

BYLAWS OF THE
CONSERVATION COMMISSION

ARTICLE I

NAME

The Commission shall be known as the Colebrook Conservation Commission.

ARTICLE II

PURPOSE AND AUTHORIZATION

The objectives and purpose of the Conservation Commission of Colebrook, Connecticut, are those set forth in Section 7-131a, and relevant references contained within Sections 7-131b through 7-131g of the Connecticut General Statutes, as amended, and further authorized by the Selectmen of the Town of Colebrook in accordance with the ordinance adopted on November 5, 2005 and recorded in Volume 6, Page 190 of the Colebrook Town Records.

The ordinance states:

Be it resolved, that the Town of Colebrook hereby establishes a Conservation Commission for the exercise of the powers and the performance of duties, all as set forth in Chapter 97, Section 7-131a of the Connecticut General Statutes.

1. The Conservation Commission shall consist of not less than three (3) nor more than eleven (11) members and three (3) alternates who shall be electors of the Town of Colebrook.
2. The members of the Conservation Commission shall be appointed by the Board of Selectmen. Within thirty (30) days after passage of this resolution, the Board of Selectmen shall appoint five (5) members to a three (3) term, three (3) members to a two (2) year term and three (3) members to a one (1) year term. At the expiration of the two (2) and one (1) year terms appointments will be for a three (3) year term. Alternates shall serve a two (2) year term.
3. Members of the Commission may be removed from office by the Board of Selectmen for cause. Before removal, charges shall be presented to such member in writing and they shall be given reasonable opportunity to be heard in their own defense.
4. Any vacancies in the Conservation Commission caused by other than expiration of the term of office shall be filled by appointment by the Board of Selectmen for the unexpired term within thirty (30) days after such vacancy occurs.

This ordinance shall become effective fifteen (15) days after publication thereof, in a newspaper having circulation in the Town of Colebrook.

ARTICLE III

POWERS AND DUTIES OF THE COMMISSION

The Commission shall have the following powers and duties as set forth in Chapter 97, Section 7-131a through 7-131g of the Connecticut General Statutes:

The Commission shall:

1. Conduct research into the utilization and possible utilization of land areas of the municipality.
2. Keep an index of all open areas, publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information on the proper use of such areas.
3. Keep records of its meetings and activities and make an annual report to the municipality in the manner required of other municipal agencies.
4. Administer gifts received in the name of the municipality for any of its purposes subject to the terms of the gift, if the Commission receives same.
5. Make an annual report to the municipality in the manner required of other agencies of the municipality.

The Commission may:

1. Coordinate the activities of unofficial bodies organized for similar purposes.
2. Advertise, prepare and distribute books, maps, charts, plans, and pamphlets, as necessary, for its purpose.
3. Recommend to the Planning and Zoning Commission plans and programs for the development and use of open areas.
4. With the approval of the legislative body, acquire land and easements in the name of the municipality.
5. Promulgate rules and regulations including, but not limited to the establishment of reasonable charges for the use of land and easements, for any of its purposes as set forth in Section 7-113a of the Connecticut General Statutes, as amended.

6. Receive gifts in the name of the municipality for any of its purposes and administer the same for such purposes subject to the terms of the gifts.
7. Exchange information with the Commissioner of the Department of Energy and Environmental Protection (DEEP) and said Commissioner may, on request, assign technical personnel to the Commission for assistance in planning its overall program and for coordinating State and local conservation activities.
8. Propose a greenways plan for inclusion in the plan of conservation and development of the municipality prepared pursuant to section 8-23.
9. Supervise and manage municipally-owned open space or park property upon delegation of such authority by the entity which has supervisory or management responsibilities for such space or property.

ARTICLE IV

MEMBERSHIP

Section 1. The membership, in terms of office, shall be as specified in the above referenced ordinance.

The Conservation Commission shall consist of not less than three (3) nor more than eleven (11) members and three (3) alternates who shall be electors of the Town of Colebrook. The members of the Conservation Commission shall be appointed by the Board of Selectmen. Within thirty (30) days after passage of this resolution, the Board of Selectmen shall appoint five (5) members to a three (3) term, three (3) members to a two (2) year term and three (3) members to a one (1) year term. At the expiration of the two (2) and one (1) year terms appointments will be for a three (3) year term. Alternates shall serve a two (2) year term.

Section 2. Any vacancies in the Conservation Commission caused by other than expiration of the term of office shall be filled by appointment by the Board of Selectmen for the unexpired term within thirty (30) days after such vacancy occurs.

Section 3. Members of the Commission may be removed from office by the Board of Selectmen for cause. Before removal, charges shall be presented to such member in writing and they shall be given reasonable opportunity to be heard in their own defense.

Section 4. That all regular members of the Commission present at a meeting should be seated before any of the alternates. If any regular member was absent for the earlier

deliberations of an agenda item, he/she must affirm that he/she has listened to the tapes of the meeting which was missed.

ARTICLE V

OFFICERS AND THEIR DUTIES

- Section 1. The officers of the Commission shall consist of a Chairperson, a Vice Chairperson and a Secretary.
- Section 2. The Chairperson shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers. The Chairperson shall have the authority to appoint committees, call special meetings and generally perform other duties as may be prescribed in these bylaws. The Chairperson shall be one of the regular Commission members. He/she shall have the privilege of discussing all matters before the Commission and voting thereon.
- Section 3. The Vice Chairman shall act for the Chairperson in his/her absence and have the authority to perform the duties as prescribed for that office. He/she shall be a regular Commission member.
- Section 4. The Secretary shall record the minutes and place these and other records of the Commission in the appropriate office (see Section 5, below) and shall prepare the agenda of regular and special meetings under the direction of the Chairperson, provide notice of all meetings to Commission members, arrange proper and legal notice of hearings, attend to correspondence of the Commission and such other duties as are normally carried out by a Secretary. The Secretary may be one of the Commission's regular or alternate members, or municipal staff to the Commission.
- Section 5. The Secretary shall ensure that records are retained according to the following guidelines:

Record Title Minimum Retention Required

Decision Letters	10 years
Legal Notices	Permanent
Staff and Public Written Testimony (Hearing Records)	10 years
Minutes of Meeting & Public Hearings	Permanent
Tapes of Public Hearings	1 year from hearing and/or appeal
General Correspondence Issued or Received	5 years

- Section 6. In the absence of the Secretary, the Chairperson shall appoint a Secretary Pro Tem.

ARTICLE VI

ELECTION OF OFFICERS

- Section 1. An annual meeting shall be held at the regular January meeting, at which time officers will be elected and bylaws reviewed and be made a part of the minutes of the annual meeting.
- Section 2. Nominations shall be made from the floor at the annual meeting and elections of the officers specified in Section 1 of Article V shall follow immediately thereafter.
- Section 3. The candidate receiving a majority vote from the entire membership of the Commission shall be declared elected and shall serve for one year or until his/her successor shall take office.
- Section 4. Vacancies in offices shall be filled by regular election procedures (as stated above).
- Section 5. Resignations from the Commission shall be in written form and transmitted to the Chairperson who will then forward same to the First Selectman.

ARTICLE VII

MEETINGS

- Section 1. Regular quarterly meetings will be held on the second Tuesday of January, April, July, and October at 7:00 in the Colebrook Town Hall or other time and location as designated by public notice not less than 48 hours in advance of such meeting. In the event of conflicts with holidays or other events, the meeting will be rescheduled.
- Section 2. All meetings of the Commission shall be conducted in accordance with Robert's Rules of Order unless there is a conflict with the bylaws, in which case, the bylaws will control.
- Section 3. Each regular member attending a meeting of the Commission shall be entitled to cast one vote. Voting shall be by hand. In the event of the absence of a regular member, the next scheduled alternate(s) shall serve as needed for the entire meeting. Alternates shall serve on a rotating basis.
- Section 4. At any meeting of the Commission, a majority of regular members shall constitute a quorum. The Commission may seat alternative members in place of regular members who are absent in order to constitute a quorum at any given meeting. The

number of votes necessary to approve Commission actions shall be a majority of voting members present. A tie vote shall be considered a defeat of a motion.

Section 5. A member shall disqualify him/herself from voting on any action in the event that member has a financial or personal interest of any kind in the matter before the Commission and the minutes shall be so noted. In the event of disqualification of a regular or alternate member, the next scheduled alternate shall serve as needed for the entire meeting. If an alternate replaces a regular member because of disqualification on any issue rather than absence, the same alternate shall serve until the issue is resolved even if extended beyond a single meeting.

No member of the Commission shall appear for or represent any person, firm or corporation or other entity in any matter pending before the Commission. A member shall disqualify him/herself from participation in any decisions of the Commission in which he/she is personally or financially interested, either directly or indirectly. When disqualification is questionable, a majority of those present and voting shall make the final decision.

Section 6. The order of business for each Commission meeting is as follows:

- A. Call to Order
 - 1. Roll Call
- B. Approval of Minutes
- C. Officers and Committee Reports
- D. Old Business
- E. New Business
- F. Correspondence
- G. Public Forum
- H. Member Forum
- I. Adjournment

Section 7. Special Commission meetings may be called at the discretion of the Chairperson. Special meetings shall be public noticed with the Town Clerk at least 24 hours prior to the meeting. The Chairperson shall make every attempt to provide seven (7) days public notice.

Section 8. All Commission meetings shall be open to the public, except when in executive session as so voted by two-thirds (2/3rds) majority of the Commission (see Section 10). During each Commission meeting, the public will be permitted an opportunity to bring before the Commission any issue during the Public Forum, including items not listed on the Commission agenda.

- Section 9. Within the limits of funds available, the Commission may obtain the services of Town of Colebrook staff, consultant(s) and/or specialist(s).
- Section 10. Procedures governing executive sessions shall be in accordance with Connecticut General Statutes, Chapter 3, Sections 1-18a and 1-21g, as amended.

ARTICLE VIII

HEARINGS

- Section 1. The Commission shall hold public hearings in the course of its duties if it determines that such hearings will be in the public interest.
- Section 2. All public hearings prescribed by law should be held in accordance with the requirements set forth in the Connecticut General Statutes, Section 8-23, as amended.
- Section 3. The hearing shall be recorded by a sound recording device at each hearing for the Commission in which the right to appeal lies in the Superior Court of the Judicial District of Litchfield. Proceedings of the hearings or a sound recording tape shall be incorporated into the Minutes Book of the Commission to be a permanent part of that record and shall be retained in accordance with Article VI, Section 5.
- Section 4. The Commission may employ such other officers, agents, technical consultants, legal counsel and employees as it requires, and to the extent allowed by the budget.

ARTICLE IX

CONDUCTING THE PUBLIC HEARING

- Section 1. The Chairperson of the Commission shall preside at the public hearing. In the event of his/her absence, the Vice Chairperson or a duly appointed Commission member, shall act as presiding officer.
- Section 2. The Secretary shall read the legal advertisement and note the dates of newspapers in which the advertisement appeared.
- Section 3. A summary of the question or issue may be stated by the presiding officer at the opening of the public hearing. Comments shall be limited to the subject advertised for hearing. In any event, the Commission shall have the privilege of speaking first. The Chairperson shall describe the method of conduct of the hearing.

- Section 4. It shall be made clear prior to hearing that all questions and comments must be directed through the Chair only after being properly recognized by the presiding officer.
- Section 5. The Chairperson shall first call for statements from the proponents. The opponents shall be given equal opportunity to comment. The order is reversible, the discretion of the Commission prevailing. Whichever the case may be, each group shall make its presentation in succession without allowing an intermixture of comments pro or con.
- Section 6. All persons recognized shall approach the hearing table in order to facilitate proper recording of comments. Before commenting on the matter before the hearing, each person shall give and spell his/her name and address.
- Section 7. The presiding officer shall assure an orderly hearing and shall take the necessary steps to maintain the order and decorum of the hearing at all times.
- Section 8. The hearing shall be conducted only for the purpose of taking testimony to be considered in deliberations of the regular meeting of the Commission.

ARTICLE X

COMMITTEES

- Section 1. Working groups, task force appointments, special and standing committees may be appointed by the Commission Chairperson for purposes and terms approved by the Commission. Chairpersons of special standing committees shall be elected by majority vote by members of their respective committees.
- Section 2. A majority of assigned regular and alternate members to each group shall be present for the conduct of business and voting. Only members assigned to a group shall have voting privileges. The Chairperson of the Commission shall serve ex-officio on the standing committees, and retain voting privileges in the event that his/her presence is needed to establish a quorum.
- Section 3. All Committee meetings shall be open to the public, except when in executive session as so voted by two-thirds (2/3rds) majority of the Committee (see Article VII, Section 10).
- Section 4. There may be standing committees within the Commission to be named from time to time by appointment of the Chairperson.

ARTICLE XI

BUDGETS

Recommended budgets and budget changes shall be approved by two-thirds (2/3rds) vote of the members present.

ARTICLE XII

AMENDMENTS

These bylaws may be amended by two-thirds (2/3rds) of the vote of the entire voting membership of the Commission only after a proposed change has been read and discussed at a regular meeting.

Adoption Date: November 9, 2021