

Brookline Conservation Commission By-Laws

Section I - Purpose and Authorization

The Brookline Conservation Commission (hereinafter, the Commission) was established in 1971 for the purpose of ensuring the proper utilization and protection of the natural and watershed resources of the Town. The Commission provides a focal point within the Town for environmental concerns and related issues.

The Commission consists of five (5) members appointed by the Board of Selectmen following rules of procedure for the conduct of its business under RSA 36-A.

The Commission may advise the Planning Board and other local bodies on conservation matters. It may act more directly to protect natural resources by acquiring, with the approval of the Selectmen or at Town Meeting, the full fee (title) or a lesser interest in land or water resources. The commission may then manage these conservation areas. If authorized by the Town, it may manage duly designated Town Forests (RSA 31:110-114) and open spaces.

Section II - Membership and Terms of Office

A. Appointment of Members

The Commission shall consist of five (5) members appointed by the Board of Selectmen.

B. Alternates

The Commission shall encourage the Board of Selectmen to appoint, in addition to regular members, not more than five (5) alternate members who may serve, upon designation by the Chairmen, in place of a regular member, in the event of absence or disqualification. The terms and multiple membership requirements for alternates shall be the same as for regular members.

Section III – Officers and Their Duties

Election of Officers

The Commission shall elect, by a majority vote at its annual meeting, the following officers from among its membership. The term of each full time member shall be limited to three (3) years; however, any full time member shall be eligible for re-election. The Chairman and Vice-Chairman are elected yearly by the Board.

1. Chairman

The Chairman shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred on such officers. The Chairman may affix his/her signature in the name of the commission.

2. Vice-Chairman

The Vice Chairman shall act for the Chairman in his/her absence and have authority to perform the duties prescribed for that office during the Chairman's absence.

3. Non-Elected Full Time Members

A Secretary may be hired by the Commission who will be responsible for the maintenance of the minutes and records of the Commission, with the assistance of staff as may be available. The Secretary shall prepare the agenda for regular and special meetings of the Commission, provide notice of meetings to members, arrange proper and legal notice of meetings and hearings, and prepare such correspondence and fulfill such duties as the Chairman may direct.

Section IV Meetings

A. Regular Meetings

Meetings of the Commission shall be held monthly and shall be open to the public. The time and place of the meeting shall be selected by a majority vote of the Commission. The following general rules of procedure shall govern the conduct of such meetings.

1. Quorum Required.

A majority of the membership of the Commission shall constitute the quorum necessary in order to transact business at any meeting. In the event of the absence of a regular member, the Chairman shall designate, upon opening the meeting, an alternate to act in the absent member's place. In the event that the Chairman and the Vice-Chairman are both unable to attend a meeting, the quorum is to designate the temporary chairman for that meeting.

2. Notice of Meetings

Notice of time, date, and place of any meeting of the Commission shall be posted in two (2) public places *or* printed in any paper of general circulation at least twenty four (24) hours, excluding Sundays and legal holidays, prior to the meeting.

3. Records Required

Minutes of the events of the meetings shall be taken and shall include the names of members in attendance, persons appearing before the Commission, a brief description of the topics discussed, and a record of any actions taken. Such minutes shall be available for public inspection within one five (5) business days of the meeting. Minutes of Executive Session shall conform to the requirements of RSA 91-A: 3.

4. Order of Business

The general order of business may be as outlined below:

- a. Call to Order.
- b. Reading and Acceptance of minutes of Previous Minutes
- c. Communications
- d. Committee Reports
- e. Unfinished Business
- f. Public Hearings
- g. Other Business
- h. Adjournment

5. Voting

A motion, duly seconded, shall be passed by a majority of members present, once a quorum has been established, voting in the affirmative.

B. Special Meetings

Special Meetings may be called by the Chairman or, in his/her absence, by the Vice-Chairman. Notice to members shall be at least forty-eight (48) hours in advance of the meeting. Notice to the public shall be in the same manner as for a regular meeting. No business shall be acted upon at a special meeting unless a quorum of the membership is present. The notice of the meeting shall specify the purpose of the meeting and no other business may be considered except by unanimous consent of the Commission members present once a quorum has been established.

C. Annual Meeting

An annual meeting shall be held at the first regular meeting following the close of Town Meeting, but no event later than thirty (30) days following the close of Town Meeting. The purpose of the annual meeting will be to elect officers and review the by-laws, which shall be made part of the minutes of the meeting.

Section V Public Hearings

A. Notice of Hearing

Notice of hearing shall be given at least ten (10) days prior to the date of the hearing by publication in any newspaper of general circulation or by posting in at least two (2) public places. The ten (10) calendar days shall not include the day of posting or the day of the meeting. The full text of any notice need not be included in the notice provided an adequate summary is included in the notice and a location is specified where the proposal; may be viewed by the public.

B. Conduct of the Hearing

The Chairman, or in his/her absence, the Vice Chairman, shall preside at the public hearing, and shall:

1. Convene the meeting and read the legal advertisement announcing the date, time, and purpose of the meeting into the records;
2. Briefly state the manner in which the hearing shall be conducted;
3. Call upon those appearing in favor of, or in opposition to, the proposal to direct questions or comments to the Chair;
4. Call the hearing to a close, as appropriate, outlining the Commission's anticipated procedure concerning the proposal.

C. Record of Hearing

A public record of the proceedings shall be taken in writing and incorporated into the Commission's minutes. The hearing may also be recorded by a sound recording device and such recordings shall be kept on file as part of the public record.

SECTION VI STAFF AND FINANCES

Within the limits of funding made available for its use by the Town Meeting, the Commission may employ such staff personnel and/or consultants as it sees fit to aid the Commission in its work. Appointments shall be made by a majority vote of the members present at any regular or special meeting at which a quorum has been established. The Chairman may be authorized to sign contracts for employing personnel and contracting for consulting services as approved by the Commission.

SECTION VII PUBLIC RELATIONS & COMMUNICATIONS

The Chairman or a duly appointed Commission member or staff personnel shall be authorized by the Commission to act as the principal public relations contact for the Commission. Duties shall be as prescribed by the Commission.

Communications with Town Counsel shall be through the Chairman and shall be confidential to the Commission unless otherwise noted.

SECTION VIII AMENDMENTS

A. Amendments

These By-Laws may be amended by a two third (2/3) vote of the entire voting membership of the Commission only after the proposed change has been read and discussed at a previous regular meeting, and excepting that the by-Laws may be changed at any regular meeting by the unanimous vote of the entire voting membership of the Commission.

B. Filing with Town Clerk

These By-Laws and any amendments thereto shall be places on file with the Town Clerk for public inspection. A complete set of By-Laws, as amended, shall also be attached to the minutes of the Commission's annual organizational meeting and kept on file.

C. Effective Date

These By-Laws, and any subsequent amendments, shall become effective immediately upon passage by the Commission as recorded in the minutes of the meeting at which such action occurs.

SECTION IX RECORDS - ANNUAL REPORT

The Conservation Commission shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the annual town or municipal report (RSA 36-A:2)