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# Rules Of Procedure & Grounds For Removal Of Appointive Board & Commission Members

## TOWN OF EAST WINDSOR

The following ordinance was adopted at a special Town Meeting duly warned and held on March 29, 2011.

### **“Town of East Windsor Rules of Procedure and Grounds for Removal of Appointive Board and Commission Members”**

Each member of a board, commission or committee shall faithfully perform the duties of his office and shall make a significant contribution to the work of his board, commission or committee. No member shall permit his personal interest or prejudices to affect his actions or decisions in the service of the town. Failure not to perform may result in removal. \_

Members of each board, commission and committee shall regularly attend meetings. If a member shall fail to attend a majority of meetings in a year, or shall have four (4) consecutive unexcused (not excused by the chairman, or his designee, of the board, commission or committee), the chairman, or his designee shall send a certified letter asking for his/her resignation. If such member fails to submit his resignation, within ten (10) days of notice such chairman, or his designee, shall submit a written request for removal of said Member to the Board of Selectmen and the Board of Selectmen shall proceed as described below.

Pursuant to Town Charter Section 7-1 (H) written complaints or requests for removal must be filed directly with the Board of Selectmen, hand delivered or mailed to the Town Hall. Said complaints and requests for removal must be signed. Complaints or requests for removal will be reviewed in executive session by the Board of Selectmen at their first scheduled meeting following receipt of notification to determine whether removal is appropriate. Pursuant to Connecticut General Statutes Sections, 1-200(6) and 1-231 the Member who is the subject of the written complaint or request for removal shall be given notice of the executive session, and under the Statute has the right to have the discussion held at an open meeting. The Member shall be given reasonable notice of the meeting, and the reasons for the executive session, and will be provided with a copy of the complainant's letter during the executive session.

If it is found that the complaint or request for removal does not warrant removal, a letter from the Board of Selectmen will be sent so informing the complaining party and the subject Member.

If it is determined, that removal is warranted the Board of Selectmen shall serve the member being removed with a written statement explaining the reasons for removal by certified mail, to the last address of record. The Board of Selectmen shall transmit to the Member the reasons for removal within fifteen (15) business days of reaching its decision. The statement shall clearly define why the Member is being removed.

The Member being removed may request a hearing. If the Member being removed desires a hearing the Member must request that hearing within fifteen (15) business days of receipt of written notice of the Board of Selectmen's decision. After the Member requests a hearing, the hearing shall be held at the next regularly scheduled meeting of the Board of Selectmen. The Board of Selectmen must be notified by certified mail at 11 Rye Street, Broad Brook of the Member's request for a hearing. The Member requesting a hearing shall not be removed until such hearing has been held. The hearing shall be in executive session unless the Member elects to have it at a public session pursuant to Connecticut General Statute Section 1-200(6). At the end of the hearing before the Board of Selectmen in executive session/or during the open meeting the Board of Selectmen shall vote as to whether the Member is to be removed. Removal of the Member will require the affirmative vote of no less than four (4) of the five (5) Members of the Board of Selectmen. The Subject Member will be given written notice of the decision reached by the Board of Selectmen by certified mail and this decision by the Board of Selectmen shall be final. The written notice of decision by the Board of Selectmen shall issue from the Board of Selectmen within fifteen (15) business days of the hearing at which the decision was reached.

The procedures to be followed at the hearing requested by the Member shall be determined by the Board of Selectmen, with the advice of the Town Counsel, and said procedures will be governed by the nature of the circumstances surrounding the complaint giving rise to the removal procedures.

The foregoing shall become effective fifteen (15) days after the publication thereof in a media having circulation in East Windsor.

Ord. 11-02  
Journal Inquirer  
April 4, 2011

Attest: \_\_\_\_\_  
Joanne M. Slater, CCTC  
Town Clerk of East Windsor