



Cranberry Land U.S.A.

# Town Clerk

Jean F. McGillicuddy, CMC/CMMC  
Notary Public

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June 13, 2006

THIS IS TO CERTIFY that at the 214 Annual Town Meeting of the Inhabitants of the Town of Carver held at the Carver High School Auditorium on Monday, May 22, 2006 at 7:00 P.M., pursuant to a Warrant of the Board of Selectmen dated May 11, 2006. The meeting was called to order at 7:00 P.M., by the Moderator, John S. Murray, there being a quorum 75 present. The total registered voters at this time were 148. The following Article was voted on:

**Article 45.** Upon motion duly made and seconded and motion made by Dan Fortier, Chairman Conservation Committee, it was Unanimously Voted for the Town pursuant to Mass General Laws Chapter 44B, to establish a Community Preservation Committee and to amend the General By-laws of the Town by adding the following:

## Section 1: Establishment

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

- one member of the Conservation Commission as designated by the Commission for a term of three (3) years;
- one member of Historical Commission as designated by the Commission for term of three (3) years;
- one member of the Planning Board as designated by the Board for a term of three (3) years;
- one member of the Recreation Committee as designated by the Board of Selectmen for an initial term of one (1) year and thereafter for a term of three (3) years;
- one member of the Housing Authority as designated by the Authority for an initial term of two years and thereafter for a term of three (3) years;
- and four members to be appointed by the Board of Selectmen, two members to be appointed for a term of one (1) year and thereafter for a term of three years, and two members to be appointed for a term of two (2) years and thereafter for a term of three (3) years.

Should any of the Commissions, Boards, Authorities, or Committees who have appointing authority under this By-law be no longer in existence for whatever reason, the appointment authority for that Commission, Board, Authority, or Committee 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 a hearing.

#### Section 2: Duties

- 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, the Historical Commission, and the Planning Board in conducting such studies. As part of its study, the Committee shall hold one or more public information 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.
- b. The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation, restoration and rehabilitation of historic resources; the acquisition, creation, preservation and support of community housing; and the rehabilitation and restoration of such open space, 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.
- c. The Community Preservation Committee may include in its recommendations 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 CPA fund, or to set aside for later spending funds for general purposes that are consistent with community preservation.
- d. In every Fiscal Year, the Community Preservation Committee must recommend either that the legislative body spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for open space (not including land for recreational use); not less than 10% of the annual revenues in the Community Preservation Fund for historic resources; and not less than 10% of the annual revenues in the Community Preservation Fund for community housing.

#### Section 3: Requirement for a Quorum and Cost Estimates

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

Section 4: Amendments

This Chapter may be amended from time to time by majority vote of the Town Meeting, provided that the amendments would not cause a conflict to occur with MGL Chapter 44B.

Section 5: Severability

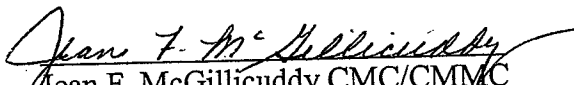
In case any section, paragraph, or part of this By-law is for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph, or part shall continue in full force and effect.

Section 6: Effective Date

Provided that the Community Preservation Act is accepted by the voters at the 2006 Annual Town Election, this By-law shall take effect upon approval by the Attorney General of the Commonwealth, and after all requirements of MGL Chapter 40 Section 32 have been met; or take any other action relative thereto.

(By the Agricultural Commission, the Conservation Commission, the Historic District Commission, the Historical Commission, the Industrial Development Commission, the Planning Board, and the Zoning Board of Appeals)

IN TESTIMONY WHEREOF I have hereunto set my hand and the official seal of the Town of Carver on this 13<sup>th</sup> day of June 2006.

  
Jean F. McGillicuddy, CMC/CMMC  
Town Clerk

June 21, 2007

### **TOWN MEETING ACTION**

**Article 37.** To see if the Town will vote to amend the Town's General By-Laws, Section 4.8 Community Preservation Committee, by adding the following section:

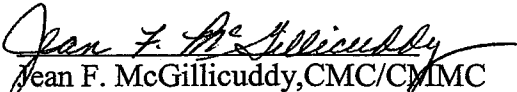
**4.8.7 Application Deadline for Exemption**

The application deadline for exemption from the surcharge shall be the same as for personal exemption applications, 90 days following the issuance of the actual tax bill, or take any other action relative thereto.

Sponsor: Charles Hamilton, Assessor

Motion passed by Majority Vote

A TRUE COPY ATTEST:

  
Jean F. McGillicuddy, CMC/CMC  
Town Clerk