

LOWER MERRIMACK RIVER LOCAL ADVISORY COMMITTEE

BY LAWS
Adopted June 26, 2003

Article I NAME

- A. The name of this voluntary organization shall be the Lower Merrimack River Local Advisory Committee, hereinafter referred to as the Committee.

Article II AUTHORIZATION and DUTIES

- A. The authorization for the establishment of the Committee and its duties are set forth under New Hampshire RSA Chapter 483 and amendments thereto.
- B. The Committee shall:
 - 1. Advise the Commissioner of the New Hampshire Department of Environmental Services (hereinafter referred to as the Commissioner), the Rivers Management Advisory Committee (RMAC), and the municipalities, through which the Lower Merrimack River flows, on matters pertaining to the management of the river.
 - 2. Consider and comment on any federal, state, or local governmental plans to approve, license, fund, or construct facilities that would alter the resource values and characteristics of the River.
 - 3. Develop or assist in the development and adopt of a watershed management plan. The watershed management plan shall include a river corridor management plan pursuant to RSA 483:10. No such plan shall have any regulatory effect unless implemented through properly adopted ordinances.
 - 4. Report annually to the RMAC, the Commissioner, and the local governing bodies on the activities of the Committee, including but not limited to, community education and outreach services, river corridor protection or restoration efforts, and management plan development or implementation.
- C. The Committee may apply for and accept, from any source, gifts, grants, and donations of money. The Committee may, without further authorization, expend any funds so received to carry out its duty pursuant to RSA 483:8-a.

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Article III MEMBERSHIP

- A. The Commissioner shall appoint the Committee. Committee members shall be chosen from lists of nominees submitted by the local governing bodies of Nashua, Merrimack, Litchfield and Hudson.
- B. The Commissioner shall appoint at least one (1) person from each of the municipalities named in Article III A. to the Committee. All members of the Committee shall be New Hampshire residents. In the event of a member's resignation, the Commissioner shall appoint a new member upon the nomination of that municipality's governing board.
- C. The Committee shall be composed of at least seven (7) members who represent a broad range of interests in the vicinity of the Lower Merrimack River corridor. These interests shall include, but not be limited to, local government, business, conservation interests, recreation, agriculture, and riparian landowners. If an interest is not represented by the local governing bodies' nominations, the Commissioner may appoint a member from the vicinity of the Lower Merrimack River corridor to the Committee who will represent that interest.
- D. Each member shall serve a term of three (3) years.
- E. Associate members may be appointed to the Committee annually by majority vote of full Committee members. Associate members are non-voting members of the Committee, but may engage in all remaining regular activities of the Committee. Associate membership is open to the residents of all communities within the Lower Merrimack River Watershed.

Article IV OFFICERS

- A. The Officers of the Committee shall consist of a Chairperson, Vice-Chairperson, Secretary, Treasurer, and Public Relations.
- B. The Chairperson shall preside at all meetings and hearings of the Committee and the Chairperson or her/his designee shall have the authority to represent the Committee as required before local, state, and federal governments, and public and private agencies in carrying out the duties of the Committee.
- C. The Vice-Chairperson shall act for the Chairperson in his/her absence and assume such other duties as may be assigned by the Chairperson or the Committee.
- D. The Treasurer shall receive and make payments as authorized by the Committee,

maintain and reconcile bank accounts, report on all financial activity to the Committee at the regular monthly meeting, submit an annual report of all financial activity to the Committee, and transact any and all other necessary financial business as authorized by the Committee.

- E. The Secretary shall be responsible for posting notice of upcoming Committee meetings as indicated in Article VII A. and keep a record of all such notices, and record all correspondence sent and received by the Committee and shall assume such other duties as may be assigned by the Chairperson or the Committee. The Secretary shall keep minutes for each meeting unless the Chairperson, or his/her designee, appoints another Committee member to record the minutes prior to the meeting's commencement.
- F. The Public Public Relations Officer shall be responsible for outreach, education, publicizing the efforts of the Committee, serving as press spokesperson and submitting annual reports to each community in the corridor in addition to the State.

Article V ELECTION OF OFFICERS

- A. Officers shall be elected annually in June of each year. A candidate receiving a majority vote of the members present shall be declared elected and shall serve for one year. Vacancies in office shall be filled immediately at the next meeting by a majority vote of the members in attendance, providing a quorum is present.
- B. A nominating committee shall be appointed in March.

Article VI VOTING POWERS

- A. Each member shall be entitled to one (1) vote and each member must be present to vote.
- B. Business, including that requiring a vote, may be conducted with a quorum present. Should a simple quorum not be present, all business requiring a vote shall be deferred until the next regularly scheduled meeting. A quorum is when greater than 50% of the membership is present at the time of the vote.
- C. Determinations of any matter before the Committee shall require a quorum.

Article VII MEETINGS

- A. All meetings shall be open to the public. Notice of all meetings shall be posted in an agreed upon location in each of the riverfront towns named in Article III A at least 24 hours in advance and in accordance with all applicable local, state, and

federal laws.

- B. Regular meetings of the Committee will be held on the fourth Thursday of each month or as agreed upon at a prior meeting.
- C. Regular meetings of the Committee will normally be held at the Nashua Regional Planning Commission or as agreed upon prior to the meeting.
- D. Special meetings of the Committee may be called by the Chairperson provided that at least four (4) days notice of the time, place, and business of such meeting be given to each member.
- E. Robert's Rules of Order will govern the proceedings at the meetings when necessary as determined by the Chairperson.
- F. Draft minutes shall be forwarded to the Selectmen and City Councilors or other appropriate municipal boards or commissions for each of the waterfront towns named in Article III A within 6 days following the meeting. Draft copies of the minutes from previous meetings shall be forwarded to each member prior to the next meeting. The minutes of previous meetings shall be submitted for approval at the regular meeting and any errors noted and corrections made, after which the regular order of business may be addressed. The reading of the minutes may be dispensed with and approved if there are no objections.
- G. Records shall be kept of member attendance. In the event that any member is absent from three consecutive meetings and six meetings within a twelve month period, the Chairperson may request the Commissioner to terminate that membership and make a new appointment to replace that former member.
- H. In the event that an issue comes before the Committee that requires a confidential discussion in a non-public forum among Committee members, the decision to call an executive session may be invoked. Specific purposes of an executive session may include, but are not limited to, personnel matters, land negotiations, and legal issues. In order for an executive session to be called a two-thirds (2/3) majority of Committee members present at the meeting shall vote to exclude all except voting Committee members. During such executive sessions the Committee may discuss the issue under consideration, but may not take action or reach a formal decision on how to proceed in a non-public session. At times of executive session all non-Committee members shall leave the meeting, unless specifically requested to remain by the Committee. The proceedings of an executive session shall comply with RSA 91-A:3.

Article VIII SUPPORT SERVICES

- A. The Committee may enter into agreement for services, funding or other support

from municipalities, regional planning commissions, National Park Service, New Hampshire Office of State Planning, New Hampshire Department of Environmental Services, Society for the Protection of New Hampshire Forests, Merrimack River Watershed Council, Pennichuck Brook Watershed Council, local governments, or other entities as appropriate.

Article IX AMENDMENTS

- A. These by-laws may be amended at any regular meeting by a quorum provided that such amendment has been presented in writing to the Committee at its previous meeting.

As adopted June 26, 2003