

Conservation Commission Bylaws -- October 2002
Amended 9/27/2018

1. Purpose

The purpose of the Commission is:

- a) to develop and maintain an inventory of the Town's natural and social resources and to assist in planning for their conservation for the continuing benefit of the townspeople;
- b) to acquire property interests to protect and conserve the Town's natural and social resources;
- c) to protect the watersheds'
- d) to increase awareness of conservation and recreational goals in overall land use planning and zoning;
- e) to allow for recreational uses on acquired lands which are consistent with conservation goals and have a minimum impact on the land;
- f) to conduct a broad education program on issues which have an impact on local natural and social resources;
- g) to make recommendations to and cooperate and communicate with Town officials, commissions, groups and organizations having similar concerns, and with appropriate agencies of the regional, state and federal government.

2. Membership

- a) The Commission shall consist of a minimum of seven and a maximum of nine members, appointed by the Selectboard.—The Commission shall consist of a minimum of seven and a maximum of nine members, appointed by the Selectboard. Not more than three members may be non-residents of the Town of Bradford.
- b) Appointments shall be for a four year term, except that appointments filling vacancies shall be for the remainder of the term of the appointment.
- c) The Selectboard may remove any member if just cause is stated to the member in writing and after a public meeting on the matter, if that member requests one. Just cause shall include, but not be limited to, a failure to attend at least 50% of the Commission meetings during the preceding twelve month period.
- d) Upon vacancies, the Commission will provide recommendations to the Selectboard, who will fill the vacancies with one month thereafter.
- e) All members shall serve without compensations, but may be reimbursed by the Town for necessary and reasonable expenses incurred in the course of their duties.

3. Officers

The Commission shall select the following officers annually at the first meeting of the group after the scheduled appointments (in April):

- a) A Chair, who shall preside at all meetings of the Commission at which (s)he is present, and shall direct the work of the Commission. (S)he shall submit a brief annual report to the Selectboard for the annual Town Report. This report shall review the Commission's activities for the past year, as well as provide plans and prospects for the coming year. The Chair shall insure continuing liaison between the Commission and the Selectboard, Planning Commission, and other Town agencies.
- b) A Vice-Chair, who shall assume all duties and powers of the Chair in his/her absence or when the Chair so requests. The Vice-Chair shall also serve as the chief publicity officer for the Commission.

NOTE: The Commission may opt to have Co-Chairs assume all of above duties.

- c) A Secretary, who shall keep minutes of all meetings and proceedings of the Commission and record and action taken by the Commission. (S)he shall post public notices of Commission meetings and give notice to individual Commission members when necessary.
- d) A Treasurer, who shall recommend action on all bills received by the Commission. Payment authorization for all bills shall be voted by the Commission. The treasurer shall prepare and present a financial report at each meeting of the Commission, and shall submit an annual financial statement to the Chair, which will be included in the Town's Annual Report.
- e) All officers shall be appointed for a one year term and may be reappointed for successive terms in the same office.

4. Meetings

- a) Commission meetings shall be open to the public, and be held at least monthly. Dates and times will be posted on the Town Calendar.
- b) All records and minutes of any Commission meeting or action shall be filed with the Town Clerk and be available to the public.
- c) A quorum shall consist of a majority of the members present, but shall in no case be less than four members.
- d) Members shall declare when they or members of their family have an ownership interest in properties central to or abutting on properties under discussion by the Commission, and they shall abstain from voting on Commission matters concerning such properties.

5. Principle Functions

The principal functions of the Commission shall be as described below. Within approved budget guidelines, or as otherwise authorized by the Selectboard, the Commission may engage or retain the services of any person, partnership, company or corporation necessary to provide specialized assistance required to support the functions of the Commission.

- a) **INVENTORIES** – The Commission shall be responsible for the preparation and maintenance of an inventory of the natural resources of the Town. This natural resources inventory shall include, but not be limited to, the following: prime agricultural and forest lands; soil capabilities; water resources; floodplains; known mineral resources; unique or fragile biological resources; scenic and recreational resources; and other open lands. The Commission shall also be responsible for the preparation and maintenance of an inventory of the land-related social resources of the Town. This inventory shall include, but not be limited to, those resources which possess historic, educational, scenic, cultural, scientific, architectural, or archaeological values to the public. These inventories shall be available for use by the Town government and the public for continuing reference in all matters which may pertain to the conservation of the natural and social resources of the Town of Bradford, including amendments or revisions to the Town plan, zoning ordinance, subdivision regulations, highway plan, and to any applications made thereunder.
- b) **LAND ACQUISITION** – The Commission shall, on the basis of the inventories or other appropriate study, recommend to the Selectboard the purchase of, or the receipt of as a gift, specific land and/or property rights (including easements) or other property for the purposes set forth in Article 1. The Commission may solicit or suggest sales or donations of specific interests from landowners. Subject properties and/or rights may be acquired by the Town, or may be acquired by other suitable organizations, e.g. land trusts. Properties and/or rights acquired by the Town shall be by consent of the Selectboard or affirmative majority vote of the Town. Each recommendation by the Commission shall include an estimate of the acquisition-related costs to the Town, including, but not limited to, legal counseling, surveying, appraisal and effect on tax base, as well as the proposed source of funds to be used for acquisition and related costs.
- c) **LAND MANAGEMENT** – The Commission shall exercise stewardship responsibility for properties and/or rights acquired by the Town for conservation purposes where the Selectboard has transferred such responsibilities to the Commission. The Commission will propose plans and regulations for the development and use of acquired property interests which are consistent with the protection and preservation purposes for which they were acquired. These plans and regulations, together with a recommended budget for operating expenses, (if any) will be submitted to the Selectboard for approval. Where appropriate, the plans may include a memorandum of agreement between the Selectboard and the Commission which would transfer property management duties and responsibilities to the Commission. Any such memorandum shall include a provision for revocation by the Selectboard for any cause on thirty (30) days notice. Sales or diversion to a use outside the purposes of Article 1 of these Bylaws of any
- d) interest which is administered by the Commission shall occur only after approval by a majority vote of the voters at Town Meeting.

- e) PUBLIC REPRESENTATION – To the extent permitted by law, the Commission shall represent the public interest in any matter which it determines may have a significant impact on the natural or social resources of the Town. For example, based on conservation considerations, the Commission may initiate recommendations to amend or revise Town plans, ordinances, subdivision regulations, road plans, etc. for consideration by the appropriate authority. At the request of the Planning Commission, or on its own initiative, the Commission may submit recommendations with regard to any application made under the Subdivision Regulations. Similarly, at the request of the Zoning Board of Adjustment or acting on its own initiative, the Commission may submit recommendations with regard to any application for a variance or conditional use made under the Zoning Ordinance. The Commission shall make recommendations to any Town, regional, state or federal body which it deems are needed to implement the purposes of the Commission.
- f) EDUCATION AND INFORMATION – The Commission shall be responsible for the conduct of educational activities pertaining to local natural and social resources. It shall make information available to the public regarding these resources, especially those relating to public lands. The Commission shall maintain communication with other Conservation Commissions, and may submit a copy of the Commission's Annual Report to the State Conservation Commission.

6. Committees

- a) The Commission may function with both standing and ad hoc committees. Standing committees shall be established by a majority vote of the Commission; ad hoc committees may be established by decision of the Commission Chair. The Commission Chair shall annually appoint Chairs for any standing committees, and as necessary for ad hoc committees.
- b) All committees shall function in an advisory capacity to the Commission. No action shall be taken by any committee without the prior consent of the Commission.
- c) Committee membership shall be open to the public and determined by the appropriate committee chair. Minutes of committee meetings will be submitted to the Commission at its next regular meeting and incorporated with the records of the Commission.

7. Operating Expenses and Conservation Fund

The Commission shall have the authority to request appropriations from the Town for its operating, land management, inventory, education and information expenses. Funds appropriated for these purposes shall be included in the Selectboard's Budget. Funds appropriated or donated to the Commission may be carried in a trust fund called the Bradford Conservation Fund. This fund shall be under the management of the Conservation Commission solely for the purposes set out in Article 1 of these Bylaws. The Bradford Conservation Commission is authorized to manage separate accounts for specific projects. The Commission shall have the authority to receive gifts, grants, or money from any sources for these purposes. Any funds from private, state or federal sources which impose any obligation on the Town shall be accepted only by consent of the Selectboard.

8. Amendments

These Bylaws may be amended at any regular meeting of Commission by a two-thirds vote of the Commission. Written notice of intent to amend must be publicly posted, sent to each member of the Commission, and the Chairman of the Selectboard at least seven days prior to the meeting at which the proposed action will be taken.

Amended By-Laws approved on this date by the Bradford Selectboard

Ted Unkles, Chair

Date

