

0 MASTER

BY- LAWS OF THE NEWTON COUNCIL ON AGING
CITY OF NEWTON, MASSACHUSETTS

Article I -- Establishment
11/06

These by-laws are created by the Council on Aging (herein referred to as "the Council") pursuant to the power to establish governing rules and regulations granted by Article II, Chapter 14, section 11-16 of the 2001 Revised Ordinances of the City of Newton, Massachusetts (hereinafter referred to as the "Newton City Ordinances") and consistent with Chapter 40, section 8B of the Massachusetts General Laws. The purpose of these By-laws is to assure the greatest effectiveness in the organization and function of the Council. Nothing in these By-laws shall be construed as changing or overruling Article II of Chapter 14 of the Newton City Ordinances.

Article II -- Mission Statement

The Council on Aging is a group of interested volunteers appointed, by the Mayor, to serve the needs and improve the quality of life for all Newton seniors focusing on outreach, advocacy, education, and legislation.

Article III -- Purpose

The basic purposes of the Council are to:

- a. Identify the needs of the seniors in the community;
- b. Educate citizens and enlist their support and participation to meet the needs of seniors;
- c. Design, advocate for, support and/or implement services to meet these needs;
- d. Work in conjunction with appropriate city, state, and federal entities in formulating and expending budgets for seniors in Newton;
- e. Cooperate with, advise, and support the Department of Senior Services, the Executive Office of Elder Affairs and other agencies and organizational efforts on behalf of seniors in Newton; and
- f. The COA shall draft and submit to the Director, Department of Senior Services an annual report regarding its activities and planning.

Article IV -- Offices

The principal office of the Council shall be located at the Newton Senior Center. All mail shall be delivered to this address, unless another shall be specified by the Chairperson of the Council, with the consent of the Director, Department of Senior Services.

Article V – Membership

Section 1- Council Members

The Council shall consist of nine members who shall be appointed by the Mayor of Newton (hereinafter referred to as “Mayor”) upon the advice of the current Council members and with the approval of the Board of Aldermen, and who shall serve without compensation.

Such members shall be residents of the City of Newton.

Such persons shall be appointed for a three-year term. A member shall continue to serve after the expiration of his term until a successor has been appointed and has qualified. No person shall serve more than two terms in succession. After the second full term is served, there must be at least a one-year hiatus prior to another appointment to the Council.

In the event that a member wishes to resign from the Council, he/she shall notify the chairperson of the Council in writing and shall state the effective date of the resignation therein. The Chairperson shall so notify the Mayor of said resignation, and also the Director, Department of Senior Services.

Section 2 - Chairperson

The Chairperson of the Council shall be designated by the Mayor, with the approval of the Council. He/ she may serve a maximum of 2 full (3-year) terms as Chair, and may continue to serve on the Council for 1 term thereafter.

Article VI – Voting Rights of Council Members

All voting rights shall be vested in the Council members, and each individual Council member shall be entitled to one vote with respect to any question or matters that may come before a meeting of the members of the Council. The members of the Advisory Board shall have no power to vote at joint meetings with the Council. (See Article XI).

Article VII – Meetings of Members

Section I – Regular Meetings

The Council shall meet no less than 10 times during the year on a monthly basis. Regular meetings are held on the fourth Tuesday of the month.

The Director of the Department Senior Services shall be given notice of said meetings and shall have the right to attend.

Five members of the Council shall constitute a quorum and a majority of those Council members present be sufficient for any action taken by the Council, with the exception of the by-law amendments (see Article XII).

Section 2 – Special/Emergency Meetings

Special meetings of the Council may be called at any time by the Chairperson at the request of three members of the Council. Notice must be given to each member of the Council and the Director, Department of Senior Services at least twenty-four hours prior to the scheduled meeting time.

Section 3 – Annual Meeting

The Annual Meeting of the Council shall be held in June for the purpose of electing officers other than the Chairperson.

Section 4- Conduct of Meetings

All meetings shall be conducted in accordance with Robert’s Rules of Order.

Section 5 – Attendance

Regular attendance is expected of all members. The Council office should be advised by any member expecting to miss any meeting in advance of such meeting. In the event of absence of any member for three consecutive meetings, except for reasons of health or extenuating circumstances, the Council may request resignation of that member. Five absences any calendar year will constitute consideration for dismissal from the Council.

Article VIII – Officers

Section 1 – Council Officers

The officers of the Council shall consist of a Chairperson designated by the Mayor, upon advice from the Council, and a Vice-Chairperson, Secretary, and Treasurer, who are elected by members of the Council. Other than the Chairperson, all officers shall be elected at the Annual Meeting by the majority vote of all voting members present at the meeting. They shall serve a one-year term.

Section 2 – Chairperson

The Chairperson shall be the chief executive officer of the Council, and, subject to the direction of members of the Council, shall have charge of the business, affairs, and property of the Council in its general operations. He/she shall preside at all meeting of the members, establish and appoint all committees, and be an ex-officio member of all committees. In conjunction with the Director, the Chair will forward the annual report of the Council to the Mayor, with a copy to the Board of Aldermen and the Executive Office of Elder Affairs.

Section 3 – Vice Chairperson

During the absence or disability of the Chairperson, the Vice- Chairperson shall exercise all the functions of the Chairperson and, when so acting, shall have all the powers and be subject to all the restrictions of the Chairperson.

Section 4 – Treasurer

The Treasurer shall be a member of the Council and shall:

- a. Function as the COA liaison to the Director of Department of Senior Services or his/her designee who has oversight and supervision of any funds, securities, and receipts of the Council, keep, or cause to be kept, all the books of account of any business and financial transactions of the council;
- b. Provide to the Chairperson and to the members a statement, when applicable, of the financial condition of the Council, including its grants, funds and line-item balances;
- c. In the absence or disability of both the Chairperson and Vice- Chairperson, shall exercise all the functions of the Chairperson; and, when so acting shall have all the powers and be subject to all the restrictions of the Chairperson; and
- d. Endeavor to develop, in conjunction with the COA, other resources that would assist the Council in its mission.

Section 5- Secretary

The Secretary shall be a member of either the Council or Advisory Board and shall:

- a. Record the proceedings of the meetings of members;
- b. Perform all duties relevant to the office of Secretary/ Clerk;
- c. In the absence of the other officers, preside over meetings as necessary.

Section 6 – Representation

No member of the Council shall make written or oral presentations on behalf of the Council unless authorized by Council vote.

Article IX – Staff

Section 1 – Executive Director

The Director of the Department of Senior Services will coordinate the functions and purposes of the Council pursuant to Article II, Chapter 14, sections 11-16 of the Newton City Ordinances. All funds approved by the Mayor and appropriated by the Board of Aldermen for the purposes stated within the aforementioned ordinance shall be administered by the Director of the Department of Senior Services with due regard given to the recommendations of the Council.

Section 2 – Other Staff

The Director of the Department of Senior Services shall be directly involved in the hiring of all subordinate staff consistent with municipal hiring practices. The Council may assist with the recruitment and selection of personnel.

Article X – Committees

Section 1 – General Considerations

- a. Each member of the Council is expected to serve on at least one committee, or maintain a liaison role with local committees or organizations whose activities relate to the Council. Such person(s) shall provide regular reports to the Council;
- b. The Council Chairperson shall appoint all committee chairs; and
- c. Each member of the COA Advisory Board is expected to serve on at least one committee. (see Article XI- Advisory Board, Section 2-Duties.)

Section 2 – Standing Committees

EXECUTIVE COMMITTEE: Is comprised of the officers, members of the Council, the Director of the Department of Senior Services, and Committee Chairs and assists the Chairperson in the general affairs of the Council. Members of the Executive Committee shall:

- a. Participate in the development of current local budget considerations;
- b. Explore public, private and private nonprofit support of the Council and its activities; and
- c. Engage in systematic review of Council expenses, when applicable.

MEMBERSHIP COMMITTEE: Nominates new members for the Council and Advisory Board. Activities of the Committee are to:

- a. Recruit, in conjunction with the Council, new members;
- b. Nominate new members for the Advisory Board;
- c. Make recommendations to the Executive Committee for appointments to the Council;
- d. Maintain a roster of the Council and Board members and their respective appointments and term expiration dates; and
- e. Arrange for /provide orientation to new members.

SENIOR CENTER ADVOCACY COMMITTEE: Supports and advocates for Newton Senior Center and its various needs in the areas of: building and grounds, programs and services.

LEGISLATIVE/ADVOCACY COMMITTEE: members of this committee shall:

- a. Provide representation or liaison to:

1. The Legislative Caucus for Older Citizens Concerns
 2. The Silver Legislator
 3. State Representative and Senate offices;
- b. Report to COA members on relevant legislative items and bills; and
 - c. Advocate for bills and other senior related issues, programs and services.

Section 3 – Nominating Committee: A Nominating Committee shall be appointed by the Chairperson of the Council one month prior to the Annual Meeting and will:

- a. Prepare a slate of officers for the following year;
- b. Present the slate at the meeting prior to the Annual Meeting; and
- c. Accept nominations from the floor.

Officers are elected at the Annual Meeting.

Section 4 – Other Committees

Other committees can be added as determined necessary by the Council.

Article XI – Advisory Board

Section 1 – Membership

The Mayor shall appoint, upon advice of the Council, an Advisory Board consisting of not more than twenty members, each appointed for a term of two years. Board membership shall include, to the extent practicable, persons representative of agencies, clergy, veterans, housing, health and medical, education, legal and law enforcement, recreation, service clubs, social services, city government, and others deemed advisable.

Section 2 – Duties

Advisory Board members shall:

- a. Advise the Council and offer recommendations with respect to senior issues;
- b. Meet along with the Council at its regular meetings and participate in an advisory capacity, without vote;
- c. Serve as full participants (including serving as Chair) on committees, as requested by the Chairperson of the Council; and
- d. Attend meetings in accordance with Article VII, section 5.

Section 3 – Representation

No member of the Advisory Board shall make written or oral presentations on behalf of the Council unless authorized by Council vote.

Article XII – Amendments

Amendments or alterations of these by-laws may be considered at either a regular or special meeting of the Council. In either case, notification of the meeting and its purpose shall be given at least fourteen days prior to assembly. Accompanying this notification shall be a summary of the proposed action, the full text of the proposed amendment or alteration, and a statement of the purpose of the proposed change(s). The proposed amendment or alteration of the by-laws must be approved by two-thirds of the members of the Council.

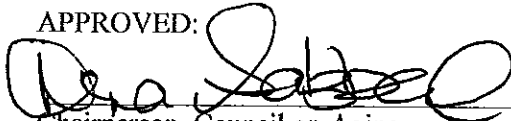
Article XIII – Other Provisions


If any of these by-laws is in conflict with municipal ordinances or by-laws, those of the municipality shall have precedence.


Article XIV – Effective Date

Amendments or alterations to the by-laws shall be effective after the affirmative vote of the Council and approval by the Mayor.

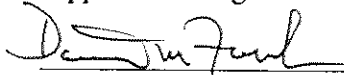
APPROVED:


Chairperson, Council on Aging 11/8/06
date


Director, Department of Senior Services 11/8/06
date


Mayor, City of Newton 12/22/06
date

Approved as Legal Form and Character:


City Solicitor 12/18/06
date