

Conservation-Lake Commission Ordinance

Town of East Hampton

LEGAL NOTICE

At the Regular Meeting of the East Hampton Town Council on Tuesday, May 12, 2009, the following ordinance was Adopted:

Chapter 20

THE CONSERVATION- LAKE POCOTOPAUG COMMISSION

HISTORY: Adopted by the Town Council of the Town of East Hampton 5-12-2009.

Section 20-1 - Establishment

In order to promote the development, conservation, and supervision of natural resources, including water resources within the territorial limits of the Town of East Hampton, an East Hampton Conservation-Lake Pocotopaug Commission is hereby established and hereinafter referred to as "The Commission".

Section 20-2 – Duties

A.) The Commission shall 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.) The Commission shall 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 plans and programs for the development and use of such areas, which may include the acquisition of conservation easements.

C.) The Commission shall recommend acquisition of land and easements to the Town Council for purpose of open space or recreational use. The Commission, upon approval of the Town Council and Town Meeting, may receive gifts of land and easements in the name of the Town of East Hampton for purposes not inconsistent with this chapter.

D.) The Commission may receive gifts of money in the name of the Town of East Hampton for any purpose not inconsistent with the purpose of this chapter. Such gifts of money, if not designated for a special purpose by the donor, shall be determined by a vote of the Commission. Special gifts of money shall be deposited in a special fund of the Town of East Hampton created for this purpose and may be used by the Commission for such special purposes upon approval by the Town Council. The Director of Finance shall keep an accurate record of all funds received and disbursed.

E.) The Commission shall recommend to the Town Manager or designee best management practices for land management on Town owned properties.

F.) The Commission shall be the advisory resource of information from and among each of the Town agencies with the respect to any aspect of conservation of natural resources, including water resources.

G.) The Commission shall provide a *Lake Pocotopaug and Watershed Management Plan* at the end of nine (9) months from the effective date of this ordinance with updates submitted annually, that protects the environmental aspects of the Lake Pocotopaug ecosystem and watershed area and other possible watershed management areas including but not limited to the Connecticut River, Salmon River, and Pine Brook, improves water quality, and ensures appropriate ongoing maintenance and monitoring.

H.) The Commission shall evaluate and monitor the environmental and biological needs and conditions of Lake Pocotopaug, the Salmon River, the Connecticut River, and other streams and tributaries of same within the Town of East Hampton, and actively investigate grant opportunities. It shall seek input and establish relationships when necessary with State agencies, hired consultants, and town organizations and commissions to create necessary Water Protection programs or actions to abate algae and

aquatic weed growth, improve fish populations, and combat existing and potential sources of pollution. It may make recommendations to the Inland Wetlands and Watercourses Agency (IWWA) and other town agencies and commissions with respect to all applications submitted to the Commission in accordance with the terms of this ordinance.

I.) The Commission shall, on a periodic basis, but not less than annually, report to the Town Council the environmental conditions of open space, greenbelts, Lake Pocotopaug and its watershed, the Salmon River, the Connecticut River, and other streams and tributaries of same within the Town of East Hampton any changes in conditions, and recommend steps to remediate or improve such conditions.

J.) The Commission shall work in cooperation with state environmental agencies to conduct water quality management studies, establish educational programs and disseminate information regarding the care, preservation and protection of Lake Pocotopaug, the Salmon River, the Connecticut River, and other streams and tributaries of same within the Town of East Hampton by area residents and the general public.

K.) The Commission shall review all applications submitted to the East Hampton IWWA, Planning and Zoning Commission (P&Z), and Zoning Board of Appeals (ZBA), relating to and/or affecting open space, greenbelts, the Lake Pocotopaug Watershed area, the Salmon River, the Connecticut River, and other streams and tributaries of same and other natural resources within the Town of East Hampton. All applications shall be submitted to the Commission within five business days of receipt by the IWWA, P&Z, and ZBA. Any Commission advisory opinion shall be rendered in sufficient time to enable the IWWA, P&Z, and ZBA, and other town agencies and commissions to review and act upon the application within the time prescribed by state statute when applicable.

Section 20-3 – Membership and Appointments

The Commission shall consist of not more than nine (9) regular members and not more than three (3) alternates all appointed to staggered, overlapping terms by the Town Manager of the municipality, to serve for terms to be designated by the Town Council. All appointments shall be for a term of four years and terms shall expire on June 30 in each year, except that an appointment to fill an unexpired term shall be for the duration of said unexpired term only. Within a period not exceeding 30 days after the first day of July of each year, the members of the Commission shall elect a Chairman and Vice Chairman from their own members. The Town Manager may remove any member for cause and may fill any vacancy. Each of the said commissioners shall serve without compensation and shall be electors of the Town of East Hampton. No more than six (6) regular members may be from any one political party.

The Town Manager shall assign staff support to the Commission, as he shall deem necessary to ascertain the work and operations of the Commission. The assigned staff member will work with the Commission Chairman to develop the agenda for the meetings and will assist as the conduit to the Town Managers Office, Town Council and other Commissions.

Section 20-4 – Organization & Attendance

Regular meetings will be held monthly at the East Hampton Town Hall or other appropriate town public building. The officers of the Commission shall consist of a Chairman and a Vice Chairman. The Chairman shall preside at all meetings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers. The Chairman shall have the authority to appoint committees, call special meetings, and generally perform other duties as may be prescribed by Commission bylaws. The Chairman shall be one of the Commission members and shall have the privilege of discussing all matters before the Commission and of voting thereon. The Vice Chairman shall act for the Chairman in his or her absence and shall have the authority to perform the duties prescribed for that office. He or she shall be a Commission member.

The Commission shall adopt bylaws, regulations, rules, and procedures to carry out the purpose of this Ordinance. The Commission, through its Town Staff designee, may submit a budget request to the Town Manager in accordance with the procedures set forth in the Town Charter.

Members shall notify Town Staff or the presiding Chair of his or her inability to attend regularly scheduled or special meetings. Attendance policy shall be in accordance with set Town policy.

This Ordinance will be in effect 20 days following publication.

Approved: May 12, 2009

Published: May 15, 2009

Effective: June 3, 2009