

Town of Ashland, MA

Chapter 9. Community Preservation Committee

[HISTORY: Adopted by the Town of Ashland 10-16-2002 ATM, Art. 4. Amendments noted where applicable.]
GENERAL REFERENCES

Historical Commission — See Ch. [31](#).

§ 9-1. Authority.

Pursuant to Massachusetts General Laws, Chapter 44B, there is hereby established a Community Preservation Committee (the "Committee") comprised of seven (7) members appointed as described below and serving such terms as are prescribed herein.

§ 9-2. Membership.

[Amended 5-11-2005 ATM, Art. 14]

The Community Preservation Committee shall be comprised of the following members:

- [a.](#) one member of the Ashland Conservation Commission designated by the Commission;
- [b.](#) one member of the Ashland Historical Commission designated by the Commission;
- [c.](#) one member of the Ashland Planning Board designated by the Board;
- [d.](#) one member of the Ashland Housing Authority designated by the Authority;
- [e.](#) one member of the Ashland Open Space Committee designated by the Committee;
- [f.](#) one member of the Ashland Affordable Housing Committee designated by the Committee; and
- [g.](#) one member shall be a citizen of the community at large appointed by the Board of Selectmen.

Any member of the Committee may, after a public hearing before the Commission, Board or Authority which appointed the said member, be removed for cause by a majority vote of such Commission, Board or Authority.

§ 9-3. Terms of Office.

[Amended 5-11-2005 ATM, Art. 14]

Each member of the Community Preservation Committee shall serve a term of one (1) year expiring on June 30th. A member may be reappointed for successive years, so long as the person remains a member of the respective board, committee or commission. If said member resigns from the designating board, committee or commission, the member's term on the Committee shall be co-terminus.

§ 9-4. Purpose.

[a.](#) The Community Preservation Committee shall study the needs, possibilities and resources of the town regarding community preservation. The Committee shall consult with existing municipal boards, including the conservation commission, historical commission, planning board, open space committee and the housing authority in conducting such studies. As part of its study, the Committee shall hold one or more public informational hearings on the needs, possibilities and resources of the town regarding community preservation, notice of which shall be posted publicly and published for each of two weeks preceding the hearing in a newspaper of general circulation in the town.

[b.](#) The Committee shall make recommendations to the town meeting for the acquisition, creation and preservation of open space, for the acquisition and preservation of historical resources, for the acquisition, creation and preservation of land for recreation use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, historical resources, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community

housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

c. The Committee may include in its recommendation to the town meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with the community preservation.

§ 9-5. Meetings and Actions.

a. The Community Preservation Committee shall be subject to the Open Meeting Law, so called (MGL Chapter 39, § 23A & B). It shall not meet or conduct business without the presence of a quorum. For the purposes of this chapter, a quorum shall constitute four (4) members.

b. The Committee shall approve its actions by majority vote.

c. Recommendations to the town meeting shall include their anticipated costs.

§ 9-6. Officers.

The Committee shall elect a Chairman and vice-chairman from among its members and shall elect a secretary who need not be a member of the Committee.

§ 9-7. Rules and Regulations.

After having a public hearing and requesting recommendations from town boards and committees, the Committee shall adopt policies, rules and regulations for conducting its affairs and for carrying out its responsibilities.

§ 9-8. Severability.

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

Spring 2016 Ashland Town Meeting

Article 13: Amend the General Bylaws, Chapter 9, Community Preservation Committee Membership

Sponsor: Community Preservation Committee

To see if the Town will vote to amend Chapter 9, Community Preservation Committee as follows (~~strike throughs~~ signify deletions and underlines signify additions): AUTHORITY 9-1 Pursuant to Massachusetts General Laws, Chapter 44B, there is hereby established a Community Preservation Committee (the "Committee") comprised of ~~seven (7)~~ nine (9) members appointed as described below and serving such terms as are prescribed herein.

MEMBERSHIP 9-2 [Amended 5-11-2005 ATM, Art. 14]

The Community Preservation Committee shall be comprised of the following members:

- a. one member of the Ashland Conservation Commission designated by the Commission;
 - b. one member of the Ashland Historical Commission designated by the Commission;
 - c. one member of the Ashland Planning Board designated by the Board;
 - d. one member of the Ashland Housing Authority designated by the Authority;
 - e. one member of the Ashland Open Space and Recreation Committee designated by the Committee;
 - f. ~~one member of the Ashland Affordable Housing Committee designated by the Committee;~~
- and
~~one~~ four members shall be voters in the Town of Ashland who hold no appointed or elected office identified above, nor are employees of the town, and shall be citizen of the community at large appointed At-Large by the Board of Selectmen.

TERMS OF OFFICE 9-3 [Amended 5-11-2005 ATM, Art. 14]

Each member of the Community Preservation Committee shall serve a term of ~~one (1) year~~ three (3) years, expiring on ~~June 30th~~ August 31st, or until the person no longer serves in the position or on the board or committee as set forth above, whichever is earlier. A member may be reappointed for one successive years term (not to exceed a total of 6 years), so long as the person remains a member of the respective Board, ~~committee~~ Commission, or Authority. If said member resigns from the designating Board, ~~Committee or Commission or Authority~~, the member's term on the Committee shall be co-terminus.

At-Large members shall be appointed to the following initial terms: One (1) for a one year term, two (2) for two-year terms, and one (1) for a three-year term. All subsequent terms shall be for three years. All other members shall serve a term determined by their designating bodies, not to exceed six years. All members, At-Large and otherwise, are eligible for reappointment per the terms identified herein. Should any appointing or designating authority fail to appoint a successor to a CPC member whose term is expiring, such member may continue to serve until the relevant authority names a successor. No At-Large or other member of the Community Preservation Committee shall serve more than six consecutive years at a time. A waiting period of one year shall be imposed on any member of the Committee after serving six consecutive years.

A vacancy on the Committee shall be filled by the relevant appointing or designating authority.

PURPOSE 9-4

- a. The Community Preservation Committee shall study the needs, possibilities and resources of the town regarding community preservation. The Committee shall consult with existing municipal boards, including the conservation commission, historical commission, planning board, open space committee and the housing authority in conducting such studies. As part of its study, the Committee shall hold one or more public informational hearings on the needs,

possibilities and resources of the town regarding community preservation, notice of which shall be posted publicly and published for each of two weeks preceding the hearing in a newspaper of general circulation in the town.

b. The Committee shall make recommendations to the town meeting for the acquisition, creation and preservation of open space, for the acquisition and preservation of historical resources, for the acquisition, creation and preservation of land for recreation use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, historical resources, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

c. The Committee may include in its recommendation to the town meeting a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with the community preservation.

MEETINGS & ACTIONS 9-5

a. The Community Preservation Committee shall be subject to the Open Meeting Law, so called (MGL Chapter 39, § 23A & B). It shall not meet or conduct business without the presence of a quorum. For the purposes of this chapter, a quorum shall constitute a majority of the CPC members then in office. ~~four (4) members.~~

b. The Committee shall approve its actions by majority vote of its members , except as otherwise required by law.

c. Recommendations to the town meeting shall include their anticipated costs.

OFFICERS 9-6

The Committee shall elect a Chairman and vice-chairman from among its members and shall elect a secretary who need not be a member of the Committee.

RULES & REGULATIONS 9-7

After having a public hearing and requesting recommendations from town boards and committees, the Committee shall adopt policies, rules and regulations for conducting its affairs and for carrying out its responsibilities.

REMOVAL OF A COMMITTEE MEMBER 9-8

Removal of a Committee member by their Designating Board, Commission, or Authority: Any member of the Committee may, after a public hearing before the Designating Board, Commission, or Authority that appointed the said member, be removed for cause or dereliction of duty by a majority vote of such Board, Commission or Authority. Cause, or dereliction of duty, shall be defined as: a) the repeated failure to attend Committee meetings (i.e. missing half of the scheduled meetings of the Committee during any calendar year; b) the commission of an ethical violation (as finally determined by the State Ethics Commission); or c) a violation of the Open Meeting Law, (as finally determined by the Office of the Attorney General). Removal of a Committee member should be accomplished by a letter from the Designating Board, Commission, or Authority chairperson confirming the vote in favor of removal of their member from the Committee, and when known, the person who will be replacing them on the Committee.

or pass any vote or take any action relative thereto.