

# COMMISSION BYLAWS

## SECTION 1: MEMBERSHIP

### 1.1 TITLE AND PURPOSE

This document shall be known as the, “Bylaws of the Central Massachusetts Regional Planning District Commission,” hereinafter referred to as, the Commission. The purpose of the Commission shall be to allow the city and towns of Central Massachusetts to plan jointly and to promote with the greatest efficiency and economy the coordinated and orderly development of the area and the general welfare and prosperity of its citizens.

### 1.2 AREA OF JURISDICTION

The area of planning jurisdiction of the Commission shall include the following listed forty (40) municipalities in southern and central Worcester County:

1. Auburn	15. Leicester	29. Southbridge
2. Barre	16. Mendon	30. Spencer
3. Berlin	17. Millbury	31. Sturbridge
4. Blackstone	18. Millville	32. Sutton
5. Boylston	19. New Braintree	33. Upton
6. Brookfield	20. Northborough	34. Uxbridge
7. Charlton	21. Northbridge	35. Warren
8. Douglas	22. North Brookfield	36. Webster
9. Dudley	23. Oakham	37. Westborough
10. East Brookfield	24. Oxford	38. West Boylston
11. Grafton	25. Paxton	39. West Brookfield
12. Hardwick	26. Princeton	40. Worcester
13. Holden	27. Rutland	
14. Hopedale	28. Shrewsbury	

### 1.3 ADDITIONS AND DELETIONS TO THE AREA OF JURISDICTION

Other municipalities may become eligible for inclusion in the area of planning jurisdiction upon application of the town or city an affirmative vote of two-thirds of the representatives already comprising the Commission and a favorable vote of the applicant municipality’s governing body. The Commission’s area of jurisdiction shall be an area defined or redefined as an effective planning region by the Bureau of Regional Planning of the Massachusetts

Department of Commerce and Development, or its successor. A deletion or removal from the area of jurisdiction shall be accomplished in a similar manner, but in all instances, the area of planning jurisdiction remain must be an area found to be, “an effective planning region,” by the Bureau of Regional Planning or its successor as stipulated in Section 3 of Chapter 40B of the General Laws of the Commonwealth.

#### **1.4 REPRESENTATION**

The representation of member municipalities of the Commission shall be constituted in the manner stipulated by Chapter 578 of the Acts of 1972 and its appropriate amendments, the so-called “Scaled Vote Bill.”

#### **1.5 ATTENDANCE**

Attendance at each Commission meeting shall be taken based upon a sign-in sheet and include those arriving during the course of the meeting. Overall attendance at Commission and at duly called Committee meetings shall be reported to the local Planning Boards, Boards of Selectmen, City Council and Municipal Managers each year. Attendance at a duly called Commission meeting by the alternate designee shall be considered proper attendance and coverage for that community and delegate.

#### **1.6 MEMBERS OF THE COMMISSION**

All duly named Delegates and Alternates are considered to be members of the CMRPC, with all rights and privileges pertaining to the membership. Alternates shall have the right of one vote at a Commission meeting in the place of an absent Delegate from the municipality that they represent. If both are present, then the Delegate shall have the right to vote unless he/she specifically indicates he/she wishes the Alternate to vote for him/her.

### **SECTION 2: REGIONAL PLANNING COMMISSION ORGANIZATION**

#### **2.1 ELECTION OF OFFICERS**

##### **2.1.1 Selection of Slate of Officers by Nominating Committee**

2.1.1.1 The Nominating Committee, appointed by the Chairman during the first week of the month of March, shall consist of at least eleven (11) members, one of who shall have previously served as an officer of the Commission, and the remainder of the committee as stipulated by the adopted “charge” for the Nominating Committee. The membership of the Committee shall be announced at the regularly scheduled Commission meeting held in the month of March.

- 2.1.1.2 The Nominating Committee shall recommend at the annual Commission meeting a slate of officers for the coming year. Other delegates and alternates may be added to this slate as candidates for the various Commission offices by nominations from the floor.
- 2.1.2 Method of Election
- 2.1.2.1 Each year in the month of June, the Commission shall elect from among its members and alternate designees a Chairman, Vice Chairman, Clerk, Assistant Clerk, Treasurer, and Assistant Treasurer. A printed ballot may be mailed to the members in advance of the June Commission meeting and may be accepted by return mail previous to the said meeting. All ballots received at the meeting and by mail shall be tabulated at said June meeting and the results of the election shall be announced by the Clerk.
- 2.1.2.2 In the case of any of the above positions becoming vacant, the Chairman, with the approval of the Executive Committee, shall appoint a replacement from among its membership to fill the opening until the Commission's next annual meeting.
- 2.1.3 Method of selection of Executive Committee Subregional Members

The Commission shall establish a method of selecting candidates for the sub-regional openings on the Executive Committee at its March meeting. Said method of election may be changed annually, but shall remain as open and participatory as possible.

## **2.2 ELECTED OFFICERS AND THEIR DUTIES**

- 2.2.1 Chairman

The Chairman shall preside at all meetings of the Commission. The Chairman shall execute all contracts, as authorized by the Executive Committee or the Commission, on behalf of the Commission. The Chairman shall appoint the members of all special, standing, and technical advisory committees as authorized by the Commission or the Executive Committee. He/she shall be a member ex-officio of all committees, without the power to vote. In addition, he/she shall be a member ex-officio of all committees, without the power to vote. In addition, he/she may name himself/herself as a full-voting member to certain committees of his particular interest. He/she should not be named Chairman of any standing, special, or technical advisory committee.
- 2.2.2 Vice Chairman

The Vice Chairman shall act for the Chairman during his/her absence from the Chair, and in the case of the position of Chairman becoming vacant, shall act as Chairman in all matters until the position is again filled as set forth in Section 2.1.2.1.

2.2.3 Clerk

As required by Chapter 40B of the General Laws, the Clerk of the Commission shall be responsible for the keeping of Commission records as required by Chapter 40B of the General Laws of the Commonwealth, and the various provisions of these bylaws. These records shall be kept in the offices of the Commission under adequate safeguards. They shall be open to inspection at reasonable times. The Clerk shall authenticate, when necessary, all the acts, orders, and proceedings of the Commission.

2.2.4 Assistant Clerk

The Commission shall also elect an Assistant Clerk, from among its membership, who shall have the duties of the Clerk in his/her absence or inability to act.

2.2.5 Treasurer

The Treasurer of the Commission shall be the fiscal agent of the Commission. It shall be his/her duty to oversee the keeping of proper financial records for the Commission with appropriate assistance from the technical staff and to carry out financial matters in accordance with the provisions of Chapter 40B of the General Laws of the Commonwealth.

2.2.5.1 The Treasurer may disburse the monies received by the Commission based upon a "Warrant" approved by a majority of the Executive Committee at a duly called meeting of the Executive Committee for the Chairman's signature. The Commission may authorize by a majority vote of all members that the Treasurer pay regularly recurring items such as salaries, rent, utilities and health insurance without further approval by the Executive Committee. The authorization for such payments shall be renewed annually by the Commission, at its June meeting.

2.2.5.2 The Treasurer shall give a financial report annually to the Commission at the regular Commission meeting in September and at such other times as the Commission may desire, provided that the Treasurer shall be given 30 days notice of the request.

2.2.5.3 The Treasurer shall give the Commission a bond with a surety company authorized to transact business in the Commonwealth as security for the faithful performance of his duties in such service and upon such conditions as the Commission may require.

2.2.6 Assistant Treasurer

The Commission shall also elect an Assistant Treasurer from among its membership who shall have the duties of the Treasurer in his/her absence or inability to act. The Assistant Treasurer shall also give the Commission a bond with a surety company authorized to transact business in the Commonwealth as security for the faithful performance of his/her duties in such sums and upon such conditions as the Commission may require.

2.2.7 Recall of Officers

Any officer of the Commission may be recalled upon the petition of twenty (20) members, the holding of a hearing by the executive Committee, a recommendation by the Executive Committee, and finally by the vote of two-thirds of all eligible voting Commission members present at the Commission meeting held following the Executive Committee hearing. The officer shall receive a statement of charges at least five (5) days in advance of the Executive Committee hearing. The reasons for the recall shall be stated in writing and may include, but not limited to, actions designed to weaken or subvert adopted Commission policy.

### **2.3 MEETINGS OF THE COMMISSION AND NOTICES**

Meetings of the Commission shall be held in September, November, January, March and an annual meeting in June on the second Thursday of the month except by vote of the membership. In the case of inclement weather, where a meeting cancellation becomes necessary, the meeting shall be rescheduled to the third Thursday of that month. Special meetings may also be held at the call of the Chairman or on the written petition of 25% of the eligible voting members of the Commission. Notices of all meetings shall be mailed to all members of the Commission and to the municipal clerk at least 5 days prior to such meeting.

Posting of all Commission related meetings, including sub-committees, will be done under the Open Meeting Law as amended. The Commission's website (CMRPC.org) will be the official posting site, commencing in mid-2011. Written notices will be sent to towns and individuals as a courtesy if requested.

## **2.4 QUORUM OF COMMISSION**

A quorum shall consist of at least 25% of the duly named voting Delegates being present at a meeting or Alternate designees acting in a Delegate's absence, that are also present. Lack of quorum shall not prevent an officially called meeting from coming to order, making motions, or the discussion thereof, or the passage, by a majority of those members that are present, of a motion for continuance of said meeting to a later time.

## **2.5 RULES OF PROCEDURE**

### **2.5.1 Parliamentary Procedures**

Parliamentary procedures used during Commission meetings shall follow those in Robert's "Rules of Order" (Revised) with the exception of those items listed as follows:

### **2.5.2 Speaking Upon An Item**

The Chairman may allow any delegate, or in his/her absence, the alternate, or a technical staff member, or a retained professional consultant, to speak upon an item on the agenda. At the discretion of the Chairman, any speaker may be limited to holding the floor for five minutes in length. Others not listed above may be allowed to speak on an item at the discretion of the Chairman and may also be limited to holding the floor to two minutes in length.

### **2.5.3 Roll Call Votes and/or Clipboard Votes**

#### **2.5.3.1 Roll Call Votes**

Roll call votes may be requested upon the motion of any delegate or in his/her absence the alternate and the second of a delegate or his alternate. The Clerk shall then call the roll, recording ayes, nays, abstentions, and absences, and such shall be reported to those present and also recorded in the Minutes of the Meeting.

#### **2.5.3.2 Clipboard Votes**

A written, or "clipboard vote," may be requested by which those present at a meeting may indicate by signing their names on a sheet attached to the item being voted upon whether they are in agreement, opposition, or abstaining. A motion by a delegate or alternate to take such a vote shall be required as well as a second by a delegate or alternate, but a quorum need not be present.

Signatures indicating the delegate's or alternate's preference may be gathered for a period of no more than sixty (60) days and shall become void if a quorum

does not vote. The result shall be reported verbally by the Clerk to the next Commission meeting following completion of the vote and signature sheets and vote shall be incorporated into the minutes of that meeting.

**2.5.4 Placing Items on the Agenda**

Items for discussion may be placed upon the agenda by the Chairman, Director, or a Commission committee at any time up to 48 hours before a duly called Commission meeting, and under the guidance of the Open Meeting Law. The Chairman shall have the prerogative of postponing the placing of an item on the agenda until the next meeting, if he/she deems the current agenda to be already too lengthy. Delegates and alternates may submit items in writing up to 48 hours before a duly called meeting. Public officials may have items placed upon the agenda anytime up to three (3) days before a duly called Commission meeting by submitting such items in writing. Any voter registered in one of the member municipalities of the District may have an item included on the agenda by submitting a petition to the Director of the Commission, signed by ten (10) other registered voters, at least one week before a duly called meeting of the Commission. The mailed notice of a duly called Commission meeting shall usually contain a summary of the important items already on the agenda.

**2.5.5 Keeping of Minutes**

Complete and accurate minutes of all official Commission meetings shall be kept as required under the Open Meeting Law as amended. Said minutes shall be prepared for Commission review and adoption, or amendment and adoption no later than the next regular Commission meeting thereafter. A complete file of all approved minutes shall be kept at the Commission's office and shall be a public record and available for review upon a reasonable length of time's notice to the Clerk and with adequate safeguards and supervision.

**2.6 COMMISSION RESPONSIBILITIES**

The Commission shall have full responsibility for the approval of the agency's annual budget, work program, local assessment schedule and regional plans which establish its policy on regional development matters.

**SECTION 3: COMMITTEES OF THE REGIONAL PLANNING COMMISSION**

**3.1 AUTHORIZATION FOR STANDING COMMITTEES**

The Commission may establish such ongoing standing committees as it may wish by a majority vote of its members present and voting at a regularly called meeting, written notice of the proposal for the formation of a standing committee having been mailed to the delegates and alternates at least five (5) days before such a meeting. The membership makeup and the number of members of the proposed standing committee shall be clearly stated in the vote of the meeting authorizing it, together with a description of its purpose. Such standing committees may include, but shall not be limited to:

- 3.1.1      Environmental Planning
- 3.1.2      Transportation Planning
- 3.1.3      Physical Development
- 3.1.4      Economic Development Planning
- 3.1.5      Personnel Committee

The makeup of such committees and their “charge” may be changed from time to time by a majority of those present and voting at a regularly called meeting of the Commission. A two-thirds vote of those present and voting shall be necessary to terminate the existence of a standing committee.

## **3.2 AUTHORIZATION FOR SPECIAL COMMITTEE**

The Executive Committee may establish such special and technical advisory committees as it may desire by a majority vote of the members present and voting at a regularly called monthly Executive Committee meeting, written notice of the Proposal to Authorize the Formation of a Special Committee or Technical Advisory Committee having been mailed to all members at least five (5) days before such meeting. The membership and number of members of the proposed special and technical advisory committees shall be stipulated in the vote of the Executive Committee authorizing it, as shall its purpose and assigned task, and the length of time the committee shall exist. Such committees may include, but shall not be limited to:

- 3.2.1      Bylaw Review
- 3.2.2      Historic Preservation Planning
- 3.2.3      Office Conditions and Location
- 3.2.4      Governmental Services Review
- 3.2.5      Nominating

- 3.2.6 Program-Budget
- 3.2.7 Legislative Affairs
- 3.2.8 Awards

The makeup of such committees and their “charge” may be changed by a majority vote of those present and voting at a regularly called Executive Committee meeting. A two-thirds vote of those present and voting shall be necessary to continue the Committee’s existence beyond its originally allotted time.

### **3.3 MEMBERSHIP COMMITTEES**

The Chairman of the Commission shall appoint the various standing, special, and technical advisory committees of the Commission in the manner and numbers called for by the “charge.” In addition, he/she shall have the prerogative of naming knowledgeable and interested non-Commission members when their participation would enhance the activities of a particular Committee. Such non-Commission members shall be full voting members of the Committee to which they are named, but they shall not make up the majority of the membership of that Committee. Each committee shall elect officers, keep minutes and report their recommendations to the full Commission or to the Executive Committee as appropriate.

### **3.4 COMMITTEE MEETING QUORUM LIMIT**

- 3.4.1 A quorum of a committee shall consist of at least one-third of its Commission members. In the case of a committee made up of both Commission members and interested citizens, the quorum shall be calculated based on the attendance of Commission members only.
- 3.4.2 Lack of a quorum shall not prevent an officially called committee meeting from coming to order, making motions, or the discussion thereof, or the passage by a majority of those members present of a vote for a continuance of such meeting at a later date, nor shall it prevent the taking of a telephone poll to determine the recommendation of the Committee on a pertinent matter.
- 3.4.3 Committee attendance shall be taken at each meeting and shall be reported annually to the full Commission. Committee members shall be notified in writing by the Director that their attendance is unsatisfactory if such is voted by the Committee, and they may be removed by the Chairman of the Commission for lack of attendance if the Committee itself requests such an action.

### **3.5 RULES OF EXECUTIVE COMMITTEE OPERATION**

3.5.1      Method of Formation, Amendment of Duties and Termination

The Commission may establish, amend, or terminate an Executive Committee as permitted by Section 4A of Chapter 40B of the General Laws of the Commonwealth. The purpose for the formation of such a committee shall be to expedite administrative related matters of the Commission and to allow greater concentration by the full Commission on planning related issues.

3.5.2      Membership and Subregions, and Sub regional Delegates of the Executive Committee

3.5.2.1      The members of the Executive Committee shall consist of the officers of the Commission and the subregional representatives. The immediate past Chairman shall serve as an ex-officio member without the right to vote unless he/she is elected as an officer or subregional representative to the Executive Committee. A Commission member may not hold two positions on the Executive Committee.

3.5.2.2      The boundaries of the subregions may be amended, enlarged, reduced, or altered from time to time by a two-thirds vote of the Commission membership, but in no case may the number of subregional delegates be reduced to less than one. Such changes in sub regions shall be made as part of the reconfirming vote held during the March Commission meeting.

3.5.2.3      The election of subregional representatives to the Executive Committee shall be tabulated at the June meeting. Their election may be conducted in a similar manner to the election of officers as described in Section 2.1.2. Should a sub regional delegate resign or be unable to participate, the candidate for that sub regional delegate position in the election of who received the next highest number of votes shall replace him/her. If that person declines, then a special election shall be held after the seeking of new nominees from that sub region's delegates and alternates.

3.5.3      Organization of the Executive Committee

Attendance at each Executive Committee meeting shall be taken by the Recording Secretary. Overall attendance at the Executive Committee meetings shall be reported to the full Commission semiannually. An Executive Committee member may be notified in writing if the Committee deems his/her attendance not to have been satisfactory

- 3.5.3.1 The Chairman of the Commission shall preside at all meetings of the Executive Committee. He/she may execute all contracts as authorized by the Executive Committee on behalf of the Commission
- 3.5.3.2 The Vice Chairman of the Commission shall act for the Chairman during his/her absence from the chair.
- 3.5.3.3 The Treasurer shall disburse monies as approved by a majority vote of the Executive Committee. Such approval may include authorization to pay regularly recurring items based upon an annual policy resolution of the full Commission.
- 3.5.3.4 The Assistant Treasurer shall have the same duties as the Treasurer in his/her absence or inability to act.
- 3.5.4 Meetings of the Executive Committee

Meetings of the Executive Committee shall be held monthly except by vote of the membership. Special meetings may also be held by call of the Chairman or on written petition of a majority of the Executive Committee members. The Recording Secretary shall mail notices of all meetings to members and to municipal clerks at least five (5) days prior to such meetings.
- 3.5.5 Executive Committee Quorum Limit

A quorum shall consist of at least a majority of the membership of the Executive Committee. Lack of a quorum shall not prevent an officially called meeting from coming to order, making motions, or the discussion thereof, or for the passing by a majority of those that are present of a motion for continuance of such meeting at a later date.
- 3.5.6 Recording Secretary for the Executive Committee
  - 3.5.6.1 The Recording Secretary of the Executive Committee shall be appointed by the Director. The Director shall be the custodian of the Executive Committee records except those specifically assigned to others. These records shall be kept in the office of the Commission under adequate safeguards. They shall be open to inspection upon request at reasonable times and upon ten (10) days notice.
  - 3.5.6.2 The Recording Secretary shall keep complete and accurate minutes, reporting all actions taken during all official meetings that are held. Said minutes shall be prepared for Executive Committee review and adoption by the Committee at the next meeting following the one described and shall be presented at the then

next regularly scheduled Commission meeting for the Commission's review and information. A complete file of all approved Executive Committee minutes shall be kept at the Commission offices and shall be a public record and open to inspection at reasonable times after ten (10) days notice.

3.5.7 Parliamentary Procedures for Executive Committee Members

Parliamentary Procedures used during Committee meetings shall follow those in the current Robert's "Rules of Order" (Revised), with the exception of those items listed as follows:

- 3.5.7.1 The Chairman may allow any Delegate, Alternate, staff member, or a retained professional consultant, to speak upon an item on the agenda. Any other person may be allowed to speak on an item on the agenda by a majority vote of the Executive Committee members that are in attendance at the meeting but such presentation shall not exceed holding the floor for more than five (5) minutes in length.
- 3.5.7.2 Roll call votes may be requested upon the motion of any Executive Committee member. The Recording Secretary shall then call the roll, recording ayes, nays, abstentions, and absences, and such shall be recorded in the minutes of the meeting. Clipboard votes may be taken on various issues when authorized in the manner stipulated in Section 2.5.3.
- 3.5.7.3 Items for discussion may be placed upon the agenda by the Chairman, Director or members of the Executive Committee at any time up to 48 hours before a duly called meeting. Commission Delegates and Alternate designees may have items placed upon the agenda by submitting such items in writing up to 48 hours before a duly called meeting. Public officials may have items placed upon the agenda by having such items submitted in writing at any time up to 72 hours before a duly called meeting. Any registered voter in one of the member communities of the District may have an item included on the agenda of the Executive Committee by submitting a petition to the Clerk signed by ten (10) other registered voters, at least one week before a duly called meeting of the Committee. Whenever possible, the notice of a duly called Commission meeting shall contain a summary of the important items already on the agenda.

3.5.8 Other Actions That May Be Taken by Executive Committee

Actions taken by the Executive Committee shall be in the name of, and on behalf of the Commission. Said actions shall include those permitted by

Section 4A of Chapter 40B of the General Laws, if Delegated by a two-thirds vote of the Commission's total membership.

As a matter of clarification, the Executive Committee shall have the following prerogatives and authorities:

- 3.5.8.1 The authority to review, approve, amend and approve, or reject, upon a majority vote of all Executive Committee members, a proposed revised budget within the limitations described in Section 7.3 for the current fiscal year. A recommendation from the Director shall be requested before any review or action by the Executive Committee.
- 3.5.8.2 The authority to review, approve, amend and approve, or reject, upon a majority vote of all Executive Committee members, revised job titles, job descriptions, salary ranges, salary schedules, Personnel Regulations, Affirmative Action Program, Commission Handbook, and staff retentions and terminations. A recommendation from the Director shall be requested before any review or action by the Executive Committee.
- 3.5.8.3 Upon a majority vote of all Executive Committee members, authority may be Delegated to approve final contracts following careful review of the appropriate planning committee.
- 3.5.9 **Termination of Executive Committee Authority**

The authority given to the Executive Committee to act on behalf of the Commission for any specific power or duty may be terminated by a majority vote of the Commission membership and thirty (30) days notice to said Executive Committee according to the provisions of Section 4A of Chapter 40B of the General Laws of the Commonwealth.
- 3.5.10 **Authorization to Sign Contracts**

The Executive Committee may authorize the Chairman of the Commission or its Executive Director to sign a contract on its behalf with the federal or state government, or with a member city or town, or a special district or nonprofit corporation within the Planning District for the performance of planning and/or planning-related services or studies as authorized by Section 7 of Chapter 40B of the General Laws, within the limits of funds and technical staff available to the Commission for such purposes.
- 3.5.11 **Effect of Actions on Assessment Rate**

Actions taken by the Executive Committee shall not cause an increase in the assessment rate, nor shall any contract be approved that will force an increase in the local assessment rate. The rate of local assessment shall be set annually by the full Commission according to the provisions of Section 7.2.

## **SECTION 4: ADDITIONAL ACTIVITIES OF THE COMMISSION**

### **4.1 ECONOMIC DEVELOPMENT REGIONAL COMMISSION**

The Commission may vote to support the Comprehensive Economic Development Strategy (CEDS) Committee and to absorb it into the Commission structure, or it may assume the duties, obligations, and responsibilities of an economic development regional commission as stipulated in Section 5B of Chapter 40B of the General Laws of the Commonwealth.

### **4.2 WATER FAVORABILITY STUDIES**

The Commission may enter into an agreement with the Water Resources Commission for the purpose of conducting water favorability studies as permitted in Section 5A of Chapter 40B of the General Laws of the Commonwealth.

### **4.3 OTHER ACTIVITIES**

The Commission, or the Executive Committee when delegated proper authority, may vote to undertake any other planning and management related activities as permitted by Chapter 40B of the General Laws of the Commonwealth, as long as there is sufficient funding to undertake such projects and such is incorporated into the current budget.

## **SECTION 5: ADOPTION AND AMENDMENTS OF REGIONAL PLANS**

### **5.1 PREPARATION OF A REGIONAL COMPREHENSIVE PLAN AND/OR STUDY PLAN**

The Commission shall prepare a Comprehensive Plan of Development, or, as a preliminary proposal, a Schematic Study Plan for the District for such parts thereof as the Commission may deem necessary and choose to do as authorized by Section 5 of Chapter 40B of the General Laws of the Commonwealth. Such plans shall make recommendations for the physical, social, governmental and/or economic improvement of the District in whole or in part.

### **5.2 PUBLIC HEARING**

Before the adoption of any such regional plan or a portion thereof, the Commission shall hold at least one public hearing, notice of the time, place and subject of which shall be published at least once in a newspaper having substantial circulation in the region at least ten (10) days before such hearing. Written notice of such hearing shall be given to each

Planning Board, Board of Selectmen, City Council and to Municipal Managers, and Commission Delegates and Alternate Designees.

### **5.3 ADOPTION AND/OR AMENDMENTS OF PLANS**

Adoption of such plan or portion thereof shall be by a majority vote of all delegates of the Commission on a recorded roll call vote. Such plan may be amended or stricken from the record from time to time in the same manner as provided for in Sections 5.2 or 5.3 of this Bylaw.

### **5.4 NOTICE OF ADOPTION**

A copy of the plan, or portion thereof, adopted by the Commission or any amendments thereto, signed by the Chairman, shall be filed with the Clerk, Planning Board, Selectmen or City Council, and Municipal Manager of each member municipality not more than thirty (30) days after Commission action. Such plan or portion of a plan shall be a public record.

## **SECTION 6: ANNUAL REPORT**

### **6.1 PREPARATION OF THE ANNUAL REPORT**

The Commission shall report annually to the City Council of the City of Worcester and to the City Manager, and to the town meetings and to the Boards of Selectmen and to the Town Managers of the member towns within the District, showing status of its plans and recommendations and activities, as required by Section 5 of Chapter 40B of the General Laws of the Commonwealth

## **SECTION 7: FINANCIAL PROCEDURES**

### **7.1 PREPARATION OF THE BUDGET**

The Commission's annual budget shall be prepared by a special Program-Budget Committee consisting of the Executive Committee (12 members) and four (4) additional Commission members appointed by the Chairman at the January meeting. The Program-Budget Committee shall commence its review of expected financial conditions for the forthcoming fiscal year in the month of February and shall submit a recommended budget to the full Commission during the month of March in the year which the fiscal year commences for the Commission's review and adoption, amendment and adoption, or rejection. Final action on the proposed annual budget shall take place no later than at the annual meeting held in June of the year in which the fiscal year commences. Adoption shall be by a majority vote of all Commission members.

### **7.2 ADOPTION OF MUNICIPAL ASSESSMENT SCHEDULE**

Each year in the month of January, the Commission shall adopt a schedule of municipal assessments for the fiscal year beginning July 1 next. The schedule is to be based upon a per-capita rate as authorized by Section 7 of Chapter 40B, G.L., and may include those exemptions permitted. Adoption, or amendment and adoption, or rejection of the schedule shall be on a majority vote of Commission members and shall be taken by a clipboard vote. The vote shall be entered in the minutes of the meeting. Member municipalities shall be notified by certified mail of their assessment amount for the fiscal year beginning July 1 next by the last day of February previous. Note – In 1980, Proposition 2 ½ was enacted restricting the increase of assessments to no more than 2 ½% annually.

### **7.3 REVISIONS TO THE BUDGET AND ASSESSMENT SCHEDULE**

The Annual Budget may be revised during the course of fiscal year at such times as there is a substantial change in expected income or expenditures. The Director shall determine at which times such reviews are necessary due to changes, and shall instruct the Technical Staff to prepare the proposed changes. Budget revisions including the addition and/or deletion of program grants or a change of 25% or more in estimated income of the original approved budget shall be submitted to the full Commission for approval following a recommendation from the Executive Committee. Proposed revisions including a change of less than 25% in estimated income of the original approved budget and/or transfers of dollars between expense line items shall be acted on by the Executive Committee.

Local assessments, once established for the fiscal year by vote of the full Commission shall not be changed.

### **7.4 PURCHASE AND/OR LEASE OF SUPPLIES AND EQUIPMENT**

The Commission shall follow procedures as set forth in Chapter 30B of the Massachusetts General Laws (Uniform Procurement Act) for the purchase and/or lease of supplies and equipment. A two-thirds vote of those present and voting, a quorum being present, is required for purchase of items exceeding five thousand dollars.

## **SECTION 8: RESPONSIBILITIES OF THE DIRECTOR**

### **8.1 RESPONSIBILITIES OF THE DIRECTOR**

The Director shall be responsible for the overall daily operation of the office as described in these Bylaws, the Personnel Regulations and the Affirmative Action Program. He/she shall lend all necessary support, and seek additional assistance for the operation and administration of Commission programs.

### **8.2 COMMISSION HANDBOOK**

There shall be developed by the Director and Technical Staff, a Commission Handbook. This handbook shall detail the authorities, responsibilities, and activities assigned to Commission members and to Technical Staff members, and shall contain such pertinent historical, explanatory and operational materials as are deemed necessary. Those items which reflect Commission policy shall be reviewed annually by the Executive Committee. This handbook shall be updated biennially. A copy of the Commission's Bylaws shall be mailed to all new Delegates and Alternates to the Commission immediately upon notification of their being so named Delegates or Alternates.

### **8.3 AFFIRMATIVE ACTION PROGRAM**

The Director shall initiate, with the assistance of the Equal Employment Opportunity (EEO) Committee, the EEO officer and the assistant EEO officer if one is appointed, a biennially review and proposed updating of the Commission's Affirmative Action Program.

### **8.4 PERSONNEL REGULATIONS**

The Director shall initiate, with the assistance of those staff members assigned personnel responsibilities, a biennial review and proposed updating of the Commission's Personnel Regulations.

## **SECTION 9: AMENDMENTS OF THE COMMISSION BYLAWS**

These Bylaws may be amended at any meeting of the Regional Planning Commission by a two-thirds vote of those present and voting, a quorum being present, provided that a copy of the proposed amendment, and notice of its pendency has been sent to all commission members at least five days prior to such meeting. If an amendment is proposed at a meeting, voting on such amendment may not take place until the next regular meeting.