

BYLAWS AND PROCEDURAL GUIDE OF THE BROOKFIELD CONSERVATION COMMISSION

ARTICLE I

Name

The Commission shall be known as the Brookfield Conservation Commission (hereafter, the “Commission”).

ARTICLE II

Purpose and Authority

The purpose and authority of the Commission is set forth in Chapter 97 of the Connecticut General Statutes (CGS), Section 7-131a which states, “Any town..., by vote of its legislative body, may establish a conservation commission for the development, conservation, supervision and regulation of natural resources, including water resources, within its territorial limits.” This purpose and authority is further detailed in chapter 15 of the Brookfield Town Code.

ARTICLE III

Office of the Commission

The business office of the Commission shall be within the Land Use Office of the Brookfield Town Hall, located at 100 Pocono Road, where all Commission records shall be kept and where all incoming mail addressed to, or intended for, the Commission shall be received and reviewed by administrative staff of the Land Use Department and made available to the Commission by or before its next regular meeting, provided that such correspondence is received no less than within a 24-hour business day in advance of said meeting. Correspondence, including emails, received within said 24-hour period shall be made available to the Commission at the following regular meeting.

Recordkeeping

Agendas for all regular, special, and emergency meetings shall be filed in the Office of the Town Clerk. Agendas for regular meetings shall be available to the public not less than 24 hours before the meeting in accordance with CGS Sec. 1-225. Copies of all decisions of the Commission and all minutes shall be filed in the Office of the Town Clerk in accordance with CGS Sec. 1-225.

ARTICLE IV

Membership & Voting

Section 1:

Membership consists of five (5) Regular Members and three (3) Alternate Members appointed as specified in Exhibit “A” accompanying the Charter of the Town of Brookfield, as amended from time to time.

Section 2:

Resignations from the Commission shall be submitted in writing to the Town Clerk, with a copy to the Commission chair.

Section 3:

Appointments or vacancies shall be filled by appointment by the Board of Selectmen in accordance with the provisions of Section C4-12 of the Charter of the Town of Brookfield as amended from time to time.

Section 4:

A quorum consists of three (3) members who are seated and voting. A vote of three (3) members who are seated and voting is a majority necessary to decide any issue unless a larger than majority is required by Statute or these By-Laws. Issues required by Statute to have a greater than majority vote include: to add to the agenda of a Regular Meeting (2/3 vote). A tie vote on any motion means that the motion is not approved and therefore is effectively denied.

Section 5:

All members shall be electors of the Town and shall have such qualifications as may be provided by the Board of Selectmen.

Section 6:

If a Regular Member is absent or disqualified, the Chairman shall designate an Alternate Member to act. When seated, an Alternate Member shall have all the powers and duties of a Regular member. Alternate Members shall be chosen in rotation.

ARTICLE V

Officers and Duties:

Officers, elected by a majority of duly seated members at the meeting held in January, shall be a Chairman, Vice Chairman, and Secretary, to serve for the following year. If no meeting is held in January, officers will be elected at the first meeting held thereafter.

Section 1:

The Chairman shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officer. The Chairman shall have the authority to appoint committees (for purposes and terms approved by the Commission), designate Alternates to act in the absence or disqualification of a Regular Member, call Special and Emergency Meetings, and generally perform other duties as may be prescribed in these By-Laws.

Section 2:

The Vice-Chairman shall act for the Chairman in the event of absence or disqualification and shall have the authority to perform the duties prescribed for that office.

Section 3:

The Secretary shall maintain a list of all officers and Commission members, conduct correspondence as directed by the Commission and read or summarize all correspondence at meetings. Further, the Secretary shall have the responsibility to take the minutes of the meeting in the absence of the appointed clerk, recording secretary or designated alternate. Further, the Secretary may preside over meetings in the absence or disqualification of the Chairman and Vice Chairman.

Section 4:

In the absence or disqualification of the Secretary, the Chairman shall appoint a Secretary pro tem.

Section 5:

In the event of an officer's resignation, death or removal, said termination shall become effective immediately, subject to Article IV, Section 2, and the office shall be filled as soon as practicable at a Regular Meeting.

Section 6:

In the event of the absence or disqualification of the Chairman, the Vice Chairman and the Secretary, the remaining Regular Members and seated Alternates shall appoint a presiding officer.

Section 7:

Dismissal: After two sequential unexcused absences, an Officer may be replaced by a majority vote of the remaining members.

ARTICLE VI

Disqualification:

Section 1:

No member of the Commission may participate in the hearing or decision of any matter in which the member is directly or indirectly interested in a personal or financial sense. In the event of such disqualification, such fact shall be entered on the records of the Commission, and replacement shall be made from Alternate Members to act as a member in the hearing and determination of the particular manner or matters in which the disqualification arose.

Section 2:

In accordance with the Charter of the Town of Brookfield, Article IX Section C9-1, any member who has a financial interest, direct or indirect, in any contract, any transaction, or any decision of any agency, Board or Commission of the Town to which the Town is a party, shall disclose that interest in writing to the Board of Selectmen who shall record such disclosure upon the official record of its meeting and shall file a copy of such record in the office of the Town Clerk. Any such member shall be disqualified from acting on any such matter coming before such office, Board or Commission. Violation of the provisions of said Section shall be grounds for the removal of any such member.

ARTICLE VII

Required duties of the Commission.

The Conservation Commission is an official body of the Town of Brookfield, created by vote of the Selectman. Its members, appointed by the Selectmen, are enabled by legislation for the operation of Connecticut conservation commission found in Chapter 97, Section 7-131a of the Connecticut General Statutes. Our duties and discretionary abilities stem from our purpose: "...the development, conservation, supervision and regulation of natural resources, including water resources within its territorial limits."

Section 1:

The Commission shall 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.

Section 2:

The Commission shall conduct research into the utilization and possible utilization of land areas of the municipality.

Section 3:

Administer gifts in the name of the municipality for the commission's purposes subject to the terms of the gift.

Section 4:

Approve, prior to submission, state grant-in-aid applications for programs to preserve or restrict the use of open space land to conservation or recreation purposes.

Section 5:

The Commission shall keep records of its meetings and activities and shall make a periodic report in the manner required by the Town.

ARTICLE VIII

Other duties of the Commission

Section 1:

The Commission may make recommendations on proposed land use changes to the Zoning Commission, Planning Commission, Planning and Zoning Commission, Inland Wetlands Commission, and other municipal agencies.

Section 2:

The Commission may recommend plans and programs for the development and use of all open areas to the Planning & Zoning Commission or to the First Selectman or Board of Selectmen, as appropriate.

The Commission may from time to time recommend plans and programs for the development and use of open areas, indexed according to Article VII, Section 1, to the Planning and Zoning Commission of the Town of Brookfield.

The Commission may propose a greenways plan for inclusion in the Plan of Conservation and Development of the town prepared pursuant to Connecticut General Statute Section 8-23.

Section 3:

The Commission may exchange information with the Commissioner of DEEP.

Section 4:

The Commission may request technical personnel to be assigned to the commission by the Commissioner of Environmental Protection for assistance in planning its overall program and for coordinating state and local conservation activities.

Section 5:

The Commission may coordinate the activities of unofficial bodies organized for similar purposes. The Commission may engage the public to inform and edify about issues important to its mission.

Section 6:

The Commission may advertise, prepare and distribute books, maps, charts, plans and pamphlets as necessary for its purposes.

Section 7:

The Commission may advocate for the protection of open spaces for passive recreation, while preserving natural resources and local habitat.

Section 8:

The Commission may, with the approval of the Board of Selectmen and (if required) a duly held Town Meeting, acquire land and easements in the name of the town.

Section 9:

The Commission may promulgate rules and regulations, including but not limited to the establishment of reasonable charges, for the use of such land and easements within its jurisdiction and subject to law, for any of its purposes.

Section 10:

The Commission may receive gifts in the name of the municipality for any of its purposes and administer the gifts for such purposes, subject to the terms of the gift.

Section 11:

The Commission may apply, if the municipality so designates, for state grant-in-aid of a program to preserve or restrict to conservation or recreation purposes the use of open space.

Section 12:

The Commission may work with the Land Use Office to care for and help maintain municipally owned open space or park property upon delegation of such authority by the entity that has supervisory or management responsibilities for such space or property, in accordance with the prevailing Plan for Conservation and Development. This may include dwellings and related structures (e.g. barns) associated with open space under its stewardship.

ARTICLE IX

Meetings:

Section 1: Schedule of Regular Meeting

Regular meetings, in accordance with CGS, Sec. 1-225, shall be held per an annual schedule of meetings proposed, prepared, and adopted by the Commission. Such schedule for the ensuing year shall be filed not later than January 31st of each year in the office of the Town Clerk and posted on the Town of Brookfield's Internet web site. No such meeting shall be held sooner than thirty (30) days after said filing.

Section 2: Notice of Meetings.

The Commission shall give notice to the public of all regular meetings, special meetings, and executive sessions in the manner prescribed by CGS, Sec. 1-225.

Section 3: Open Meetings.

All meetings, except executive sessions which shall be held in accordance with CGS, Sec. 1-225, shall be open to all members of the public, regardless of residence. No member of the public shall be required, as a condition of attendance, to register his or her name, or furnish other information as precedent to attendance.

Section 4:

Regular meeting agendas shall be prepared by Land Use Staff and reviewed by the Chairman before publication. Said agendas shall include, at minimum, the following items: Call to Order, Minutes, Old Business, New Business, Correspondence, Review of Finances, and Adjournment. Other business that may properly come before the Commission shall also be included. Additional items may be included upon recommendation by the Chair.

Section 5:

In the event that the meeting may not be completed by a reasonable hour, the Commission may adjourn the meeting to a date and place set at that meeting and a notice posted to that effect within 24 hours in accordance with Section 1-21 CGS.

Section 6:

Upon the affirmative vote of two-thirds (2/3) of the members present and voting at a Regular Meeting, any business not included on the filed agenda may be considered and acted upon at such meeting.

Section 7:

Members of the Public, the press, radio and television representatives may photograph or record the meeting in a manner that will not interfere with the conduct of the meeting pursuant to Section 1-21a C.G.S. The following additional requirements are applicable:

1. No recording device may be situated or used, except by the Commission, closer than the first row of seats for the public;
2. No photography and/or broadcasting equipment may be situated and/or used within 10 feet of the Commission's table;
3. All equipment must be set up at least 10 minutes prior to the meeting;
4. Said equipment shall not obstruct the aisles or interfere with the view of presentations for the Commissioners, the public or any presenter.

Section 8:

Unless otherwise specified, the current edition of *Robert's Rules of Order Newly Revised* 12th edition, shall govern the proceedings of all meetings (at the time of adoption of these bylaws, the current edition is Twelfth by Henry M. Robert III)

ARTICLE X

Financial

Section 1: Budgeted Funds

The Chair or a member of the Commission designated by the Chair will prepare a budget for the use of appropriated funds on or about January 15 to be reviewed and approved by a majority vote of the Commission. The Chair, with approval of the Commission, administers the dispersal of funds.

Section 2: Urgent Expenditure of Funds

The Chair or Land Use Director, under certain circumstances - such as urgent matters requiring immediate attention, may authorize the expenditure of funds up to \$5,000 to remediate such situation.

Section 3: Gifts and other Funds

Grants, gifts, bequests and other funds received by the Commission in the name of the Town for any its purposes shall be kept in a separate account which can be maintained from year to year. These funds shall be reported to the Commission and their use reviewed and approved in the same manner as in Article X, Section 1

Section 4: Income from Rental

Income from rent for properties on Commission open spaces, shall be kept in a separate account which can be maintained from year to year. These funds shall be reported to the Commission and their use reviewed and approved in the same manner as in Article X, Section 1

ARTICLE XI

Amendments:

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

ARTICLE XII

Consistency:

These By-laws are intended to be consistent with applicable State and Local laws. In the event of inconsistency of any part of these By-laws with applicable State or Local laws, such laws shall supersede such part and prevail.

Adopted April 3, 2024