

**BYLAWS OF THE
PUBLIC WATER SUPPLY MANAGEMENT AREA
WESTERN CONNECTICUT WATER UTILITY COORDINATING COMMITTEE**

Article I – Objectives

The objective of the Water Utility Coordinating Committee (WUCC) is to implement and keep up to date the planning process established in Public Act 85-535 and defined in CGS 25-33c-j and RCSA 25-33h-1 in the Water Management Area (Figure 1) and to coordinate with the other WUCCs for statewide water supply planning. The planning process pursuant to CGS 25-33c shall maximize the efficient and effective development of public water supply systems and promote public health, safety and welfare.

Article II – Membership

As defined in RCSA 25-33h-1(b)(6) membership in the WUCC shall consist of one representative from each public water system (community and non-community) that has a source of supply or service area within the Water Management Area and one member of each Council of Governments (COG) serving at least one municipality within the management area. The State Department of Public Health (DPH) shall maintain the list of eligible members and make that list publicly available on the DPH website.

Article III – Officers and Governance

- A. *Composition* – Officers of the WUCC shall consist of either Co-Chairs or Tri-Chairs and a Recording Secretary. Preference shall be given to having the Chairs include a combination of private and public water system representatives and/or a COG representative. All Officers shall be members.

The Chairs shall be authorized to create the position of Assistant Secretary. Nomination and election of an Assistant Secretary shall follow the procedures for election of other Officers. The Recording Secretary, Assistant Secretary or Chair shall be authorized to designate an alternate to record the meeting minutes.

- B. *Nomination* – Any member of the WUCC may nominate themselves or any other member for election as an Officer.
- C. *Election* - Officers shall be elected by the members at a meeting of the WUCC for which Election of Officers has been noticed as a meeting agenda item.
- D. *Term* - Each Officer shall serve for a term of two years, or until a successor has been elected. There shall be no limit on the number of consecutive terms that an Officer can serve. The term of one or more initial Chair may be extended up to one additional year to provide continuity to the Committee. Thereafter, each successive term shall be two years. Any such extension shall follow the process used for the election of Officers.
- E. *Removal* - An Officer who has missed three or more meetings within a twelve month period may be removed ~~by the members at a meeting of the WUCC for which by a majority vote of the members attending a meeting, and for which~~ such removal has been noticed as a meeting agenda item.

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- F. *Responsibilities* - The Chairs shall have the responsibility of scheduling, setting the agenda for, and presiding over meetings of the WUCC, and any other actions authorized by the WUCC. The Chairs shall also coordinate with DPH and the consultant retained by DPH to assist the WUCC in preparing the Areawide Supplement and any subsequent modifications or updates thereto, and shall promptly forward any FOI requests or legal issues to DPH. The Recording Secretary shall coordinate with DPH, who has the responsibility of maintaining the notification list and providing notice for WUCC meetings. The Recording Secretary shall be responsible for maintaining the records of the WUCC including WUCC work products, agenda and meeting minutes to publicly post within a timely manner.
- G. *Sub-Committees* – The Chairs may establish ad-hoc subcommittees comprised of WUCC members to deal with specific technical issues. Meetings of these subcommittees shall be noticed by DPH and minutes shall be recorded, approved by the subcommittee and made available to the WUCC and the public via the DPH website. Recommendations of the sub-committees shall be acted upon by the WUCC in order to be adopted.
- H. *Executive Session* – The Chairs may call for Executive Session for discussion of, and action on, security sensitive information Freedom of Information requests, and legal matters. Executive Session shall be open to WUCC members, ~~State Agencies and their agents~~, and invited guests. No votes or minutes shall be taken while in Executive Session.

Article IV – Voting

- A. *Number of Votes* – Each eligible WUCC member shall have one vote, which must be cast in person. There shall be no weighting of votes or voting by proxy.
- B. *Exclusive Service Area (ESA) Boundaries and Assignment* – Designation or modification of ESA boundaries or assignments shall be made by consensus, if possible. If consensus cannot be achieved the WUCC will consult with the Public Utilities Regulatory Authority (PURA). If consensus cannot be achieved following such consultation, the WUCC shall submit the disputed boundary or assignment to DPH for resolution. The notice for any meeting at which an ESA boundary or assignment is to be considered shall include a map of the proposed boundary and/or assignment.

Modification of assigned ESA boundaries between two members can be made without the vote of the WUCC provided such modification is documented by the affected members and following an opportunity for comment by the WUCC and any affected municipality. Modification will become effective upon acknowledgement of receipt of the notification by the WUCC Chairs to DPH.

ESA assignments will transfer with a transfer of ownership of a public water system without a vote of the WUCC.

- C. *Certificates of Public Convenience and Necessity (CPCN)* - To the extent a WUCC recommendation is required for approval of a new public water system within the management area, such recommendation may be provided by a vote of the Chairs with subsequent notification to the WUCC members.

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- D. *Other Matters* – WUCC decisions ~~other than including~~ the election or removal of officers, ~~approval or modification of ESA boundaries and assignments,~~ adoption or amendment of bylaws, or submittal of the Coordinated Water System Plan, or any portion thereof, to DPH for approval may be by a simple majority of the members present.

Article V – Meetings

- A. *Frequency* – The WUCC shall meet a minimum of monthly during the preparation of its coordinated plan, and at least once per calendar year thereafter. Special meetings may be called by the Chairs at any time to address any matters to properly come before the WUCC or upon the request of DPH or other state agency.
- B. *Location* - Meetings of the WUCC shall be in a publically accessible location as convenient as practicable to the members affected by issues on the agenda.
- C. *Notice* – Notice for convening of the WUCC shall be made by DPH in accordance with the requirements of RCSA 25-33h-1(b)(5). DPH, in coordination with the WUCC Recording Secretary, shall maintain a list of eligible WUCC members and other interested persons who have provided their email addresses and indicated a desire to be notified of WUCC meetings. The Department, in coordination with the Recording Secretary shall provide electronic notification of subsequent WUCC meetings to the addresses on the notification list at least 14 calendar days prior to the meeting, or as otherwise required.

The Officers, or any number of WUCC members, may hold un-noticed workshops for purposes such as setting an agenda, reviewing technical information or resolving ESA disputes, but no vote or formal action of the WUCC can occur. An agenda and minutes shall not be required for these workshops.

- D. *Quorum* – The WUCC can meet with the members present and doesn't require a specific quorum to conduct business, ~~except as required in Article IV D,~~ provided at least two Officers are in attendance.
- E. *Public Participation* – Each WUCC meeting shall include an agenda item for public comment. Chairs shall determine if sign-up sheet is needed for public comment and may limit public comment periods in order to conduct efficient and orderly meetings
- F. *Minutes* – The Recording Secretary shall record minutes of each WUCC meeting that shall be reviewed and approved by the members at the next meeting and then made electronically available to the notice distribution list.

Article VI – Parliamentary Procedures

Robert's Rules of Order for Small Boards shall be the parliamentary authority for all matters of procedure not covered by these bylaws.

Article VII – Conflict

If there is a conflict between these by-laws and the CGS or RCSA, the statutes or regulations shall prevail.

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Article VIII – Amendments

Proposals for the amendment of the bylaws may originate by any WUCC member upon a petition signed by at least ten WUCC members. Upon submission of the amendment, the Recording Secretary, through the DPH, shall furnish each WUCC member with a copy of the proposed amendment(s). The proposed amendment(s) shall be voted on at a regular or special meeting ~~where a quorum is present~~, provided, however, that all utility members shall have at least ~~thirty-two~~ one ~~eight~~ calendar days to consider the proposed amendment(s). A simple majority of those members present and voting shall be required to amend the bylaws. Upon favorable action on the proposed amendment(s), the new provisions will be effective immediately unless a different effective date is stated.

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