

WHEREAS, the Chelsea City Council has authority to adopt ordinances to protect the health, safety and welfare of all residents of the City of Chelsea and to implement municipal policies;

WHEREAS, the residents of the City of Chelsea recently voted to adopt the Community Preservation Act allowing for a tax surcharge in order to promote open space, historic preservation and affordable housing; and

WHEREAS, the Community Preservation Act mandates that a municipality that approves such a surcharge establish by Ordinance a Community Preservation Committee to make recommendations on expenditures authorized by the Community Preservation Act; and

WHEREAS, adoption of the Community Preservation Committee is necessary to fully implement the will of the voters.

NOW THEREFORE, be it Ordained, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended and adopted as follows:

By adding to Chapter 2, Article VII Boards and Commissions, a new Division 3 Community Preservation Committee, that reads as follows:

DIVISION 3 COMMUNITY PRESERVATION COMMITTEE

Sec. 2-327. Establishment of the Community Preservation Committee

- (a) There is hereby established a Community Preservation Committee ("Committee") consisting of nine 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:
- (1) One member of the Planning Board as designated by the Board for a term of three years;
 - (2) One member of the Conservation Commission as designated by the Commission for a term of three years;
 - (3) One member of the Historical Commission as designated by the Commission for a term of three years;
 - (4) One member of the HHS Recreation & Cultural Affairs Division as designated by the City Manager for a term of three years;
 - (5) One member of the Chelsea Housing Authority as designated by the Chelsea Housing Authority for a term of three years; and
 - (6) Four members of the general public not City employees or currently holding elected or appointed positions, for a term of three years, appointed by the City Manager. All

members appointed by the City Manager shall be approved by the City Council in same manner as all other appointees to boards and commissions.

- (b) No member shall serve more than two consecutive terms. In order to stagger the terms of the members, the initial appointments of the Housing Authority member, the Planning Board member and one member of the general public appointed by the City Manager shall be for two years; and the initial appointments of the HHS Recreation & Cultural Affairs Division and two members of the general public appointed by the City Manager shall be for one year.
- (c) Any vacancy on the Committee shall be filled by the commission, authority, board or person that designated the member who creates the vacancy by designating another member for the unexpired term.
- (d) Should any of the commissions, boards, or authorities who have appointment authority under this chapter be no longer in existence for whatever reason, then any other commission, board or authority performing substantially the same duties as those with appointment authority under this chapter shall have the authority to appoint a member of the committee as provided herein. In the event that there is no such commission, board, or authority then the City Manager shall have the authority to appoint to the Committee a person acting in the capacity of, or performing like duties of the commission, board or authority in question.
- (e) The Committee shall annually elect one of its members to serve as chairperson and may elect such other officers, adopt procedural rules and regulations and establish any subcommittees as it deems appropriate.
- (f) The Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Committee shall constitute a quorum. The Committee shall approve its actions by a majority vote of the quorum.

Sec. 2-328 Procedure for Appointment of Public Members

For the four members of the general public, there shall be a public announcement of the open positions, with at least a three-week period for submittal of an application to the City Manager. The public announcement shall be posted on the City's website and advertised in a newspaper of general circulation in the City. The four members of the general public should include citizens who have demonstrated interest in open space, recreation, historic preservation and/or affordable housing.

Sec. 2-329. Powers and Duties of the Community Preservation Committee

- (a) The Committee shall study the needs, possibilities and resources of the City regarding community preservation. The Committee shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Planning Board, the Chelsea Housing Authority and the HHS Division of Recreation & Cultural Affairs, 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 City 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 City. The Committee may, after proper appropriation, incur expenses as permitted by state law using funds from the Community Preservation Fund to pay such expenses.

(b) The Committee shall make recommendations to the Chelsea City Council for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for rehabilitation or restoration of open space and community housing that is acquired or created as provided in this section; provided, however, that funds expended pursuant to this chapter shall not be used for maintenance. 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. With respect to recreational use, the acquisition of artificial turf for athletic fields shall be prohibited.

(c) The Committee may include in its recommendations to the Chelsea City 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.

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

Sec. 2-330. Action by the City Council

The City Council shall consider recommendations of the Committee similar to appropriation requests from the City Manager, and City Council action on such recommendations shall be governed by the same rules in the City Charter applicable to appropriation requests.