

**BYLAWS  
OF THE  
COMMISSION ON CONSERVATION AND AGRICULTURE  
OF THE  
CITY OF MIDDLETOWN, CONNECTICUT**

**ARTICLE I**

**NAME**

The Commission shall be known as the Commission on Conservation and Agriculture of the City of Middletown (herein "Commission").

**ARTICLE II**

**PURPOSE AND AUTHORIZATION**

The Commission shall have the following powers and duties as set forth in Chapter 97, Section 7-131a, Section 7-131v of the Connecticut General Statutes, and Chapter 14, Article VII of the Middletown Code of Ordinances, as amended.

**ARTICLE III**

**POWERS AND DUTIES OF THE COMMISSION**

The Commission shall have the powers and duties as set forth in Chapter 97, Section 7-131a and Section 7-131v of the Connecticut General Statutes, and Chapter 14, Article VII of the Middletown Code of Ordinances, as amended.

1. The Commission shall:
  - A. Conduct research into the utilization and possible utilization of land areas of the municipality and may coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare and distribute books, maps, charts, plans and pamphlets as necessary for its purposes.
  - B. 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, and may from time to time recommend to the Planning and Zoning Commission or, if none, to the Mayor or the Common Council, plans and programs for the development and use of such areas.
  - C. Keep records of its meetings and activities, and shall make an annual report to the municipality in the manner required of other agencies of the respective municipalities.

2. The Commission may:
  - A. Propose a greenways plan for inclusion in the plan of conservation and development of the municipality prepared pursuant to Chapter 97, Section 8-23 of the Connecticut General Statutes.
  - B. Inventory natural resources and formulate watershed management, drought and farmland management plans. Such plans shall be consistent with water supply management plans prepared pursuant to Chapter 97, Section 25-32d of the Connecticut General Statutes.
  - C. Make recommendations to zoning commissions, planning commissions, inland wetlands agencies and other municipal agencies on proposed land use changes.
  - D. With the approval of such legislative body, acquire land and easements in the name of the municipality and promulgate rules and regulations, including but not limited to the establishment of reasonable charges for the use of land and easements, for any of its purposes as set out in this section.
  - E. Supervise and manage municipally-owned open space or park property upon delegation of such authority by the entity which has supervisory or management responsibilities for such space or property.
  - F. Receive gifts in the name of the municipality for any of its purposes and shall administer the same for such purposes subject to the terms of the gift.
  - G. Exchange information with the Commissioner of Energy and Environmental Protection, and said commissioner may, on request, assign technical personnel to a commission for assistance in planning its overall program and for coordinating state and local conservation activities.

#### **ARTICLE IV**

##### **OFFICE OF THE COMMISSION**

The Commission's office shall be considered to be the Planning, Conservation and Development Office. A member of the Planning, Conservation and Development Office shall serve as staff to the Commission to assist the Commission in achieving its goals and objectives.

#### **ARTICLE V**

##### **MEMBERSHIP OF THE COMMISSION**

1. **Membership.** The membership, in terms of office, shall be as specified in Chapter 14, Article VII, Section 14-27 of the Middletown Code of Ordinances, as amended:

- A. Composition of the Commission. The Commission shall consist of eleven (11) regular members and three (3) alternate members of the City to be appointed by the Mayor with the consent of the Common Council. All members must be residents of the City of Middletown. At least three members of the Commission shall be experienced in the management, protection and/or the regulation of agriculture as defined by Connecticut General Statutes
  - B. Regular Members. Regular members shall serve terms as follows: four (4) shall serve for a one (1) year terms; four (4) shall serve for two (2) year terms; three (3) shall serve for three (3) year terms.
  - C. Alternates. The three alternate members shall serve as follows: one (1) shall serve for a term of one (1) year; one (1) shall serve for a term of two (2) years; and one (1) shall serve for a term of three (3) years.
2. **Vacancies.** Filling of Commission vacancies shall be conducted in a manner that will maintain the staggered term expiration dates. New Commissioners appointed to fill unexpired terms will serve the remainder of the term. Vacancies in membership of the Commission shall be filled by the Mayor with the consent of the Common Council.
3. **Terms of Office.** The terms of all Commission members, regular and alternate, shall commence on February 15. New Commissioners appointed at the start of a term or Commissioners being reappointed shall be appointed for a full three (3) year term.
4. **Removal of Commission Members.** Pursuant the Middletown Charter, Chapter VIII, Section 4, as amended, in the event that any Commission member misses three (3) consecutive regular meetings, without good cause shown, the Commission Chairperson, following a majority vote by the Commission, may recommend to the Mayor, that he/she remove the member and fill the vacancy created by the manner provided in this Article.
5. **Designation of Alternates, Absence of Regular Members.**
- A. Designation of Alternates. If a regular member of the Commission is absent, such member may designate an alternate from the panel of alternates to act in his place. If he fails to make such designation or if he is disqualified, the Chairman of the Commission shall designate an alternate from such panel, choosing alternates in rotation so that they shall act as nearly equal a number of times as possible. If any alternate is not available in accordance with such rotation, such fact shall be recorded in the minutes of the meeting. Alternates shall serve for the entire meeting in which they are designated to act in the absence or disqualification of a regular member. However, if an alternate replaces a regular member because of disqualification on any issue (as defined in Article VIII) rather than absence, the same alternate shall serve on any such issue until the issue is resolved even if extended beyond a single meeting.

- B. Absence of Regular Members. If a regular member was absent for an earlier deliberation of an agenda item, before such member may vote on such agenda item, the member must affirm that they have reviewed all the evidence provided on the issue and is sufficiently informed to make a decision.

## ARTICLE VI

### OFFICERS AND THEIR DUTIES

1. **Officers.** The officers of the Commission shall consist of a Chairperson, a Vice Chairperson and a Secretary.
2. **Chairperson.** The Chairperson shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers. The Chairperson shall have the authority to appoint committees, call special meetings and generally perform other duties as may be prescribed in these bylaws. The Chairperson shall be one of the regular Commission members. He/she shall have the privilege of discussing all matters before the Commission and voting thereon.
3. **Vice Chairperson.** The Vice Chairperson shall act for the Chairperson in his/her absence and have the authority to perform the duties prescribed for that office. He/she shall be a regular Commission member.
4. **Secretary.** The Secretary shall record the minutes and place these and other records of the Commission in the appropriate office (see Section 5, below) and shall prepare the agenda of regular and special meetings under the direction of the Chairperson, provide notice of all meetings to Commission members and the Town Clerk, arrange proper and legal notice of hearings, attend to correspondence of the Commission and such other duties as are normally carried out by a Secretary. The Secretary may be one of the Commission's regular or alternate members, or municipal staff to the Commission. The Secretary shall ensure that records are retained in accordance with all applicable Connecticut laws and in accordance with the Connecticut State Library retention requirements. In the absence of the Secretary, the Chairperson shall appoint a Secretary Pro Tem.

## ARTICLE VII

### ELECTION OF OFFICERS

1. **Annual Meeting.** An annual meeting shall be held during the first regularly scheduled meeting of the calendar year, at which time officers will be elected and bylaws reviewed.

2. **Nominations.** Nominations shall be made from the floor at the annual meeting and elections of the officers specified in Section 1 of Article VI shall follow immediately thereafter.
3. **Election.** The candidate receiving a majority vote from the membership of the Commission shall be declared elected and shall serve until the first meeting of the next calendar year in accordance with Section 1 of this Article.
4. **Vacancies.** Vacancies in offices shall be filled by the regular election procedures (as provided for in this Article) or as needed when vacancies arise.
5. **Resignations.** Resignations from the Commission shall be in written form and transmitted to the Chairperson who will then forward them to Commission staff and to the Mayor.

## ARTICLE VIII

### MEETINGS

1. **Regular Meetings, Special Meetings.** The Commission may hold regular, special, and emergency meetings in accordance with Section 1-225 of the Connecticut General Statutes, as amended.
  - A. Regular Meetings. Regular monthly meetings will be held on the third Tuesday of each month at 7:00 p.m. at City Hall or other public location as designated by public notice. Public notice of each meeting shall be given in accordance with C.G.S. § 1-225, as amended, and any other applicable state law.
  - B. Special Meetings. Special Commission meetings may be called at the discretion of the Chairperson. Notice of Special meetings shall be provided to the City and Town Clerk at least 24 hours prior to the meeting, in accordance with C.G.S. § 1-225, as amended, and any other applicable state law.
2. **Cancellation of Meetings.** Meetings may be cancelled with approval by the Chairperson. Should the Chairperson be unavailable to approve the cancellation of a meeting, the Vice-Chair will be contacted. In the event of a cancelled meeting, the meeting will be rescheduled, and such cancellation shall be posted in a public place, in accordance with Connecticut law. Additionally, in the event that there is no quorum at any meeting, no business may be conducted or acted upon by the Commission at such meeting.
3. **Conduct of Meetings.** All meetings of the Commission shall be conducted in accordance with these Bylaws. In the event that the Bylaws are silent, Robert's Rules of Order shall govern. The meeting shall be run by the Chairperson and meeting minutes shall be taken by the Secretary or by the Secretary Pro-Tem.

4. **Voting, Quorum.** Each regular member or seated alternate member attending a meeting of the Commission shall be entitled to cast one vote. At any meeting of the Commission, a majority of voting members (six members) shall constitute a quorum and the number of votes necessary to approve Commission actions shall be a majority of members present. A tie vote shall be considered a defeat of the motion.
5. **Conflicts of Interest, Disqualification of Members.** All members of the Commission shall adhere to the Middletown Code of Ethics, as set forth in Chapter 40, Article I of the Middletown Code of Ordinances. Furthermore, all regular and alternate members of the Commission shall disqualify him/herself from discussing, acting upon and voting on any item before the Commission in the event that member has any conflict of interest, as such term is defined in Section 40-6 of the Middletown Code of Ordinances.
6. **Order of Business.** The order of business for each Commission meeting is as follows:
  - a. Call to Order
  - b. Accept the Agenda
  - c. Public Forum
  - d. Approval of Minutes
  - e. Staff Report and Correspondence
  - f. Officers and Committee Reports
  - g. Old Business
  - h. New Business
  - i. Member Forum
  - j. Adjournment
7. **Meetings Open to the Public, Executive Session.** All Commission meetings shall be open to the public, except when the Commission is in executive session for one of the valid reasons for an executive session, as set forth in Section 1-200(6) of the Connecticut General Statutes, as amended. In order to enter into an executive session, the Commission must vote by two-thirds (2/3rds) majority of the members present and voting, in accordance with Section 1-225 of the Connecticut General Statutes, as amended.
8. **Hiring of Consultants.** Within the limits of funds available, the Commission may obtain the services of City staff, consultant(s), and/or specialist(s).

## ARTICLE IX

### COMMITTEES

1. **Ad-Hoc Committees, Standing Committees, Generally.** Ad-hoc and standing committees may be appointed by the Commission Chairperson for purposes and terms approved by the Commission. Chairpersons of standing committees shall be elected by majority vote by members of their respective committees. Ad-hoc committees may elect not to have a chairperson. Ad-hoc committee meetings shall be run by a regular member designated by the committee. Minutes for all committee meetings shall be taken and

submitted to the staff liaison and/or Planning, Conservation and Development Department for storage.

A. Standing Committees. There shall be three (3) standing committees within the Commission to be known as:

I. *Open Space Management Committee*– The role of which is to propose, organize and participate in activities related to the management of the City’s open space properties.

II. *Open Space Acquisition Committee*– The role of which is to propose and participate in activities related to the acquisition of open space and development rights pertaining to open space, including the review and evaluation of properties and funding opportunities.

III. *Outreach Committee*– The role of which is to plan and/or participate in activities that educate the public about the City’s open space properties and natural resources, including updating and publishing the trail guide.

B. A majority of regular and/or alternate members to each group shall be present for the conduct of business and voting. Only designated committee members shall have voting privileges. The Chairperson of the Commission may serve ex-officio on the standing committees.

2. **Committee Meetings Open to the Public, Executive Session.** All Committee meetings shall be open to the public, except when the Committee is in executive session for one of the reasons the Commission is empowered to hold an executive session, as set forth in Section 1-200(6) of the Connecticut General Statutes, as amended. In order to enter into an executive session, the Committee must vote by two-thirds (2/3rds) majority of the members present and voting, in accordance with Section 1-225 of the Connecticut General Statutes, as amended.

## ARTICLE X

### BUDGETS

Recommended budgets and budget changes shall be approved by two-thirds (2/3rds) vote of the members present and voting.

## ARTICLE XI

### AMENDMENTS

These bylaws may be amended by two-thirds (2/3rds) of the vote of the entire voting membership of the Commission only after a proposed change has been read and discussed at a regular meeting.

By-laws Adopted: July 18, 2017