

CITY OF NEWTON, MASSACHUSETTS
PLANNING AND DEVELOPMENT BOARD

RULES AND REGULATIONS

ARTICLE 1 PURPOSE

The Newton Planning and Development Board is established under Sec. 22-3 of the Revised Ordinances of the City of Newton and Chapter 705 of the Mass. Acts of 1975, as amended, for recommendations on the comprehensive plan, review of plans, proposals or agreements for the acquisition of real property, for the formulation and submission of recommendations for the annual community development plan, and for review and approval of the acts of the director of planning and development, as provided in Section 22-2(c).

ARTICLE 2 MEMBERSHIP

Section 1. Number, Appointment, Term, and Vacancies

The Board shall consist of five members who shall be residents of the City of Newton and who shall be appointed by the Mayor and confirmed by a majority vote of the Board of Aldermen, in accordance with Sections 22-3 and 2-8. In addition, another member shall be appointed by the state Secretary of Housing and Community Development and another member shall be the Director of Planning and Development (Director), *ex officio*. There shall also be appointed, in a similar fashion by the Mayor and Board of Aldermen, not more than five alternate members. In the event that any member, except the state appointee or the director, is absent or unable to act for any reason, the chair shall designate an alternate member to act.

A member shall serve for a term of five (5) years and continue to serve after the expiration of his term until a successor has been appointed and has qualified. The member appointed by the Secretary shall serve for three years.

Vacancies shall be filled for the period of the unexpired term in the same manner as original appointments.

Members shall be appointed for five (5) year overlapping terms such that a term expires on February first of each year.

Section 2. Voting Rights

At every regular or special meeting of the Board, each full member (or alternate member designated by the chair) shall be entitled to one (1) vote, in person, on each matter submitted to a vote of the Board.

Section 3. Resignation or Removal

A member may resign by delivering his or her written resignation to the Board at the office of the director or to any Board officer. Such resignation shall be effective immediately.

A member may be removed for cause by a majority vote of the Board, with the consent of the Mayor. Failure to attend three (3) consecutive meetings of the Board without sufficient excuse shall be grounds for removal. Any member proposed to be removed shall be entitled to at least ten (10) days notice in writing, by mail, prior to the meeting at which such vote for removal will take place. A member has a right to request and receive a hearing before the Board prior to removal.

ARTICLE 3 MEETINGS OF THE BOARD

Section 1. Regular Meetings

The Board shall meet at least monthly, unless there shall be no scheduled business for that month. Notwithstanding this, the Board shall hold no less than ten regular meetings per year.

Section 2. Special Meetings

Special meetings of members may be called at any time, and with proper notice, by the Chair or other presiding officer or by a majority of the members and shall be held at such time and for such purposes as may be specified in the call for said meeting. At such special meeting, no business shall be considered other than as designated in the notice.

Section 3. Place of Meetings

All meetings of members shall be held in the City of Newton and in the absence of specific designation will be held at Newton City Hall.

Section 4. Public Notice

There shall be no meeting of the Board unless notice of a regular or special meeting shall have been given to the public, in accordance with the General Laws of the Commonwealth, and, at least forty-eight hours in advance of said meeting.

Section 5. Notice of Meetings to Members

Written notice of regular and special meetings of the Board, stating date, hour and place thereof and the purpose for which the meeting is being held shall be given by the Director or his/her designee, at least five (5) days prior to the scheduled date of the meeting, to each member of the Board.

Section 6. Quorum

A quorum shall consist of the presence of a majority of the voting members of the Board then in office. A duly called regular or special meeting of the Board shall not be organized for the transaction of business unless a quorum is present but the members present at a duly organized meeting can continue to do business until adjournment, even if enough members leave so that there is no longer a quorum. In the latter case any acts of such a meeting while there was a quorum shall be valid.

Section 7. Action of Meetings

All recommendations or other actions of the Board shall be voted upon and passed by a majority of the voting members present at a regular or special meeting as long as the voting members present represent a quorum.

Section 8. Presiding Officers

The elected Chair of the Board or his/her designee shall preside at all regular or special meetings of the Board. In the event of the Chair's absence or disability, the Vice Chair shall perform the duties of the Chair.

Section 9. Minutes of Meetings

The Director shall insure that minutes are kept of each meeting. Minutes of meetings shall contain date, place, members present and members absent, actions taken and signature of person taking minutes. Minutes shall be forwarded to Board for review at least ten (10) days prior to the next scheduled meeting.

Requests for information on matters of public record, such as the approved minutes of meetings, should be referred to the Director.

ARTICLE 8 DIRECTOR

The Director shall also serve as Director to the Board. He or she may from time to time designate members of his/her staff to perform such duties as are usually incidental to his or her position.

ARTICLE 9 AMENDMENTS

Any part or all of these bylaws may be altered, amended or repealed by a two-thirds (2/3) vote of the Board members present at a regular or special meeting of the Board duly called for that purpose, provided that notice for such meeting was mailed to the Board no less than five (5) days before such meeting.

GOVERNING LAWS

Chapter 22, Article I, Sec. 22-3 of the Revised Ordinances of the City of Newton.

Chapter 2, Sec. 2-8 of the Revised Ordinances of the City of Newton.

Chapter 705 of the Massachusetts Acts of 1975, as amended

Chapter 39, Sec. 23 of the Commonwealth of Massachusetts General Laws (Open Meeting Law.)

Adopted March 2, 1998