



Town of
BROOKLINE, NEW HAMPSHIRE

Conservation Commission

P. O. Box 360
Brookline, NH 03033

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Minutes

Tuesday, April 12, 2016
Conservation Commission
7:00 pm

Present: Francis (Buddy) Dougherty, Chairman
Jay Chrystal, Vice Chairman
Jordan Bailey, Member
Tom Rogers, Member
Brendan Denehy, Selectboard Representative
Drew Kellner, Alternate

Absent: Eric DiVirgilio, Alternate

Elect Chairman and Vice-Chairman

Jay made a motion to elect Francis "Buddy" Dougherty as the Chairman. Brendan seconded. Vote yes 5-0.

Buddy made a motion to elect Jay Chrystal as the Vice-Chairman. Tom seconded. Vote yes 5-0.

Eagle Scout Project- Justin Hawkins – Camp Flannery Tent Platforms

Justin said he would like to install 5 10x10 tent platforms at Camp Flannery so people don't have to worry about sleeping on the ground. **Justin** showed the Board the map of the property and where he will be placing the platforms and a sketch of the platforms construction. The cost estimate will be about \$788.05 for the 2x4's and \$33.88 for the screws \$821.93. He would like to hold a car wash to raise the funds needed. He will need to pass the first Eagle Scout board. **Jay** asked if this will be pressure treated wood. **Justin** said yes 10x10 platforms with vertical 2x10's. **Jay** said this will be built like a deck. These will need to be built to last with little maintenance. He believes he should do some more research and come back to the board **Justin** said yes. **Jordan** said 10x10 platforms seem to be the standard size. **Tom** suggested that Justin review the plans online from the Appellation Mountain Club and a few other clubs that have built tent platforms. **Jay** suggested that he look into different material or different size wood and the structural integrity of these platforms. We will need platforms that will last a long time with little to no maintenance. **Drew** said it could be cheaper to use a different size for example 2x6's. **Buddy** suggested they hold a site walk to review where these platforms will be built. **Jay** said there is a lot of root structure in this area. **Brendan made a motion that the Board allow Buddy Dougherty to sign the Eagle Scout project.** Jay seconded. Vote yes 5-0.

Buddy said these Eagle Scout projects are meant to be challenging. **Buddy** asked what troop he was from. **Justin** said he was from the Nashua Troop 654. **Buddy** said Justin is the fifth Scout from Nashua to work in Brookline.

Minutes

Jay made a motion to approve the Conservation Commission minutes of February 9th 2016 both public and non-public. Brendan seconded. Vote yes 5-0.

Jay made a motion to approve the Conservation Commission minutes of March 8th 2016 both public and non-public as amended. Brendan seconded. Vote yes 5-0.

Jordan made a motion to approve the February 29th, 2016 minutes of the Conservation Commission as written. Tom seconded. Vote yes 3-0.

Mail

Buddy said the Selectboard is looking for a volunteer from the Conservation Commission for the Sidewalk project currently they are looking into sidewalks along Route 130 to Cider Mill Pond. **Jordan** said her time is limited but she would volunteer.

Timber Operation North Brookline

Buddy said there is a timber operation at the North End of town for lot B-13 and B-15. They have been logging and using the Rail Road bed to remove the logs. **Buddy** said he contacted the Town Administrator just so he was aware of the operation in case there was any damage done. They visited the area to see the condition of the property. This portion of the rail road bed is owned by the Town of Brookline. **Brendan** said the Selectboard requested a bond to be put up by the Logger of \$10,000. After the logging operation was completed they asked for an estimate on what it would cost to bring the rail road bed back to the way it was before the logging operation. The work estimate was about \$1,300 worth of work and they agreed to return \$8,000 back to the Logger. **Drew** asked who calculated the estimate for work. **Buddy** said Amos White wrote the estimate. **Buddy** said the rail road bed is about a foot and a half lower than it was. This area needed work anyways they will use Ghost Train funds to pay for some maintenance to this part of the rail road bed. The Rounala Road landing is much bigger now and would like to block it off at the bottom of the hill if possible.

Drew said this area was very heavily selectively cut.

Trail Discussion

Signs

Tom said they should look for someone to make signs for the trails. He has the plastic one but doesn't always have the time to go put them out. **Jordan** said the more signs they put out the more the trail is used. **Buddy** suggested the Eagle Scouts maybe adding it as a project for someone. **Jay** said he would ask his brother about the cost he makes signs. **Drew** said they will also need a sign inventory if they are going to have someone start making them. **Buddy** said they still have the boundary signs that have never started to be hung up anywhere. **Jay** said they will have to add something into the budget for next year. **Jordan** said they could also use Ghost Train money for signs on the Northern end of the Rail Trail.

River/Rail Trail Project

Drew said he and Jordan went to Groton MA to see the handicap accessible trail they just finished. It is a very nice trail it is about a quarter of a mile long. They spent about \$26,000 to complete it. **Jordan** said they have a few benches along the way and you could walk about three people side by side down the trail. This is exactly what we are looking at doing behind the Sunoco Station.

Conneck Bridge

Buddy said they need to replace this bridge off Conneck Road. He spoke with the Town Administrator and he has sent out requests for bids. They have only received two bids. He would like to see this done before to long.

BCC to Hold Informational Talks and Hikes

Buddy said he would like to hold a few informational talks this summer. We could host John Cody from Hollis New Hampshire he just hiked the Appellation Trial. He would also hold a hike to the Stone House this summer.

Spring Clean Up

Buddy said Kristen has made a few large signs to post at the Transfer Station. She has also made a bunch for everyone to take, share and/or post. **Jordan** will contact the schools about backpack mail. Spring clean up will be held the week of school vacation. Jordan will put it on Facebook and Kristen will add to the Town website.

Drew said the Rotary Club has expressed an interest about hosting the Adopt-a-road program. They will need a point person but they will be looking into it. If the road stays clean there is a cash prize. They will need to finalize some details.

Wild and Scenic Rivers Update

Jordan has attended two monthly meetings for the Wild and Scenic rivers project. **Drew** also attends as a Representative of Hollis and Beaver Brook. At some point they will have a website to all the information on the Wild and Scenic Rivers Project. **Drew** said currently they are looking for historic spots along the river. **Jordan** said they cannot attend the Outreach meeting and will need someone to fill in. **Buddy** said he maybe able to attend. **Jordan** said at this point everything they are discussing is in Massachusetts.

Brendan said he filled in the Selectboard so they are aware of the Wild and Scenic Rivers Project.

Saving Special Places

Buddy said he attended this year Saving Special Places meeting. He said he learned that they can submit a preliminary grant application for the ARM grant. They give you feedback about the application. **Jordan** said you don't need a lot number for this application. **Buddy** said no but for the final application you will need to be specific.

Buddy said the last class was the L-chip class. **Buddy** said he had discussed that they applied had great pictures to go with the application and invited them out and meet with them and they still didn't get the grant. **Jordan** said she has a list of thing they suggested the Board does for the next application.

Vinyard on Averill Road

Brendan said he had brought up the concerns the Conservation Commission had about the wetlands behind the vineyard owner's lot. The owner stated they were very consentience of the wetlands.

Non-Public

Jay made a motion to go into non-public session under RSA 91 A: II (d) for the discussion of possible land acquisition and immediately adjourn the meeting. **Brendan** seconded. Roll call vote **Buddy**, **Jay**, **Brendan**, **Tom**, and **Jordan** all voted yes.

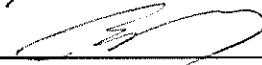
Jay made a motion to come out of non-public session and seal the minutes. **Tom** seconded. Roll call vote **Buddy**, **Jay**, **Brendan**, **Tom**, and **Jordan** all voted yes.

Tom made a motion to adjourn the meeting at 9:30 pm. Jordan seconded. Vote yes 5-0.

Francis (Buddy) Dougherty, Chairman, 

Jay Chrystal, Vice Chairman, 

Jordan Bailey, Member, 

Tom Rogers, Member, 

Brendan Denehy, Selectboard Representative 

Minutes submitted by Kristen Austin.

Next meeting will be held on May10, 2016.



**TOWN OF
BROOKLINE, NEW HAMPSHIRE
SELECTBOARD**

**P.O. BOX 360 – 1 Main Street
BROOKLINE, NH 03033-0360**

Telephone (603) 673-8855
Fax (603) 673-8136

Selectboard@brookline.nh.us

<http://www.brookline.nh.us>

Recommended Code of Ethics

Non Binding Resolution passed at the March 2005 Town Meeting:

1. Purpose

The proper operation of democratic government requires that public servants be independent, impartial, and responsible to the people; that government decisions and policy be made through the proper channels of governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government members to perform their duties without conflicts between their private interests and those of the citizens they serve.

The purpose of this code is to establish guidelines for the ethical standards of conduct for public servants. As such, the Town of Brookline

- Expects our public servants to act in the best interest of the town.
- Expects public servants to disclose, whenever possible, any personal, financial or other interests in matters affecting the town that come before them for action.
- Expects public servants to remove themselves from decision making if they have a conflict of interest.
- Expects public servants to be independent, impartial, and responsible to their fellow townspeople in their actions.
- Expects that the public servant's decisions and policies be made through the proper channels of government.

2. Definitions

Conflict of Interest – A situation or circumstance where a public servant's personal, pecuniary or financial interests have the potential to interfere with the proper exercise of a public duty.

Pecuniary Interest – Any advantage in the form of money, property, commercial interest or anything else, the primary significance of which is economic gain; it does not include economic advantage applicable to the public at large, such as tax reduction or increased prosperity of the town.

Personal Interest – Interest in a matter, aside from official interest as a function of a public servant's position, which is more direct than that of the public at large and would influence the action of the public official.

Public Servant – All officers and employees of the Town, whether elected, appointed, paid, volunteer, or anyone acting in a position other than as a member of the general public. A person is considered a public servant upon their election, appointment, or designation as such, although they may not yet officially occupy that position.

Recuse – To remove or excuse oneself from participating in a specific action or discussion due to a conflict of interest. Recusal means to remove oneself completely from all further participation as a public servant in the matter in question. Public servants who have been recused shall immediately leave the room or shall seat themselves with the other members of the public at large who are present. When recused, public servants shall not participate in further discussions unless they clearly state for the record that they are doing so only as a general member of the public. A recused public official is effectively a member of the general public and shall not deliberate nor vote on the matter in question.

3. Code of Ethics

Public servants shall avoid conflicts of interest.

Public servants shall recuse themselves and shall not take part in the decision-making process of any matter before the town in which they have a personal or pecuniary interest. Members of the Planning Board and Zoning Board of Adjustment are further bound by the provisions of RSA 673:14.

Public servants shall not directly or indirectly solicit gifts or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, premises or in some other form), under circumstances in which it could be reasonably inferred that the gift was intended to influence them in the performance of their duties or was intended as a reward for any recommendation or decision on their part.

Public servants must not disclose or improperly use confidential information obtained in the course of their duties.

No public servant shall use town letterhead or stationary for any purpose other than official town business. Members of boards, committees, and commissions may only use town letterhead for purposes approved by their respective board, committee or commission.

No member of a board, committee, or commission shall speak on behalf of their respective board, committee or commission unless authorized to do so by their respective board, committee, or commission. This is not to suggest that individual members cannot speak publicly, but rather to emphasize that they should clearly state they are speaking only on their individual behalf and not represent himself or herself as speaking for the board, committee, or commission.

Adopted by Board of Selectmen – June 13, 2011

Adopted by Board of Selectmen – April 2, 2012

Adopted by Selectboard – April 1, 2013

Adopted by Selectboard – March 17, 2014

Adopted by Selectboard – March 30, 2015

Adopted by Selectboard – March 28, 2016

Brookline Conservation Commission

Francis (Buddy) Dougherty, Chairman

Jay Chrystal, Vice-Chairman,

Jordan Bailey, Member,

Tom Rogers, Member,

Brendan Denehy, Selectboard Representative,

Drew Kellner, Alternate

Eric DiVirgilio, Alternate,

Brookline Conservation Commission By-Laws

Section I - Purpose and Authorization

The Brookline Conservation Commission (hereinafter, the Commission) was established in 1971 for the purpose of ensuring the proper utilization and protection of the natural and watershed resources of the Town. The Commission provides a focal point within the Town for environmental concerns and related issues.

The Commission consists of five (5) members appointed by the Board of Selectmen following rules of procedure for the conduct of its business under RSA 36-A.

The Commission may advise the Planning Board and other local bodies on conservation matters. It may act more directly to protect natural resources by acquiring, with the approval of the Selectmen or at Town Meeting, the full fee (title) or a lesser interest in land or water resources. The commission may then manage these conservation areas. If authorized by the Town, it may manage duly designated Town Forests (RSA 31:110-114) and open spaces.

Section II - Membership and Terms of Office

A. Appointment of Members

The Commission shall consist of five (5) members appointed by the Board of Selectmen.

B. Alternates

The Commission shall encourage the Board of Selectmen to appoint, in addition to regular members, not more than five (5) alternate members who may serve, upon designation by the Chairmen, in place of a regular member, in the event of absence or disqualification. The terms and multiple membership requirements for alternates shall be the same as for regular members.

Section III – Officers and Their Duties

Election of Officers

The Commission shall elect, by a majority vote at its annual meeting, the following officers from among its membership. The term of each full time member shall be limited to three (3) years; however, any full time member shall be eligible for re-election. The Chairman and Vice-Chairman are elected yearly by the Board.

1. Chairman

The Chairman shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred on such officers. The Chairman may affix his/her signature in the name of the commission.

2. Vice-Chairman

The Vice Chairman shall act for the Chairman in his/her absence and have authority to perform the duties prescribed for that office during the Chairman's absence.

3. Non-Elected Full Time Members

A Secretary may be hired by the Commission who will be responsible for the maintenance of the minutes and records of the Commission, with the assistance of staff as may be available. The Secretary shall prepare the agenda for regular and special meetings of the Commission, provide notice of meetings to members, arrange proper and legal notice of meetings and hearings, and prepare such correspondence and fulfill such duties as the Chairman may direct.

Section IV Meetings

Updated 5/10/2016

Conservation Commission By-Laws

A. Regular Meetings

Meetings of the Commission shall be held monthly and shall be open to the public. The time and place of the meeting shall be selected by a majority vote of the Commission. The following general rules of procedure shall govern the conduct of such meetings.

1. Quorum Required.

A majority of the membership of the Commission shall constitute the quorum necessary in order to transact business at any meeting. In the event of the absence of a regular member, the Chairman shall designate, upon opening the meeting, an alternate to act in the absent member's place. In the event that the Chairman and the Vice-Chairman are both unable to attend a meeting, the quorum is to designate the temporary chairman for that meeting.

2. Notice of Meetings

Notice of time, date, and place of any meeting of the Commission shall be posted in two (2) public places *or* printed in any paper of general circulation at least twenty four (24) hours, excluding Sundays and legal holidays, prior to the meeting.

3. Records Required

Minutes of the events of the meetings shall be taken and shall include the names of members in attendance, persons appearing before the Commission, a brief description of the topics discussed, and a record of any actions taken. Such minutes shall be available for public inspection within one five (5) business days of the meeting. Minutes of Executive Session shall conform to the requirements of RSA 91-A: 3.

4. Order of Business

The general order of business may be as outlined below:

- a. Call to Order.
- b. Reading and Acceptance of minutes of Previous Minutes
- c. Communications
- d. Committee Reports
- e. Unfinished Business
- f. Public Hearings
- g. Other Business
- h. Adjournment

5. Voting

A motion, duly seconded, shall be passed by a majority of members present, once a quorum has been established, voting in the affirmative.

B. Special Meetings

Special Meetings may be called by the Chairman or, in his/her absence, by the Vice-Chairman. Notice to members shall be at least forty-eight (48) hours in advance of the meeting. Notice to the public shall be in the same manner as for a regular meeting. No business shall be acted upon at a special meeting unless a quorum of the membership is present. The notice of the meeting shall specify the purpose of the meeting and no other business may be considered except by unanimous consent of the Commission members present once a quorum has been established.

C. Annual Meeting

An annual meeting shall be held at the first regular meeting following the close of Town Meeting, but no event later than thirty (30) days following the close of Town Meeting. The purpose of the annual meeting will be to elect officers and review the by-laws, which shall be made part of the minutes of the meeting.

Section V Public Hearings

A. Notice of Hearing

Notice of hearing shall be given at least ten (10) days prior to the date of the hearing by publication in any newspaper of general circulation or by posting in at least two (2) public places. The ten (10) calendar days shall not include the day of posting or the day of the meeting. The full text of any notice need not be included in the notice provided an adequate summary is included in the notice and a location is specified where the proposal; may be viewed by the public.

B. Conduct of the Hearing

The Chairman, or in his/her absence, the Vice Chairman, shall preside at the public hearing, and shall:

1. Convene the meeting and read the legal advertisement announcing the date, time, and purpose of the meeting into the records;
2. Briefly state the manner in which the hearing shall be conducted;
3. Call upon those appearing in favor of, or in opposition to, the proposal to direct questions or comments to the Chair;
4. Call the hearing to a close, as appropriate, outlining the Commission's anticipated procedure concerning the proposal.

C. Record of Hearing

A public record of the proceedings shall be taken in writing and incorporated into the Commission's minutes. The hearing may also be recorded by a sound recording device and such recordings shall be kept on file as part of the public record.

SECTION VI STAFF AND FINANCES

Within the limits of funding made available for its use by the Town Meeting, the Commission may employ such staff personnel and/or consultants as it sees fit to aid the Commission in its work. Appointments shall be made by a majority vote of the members present at any regular or special meeting at which a quorum has been established. The Chairman may be authorized to sign contracts for employing personnel and contracting for consulting services as approved by the Commission.

SECTION VII PUBLIC RELATIONS & COMMUNICATIONS

The Chairman or a duly appointed Commission member or staff personnel shall be authorized by the Commission to act as the principal public relations contact for the Commission. Duties shall be as prescribed by the Commission.

Communications with Town Counsel shall be through the Chairman and shall be confidential to the Commission unless otherwise noted.

SECTION VIII AMENDMENTS

A. Amendments

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

B. Filing with Town Clerk

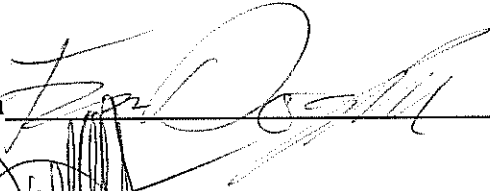
These By-Laws and any amendments thereto shall be places on file with the Town Clerk for public inspection. A complete set of By-Laws, as amended, shall also be attached to the minutes of the Commission's annual organizational meeting and kept on file.

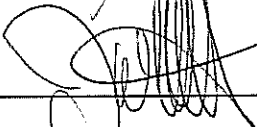
C. Effective Date

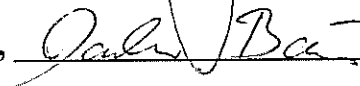
These By-Laws, and any subsequent amendments, shall become effective immediately upon passage by the Commission as recorded in the minutes of the meeting at which such action occurs.

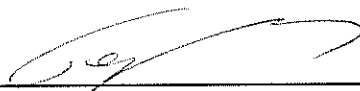
SECTION IX RECORDS - ANNUAL REPORT

The Conservation Commission 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 (RSA 36-A:2)

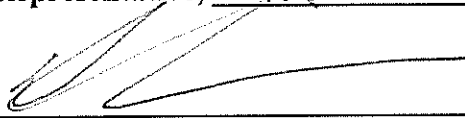
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