

BY LAWS GOVERNING OPERATIONS AND MEETINGS OF THE HOLYOKE  
CONSERVATION COMMISSION  
ADOPTED February 24, 2011

I. NAME AND PURPOSE

A. The name of this organization shall be the Holyoke Conservation Commission (the "Commission").

B. The purpose of the Commission is to administer and enforce the Massachusetts Wetlands Protection Act and its regulations, the City of Holyoke Wetlands Protection Ordinance and its regulations, to promote, develop and protect Holyoke's natural resources, as provided for under the Conservation Commission Act, and to act as a resource to municipal departments, businesses, institutions, and residents on issues related to natural resources.

C. The Commission may assume responsibility for non-regulatory projects involving, but not limited to, land conservation, the City of Holyoke Open Space and Recreation Plan, and invasive species control.

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

II. ELECTIONS

A. 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.

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

C. 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. In the case of a vacancy in both officer positions, the most senior member of the Commission would be seated as a temporary chair for the purpose of managing the election of Chairperson and Vice-Chairperson.

D. Prior to election, the Chairperson and Vice-Chairperson shall have at least two years of experience as a Conservation Commissioner. The officers shall serve a maximum term of three consecutive years in their respective roles as Chairperson and Vice-Chairperson.

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

III. DUTIES OF 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. DUTIES OF MEMBERS

A. The members of the Commission shall perform the duties and responsibilities as set forth in the Conservation Commission Act, the Wetlands Protection Act, the City of Holyoke Wetlands Protection Ordinance, 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.

B. Members who are unable to attend a meeting of the Commission shall notify the Conservation Office staff and/or the Chairperson by 11:00AM on the day of a meeting.

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

#### V. COMMITTEES

A. 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.

## VI. MEETINGS

A. The Commission shall set a meeting schedule in January of each year, scheduling two meetings per month, except for the months of November and December, 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 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 Open Meeting Law.

## VII. QUORUM

A. 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 scheduled meeting.

## VIII. APPOINTMENTS AND VACANCIES

A. Appointments to the Commission are made by the Mayor in accordance with the Conservation Commission Act and the City Charter.

## IX. APPLICATION MEETINGS AND HEARINGS

A. When the Commission is required by law to conduct a public meeting or hearing on an application, a quorum of the members must be present..

B. 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.

## X. HIRING OF CONSULTANTS

A. When permit applications require further study, the Commission may direct the Conservation Director to hire a consultant, at the applicant's expense, to review and comment on specific components of a permit application. The Commission may determine this need at any time during the review process. When hiring a consultant, the Conservation Director shall follow the City's purchasing procedures, as established in Chapter 2, Article III, Division 3 of the Code of Ordinances of Holyoke.

## XI. AMENDMENTS

A. These bylaws may be amended at any regular meeting of the Commission by a two-thirds vote of all seated members, provided email or U.S. Mail notice of the intent to amend the bylaws is provided to each member of the Commission at least seven (7) days prior to the meeting at which the proposed action is to be taken.