

BY LAWS  
NEWTOWN DISTRICT  
DEPARTMENT OF HEALTH



AS APPROVED/ADOPTED  
BY  
THE BOARD OR HEALTH

January 31, 2006

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## Article I – General Information

Section 1. NAME. The organization shall be known as the NEWTOWN DISTRICT DEPARTMENT OF HEALTH, together and hereinafter referred to as the District.

Section 2. LEGAL STATUS. The District is organized under the provisions stated in Chapter 368f of the CT General State Statutes as a governmental agency.

Section 3. PURPOSE. The purpose of the District shall be to preserve and improve the status of public health by (1) upholding and enforcing the Public Health Code of the State of Connecticut and such ordinances and regulations as may be adopted by the District Board of Health; and (2) working with other providers of health services in the District to better coordinate existing programs and to plan and implement new health programs.

Section 4. ELIGIBILITY FOR SERVICE. The services of the District shall be made available to any person residing within the member towns without any requirement as to term of residence; without regard to age, race, creed, color, national origin, sex, marital status, handicap, or religion as provided for in Title IV of the Civil Rights Act of 1965.

Section 5. OFFICE OF THE DISTRICT. The District shall maintain offices providing reasonable access to all residents residing within the member towns.

## ARTICLE II – DISTRICT OBJECTIVES

In agreement with the announced purpose to improve the status of public health in the District, the following are considered to be the most desirable aims of the District.

1. Create a healthy environment to enable the residents of the District to achieve optimal physical and mental health.
2. Cooperate with existing community organizations to encourage the coordination of parallel endeavors, to eliminate duplication in the provision of health services and to extend the scope of available health services.
3. Establish and maintain a continuing program of public education to increase community awareness in matters of health and District services.
4. Establish and maintain optimal standards for the delivery of District services.
5. Establish a system to periodically collect and analyze pertinent data related to the District and to plan, develop, and evaluate District services effectively.
6. Utilize whatever available public and private sources are appropriate to supplement the membership budget of the District

ARTICLE III – DISTRICT MEMBERSHIP  
IN ACCORDANCE WITH STATE STATUTES

Section 1. ADMISSION. The District shall be composed of municipalities which, by vote of their respective legislative bodies, have formed a District Department of Health. The District Board shall vote upon the admission of other towns, cities, and boroughs to the District, provided that the legislative body of the requesting municipality has voted to enter the District and has applied for admission. Admission to the District shall be upon 2/3 majority vote of the Board of Health with the appointed Borough Board Member present.

Section 2. ANNUAL CONTRIBUTION. Membership in the District requires an annual minimum contribution of not less than one dollar (\$1.00) per capita, based upon the last annual population estimates established by the State Department of Health and Addiction Services. The revenues pay for a portion of the costs for operating the District.

Section 3. REPRESENTATION. Each municipality or borough involved shall appoint one member to the Board of Health for each 7,000 population, and one representative for each additional 7,000 population or part thereof. No municipality shall have more than five (5) representatives.

Section 4. ALTERNATE REPRESENTATION. An alternate representative to the District Board of Health may be appointed by the executive body or the legislative body of the municipality, whichever is applicable. Such alternate may attend and participate in Board meetings by presenting proper credentials. Only in the absence of the official representative may the alternate be allowed to vote.

Section 5. FISCAL YEAR. The fiscal year of the District shall be July 1 through June 30.

Section 6. RECEIPTS. All monies shall be made payable to the District and received by the Director of Health or his designees for deposit.

Section 7. DISBURSEMENTS. Any expenditure in excess of \$2,000.00, except in those instances where such expenditure has been specifically approved by the Board, must be signed by two (2) of the following: Chairperson or a designated Board member by the Chairperson; and the Director of Health or other staff member designated by the Direction of Health.

Section 8. MEMBERSHIP FEES. By May 1 for payment by June 15, and by November 1 for payment by December 15, the District shall draw upon the Treasurer and/or Financial Director of each municipality within the District an equal amount per capita for such funds as have been appropriated by each municipality. The apportionment is to be

at least one dollar (\$1.00) per capita based on the last annual population estimate by the State Department of Health and Addiction Services.

Section 9. STATE MATCHING FUNDS. The District shall quarterly apply to the State Health Department and receive an amount equal to the amount established by Statute, based on the last annual population estimate by the State Department of Health and Addiction Services.

The Board of Health shall hold a public hearing no later than the last Tuesday in March on its proposed budget, two (2) weeks notice of which shall be given in a local newspaper. Following said public hearing and before July 1 of each year, the Board shall adopt its annual budget for the fiscal year.

Section 10. ACCOUNTS AND AUDIT. The District shall keep accurate accounts of all receipts and disbursements. These accounts shall be audited annually by a Certified Public Accountant, appointed by the Board during the month of December, such audit to be transmitted to the members of the Board of Health and to each member town no later than April 1 following the close of the previous fiscal year.

Section 11. WITHDRAWAL. Any municipality by vote passed prior to January 1 in any year, may withdraw from the District, such withdrawal to become effective on the first day of July following, provided such municipality shall have been a member of the District for at least twenty-four (24) months prior to such vote of withdrawal.

#### ARTICLE IV – BOARD OF HEALTH

Section 1. POWERS. The powers of the Board of Health shall include, but not be limited to, the following enumerated powers. To sue and be sued; to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the District ; to make and from time to time amend and repeal rules and regulations to carry out the purposes and objectives of the District; to acquire real estate; and to have whatever other powers are necessary to properly carry out their responsibilities as an independent entity of government.

Section 2. MEMBERSHIP. Each municipality and/or Borough which has voted to become part of the District shall, by its Board of Selectmen, appoint a representative(s) to serve on the District Board of Health and may appoint an alternate to serve in the absence of this representative, as called for in Article III, Section 3 and Section 4.

Section 3. TERMS OF OFFICE. The term of office for members of the District Board of Health shall be three (3) years, except that, during the initial formation of the Board appointments shall be made by the executive governing body of the member towns. Members of the Board of Health may be reappointed for successive terms.

Election of officers will take place every two years. Elections will take place in June and officers elected become effective July 1 to coincide with the fiscal year.

Section 4. VACANCIES. The executive body of the municipality shall be requested to fill vacancies within sixty (60) days so that the business of the Board of Health can be conducted in an orderly manner with the municipalities fully represented.

Section 5. OFFICERS. The board shall elect a Chairperson, Vice-Chairperson, Secretary, and Treasurer. The Secretary and Chairperson shall not be the same individual. IF A VACANY OCCURS, THE POSITION WILL BE FILLED BY SPECIAL ELECTION AT THE EARLIEST REGULARLY SCHEDULED MEETING AS IS POSSIBLE.

Section 6. REGULAR MEETINGS. The Board of Health shall meet at least quarterly on a day agreed upon by the Board, and at such other times as determined per Section 7 of Article IV.

Section 7. SPECIAL MEETINGS. The Board of Health shall meet at the request of the Chairperson or in the form of a motion, letter, or voice, of at least two (2) members.

Section 8. NOTICE OF MEETING. At least 24-hour notice of each meeting is required. A schedule of regular meetings shall be prepared and published prior to the beginning of the fiscal year and filed with the Town Clerk(s) in each member town as well as the Secretary of State's Office.

#### ORGANIZATION OF MEETINGS:

1. Open meeting;
2. Citizen participation;
3. Review the minutes of previous meeting and their approval;
4. Communications and financial reports;
5. Reports of Officers and Director of Health;
6. Reports of standing committees;
7. Old Business
8. New Business
9. Adjournment

The official record of the Board meetings shall be the written approved minutes. Tapes shall be used for the purpose of preparing the minutes and be retained for a period consistent with The State of Connecticut General Administration Records, Retention/Disposition Schedule I: Municipalities.

Section 9. Quorum. A minimum of four members shall constitute a quorum for the transaction of business at regular or "special" meetings of the Board of Health.

Section 10. Executive Sessions. Executive Sessions will be held consistent with the FOIA requirement.

Section 11. Robert's Rules of Order. Robert's Rules of Order shall govern the proceedings at the meetings of the District.

Section 12. The By-Laws. The By-Laws of the Newtown Health District shall not be changed, modified, altered or canceled in any way except by 2/3 favorable vote by the Board of Health.

#### ARTICLE V – SPECIFIC DUTIES OF THE CHAIRPERSON

Section 1. Specific Functions. The Chairperson may, in the exercise of his/her independent judgment, approve or disapprove of various procedures in the implementation of policies of the Board of Health. His/her decisions will be subject to the approval of the Board. In listing some of the potential functions the Chairperson may perform, preclusion of additional duties is not intended.

- (a) Approve or disapprove of various proposals of the Director of Health regarding actions to be taken to implement Board Policy.
- (b) Assist in creating a harmonious linkage with officials and agencies in all member towns.

Section 2. DUTIES OF THE VICE CHAIRPERSON. In the absence of the Chairperson or in the event of his/her inability or refusal to act, the Vice Chairperson shall perform the duties of the Chairperson and, when so acting, shall have the powers of and be subject to all the restrictions upon the Chairperson. In case of the resignation or death of the Chairperson, the Vice-Chairperson shall perform such duties until such time as the Board of Health elects a new Chairperson. The Vice-Chairperson shall perform such other duties as from time to time, may be assigned to him/her by the Chairperson or by the Board of Health.

#### ARTICLE VI – ADVISORY COMMITTEES

Section 1. General Powers. Advisory Committees may be created as necessary to make policy recommendations, monitor, advise and support district activities in certain function or program areas.

Section 2. Membership. Membership on the various Advisory Committees may be drawn from the agencies which will participate in one way or another in the function of program area of concern to the Committee, as well as from the general citizenry of the District. Such membership will be based as proportionately as possible on the population distribution of the member towns of the District. Representatives may be either providers or consumers of activities. At least one member of the District Board of Health must concurrently serve as a member of the Advisory Committee. The Director of Health shall also serve on the Committee, without voting privileges.

Section 3. Standing Advisory Committees. Standing Advisory Committees to the Board may be Public Nursing, Food Service Providers, Builders and related trades and other committees as may be established by vote of the Board.

Section 4. Term. Members of the Advisory Committees shall serve three-year terms, such terms to correspond with the organizational year of the District Board of Health.

Section 5. Other Committees. The Chairperson of the Board shall appoint any committees deemed necessary to carry out the activities of the Board of Health, subject to the unanimous approval of the Board.

## ARTICLE VII – EMPLOYEES

Section 1. Employment of Professional Staff. The Board of Health, in agreement with State requirements, shall appoint and approve the employment of a Director of Health when a vacancy occurs. It will be the direct responsibility of the Director of Health to select, hire or fire other staff personnel in agreement with the approved Personnel Policies.

Section 2. Director of Health. The Director of Health, subject to the policy directives of the Board of Health, the CT Public Health Code, and the CT Public Health Statutes, shall be responsible for the day-to-day operation of the District. In addition, the Director of Health shall be responsible for the employment, training, supervision and tenure of all employees, subject to such rules, regulations or procedures established by the Board of Health, the State Department of Health Services, and the General Statutes of Connecticut.

Section 3. Personnel Policies. The Board of Health shall be responsible for the adoption of Personnel Policies and any amendments or revisions thereto. The Director of Health shall be responsible for the development of personnel procedures to implement these policies. Personnel Policies shall be reviewed at least every two (2) years, but may be reviewed at any time by request of a majority of the staff, or at such time that the Board of Health determines such review is necessary.

Section 4. Evaluation. The District Board of Health members shall meet annually in January, to evaluate the Director of Health in regard to his/her carrying out the objectives of the District and its By-Laws. Such evaluation shall be discussed with the Director of Health, and a written copy shall become part of the permanent records of the District at the February session.

Section 5. Medical Advisor. The District Board of Health members shall appoint a Medical Advisor, who shall be a CT licensed M.D., for a term of two (2) years.

## ARTICLE IX – MISCELLANEOUS

Section 1. Interpretation. It is intended that the provisions of these By-Laws be reasonably and liberally constructed to effectuate the purposes and objectives of the District. The provisions of these By-Laws shall be severable.

These By-Laws shall not be interpreted to be in conflict with any Federal, State or Local law.

If any phrase, clause, sentence or provision is declared to be contrary to the laws of any party, the constitutionality of the remainder of these By-Laws shall not be affected thereby.

Section 2. Amendments. These By-Laws may be altered, amended, added to or repealed as indicated in Article IV, Section 12. Written notice of the proposed alteration, amendment, addition or repeal shall be included in the notice of the Meeting at which the amendment will be considered, and shall be submitted at least one (1) month prior to the Board meeting at which such amendments will be considered for vote.