



ASPETUCK HEALTH DISTRICT BY-LAWS

The Aspetuck Valley Health District was the first district to be organized in the State of Connecticut and was established by law on November 2, 1965, for the provision of health services to the towns of Westport and Weston. It became operative on July 1, 1966. On January 1, 1983, the district changed its name to the Westport Weston Health District (W/WHD) for the purpose of easier identification with both towns. With the addition of the Town of Easton to the Health District on May 1, 2021, the district changed its name to the Aspetuck Health District effective January 1, 2022.

ARTICLE I: GENERAL ADMINISTRATION

Section 1.

NAME. The name of the District shall be the Aspetuck Health District (AHD), hereinafter referred to as the "District".

Section 2.

LEGAL STATUS. The District has been established pursuant to Chapter 368f of the Connecticut General Statutes ("CGS 368f") to serve as a district of health for municipalities whose legislative bodies have voted to become part of the District. The District's affairs are managed by a board of directors, hereinafter referred to as the "Board", pursuant to Chapter 368f of the Connecticut General Statutes.

Section 3.

PURPOSE. The purpose of the District shall be to preserve and improve the status of public health in the municipalities of Easton, Weston and Westport, Connecticut by

- (1) upholding and enforcing (a) the Public Health Code of the State of Connecticut and (b) Public Health Statutes of the State of Connecticut and such ordinances and regulations as may be adopted by the Board; and
- (2) working with other providers of health services in the District to coordinate existing programs better and to plan and implement new health programs; and
- (3) promoting healthful living and enhancing wellness, and preventing and suppressing disease through health education, health clinics, health guidance, and sound health practices; and
- (4) adhering to and providing the 10 Essential Public Health Services mandated by the Connecticut Department of Public Health.

Section 4.

ELIGIBILITY OF SERVICE. The services of the District shall be made available to any person residing within the District, without regard to term of residence; without regard to age, race, color, religion, creed, national origin, sex, marital status, gender identity, sexual orientation, handicap, or disability.

The District's Affirmative Action policy is on file at the AHD office. Services may be provided to individuals residing outside of the district for a fee associated with the service.

Section 5.

OFFICE OF THE DISTRICT. The District office is located at 180 Bayberry Lane, Westport, Connecticut, 06880. Board meetings are held at this office, or such other location as may be determined by the Board, and may be held virtually via telephone or video conference.

ARTICLE II: MEMBERSHIP

Section 1.

ADMISSION. The District shall be composed of municipalities, which by vote of their respective legislative bodies, after a public hearing, have joined the District. The Board of Directors of the Aspetuck Health District (ref 1) shall vote upon the admission of other towns, cities and boroughs to the District provided the legislative body of the requesting municipality has voted to enter the District and has duly applied for admission.

Section 2.

REPRESENTATION. Each municipality in the District shall appoint one member to the District Board for each 10,000 population or part thereof, but no municipality shall have more than five representatives. The population figures used are those set by the Connecticut Department of Public Health in accordance with the provisions of Section 19a-241(b) of the Connecticut General State Statutes, as the same may be amended from time to time. Any such amendment to that section shall be incorporated by reference herein. Those appointed members shall constitute the Board. The term of office for the members of the Board shall be three years. Members of the Board may be appointed for unlimited consecutive terms.

Section 3.

WITHDRAWAL. Any member municipality, by vote of its legislative body may withdraw from the District in accordance with the Connecticut General State Statutes. Any municipality by vote passed prior to January 1st in any year may withdraw from the District, to become effective the first day of the following July, provided such municipality shall have been a member of the District for at least twenty-four months prior to such vote of withdrawal. This provision is intended to conform to the provisions of Section 19a-246 of the Connecticut General Statutes, as the same may be amended from time to time. Any such amendment to that section shall be incorporated by reference herein.

ARTICLE III: BOARD OF DIRECTORS

Section 1.

POWERS. The Board may make and promulgate reasonable rules and regulations for the promotion of general health within the District not to conflict with law or with the Public Health Code. The powers of the District shall include, but are not limited to the following powers: appoint, and evaluate, a qualified full-time administrator and Director of Health; 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 by-laws, rules and regulations to carry out the purpose and objectives of the District; to acquire real estate; to provide for the financing of the programs, projects or other functions of the District in the manner described in the Connecticut General State Statutes; and to have such other powers necessary to properly carry out its powers and responsibilities as an independent entity of government. The Board functions as the general policy

making body for the District and has overall budget adoption authority. However, the Board does not have any direct administrative authority over the daily operations of the District. This provision is intended to conform to the provisions of Section 19a-243 of the Connecticut General Statutes, as the same may be amended from time to time. Any such amendment to that section shall be incorporated by reference herein.

Section 2.

MEMBERSHIP. Each member municipality which has voted to become part of the District shall, by its duly selected Board of Selectmen (ref 2), appoint representative(s) to serve on the Board as set forth in Article II, Section 2.

Section 3.

CONFLICT OF INTEREST. Each Board member shall comply with the conflict-of-interest code of the member's respective municipality.

Furthermore, no Board member, while serving as such, shall have any interest, financial or otherwise, direct or indirect, or engage in any business, employment, transaction or professional activity, or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his or her duties or responsibilities as prescribed in the Laws of this State. A Board member who discovers that they have an actual or potential conflict of interest as described in the previous sentence shall (i) fully, completely and immediately disclose the existence of such conflict of interest to the Chairperson and Vice Chairperson and (ii) recuse themselves from all votes, discussions, deliberations, and proceedings relating to the activity that is the subject of the actual or potential conflict of interest. This provision is intended to conform to the provisions of Section 7-479 of the Connecticut General Statutes, as the same may be amended from time to time. Any such amendment to that section shall be incorporated by reference herein.

Section 4.

OFFICERS. The Board, at its meeting in September each year, shall elect a Chairperson and Vice-Chairperson. The Chairperson and Vice-Chairperson shall not be representatives of the same town. The Vice-Chairperson will assume the position of Chairperson, at a Board meeting, *pro tempore* in the absence of the Chairperson. The Director of Health shall serve as the *ex officio* Secretary and Treasurer of the Board without the right to vote.

Section 5.

EXECUTIVE COMMITTEE. The Board may elect an Executive Committee consisting of the Chairperson, and two other members. The Director of Health shall serve on the Executive Committee without a vote. The Executive Committee shall have the power to act when the Board is not in session. A quorum shall consist of a majority of the Executive Committee Members, excluding the Director of Health.

Section 6.

TERM OF OFFICE. The term of office for members of the District's Board of Directors shall be three years. Members of the Board may be appointed for an unlimited number of consecutive terms. If the office of any member shall become vacant for any reason, such vacancy may be filled by the Board of Selectmen from the appropriate town.

Section 7.

DUTIES OF THE CHAIRPERSON. The Chairperson shall preside at all meetings of the Board, shall be an *ex-officio* member of all standing committees, and shall appoint members to all committees except the Executive Committee. The Chairperson also shall perform such other functions as designated by the Board.

Section 8.

DUTIES OF THE VICE-CHAIRPERSON. The Vice-Chairperson shall assume the duties of the Chairperson in the absence of the Chairperson and, when so acting, shall have the powers of and be subject to all the restrictions upon the Chairperson. The Vice-Chairperson shall perform such other duties as from time to time, may be assigned to them by the Chairperson of the Board.

Section 9.

MEETINGS. The Board shall meet at least quarterly (ref 3) or at other times as determined by the Chairperson. The schedule shall include meetings in April and September of each year. The calendar of the Board meetings shall be filed with the respective Town Clerks in January each year and conform to the requirements of the Freedom of Information Act. All meetings of the Board shall be conducted in accordance with the Freedom of Information Act, including Freedom of Information Act provisions relating to the holding of meetings in executive session.

Section 10.

MEETING MINUTES, NOTICES AND AGENDAS. Minutes of all meetings shall be recorded, kept on file, and be available to any authorized person for review, under the Freedom of Information Act. The Board shall transmit all meeting minutes, notices and agendas to the respective Town Clerks' offices and conform to the requirements of the Freedom of Information Act.

Section 11.

QUORUM. The presence of a majority of the total incumbent Board members constitutes a quorum. In a Board comprising an even number of members, a quorum will be one-half the members, plus one.

Section 12.

ACTION OF THE BOARD. Unless otherwise prescribed by these by-laws or the laws of the State of Connecticut, all action taken by the Board shall be by affirmative vote by a majority of the Board members present to vote at a meeting of the Board in which a quorum is present. Each Board member shall have one vote.

Section 13.

ATTENDANCE. Each Board member will earnestly try to attend all meetings of the Board. In the event of the continued absence of a Board member, the Board through the Director of Health will contact the appointing authority with its concerns.

Section 14.

RULES OF ORDER. The meetings of the Board shall be guided by the provisions of Robert's Rules of Order, except as otherwise provided by the By-Laws, with such modifications from time to time in the interests of time and efficiency as agreed to by the Board.

Section 15.

INDEMNITY. The District shall protect and save harmless any Board member and/or employee from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of alleged negligence, or for alleged infringement of any person's civil rights, on the part of such officer or such employee while acting in the discharge of his duties. Such assumption of liability shall be proportionately shared by the towns in the District on the same basis that the expenses of such district are shared as determined under section 19a-243 of the Connecticut General Statutes. This provision is intended to conform to the provisions of Sections 7-101a and 7-465 of the Connecticut General Statutes, as the same may be amended from time to time. Any such amendment to said sections shall be incorporated by reference herein.

ARTICLE IV: EMPLOYEES**Section 1.**

EMPLOYMENT OF PROFESSIONAL STAFF. The Board, in accordance with State requirements, shall hire a Director of Health when a vacancy occurs. It will be the direct responsibility of the Director of Health to select, hire or terminate other staff personnel in accordance with the approved Personnel Policies.

Section 2.

DIRECTOR OF HEALTH. The Board of Directors of the District will appoint the Director of Health with the approval of the state Commissioner of the Department of Public Health. The Director of Health shall serve in a full-time capacity and perform such duties including, but not limited to, the day-to-day operation of the District, as required by the Connecticut General State Statutes, the Connecticut Public Health Code, and as the Board specifies in its by-laws, regulations and policies.

The Director of Health administers the programs and services provided by the Health District and has full and final authority and responsibility delegated by the governing body to plan, staff, direct and implement the programs and manage the affairs of the District. The Director of Health, together with the Board of Directors, assumes the full legal authority and responsibility in all matters pertaining to the total operation of the organization.

Section 3.

DISTRICT DIRECTOR OF CLINICAL SERVICES. To establish medical and public health policies to be followed by all staff in all settings of practice i.e., home, school, well child clinics, etc.

Section 4.

REGISTERED SANITARIAN (ref 4). The District will employ at least one registered sanitarian to work under the direction of the Director of Health.

Section 5.

REMOVAL. The Director of Health may be removed pursuant to the Connecticut General State Statutes and as otherwise provided by law.

Section 6.

PERSONNEL POLICIES. The Board shall be responsible for the adoption of personnel policies and any amendments or revisions thereto. The Director of Health shall be responsible for the administration of personnel procedures and implementation of these policies.

ARTICLE V: FINANCES**Section 1.**

FISCAL YEAR. The fiscal year of the District shall be from July 1st to June 30th inclusive.

Section 2.

ANNUAL BUDGET. By the April meeting of each year, the Board shall estimate the amount of money required to pay the costs and expenses of the District for the coming fiscal year. The District Board of Health shall hold a public hearing on its proposed budget and give two weeks' notice of such in the local newspapers (print and/or electronic form) having a circulation in each constituent municipality of such district. Following said public hearings and before April 30th of each year in accordance with the Connecticut General State Statutes, the Board shall adopt its annual budget in accordance with its estimates of financial requirements for the next fiscal year.

Section 3.

DISTRICT TOWN MEMBERSHIP FEES. At the beginning of each fiscal quarter, the District shall draw upon the Treasurer of each municipality a proportionate share of the expenses of the District from such funds as may have been appropriated by each to pay the costs of operating the District, including debt service on borrowings of the District. The apportionment is to be made equitable on a per capita basis as established by the last annual population estimate by the Connecticut Department of Public Health, for each participating municipality. The District shall bill the towns on a quarterly basis, one month prior to the beginning of each quarter.

Section 4.

STATE MATCHING SHARE. The District shall apply from time to time to the State Department of Public Health for the then current State per capita rate based upon the most current annual population estimates of the State Department of Public Health.

Section 5.

GRANTS. The District may apply for available funding grants that assist in fulfilling its capacity to meet essential services of local public health, and co-apply for grants with the community or with other agencies collaboratively to achieve its purposes.

Section 6.

AUDIT. The Board shall require an annual audit of the finances of the District and the Board shall select the auditor.

Section 7.

WITHHOLDING OF SERVICES. The Board reserves the right to withhold services to any member municipality that does not contribute its per capita assessment as billed. Under no circumstances shall services be withheld in the event of a health emergency.

ARTICLE VI: 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 conflict with any Federal, State or local laws. Should any section, subsection, paragraph, sentence, or clause of these Bylaws be adjudged invalid, the remainder of the Bylaws shall not be affected thereby and shall be deemed valid and effective.

ARTICLE VII: AMENDMENTS

Section 1.

AMENDMENTS. Amendments to the By-Laws of the District shall be made only at a regularly scheduled Board meeting after having been proposed at the previous regularly scheduled meeting. Notices of the proposed changes shall be included in the notice of the meeting at which the amendments will be considered. A vote of at least two-thirds of the Board members shall be required to effect an amendment.

- Westport/Weston Health District Board of Directors Approved: October 17, 1988
- Westport Weston Health District Board of Directors Approved: September 18, 2000
- Westport Weston Health District Board of Directors Review — no changes — September 11, 2006
- Aspetuck Health District Board of Directors Approved: November 14, 2022
- Aspetuck Health District Board of Directors Approved: October 5, 2026

REFERENCE:

- 1 Section 19a-241 (a) of the General Statutes of Connecticut states "Towns, cities and boroughs may, in like manner, join a district department of health previously formed with the approval of the board of such district."
- 2 Section 19a-241 (b) states "Each town, city and borough, which has so voted to become a part of any such district, shall, by its board of selectmen, city council, or board of burgesses, appoint one person to be a member of such board. Any town city or borough having a population of more than ten thousand inhabitants, as annually estimated by the Department of Public Health by a method comparable or similar to that used by the United States Bureau of the Census, shall be entitled to one additional representative for each additional ten thousand or part thereof, provided no such municipality shall have more than five representatives on the district board of health."
- 3 Section 19a-243 (b) of the General Statutes of Connecticut
- 4 Section 19a-200 (b) of the General Statutes of Connecticut states "on and after July 1, 1088, each municipality shall provide for the services of a sanitarian certified under Chapter 395 to work under the direction of the local Director of Health. Where practical, the local Director of Health may as the sanitarian."