



**TOWN OF
BROOKLINE, NEW HAMPSHIRE**
Conservation Commission

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Minutes
Conservation Commission
Tuesday August 9, 2011
7:00pm

Present: **Francis (Buddy) Dougherty, Chairman (voting)**
 Therry Neilsen-Steinhardt, Vice-Chair, Member (voting)
 Tad Putney, Member Selectmen's Representative (voting)
 Jay Chrystal, Member (voting)
 Evangelos (Evan) Gerekos, Alternate
 Eric DiVirgilio, Alternate

Meeting Start at 7:00 PM

The Board read the mail.

Minutes

Tad moved to approve the Conservation Commission minutes from June 14, 2011 as amended. Therry Seconded. Vote yes 4-0.

Tad moved to approve the Non-public Conservation Commission minutes from June 14, 2011 as amended. Therry Seconded. Vote yes 4-0.

Tad moved to approve the Conservation Commission minutes from May 10, 2011 as amended. Therry Seconded. Vote yes 3-0.

Tad moved to approve the Conservation Commission minutes from April 12, 2011. Therry Seconded. Vote yes 4-0.

Tad moved to approve the Non-public Conservation Commission minutes from April 12, 2011 as amended. Therry Seconded. Vote yes 4-0.

Therry moved to approve the Conservation Commission minutes from March 8, 2011. Jay Seconded. Vote yes 3-0.

Lot H-126-1, Mowing Cider Mill Lot

Tad said he received two prices for the mowing of lot H-126-1. **Tad** said Darrell Pelletier had the best price at \$200. **Buddy** asked Tad if Helen Ballou had moved the plants she wanted off that lot. **Tad** said he will call her to verify. **Jay** made a motion to allow Tad to hire Darrell Pelletier to mow/brush hog the Cider Mill Lot for an amount not to exceed \$200. **Tad** Seconded. **Vote yes 4 -0.**

Nashua Regional Planning Commission – Matt Waitkins

Matt Waitkins from NRPC said he is working to update the GIS database for the conservation maps for NRPC and also NH Granite to update both of their conservation maps for the state of NH. **Matt** said there is a form that needs to be filled out every time the BCC buys land this gets mailed to NH Granite so they can update the maps. **Matt** asked if the forms could be filled out and forwarded to him so he could get the information and he would then send it along to NH Granite. **Matt** said he would like to review the Conservation Map with the Board and see if they can fill in some of the blanks. **Matt** said they will need to define the conservation lands by the definitions per NH Granite's list. **Buddy** said Jay has the best knowledge of it and Eric is working on trail maps. Kristen can give you the contact information for them. **Tad** asked if this map will be in the Master Plan when the project is completed. **Matt** said he doesn't see why it shouldn't be in the Natural Resources chapter. **Buddy** said they would review the Map he left them to review and contact him with any changes. **Matt** thanked the Board.

Trail Maps

Eric handed a copy of the trail maps he has been working on for the Conservation Commission to be handed out to the public at some point. **Eric** said he needs to know what format, size and how detailed the Board wants the maps to be. There are also trails on the maps that he hasn't added in if they could add any trails that may be missing and any historical sites that he may need to add in if the Board wasn't to include that information. The Board said they would review the copies and get back to him.

Water Testing

Buddy said they haven't done any water testing yet this year. He asked Jay to contact Mrs. Bramley and see if she would mind taking water samples again this year set it up with her to collect a sample for testing.

Weed Watcher Program

Buddy said the Weed Watchers have found small areas of milfoil at the Lake. They marked them with buoys and last week the DES divers came to pull the weeds.

Milfoil Treatment at Lake Potanipo

Jay said they will not be able to treat this year. The Application was due back in May. **Buddy** asked if they will get the money for the permit fee back. **Jay** said they will keep the fee and just start next year's permit process. **Tad** said the money from the warrant article that was passed this year for milfoil treatment at the Lake will not be spent and they will need to submit a new warrant article for next year.

Lot E-23-9, Conneck Road (Parodi Lot)

Buddy said they will need to do a site walk and decide where the parking area will go. **Tad** asked if this is a project they want to start this year. **Jay** said yes. The Board decided to set a meeting time of Saturday, August 13, 2011 at 9:00am and they will meet at the Parodi Lot. Kristen will post the site walk information.

Scabbard Mill Brook Trail

Buddy asked if there was an update on this trail work yet. **Jay** said no but he will call Bob Cordiero (Pepperell Bob) from the Brookline Ice Breakers to get an update.

Code of Ethics

The Board reviewed the document (attached).

Tad said the Board of Selectmen have adopted the Code of Ethics. This is a non-binding Document that was recommended at the 2005 Town Meeting. The Board of Selectmen have asked all other Boards and Committees review this document and adopt as well. This is also recommended by the auditors.

Therry made a motion to adopt the Code of Ethics from the 2005 town Meeting. Jay Seconded. Voted yes 3-1.

Melendy Pond Management Plan

Jay said in the Management plan that Craig Birch handed in he recommend cutting 100 acres around vernal pool areas and to stay about 100 to 200 feet away from all houses. **Jay** said the first order of business would be to determine more equitable places for log landing areas. We will also need to find out where the money will go. **Tad** said the options would be general fund or Conservation Land Acquisition account. **Jay** asked if the Board thought they should hold a public hearing to find out where the money should go. **Buddy** said he thinks they should wait until the market gets better. **Jay** said the Management of the forest would be more important than the revenue. **Jay** said Beaver Brook is forested every year just to manage the property. They recommend you log ever 20 to 30 years to maintain a healthy forest. **Therry** asked if he thought they would need to hold a public hearing every year. **Jay** said no, one public meeting to kick off the plan. **Tad** asked where the Board feels the money should go. **Jay** said he though it should go into the general fund. The Conservation Commission has funds being put into the Conservation Funds from the land use change tax. He thinks it would be a show of good faith if they have a revenues deposited into the Town's general operating budget. **Therry** agreed.

Jay said he will ask Craig Birch about where the best log landing areas would be. **Buddy** said if Craig is going to be our forester then he would rather have someone else to log the property. **Jay** and **Eric** agreed. **Therry** said there could be a conflict if he is working both projects.

8:50 pm Non-public

Jay moved to go into non-public session under RSA 91-A: 3, II (d) for the purpose of discussing a possible land acquisition and adjourn the meeting immediately after. Therry Seconded. Vote yes by roll call Therry, Jay, Tad, and Buddy all voted yes.

Jay moved to come out of Non-public session under RSA 91-A: 3 II (d) and seal the minutes and adjourn the meeting immediately after. Therry Seconded. Vote by roll call. Therry, Jay, Tad, and Buddy all voted yes.

Jay made a motion to adjourn at 9:45. Therry Seconded. Vote yes 4-0.

Francis (Buddy) Dougherty, Chairman _____

Therry Neilsen-Steinhardt, Vice-Chair _____

Tad Putney, Member Selectmen's Representative _____

Jay Chrystal, Member _____

Evangelos (Evan) Gerekos, Alternate _____

Eric DiVirgilio, Alternate _____

**Minutes submitted by Kristen Austin
Next meeting will be held on September 13, 2011**

Code of Ethics

Non Binding Resolution passed 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.

Francis (Buddy) Dougherty,
Chairman

Therry Neilsen-Steinhardt,
Vice-Chair

Jay Chrystal,
Member

Tad Putney,
Selectmen's Representative

Evan Gerekos,
Alternate

Eric DiVirgilio
Alternate

Signed by the Board on August 9, 2011.