

MILTON CONSERAVATION COMMISSION

BY-LAWS

ADOPTED 6/20/06

REVISED 3/1/2023

ARTICLE I- Name

The name of this body shall be the Milton Conservation Commission, hereinafter call the "Commission".

ARTICLE II- Principal Place

The principal place of business of the Commission shall be at the current location of the Milton Town Hall, Milton, New Hampshire, Strafford County. The mailing address of the commission shall be PO Box 310, Milton, NH, 03851,

ARTICLE III - Authority.

The Commission was established, in accordance with RSA 36-A, to provide for the proper utilization and protection of natural resources and for the protection of watershed resources in the Town.

ARTICLE IV - Membership

- A. The Commission shall consist of a minimum of three (3) and maximum of five (5) regular members and up to three (3) alternate members. One (1) member may also be a member of the Milton Planning Board. Members of the Commission shall be residents of the Town of Milton. Members may also serve on other municipal Boards and Commission.
- B. Members and alternate members shall be appointed by the Board of Selectmen for three (3) years terms or to fill the non-expired term of vacancy occurring otherwise than by expiration of a term. Regular appointments shall be made just after the annual Milton Town Meeting. Appointments to fill non-expired terms shall be made just after the vacancy occurs. The terms shall be so arranged that the terms of approximately one third (1/3) of the members shall expire each year. Any member of the Commission may be removed for just cause by the Board of Selectmen.
- C. Alternate members shall join the regular members in all presentations, public hearings, and discussion except that such alternates may not vote on any proposal or motion before the Commission unless so directed by the Chair. In the absence of any regular member, the Chair shall appoint an alternate to fill that vacancy and that alternate shall then act as a regular member.

- D. In these By-Laws, the term member shall include alternate members unless explicitly stated otherwise.

ARTICLE V - Officers

The regular members shall elect Officers at the first meeting following the annual Milton Town Meeting each year. Vacancies in these offices shall be filled at the next meeting following the occurrence of the vacancy. The term of offices shall be one (1) year or until their successors are elected and qualified by majority vote on a formal motion. The duties described below of any of these Officers may be combined or shared as approved by the Commission.

ARTICLE VI - Duties of Officers

- A. The Chair shall be responsible for the organization and direction of the Commission, appointment of members to committees, preparation of the meeting agenda, scheduling of hearings, conducting meetings, preparing the annual Commission report and ensuring that the work of the commission is carried out promptly and competently.
- B. The Vice-Chair shall preside at all meetings of the Commission in the absence of the Chair and shall perform all duties and have all powers of the Chair in case of temporary absence or incapacity of the Chair. If no Vice Chair is elected nor is present, these duties shall be performed by the Treasurer.
- C. The Land Use Clerk shall keep accurate records of the meeting and other proceedings of the Commission as well as any other duties assigned by the Chair, all as agreed upon in consultation with the Town Administrator.
- D. The Treasurer shall oversee keeping accurate financial statements and preside over expenditures as approved by the Commission.
- E. Any of the Commission members are authorized to request additional time to review a Wetland Permit Application if the due date of intervention falls before the next scheduled meeting of the Commission.
- F. The Commission shall have the following duties and perform the following functions.
 - 1 Prepare a program of conservation and open space protection for the town of Milton and in undertaking this program, conduct research in the local natural resources and open spaces, along with evaluation of the uses thereof.
 - 2 Seek to determine areas within the Town of unique value or ecological importance.
 - 3 Keep an index of the open areas and wetlands within the Town.

4 Make recommendations for the better promotion, development or utilization of natural resources and open areas of the Town.

5 Advise municipal agencies, Board of Selectmen, private interests, and the public of the manner in which the objectives of the Commission may be accomplished.

ARTICLE VII - Meetings

- A. Meetings of the Commission shall be held in the Milton Town Hall at a regular monthly date and time convenient to Commission members. Such meetings may be cancelled or held at any other time or place as the Commission may decide at the previous meeting, or up to 24 hours in advance. The Commission may also decide to hold special meetings at any time and place, or special meetings may be held at the call of the Chair provided the Commission members are notified in advance.
- B. The order of business at each regular meeting shall be generally as follows, with modifications made by the Chair on the agenda posted in advance:
 - 1. Call to order by Chair.
 - 2. Presentation of minutes of prior meetings
 - 3. Consideration of applications to Wetland Board.
 - 4. Business remaining unfinished at previous meetings.
 - 5. New Business
 - 6. Adjournment.
- C. All agenda items shall be identified by title or subject matter both on the written notice of each meeting and prior to consideration at any meeting. Any matter not requiring prior legal notice may be placed on the agenda at any meeting by the Chair or at the request of a Commissioner or member of the public subject to approval by the Chair or majority vote.
- D. Three members, two of whom must be regular members, shall constitute a quorum.
- E. No member shall participate in a discussion leading up to a vote if that person has a potential conflict of interest. Any member who has a potential conflict of interest shall disclose that fact to the Commission. A conflict of interest occurs when a member has a direct personal or pecuniary interest in the outcome of a vote. When uncertainty arises regarding conflict of interest for a Commission member in particular circumstances, the Commission shall, upon the request of that member or another member of the Commission, vote on the question of whether that member should be disqualified. Any such request and vote shall be made prior to or at the commencement of any required public hearing or discussion leading to a vote. Such a vote shall be advisory and non-binding and may not be requested by person other than the Commission members.

- F. The Commission shall make its decision during meetings by majority vote of those members present and voting, provided that a quorum is present at the meeting.

ARTICLE - Right to Know

All meetings of the Commission shall be held in accordance with the provisions of RSA 91 -A, as amended, relating to meetings open to the public and executive sessions.

ARTICLE X - Conservation Fund

Pursuant to RSA 36-A:5, II, the Town Treasurer, pursuant to RSA 41:29, shall have the custody of all monies in the Conservation Fund and shall pay out the same only upon order of the Commission. The disbursement of Conservation Funds shall be authorized by a majority of the Commission. The Commission will advise the Milton Board of Selectmen of any major disbursement from this fund. Prior to the use of such funds for the purchase or any interest in real property, the Commission shall hold a public hearing with notice in accordance with RSA 675:7.

ARTICLE - Amendments

The Commission may amend these By-Laws at a regular meeting of the Commission, provided that the proposal to amend shall be announced at the meeting prior to the meeting at which the amendment is to be decided upon.

Adopted ,6/20/2006

Revised 4/9/2007

Revised 3/1/2023

Virginia Carolyn Long
Chair

Jeffrey Le Clair
Vice-Chair Member

John C. Parib
Treasurer

Wayne Jones
Member

Robert Weiss
Member