

**Holyoke Historical Commission
By-Laws**

April 4, 2018

1. NAME AND PURPOSE

The name of this organization shall be the Holyoke Historical Commission, hereinafter called the Commission.

The Commission has been established for the preservation, protection and development of the historical or archaeological assets of the City of Holyoke, according to the provisions of the General Laws of Massachusetts, Chapter 40: section 8D *Historical Commission, establishment; power and duties*. The law states that the Commission:

1. Shall conduct research for places of historic or archaeological value,
2. Shall cooperate with the state archaeologist in conducting such research or other surveys,
3. Shall seek to coordinate the activities of unofficial bodies organized for similar purposes,
4. May advertise, prepare, print and distribute books, maps, charts, plans and pamphlets, which it deems necessary for its work,
5. For the purpose of protecting and preserving such places, it may make such recommendations as it deems necessary to the city council and subject to approval of the city council to the Massachusetts Historical commission, that any such place be certified as an historical or archaeological landmark,
6. It shall report to the state archeologist the existence of any archeological, paleontological or historical site or object discovered in accordance with section twenty-seven C of Chapter Nine, and shall apply for permits necessary pursuant to said section twenty-seven C, and
7. Any information received by a local historical commission with respect to the location of sites and specimens as defined in section twenty-six B of chapter nine (Definitions applicable to Secs.26A, 26C, and 27 to 27C), shall not be a public record.

The Commission may, according to the General Laws:

1. Hold hearings, and enter into contracts with individuals, organizations and institutions for services furthering the objectives of the Commission's program;
2. Enter into contracts with local or regional associations or cooperative endeavors furthering the Commission's program;
3. Accept gifts, contributions and requests of funds, from individuals, foundations and from federal, state or other governmental bodies for the purpose of furthering the Commission's program;
4. Make and sign any agreements and perform any and all acts which may be necessary or desirable to carry out the purposes of this section.

2. APPOINTMENTS AND VACANCIES

A. Appointments

Appointments to the Commission are made by the Mayor in accordance with Chapter 40: Section 8D. The Commission "shall consist of not less than seven members." Members shall be appointed by the Mayor and approved by the City Council.

B. Terms of Appointment

Commissioners are appointed for rotating terms of three years. Any given year, approximately one third (1/3) of the Commissioners' terms shall expire.

C. Removal of Members

Any member of a Commission so appointed may, after a public hearing if requested, be removed for cause by the Mayor. Members may be asked to resign by the Chairperson or by a majority vote of

Commissioners after three (3) consecutive unexcused absences from the Commission or committee meetings or non-participation in Commission activities.

D. Vacancies

A vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as an original appointment.

E. Nominees

The Commission may make recommendations to the Mayor of nominees for members of the Commission. The Commission will give special consideration to members of any recognized historical society, the local chapter of the American Institute of Architects, the local Board of Realtors, any museum professional, local or architectural historians, any architect or landscape architect, or preservation and restoration specialist. Special consideration will also be given to those who have attended and/or participated in the Commission's activities.

3. OFFICERS

A. Chairperson

The Chairperson shall, in addition to the duties imposed by law, preside at all meetings of the Commission at which he or she is present and direct the work of the Commission. The Chairperson shall appoint members, including alternates, to committees as needed and designate chairperson of the same and shall be an ex-officio member of all committees. The Chairperson shall direct the calling of meetings of the Commission. The Chairperson shall have charge of all general communication and correspondence of the Commission and shall keep a log of members' attendance and terms of appointment. The Chairperson will also make up the monthly meeting agenda and complete any required reports. The Chairperson may also delegate administrative tasks to the Historical Commission staff.

B. Vice Chair

The Vice Chair shall preside at all meetings of the Commission in the absence of the* Chairperson, and shall perform all duties and shall have all powers of the Chairperson in case of absence or incapacity of the Chairperson.

C. Recording Secretary

The Recording Secretary shall keep a systemic record of all of the meetings of the Commission, shall be the custodian of all secretarial records and shall perform such duties as pertain to this office. The Commission may delegate Recording Secretary duties to Historical Commission staff.

4. ELECTION OF OFFICERS

The Chairperson, the Vice Chair, and the Recording Secretary shall be elected annually by the Members at the first meeting of each fiscal year. Other officers, if any, may be elected by the Members at any time.

5. ALTERNATE MEMBERS

Not more than two alternate members may be appointed to the Commission by the Mayor and approved by the City Council for a three (3) year term. Alternate members may vote if there is not a quorum present. Alternate members have the right to participate in meetings, serve as a liaison and serve on the Commission as the Chairperson may designate. Reappointments may be made by the Mayor after an alternate member's term expires.

6. COMMITTEES

Committees may be created by vote of the Commission as needed, or appointed by the Chairperson. These committees shall be responsible for researching or planning within their specific area of concern and shall report their results and make recommendations to the Commission. The Committees shall act in the name of the Commission only when directed to do so by vote of the Commission and so far is allowed under the law.

7. MEETINGS

A. Timing of Meetings

The Commission shall set a meeting schedule at the last meeting of the fiscal year, scheduling one meeting per month or as needed. The Commission may cancel a meeting for reasonable cause and may hold additional meetings as needed to conduct the Commission's business.

B. Location of Meetings

Meetings will be held at a location designated by the Chairperson.

C. Meeting Procedures

The rules contained in Robert's Rules of Order, Newly Revised (11th Edition), shall govern the commission in all cases in which they are applicable and in which they are not inconsistent with these bylaws.

D. Order of Business

The Recommended order of business at all meetings of the Commission shall be as follows:

1. call to order
2. roll call (may be taken from sign- in list)
3. reading of minutes
4. public participation
5. reports of committees
6. communications
7. old business
8. new business
9. Adjournment

E. Open Meeting Law

Written notice of all meetings of the Commission will be given by the Recording Secretary in accordance with the provisions of the Massachusetts Open Meeting Law. Written notice of all regular and special meetings will be sent to each member of the Commission no less than five (5) days before any meeting. If an emergency meeting needs to be held, the Chairperson will notify the Commission no less than 48 hours before the meeting.

8. QUORUM

A majority of the Commission members then in office shall constitute a quorum. A majority of those present and voting, if a quorum is present, shall be sufficient to conduct the business of Commission. In the event that a quorum is not present, the agenda of that meeting shall be continued to the following meeting.

9. HEARINGS

When the Commission is required by law to conduct a public hearing, a quorum of the members must be present. The Commission is required to conduct a public hearing on any properly executed Notice of Intent.

A record of a hearing shall be kept which includes a record of attendance, speakers, the context or testimony given, and a record of any votes taken. Minutes of the meeting and Notice of Intent shall become part of the record of the hearing.

10. DUTIES OF THE COMMISSION

A. Record Keeping

The Commission shall keep accurate records of its meetings and actions and shall file an annual report.

B. Appointment of Clerks and Employees

The Commission may appoint such clerks and other employees as it may from time to time require.

C. Collaboration with City Boards and Offices

The Commission shall cooperate with and advise the Planning Board, the Redevelopment Authority, the Office of Community Development, The Public Works Department and all other City agencies in matters involving historic sites and buildings.

1. In making recommendations, the Commission shall consider, among other things, the historic and architectural value and significance of a site or structure; the general design, arrangement, texture and materials of the features involved; and the relation of such features to similar features of structures in the surrounding area.
2. In the case of new construction or additions to existing structures, the Commission shall consider the appropriateness of the size and shape of the structure both in relation to the land area upon which the structure is situated and to the structures in the vicinity.
3. The Commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects, architectural significance, or the distinctive character of the landmark or neighborhood historical district.
4. The Commission shall not consider interior arrangements or architectural features not subject to public view in structures other than Wistariahurst Museum.
5. The Commission shall advise the city regarding exterior and interior arrangements or architectural features in city-owned buildings, structures, and land areas that are deemed of historic or architectural significance.

11. DUTIES OF MEMBERS

A. Duties Established by Massachusetts Law

The members of the Commission shall perform the duties and responsibilities as set forth in the General Laws of Massachusetts, Chapter 40: Section 8D. Historical commission; establishment; power and duties, these by-laws, the Massachusetts Open Meeting Law, the Massachusetts Conflict of Interest Law, the Demolition Delay Ordinance, and any other laws and regulations which apply to the members of the Commission.

B. Attendance – see also Appointments and vacancies

1. All members are expected to attend every regularly scheduled monthly meeting, and any special meeting or hearing, and to actively serve on committees. Members who are unable to attend a meeting of the Commission shall notify the Chairperson.
2. Members who fail to attend three (3) consecutive meetings of the Commission or any-committees on which he or she serves without just cause may be recommended for removal from the Commission.
3. Members who chose to leave the Commission before their term of appointment expires shall submit a written resignation to the Mayor and a copy of such resignation to the Chairperson of the Commission.

12. REAL OR PERSONAL PROPERTY

According to the General Laws of Massachusetts, Chapter 40; Section 8D, the Commission may acquire, in the name of the city or town by gift, purchase, grant, bequest, devise, lease or otherwise, the fee or lesser interest in real or personal property of significant historical value and may manage the same with approval of the Mayor and the City Council.

13. STAFFING

Through these bylaws the Historical Commission may delegate its staffing and administrative capabilities to the Mayor’s appointee, the Office of Planning and Economic Development.

14. AMENDMENTS TO THE BYLAWS

These bylaws may be amended or revised at any regular meeting by a two-thirds vote of those voting, providing that written notice and a copy of the proposed amendment or revision has been given to each member no less than five (5) days prior to the meeting.