

Easthampton

DIVISION 8. COMMUNITY PRESERVATION COMMITTEE*

(*Division 8 added by City Council 4-2-02; approved by Mayor 4-3-02)

Sec. 2-72.1 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:

1. One member of the Conservation Commission as designated by the Commission for a term of three years.
2. One member of the Historical Commission as designated by the Commission for a term of three years.
3. One member of the Planning Board as designated by the Board for a term of three years.
4. One member of the Parks and Recreation Commission as designated by the Commission for an initial term of two years and thereafter for a term of three years.
5. One member of the Housing Authority as designated by the Authority for an initial term of one year and thereafter for a term of three years.
6. One member appointed by the Mayor, subject to City Council approval, for an initial term of one year and thereafter for a term of three years.
7. One member to be the City Council Finance Committee Chairperson, or his/her designee from the Finance Subcommittee, for the Councilor's remaining term of office.
8. Two members, who shall not be sitting members of the City Council, are to be appointed by the City Council President and approved by the Council in accordance with the Easthampton City Charter, one member to be appointed for a term of one year and thereafter for a term of three years and one member to be appointed for a term of two years and thereafter for a term of three years.

Should any of the Commissions, Boards, Councils or Committees who have appointment authority under this Chapter be no longer in existence for whatever reason, the appointment authority for that Commission, Board, or Council shall become the responsibility of the Mayor, such appointments being subject to the approval of the Easthampton City Council.

Each appointing authority shall have thirty days after approval of this ordinance by the City Council to make their initial appointments.

Sec. 2-72.2 Duties.

- (1) The Community Preservation Committee shall, at least annually, 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 Parks and Recreation Commission and the Housing Authority, 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.

(2) The Community Preservation Committee shall, at least annually, make recommendations to the City Council 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 the Community Preservation Act. 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. Recommendations to the City Council shall include their anticipated costs.

(3) The Community Preservation Committee may include in its recommendation to the 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.

(4) In determining its recommendation to the City Council, the Committee shall consider the requirement of the Community Preservation Act and this ordinance that the City spend or set aside for later spending not less than 10% of the annual revenues for open space (not including recreational use), not less than 10% for historic resources, and not less than 10% for community housing.

Sec. 2-72.3 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 a majority vote of the entire committee membership.

Sec. 2-72.4 Amendments.

This ordinance may be amended from time to time by a majority vote of the City Council, provided, however, that the amendments would not cause a conflict to occur with Massachusetts General Law, Chapter 44B.

Sec. 2-72.5 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; or take any action relative thereto.