

## **BOSCAWEN CONSERVATION COMMISSION RULES OF PROCEDURE**

### **ARTICLE I. Name**

The name of this body shall be: Boscawen Conservation Commission, hereinafter called the Commission

### **ARTICLE II. Authority & Purpose**

The Commission was established, in accordance with RSA 36-A at the 1977 Town Meeting.

The purpose of the Commission shall be to preserve the Town of Boscawen's rural character and quality of life by protecting its ecological, aesthetic and recreational resources while providing awareness of conservation practices and policies throughout the Town.

### **ARTICLE III: Rights, Powers & Duties**

The members and officers of the Commission shall carry out their duties and responsibilities and exercise their powers as set forth in the Enabling Act, Section 36-A:2 and Section 36-A:4 of the NH Revised Statutes Annotated.

1. 36-A:2 Conservation Commission: A city or town which accepts the provisions of this chapter may establish a conservation commission, hereinafter called the commission, for the proper utilization and protection of the natural resources and for the protection of watershed resources of said city or town. Such commission shall conduct researches into its local land and water areas and shall seek to coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its work. It shall keep an index of all open space and natural, aesthetic or ecological areas within the city or town, as the case may be, with the plan of obtaining information pertinent to proper utilization of such areas, including lands owned by the state or lands owned by a town or city. It shall keep an index of all marshlands, swamps and all other wet lands in a like manner, and may recommend to the city council or selectmen or to the department of natural and cultural resources a program for the protection, development or better utilization of all such areas. It shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the annual town or municipal report. The commission may appoint such clerks and other employees or subcommittees as it may from time to time require.
2. 36-A:4 Powers. Said commission may receive gifts of money, personal property, real property, and water rights, either within or outside the boundaries of the municipality, by gift, grant, bequest, or devise, subject to the approval of the local governing body, such gifts to be managed and controlled by the commission for the purposes of this section. Said commission may acquire in the name of the city or town, subject to the approval of the local governing body, by purchase, the fee in such land or water rights within the boundaries of the municipality, or any lesser interest, development right, easement, covenant, or other contractual right including conveyances with conditions, limitations, or reversions, as may be necessary to acquire, maintain, improve, protect, or limit the future use of or otherwise conserve and properly utilize open spaces and other land and water areas within their city or town, and shall manage and control the same, but the city or town or commission shall not have the right to condemn property for these purposes.

### **ARTICLE IV: Officers & Membership**

Commencing in 1982, a Chairperson and a Vice-Chairperson shall be elected annually at the first meeting of the Commission, following Town Meeting.

1. Chair: The Chair shall prepare the meeting agenda in advance of the meeting and in consultation with members. The Chair shall call the meeting to order and preside over all meetings and hearings of the Commission. The Chair shall appoint any committee found necessary to carry out

the business of the Commission. The Chair will also appoint the Leaders of any such committee established. The Chair shall maintain a current list of Commission Members, both alternates and regular members, and officers, along with their terms.

2. Vice Chair: The Vice Chair shall preside at all meetings of the Commission in absence of the Chair and shall have all powers of the Chair in case of temporary absence or incapacity of the Chair.
3. Recording Secretary: Town Staff shall supply a recording secretary for transcription of all minutes for Commission meetings, whether in person or by recording.
4. Ex-Officio: An Ex-Officio is appointed after Town Meeting by virtue of holding the position of Select Board Member. This is advisory to the Select Board and a voting official.

#### **ARTICLE V: Meetings**

1. Holding of Meetings: All meetings shall be held in accordance with the provisions of NH Revised Statutes Annotated, Chapter 91-A as amended. Regular meetings of the Commission shall be held on the third Tuesday of each month at 6:30 PM at the Boscawen Municipal Facility, unless stated otherwise in the agenda. Such meetings may be cancelled or held at any other time. The Commission may also decide to hold special meetings at any time, or special meetings may be held at the call of the chair provided the Commission members are notified in advance.
2. Majority Vote Required: Determination on any matter before the Commission shall require the concurrence of a majority of the members present and voting.
3. Quorum: The Commission shall make its decisions during meetings by majority vote of those members present and voting, provided that a quorum consisting of a simple majority is present for the meeting. If a quorum is not present, the meeting will be adjourned and rescheduled to such other time as the Chair may deem appropriate. The Acting Chairman can authorize an Alternate Member to vote in order to secure a quorum.
4. Conflict of Interest: No member of the Commission shall introduce, speak on or vote on any motion, resolution or issue in which that member has a personal or pecuniary interest, direct or indirect. Notwithstanding the foregoing, the Commission by vote may permit or request any such member to speak or testify on any such motion, resolution or issue.
5. Right to Know Law: All meetings of the Commission shall be held in accordance with the provisions of NH Revised Statutes Annotated, Chapter 91-A, as amended, relating to meetings open to the public and executive sessions.
6. Hearings: The Commission may, in its discretion, hold public or informational hearings when it determines that such hearings will be in the public interest. Notice of such hearings shall be published or posted at least fourteen (14) days prior to the date of such hearings. The matter before the Commission shall be presented in summary form by a member of the Commission or by a person designated by the Commission. Any parties in interest shall be privileged to appear before parties not in interest. Testimony or other evidence shall not be presented under oath. A record shall be kept of those persons testifying and/or presenting evidence at such hearings and, if appearing on behalf of another person or entity, the name of such person or entity.

#### **ARTICLE VI            Conservation Fund**


Pursuant to New Hampshire RSA 36-a:5, II, the town treasurer, pursuant to RSA 41:29, shall have custody of all monies in the conservation fund and shall pay out the same only upon order of the Conservation Commission. The disbursement of conservation funds shall be authorized by the majority of the Conservation Commission. The Conservation Commission will advise the selectmen on any major disbursements from this fund. Prior to the use of such funds for the purchase of any interest in real property, the Conservation Commission shall hold a public hearing with notice at least 14 calendar days before the hearing.

**ARTICLE VII:****Amendments**

The Commission may amend these Rules of Procedure 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: 7/8/81  
Revised: 8/16/83  
10/28/86  
5/24/90  
6/27/91  
5/27/93  
5/23/96  
6/26/03  
7/28/11  
11/14/13  
3/15/16  
10/19/21  
12/20/22

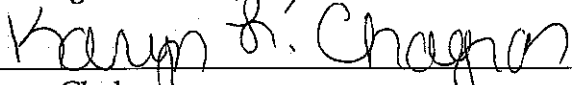
Effective Date: December 21, 2022

  
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Alan Hardy, Chair  
Jeffery Abbe, Vice Chair  
Mark Kaplan  
Norman LaPierre  
Aurel Mihai  
Henry Carrier  
Lyman Cousens  
Betsey McNaughten  
Matthew Burdick, Ex-Officio

**Conservation Commission**

Boscawen, NH

Date Signed: 12/21/2022

  
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Town Clerk

12/21/2022  
Date