



Onorina Maloney  
Town Clerk

## TOWN OF GROTON

Office of

### TOWN CLERK

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**VOTE CERTIFICATION**

I, Onorina Z. Maloney, Town Clerk of Groton Massachusetts, do hereby certify the following vote:

**ARTICLE 17:** see if the Town will vote to amend the Code of the Town of Groton by adding a new Chapter 22, as follows:

### **Community Preservation Committee**

#### **Section 1 Establishment**

There is hereby created a Community Preservation Committee under the provisions of Massachusetts General Laws Chapter 44B section 5 consisting of seven (7) members as follows:

- A. One (1) member of the Conservation Commission as designated by the Commission
- B. One (1) member of the Historical Commission as designated by the Commission
- C. One (1) member of the Planning Board as designated by the Board
- D. One (1) member of the Parks Commission as designated by the Commission
- E. One (1) member of the Housing Authority as designated by the Authority
- F. Two (2) at large members appointed by the Board of Selectmen

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 Commission and the Housing Authority will serve for two (2) years, and the members 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 officers, commissions, boards or committees who have appointing authority under this by law be no longer in existence for whatever reason, the Board of Selectmen shall appoint a suitable person to serve in their place.

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, the Planning Board, the Parks Commission and the Housing Authority in conducting such studies. As part of its study, the committee shall hold one annual public informational hearing, or more at its discretion, on the needs, possibilities and resources of the town regarding community preservation possibilities and resources, notice of which shall be 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, 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 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 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.
- 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 (1) open space (not including land for recreational use) (2) historic resources, and (3) community housing.

### **Section 3: Requirement for a quorum and cost estimates**

The Community Preservation Committee shall comply with the provisions of the Open Meeting Law Mass. General Law Ch. 39 S 23B. The committee shall not meet or conduct business without the presence of a majority of the members of the committee. The Community Preservation Committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include the committee's anticipated costs.

### **Section 4: Amendments**

This by-law may be amended from time to time by majority vote of Town Meeting consistent with the provisions of Mass General Law Ch. 44B.

### **Section 5: Severability**

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

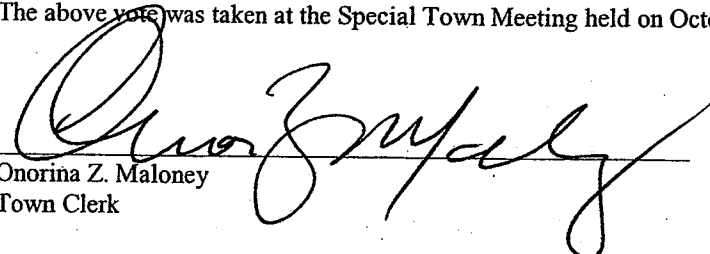
### **Section 6: Effective Date**

Provided that the Community Preservation Act is accepted at the November 2004 Ballot\* this by law shall take effect upon approval by the Attorney General of the Commonwealth and after all requirements of Mass. General Law, Ch 40, S. 32 have been met. Each appointing authority shall have thirty days after approval by the Attorney General to make their initial appointments.

Or take any action thereon.

### **Article 31 carried by 2/3 vote.**

The above vote was taken at the Special Town Meeting held on October 25, 2004

  
Onorina Z. Maloney  
Town Clerk

\*Certified Ballot Question vote attached