

## **2005-071 – ORDER AMENDING ADMINISTRATIVE CODE ESTABLISHING COMMUNITY PRESERVATION COMMITTEE.**

Upon a motion duly made and seconded it was **ORDERED** That the Code of the Town of Barnstable is hereby amended by striking section 241-44, Open Space Committee, from Chapter 241, Administrative Code, and substituting therefor the following.

“§ 241-44 Community Preservation Committee

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A. Establishment and Term of Office. There shall be a Community Preservation Committee consisting of nine members who shall be appointed by the Town Council to include the following: one member of the Conservation Commission; one member of the Historical Commission; one member of the Planning Board; one member or the Executive Director of the Housing Authority; and five at-large members. The Town Council may give consideration to any recommendation from the members of the Conservation Commission, Historical Commission, Planning Board and Housing Authority as to the member to be so appointed.

Members of the Community Preservation Committee shall serve for terms of three years, so arranged that as equal a number as possible shall expire each year.

B. Authorities and responsibilities.

(1) Acquisition and Preservation.

(a) The Community Preservation Committee shall make recommendations to the Town Council for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation and preservation of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space, land for recreational use and community housing that is acquired or created as provided in G. L. c. 44A. With respect to community housing, the Community Preservation Committee shall recommend, whenever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

(b) The Community Preservation Committee may include in its recommendation to the Town Council 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 community preservation.

(c) In considering its recommendations, the Community Preservation Committee shall use as a guideline local and regional open space plans, housing plans, master plans and the Local Comprehensive Plan.

(2) Needs Study. The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with existing Town boards, including the Conservation Commission, the Historical Commission, the Planning Board, 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 possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the Town.

(3) Management. Real property interests acquired with Community Preservation funds shall be owned and managed by the Town unless otherwise specified by vote of the Town Council.

C. Interrelationships.

(1) Town Council: The Committee shall meet at least quarterly with the Town Council to apprise the Town Council of issues pertaining to acquisition and preservation pursuant to the Community Preservation Act.

(2) Town Manager: The Committee meets as necessary with the Town Manager and all municipal departments and/or other administrative staff in order to effectuate accomplishment of its mission 8

(3) Other boards: The Committee meets as necessary with the Conservation and Recreation Commission and any multiple-member body of the Town, to effectuate accomplishment of its mission.

D. The Committee shall serve without compensation.”

Councilor Canedy plans to bring forth an open space maintenance committee as a stand alone committee. Farnham asked if they would include one member of open space committee as a member.

Councilor Munafo added that he is supportive of this item and some members can be appointed at large.

**VOTE: Unanimous**