

newbedford
regional airport

Airport Commission By-Laws

As amended May 19,1999
As amended November 15,2000
(article 3, section 2)
As amended January 15, 2019

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BY-LAWS OF THE NEW BEDFORD AIRPORT COMMISSION

GOVERNING BY-LAWS WITH AMENDMENTS

QF 3/16/77, 4/20/17, 10/28/77, 10/14/80, 2/8/84, 3/18/98, 5/19/99, 11/15/00 and
2/20/2019

ARTICLE I

THE COMMISSION

Section 1. Name: The name of the Commission shall be the New Bedford Airport Commission, hereinafter known as *The Commission*. The name shall be deemed to encompass and include any name by which the subject airport shall hereafter be known.

Section 2. Duties Of The Commission: The said Commission shall have the care, custody, control and management of all real and personal property heretofore purchased or procured, or which may be hereafter acquired, and shall perform such other duties as may be legally delegated to it by the proper authorities or statutory enactment. Subject to the provisions of General Laws, Chapter 90, Sections 35A-35D, the Commission shall administer and enforce the requirements of the City of New Bedford Code of Ordinances regarding the height of structures and trees and shall hear and decide all requests for permits and/or variances regarding the same.

Section 3. Leases: No leases of property owned by the New Bedford Airport, or any part thereof, shall be executed in behalf of the City of New Bedford without prior authorization of the Mayor and City Council.

ARTICLE II
MEMBERSHIP

Section 1. Creation: The Airport Commission shall be comprised of a maximum nine members, who shall be appointed by the Mayor and confirmed by the City Council. At least two of the nine members shall have experience in aeronautics, as defined in General Laws, Chapter 90, Section 35.

Section 2. Compensation: The members of the Airport Commission shall serve without pay or other remuneration.

Section 3. Term: The members of the said Commission serve for terms of three years, and their successors shall be appointed as the terms of the present members expire. Vacancies shall be filled for the unexpired term by the appointing authority. Members of the Airport Commission may continue to serve in such office and may be reappointed. Members waiting for reappointment or replacement shall serve on the Commission until reappointment or until the qualification of their successors.

Section 4. Committees: The Chairman may, from time-to-time, form committees to research and investigate certain airport matters. When any committee's function is fully and finally served, the committee will be discharged. Chairmen and members of said committees will be appointed by the Chairman after notification of all Commissioners and (1) from among Commissioners who have volunteered there for or (2) at the Chairman's discretion, if there are not an adequate number of volunteers.

Section 5. Quorum For Committees: A majority of the members of a committee shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, provided that in no event shall fewer than two members of any Committee constitute a quorum. A majority of the quorum present shall be deemed sufficient to have passed any measure before the Committee. In the

event of a tie vote in any Committee of which the Chairman is not a voting member, the matter shall be referred to the Chairman for resolution. In the event of a tie vote in any Committee of which the Chairman is a voting member, the matter shall be referred to the Commission for resolution.

ARTICLE III
COMMISSION MEETINGS

Section 1. Meetings: Meetings are to be held on the third Wednesday of each month, subject to change by the Chairman if it is determined that a quorum will not be available on the third Wednesday of any given month.

Section 2. Minutes Of Meetings: The minutes of each meeting shall be distributed to the members not later than ten (10) business days after the meeting.

Section 3. Quorum: The powers of the Commission shall be vested in the members thereof in office from time to time. A simple majority of Commission Members in office shall constitute a quorum for the purpose of conducting a meeting, its business, and exercising its powers and for all other purposes except for By-Law amendments. The presence of a quorum shall be recorded at the beginning of each meeting. During the course of the meeting, the entry and departure of members shall be noted on the record. If at any time attendance falls below what is necessary to constitute a simple majority, the meeting shall be adjourned at the discretion of the Chairman.

Section 4. Amendment Of By-Laws: These By-Laws may be amended by a two-thirds vote of the total membership of the Commission at any regular meeting of the Commission, provided that notice of the amendment or its purport was given orally at the previous meeting or was given, in writing, in the call to the meeting at least six days before the meeting. A majority vote of the two-thirds vote of the entire membership shall be deemed sufficient to have passed the amendment.

Section 5. Absenteeism: If a member of the Commission shall fail to attend three consecutive regularly scheduled meetings or shall fail to attend at least four regularly scheduled meetings in a calendar year, the Chairman shall confer regarding that matter with the member. The Chairman, in his sole discretion, may suggest alternative services to be provided by the member for the Commission. If the Chairman, in his sole discretion, is not satisfied with the reasons for the member's absences or with the arrangements for alternative services, the Chairman shall report the matter to the appointing authority.

ARTICLE IV OFFICERS

Section 1. Officers: The officers of the Commission shall be a Chairman, a Vice Chairman, and a Clerk (Keeper of Records). With respect to the offices of Chairman and Vice Chairman, the Personnel Committee shall annually contact all Commissioners to determine their willingness to serve in those positions. When a slate of names of those Commissioners is established, the nominees shall be presented to the Commission, which shall vote for each office separately by ballot at the June meeting. A majority vote of the Commissioners present at that meeting shall be deemed sufficient for the election of each officer. The elected Chairman and Vice Chairman shall take office at the July meeting. If the Chairman is no longer able to serve in the position of Chairman, the Vice Chairman shall automatically succeed to that office. If the Vice-Chairman is no longer able to serve in that position, the position of Chairman shall be filled by a vote at an election for that purpose; and the, Chairman shall be elected by a majority of the quorum present and voting.

Section 2. Chairman: The Chairman shall preside at all meetings of the Commission. Except as otherwise authorized by resolutions of the Commission, the Chairman shall sign all contracts, deeds and other instruments made by the Commission. At each

meeting, the Chairman shall submit recommendations and information as he may consider proper concerning the business affairs and policies of the Commission.

Section 3. Vice Chairman: The Vice Chairman shall perform the duties of the Chairman in the absence or incapacity of the Chairman.

Section 4. Clerk (Keeper of Records): The Clerk at the airport shall serve as clerk of the Airport Commission and shall keep such records as the Commission may prescribe. Said duties shall include, but not be limited to, the preparation, distribution, and retention of minutes of the monthly meetings.

ARTICLE V EMPLOYEES

Section 1. Airport Manager: The Airport Manager shall be the ex-officio secretary and have general supervision over the administration of Airport business and affairs. He/she shall develop and carry out plans and programs of the Commission, subject to the direction of the Commission. He/she shall have care and custody of all funds of the Commission. He/she shall keep regular books of accounts, as directed by the City of New Bedford and present receipts/expenditures for the Commission. At each regular meeting, or as requested by the Chairman, he/she shall present an account of his/her transactions and the financial condition of the Commission. The Manager is appointed by the Airport Commission. He/she shall be qualified by general management experience and aeronautical knowledge. He/she shall be report to the Commission for proper maintenance and operation of the airport and of all facilities under his/her supervision.

Section 2. Assistant Airport Manager: The Assistant Manager shall be appointed by the Commission and shall act in place of the Airport Manager at such times and under such conditions as the Airport Commission may direct.

Section 3. Staff: In addition to the Manager and the Assistant Manager, and subject to appropriations, the Commission shall appoint such other officers and employees as its work may require. The Commission shall fix the salaries of all officers and employees appointed or employed by it. The Airport Manager (or designee) shall have exclusive direction and supervision of all employees assigned to and working for the New Bedford Regional Airport.

ARTICLE VI
MISCELLANEOUS- PROVISIONS

Section 1. Standing Rules And Regulations: The secretary shall cause, to be separately put in writing a set of standing rules and regulations that are hereinafter adopted by the Airport Commission, a copy of which shall be available at the request of any Commissioner.

Section 2. Severability: If any provision of any By-Laws or standing rules and regulations conflicts with the City Code, Chapter 44 and Chapter 7, entitled, Airport Commission or with General Laws, Chapter 90, involving airports and air navigation, said provision of the By-Laws or standing rules and regulations shall be void.

Section 3. Authority: The rules contained in Roberts' Rules of Order, newly revised, shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these By-Laws and any special rules of order the Commissions may adopt.

AMENDMENTS

AMENDMENT –May 19, 1999

ARTICLE IV, Section 1. Of the By-laws is hereby amended as follows:

-by striking the third sentence of that section, and substituting therefor:

“When a slate of names of those Commissioners is established, the nominees shall be presented to the Commission, which shall vote for each office separately by ballot at the January meeting.”

-and by striking the fifth sentence of that section, and substituting therefore:

“The elected Chairman and Vice Chairman shall take office at the February meeting.”

AMENDMENT NOVEMBER 15, 2000

ARTICLE III, Section 2 of the By-Laws is hereby amended as follows:

By striking the first sentence of that section and substituting therefore:

“The minutes of each meeting shall be distributed to the members not later than ten (10) business days after each meeting.”

AMNEDMANET FEBRUARY 20, 2019

ARTICLE III, Section 3 of the By-Laws is hereby amended as follows:

By striking the second sentence of that section and substituting therefore:

“A simple majority of Commission Members in office shall constitute a quorum for the purpose of conducting a meeting...”

By striking the fifth sentence of that section and substituting therefore:

“If at any time attendance falls below what is necessary to constitute a simple majority, the meeting...”