption status of the 2018 Gateway standards, **Webb** requested Commission authorization to contact Attorney Mark Branse to revisit the status of revisions that Branse wanted to see in those standards before he could recommend that the Gateway towns that he represents adopt them. Those towns are Haddam, Deep River, East Haddam, Essex and Old Lyme. Old Saybrook had already adopted a version of the standards). The members discussed possible legal fees and whether towns could adopt a modified but *more*-strict version of the standards. Towns that opt to keep the Special Exception review process for residential dwellings over 4,000 square feet rather than adopt the provision for Site Plan review are seen to be in compliance with statutory requirements for adoption "minimum" Gateway Standards.

Woody moved to ask Branse how much it may cost to sort out the status of the Gateway standards, what has

to be revised to bring the adopted standards into a form that Branse would recommend adoption to his towns. **Ide** seconded the motion, which passed unanimously.

Semenov presented a slideshow about lighting and lighting pollution in which he cited an International Dark Sky Association (IDA) regulation template. He reported on the status of a request Downes will make to the eight towns in the Conservation Zone regarding adopting more technical lighting standards into the body of the general zoning regulations.

Community Relations/Communications Committee

Gezo reported that the Committee decided to recommend hiring the Community Consultants team of Judy Anderson and Dorene Warner...Depending on how the Committee and Commission move forward with the proposed projects, costs could be approximately \$30,000 over a period of approximately 12 to 18 months.

Land Committee.

Futoma summarized considerations regarding the Mount Saint John property in Deep River. Earlier in the week, **Woody, Bement** and **Futoma** toured the property, including the inside of some of the buildings. **Giannotti** noted that the Deep River Land Trust also has interest in the preservation of the property.

Adjournment: **Bement** moved that the meeting adjourn. **Woody** seconded the motion and it passed unanimously.

The meeting adjourned at 9:50pm.

Staff Report, 2/25/21

A. Correspondence/Staff Report

Proposed Old Saybrook Zoning Regulations Concerning Outdoor Dining and Food Trailers/Trucks (presentation by Attorney Ed Cassella). Public hearing on the proposed regulations is scheduled to commence on Monday, March 1st. Applicant is seeking to open an outdoor food court-style restaurant serviced by food trucks/trailers in the parking lot of the old Dock & Dine Restaurant on Saybrook Point. Addition of new and revision of existing regulations require Gateway approval pursuant to Section 25-102g CGS. If approved, the actual project proposal will be subsequently submitted to the Old Saybrook Zoning Commission as a Special Exception Review which the Gateway Commission will be afforded a review and ability to comment as well as request conditions. A sketch of the layout can be seen by clicking on the following link, <https://ctexaminer.com/category/by-topic/in-the-region/old-saybrook/>:

- Section 37.1.12 (Saybrook Point District), Indoor restaurant or outdoor restaurant. Indoor restaurant use already exists in district, proposal adds “*outdoor restaurant*” to use.
- Section 53, New Special Standard, Restaurant, Outdoor (NEW): *An outdoor restaurant or other outdoor food and beverage service establishment serving customers who are consuming the food and beverage at tables or counters located outside. The establishment may provide food take-out service, when (a) the service and transfer of food and beverages to customers is located in a designated area, (b) the food is intended for consumption off the premises, and (c) the service is clearly incidental to a primary permitted outdoor food and beverage service establishment where customers are served only when seated as specified. An outdoor restaurant may be a standalone permitted use on a lot or an accessory use to a building, use or facility of the Town, when such property is located on Long Island Sound or the Connecticut River.*
- Section 53, Special Standards, Outdoor Seating (REVISED). Outdoor seating associated with an indoor restaurant, *an outdoor restaurant (added)*, or for the consumption of food purchased at a retail establishment will be renewed... on an annual basis.
- Section 53, Outdoor seating as an Accessory Use on Property (REVISED). Currently exists for indoor restaurants (think tables on Main Street). Addition of “*outdoor restaurant*” to standard.
- Section 53, Food and Beverage Concession Service (REVISED): [Comment: The addition of this language would apply to the Vicky Duffy Pavilion on Saybrook Point and was requested by the Town. A food truck is utilized at one of the town’s beaches; this would provide a similar opportunity at the Town-owned pavilion site as well].
A food and beverage service is an accessory use, involving the indoor or outdoor retail sale of food for consumption on the premises, such retail sale not being to the general public nor for consumption off the premises by accessory to a Building, Use or Facility (added) ~~park or playground~~ (deleted) owned or operated by the Town of Old Saybrook when said property (added) park (deleted) abuts Long Island Sound or the Connecticut River (added). A food and beverage concession service may be permitted in any district by Special Exception Use when in accordance with the following standards (with addition of Connecticut River, applicable to the Vicky Duffy Pavilion on the river at Saybrook Point):
 - A. Service won’t operate if associated building is closed.
 - B. Service will not obstruct parking.
 - C. Service for patrons of building only
 - D. Maximum floor area 400sf or indoor or enclosed space. A wheeled cart or motor vehicle situated on the property for a minimum of four hours per day may be permitted in lieu of a permanent building. No seating provided, however benches, picnic tables and other furniture located at the park on a year-round basis may be used for seating.
- Section 66, Trailers. Temporary Non-residential Restaurant Trailer (NEW): A wheeled trailer used for a permitted outdoor restaurant use, which will be located on private property on the same lot as the outdoor restaurant use. Temporary Non-residential Restaurant Trailers will be used for storage, restaurant facilities, and /or food preparation and will be located on the lot for fewer than 180 days in any calendar year, including time for installation, set-up and breakdown of the site and structures. When located in a Special Flood Hazard Area, the Temporary Non-residential Restaurant Trailer will only be approved subject to a Storm Contingency Plan for evacuation of the site in the event of a major storm or hurricane as specified in Chapter 128 of the Old Saybrook Town Code Flood Plain Management.

FOIA Presentation. Mr. Tom Hennick of the Connecticut FOI office will be attending the March 25, 2021 Gateway meeting to present on FOIA and answer any questions members may have.

Committee Reports

- Finance Committee: Payment of outstanding bills and report out on meeting with Essex Financial.
- Rules of Procedure Committee: Presentation of Revised Rules of Procedure for the purpose of (1) approving new language proposed at the January 28, 2021 meeting and (2) presentation of language that is to be voted on at the March 25, 2021 meeting. Misha Semenov will present a plan for consideration of the adoption of lighting regulations and standards within the eight Gateway towns.
- Community Relations/Communications Committee: Interviews of two consultant groups completed with committee members deciding on their preference for hiring. Committee will present a recommendation to entire Commission.
- Land Committee: Site walk of Mount Saint John property in Deep River conducted on Tuesday, February 23, 2021. Futoma will elaborate.
- Grants Review Committee: A meeting of the new committee, chaired by Joel R. Ide, was convened on Wednesday, March 24, 2021. Ide will elaborate.

CONNECTICUT RIVER GATEWAY COMMISSION

RULES OF PROCEDURE

- **Red highlighted** text was presented to members of the Gateway Commission at its 2/25/21 meeting and will be recommended for approval at the 3/25/21 meeting

Article I. Organization and Membership

- A. The Connecticut River Gateway Commission (the "Commission") is organized pursuant to the provisions of Chapter 477a of the Connecticut General Statutes, as amended, with all the powers, rights and obligations therein conferred upon it.

1. Membership

The voting members of the Commission include: (amended on 2/25/21)

- a. One member and one alternate selected pursuant to Section 25-102d by each town which voted to be governed by the provisions of Chapter 477a (the "member towns").
- b. Two members and two alternates appointed by the Lower Connecticut River Valley Council of Governments, as the successor agency to the Midstate Regional Planning Agency and the Connecticut River Estuary Planning Agency, and (amended 7/01/13)
- c. The Commissioner of the Department of Energy and Environmental Protection (DEEP) (the "Commissioner"), or the Commissioner's designee.

Except for the Commissioner (or designee) who shall not have a specified term, all members of the Commission shall serve for a term of two years, the initial term beginning on July 17, 1974 **or until such time that a successor is appointed (added)**. Subsequent terms shall begin on July 1 of even numbered years. (proposed 1/28/21, discussed on 2/25/21,, to be voted on 3/25/21)

[The following entire paragraph to replace the above paragraph beginning with "Except for the..."]

The term for municipal representatives and alternates shall be two years, with terms beginning on July 1st of even-numbered years. Vacancies by resignation, removal or any reason of a member of the Commission will be filled for the remainder of the former member's term in the same manner as the outgoing member was appointed. Terms may, with the agreement of the outgoing member of the approval of the Commission, continue beyond such time, until a successor is appointed. The Commissioner or Commissioner's designee shall not serve a specified term. (proposed 2/25/21, to be voted on 3/25/21)

3. Separate zoning entities within member towns, such as the Borough of Fenwick, shall be entitled to non-voting membership, and will be invited to appoint a regular and an alternate member to the Commission. (amended 7/01/13)
4. Any vacancy on the Commission shall be filled for the balance of the original term in the same manner as the original appointment.
5. No member shall receive any compensation for his or her service, but may be entitled to reimbursement for necessary expenses in the performance of duties on the Commission.
6. All members shall annually execute a Conflict of Interest Disclosure Statement.

Article II. Authority and Duties

- A. Authority. The Commission has authority, under Chapter 477a, to

1. Establish its own Rules of Procedure and Policy Manual, which carries with it the right to amend such rules from time to time;
2. Employ expert, administrative, and such other assistance as it judges necessary, pursuant to written agreements,

whether contracts or letters of agreement.

3. Accept funds designated to further the purposes of the Commission.

B. Duties. The Commission is authorized by Chapter 477a to:

1. Confirm that that planning and zoning commissions of each member town have revised the town's zoning regulations, plan of development, and subdivision regulations to meet the minimum standards initially established by the Gateway Commission, and any subsequent revisions thereto that may be adopted by the Commission from time to time.
2. Review and approve or disapprove the adoption, amendment or repeal of plans of conservation and development and zoning and subdivision regulations of the member towns affecting property within the Conservation Zone as defined in Chapter 477a (the "Conservation Zone"), on the basis of compliance with the zoning standards set forth under the provisions of Chapter 477a with regard to classification of zoning districts according to types of land usage permitted therein, land coverage, frontage, setback, design, building height, the cutting of timber, burning of under-growth, removing soil or other earth materials and dumping or storing refuse in a manner that would detract from the natural riverway scene. In acting upon member town regulations affecting property within the Conservation Zone, the Commission shall follow the procedures set forth in Section 25-102g(b) of Chapter 477a.
3. Review and, when deemed necessary, revise the Standards adopted under Chapter 477a, after review by the planning, zoning, planning and zoning, and conservation commissions of the member towns, and following a public hearing held at least thirty-five days after:
 - a. written notice of such hearing to these aforementioned commissions and the Town Clerks of the member towns, and
 - b. presentation of a copy of such proposed standards to each of said commissions and Town Clerks.
4. Review applications to the zoning boards of appeal in the member towns to determine if the requested application is adverse to the protection and development of the Conservation Zone, and to appear, with the status of the aggrieved party, at hearings before the zoning board of appeals of any member town with respect to land within the Conservation Zone on the basis of compliance with the purposes of Chapter 477a and the standards adopted under it. The review may be conducted by staff under guidelines provided by the Commission, and staff may be authorized to represent the Commission at ZBA hearings.
5. Carry appeals to court, under Section 8-8 of the Connecticut General Statutes, when in the opinion of the Commission an action of the zoning board of appeals of a member town is adverse to the protection and development of the Conservation Zone in accordance with the purposes of Chapter 477a and the standards set forth under the provisions of said Chapter.
6. Approve or disapprove the acquisition by the State of Connecticut of interests less than fee, including scenic easements and development rights in the towns listed in Chapter 477a affecting up to 2500 acres, for which funds may be provided by the State.
7. Undertake initiatives to further Gateway's mission.
8. Report annually, on or before February 15th, to the General Assembly on the Commission's activities of the preceding year and on its finances.
9. It may by majority vote authorize staff to act on its behalf as noted below.

Article III. Connecticut River Gateway Conservation Fund

- A. Fund Establishment: The Commission hereby establishes a special fund to be known as the Connecticut River Gateway Conservation Fund, into which all funds received from private sources shall be placed. For the purpose of this article 'income' shall constitute any earnings, appreciation, proceeds, or contributions exceeding the original \$1 million corpus.

B. Fund Use Policies

(amended 2/25/21)

1. The Commission shall hold the income it receives from the CT River Gateway Conservation Fund separate and reserved from any proceeds or appropriations from the state of CT and shall disperse it in accordance with the following guidelines
 - a. Income shall be used:
 - i. to the fullest extent possible, for the direct acquisition of property rights or for providing grants to conservation organizations to acquire property rights wholly or partly within the Conservation Zone, and costs associated therewith;
 - ii. for operating expenses of the Commission.
 - iii. to promote the restoration, enhancement, preservation, and scientific study of and education regarding natural resources within or ecologically connected to the Conservation Zone. Such natural resources shall include land, air and water resources, the plant and animal life thereon, and unique scenic and historic sites (amended 5/28/20)
 - b. The Commission shall seek in all land transactions to make the most of available resources by cooperating with the State of Connecticut, member towns, local land trusts and other recognized non-profit conservation organizations in sharing the cost of protecting selected areas.
 - c. In spending income from the Connecticut River Gateway Conservation Fund the Commission shall decide on a parcel-by-parcel basis the most advantageous method of acquisition. Property rights acquired may be transferred to the State of Connecticut, a member town, local land trust or other recognized non-profit organizations. When the Commission acquires an interest in property which is adjacent to an existing protected open space area, the Commission may offer its acquired parcel first to the organization owning the contiguous parcel to supplement the permanently protected open space within the river corridor.
 - d. Whenever the Commission transfers a title, development rights or makes a grant, it shall first find that it has moved to further the purposes of Chapter 477a and record in its minutes the public purposes for which it has acted. Any agreement between the Commission and an entity receiving development rights, fee title or a grant shall cite the public purposes for which the Commission has acted and reserve to the Commission the right to enforce these purposes.
 - e. In selecting parcels for acquisition the Commission shall be guided by the following:
 - i. Properties identified by the original Gateway Committee under subsection (a) of Section 25-102d of Chapter 477a;
 - ii. Properties which will supplement existing recreational and open space areas now owned by the State of Connecticut, municipalities, local land trusts or other recognized non-profit conservation organizations.
 - iii. Properties listed in the Connecticut Natural Areas Inventory as identified by the Department of Energy and Environmental Protection.
 - iv. Properties identified for open space protection in the Connecticut State Plan of Conservation and Development, Regional Plans and Town Plans of Conservation and Development; (amended 12/3/20)
 - v. Properties which will be managed and operated to permit public use for limited non-intensive recreational purposes such as interpretative nature trails, fishing access, boat access, scenic viewing or outdoor classroom uses.
2. The fund shall be self-supporting to the extent that any fees required for the investment management of the fund shall be paid by the fund.

C. Safeguards

1. Two signatures shall be required for all checks. Authorized signatories shall be the Chair, Vice-Chair, Treasurer, and Secretary. (amended 7/01/13)
2. Investment Management: The Finance Committee shall make recommendations to the Commission regarding

financial advisors, with no change in advisors to be made without Commission approval. However, the Finance Committee has the authority to make changes to the investments themselves.
(amended 7/01/13)

Article IV. Meetings

- A. **Regular:** The Commission shall meet at least once a month on a regular date and at a place fixed by vote of the membership, except there may be a combined meeting for November/December. All meetings shall be open to the public. The current meeting date is the fourth Thursday each month, except there shall be no meeting in November and the December meeting shall be held on the first Thursday of December. (amended 7/01/13)
- B. **Annual Meeting:** The annual meeting of the Commission shall be the October meeting of each year. The Agenda shall include, but not be limited to:
1. Election of Officers (even years only)
 2. Vote on any actions as required below. (amended 12/3/20)
- C. **Special:** Special meetings shall be held upon call of the Chair or Vice Chair or on written request of any three regular members.
- D. **Notices**
1. Notices of all meetings shall be given to each member and alternate, stating the date, time, place and business to be transacted. Notices of all regular meetings shall be given by mail or electronic means, as designated by each individual member, at least ten days prior to the meeting. Notices of all special meetings shall be given in the same way or by telephone at least five days prior to the meeting.
 2. On or before January 31st of each year the Commission shall file with the Office of the Secretary of the State and with the Town Clerks of each member town the schedule of regular meetings of the Commission for the ensuing year, and no such meeting shall be held fewer than thirty days after such filing.
 3. Notice of any special meeting of the Commission shall be posted in the office of the Secretary of the State and of the Town Clerks of each member town not less than twenty-four hours prior to the meeting; this requirement may be omitted in cases of emergency if a copy of the minutes of such meeting adequately describing the emergency and proceedings of such meeting is filed in each such place within seventy-two hours after the meeting.
- E. **Quorum.** At all meetings, a quorum shall consist of six voting members with at least five representing member towns. For purposes of a quorum, members representing the Lower Connecticut River Valley Council of Governments may represent their town of residence in the absence of both the member and alternate from that town.
(amended 12/7/06)
- F. **Executive Session.** The Commission may enter into executive session by a vote of two-thirds of the members present and voting to do so at any public session for the following purposes and no other:
1. personnel appointments, evaluation and dismissals;
 2. strategy and negotiations regarding pending claims and litigation;
 3. security matters;
 4. real estate acquisitions;
 5. discussion that would result in the disclosure of a public record which is legally exempted from disclosure requirements.
- G. **Voting**
1. Alternates shall be entitled to attend and participate in the discussion at all full Commission meetings but shall not be entitled to vote except in the absence of the regular member for whom they act as alternate. Notwithstanding the above, all committee members, whether town representatives or alternates, are entitled to a vote on any committee decisions. (amended on 2/25/21)

2. All matters upon which a vote is required shall be adopted by a vote of a majority of the voting members present at a duly called meeting of the Commission at which a quorum is present unless otherwise provided herein.
 - a. Any adoption of standards or amendment to existing standards shall be by affirmative vote of members (or alternates) representing no fewer than five member towns and at least one other member or any adoption of Rules of Procedure or amendment to existing Rules shall be by affirmative vote of members (or alternates) representing no fewer than five member towns and at least one other member organization.
 3. Polling by electronic means may be used for any matter other than those regarding Standards or Rules of Procedure.
 4. Proxy voting is not permitted.
- H. Freedom of Information. The Commission shall comply with all requirements of the Freedom of Information act as it might be amended.

Article V. Officers and Committees

A. Officers

1. The officers of the Commission shall be a Chair, vice Chair, secretary, treasurer and such other officers as the Commission may from time to time designate. They shall be elected at the Annual Meeting of the even numbered years. The term of each officer shall begin with the next scheduled meeting after the Annual Meeting, and shall be for a two (2) year period and until his or her successor is elected. Officers may succeed themselves. No two offices may be held by the same individual at any one time. Alternates may serve as officers. (amended 7/01/13)
2. Any vacancy in an office shall be filled by vote of the Commission for the unexpired term of such office.

B. Committees

1. There shall be a Finance Committee whose duties shall include, but not be limited to responsibility for accounting/bookkeeping, investment management, financial reporting, budget preparation and auditing functions. (amended 12/3/20)
 - a. Audit. The Finance Committee shall review the need for an Annual Audit at least every five years, but more often should circumstances so warrant, and shall present its recommendation to the Commission at its Annual or other meeting for action. (amended 12/3/20)
 - b. Budget. The finance committee shall solicit and receive budget recommendations from committee chairs, prepare a proposed budget and bring it to the full commission at its June meeting for approval before the beginning of the new fiscal year. (amended 12/3/20)
 - c. Investments and Investment Policy. The Finance Committee shall review the Investment Policy at least every three years, but more often should circumstances so warrant, and shall present its recommendation to the Commission at its Annual or other meeting for action. (amended 7/01/13)

Furthermore, since it is the responsibility of the Finance Committee to oversee investments for Commission funds, the Finance Committee shall regularly meet with an investment advisor and shall conduct an investment advisor review at least every five years but more often should circumstances warrant. Any recommendation regarding a change in investment advisor shall be made to the Commission for action. (amended 12/3/20)

2. The members at a regular or special meeting may create any other committees as deemed necessary or advisable, and define the powers and duties of such committees.

These committees may include:

- a. Communications and Outreach Committee. Responsibilities shall include:
 - i. Outreach and education programs to inform the public and/or local officials in member towns,
 - ii. Preparation of educational and publicity materials, and
 - iii. Oversight of Gateway's website ensuring timely posting of the following items: Governing statutes and Rules of Procedure, names of Commission members and staff, Commission

meeting schedule, Gateway committees and their members, agendas and minutes, Annual Report, and any other items as the Commission may require. (amended 12/3/20)

b. Land Committee. Responsibilities shall include:

Making recommendations to the Commission regarding potential land or easement acquisitions, the financial participation of the Commission via matching grants or other means in such acquisitions by an entity, the Commission's acceptance of gifts of land or easements, and disposition of any properties or easements held by the Commission to appropriate parties. (amended on 2/25/21)

- i. Stewardship of any properties or easements held by the Commission,
- ii. Making recommendations to the Commission regarding letters of support for entities seeking grants or conducting fundraising drives to protect property within the Gateway Conservation Zone or to the Connecticut Department of Energy and Environmental Protection regarding property acquisition opportunities within the Gateway,
- iii. Outreach to towns, regional entities, land trusts, landowners and others, in conjunction with the Communications and Outreach Committee, regarding the Commission's land acquisition mission and its priorities for land conservation.
- iv. Making recommendations to the Commission regarding letters of support for entities seeking grants or conducting fundraising drives to protect property within the Gateway Conservation Zone or to the Connecticut Department of Energy and Environmental Protection regarding property acquisition opportunities within the Gateway,
- v. Outreach to towns, regional entities, land trusts, landowners and others, in conjunction with the Communications and Outreach Committee, regarding the Commission's land acquisition mission and its priorities for land conservation.

c. Rules & Procedure Committee. Responsibilities shall include:

- i. Membership
- ii. Legal matters
- iii. Gateway Standards, amendments, additions, etc.
- iv. Regular review of Commissions Rules of Procedure, making recommendations for updates to the Commission for action. (amended 2/25/21)

d. Grants Review Committee. Responsibilities shall include:

- i. Review grant proposals other than those related to land acquisition or Communications and Outreach committee projects submitted to the Commission and make recommendations to the Commission.
- ii. Review such grant proposals materials, making recommendations for clarification and/or submission of additional information when appropriate.
- iii. Recommend the addition of members to the committee on a case-by-case basis for review and decision on grant proposals, and/or referral of the request to the appropriate committee(s) for disposition.
- iv. Recommend to the full Gateway Commission for action on grant proposals.
- v. Relay to the Treasurer, at budget time, information regarding funds that need to be set aside for the next year's grants, based on any ongoing or readily anticipated project. (amended 1/28/21)

3. The members at a regular or special meeting shall designate members on the several committees and each representative or alternate shall serve on at least one committee. **The members may also authorize the Chair to appoint committees (delete, see B.2 above).** (proposed 1/28/21, discussed on 2/25/21, to be voted on 3/25/21)
4. Each committee, by majority vote of its membership, may designate a Chair, vice Chair, and secretary, who shall keep the minutes of its meetings and file such minutes with the permanent records of the Commission with the understanding that minutes may vary as to the degree of detail.
5. Each Committee shall submit a written report for consideration at the Commission's Annual Meeting.

C. Power and Duties of Officers

1. The Chair shall:
 - a. Preside at all meetings of the Commission;
 - b. Have general supervision of the affairs of the Commission, including any staff.
 - c. Execute all papers and documents on behalf of the Commission as authorized by the Commission;
 - d. Be a member ex-officio of all committees except a Nominating Committee;
 - e. **Has the authority to establish committees; (added)** (discussed on 2/25/21, to be voted on 3/25/21)
 - f. Represent the Commission as directed by the Commission;
 - g. Have the power to co-sign checks and investment instruments with the Vice Chair, Secretary or Treasurer with two signatures needed for all transactions authorized by the Commission.

2. The Vice Chair shall:
 - a. Assume the office and duties of the Chair in the event of the absence, resignation, or incapacity of the Chair, or in the event the Chair shall be unable to act.
 - b. Perform any such duties and other functions designated by the Chair or by the Commission.
 - c. Have the power to co-sign checks and investment instruments with the Chair, Secretary, or Treasurer with two signatures needed for all transactions authorized by the Commission.

3. The Secretary shall:
 - a. Give notice of, and make, keep and maintain a record of the proceedings of all meetings of the Commission; such task may be assigned to staff by the Secretary upon approval of the Commission.
 - b. Carry on such correspondence of the Commission as the Chair or the Commission shall request; such task may be assigned to staff by the Secretary upon approval of the Commission.
 - c. Perform such other duties as may be required by his or her office.
 - d. Inform Town Clerks, the Commissioner of DEEP, and the Lower Connecticut River Valley Council of Government (LCRCOG), prior to March 31 of the even numbered years, of the necessity to elect representatives and alternates to the Gateway Commission. Such task may be assigned to staff by the Secretary upon approval of the Commission. (amended 7/01/13)
 - e. Have the power to co-sign checks and investment instruments with the Chair, Vice-Chair, or Treasurer with two signatures needed for all transactions authorized by the Commission. (amended 12/3/20)

4. The Treasurer shall chair the Finance Committee and
 - a. Take in all monies, make all disbursements, and have charge of all funds of the Commission. He or she is authorized to co-sign checks and investment instruments with the Chair or Vice Chair with two signatures needed for all transactions authorized by the Commission. All instructions regarding investments and deposits are to be in writing with co-signatures of the Chair or Vice Chair or as may be confirmed in accepted minutes of the Finance Committee.
 - b. Keep a full and complete record of all funds, securities, evidences of indebtedness and other assets at all times belonging to the Commission and of all money received or paid by him or her on its account; he or she shall prepare, present and file such financial reports, which might include an audit, as from time to time are requested by the Commission; such task may be assigned to staff by the Treasurer upon approval of the Commission.
 - c. Authenticate all requests for payment or reimbursement before payment.
 - d. Prepare for review and approval at the Commission's June meeting a proposed operating budget for the coming fiscal year and, upon approval by the Commission, the Treasurer shall submit any Commission's appropriation request to the Commissioner of DEEP for inclusion in the State's next fiscal year's budget prior to September 1 of each year. (amended 12/3/20)

5. In addition to the powers and duties hereinabove enumerated, each officer shall have such powers and duties as the Commission may from time to time prescribe.

Article VI. Fiscal Year.

The fiscal year of the Commission shall run from July 1 of each year through June 30 of the following year.

Article VII. Amendments

These Rules of Procedure may be amended from time to time by affirmative vote of members (or alternates) representing no fewer than five member towns and at least one other member organization present at the meeting next following the introduction of the amendment, provided notice of the complete text of the proposed amendment shall have been mailed with the call of the earlier meeting to all members.

Adopted: October 18, 1974

Amended: February 24, 1983

July 28, 1983

August 22, 1991

December 7, 2006

May 27, 2010

July 1, 2013

May 28, 2020

December 3, 2020

January 28, 2021

February 25, 2021

March 25, 2021 (pending approval)