

Town of Becket

Community Preservation Committee Bylaw

Section 1. Membership, Terms.

The Community Preservation Committee shall consist of seven (7) voting members, pursuant to G.L. c. 44B, the Community Preservation Act and the Committee shall act pursuant to G.L. c. 44B, § 5. The terms of each appointment, after the initial terms, shall be for three (3) years each or until their successor has been appointed and qualified and shall be so arranged that as nearly an equal a number of terms as is possible shall expire each year. The initial appointments shall be of one, two and three years. Appointments shall be for three years and shall begin on the first business day in July (except for the initial terms which shall begin at their first meeting following the annual town election and run until June 30th of the following appropriate years). The composition of the committee and the method of selecting its members are as follows:

- One member of the Conservation Commission as designated by the Conservation Commission.**
- One member of the Historical Commission as designated by the Historical Commission.**
- One member of the Planning Board as designated by the Planning Board.**
- One member of the Parks & Recreation Committee, as designated by the Parks and Recreation Committee.**
- Three members to be appointed by the Board of Selectmen, one for an initial term of three years and two members for an initial term of two years and thereafter for a term of three years.**

Any member who serves as a representative of an appointing committee who ceases during his or her term to be a member of the appointing committee shall also cease to be a member of the Community Preservation Committee. Any member may be removed with or without cause by the appointing committee. Any vacancy during the term of office shall be filled by the appointing committee for the remainder of the term. Members may be eligible for reappointment.

Should any of the Commissions, Boards, or Committees who have appointment authority under this by-law chapter be no longer in existence for any reason, the appointment

authority for that Commission, Board, or Committee shall devolve upon the persons acting in the capacity of or performing the duties of the former Commission, Board or Committee. If there are no such persons acting in the capacity of or performing the duties of any such Commission, Board, or Committee, then the appointment shall be the responsibility of the Board of Selectmen.

All vacancies, whether at the end of a member's term or otherwise, shall be filled within twenty days of the creation of the vacancy.

Section 2. Powers and Duties.

- A. The Committee shall study the needs, possibilities and resources of the town regarding community preservation. The Committee shall consult with existing municipal boards, including but not limited to the Conservation Commission, the Historical Commission, the Planning Board, the Parks and Recreation Committee, the Affordable Housing Committee and the Open Space Committee, or persons acting in those capacities or performing like duties, 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 a 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 historic resources, for the acquisition, creation and preservation of land for recreational use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided in this by-law. 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 community preservation. Recommendations for the expenditure of funds shall include the Committee's anticipated administrative and operating expenses.**
- D. The community preservation committee shall keep a full and accurate account of all of its actions, including its recommendations and the action taken on them and records of all appropriations or expenditures made from the Community**

Preservation Fund. The committee shall also keep records of any real property interests acquired, disposed of or improved by the town upon its recommendation, including the names and addresses of the grantor's or grantees and the nature of the consideration. The records and accounts shall be public records.

- E.** The Committee shall submit an annual report to the Town of its recommendations and the financial condition of the town's Community Preservation Fund.

Section 3. Meetings and Proceedings.

The Committee shall meet on a regular basis, as established by it, but not less frequently than four times a year. Special meetings may be called by the Board of Selectmen, Chairman of the Committee or majority vote of the Committee. Minutes shall be kept of all public meetings. The Committee may establish its own rules of procedure including those governing the conduct of its meetings.

Section 4. Quorum Requirements.

The Committee shall not meet or conduct business without the presence of a quorum. A majority of four voting members shall constitute a quorum. The Committee shall approve its actions by a majority vote of those members present and voting.

Section 5. Election of Officers.

The Committee shall annually, at its first meeting of each fiscal year, elect a chairman, vice-chairman and secretary for the ensuing year. Annually the Committee shall provide the Board of Selectmen with the names of the officers for the upcoming year.