

**BY LAWS GOVERNING OPERATIONS AND MEETINGS  
OF THE HOLYOKE CONSERVATION COMMISSION**

*ADOPTED June 26, 1997*

**I. NAME AND PURPOSE**

A. The name of this organization shall be the Holyoke Conservation Commission, herein call the Commission.

B. The purpose of the Commission is to administer and enforce the Massachusetts Wetlands Protection Act and its regulations, to promote and develop Holyoke's natural resources and to protect the water resources of the city as provided for under the Conservation Commission Act, and to administer and enforce the Holyoke Wetlands Protection ordinance and its regulations.

C. The Commission may conduct an educational program, and will cooperate with elected and appointed Boards, Commissions, and officials of the City, and with state and federal agencies with regard to natural resource regulations and laws, and shall perform other duties as may be imposed by law.

**II. ELECTIONS**

The officers of the Commission shall be annually elected from the membership of the Commission at the first meeting of the Commission in January. This meeting shall be designated the annual business meeting.

The following officers shall be elected: Chairperson and Vice Chairperson.

Unpaid consultants, known as "Associate Members" shall be reinstated annually by a vote of the Commission at the annual business meeting.

In the case of a vacancy in the officer positions, a special business meeting may be called by the Chairperson or in the absence of the Chairperson, by the Vice Chairperson, for the purpose of voting to fill the vacancy.

The Recording Secretary shall be the Conservation Director, or in the absence of the Recording Secretary, any Commission member or associate member who volunteers to record the minutes.

### **III. OFFICERS**

**A. Chairperson:** The Chairperson shall, in addition to the duties imposed by law, preside at all meetings of the Commission at which (s)he is present, and direct the work of the Commission. This person shall appoint members to committees as needed and designate chairperson of same, as provided for under Article V, and shall be an ex-officio member of all committees. The Chairperson shall direct the calling of meetings of the Commission. The Chairperson shall be responsible for daily supervision of the Conservation Director.

**B. Vice Chairperson:** The Vice Chairperson 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.

### **IV. ASSOCIATE MEMBERS**

The Commission may, by vote at any meeting, appoint unpaid consultants, known as associate members, pursuant to the Conservation Commission Act. Such associates shall not have the right to vote or represent the Commission but shall have the right to participate in meetings and other activities of the Commission as the Chairperson may designate. Appointments expire, and may be renewed, at the annual business meeting.

### **V. DUTIES OF MEMBERS**

The members of the Commission shall perform the duties and responsibilities as set forth in the Conservation Commission Act, the Wetlands Protection Act, the Massachusetts Conservation Commission Handbook, these by-laws, the Massachusetts Open Meeting Law, the Massachusetts Conflict of Interest Law, and any other laws and regulations which apply to the members of the Commission.

Members who are unable to attend a meeting of the Commission shall notify the Conservation Office staff and the Chairperson.

Members who fail to attend three consecutive meetings of the Commission without just cause shall be recommended for removal from the Commission.

### **VI. COMMITTEES**

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

## **VII. MEETINGS**

The Commission shall set a meeting schedule in December of each year, scheduling two meetings per month, except for the months of December and January, but may cancel a meeting for reasonable cause and may hold additional meetings as needed to conduct the Commission's business. Robert's Rules of Order or other recognized parliamentary guide shall govern meeting procedure, when not in conflict with statutes or these bylaws. Notices of all meetings of the Commission will be given by the Recording Secretary in accordance with the provisions of the Massachusetts Public Meeting Law.

## **VIII. QUORUM**

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

## **IX. APPOINTMENTS AND VACANCIES**

Appointments to the Commission are made by the Mayor in accordance with the Conservation Commission Act.

## **X. 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 filed under the provisions of the Wetlands Protection Act, and the Holyoke Wetlands Protection Ordinance. The hearing must be held within twenty-one (21) days of receipt of such notice, unless the applicant agrees in writing to an extension. A majority of the Commission must sign the Order of Conditions issued and in order to sign must have been at the hearing itself.

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

## **XI. AMENDMENTS**

These bylaws may be amended at any regular meeting of the Commission by a two-thirds vote of the total Commission, provided written notice of the intent to amend the bylaws is sent to each member of the Commission at least seven (7) days prior to the meeting at which the proposed action is to be taken.