

February 27, 2017—Community Preservation Committee Ordinance

Note: Once Bridgewater converted from a Town to a City form of government, this Community Preservation Committee Ordinance replaced the original bylaw created by Bridgewater Town Meeting in 2005.

Section 7. Community Preservation Committee

A. Establishment and term of office. There shall be a Community Preservation Committee consisting of nine members. The Town Manager shall, based upon recommendation from the respective committees, appoint the following: one member of the Conservation Commission; one member of the Bridgewater Historic District Commission; one member of the Historical Commission; one member of the Planning Board; one member of the Affordable Housing Trust; one member of the Housing Authority; one member of the Open Space Committee; and one member of the Parks and Recreation Commission. These appointees will not require ratification from the Town Council. The Town Manager shall appoint one at-large member, whose appointment shall be ratified by the Town Council. Members will serve for three year staggered terms.

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 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 reacquired or created as provided in MGL c.44B. 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. Annually, the Committee, with the assistance of the Finance Director, shall make budget recommendations to the Town Manager for inclusion in the annual Town budget.

(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. The Committee may recommend to the Town Council that funds be borrowed and repaid with Community Preservation funds to accomplish Community Preservation objectives.

(c) In considering its recommendations, the Community Preservation Committee shall use as a guideline local and regional open space plans, housing plans, and the Master Plan. The Committee may develop its own guidelines concerning Community Preservation expenditures with the active participation of other Town multiple member bodies as well as public participation. The Community Preservation Committee is an advisory committee of the Town.

(2) Needs study. Annually, the Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The

Committee shall consult with existing Town multiple member bodies, including the Conservation Commission, the Historical Commission, the Open Space Committee, the Planning Board, Parks and Recreation, 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 on the Town's web site two weeks prior to the scheduled public informational hearing.

(3) Monitor. The Community Preservation Committee shall monitor progress of CPA funded projects.

(4) 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 annually with the Town Council to discuss 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 other administrative staff to effectuate accomplishment of its mission.

(3) Other Bodies: The Committee meets as necessary with any Board, Commission or Committee of the Town, particularly the Affordable Housing Trust and the Financial Committee, to effectuate accomplishment of its mission.

Reference: MGL c. 44B

**SPECIAL TOWN MEETING
WALTER S. LITTLE AUDITORIUM
BRIDGEWATER-RAYNHAM REGIONAL HIGH SCHOOL
166 MT. PROSPECT STREET, BRIDGEWATER, MA 02324
MONDAY, THE 14th DAY OF NOVEMBER, 2005**

ARTICLE 4. It was unanimously voted that the Town amend the town bylaws by adding a new Chapter, Community Preservation Committee, pursuant to Massachusetts General Law Chapter 44B as follows:

Community Preservation Committee

Sections:

Establishment.

Duties

Requirement for a quorum and cost estimates

Amendments.

Severability

Effective Date

NB: Chapter and Section numbers to be added to bylaw language as necessary

Establishment

There is hereby established a Community Preservation Committee (the Committee), consisting of nine (9) voting members pursuant to MGL C. 44B. The composition of the Committee, the appointment authority and the term of office for the Committee members shall be as follows:

- (1) - One member of the Conservation Commission as designated by the Commission
- (2) - 2- One member of the Historical District Commission as designated by the Commission.
- (3) - One member of the Planning Board as designated by the Board.
- (4) - One member of the Parks Department as designated by the Department. If no Parks Department exists, one member of the Recreation Department as designated by the Recreation Department.
- (5) - One member of the Housing Authority as designated by the Authority.
- (6) - One resident of the Town as designated by the Board of Selectmen.
- (7) - One member of the Master Plan Implementation Committee as designated by the Master Plan Implementation Committee.
- (8) - One member of the Capital Planning Committee as designated by the Capital Planning Committee
- (9) - One member of the Housing Partnership as designated by the Partnership.

Initially, the members designated by the Conservation Commission, Historical Commission and Planning Board will serve for three (3) years; the members designated

by the Parks or Recreation Department and the Housing Authority and the Master Plan Implementation Committee will serve for two (2) years, and the members appointed by the Housing Partnership and Capital Planning Committee and the resident appointed by the Board of Selectmen will serve for one (1) year. Subsequent appointments shall be for a term of three years or until the person no longer serves in the position or on the board or committee as set forth above, whichever is earlier.

Should any of the Commissions, Boards, Councils, or Committees who have appointment authority under this Chapter be no longer in existence for whatever reason, another Commission, Board, Council or Committee of *similar purview*—as determined by the Board of Selectmen—shall gain such appointment authority.

Duties

(1). The 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 District Commission, the Historical Commission, the Planning Board, the Park Stewardship Council, the Recreation Department and the Housing Authority, the Housing Partnership, the Master Plan Implementation Committee, and the Capital Planning 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 publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.

(2). The Committee shall make recommendations to the Town Meeting 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 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 this section. With respect to affordable housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

(3). 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 (the Fund) to accomplish that specific purpose or to set aside for later spending for general purposes that are consistent with community preservation. The Committee may recommend the issuance of general obligation bonds or notes in anticipation of revenues to be raised pursuant to section 3 of the Community Preservation Act (the Act), the proceeds of which shall be deposited in the Fund. Bonds or notes so issued may be at such rates of interest as shall be necessary and shall be repaid as soon after such revenues are collected as is expedient. The Town shall make every effort to limit the administrative costs of issuing such bonds by cooperating with other cities and towns using methods including, but not limited to, common issuance of bonds or common retention of bond counsel. Except as otherwise provided in this chapter, bonds or notes issued pursuant to this section shall be subject to the applicable provisions of said Chapter 44. The maturities of each issue of bonds or notes issued under this chapter may be arranged so that for each issue the amounts payable in the several years for principal and interest combined shall be as

nearly equal as practicable in the opinion of the officers authorized to issue bonds or notes or, in the alternative, in accordance with a schedule providing for a more rapid amortization of principal.

As provided in the Act, no expenditures shall be made from the Fund without the approval of Town Meeting.

(4). The Committee shall submit an annual administrative and operating budget for the Committee, which cannot exceed five percent (5%) of the annual revenues in the Fund, to Town Meeting for approval.

(5). The Committee shall provide a summarized report and explanation in the Annual Report in such a manner to give the citizens a fair and full understanding and methods of such expenditures.

Requirement for a quorum and cost estimates

The Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Committee (5 of 9) shall constitute a quorum. The Committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include their anticipated costs.

Amendments

This Chapter 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 said, Chapter 44B.

Severability

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

Effective Date

This by-law shall take effect upon approval by the Attorney General of the Commonwealth, and after all requirements of M.G.L. c.40, S. 32 have been met. Each appointing authority shall have thirty days after approval by the Attorney General to make its initial appointments.

Executive Summary: The purpose of this bylaw is to establish a Community Preservation Committee pursuant to Massachusetts General Law Chapter 44B. This Committee will include nine members and will study the needs, possibilities and resources of the town regarding community preservation. The Committee shall make recommendations to Town Meeting for the expenditure of funds from the Community Preservation Fund for community preservation purposes.

Unanimous

A true copy, Attest:


Ronald R. Adams

Town Clerk

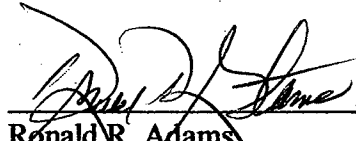
**TOWN OF BRIDGEWATER
SPECIAL TOWN MEETING
SENIOR CENTER
10 WALLY KRUEGER WAY
BRIDGEWATER, MA 02324
TUESDAY, SEPTEMBER 12, 2006**

ARTICLE 5.

It was voted that the Town amend the General Bylaws, Article XLIV. Community Preservation Committee, Establishment, number (2) by bringing the following into compliance with MGL: delete the number 2- and the word District, therefore number (2) will read as follows: One member of the Historical Commission as designated by the Commission.

Passed

A true copy, Attest:



Ronald R. Adams
Town Clerk

**SPECIAL TOWN MEETING
AUDITORIUM
BRIDGEWATER-RAYNHAM REGIONAL HIGH SCHOOL
415 CENTER STREET, BRIDGEWATER, MA 02324
TUESDAY, THE 13th DAY OF NOVEMBER, 2007**


ARTICLE 16. It was unanimously voted that the Town amend the General ByLaws, Article XLIV, Community Preservation Committee, Establishment, number (8) as follows:

Remove: (8) One Member of the Capital Planning Committee, as designated by the Capital Planning Committee

Add: (8) One Member of the Open Space Committee, as designated by the Open Space Committee.

UNANIMOUS

A true copy, Attest:


Ronald R. Adams
Town Clerk