

Leonard Mort, Chairman
Frank Irr, Vice chairman
Christine Valery, Member
Robert J. Simmarano Clerk, Treasurer



Town of Millbury
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REDEVELOPMENT AUTHORITY

February 29, 2012

The under signed members of the Millbury Redevelopment Authority making a quorum on the February 29th 2012 special meeting, have reviewed and approved the submitted bylaws to be the bylaws of the Millbury Redevelopment Authority. Bylaws attached.

Robert Simmarano (FAV)
Christine A Valery (FAV)
Leonard Mort

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MILLBURY MA
REDEVELOPMENT AUTHORITY

BY-LAWS OF THE MILLBURY RE-DEVELOPMENT AUTHORITY

APPENDIX

M.G.L. Chapter 121B allows municipalities, through their Redevelopment Authorities acting as urban renewal agencies, to eliminate and develop substandard, decadent or blighted open areas for industrial, commercial, business residential, recreational, educational, hospital or other purposes. With the goals of revitalizing such land uses and encouraging new growth, Redevelopment Authorities have the power to:

- * Establish rehabilitation and design standards;
- * Assemble and dispose of land, including the taking of real estate through eminent domain;
- * Relocate businesses and residents occupying urban renewal sites;
- * Demolish and/or rehabilitate substandard structures;
- * Participate in real estate development and commercial revitalization;
- * Issue bonds, borrow money and invest funds;
- * Receive grants and loans;
- * Accept gifts or requests.

Redevelopment Authorities are particularly effective in large scale and complex redevelopment projects and in land assembly. Redevelopment are exempt from M.G.L. Chapter 30(b), the Uniform Procurement Act, when they engaged in the development and disposition of real property in accordance with an urban renewal plan. This exemption, coupled with the ability to use eminent domain powers, makes Redevelopment Authorities powerful tools for commercial revitalization, industrial park development, infrastructure improvements, facilities renovation and brownfield site remediation. *The development and approval of an urban renewal plan is necessary for a Redevelopment Authority to undertake specific projects.*

A Redevelopment Authority, as an independent body politic and corporate, is not an agency of a municipality and therefore, does not answer directly to the chief executive. This affords the Redevelopment Authority more autonomy in planning and implementing redevelopment and revitalization projects. A housing authority may undertake urban renewal projects if there is no Redevelopment Authority in the city or town.

ARTICLE 1 – THE AUTHORITY

Section 1. Name of Authority. The name of the Authority shall be the Millbury Re-Development Authority.

Section 2. Seal of Authority. The seal of Authority shall be in the form of a circle and shall bear the name of the Authority and the year of its organization 1963.

Section 3. Office of Authority. The Office of the Authority shall be located within the Town of Millbury, Massachusetts.

ARTICLE II – THE OFFICERS

Section 1. Officers. The officers of the Authority shall be a Chair, a Vice-Chair, a Treasurer, an Assistant Treasurer and a Secretary.

Section 2. Chair. The Chair shall preside at all meetings of the Authority. Except as otherwise authorized by resolution of the Authority, the Chair shall sign all contracts, deeds and other instruments made by Authority. At each meeting, the Chair shall submit such recommendations and information as he/she may consider proper concerning the business affairs and policies of the Authority.

Section 3. Vice-Chair. The Vice-Chair shall perform the duties of the Chair in the absence or incapacity of the Chair, and in case of a vacancy in the office of the Chair.

Section 4. Treasurer and Assistant Treasurer. The Treasurer shall sign all orders and checks for the payment of money and shall pay out and disburse such monies under the direction of the Authority except as otherwise authorized by resolution of the Authority. The Authority may by resolution designate one or more members to countersign such orders and checks, and may from time to time qualify, change or cancel any such designation. The Assistant Treasurer shall perform the duties of the Treasurer in the absence or incapacity of the Treasurer and in case of vacancy in the office of the Treasurer. Any member elected to the office of the Treasurer or Assistant Treasurer shall serve without compensation other than payment for necessary expenses.

Section 5. Secretary. The Secretary shall keep the records of the Authority, shall act as Secretary of the meetings of the Authority and record all votes, and shall keep record of the proceedings of the Authority in a minutes book to be kept for such purpose (documents and supplementary material forming a part of the minutes may be kept in a supplementary document book), and shall perform all duties incident to his/her office. Also a copy of minutes will be sent to the town clerk to comply with states open meeting law. He/She shall keep in safe custody the seal of the Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Authority.

At any regular or special meeting in the absence of the Secretary, a Secretary pro tempore may be appointed from among the members of the Authority who shall serve without compensation other than the payment of necessary expenses.

Section 6. Duties of Members. The Members of the Authority shall perform such duties as are incumbent upon them by reason of their election to any office and shall perform such other duties and functions as may from time to time be required by the Authority or by-laws, or which may arise by reason of their appointment to serve on

committees functioning within the Authority or in cooperation with other persons or groups.

Section 7. Organization. The Chair, Vice-Chair, Treasurer and Assistant Treasurer and secretary shall be elected at the first meeting of the Authority after annual town election from among the Members of the Authority, and shall hold office for one year or until their successors are elected and qualified.

The Authority shall appoint one person to fill the office of Secretary. Any person appointed to fill the office of Secretary or vacancy therein, shall have such terms as the Authority fixes, but no Member of the Authority shall be eligible to this office as a temporary appointee.

Section 8. Vacancies. Should the office of Chair, Vice-Chair, Treasurer or Assistant Treasurer, secretary become vacant, the Authority shall elect a successor from its membership at the next meeting, and such election shall be for the unexpired term of said office.

In the event of an elected member resigning, passing away or leaving for any reason, the remaining members of the RDA jointly with the seated town selectman will advertise the vacancy via newspaper, community bulletin board and the public access TV. for a period of time as needed. And then vote to appoint a suitable replacement to finish the term remaining.

Note: Terms Refer Section 3-6: Millbury Town By Laws

Section 9. Additional Personnel. The Authority may from time to time employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the Redevelopment Authority Law of the Commonwealth of Massachusetts, as amended and all other laws of the Commonwealth of Massachusetts applicable thereto.

ARTICLE III – MEETINGS

Section 1. General Provisions. The annual meeting and regular meetings of the Authority shall be held at such time and place as may be originally designated or subsequently changed by resolution adopted by the Authority at any regular or special meeting. A notice of every meeting held by the Authority is to be filed with the Town Clerk of the town, and the notice or a copy of the notice must be publicly posted in the office of the Town Clerk, or principal official location, at least 48 hours (excluding Saturdays and Sundays) before the meeting. The public notice shall state the date, time and place of the meeting.

All meetings shall be held at the office of the Authority in the absence of the specific designation of some other meeting place in any such resolution.

Section 2. Re-Organization Meeting. The first meeting of the Authority, after the annual election as voted in the resolutions, shall be held for the purpose of electing officers, for the conduct of such other business as may come before the meeting. The first meeting will be after the Town election at which members are elected or if no change in membership, then the first meeting held after the Annual Spring Town Meeting.

Section 3. Regular Meetings. Regular meetings of the Authority, as voted in the resolutions, shall be held at least once in each calendar quarter, or as needed for the transaction of business of the Authority.

Section 4. Special Meetings. The Chair, or vice Chair of the Authority may when he/she deems it expedient, and shall upon the written request of two Members of the Authority, call a special meeting of the Authority for the purpose of transacting any business in the call. The call for a special meeting may be delivered to any Member of the Authority or may be mailed to his/her business or home address at least two days prior to the date of such special meetings. At such special meeting, no business shall be considered other than as designated in the notice.

Section 5. Quorum. The powers of the Authority shall be vested in the Members thereof in office from time to time. Three Members shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes.

Section 6. Order of Business. At the regular meetings of the Authority, the following shall be the order of business:

1. Roll call
2. Reading and approval of the minutes of the previous regular meeting and any intervening special meeting
3. Bills and communications
4. Reports of Committees
5. Old Business
6. New Business
7. Adjournment

All resolutions shall be in writing and copies shall be kept in a minutes book of the Authority.

Section 7. Manner of Voting. All questions coming before the Authority shall be presented in the form of motions or resolutions chronologically numbered. The vote on all resolutions shall be by roll call, and each resolution and motion shall be entered in full upon the minutes of the meeting. For all resolutions, the ayes and nays shall be recorded.

ARTICLE IV – AMENDMENTS

Amendments to By-Laws. The by-laws of the Authority shall be amended only by resolution adopted by the affirmative vote of at least three Members of the Authority at a regular or special meeting, held after seven days notice in writing of the substance of the proposed amendments shall have been sent to each Member.

ARTICLE V – ANNUAL AUDIT

Annual Audit. The Authority shall conduct a self audit of its books. Said audit report shall be filed with the office of the Town Manager no later than 120 days after the close of the Authority’s fiscal year.

ARTICLE VI-PARLIMENTARY AUTHORITY

Roberts Rules of Order a.k.a. as
RONR (11th ed) to be
continually updated