



Town of Andover, CT
Board of Selectmen

Special Meeting Packet

Tuesday, August 31st, 2021
7:00 P.M.

Location: virtual Zoom meeting

Town of Andover
Board of Selectmen
Tuesday, August 31, 2021
Special Meeting at 7:00 P.M.
Location: virtual Zoom meeting

Special Meeting Agenda

Zoom Directions:

Click here to join by computer for video/audio: <https://us06web.zoom.us/j/89764327706>

Call-in from your phone for audio: +1 646 558 8656.

Meeting ID: 897 6432 7706, Passcode: 008668

*Please mute yourself unless you are a commission member or during Public Speak.

1. Call to Order/Pledge of Allegiance
2. Public Speak
3. Discuss and act upon the following:
 - a. Creamery Sign at Veterans Monument Park
 - b. Affordable Housing Plan Grant Acceptance Resolution
 - c. Road Signage Resolution for Town of Bolton
 - d. Review and act upon recommendation from the Capital Improvement Planning Committee on hiring site engineering firm and architect for proposed Community Senior Center.
 - e. Town Road Review recommendations from Circuit Rider prior to striping this fall.
 - f. American Red Cross Blood Drive
 - g. Mask Mandate
 - h. Ordinance Review:
 - i. Ethics
 - ii. Citation
 - iii. Blight
 - iv. Fine
 - v. Minor Ordinances
4. Correspondence
5. Public Speak
6. Adjournment

Helpfully submitted by the Board Clerk/Administrative Assistant, Amanda Gibson.

1. Call to Order/Pledge of Allegiance

2. Public Speak

3. Discuss and act upon the following

- a. Creamery Sign at Veterans Monument Park**
- b. Affordable Housing Plan Grant Acceptance Resolution**
- c. Road Signage Resolution for Town of Bolton**
- d. Review and act upon recommendation from the Capital Improvement Planning Committee on hiring site engineering firm and architect for proposed Community Senior Center.**
- e. Town Road Review recommendations from Circuit Ride prior to striping this fall.**
- f. Mask Mandate**
- g. Ordinance Review:**
 - i. Ethics**
 - ii. Citation**
 - iii. Blight**
 - iv. Fine**
 - v. Minor Ordinances**



101 Hale Road
 Suite B
 Manchester, CT 06042
 (860) 644-5700

ESTIMATE

EST-8938

Need inspiration? Visit us at:
www.fastsigns.com/396

Payment Terms: Cash Customer

DESCRIPTION: Veterans Park Exterior Sign (second option)

Bill To: Town of Andover
 17 School Road
 Andover, CT 06232
 US

Pickup At: FASTSIGNS Manchester
 101 Hale Road
 Suite B
 Manchester, CT 06042
 US

Requested By: Jeff Murray
 Email: jmurray@andoverct.org
 Cell Phone: (860) 894-9476
 Tax ID: 6591812-000

Salesperson: Bonnie Davis

PRODUCTS	QTY	UNIT PRICE	TOTALS
1 Exterior Sign (Option #2)	1	\$1,026.89	\$1,026.89
1.1 Acrylic 1/8" Clear - Exterior CHPL Graphic. Panel Size: 24" x 36"			
Part Qty: 1 Width: 1.00" Height: 1.00" Sides: 1			Text: The process is a permanent fusion of image & graphics. Laminate resists moisture, extremely resistant to UV rays, scratching & graffiti. Both the states of Alaska and Arizona use this process for their park signs. Guaranteed for 10 years against fading and weather deterioration. Quote valid for 90 days.

** All pricing contained in this estimate are based on the information provided by the client at the time of the estimate and valid for 30 days. Estimated pricing may be subject to change in order to reflect design drawings, manufacturing methods, means or restrictions or as a result of a site survey, actual field measurements, site conditions, accessibility for the installation and/or any other changes or provisions the project may require.

Subtotal:	\$1,026.89
Taxes:	\$0.00
Grand Total:	\$1,026.89
Deposit Required:	\$513.45

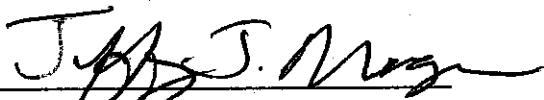
Not to worry, a proof will be provided for you to approve and make changes. Customer provided artwork that is not print ready, may have additional graphic design charges that will be billed in 15 minute increments, charged at \$85/hr. Permits or landlord approvals are to be supplied by customer unless specifically arranged.

Payment Terms - Unless you have a pre-approved business credit account set up with us, all orders require a 50% deposit with full balance due at the time of pickup, delivery or installation. Orders not picked up within 14 days after completion will be invoiced and subject to the conditions as if they were delivered.

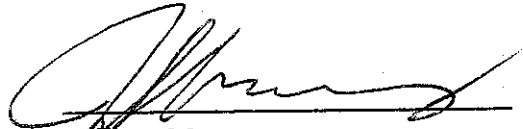
**TOWN OF ANDOVER, CONNECTICUT
BOARD OF SELECTMEN
RESOLUTION**

BE IT RESOLVED: That the Board of Selectmen as the legislative body of the Town of Andover hereby authorizes Eric Anderson, Town Administrator to apply for and accept a grant from the Affordable Housing Plan – Planning Grant. As part of this resolution Eric Anderson, Town Administrator is authorized to enter into and execute all agreements, contracts and documents necessary to obtain the grant.

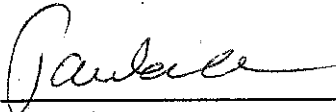
Adopted and signed this 14 day of June, 2021.



Jeffrey Maguire
First Selectman



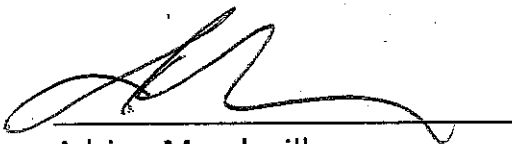
Jeffrey Murray
Selectman



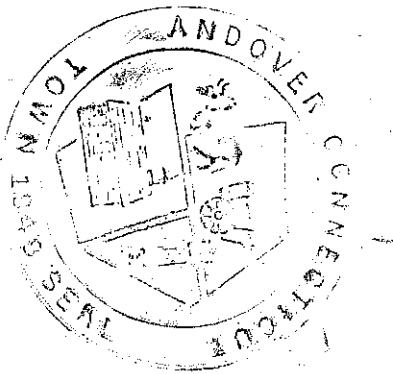
Paula King
Selectman



Scott Person
Selectman



Adrian Mandeville
Selectman



TOWN OF ANDOVER, CONNECTICUT

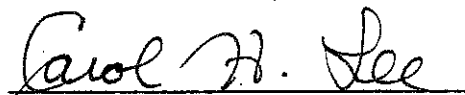
CERTIFICATION OF RESOLUTION

FOR THE AFFORDABLE HOUSING PLAN – PLANNING GRANT

I, Carol H. Lee, do hereby certify that I am the Town Clerk of the Town of Andover, Connecticut a municipal corporation organized and existing under the laws of the State of Connecticut and having its principal place of business at 17 School Road, Andover, Connecticut and that I am the keeper of the town records and seal. That the following is a true and correct copy of the resolution duly adopted and ratified by the Board of Selectmen on 6-14-2021 in accordance with a quorum present and acting throughout and that the same has not in any way been modified, repealed or rescinded, but is in full force and effect.

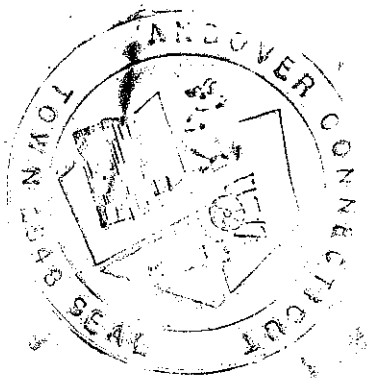
BE IT RESOLVED: That the Board of Selectmen as the legislative body of the Town of Andover hereby authorizes Eric Anderson, Town Administrator to apply for and accept a grant from the Affordable Housing Plan – Planning Grant. As part of this resolution Eric Anderson, Town Administrator is authorized to enter into and execute all agreements, contracts and documents necessary to obtain the grant.

Dated at Andover, Connecticut this 15th day of June, 2021.



Carol H. Lee

Town Clerk of the Town of Andover, Connecticut



TOWN OF ANDOVER
BOARD OF SELECTMEN
RESOLUTION

BE IT RESOLVED: That the Board of Selectmen as the legislative body of the Town of Andover hereby authorizes Eric Anderson, Town Administrator to apply for and accept a grant from the Affordable Housing Plan – Planning Grant. As part of this resolution Eric Anderson, Town Administrator is authorized to enter into and execute all agreements, contracts and documents necessary to obtain the grant.

Adopted and signed this ____ day of _____, 2021 by the Board of Selectmen of the Town of Andover, CT.

Jeffrey Maguire
First Selectman

Jeffrey Murray
Selectman

Paula King
Selectman

Scott Person
Selectman

Adrian Mandeville
Selectman

TOWN OF ANDOVER
BOARD OF SELECTMEN
Resolution of Authorization

Resolved: That the Board of Selectmen as the legislative body and Local Traffic Authority of the Town of Andover hereby authorizes the Town of Bolton, Connecticut to install a "Stop Ahead" sign on East Street in Andover where it connects with Hebron Road in Bolton for the new stop signs being installed at the Webster Lane intersection.

Adopted and signed this ____ day of _____, 2021 by the Board of Selectmen of the Town of Andover, CT.

Jeffrey Maguire
First Selectman

Jeffrey Murray
Selectman

Paula King
Selectman

Scott Person
Selectman

Adrian Mandeville
Selectman

Townwide Road Issues

On May 25th, I met with the Connecticut State Circuit Rider to review Andover Roads. This is a program that the state has for assisting towns in looking at roadway safety auto, pedestrian, and cyclist and geometry issues. We drove and reviewed a range of roads through-out Andover and she made some specific recommendations.

1. All centerlines that we are going to stripe have to be double yellow lines. (to conform with state law/ MUTA) single lines are strongly recommended against.
2. Minimize the places where we use centerline striping, similar to what we do now.
3. In areas with pedestrian traffic, do not use a centerline - use edge line striping only and stripe the edge lines between 18 and 19 ft apart to set 9-9 ½ ft wide travel lanes. Cary the edge line striping around corners at the intersection.
4. Specific Road suggestions
 - a. Townsend Rd: increase speed limit to 35mph based on sightlines and geometry of the road from current 25 mph.
 - b. Long Hill Rd: increase speed limit to 35mph starting 500 ft past Riverside Dr going north. Keep at 25mph to Rt 6. Double centerline stripe +edge line stripe with 10 ft travel lanes.
 - c. Bunker Hill Rd: radar speed sign at the base of the hill.
 - d. Gilead Rd: double centerline striping, edge striping at 10 ft travel lane when it is repaved (discussed but not driven).
 - e. Lake Rd:
 - i. Edgeline striping only with 9-9.5 ft Travel lanes wrap edge line around intersections and return to edge of pavement.
 - ii. Keep Sharows
 - iii. Realign the intersection of Lake Rd and Mathieson Dr using the existing paving. Cut away the bank on Lake Road to the west to increase visibility. Do this as a temporary project to gauge interest.
 - iv. Convert intersection of Lake Rd and Lakeside Dr to a traffic circle. Do it as a temporary 6-week project to gauge feedback. Will likely need to be adjusted a few times. Will need to coordinate with Fire Dept

and EMS when it is installed. There will be a lot of complaints the first two weeks. After the third week, follow up with the neighbors and ask for feedback, start taking feedback seriously on the third week.

v. Move Stop bar on Erdoni Rd down 15 ft to tighten up intersection. Carry edge line through intersection then dead end it on Erdoni Rd.

vi. Near the 400's, realign the road by alternating bumpouts in otherwards make it a slight chicane using existing pavement

f. Lakeside Drive

i. Edgeline striping only with 9-9.5 ft Travel lanes

ii. Keep Sharrows

g. Island St

i. At the intersection of lakeside and Island place a barrier to turning onto Island so all traffic enters from Lake rd. Do this summer only when parking is a problem since the road is not wide enough for 2 way traffic and parking on both sides.

Eric Anderson

Town Administrator

American Red Cross Blood Drive
Proposed Date: Thursday, October 28th
Town Hall Community Room

From: Plasczynski, Claudette <Claudette.Plasczynski@redcross.org>
Sent: Tuesday, August 24, 2021 1:10 PM
To: Admin Assistant <adminassistant@andoverct.org>
Cc: Oppenheimer, Sean <sean.oppenheimer@redcross.org>
Subject: RE: [EXTERNAL] RE: Blood Drive Request ANDOVER TOWN HALL

Hi Amanda,

Just a quick update....the October 5th date has been taken, someone just booked it.
We do have openings right now on **October 28th & November 12th**. Can you try to see if either of these dates work if they are agreeable.
Honestly we really need you, and you would still be in cycle. Sorry for the change.

All the best,

Claudette Plasczynski
Account Manager
860-609-2251
American Red Cross
Claudette.plasczynski@redcross.org

From: Plasczynski, Claudette <Claudette.Plasczynski@redcross.org>
Sent: Monday, August 23, 2021 2:57 PM
To: Admin Assistant <adminassistant@andoverct.org>
Cc: Oppenheimer, Sean <sean.oppenheimer@redcross.org>
Subject: Blood Drive Request ANDOVER TOWN HALL

Hi Amanda,

Thanks so much for returning my call, I appreciate that very much, you're a delight to talk too 😊

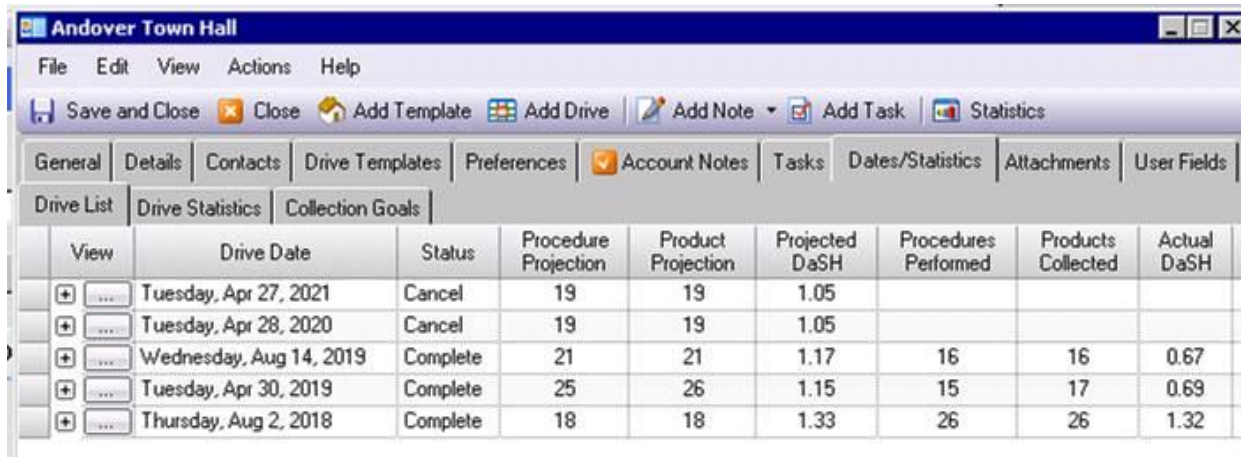
Below is just a screenshot of your history, it would be great to get you back on the calendar again.

Tuesday, October 5th is an open date, and would cycle perfectly with Columbia Fires last drive, so please think about this date when you have your meeting.

If not, we will find something suitable. If you have any questions Sean & I are here to answer any concerns, we do follow strict FDA protocols when conducting the drives, so no worries on that.

We run between 15-17 drives per day and haven't skipped a beat since the onset of Covid. (Well except for the hurricane that never came)! LOL

Call or email when you can.



The screenshot shows the 'Andover Town Hall' software interface. The window title is 'Andover Town Hall'. The menu bar includes 'File', 'Edit', 'View', 'Actions', and 'Help'. The toolbar contains 'Save and Close', 'Close', 'Add Template', 'Add Drive', 'Add Note', 'Add Task', and 'Statistics'. The main area has several tabs: 'General', 'Details', 'Contacts', 'Drive Templates', 'Preferences', 'Account Notes', 'Tasks', 'Dates/Statistics', 'Attachments', and 'User Fields'. Below these are sub-tabs for 'Drive List', 'Drive Statistics', and 'Collection Goals'. The 'Drive List' sub-tab is active, displaying a table with the following data:

View	Drive Date	Status	Procedure Projection	Product Projection	Projected DaSH	Procedures Performed	Products Collected	Actual DaSH
+ ...	Tuesday, Apr 27, 2021	Cancel	19	19	1.05			
+ ...	Tuesday, Apr 28, 2020	Cancel	19	19	1.05			
+ ...	Wednesday, Aug 14, 2019	Complete	21	21	1.17	16	16	0.67
+ ...	Tuesday, Apr 30, 2019	Complete	25	26	1.15	15	17	0.69
+ ...	Thursday, Aug 2, 2018	Complete	18	18	1.33	26	26	1.32

All the best,

Claudette Plasczynski

Account Manager

860-609-2251

American Red Cross

Claudette.plasczynski@redcross.org

**Draft Ordinances Amendments
as proposed by
Town Attorney Dennis O'Brien:**

TOWN OF ANDOVER

Ethics Ordinance

1. Title.

This Ordinance shall be known and may be cited as the "Code of Ethics." It repeals and totally replaces the "Creation of an Ethics Commission for the Town of Andover" Ordinance, previously adopted by the Special Town Meeting on June 1, 2005.

2. Authority

This Code is legally authorized by Connecticut General Statutes section 7-148h, and Town of Andover Charter section 1003.

3. Purpose.

The purpose of this code is to guide elected and appointed Town officials, Town employees and citizens by establishing standards of conduct for public officials and public employees. Public office or employment is a public trust. The trust of the public is essential for government to function effectively. Public policy developed by government officials and public employees affects every citizen of the Town, and it must be based on honest and fair deliberations and decisions. Good government depends on decisions which are based upon the merits of the issue and are in the best interests of the Town as a whole, without regard to personal gain. This process must be free from threats, favoritism, undue influence and all forms of impropriety so that the confidence of the public is not eroded. By enacting this Code, the Town of Andover seeks to maintain and increase the confidence of our citizens in the integrity and fairness of their Town government. In pursuit of that goal, these standards are provided to aid those involved in decision making to act in accordance with the public interest, use objective judgment, assure accountability, provide democratic leadership, and uphold the respectability of our Town government.

4. Definitions.

As used in this chapter, the following words or phrases shall have the meanings ascribed to them in this section:

ADVISORY OPINION

A written response by the Board of Ethics to a request by a public official or public employee asking whether his or her own present or potential action may violate any provision of this Code of Ethics.

BOARD

The Town of Andover Board of Ethics established in section 5 of this ordinance.

BUSINESS

Any entity through which business for profit or not for profit is conducted, including a corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, or self-employed individual.

BUSINESS WITH WHICH ONE IS ASSOCIATED

A business of which the person or a member of their immediate family is a director, officer, owner, employee, compensated agent, or holder of stock which constitutes five percent or more of the total outstanding stock of any class.

CONFIDENTIAL INFORMATION

Any information, whether transmitted orally or in writing, which is obtained by reason of the public position or office or employment held and is of such nature that it is not at the time of transmission a matter of public record per the Connecticut Freedom of Information Act, C.G.S. section 1-200, et seq., or public knowledge.

EMPLOYEE

Any person receiving a salary, ~~or~~ wages or other compensation from the Town for services rendered.

FINANCIAL INTEREST

Any interest representing an actual or potential economic gain or loss, which is neither trivial nor shared by the general public.

GIFT

Anything of value, including entertainment, food, beverage, travel and lodging given or paid to a public official or public employee, to the extent that a benefit of equal or greater value is not received in return.

A gift does not include:

A political contribution otherwise reported as required by law or a donation or payment as described or defined in subdivision (9) or (11) of subsection (b) of Conn. General Statutes section 9-601a;

Services provided by any person volunteering their time;

A commercially reasonable loan made on terms not more favorable than loans made in the ordinary course of business;

A gift received from an individual's spouse, fiancé or fiancée, the parent, brother or sister of such spouse or such individual, or the child of such individual or the spouse of such child;

Goods or services which are provided to the municipality and facilitate governmental action or functions;

A certificate, plaque or other ceremonial award costing less than one hundred dollars;

A rebate or discount on the price of anything of value made in the ordinary course of a business without regard to that person's status;

Printed or recorded informational material germane to governmental action or functions;

Items of nominal value, not to exceed twenty dollars, containing or displaying promotional material;

An honorary degree bestowed upon a public official or public employee by a public or private university or college;

A meal provided at an event and/or the registration or entrance fee to attend such an event, in which the public employee or public official participates in his official capacity;

A meal provided in the home by an individual who resides in the municipality;

Gifts in-kind of nominal value not to exceed \$25.00 tendered on gift-giving occasions generally recognized by the public, provided the total value of such gifts in any calendar year from all donors do not combine to exceed one hundred dollars.

A gift worth no more than \$500.00 made in recognition of a "life event" like a wedding, birth, or retirement.

IMMEDIATE FAMILY

Any spouse, child, parent, sibling or co-habiting partner of a public official or public employee, any other individual who resides in the household of the public official or public employee, and the spouse, child, parent or sibling of any such spouse, child, parent, sibling, co-habiting partner or other individual who resides in the household.

INDIVIDUAL

Any natural person.

INDIVIDUAL WITH WHOM ONE IS ASSOCIATED

Any individual with whom the public official or public employee or a member of their immediate family mutually has an interest in any business.

OFFICIAL RESPONSIBILITY

The direct administrative or operating authority, whether exercised personally or through subordinates, to approve, disapprove, or to otherwise direct Town government action.

PERSON

Any individual, sole proprietorship, trust, corporation, union, association, firm, partnership, committee, club or other organization or group of persons.

PUBLIC EMPLOYEE

Any person or contractor of the Town of Andover, including the employees of the Board of Education to the extent permitted by law, full or part time, receiving wages or other compensation from or on behalf of the Town for services rendered.

PUBLIC OFFICIAL

Any elected or appointed official, whether paid or unpaid or full or part-time, of the Town or a political subdivision thereof, including members and alternate members of town agencies, boards and commissions, and committees, or any other board, commission or agency that performs legislative, administrative, or judicial functions or exercises financial authority (collectively hereinafter referred to as "body"), including candidates for any such office. Town agencies, boards, commissions and committees that have sufficient authority to qualify as Public Officials subject to the requirements of this Code are the Board of Selectmen, Board of Finance, Board of Education, Regional Board of Education, Planning and Zoning Commission, Inland Wetlands Commission, Zoning Board of Appeals, Fire Commission, Library Board of Directors, Board of Assessment Appeals, Conservation Commission, Recreation Commission, Economic Development Commission, Board of Ethics, Capital Improvement Plan Committee, Ordinance Review Committee, and the Norton Fund Commission.

5. Board of Ethics.

A. There is hereby established a Board of Ethics consisting of five (5) members. The members shall be appointed by the Board of Selectmen and shall serve for terms of three (3) years, except for the initial Board upon which two (2) members shall serve for a term of two (2) years, and one (1) member shall serve for a term of one (1) year. Terms shall commence on the first day of the month after the date of appointment.

B. Alternate members. In addition to the regular members, the Board of Selectmen shall appoint two (2) alternate members to serve in the absence of any regular member(s). All alternate member terms shall be for two years, and begin on the first day of the month following appointment..

C. No more than three (3) members and no more than one (1) alternate member shall be of the same political party at any time.

D. All members and alternates shall be electors of the Town. No member or alternate shall (1) hold or campaign for any public office; (2) hold office in any political party committee, candidate committee, exploratory committee, or national committee as those terms are defined in Connecticut General Statutes section 9-601, as amended; (3) serve as a public official as defined in section 4 of this code; or (4) be a public employee of the Town.

E. Any member of the Board of Ethics shall have an unrestricted right to vote, make political contributions, attend or buy a ticket to fundraising or other political events, identify himself or herself as a member of a political party, be politically active in connection with a question that is not specifically identified with any candidate for any Town office subject to the jurisdiction of the Board of Ethics, such as a referendum or approval of a municipal ordinance, or any other question or issue of a similar character, and otherwise fully participate fully in public affairs. No member or employee of the Board of Ethics shall publicly endorse or publicly oppose any candidate for any Town office subject to the jurisdiction of the Board of Ethics per this Code in a speech, public advertisement, political advertisement, broadcast, campaign literature, or similar action or material; take part in managing the political campaign of any such candidate; or initiate or circulate a nomination petition, work as a driver transporting voters to the polls during an election, or directly solicit, receive, collect, handle, disburse or account for assessments, contributions or other funds for any such candidate; place a sign or sticker supporting or opposing a candidate for any such Town office on real or personal property owned by the placer of such sign or sticker; or become a candidate for any such office.

6. Organization and Procedure.

A. The Board of Ethics shall elect a chairperson who shall preside at meetings of the Board, a vice-chairperson to preside in the absence of the chairperson, and a secretary. In the absence of both the chairperson and vice-chairperson, Board members shall elect a temporary chairperson. Three members shall constitute a quorum. Except for its final determination of a complaint after a hearing per section 8(G) of this ordinance, a majority vote of the Board shall be required for action of the Board. The chairperson, vice-chairperson in the absence of the chair, or any three regular members may call a special meeting of the Board.

B. The Board of Ethics shall (1) Compile and maintain a record of all reports, advisory opinions, statements, and memoranda filed with the Board to facilitate public access to such reports and statements in instances in which such public disclosure is legally permissible; (2) Issue advisory opinions with regard to the requirements of this Code of Ethics upon the request of any public official, employee or agency of the Town regarding whether their own present or potential action may violate any provision of this Code. Advisory opinions rendered by the Board of Ethics shall be binding on the Board and shall be deemed to be final decisions of the Board. Any advisory opinion concerning an official or employee who requested the opinion and who acted in reliance thereon in good faith, shall be an absolute defense in any subsequent matter regarding the same issue(s) brought under the provisions of this Code; The Board may make available to the public such advisory opinions which do not invade personal privacy and take other appropriate steps in an effort to increase public awareness of this Code of Ethics; (3) At or near the end of each calendar year, the Board of Ethics shall prepare and submit to the Board of Selectmen an annual report of its actions during the preceding twelve (12) months and its recommendations, if any.

Additional reports, opinions and recommendations may be submitted by the Board to the Board of Selectmen at any time. In all such submissions, the Board shall be careful to protect and uphold the confidentiality of all information regarding cases in which no final determination of violation has been made; (4) The Board shall prepare materials informing public officials and public employees of their rights and responsibilities under this Code of Ethics.

C. The Board of Ethics shall establish and from time to time amend its own rules and procedures, which shall be made available to the public at the Office of the Town Clerk.

D. The Board of Ethics may utilize or employ necessary staff or outside counsel within available appropriations and in accordance with existing rules and procedures of the Town of Andover.

7. Rules

A. **Outside Business.** No public employee or public official shall engage in or participate in any business or financial transaction, including outside employment with a private business, or have a financial interest, direct or indirect, which is incompatible with the proper discharge of their official responsibilities in the public interest or which would tend to impair their independent judgment or action in the performance of their official responsibilities.

B. **Gifts.** (1) No public employee or public official shall solicit or accept any gift from any person which to their knowledge is interested in any pending matter within such individual's official responsibility. (b) If a prohibited gift is offered, the public employee or public official must refuse it, return it, pay the donor the full value of the gift, or donate it to a non-profit organization provided that the public employee or public official does not take the corresponding tax deduction. Alternatively, it may be considered a gift to the Town of Andover, provided it remains in the Town's possession permanently.

C. **Conflict of Interest.** (1) A public official or public employee shall not vote upon or otherwise participate to any extent in any matter on behalf of the Town of Andover if he or she, a business with which they are associated, an individual with whom they are associated, or a member of his or her immediate family has a financial interest in the transaction or contract, including but not limited to the sale of real estate, material, supplies or services to the Town of Andover. (2) If such participation is within the scope of the official responsibility of the public employee or public official, as soon as possible after they become aware of such conflict of interest, they shall submit written disclosure which sets forth in detail the nature and extent of such interest to their agency or supervisor, as the case may be, and to the Board of Ethics. (3) Notwithstanding the prohibition in subsection (C)(1), a public employee or public official may vote or otherwise participate in a matter if it involves a determination of general policy and the interest is shared with a substantial segment of the population of the Town of Andover.

D. **Representing Private Interests.** (1) Except for a public official who receives no compensation for their service to the Town other than per diem payments or reimbursement of expenses, no public employee or public official shall appear on behalf of private interests before any board, agency, commission or committee of the Town of Andover; and (2) no public employee or public official shall represent private interests against the interest of the Town in any litigation to which the Town is a party.

E. Self representation. Nothing contained in this Code of Ethics shall prohibit or restrict a public employee or public official from appearing before any board, agency, commission or committee of the Town of Andover on their own behalf, or from being a party in any action, proceeding or litigation brought by or against the public employee or public official to which the Town of Andover is a party.

F. Confidential information. No public employee or public official shall disclose confidential information, as defined in section 4 of this Code, concerning Town affairs, nor shall such employee or official use such information for the financial interests of himself or herself or others.

G. Use of town property. No public employee or public official shall request or permit the use of Town funds, services, Town owned vehicles, equipment, facilities, materials or property for personal use, except when such are available to the public generally or are provided by official Town policy or contract for the use of such public employee or public official. Enforcement of this provision shall be consistent with the legal obligations of the Town.

H. Contracts with the Town. No public employee or public official, or a business with which they are associated, or member of their immediate family shall enter into a contract with the Town of Andover unless it is awarded per the requirements of prevailing law.

I. Financial Benefit. No public employee or public official may use their position or office for the financial benefit of themselves, a business with which they are associated, an individual with which they are associated, or a member of their immediate family.

J. Fees or honoraria. No public employee or public official acting in their official capacity shall accept a fee or honorarium for an article, appearance or speech, or for participation at an event.

K. Bribery. No public employee or public official, or member of such individual's immediate family or business with which they are associated, shall solicit or accept anything of value, including but not limited to a gift, loan, political contribution, reward or promise of future employment based on any understanding that the vote, official action or judgment of the public employee or public official would be or had been influenced thereby.

L. Disclosure. Any public official or employee who presents or speaks to any board, committee, commission or agency during the time set aside during any meeting of any such body for public comment shall at that time disclose their name, address, and Town of Andover public affiliation, regardless of whether said affiliation is related to the matter being addressed by the speaker.

M. Political Activity. No public official or public employee may require or request, or authorize any other public official or public employee to require or request that any subordinate official or employee of the Town actively participate in an election campaign or make a political contribution. No public official or public employee may engage in any political activity while on duty for the Town, or with the use of Town funds, supplies, vehicles or facilities. Political activity includes voting, making political contributions, buying a ticket to fund raising or other political events, taking an active role in connection with a question such as a referendum or approval of a municipal ordinance, or any other question or issue of a similar character, and otherwise participating in political affairs, endorsing or opposing any candidate for public office, taking any part in managing the political campaign of any such candidate; or initiating or circulating a nomination petition, working as a driver transporting voters to the polls during an election, or directly soliciting, receiving, collecting, handling, disbursing or accounting for assessments,

contributions or other funds for any such candidate; placing or wearing a sign or sticker supporting or opposing a candidate for any public office, or becoming or acting as a candidate for any public office. No Andover voter may be prohibited from voting at any Town Meeting based on his or her status as a public official or public employee. Activity legally authorized by Connecticut General Statutes section 9-369b regarding the preparation, printing and dissemination of certain explanatory materials pertaining to referendum proposals and questions is exempt from restriction.

8. Powers and Duties. Complaints and Investigations. Confidentiality

A. Upon the complaint of any person on a form prescribed by the Board of Ethics, signed under penalty of false statement, or upon its own complaint, the Board of Ethics shall investigate any alleged violation of this Code. Unless and until the Board of Ethics makes a finding of a violation, a complaint alleging a violation of this Code shall be confidential except upon the request of the respondent.

B. (1) No later than ten (10) days after the receipt or issuance of such complaint, the Board shall provide notice of such receipt or issuance and a copy of the complaint by registered or certified mail to any respondent against whom such complaint is filed, and shall provide notice of the receipt of such complaint to the complainant. (2) The Board of Ethics shall review and investigate the complaint to determine whether the allegations contained therein constitute a violation of any provision of the Code. This investigation shall be confidential except upon the request of the respondent. If the investigation is confidential, any allegations and any information supplied to or received from the Board of Ethics shall not be disclosed to any third party by a complainant, witness, designated party, or Board of Ethics member.

C. (1) In the conduct of its investigation of an alleged violation of this Code, the Board of Ethics shall have the power to hold investigative hearings, administer oaths, examine witnesses, receive oral, documentary and demonstrative evidence, subpoena witnesses and require by subpoena duces tecum the production for examination by the Board of any books and papers which the Board deems relevant in any matter under investigation. In the exercise of such powers, the Board may use the services of the police, who shall provide the same upon the request of the Board. Any such subpoena is enforceable upon application to the Superior Court. (2) If any such investigative hearing is scheduled, the Board of Ethics shall consult forthwith with the town attorney or outside counsel authorized by section 7 of this Code. The respondent shall have the right to appear, to be represented by legal counsel and to examine and cross-examine witnesses.

D. (1) If, after investigation, the Board of Ethics determines that the complaint does not allege sufficient facts to constitute probable cause of a violation, the Board shall dismiss the complaint. The Board shall inform the complainant and the respondent of its finding of dismissal by registered or certified mail not later than three business days after such determination of dismissal. (2) After any such finding of no violation, the complaint and the record of its investigation shall remain confidential, except upon the request of the respondent. No complainant, witness, designated party, or Board of Ethics or staff member shall disclose to any

third party any information learned from the investigation, including knowledge of the existence of a complaint, which the disclosing party would not otherwise have known.

E. (1) If, after investigation, the Board of Ethics determines that the complaint alleges sufficient acts to constitute probable cause of any violation, then the Board shall send notice of said finding of probable cause to the complainant and respondent by registered or certified mail within three business days and fix a date for the hearing on the allegations of the complaint to begin no later than thirty (30) calendar days after said issuance of notice, The hearing date regarding any complaint shall be not more than sixty (60) calendar days after the filing of the complaint. (2) If any such hearing is scheduled, the Board of Ethics shall consult forthwith with the town attorney or outside counsel authorized by section 7 of this Code.

F. (1) A hearing conducted by the Board of Ethics shall not be governed by formal rules of evidence. The respondent shall have the right to appear, to be represented by legal counsel and to examine and cross-examine witnesses. Any such hearing shall be closed to the public unless the respondent requests otherwise. (2) In the conduct of its hearing of an alleged violation of this Code, the Board of Ethics shall have the power to administer oaths, examine witnesses, receive oral, documentary and demonstrative evidence, subpoena witnesses and require by subpoena duces tecum the production for examination by the Board of Ethics of any books and papers which the Board deems relevant in any matter under investigation or in question. In the exercise of such powers, the Board may use the services of the police, who shall provide the same upon the request of the Board. Any such subpoena is enforceable upon application to the Superior Court.

G. (1) If, after a hearing on a complaint for which probable cause has previously been found, the Board of Ethics finds by a vote of at least four of its members based on clear and convincing evidence that any violation of this Code of Ethics has occurred, the Board shall submit a memorandum of decision, which may include recommendations for action, to the Board of Selectmen, Town Administrator, and any other appropriate Town agency for such action as they may deem legal and appropriate. (2) The recommendations of the Board of Ethics may include, but not be limited to, any combination of the following: recusal, reprimand, public censure, termination or suspension of employment, removal or suspension from appointive office, termination of contractual status, or the pursuit of injunctive relief. No such recommendation may be acted upon in violation of federal or state law or the Charter, ordinances, legally adopted policies, or collective bargaining agreements of the Town of Andover. Any discussion by the Board of Selectmen or other Town agency regarding any such memorandum of decision shall be in executive session, subject to the requirements of state law, unless the affected individual requests that such discussion be held in open session.

H.. The Board of Ethics shall make public any finding of a violation not later than five business days after the termination of the hearing. At such time, the entire record of the investigation shall become public. The Board of Ethics shall inform the complainant and the respondent of its finding and provide them a summary of its reasons for making such finding by registered or certified mail not later than three business days after termination of the hearing.

I. No complaint may be made under this Code except within two years of the date of knowledge of the alleged violation, but no more than four years after the alleged date of any such violation.

J. No person shall take or threaten to take official action against an individual for such individual's good faith disclosure of information to the Board of Ethics under the provisions of

this Code. After receipt of information from an individual, the Board of Ethics shall not disclose the identity of such individual without his consent unless the Board determines in the interests of justice that such disclosure is unavoidable during the course of an investigation or hearing.

9. Former Public Officials/Employees

A. No former public employee or public official, as defined in section 4 of this Code, shall appear for compensation before any Town of Andover board, commission or agency in which they were formerly employed or involved at any time within a period of one year after termination of their service with the Town.

B. No such former public employee or public official shall represent anyone other than the Town of Andover concerning any particular matter in which they participated personally and substantially while in the service of the Town.

C. No such former public employee or public official shall disclose or use confidential information acquired in the course of and by reason of their official duties in the service of the Town of Andover, for financial gain for himself or herself or others.

D. No such former public employee or public official who participated substantially in the negotiation or award of a Town of Andover contract obliging the Town to pay \$100,000.00 or more, or who supervised the negotiation or award of such a contract shall accept employment with a party to the contract other than the Town of Andover for a period of one year after such contract is finally executed.

10. Distribution of Code of Ethics.

Copies of this Code of Ethics shall be made available to the Town Clerk for filing and to the Town Clerk and Town Administrator for distribution. The Town Clerk shall cause a copy of this Code of Ethics to be distributed to every public official of the Town of Andover within thirty days of the effective date of this Code or any amendment thereto. The Town Administrator shall cause a copy of this Code of Ethics to be distributed to every employee of the Town of Andover within thirty days of the effective date of this Code or any amendment thereto. Each new public employee and public official shall be furnished a copy of this Code before entering upon the duties of their office or employment.

11. Severability; Conflicts with other Provisions.

If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this ordinance, or any part thereof, is for any reason held to be unconstitutional, invalid, or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter. Furthermore, should any such provisions of this chapter conflict with any provisions of state or federal law, the applicable portions of the state or federal law shall prevail.

**Town of ANDOVER, CONNECTICUT
Hearing Procedure for Citations Ordinance**

Section 1: Title.

This Ordinance shall be known and may be cited as the **Town of Andover** “Hearing Procedure for Citations Ordinance.”

Section 2: Legislative Authority.

This Ordinance is enacted pursuant to Sections 7-148(c)(10)(A) and 7-152c of the Connecticut General Statutes.

Section 3: Intent.

This Ordinance is designed to establish a hearing procedure for the appeal and enforcement of fines, penalties, costs and fees for citations issued for violations of Town ordinances.

Section 4: Appointment of Hearing Officers

The **Town Administrator** shall appoint one or more persons who are electors of the **Town of Andover** to serve as citation hearing officers to conduct hearings regarding the violation of Town ordinances. No police officer, or any Town employee or person authorized to issue citations for the violation of any Town ordinance shall be permitted to serve as a citation hearing officer.

Section 5: Notice of Violation

At any time within twelve months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any Town ordinance for a violation thereof, the Town shall send notice to the cited person. Such notice shall inform the cited person:

- A. Of the allegations against the cited person(s) and the amount of the fines, penalties, costs or fees due;
- B. That the cited person may contest liability before a hearing officer appointed by the Board of Selectmen by delivering in person or by mail written notice of demand for a hearing to the **Office of the Town Administrator** at the **Andover Town Hall** within ten days of the date thereof;
- C. That if a hearing is not so demanded, an assessment and judgment shall be entered against the cited person; and

D. That such judgment may issue without further notice. For purposes of this section, notice shall be presumed to have been properly sent if such notice was mailed to such person's last known address on file with the tax collector or collector of revenue.

Section 6: Admission of Liability.

If a cited person who is sent notice pursuant to Section 5 wishes to admit liability for an alleged violation, the cited person may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees in person or by mail to the town treasurer at the address specified in the notice. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of the cited person or other person making the payment. Any cited person who does not deliver or mail written notice of demand for a hearing within ten days of the date of the notice provided for in Section 5, above, shall be deemed to have admitted liability and the **Town Administrator** shall certify such person's failure to respond to the hearing officer. The hearing officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinance and shall follow the procedures set forth in Section 7, below.

Section 7: Hearing Procedure.

A. Any cited person who requests a hearing shall be given written notice of the date, time and place of the hearing. Such hearing shall be held not less than fifteen days nor more than thirty days from the date of the mailing of such notice, provided the hearing officer shall grant upon good cause shown, any reasonable request by any interested party for postponement or continuance. An original or certified copy of the initial notice of violation issued by the issuing municipal agent or employee shall be filed and retained by the Town, be deemed to be a business record within the scope of General Statutes section 52-180, and be evidence of the facts set forth therein. At the request of the cited person the presence of the issuing municipal officer or employee shall be required at the hearing. A designated Town official other than the hearing officer may present evidence on behalf of the **Town of Andover**. A person wishing to contest their liability shall appear at the hearing and present evidence in their own behalf.

B. If the cited person fails to appear and such appearance has not been determined by the hearing officer to be unnecessary, the hearing officer may enter an assessment by default against the cited person upon a finding of proper notice and liability under the applicable ordinance. The hearing officer may accept from the cited person copies of written statements, police reports, investigatory and citation reports and other official documents by mail or hand delivery, and may determine thereby that the appearance of such person is unnecessary. The hearing officer shall conduct the hearing in the order and form and with such methods of proof as the hearing officer deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The hearing officer shall announce a decision at the end of the hearing. If the hearing officer determines that the cited person is not liable, the matter shall be dismissed and the decision of the hearing officer entered in writing accordingly. If the hearing officer determines that the cited person is liable for the

violation, said officer shall forthwith enter and assess the fines, penalties, costs or fees against the cited person as provided by the applicable ordinance.

Section 8: Notice of Assessment and Judgment.

If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of the assessment to the cited person found liable and shall file, not less than thirty days nor more than twelve months after such mailing, a certified copy of the notice of assessment with the clerk of the appropriate court, together with the appropriate entry fee required by the court which is currently eight dollars per General Statutes section 7-152c(f). The certified copy of the notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same cited person may be accrued and filed as one record of assessment. The clerk shall enter judgment in the amount of said record of assessment and court costs against the cited person, in favor of the **Town of Andover**. Notwithstanding any other provision of the Connecticut General Statutes, the hearing officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such cited person.

Section 9: Appeal.

A cited person against whom an assessment has been entered pursuant to this Ordinance is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty days of the mailing of notice of such assessment by filing a petition to open assessment, together with an entry fee in an equal amount to the entry fee for a small claims case pursuant to General Statutes section 52-259, at the appropriate court, which shall entitle the cited person to a hearing in accordance with the rules of the judges of the Superior Court.

Section 10: Other Remedies.

No action taken pursuant to this Ordinance shall preclude the **Town of Andover** from pursuing other enforcement remedies, either in addition to those specified in this Ordinance or separately, in order to achieve lawful compliance with the ordinances of the **Town of Andover**.

TOWN OF ANDOVER

BLIGHT ORDINANCE

Section 1.1 **Purpose:** The purpose of this ordinance, adopted pursuant to Connecticut General Statutes sections 7-148(c)(7)(H)(xv), 7-148(c)(7)(E), 7-148(c)(10)(A), 7-148aa, and 7-152c is to **repeal, replace and enhance the Town of Andover Abandoned Property Blight Ordinance enacted in 2017**, define, prohibit and provide for abatement and remedy of blight on Town of Andover premises to preserve the public health, safety and welfare, and to protect property values in the Town of Andover.

Section 1.2 **Repeal and Replacement; Scope:** **This Ordinance repeals and replaces in its entirety the Town of Andover Abandoned Property Blight Ordinance enacted in 2017.** This ordinance applies to any parcel of land in the Town of Andover.

Section 1.3 **Definitions:** The following definitions apply in the interpretation and enforcement of this ordinance:

- A. **BLIGHT OR BLIGHTED.** Includes any of the following:
- i. Abandoned premises. Buildings, structures and premises for which an owner cannot be identified or located by dispatch of a certificate of mailing to the last known or registered address, which persistently or repeatedly become unprotected or unsecured; which have been occupied by unauthorized persons or for illegal purposes; or which present a danger of structural collapse or fire spread to adjacent properties shall be considered abandoned, declared unsafe and abated or demolished in accordance with Connecticut State Building Code 117.1.1;
 - ii. Temporarily unoccupied buildings, structures, premises or portions thereof that are not secured in accordance with section 117.1.2 of the Connecticut State Building Code;
 - iii. Buildings whose exterior openings and interior openings accessible to other tenants or unauthorized persons are not boarded, locked, blocked or otherwise protected to prevent entry by unauthorized individuals in accordance with Connecticut State building code 117.2.1;
 - iv. A structure that is dilapidated or decayed and which presents a hazard to the public, including danger of structural collapse or fire spread to adjacent properties, or open pits or trenches.
 - v. Dead, decayed, diseased or damaged trees constituting a hazard or danger to person or property;
 - vi. Premises containing accumulated debris, not including compost piles or piles of grass and brush which are not visible from a public right-of-way and do not otherwise constitute a public health or safety hazard;

- B. DEBRIS. Material which is incapable of immediately performing the function for which it was designed including, but not limited to, abandoned, discarded or unused objects, junk comprised of equipment such as automobiles, boats, and recreational vehicles which are unregistered and missing parts, not complete in appearance and in an obvious state of disrepair; parts of automobiles, furniture, appliances, cans, boxes, scrap metal, tires, batteries, containers, trash and garbage which are in the public view;
- C. DECAY OR DECAYED. A wasting or wearing away; a gradual decline in strength, soundness or quality; decomposed, decayed or rotten, except as to a contained compost pile.
- D. DILAPIDATED. Decayed beyond reasonable repair.
- E. OWNER. Any natural or legal person having an ownership interest in premises or structures that are subject to this ordinance. "Owner" includes a "registrant" as defined in Connecticut General Statutes §7-148hh(1).
- F. PREMISES. Any parcel of land located within the Town of Andover.
- G. STRUCTURE. Any building, dwelling, shed or similar unit that is enclosed in whole or in part.

Section 1.4 Prohibition against Creation or Maintenance of Blight. Each owner of premises or any structure subject to this ordinance shall comply with its provisions and shall not cause or allow such premises or structure to become blighted or to remain in a blighted condition. These obligations exist jointly and severally upon affected owners.

Section 1.5 Minimum Standards.

- A. This ordinance shall not be construed to prevent the enforcement of other statutes, codes, ordinances or regulations that prescribe standards other than are provided herein.
- B. In any case where a provision of this ordinance is found to be in conflict with a provision of any zoning, building, fire, safety, or health ordinance, regulation or other code of the Town or the State, the provision that establishes the higher standard for the protection, preservation and promotion of public health, safety and welfare and the preservation and protection of property values shall prevail.

Section 1.6 Designation and Authority of Blight Enforcement Officer. The Town's Zoning Enforcement Officer shall be the Blight Enforcement Officer, responsible

for interpreting and enforcing this ordinance. The Blight Enforcement Officer is granted the authority necessary to enforce the provisions of this ordinance.

Section 1.7 Complaints. Notice of Violation(s).

A. Signed, written complaints on forms provided by the Town may be submitted to the Blight Enforcement Officer. The Blight Enforcement Officer may enforce the provisions of this ordinance without having received a signed, written complaint.

B. If the Blight Enforcement Officer determines that there has been a violation of this ordinance, the officer shall cause notice of the violation to be given to the owner or owners of the premises upon which the violation exists, as provided below. Such notice shall be sent to the owner's current or last known address stated in the Tax Collector's office or, as applicable, to the registration address provided under Conn. Gen. Stat. § 7-148ii. Such notice shall:

- i. Be in writing;
- ii. Set forth the provision(s) of this ordinance that have been violated and the facts establishing such violation(s);
- iii. Specify a final date for the correction of any violation. Correction date is not to be less than fifteen (15 days) and not greater than ninety (90) days;
- iv. Be served upon the owner by both regular first class mail and certified mail, return receipt requested; and
- v. State that the penalties and enforcement provisions of this ordinance will become effective on the final date for correction of any violation, including any extension(s) thereof.

C. The Blight Enforcement Officer is required to issue only one notice of violation, even though there are multiple violations and even though the same violation may exist for multiple days.

Section 1.8 Extension(s) of Correction Period. Prior to the expiration of the correction period specified in the notice of violation, the owner of the premises receiving a notice may apply in writing to the Blight Enforcement Officer for an extension of the correction period. The Blight Enforcement Officer may in writing grant one extension of the correction period of no more than thirty (30) days if the officer determines that the owner is diligently working to remedy the blighted condition and that under the facts and circumstances an extension is reasonable. The Blight Enforcement Officer may provide one or more subsequent extensions only upon the approval of the Town Administrator.

Section 1.9 Citations. Penalties. Hearings.

- A. If the blight condition is not corrected to the Blight Enforcement Officer's satisfaction by the conclusion of the final correction date, including any extension(s) thereof, the Blight Enforcement Officer shall issue a citation, which shall include the penalties set forth in this ordinance. The Blight Enforcement Officer is required to issue only one citation, even though there may be multiple violations that exist for multiple days.
- B. Each violation of this ordinance shall be considered a separate municipal offense, and each separate offense shall be subject to a penalty of \$25 per day, commencing at the expiration of any extensions granted by the Blight Enforcement Officer or the Town Administrator, payable to the Town of Andover.
- C. If the Town has adopted its own Hearing Procedure for Citations Ordinance authorized by Connecticut General Statutes section 7-152c, that ordinance shall constitute the official hearing procedure for citations issued under this ordinance and must be adhered to by the Town. If no such ordinance is in place, unless and until one is enacted, in lieu of such an ordinance the Town hereby adopts the hearing procedures fully set forth in Connecticut General Statutes § 7-152c, as amended, as its hearing procedure for citations issued under this ordinance.
- D. As authorized by Connecticut General Statutes section 7-148aa, any unpaid penalty imposed on the owner of a blighted property pursuant to this ordinance shall constitute a lien on the real estate against which the penalty was imposed from the date of such penalty. Each such lien may be continued, recorded and released in the manner provided by the General Statutes for continuing, recording and releasing property tax liens. Each such lien shall take precedence over all other liens filed after July 1, 1997, and encumbrances except taxes and may be enforced in the same manner as property tax liens.

Section 1.10 Appointment of Citation Hearing Officer. Either under this ordinance or pursuant to a section 7-152c Hearing Procedure for Citations Ordinance if one is or becomes enacted and in place, the Town Administrator shall appoint one or more citation hearing officers to conduct the hearings provided by Section 1.9.C. of this ordinance. Neither the Blight Enforcement Officer nor any Town employee shall be appointed as a citation hearing officer under this ordinance.

**AMENDMENT TO “ORDINANCE REGULATIONS CONCERNING INSTALLATIONS OF DRIVEWAYS
CONNECTING WITH HIGHWAYS MAINTAINED BY THE TOWN OF ANDOVER”**

The “**Ordinance Regulations Concerning Installations of Driveways Connecting with Highways Maintained by the Town of Andover**, “ #60-03, voted by Town Meeting on May 7, 1960, Effective June 10, 1960, Revision Voted Annual Budget Meeting May 3, 1969, is hereby **AMENDED** to require that “Any person or corporation who violates the provisions of this ordinance shall be fined not more than **\$250.00**,” thereby repealing and replacing the prior requirement that such fine be in the amount of “\$100.00.

**AMENDMENT TO "ORDINANCE CONCERNING REGIONAL COUNCIL OF ELECTED OFFICIALS
TOWN OF ANDOVER, CONNECTICUT"**

The "**Ordinance Concerning Regional Council of Elected Officials Town of Andover, Connecticut,**" #66-01, voted by Special Town Meeting on March 25, 1966, is amended as follows:

SECTION 2 of said Ordinance requiring that the representative to the Regional Council be the First Selectman is **repealed, deleted and replaced** as follows:

SECTION 2. The representative to said Regional Council shall be designated by the Board of Selectmen.

**AMENDMENT TO
"ORDINANCE PROHIBITING EXCAVATION OF TOWN ROADS OR RIGHTS-OF-WAY"**

The "**Ordinance Prohibiting Excavation of Town Roads or Rights-Of-Way**," #74-02, voted by Annual Town Meeting on October 7, 1974, Effective November 6, 1974, is hereby **AMENDED** as follows:

SECTION I.B. requiring "a performance bond" is amended to require that such bond be in the amount of **FIVE THOUSAND DOLLARS (\$5,000.00)**.

SECTION 3, requiring a permit fee of \$5.00, is repealed and replaced as follows:

SECTION 3. A fee of ONE HUNDRED DOLLARS (\$100.00) shall be charged for the issuance of a permit.

SECTION 4, requiring that a violator of "the provisions of this Ordinance shall be fined the maximum allowed by law," is amended to require that any such violator shall be fined **TWO HUNDRED FIFTY DOLLARS (\$250.00) for any such violation, and anyone who has been given a written warning of the existence of such violation and persists in substantially violating any provision of this Ordinance may be issued a citation by a proper officer of the Town calling for a fine of up to TWO HUNDRED FIFTY DOLLARS (\$250.00) for each day that any such violation continues.**

A new SECTION 5 is added to this Ordinance as follows:

SECTION 5. Any such citation may be appealed pursuant to the Town of Andover Hearing Procedure for Citations Ordinance.

ORDINANCE REGARDING RESIGNATION AND REPLACEMENT OF ANY TOWN OFFICIAL

This Ordinance totally repeals and replaces the “Minor Ordinance Regarding Resignation and Replacement of any Town Official” enacted on June 8, 2020 by the Board of Selectmen.

1. As set forth in General Statutes section 7-103, any elected or appointed town official desiring to resign from such office shall submit their resignation in writing to the Town Clerk, effective on submission, or on the date specified in the writing.
2. Any such resignation may be effectuated by electronic transmission to the Town Clerk from the resigning official, or via the chair of the proper board, commission or political party committee of the resigning official, effective when the Clerk reasonably confirms its authenticity, or on the date specified by the resigning official in their writing.
3. Any board, commission or local political party chair who receives a resignation from any board or commission by letter or electronic communication from any member of any such unit they chair must provide a copy of the same to the Town Clerk forthwith.
4. The Town Clerk shall immediately notify the First Selectman, and chair of the affected board or commission and of any local political party of the resignation and vacancy.
5. Any applicant to fill any interim vacancy on any Town board or commission must submit in writing or by electronic means to the Town Clerk a letter of interest, and any such letter shall be provided forthwith to the appropriate board or commission and political party chair by the Clerk, and also made available for public inspection before any meeting to consider filling the vacancy is noticed and held by any board or commission.
6. If any action to replace an elected official who has resigned or is deceased appears on the agenda of any Town board or commission, the agenda item must specify the names of any candidates the board or commission is considering to fill any such vacancy.
7. Per General Statutes section 1-200(6)(A), candidate interviews if any shall be in public session, discussion of candidate suitability shall be in executive session unless all candidates agree otherwise, and voting to fill any vacancy shall be in public session.

TOWN OF ANDOVER EVENT AND USE OF TOWN PROPERTY ORDINANCE

Title: This Ordinance shall be known and may be referred to as the “Event and Use of Town Property Ordinance.”

Legislative Authority.

Connecticut General Statutes section 7-148, et seq., and especially subsection 7-148(c)(10)(A).

Findings and Purposes.

The Board of Selectmen of the Town of Andover finds that the Recreation Commission of the Town permits persons and entities to benefit from the promotion, management and implementation of events such as foot races in Town, pursuant to specific rules and regulations set forth in a one page form entitled “**Town of Andover Permit for use of Town Property**” and the two page “**TOWN OF ANDOVER EVENT PERMIT,**” prominently displayed on portions of the Town of Andover website entitled “**Recreation Commission**” and “**How Do I . . .**”

The purpose of these forms and the rules and regulations they include is to promote and protect the health and safety of Town residents and any visitors to the Town of Andover.

The Board of Selectmen finds that there have been instances in which persons and entities holding events in the Town on Town property and roads have ignored or substantially failed to comply with the rules and regulations of the Recreation Commission of the Town of Andover regarding such events and the use of Town property and roads within the Town.

Written Warning.

The Recreation Commission of the Town of Andover shall provide written warning by certified mail or hand delivery by a designated municipal official or employee to any person or entity known to the Commission who has engaged or is involved in the promotion, management or implementation of any such regulated event on Town of Andover property or roads that any failure to substantially comply with the rules and regulations set forth in the enclosed aforementioned forms entitled “**Town of Andover Permit for use of Town Property**” and the “**TOWN OF ANDOVER EVENT PERMIT,**” shall result in a fine of **TWO HUNDRED AND FIFTY DOLLARS** (\$250.00) for every such offense and a ban on any such participation in any such event in the Town of Andover for a period of six months from the date of any such violation.

Enforcement.

Any such violation of said rules and regulations following receipt of any such warning or similar written warning by the Town at any time shall result in the foregoing fines and penalties implemented by citation delivered by a properly designated official or employee of the Town.

Appeal.

Any such citation may be appealed pursuant to the Town of Andover **Hearing Procedure for Citations Ordinance.**

REPEAL OF CERTAIN ORDINANCES THAT ARE SUPERSEDED AND NO LONGER APPLICABLE

It is found by the Board of Selectmen of the Town of Andover that the following ordinances are superseded or repealed, are no longer applicable and they shall therefore be **REPEALED** and **DELETED** from the compilation of ordinances and special acts required by Connecticut General Statutes section 7-148a displayed on the Town of Andover website, and elsewhere:

Ordinance #56-02, "**CHANGE OF THE FEE FOR AN APPEAL TO THE ZONING BOARD OF APPEALS,**" voted by Town Meeting on April 5, 1956; and

Ordinance #60-02, "**ORDINANCE FIXING TERMS AND METHOD CHOOSING REPRESENTATIVES ON CAPITAL REGION PLANNING AGENCY,**" voted by Town Meeting on May 7, 1960. Effective June 10, 1960.

4. Correspondence

5. Public Speak

6. Adjournment