NOTICE OF PUBLIC HEARING
TOWN OF BETHEL, CONNECTICUT

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TOWN OF BETHEL
TOWN CLERK

The Board of Selectmen of the Town of Bethel, Connecticut will hold a Public Hearing on Tuesday, September 2, 2014 at 7:30 p.m. in Meeting Room "A" of the CJH Municipal Center, 1 School Street, Bethel, CT 06801 for the following purposes, to wit:

TO ENACT AN ORDINANCE WHICH SHALL BE KNOWN AND DESIGNATED AS CHAPTER 18 OF THE CODE OF THE TOWN OF BETHEL ENTITLED "WESTERN CONNECTICUT COUNCIL OF GOVERNMENTS" AS HEREINAFTER SET FORTH:

Chapter 18. WESTERN CONNECTICUT COUNCIL OF GOVERNMENTS

WHEREAS, the Town of Bethel, Connecticut ("Town") has heretofore been a designated member municipality of the Housatonic Valley Planning Region; and,

WHEREAS, the Town is a member of the Housatonic Valley Council of Elected Officials ("HVCEO"), a regional council of elected officials and regional planning agency serving the Housatonic Valley Planning Region; and,

WHEREAS, the current member municipalities of the Housatonic Valley Planning Region are the Town, Bridgewater, Brookfield, Danbury, New Fairfield, New Milford, Newtown, Redding, Ridgefield, and Sherman; and,

WHEREAS, the State of Connecticut has determined that a reorganization and redesignation of planning regions shall be completed on or before January 1, 2015; and,

WHEREAS, pursuant to C.G.S. § 16a-4c(b) (as amended by Public Act 13-247, § 249), the member municipalities of HVCEO and of the South Western Regional Planning Agency ("SWRPA") have agreed to consolidate the Housatonic Valley Planning Region and the South Western Planning Region into a single planning region; and

WHEREAS, on or about December 6, 2013, the Office of Policy and Management of the State of Connecticut ("OPM") redesignated the Housatonic Valley Planning Region and the South Western Planning Region as the Western Connecticut Planning Region; and,

WHEREAS, Public Act 13-247, § 250 requires that each regional planning agency and regional council of elected officials within a planning region restructure as a single regional council of governments on or before January 1, 2015; and

WHEREAS, HVCEO and SWRPA have determined, subject to the municipal approvals referred to herein, to restructure themselves as the Western Connecticut Council of Governments, which shall commence operations at the end of the Transitional Period (as defined herein); and,

WHEREAS, the Town desires to participate in the establishment of the Western Connecticut Council of Governments as the regional council of governments for the Western Connecticut Planning Region by (1) approval of an ordinance by its legislative body pursuant to C.G.S. §4-124j adopting C.G.S. §§4-124i through 4-124p; (2) filing by the Town Clerk of a certified copy of the adopting ordinance with the Secretary of OPM; and (3) upon certification by the Secretary of OPM that the Western Connecticut Council of Governments has been duly established as the regional council of governments for the Western Connecticut Planning Region, participating in the operation of the Transitional Executive Committee of the Western Connecticut Council of Governments during the Transitional Period, as defined herein; and,

WHEREAS, the Town desires to (1) remain a member of HVCEO as it continues to operate and wind down as a council of elected officials and regional planning agency during the Transitional Period, as defined herein, and (2) participate with the other former members of HVCEO after the Transitional Period as an unincorporated association to administer and assume any and all rights, privileges and obligations of HVCEO that the Transitional Executive Committed deems unacceptable for assumption by the Western Connecticut Council of Governments; and

WHEREAS, HVCEO has been designated since 1981 pursuant to federal and state law as the Metropolitan Planning Organization ("MPO") for the municipalities comprising HVCEO; and

WHEREAS, on or about June 19, 2014, HVCEO created a transitional MPO board ("Transitional MPO Board") to succeed to the rights and responsibilities of HVCEO as an interim MPO beginning on January 1, 2015 and continuing until a new MPO has been designated for either the former Housatonic Valley Planning Region or the Western Connecticut Planning Region, and the Town desires to have the First Selectman serve as a member of such Transitional MPO Board.

NOW THEREFORE BE IT ORDAINED, AS FOLLOWS:

§18-1. Creation of Western Connecticut Council of Governments.

The Town hereby joins with such other adopting municipalities of the Western Connecticut Planning Region to create a regional council of governments to be known as the Western Connecticut Council of Governments ("WCCOG"), by adopting the provisions of C.G.S. §§4-124i - 4-124P, as amended by Public Act 13-247, and further amended by Public Act 14-217, §§ 228 and 256.

§18-2. Certification by the Secretary of OPM; Transitional Executive Committee and Transitional Period.

A. Upon certification by the Secretary of OPM that at least sixty percent of the municipalities in the Western Connecticut Planning Region have adopted ordinances creating a regional council of governments, as required by the Connecticut General Statutes, the Western Connecticut Council of Governments shall be established.

B. Upon such certification, a transitional period (hereafter the "Transitional Period") shall commence, and shall conclude no later than January 1, 2015. During such period the First Selectman shall participate as a member of the Transitional Executive Committee, as defined and for the purposes set forth in Section 4-124l(b) of the Connecticut General Statutes, as amended by Public Act 14-217, §§ 228 and 256. The legislative body of the Town shall appoint, in the manner provided by ordinance, an elected official to serve as an alternate member of the Transitional Executive Committee in the absence of the First Selectman. The First Selectman also may send a representative in his or her stead; however, such representative shall not be a member of the Transitional Executive Committee.

C. Except as provided in Section 6 below, at the conclusion of the Transitional Period, the Transitional Executive Committee shall cease to exist, and the Western Connecticut Council of Governments shall succeed to and be responsible for all of the rights, privileges and obligations of HVCEO and SWRPA, whether statutory or contractual, relating to such active programs as may be recommended by the Transitional Executive Committee and adopted by the Western Connecticut Council of Governments following appropriate due diligence and good faith negotiations during the Transitional Period.

§18-3. Membership in the Western Connecticut Council of Governments.

At the conclusion of the Transitional Period, the Town shall be a member of the Western Connecticut Council of Governments.

§18-4. Powers and Duties of the Western Connecticut Council of Governments.

Except as provided in Section 6 below, the Western Connecticut Council of Governments shall have such powers, purposes, rights, duties and responsibilities of

regional councils of governments as are set forth in the Connecticut General Statutes, currently and as they hereafter may be amended.

§18-5. Representative to the Western Connecticut Council of Government.

The First Selectman shall be the representative of the Town to the Western Connecticut Council of Governments. The legislative body of the Town may appoint, in the manner provided by ordinance, an elected official to serve as an alternate representative in the absence of the First Selectman. The First Selectman may send the alternate to meetings in his or her stead; and the alternate in that instance shall be entitled to the same rights and privileges as the First Selectman. The Town shall notify the Western Connecticut Council of Governments in writing of the appointment of an alternate under this section. Each City/Town shall be entitled to one vote in the affairs of the Western Connecticut Council of Governments.

§18-6. HVCEO's Continued Existence During Transitional Period.

The Town shall remain a member of HVCEO as it continues to operate and wind down as a regional council of elected officials and regional planning agency until the end of the Transitional Period. After the Transitional Period ends, the Town also may create, together with the other former HVCEO member municipalities, an unincorporated association to assume and administer all rights, privileges and obligations of HVCEO that the Transitional Executive Committee, in its sole discretion, deems unacceptable for assumption by the Western Connecticut Council of Governments. The First Selectman shall be the Town's representative to such association.

§18-7. First Selectman to serve on Transitional Metropolitan Planning Organization Board.

The First Selectman shall serve as a member of the Transitional MPO Board, which has been created by HVCEO to temporarily perform the functions of the MPO for the municipalities in the former Housatonic Valley Planning Region beginning on January 1, 2015 and until such time as the Governor redesignates an MPO to serve that former region or the Western Connecticut Planning Region pursuant to 23 U.S.C. § 134.

§18-8. Withdrawal from HVCEO; Repeal of Prior Ordinances. Pursuant to § 8-36a of the Connecticut General Statutes, the Town hereby withdraws as a member of HVCEO, effective as of the expiration of the Transitional Period. The following ordinance provisions regarding HVCEO are repealed effective as of the end of the Transitional Period, Ordinance RE: Council of Chief Executives, dated and approved on December 12, 1968, except that the Transitional MPO Board referred to in Section 7 hereof shall continue in existence for such time period as determined by its members.

At such hearing the public shall have an opportunity to make inquiry and be heard thereon.

Dated at Bethel, Connecticut, this 5th day of August 2014.

BOARD OF SELECTMEN
Matthew S. Knickerbocker, First Selectman
Richard C. Straiton, Selectman
Paul R. Szatkowski, Selectman