

2017 TOWN WARRANT ARTICLE FOR CREATION OF CPC

Article 18. To see if the Town will amend the Code/Bylaws of the Town by creating a Community Preservation Committee under G.L. c. 44B, section 5 and any other applicable law, rule or regulation, as follows:

COMMUNITY PRESERVATION COMMITTEE

1. Establishment

There is hereby established a “Community Preservation Committee” (the committee), consisting of **seven (7) voting members** pursuant to G. L. c. 44B. The composition of the committee, the appointment authority and the term of office for the committee members shall be as follows:

One (1) member of the **Conservation Commission** as designated by said commission for a term of **three (3) years** (*initial appointment post 2017 Town Meeting shall be for 1 year*);

One (1) member of the **Historical Commission** as designated by said commission for a term of **three (3) years** (*initial appointment post 2017 Town Meeting shall be for 1 year*);

One (1) member of the **Parks and Recreation Commission** as designated by said commission for a term of **three (3) years** (*initial appointment post 2017 Town Meeting shall be for 2 years*);

One (1) member of the **Housing Authority** as designated by said authority for a term of **three (3) years** (*initial appointment post 2017 Town Meeting shall be for 2 years*);

One (1) member of the **Planning Board** as designated by said board for a term of **three (3) years**;

Two (2) at-large members who do not currently hold elected or appointed office, nor currently serve as municipal employees, to be appointed by the **Board of Selectmen** for **three (3) year** terms.

Should any of the commissions, boards, authorities or committees who have appointment authority under this section of the bylaw be no longer in existence for whatever reason or for what ever reason fail to appoint an individual to the committee within 30 days of the effective date of this bylaw or within 30 days of a vacancy in that authority’s representative seat on the committee, the appointment authority for that commission, board, authority or committee shall become the responsibility of the Board of Selectmen.

2. Role

The committee is responsible for evaluating the community preservation needs of the town and making recommendations to the Town Meeting as part of the annual budget process.

3. Duties

- 1) Community Preservation Plan The committee shall study the needs, possibilities and resources of the Town regarding community preservation and develop a Community Preservation Plan. The committee shall consult with existing municipal boards, or persons acting in those capacities or performing like duties, in conducting such studies. The plan should identify long term and short term goals and needs, set criteria for evaluating proposed acquisitions and initiatives, and develop a multi-year revenue and expenditure forecast.

As part of its study, the committee shall hold one or more public informational hearing(s) on the needs, possibilities and resources of the Town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two (2) weeks preceding a hearing in a newspaper of general circulation in the Town.

The resulting Community Preservation Plan shall be updated yearly.

- 2) Annual Recommendations The committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space, for the acquisition, preservation and rehabilitation of historic resources, for the acquisition, creation, preservation and rehabilitation of land for recreational use, for the acquisition, creation, preservation and support of community housing and for rehabilitation or restoration of such open space and community housing that is acquired or created as provided in this section.

Recommendations to the Town Meeting shall include their anticipated costs.

In each fiscal year and upon the recommendation of the committee, the Town Meeting shall spend, or set aside for later spending, not less than 10 percent of the annual revenues in the Community Preservation Fund for each of the following uses: open space (including land for recreational use), historic resources, and community housing.

4. Action

The committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the committee shall constitute a quorum.

A majority vote of the quorum is required to approve its actions, except as may otherwise be required bylaw.

The committee shall conduct all actions in accordance with the Open Meeting Law G. L. c. 30A, §§ 18-25 and 940 CMR 29.00, as amended, or any successor law, rule or regulation.

5. Amendments

This section of the bylaw may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not cause a conflict to occur with G. L. c. 44B. The committee shall from time to time review the administration of this bylaw, making recommendations as needed for changes in the bylaw and in the administrative practice to improve the implementation of the bylaw and the Community Preservation Act.

6. Severability

In case any section, paragraph or part of this section of the bylaw be, for any reason, declared invalid or unconstitutional by any court competent jurisdiction, every other section, paragraph or part shall continue in full force and effect.

7. Effective Date

This bylaw shall take effect in accordance with G.L. c. 40, section 32.

Or take any other action relative thereto.

(Inserted at the request of the _____)