

# **FARMINGTON RIVER COORDINATING COMMITTEE**

## **BY-LAWS**

**Adopted 2/8/96**  
**Amended 7/12/01**  
**Amended 3/27/03**  
**Amended 1/22/04**  
**Amended 10/28/04**

### **ARTICLE I. NAME**

The official designation of the committee is the Farmington River Coordinating Committee (hereinafter referred to as the "Committee"), in accordance with Public Law 103-313, August 26, 1994.

### **ARTICLE II. PURPOSE**

The purpose of the Farmington River Coordinating Committee is to promote the long-term protection of the upper Farmington River by: (1) bringing the interested parties in river management together on a regular and ongoing basis, (2) stimulating cooperation and coordination among those parties, (3) providing a forum for all river interests to discuss and resolve issues, and 4) coordinating implementation of the upper Farmington River Management Plan, April 29, 1993.

This type of representative body is indispensable for long term management because of the complexities and significance of the upper Farmington River system. Given the number of jurisdictions and interests involved in the upper Farmington River Valley, no one entity can assume sole management responsibility or provide the necessary protection by itself.

Furthermore, management decisions by anyone entity are likely to impact a number of other interests. The forum provided by the Committee will ensure communication among all parties and the representation of all viewpoints in making and implementing management decisions.

**ARTICLE III. FUNCTION**

As required by Public Law 103-313, the Committee will have an advisory role only. It will not have regulatory or land acquisition authority. The Committee may provide advice to existing entities that have management or regulatory authority affecting the river, but it will not have the power to dictate the actions or decisions of any of those entities.

The Committee will not have additional authority for the following reasons: (1) a major emphasis throughout the wild and scenic study process has been to work within existing authorities to achieve effective protection of the river, (2) there is no need to create an additional layer of regulatory bureaucracy, and (3) there is no need for land acquisition authority beyond what already exists at the local and state levels.

**ARTICLE IV. MEMBERSHIP**

**A. Core Voting Membership**

Consistent with the Upper Farmington River Management Plan, the Core Voting Membership of the FRCC consists of the following nine entities:

• Town of Colebrook	• State of Connecticut
• Town of Hartland	• Metropolitan District Commission
• Town of Barkhamsted	• Farmington River Watershed Association
• Town of New Hartford	• US Department of the Interior (National Park Service )
• Town of Canton	

**B. Additional Membership**

New members shall be welcomed to the FRCC by a unanimous finding of the core voting membership that the candidate meets the following criteria:

- The candidate organization (or entity) has a demonstrated a sustained interest and capacity to support the purposes of the Wild and Scenic River designation, and,

- The participation of the candidate organization (or entity) is likely to enhance the effectiveness of the FRCC in its efforts to implement the Upper Farmington River Management Plan.

New members shall be considered non-core members as described in the Upper Farmington River Management Plan.

#### C. Massachusetts Interests

The appointment of Massachusetts Interests to the FRCC shall be governed by the applicable provisions of the Upper Farmington River Management Plan.

#### D. Appointments

Each member institution shall be requested to appoint a regular and an alternate representative, to be appointed by the governing body of that institution. For the purposes of the Core Voting Membership, the following governing bodies will make appointments:

- Town representatives, by the board of selectmen
- State representatives, by the Governor
- Metropolitan District Commission representatives, by the District Commissioners
- Farmington River Watershed Association representatives, by the Board of Directors
- Department of Interior representatives, by the Director, National Park Service

While not a requirement, each riverfront town is encouraged to appoint a riparian landowner as either its designee or alternate.

E. All representatives shall serve at the will of their respective member institution.

F. While the designees and alternates will be the official representatives of the respective institutions, staff from any organization having expertise relevant to the Committee's activities will be encouraged to participate on an ongoing basis.

#### G. Removal of Non-Core Members

Any member of the FRCC not included among the Core Voting Membership may be removed from membership by unanimous vote of the Core Voting Membership provided that 30 days written notice, including the reasons for such proposed action, has been provided to all existing FRCC members, and provided that the offending member has had the opportunity to address said reasons at a regular meeting of the FRCC.

### **ARTICLE V. COMPENSATION OF MEMBERS**

Representatives of the Committee shall receive no pay or other compensation from Committee funds in consideration of service on the Committee. Reimbursements, if any, for expenses incurred in furtherance of such service shall be as determined by the voting members.

### **ARTICLE VI. OFFICERS**

A. The voting members of the Committee shall elect a Chair, Vice Chair and recording Secretary and Treasurer from the membership of the Committee. Officers shall be elected by a unanimous vote of members. The Chair will be selected from among all members except the National Park Service. No member shall hold more than one officer position at a time.

B. The term for each officer shall be for twelve (12) months or until elections can be held. Officers may be elected to successive two terms, except for the treasurer who does not have a limit to number of terms. Should any officer not be able to serve a full term, an election shall be held at the next meeting of the Committee to select a replacement as defined in Section VI. A.

C. The duties of the officers will include, but not be limited to, the following:

1. The Chair shall preside at all meetings of the Committee; serve thereon ex-officio of all subcommittees; shall certify the accuracy of all minutes of the Committee meetings; and shall approve all communications to be sent out in the name of the Committee.
2. In the event of absence or disability of the Chair, the Vice Chair shall perform the duties of that Chair.

3. The recording Secretary shall be responsible for preparing official minutes of each regular and special meeting of the Committee, and supplying these minutes to all Committee members at least seven (7) days in advance of the meeting.
4. The Treasurer shall keep all financial records and report to full Committee at each meeting.

#### **ARTICLE VII. MEETINGS**

- A. The Committee will hold regular meetings on a monthly basis, or as needed, unless otherwise called by Chair. Such meetings will generally begin at 7:00 P.M. and conclude not later than 9:30 P.M., unless a majority of those present and voting agrees to continue the meeting beyond 9:30 P.M.
- B. All meetings of the Committee shall be open to the public and announced to the local press at least one (1) week in advance.
- C. Any meeting of the Committee may be adjourned to a fixed date, time and place by majority vote of those members present and voting. An adjourned meeting may be conducted in accordance with such vote without the need to publish or otherwise provide advance notice of such adjourned meeting.
- D. Additional meetings of the Committee may be called, or meetings may be canceled, by the Chair or at the request of a majority of the Committee members. Notice of additional meetings or cancellations will be provided not less than seven (7) days in advance to all members in writing, or by personal telephone contact.
- E. Action by Consent. Any action required or permitted to be taken at any meeting of the Committee may be taken without a meeting if all of the members consent to the action in writing, fax or email and such consents are filed with the records of the meetings of the Committee. Such consents shall be treated for all purposes as a vote at a meeting.

F. Presence Through Communications Equipment. Members of the Committee may participate in a meeting of the Committee by means of a conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other at the same time, and participation by such means shall constitute presence in person at a meeting.

### ARTICLE VIII. QUORUM

A. A majority of the members of the Committee shall constitute a quorum for all meetings. In the event a quorum fails, those present may constitute themselves as a subcommittee and make recommendations to the full Committee.

B. A member's vote may be cast by either its designee or alternate at the member's discretion. In the event that neither can attend the subject meeting, the member vote may be cast by means of a signed proxy exercised by another member of the Committee, but any member so voting shall not be considered present for the purposes of establishing a quorum.

The form for the proxy is as follows:

I, \_\_\_\_\_, hereby appoint \_\_\_\_\_ as proxy to vote in my behalf on all matters that may come before the \_\_\_\_\_ meeting of the Farmington River Coordinating Committee.

Signed (Name) \_\_\_\_\_

Proxy (Name) \_\_\_\_\_

Date: \_\_\_\_\_

A. An affirmative vote of a voting member not present in person or by proxy on an issue may be registered by presentation to the Secretary on or before the next meeting of the Committee an affirming consent in the form as follows:

**CONSENT**

I, \_\_\_\_\_, hereby consent to and vote in favor of the following action of the Farmington River Coordinating Committee.

Action: \_\_\_\_\_

Signed: \_\_\_\_\_

(Name)

Date: \_\_\_\_\_

D. Members shall notify the Chair or Vice Chair in advance of any meeting if they will not be represented.

**ARTICLE IX. CONDUCT OF BUSINESS**

A. Discussion and debate among Committee members will be carried on in an informal manner directed through the chair. All decisions and actions will be determined by consensus except the unanimous consent requirement shall apply to the Core Voting Membership of the FRCC as defined in these by-laws and in the Upper Farmington River Management Plan when approving changes to the Upper Farmington River Management Plan, changes to the FRCC By-laws, addition of new members, expenditures of over \$2,000 and election of officers.

B. Each voting member shall be entitled to vote on each issue or motion. Votes will be conducted for election of officers, changes in by-laws and on any other matter as requested by any Committee member, provided that the roll need not be called if the Chair, without objection from any Committee member, finds unanimity among the Committee members. Members may abstain from voting on any issue that is, or may be perceived as, a conflict of interest.

C. Any member may defer for one (1) meeting any motion or recommendation being considered for a vote

D. Differences of opinion in regard to points of order or modes of procedure not otherwise provided for herein will be governed by parliamentary practices as set forth in Robert's Rules of Order Newly Revised.

E. The agenda for Committee meeting shall be developed by the Chair in consultation with the officers and members. Committee members with proposals for inclusion in the agenda shall notify the Chair in sufficient time for them to be included in the notice of that meeting. Matters not on the agenda set forth in the notice may be added to the agenda at the meeting by unanimous vote of those members present.

F. Minutes of each Committee meeting shall be kept and shall contain a record of the persons present, a description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the Committee. Copies of all minutes and related documents shall be available for public inspection without charge at the office of the Secretary, and otherwise as determined by the Committee.

#### **ARTICLE X. SUBCOMMITTEES**

A. Subcommittees will be established by the Committee for specific purposes and will report to the full Committee.

B. All subcommittees will have a minimum of three (3) Committee members. Members shall be appointed to subcommittees by the Chair of the Committee based on individual interest and expertise.

B. Members of each subcommittee shall elect a Chair , who shall be responsible for calling meetings as needed. Officers of the full Committee may chair subcommittees, but no member shall serve as Chair of more than one standing subcommittee.

- C. Any Committee member may attend any subcommittee meeting and participate in discussions. However, only the Committee members serving on the subcommittee may vote on an issue before that subcommittee and any such action shall be subject to ratification by the Committee.

Subcommittee meetings shall be open to the public.

#### **ARTICLE XI. PUBLIC PARTICIPATION**

A. The Chair or subcommittee Chair, at his/her own discretion, may set overall limits of time for public involvement at Committee or subcommittee meetings; respectively.

B. Members of the public may request the Committee to hold a public hearing on a particular issue for consideration by the Committee. Such petitions for a public hearing shall be made at regular meetings of the Committee, and the conduct of such public hearings shall be at the disposition of the Committee.

## ARTICLE XII. BY-LAWS

The by-laws shall be adopted, and may be amended, by vote of the FRCC in accordance with the provisions of the Upper Farmington River Management Plan which require unanimous consent of the Core Voting Membership.

Adopted by unanimous action of the Farmington River Coordinating Committee

Date: 2/8/96

Randall Pease, Secretary Treasurer

Amended by unanimous action of the Farmington River Coordinating Committee

Date: 7/12/01

Diana Hiza, Secretary

Amended by unanimous action of the Farmington River Coordinating Committee

Date: 3/27/03

Jamie Fosburgh, Secretary

Amended by unanimous action of the Farmington River Coordinating Committee

Date: 1/22/04

Bud Sanders, Secretary

Amended by unanimous action of the Farmington River Coordinating Committee

Date: 10/28/04

Signed \_\_\_\_\_

Bud Sanders, Secretary