

BYLAWS
of the
MANCHESTER CONSERVATION COMMISSION

I. 1. Name and Purpose:

The name of this organization shall be the Manchester Conservation Commission, herein called the Commission.

The purpose of the Commission is to promote and protect the natural resources of the municipality, as provided in Title 30-A, MRSA, Section 3261 et seq. The Commission will use the Manchester Long Range Public Facilities and Open Space Plan of 2004 or its successor plans and amendments, as a guide to accomplishing the purpose set forth above. It will conduct a broad educational program, cooperate with the elected and appointed boards and commissions of the town, and with the regional, state, and federal natural resources agencies with regard to natural resources regulations and other regulations imposed by law, and shall perform other duties as may be imposed by law.

II. Appointments and Vacancies

Original appointments to the Commission are made by the Board of Selectmen. The Board of Selectmen may appoint at least 3, but not more than 7, conservation commissioners. Members shall initially be appointed for terms of one, 2 and 3 years, such that the terms of approximately 1/3 of the members will expire each year. Their successors shall be appointed for terms of 3 years each. Members shall serve until the appointment of their successors. A vacancy in the membership caused by other than by expiration of a term of office shall be filled in the same manner as the original appointment.

III. Elections

The officers of the commission shall be elected from the membership annually in the first meeting of the commission after the annual town meeting. This meeting shall be designated the election meeting. The following officers shall be elected: chair; vice chair, secretary, and treasurer.

IV. Officers

The chair shall, in addition to the duties imposed by law, preside at all meetings of the Commission at which he or she is present, prepare draft budgets, agendas, and reports, and generally direct the work of the Commission. This person shall annually appoint members to sub-committees and designate chairs of same as provided for under Article VIII no later than the first meeting of the commission following the election meeting or as necessary. The chair shall direct the calling of meetings of the Commission and shall be an ex-officio member of all committees.

The vice chair shall preside at all meetings of the Commission in the absence of the chair, and shall perform all duties and shall have all powers of the chair in case of absence or incapacity of the chair.

The secretary shall keep an accurate record of the proceedings of the Commission, and shall send copies of the minutes of meetings to each member. He or she shall keep the Maine Association of Conservation Commissions informed regarding members' names and mailing addresses. This person shall perform all other duties imposed by law, assigned by the chair, or otherwise herein provided.

The treasurer shall see to it that the commission stays within its budget, recommend action on all bills received by the commission, insure that the appropriate authorizing signatures are secured on these bills, transmit duly authorized bills to the appropriate municipal office for disbursement approval required or payment, and shall coordinate with the town treasurer and accountant so that he or she is prepared to render a report on the status of all funds under the jurisdiction of the Commission at each meeting, and shall perform all other duties imposed by law, assigned by the chair, or otherwise herein provided.

V. Associate and Honorary Members

The municipality's governing body (board of selectmen) may vote at any meeting to appoint associate members to the Commission. Unless otherwise restricted by state law or municipal ordinance, such associate members shall have the right to participate in meetings and activities of the Commission as the Commission may designate. In addition, the Commission may appoint at any meeting informal associate members and honorary members. Such members shall have the same rights and privileges as associate members. Both associate and honorary members may participate in and vote in committees of the Commission, but do not have voting rights in the Commission itself.

VI. Duties of Members

The members of the Commission shall perform the duties and responsibilities as set forth in Maine Revised Statutes Annotated, Title 30-A, Section 3261 et seq., and these bylaws.

Duties and responsibilities from MRSA, Title 30-A, Section 3261: Keep records of its meetings and activities and make an annual report to the municipality; Conduct research, in conjunction with the planning board, if any, into the local land areas; Seek to coordinate the activities of conservation bodies organized for similar purposes; and Keep an index of all open areas within the municipality, whether publicly or privately owned, including open marshlands, swamps and other wetlands, for the purpose of obtaining information relating to the proper protection, development or use of those open areas. The commission may recommend to the municipal officers or any municipal body or board, or any body politic or public agency of the State, a program for the better protection, development or use of those areas, which may include the acquisition of conservation easements.

Members who are unable to attend a meeting of the Commission shall notify the secretary or chair. Members shall make every effort to attend all meetings and perform all

duties assigned by the chair. Three consecutive unexcused absences shall be grounds for dismissal from the Commission by the Board of Selectmen

VII. Communication with municipal officers

The Commission will keep the Town Manager and Board of Selectmen informed as to their activities. After minutes of each meeting are approved, copies will be forwarded to the Town Manager and Chair of the Selectboard. The Town Manager and Chair of the Selectboard will be informed as to the dates and locations of meetings. The Commission will consult with and obtain approval from the Town Manager and/or Board of Selectmen on matters of mass mailings to townspeople, organizing town-wide events (such as clean-up days, etc.) acceptance of gifts, applications for grant money and receipt of grant monies. The Commission will consult with the Town Manager and/or Board of Selectmen when preparing budgets and when preparing requests for special project funds from the Town.

VIII. Committees

Committees, composed of commission members, associate members, and non-commission members, may be created by vote of the Commission as such committees may be needed. These committees shall be responsible for planning within their specific areas of concern and for reporting the results of this planning to the Commission. They shall act in the name of the Commission only when directed to do so by vote of the Commission. Committees may include, but not be limited to:

A. Planning Committee –

This committee shall be responsible for the updating of natural resource inventories, open-space inventories, wetland inventories, and updates to the Long Range Open Space Plan, and for coordinating these plans with the plans of the planning board, recreation committee, and any regional planning agencies. This committee shall coordinate with the conservation commissions of surrounding communities whenever possible.

B. Open-Space Committee

This committee shall engage in research, education, and assistance on open space issues in the town of Manchester. The committee shall educate the town and landowners of high value natural areas about land preservation including opportunities for specific properties. High value natural areas will be prioritized according to natural resource value and likelihood of development. The committee will work with willing landowners to assist in finding resources and developing strategies to preserve the land. Landowners shall be made fully aware of all responsibilities and taxation and resale consequences of land protection actions. Potential open-space preservation actions of private citizens will be communicated to the Commission and Town Manager. The committee shall, under the direction of the Commission, consult with and advise the Planning Board on matters of natural resource and open-space preservation.

C. Information and Education Committee

This committee shall be responsible for the conduct of any public information and education program designed to further the purposes of the Commission. Activities may include, but are not limited to, liaison with school administration to encourage inclusion of conservation programs within the educational program; contact with news media to encourage continuing public education in conservation matters and concerns and to publicize Commission activities; provide assistance to unofficial bodies, such as recycling programs, in the development of cooperative programs.

D. Land Management and Trails Committee

The goal of this committee shall be to improve the availability, accessibility, use, and enjoyment of conservation lands in the town of Manchester by the public. This committee will be responsible for coordinating with owners and managers of public and publicly-accessible land in the Town of Manchester, and the conservation commissions of neighboring communities if appropriate, on the planning, maintenance, and building of trails on said lands. This committee will be responsible for the preparation of plans for the use of any lands under the administrative control of the Commission. It will prepare regulations governing the use of lands under Commission control for adoption by the Commission. It will assure that allowable uses for all legitimate interests of the citizens are considered in any plans and/or facilities. Trails shall be marked and maintained, boundaries and access points indicated, and maps and guides shall be published to conservation areas as directed by the Commission.

IX. Meetings

The Commission shall hold no less than one meeting each quarter, except when a quorum, as defined in Article "X", is not present. Robert's Rules of Order or other recognized parliamentary guide shall govern meeting procedure, when not in conflict with statutes or these bylaws. Notices of meetings shall be given by the Chair or Secretary.

X. Quorum

A majority of the members of the Commission shall constitute a quorum. A majority of those present and voting, if a quorum is present, shall be sufficient to conduct the business of the Commission unless otherwise specified by statute.

XI. Amendments

These bylaws may be amended by the Board of Selectmen after any regular meeting of the Commission at which the proposed amendment receives a two-thirds vote of those attending, provided written notice of the intent to amend is sent to each member of the Commission at least seven days prior to the meeting at which the vote on the proposed action is to be taken. Once the Commission approves the proposed amendment, it must be forwarded to the Board of Selectmen 5 or more days before their next meeting, or as required by the Board.