



TOWN OF LEDYARD CONNECTICUT

741 Colonel Ledyard Highway
Ledyard, CT 06339-1511

Ad Hoc Committee to Evaluate Separation of the Planning Commission & Zoning Commission ~ AGENDA ~

Organizational Meeting

Tuesday, June 23, 2026

5:30 PM

Council Chambers Town Annex

REMOTE MEETING INFORMATION

Join Zoom Meeting

<https://ledyardct.zoom.us/j/81468155944?pwd=kudba0aIoUZrasZa2Q8w5AI5WKaTye.1>

Meeting ID: 814 6815 5944

Passcode: 444273

One tap mobile

+13092053325,,81468155944#,,,,*444273# US

I. CALL TO ORDER

II. ROLL CALL

III. BUSINESS OF MEETING

1. Election of Officers.
2. MOTION to set the Committee to Evaluate Separation of the Planning Commission and Zoning Commission's Regular Meeting schedule for the 2026 Calendar year.
3. Review the Resolution Establishing an Ad Hoc Committee to Evaluate the separation of the Planning Commission and the Zoning Commission.

Attachments: [Resolution Establishing an Ad Hoc Committee to Evaluate the Separation of the Planning Commission and Zoning Commission](#)
[Roles and Responsibilities of Local Land Use Officials Planning Commission](#)
[Policy Guidelines for Remote Meeting Participation](#)
[Town of Ledyard Policy Guidelines Electronic Communication for Elected Town Officials and Appointed Volunteers](#)

IV. COMMENTS OF COMMITTEE MEMBERS

V. ADJOURNMENT

DISCLAIMER: Although we try to be timely and accurate these are not official records of the Town.



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 26-0895

Agenda Date: 6/23/2026

Agenda #: 1.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

Election of Officers.

Background:

(type text here)

Department Comment/Recommendation:

(type text here)



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 26-0896

Agenda Date: 6/23/2026

Agenda #: 2.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

MOTION to set the Committee to Evaluate Separation of the Planning Commission and Zoning Commission's Regular Meeting schedule for the 2026 Calendar year.

Background:

(type text here)

Department Comment/Recommendation:

(type text here)



TOWN OF LEDYARD

741 Colonel Ledyard
Highway
Ledyard, CT 06339-1511

File #: 26-0897

Agenda Date: 6/23/2026

Agenda #: 3.

AGENDA REQUEST
GENERAL DISCUSSION ITEM

Subject:

Review the Resolution Establishing an Ad Hoc Committee to Evaluate the separation of the Planning Commission and the Zoning Commission.

Background:

(type text here)

Department Comment/Recommendation:

(type text here)

RESOLUTION
ESTABLISHING AN AD HOC COMMITTEE
TO EVALUATE THE SEPARATION OF THE
PLANNING COMMISSION & ZONING COMMISSION

WHEREAS: the Town of Ledyard currently operates under a Combined Planning and Zoning Commission pursuant to Connecticut General Statutes § 8-4a; and in accordance with Ordinance #300-005 "An Ordinance Providing For A Combined Planning And Zoning Commission for the Town of Ledyard"; and Chapter IV, Section 3, of the Town Charter;

WHEREAS: residents have expressed concern that the combined Planning and Zoning Commission has faced an increase in the volume of applications and the complexity of land-use issues; and therefore, has requested the establishment of an Ad Hoc Committee to evaluate separating the roles into a Planning Commission; and into a Zoning Commission;

NOW, THEREFORE, BE IT RESOLVED: that there is hereby established "An Ad Hoc Committee to Evaluate the Separation of the Planning Commission & Zoning Commission" to be composed of five (5) members appointed by the Ledyard Town Council.

Those members shall, as much as possible, be representative as follows:

- One Members of the Community-at-Large with Planning experience
- One members of the Community-at-Large with Zoning experience
- One member from the Planning and Zoning Commission
- One member from the Community-at-Large
- One member from the Town Council

In addition, request the Mayor assign a member from the Land Use Department Staff, either the Zoning Enforcement Officer; or Director of Planning to support the Ad Hoc Committee.

The Committee shall hold its Organizational Meeting no later than 30 days after its appointment and shall elect a Chairman, and Recording Secretary.

BE IT FURTHER RESOLVED, that Committee Members shall serve for a six (6) month term. Any vacancies on said committee shall be filled by the appointment of the Ledyard Town Council with priority given to maintaining as much as possible the structure above; and the attendance of fifty percent of the appointed members shall constitute a quorum.

BE IT FURTHER RESOLVED, that said Ad Hoc Committee is authorized:

- Study the feasibility, benefits, and costs of separating the Planning and Zoning Commission into two separate entities.
- Evaluate whether separating the roles would increase efficiency; improve public transparency, and reduce the potential for conflicts of interest; by the Planning Commission focusing on long-term development/master plan; and a Zoning Commission focusing on site plans and regulations;
- Review, among other things: staffing impacts, budgetary implications, changes to local ordinances required, and potential improvements to the permitting timeline.

BE IT FURTHER RESOLVED, that said Ad Hoc Committee shall provide a report of their recommendations to the Town Council upon completion of their assignment, no later than six months from its Organizational Meeting.

Adopted by the Ledyard Town Council on: March 25, 2026


Gary St. Vil Chairman

AN ORDINANCE
PROVIDING FOR A COMBINED PLANNING AND ZONING COMMISSION
FOR THE TOWN OF LEDYARD

Be it ordained by the Town Council of the Town of Ledyard

Section 1. Authority

Pursuant to Chapter IV, Section 3, of the Town Charter, the duties of the Zoning Commission of the Town of Ledyard as set forth in Chapter 124 of the General Statutes; shall be discharged by the Planning and Zoning Commission of the Town of Ledyard.

Section 2. Purpose

The purpose of the Planning and Zoning Commission is to discharge the duties specified in Chapters 124 and 126 of the General Statutes.

Section 3. Organization/Membership

The Planning and Zoning Commission of the Town of Ledyard shall be served by members as provided for in Chapter IV, Section 3, of the Town Charter, consisting of five (5) regular members and three (3) Alternate who shall be electors of the Town of Ledyard and shall hold no salaried municipal office. Members shall commence to serve their terms immediately upon appointment and shall serve until their successor has qualified or they have been reappointed or removed by the Town Council.

Regular Members and Alternate Members of the Planning and Zoning Commission shall not be members or alternate members of the Zoning Board of Appeals.

Appointment and removal of any member of the Planning and Zoning Commission shall be as provided for in Chapter IV, Section 9, of the Town Charter.

Any member of the Commission who is absent from three (3) consecutive regular meetings and any intervening duly called special meetings shall be considered to have resigned from the Commission. The vacancy shall be filled as herein before provided. Additionally, the commission 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 action.

The Town Council may remove members for cause which includes, but is not limited to unexcused absence from three (3) consecutive regular meetings and any intervening duly called special meeting, failure to act in the best interests of the Commission. It shall be the responsibility of the Chairman of the Commission to notify the Town Council when a member has not properly performed his/her duties.

The Commission 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.

Section 4. Alternate Members

Such alternate members shall, when seated as herein provided, have all the powers and duties set forth in the General Statutes or any special act relating to such municipality for such Commission and its members.

If a regular member of said Commission is absent or disqualified, the Chairman of the Commission shall designate an alternate to so act, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible.

If any alternate member is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting.

Section 5. Duties

The Planning and Zoning Commission of the Town of Ledyard shall have the duties as specified in Chapter IV, Sections 3 of the Town Charter and all duties heretofore assigned by ordinance.

The Zoning Regulations of the Town of Ledyard as adopted and made effective October 11, 1963 and as thereafter amended shall remain in full force and effect except as they may be further amended by the Planning and Zoning Commission of the Town of Ledyard by procedures established in the General Statutes.

The Subdivision Regulations of the Town of Ledyard as adopted on March 22, 1962 and as thereafter amended shall remain in full force and effect except as they may be further amended by the Planning and Zoning Commission of the Town of Ledyard by procedures established in the General Statutes.

Section 6. Severability

If any section, or part of a section, of this Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Section 7. Effective Date

In accordance with the Town Charter this ordinance shall become effective on the twenty-first (21st) day after such publication following its final passage.

Amended, Adopted and Renumbered by the Ledyard Town Council on: September 25, 2019

Linda C. Davis
Linda C. Davis, Chairman

Approve/ Disapprove on: 9/26/19

Fred B. Allyn, III
Fred B. Allyn, III, Mayor

Published on: October 2, 2019

Effective Date: October 23, 2019

Patricia A. Riley
Patricia A. Riley, Town Clerk

Revisions: Ordinance 5, "An Ordinance separating the combined Planning Commission of the Town of Ledyard into a separate Planning Commission of the Town of Ledyard and a separate Zoning Commission of the Town of Ledyard", adopted on October 23, 1961 and as amended and adopted on September 13, 1972; Ordinance #10 "Ordinance Providing for the Appointment of Three Alternate Members to the Planning Commission for the Town of Ledyard" adopted on September 13, 1972; Ordinance 21, "An Ordinance establishing a separate Zoning Commission and Panel of Alternates", adopted on December 5, 1973, Ordinance #128 "An Ordinance Combining the Zoning Commission for the Town of Ledyard with the Planning Commission of the Town of Ledyard" adopted on June 27, 2012

History:

The Twenty-fourth Town Council (2017- 2019) Ordinance Update Initiative: Renumbered Ordinance #128 to Ordinance #300-005.

2012: Ordinance #128 *"An Ordinance Combining the Zoning Commission for the Town of Ledyard with the Planning Commission of the Town of Ledyard"* (Adopted June 27, 2012).

2019: Section 1 removed language pertaining to the implementation; Section 2 removed "Whereas" language as that was in the format of a resolution; updated language to "Land Use Director" and all language regarding purpose for combining the Planning Commission with the Zoning Commission; Section 3 added language regarding member attendance relative to being considered resigned; Section 5 removed Implementation Schedule for Combined Planning and Zoning Commission; Section 7 updated "Severability" and Section 8 "Effective Date" language to be consistent with town ordinances. Removed Section 6 "Repeal" - Per Town Attorney the "Revisions" and "History" paragraph indicates that the previous ordinance has been updated and replaced. Renumbered the Sections accordingly.

Roxanne Maher

From: Nate Woody <nate.a.woody@gmail.com>
Sent: Thursday, January 18, 2018 10:33 AM
To: Roxanne Maher
Subject: Re: Request Committees Provide Role of Volunteers

Roxanne,
For land-use commissions, UCONN Clear provides really nicely written and vetted documents describing the role and responsibilities of the commissions. I would suggest that these be provided to someone who is interested in any of the land-use commissions rather than (or at worst, in addition to) something written by the chairpersons. These should provide an interested person with enough information that they could have a reasonable conversation/question with the chair about what something in the document means.

Zoning: http://clear.uconn.edu/luu/online/fact_sheets/luafactsheetszoning.pdf
Planning: http://clear.uconn.edu/luu/online/fact_sheets/planningfactsheet.pdf
ZBA: http://clear.uconn.edu/luu/online/fact_sheets/luafactsheetsZBA.pdf
IWWC: http://clear.uconn.edu/luu/online/fact_sheets/luafactsheetsinlandwetland.pdf
Commission: http://clear.uconn.edu/luu/online/fact_sheets/luafactsheetsconservation.pdf

If the town council would instead prefer something hand-written, I can provide that, but I hope it would be provided in addition to the above and would address some of the questions around time-commitment, etc, that isn't covered in the UCONN sheets.

Thanks,
Nate

On Wed, Jan 17, 2018 at 1:24 PM, Roxanne.Maher <council@ledyardct.org> wrote:

Hello All:

Please find attached a Memo from
Chairman Davis dated January 17, 2018.

Planning Commission



Land Use Academy Fact Sheets

clear.uconn.edu/ua

Legal Basis of Authority

Chapter 126, Section 8-19 of the Connecticut General Statutes (CGS) provides that any municipality may by ordinance create a planning commission.

Membership

Commissions must consist of five members who are:

1. Electors, and
2. Hold no Salaried Municipal Office.

The Chief Executive Officer, Town Engineer or Commissioner of Public Works shall be Ex-Officio members, without voting privileges

Terms of Office

Terms of office and method of selection shall be fixed by ordinance, however terms of office shall be so arranged that no more than three (3) members' terms shall expire in any one year.

Election of Officers, Keeping Records

Commissions must:

1. Elect a chairperson and secretary from its members,
2. Adopt rules for the transaction of business,
3. Keep a public record of its activities and,
4. File an annual report with the local legislative body.

Alternates, Staff and Consultants

The ordinance establishing the Planning Commission may provide for the appointment or election of alternate members to the Planning Commission. When seated, alternate members shall have all the powers and duties of regular members. Alternates shall be electors of the municipality and shall not be members of Zoning Board of Appeals or the Zoning commission. The ordinance shall also provide for the manner of designating alternates to act.

Voting

A vote of a majority of a legal quorum of the commission is required for action, unless otherwise stated in the statutes. For example, an ordinance may provide that a waiver of the

subdivision regulations requires a 3/4 vote of all members and contracts and expenditures require a majority vote of the whole membership. A tie vote means an application is denied.

Powers and Duties

Once established, a Planning Commission has the following powers and duties:

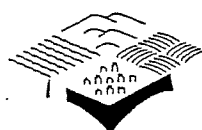
1. *Plan of Conservation and Development:* The commission must prepare, adopt or amend a plan for the municipality, showing the commission's recommendation for the most desirable use of land for residential, recreational, commercial, industrial, conservation and other purposes and for the most desirable density of population in the various parts of the municipality. The plan shall be reviewed at least every ten years and amended as the commission deems necessary. [8-23]

2. *Municipal Improvements:* No municipal agency or legislative body shall (1) locate, accept, abandon, widen, narrow or extend any street, bridge, parkway or other public way, (2) locate, relocate, improve, acquire land for, abandon, sell or lease any airport, park, playground, school or other municipal property or public building, (3) locate or extend any public housing, development, redevelopment or urban renewal project; or (4) locate or extend public utilities for water, sewerage, light, power, transit and other purposes, until the proposal to take these actions has been referred to the commission for a report.

Failure of the commission to report within 35 days after the date of submission of the proposal is deemed an approval of the proposal. If the commission disapproves the proposal it must report its reasons to the legislative body. The report is advisory and can be overridden by a majority of a town meeting or a 2/3 vote by the legislative body. [8-24]

The review and approval of proposed municipal improvements does not apply to the maintenance or repair of existing property, public ways or buildings.

*Bracketed numbers reference sections of the Connecticut General Statutes, visit cga.ct.gov/2009/pub/title8.htm



Land Use Academy

Planning Commission

Land Use Academy Fact Sheets

clear.uconn.edu/lua

Powers and Duties con't.

3. *Subdivision Regulation*: The Commission must establish, change or repeal regulations for the subdivision and resubdivision of land. [8-26]

4. *Approve Subdivisions*: To hear, consider and decide upon applications for approval of subdivision or resubdivision of land. [8-26]

5. *Waive Certain Subdivision Regulations*: The commission, upon a 3/4 vote of all members, may waive certain requirements of the subdivision regulations where special conditions exist, but only in accordance with standards and criteria set forth in the subdivision regulations and only if the waiver will not adversely affect adjacent property or public health or safety. [8-26]

6. *Exceptions to Zoning*: To hear, consider and decide upon applications for Special Permits or Special Exceptions to the extent required by the zoning regulations of the municipality. [8-2, 8-26e]

7. *Advise on Zoning*: If the Planning Commission is separate from the Zoning Commission, the Commission may review and report on any proposed zoning regulations or boundaries or any changes to such regulations or boundaries.

The failure of the Planning Commission to report prior to or at a public hearing on the proposed changes shall be taken as approval of the proposal. The report shall contain the findings of the Planning Commission on the consistency of the proposed regulation with the municipality's Plan of Conservation and Development. A proposal disapproved by the Planning Commission may still be adopted by the Zoning Commission by a vote of not less than 2/3 of all Zoning Commission members.

8. *Open Space proposals*: The Commission may approve all applications for Open Space Grants prior to submission to the commissioner of environmental protection. [7-131e(c)]

9. *Oversee Infrastructure changes*: The Commission may prepare and file surveys, maps or plans of proposed highways, streets or sidewalks or the relocation, grade, widening or improvement of existing highways, streets or sidewalks or of any proposed building or veranda lines with the town clerk

and to assess the benefits and damages to any person owning land in such survey, map or plan. [8-29]

Combined Planning and Zoning Commissions

Since 1959 municipalities have been allowed to establish combined planning and zoning commissions. Under Section 8-4a of the CGS, any municipality may establish a single commission to carry out both planning and zoning. The Planning and Zoning commission may consist of 5, 6, 7, 8, 9 or 10 members, not counting non-voting members. On commissions with 5 or 6 members, the terms of no more than 3 members may expire in any year, on 7 or 8 member boards no more than 4, and on 9 and 10 member boards, no more than 5 may expire in any year.

Upon the establishment of a combined commission, all regulations adopted by the separate planning and zoning commissions that were in effect prior to the establishment of the new combined board shall continue in full force until revised or repealed by the new board.

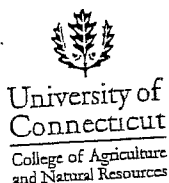
Vacancies shall be filled as provided in the ordinance establishing the combined commission.

CHECK OUT THESE ONLINE TOOLS AND RESOURCES

- *Online Academy* - provides online resources for those who want a quick refresher or are unable to attend a training. Visit clear.uconn.edu/lua/online
- *Community Resource Inventory Online* - provides organized maps, tutorials and case examples that assist you in developing a basic inventory of your town's natural and cultural resources.
- *Connecticut's Changing Landscape* - provides data about how CT's landscape has changed since 1985. Local Land Use officials can use this resource to evaluate the environmental, social and economic impacts of development that guide their decision making.

For more information
Call: 860-345-4511
Email: clear@uconn.edu

Disclaimer: The materials contained in this fact sheet are a general, lay summary of the roles and responsibilities of local land use commissioners. They should not be relied on as a valid legal opinion or position. As such, these materials should not be used in place of consulting an attorney about the roles and responsibilities of a local land use commissioner.



The Land Use Academy is a program of the Center for Land Use Education and Research (CLEAR). Land, Sea and Space Grant collaborating.

POLICY AND GUIDELINES
FOR REMOTE MEETING PARTICIPATION

Today's technology has provided the ability to provide transparency in the operation of local government with the use of electronic devices and technology such as video teleconference platforms.

Under provisions contained in CGS Section 1-200 which states members can attend a meeting "whether in person or by means of electronic equipment"; the Town Council adopts the following "Policy and Guidelines for Remote Meeting Participation":

It is the Policy of the Town of Ledyard that the Ledyard Town Council and the Town's appointed Committees/Commissions/Boards may conduct all of their in-person meetings in a Hybrid Format enabling both in-person and remote participation, providing the appropriate technology and equipment is available at the physical meeting location. However, this does not preclude meetings from being held remotely when appropriate.

In accordance with the Freedom of Information Act the following Protocols are required to conduct remote or hybrid meetings:

1. Remote Meetings:
The public and committee members have the ability to participate, view or listen to each meeting or proceeding either by conference call, videoconference or other technology in real time.
2. Hybrid Meetings:
Hybrid Meeting provides both in-person and remote participation, for the public, committee/commission/board member and invited guests to be involved in the meeting.
3. Acceptable Means for Remote Participation
Committee/Commission/Board Members, both elected and appointed, can attend a meeting remotely and may use the following acceptable mediums: telephone, internet, audio or video conferencing, or any other technology means that enables the remote participant and all those present at the meeting to be clearly audible to one another. Remote participation should come from a software platform and device that can provide consistent and persistent signal strength.

The Town shall designate a widely available software platform for Committees/Commissions/Boards to conduct remote meetings.

4. Posting of Notice:

The required notice and agenda for each meeting or proceeding shall be posted on the Town's Website – Meeting Portal, and shall include information about how the meeting will be conducted and how the public can access it.

If a public agency intends to conduct a regular meeting either in part or entirely through remote means, the agency must notify its Members either in writing or through electronic means of that fact not less than forty-eight (48) hours prior to the meeting. The remote meeting invite would be sufficient notification.

In accordance with CGS 1-225 the Agenda shall be posted no later than 24 hours prior to the meeting as follows:

- (1) At its regular office or place of business;
- (2) In the office of the clerk or district of the political subdivision in which the agency is located, and
- (3) On the agency's website if it has one.

The notice must also include instructions for the public on how to attend and provide comment or otherwise participate in the meeting, either in person or by electronic means, as permitted.

5. Meeting Materials:

Materials relevant to matters on the agenda, including but not limited to materials related to specific applications, if applicable, shall be submitted to the agency a minimum of twenty four (24) hours prior and posted to the agency's website for public inspection prior to, during, and after the meeting, and any exhibits to be submitted by members of the public shall, to the extent feasible, also be submitted to the agency a minimum of twenty-four (24) hours prior to the meeting and posted to the agency's website for public inspection prior to, during, and after the meeting.

6. Conducting of Meeting

- (a) All speakers taking part in any such meeting or proceeding shall clearly state their name and title, if applicable, before speaking on each occasion that they speak.
- (b) The meeting host (moderator) should mute and unmute people as needed.
- (c) The meeting host (moderator) shall ask people who are calling in to identify themselves. As an example, the moderator would say "who is calling from 860-464-XXXX?".
- (d) Once callers and video participants are identified, the host (moderator) may ask any participants who have a comment, to please use the "raise your hand" feature in the application for call in.

- (e) Participants may briefly provide comments at the start of each meeting, as specified by the meeting agenda.
- (f) Disruption by Public Participating Electronically - In the event a person or group of person attends a public meeting electronically and interrupts the proceedings or are otherwise preventing the orderly conduct of business, the agency may terminate such person's or persons' electronic access until such time as order is restored. Note that if this occurs, no business which is not on the agenda may be conducted.

7. Remote or Hybrid Participation

(a) Fully Remote Meeting:

The Chairman will serve as the Host (moderator) of the Meeting, unless the Chairman designates another to serve as the Meeting Host (moderator).

(b) Hybrid Meeting:

The Chairman shall be physically at the posted meeting location. In the event they cannot be physically be at the meeting location, they shall designate another member to serve as the Chairman-pro-tem (meeting facilitator).

The Town Council and Town Committees/Commissions/Boards plan to have a quorum present at the physical location the meeting.

It shall be the responsibility of the Chairman to ensure the proper number of committee members will be physically present at the meeting location. However, if for some reason a quorum cannot physically be at the meeting location, the following minimum number of voting members shall be physically present at the meeting location for the meeting to continue:

Committee Voting Members	Committee Members Physically Required at Hybrid Meeting Location
6 or less	2
7 - 9	3
More than 9	One-third of voting Membership

(c) Changing a Hybrid Meeting to a Fully Remote Meeting:

There may be circumstances in which a scheduled hybrid meeting may need to be changed to a fully remote meeting, such as it was not safe to meet in-person at the designated physical location.

The Hybrid Meeting could be changed to a fully Remote Meeting as follows:


Cancel the "In-Person" portion of the meeting in the same manner as any other meeting would be cancelled.

- ✓ Post a Cancellation in the Town Clerk's Office, on the door of the meeting location, and update the on-line Agenda to state the following:

"The In-Person Portion of the _____ meeting has been Cancelled. The meeting will be held totally Electronically/Remotely", and then again list the link and other remote information on the notice.

8. Meeting Record:
The meeting or proceeding shall be recorded or transcribed, and such recording or transcript shall be posted on the agency's website within seven (7) days of the meeting or proceeding and made available within a reasonable time in the agency's office.
9. Quorum
Remote participants will be able to exercise all their duties for the transaction of business, as set forth in the Town Charter; all remote participation will count toward a quorum. It shall be the responsibility of the Chairman to ensure all voting members are properly engaged through both audio and video throughout the meeting.
10. Executive Sessions
Remote participation at an executive session will be permitted in accordance with the guidelines of this policy. The remote participant must state for the record that they are alone and can not be overheard during the executive session.
11. Effective Date
The "*Policy and Guidelines for Remote Meeting Participation Policy*" shall become effective upon adoption and supersedes other policies pertaining to this subject.

Adopted by the Ledyard Town Council on: March 23, 2022



Kevin J. Dombrowski, Chairman

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Revision: "*Town Council Guidelines – Remote Participation*" Adopted May 9, 2012;
"*Protocols for Remote Meeting Participation*" Adopted April 8, 2020.

History:

2022: Updated to delete language regarding the Governors Executive Order No.7A, dated March 13, 2020 "*Suspending In-Person Open Meeting Requirements*" that was in response the COVID-19 Pandemic; and added introduction language regarding Hybrid Meeting.

In addition, added language throughout the document pertaining to: (1) Section 4 - Noticing of Remote/Hybrid Meetings; (2) Section 6 paragraph (f) To address public disruption by public attending meeting electronically; (3) Section 7 paragraph (b) Hybrid Meetings.

TOWN OF LEDYARD
POLICY GUIDELINES
ELECTRONIC COMMUNICATION
FOR ELECTED TOWN OFFICIALS AND APPOINTED VOLUNTEERS

This Policy provides guidance to elected officials and appointed volunteer members of the Town of Ledyard's Committees, Commissions and Board concerning electronic communication and for managing and retaining electronic messages, including e-mail, e-fax, instant messaging and text messaging under CGS 11-8; 11-8a and 7-109 related to town business and meetings.

1. DEFINITIONS

For the purposes of this Policy, the following shall mean:

Meetings

In accordance with CGS Chapter 14, Section 1-200 "*Meeting*" means any hearing or other proceeding of a public agency, any convening or assembly of a quorum of a multimember public agency, and any communication by or to a quorum of a multimember public agency, whether in person or by means of electronic equipment, to discuss or act upon a matter over which the public agency has supervision, control, jurisdiction or advisory power.

A conference call, video conference, or other communication by means of electronic equipment may constitute a meeting.

Electronic Communication/Messages

Electronic messages include e-mail, e-fax, instant messaging (IM), text messaging (SMS) and web-based messaging services.

Electronic communication/messages may be transmitted by a variety of mediums, including but not limited to computers and mobile computing devices (e.g. laptops, net books, notebooks, tablets and cellular phones).

Electronic messages are public records and under the Connecticut Uniform Electronic Transactions Act (CUETA) an electronic record is "*a record created, generated, sent, communicated, received or stored by electronic means, including, but not limited to facsimiles, electronic mail, telex and internet messaging*"(CGS 1-267).

Electronic Thread

"Electronic Thread" is any string of electronic messages.

Public Record

Pursuant to CGS 1-200 "*public records or files*" means any recorded data or information relating to the conduct of the public business prepared, owned, used, received or retained by a public agency, whether such data or information may be handwritten, typed, tape-recorded, printed, Photostatted, photographed or recorded by any other method".

Record Custodian

The "Record Custodian" shall be the Administrative Assistant/Support Staff for the Town Council and its Sub Committees; and the Clerical Assistant/Fiscal Assistant/Support Staff for the Committees/Commissions/Boards of the Town of Ledyard.

2. USE OF ELECTRONIC MESSAGES/COMMUNICATION TOOL

The following guidelines are provided for Elected Officials and Appointed Volunteer Members of Town Committees/Commissions/Board in using electronic means of communication:

- a) Use e-mail to disseminate information in an effective and timely manner.
- b) Do not engage or deliberate on content contained in electronic communications.
- c) Use of IM; Text messaging and other forms of Direct Messaging for public agency business is prohibited.

3. RETENTION OF ELECTRONIC MESSAGES

Retention of electronic messages is based on the content of the message. Generally, most electronic messages have limited value and can be deleted immediately upon receipt.

However, electronic messages that document agency function and provide evidence of agency business must be retained according to the records retention schedules issued by State of Connecticut Office of Public Records Administrator under CGS 7-109 and CGS 11-8.

Electronic messages are similar to traditional postal mail. The message must be evaluated for action and subsequent retention. Maintain electronic messages for the required retention period under the equivalent records series.

Steps to determine the retention period of electronic messages:

- a. Determine whether the electronic message is a public record or non-record as outlined in records series issued by State of Connecticut Office of Public Records Administrator.
- b. If message is a record, determine which records series the message belongs to; for example:
 - Transitory Correspondence, delete at will
 - Routine Correspondence, retain for two (2) years
 - All Other Correspondence, retain for the equivalent records series issued by State of Connecticut Office of Public Records Administrator.
- c. If the message is a non-record, destroy at will (e.g. publications, notices, announcements, employee activities, spam, and unsolicited advertisements; etc.)

4. MANAGEMENT OF ELECTRONIC MESSAGES

For consistency in the management of electronic messages/records the "Record Custodian" must be included in all public record electronic communications.

The Record Custodian shall be responsible for retaining the record copy in accordance with the records retention scheduled issued by the Office of Public Records Administrator under CGS 7-109 and CGS11-8.

After an electronic thread is completed, the record custodian may retain only the last message (as long as it includes the prior messages) as the official record copy.

5. FREEDOM OF INFORMATION ACT DISCLOSURE

Based on the above-mentioned statutes, electronic messages sent or received in the conduct of public business are public records. All electronic accounts including public accounts used to conduct public business are subject to disclosure under FOIA, a court action, or an audit and should be treated in the same manner as any other recorded information.

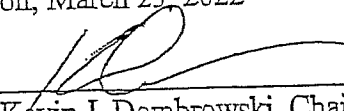
Elected Public officials are encouraged not to use private e-mail accounts and to obtain public accounts when possible.

Appointed Volunteers Members of Town Committees/Commissions/Board are strongly encouraged to set-up a separate e-mail account from their personal e-mail account to receive town business information such as agendas, minutes and related information.

6. EFFECTIVE DATE OF POLICY

The "Policy Guidelines for Electronic Communication for Volunteer Town Officials" shall become effective upon adoption

Amended and Adopted by the Ledyard Town Council on; March 23, 2022



Kevin J. Dombrowski, Chairman

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Revision: "Policy Guidelines for Electronic Communication for Volunteer Town Officials"
Adopted: July 13, 1994; Amended and Adopted by the Ledyard Town Council on September
12, 2012.

History:

2022: Updated "Policy Guidelines for Electronic Communication for Volunteer Town Officials" as follows:

Title: Added "*Elected*" and "*Appointed*"

Introduction paragraph: Added "*Appointed*" before the word Volunteers.

Section 3

Paragraph (a): Added: *as outlined in records series issued by State of Connecticut Office of Public Records Administrator.*

Paragraph (c): Added for further clarification: "*publications, notices, announcements, employee activities*

Added Section Title: "*Section 5. FREEDOM OF INFORMATION ACT DISCLOSURE*" and renumbered remaining Sections accordingly.

Second paragraph Added: "elected"

Added new paragraph: *Appointed Volunteers Members of Town Committees/Commissions/Board are strongly encouraged to set-up a separate e-mail account from their personal e-mail account to receive town business information such as agendas, minutes and related information*

Section 6 Removed: ~~and is hereby incorporated in the "Rules of Procedure for the Twenty First Town Council"~~