

ARTICLE 20 To see if the Town will vote to amend its bylaws as codified in the Town Code, by creating the following new article, under Chapter 7, Commissions, Committees and Boards:

ARTICLE XV
Community Preservation Committee

Creation

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to M.G.L. Chapter 44B. The composition of the committee, the appointment authority and the term of office for the committee members, each of whom shall be a resident and registered voter in Boxford at the time of appointment, shall be as follows:

- *One member of the Conservation Commission as designated by the Commission;*
- *One member of the Historic Districts Commission as designated by the Commission;*
- *One member of the Planning Board as designated by the Board;*
- *One member of the Recreation Committee, whose responsibilities include those of the board of park commissioners, as designated by the Committee;*
- *One member of the Housing Partnership Committee, whose duties include those of the housing authority, as designated by the Committee, and*
- *Four members to be appointed by the Board of Selectmen.*

Each member of the committee shall serve for a term of one year, or, where applicable, until the person no longer serves in the position or on the board, committee, or commission as set forth above, whichever is earlier.

Should any of the Commissions, Boards, or Committees who have appointment authority under this bylaw be no longer in existence for what ever reason, and provided that no successor commission, board or committee is created in which case the appointment power shall remain with the successor, the nomination authority for that entity shall become the responsibility of the Board of Selectmen.

Any member of the Committee may be removed for cause by their respective appointing authority after hearing.

Duties

- (1) *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, the historic districts commission, the planning board, the recreation committee and the housing partnership 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 possibilities and resources, notice of which shall be posted*

A TRUE COPY

Attest

Town Clerk

Boxford, Massachusetts

publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.

- (2) The community preservation 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 section. With respect to community housing, the community preservation committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.*
- (3) The community preservation 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.*
- (4) In every fiscal year, the community preservation committee must recommend that the Town Meeting spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for: (a) open space (not including land for recreational use); (b) historic resources; and (c) community housing.*

Requirement for a quorum and cost estimates

The community preservation committee shall comply with the provisions of the Open Meeting Law, M.G.L. C39, §23B. The committee will not meet or conduct business without the presence of a majority of the members of the community preservation committee, except to postpone a meeting until a later date certain. The community preservation committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include the committee's anticipated costs.

Amendments

This bylaw may be amended from time to time by a majority vote of the Town Meeting, consistent with the provision of M.G.L., Chapter 44B.

Conflict

When in conflict, this bylaw shall prevail over other articles or bylaws, as provided for in M.G.L Chapter 44B.

Severability

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

Effective Date

Provided that the Community Preservation Act is accepted at the 2001 Annual Town Election, this bylaw shall take effect immediately upon approval of the Attorney General of the Commonwealth, and after all the requirements of M.G.L. Chapter 40, §32 have been met. Each appointing authority shall have 30 days after approval by the Attorney General to make their initial appointment;

or take any other action thereon.

Sponsored by the Board of Selectmen
Finance Committee recommends adoption of this article

Upon a motion made and duly seconded, it was VOTED by a majority voice vote to amend the Town bylaws and create under Chapter 7, Commissions, Committees and Boards, ARTICLE XV: Community Preservation Committee, as printed in the warrant.

ARTICLE 11. To act on the list of proposed capital purchases for FY 2002 and see what sums of money the Town will vote to raise and appropriate, or transfer from available funds, for the use of several departments for fiscal year 2002, and authorize expenditure of these funds under the direction of the appropriate listed department, or take any other action thereon.

Sponsored by the Board of Selectmen
Estimate: \$288,185.00
Finance Committee recommends adoption of all listed capital purchases.
The proposed capital budget is printed on page 17 of this warrant.

Upon a motion made and duly seconded, it was VOTED by unanimous voice vote to transfer from free cash the sum of \$288,185.00 to fund the list of capital purchases as printed on Page 17 of this warrant for the use of several departments for Fiscal Year 2002, and expenditure of these funds under the direction of the appropriate listed department.

ARTICLE 12. To see if the Town will vote to set the annual curbside solid waste collection fee : \$2.00 per 32-gallon bag or container (each use), said fee to fund the town wide curbside collection service and related expenses for fiscal year 2002; or take any other action thereon

Sponsored by the Board of Health
Finance Committee recommends adoption of this article.

Upon a motion made and duly seconded by a majority voice vote, it was VOTED to move to set the annual curbside solid waste collection fee at \$2.00 per 32-gallon bag or container (each use), said fee to fund the town wide curbside collection service and related expenses for Fiscal Year 2002.

ARTICLE 13. To see if the Town will vote to appropriate the following sums to fund the Roads Collection Solid Waste and Recycling Enterprise Fund for fiscal year 2002, said funds to be expended under the direction of the Board of Health: