



Town of Hanson

OFFICE OF TOWN CLERK
542 LIBERTY STREET
HANSON, MASSACHUSETTS 02341

Town Clerk
Sandra E. Harris, CMC, CMMC
Assistant Town Clerk
Elizabeth Sloan
781-293-2772 Fax 781-294-0884

Annual Town Meeting
May 5, 2008

ARTICLE 18: To see if the Town will vote, pursuant to the provisions of G.L. c.44B, §5, to amend the Town Bylaws to adopt a new general bylaw creating a Community Preservation Committee to read as follows:

[Insert the numbering of this bylaw]

Hanson Community Preservation Committee (CPC) Bylaw

Section 1: Establishment

There is hereby established a Community Preservation Committee (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 an initial term of two (2) years and then a term of three years thereafter.

One member of the Historical Commission, as designated by the Commission, for an initial term of one (1) year and then a term of three years thereafter.

One member of the Planning Board, as designated by the Board, for an initial term of one (1) year and then a term of three years thereafter.

One member of the Parks and Fields Commission, as designated by the Commission, for an initial term of two (2) years and then a term of three years thereafter.

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 years.

Four (4) At Large members appointed by the Board Selectmen, for an initial term of one year and thereafter for a terms of one, two and three years respectively.



Town of Hanson

OFFICE OF TOWN CLERK
542 LIBERTY STREET
HANSON, MASSACHUSETTS 02341

Town Clerk
Sandra E. Harris, CMC, CMMC
Assistant Town Clerk
Elizabeth Sloan
781-293-2772 Fax 781-294-0884

Notwithstanding the terms of office set forth above, in the event that a person no longer serves in the position or on the Commissions, Boards, Authorities or Committees designated above, such person shall be deemed to have vacated his or her position on the Community Preservation Committee.

Should any of the Commissions, Boards, Authorities, or Committees who have appointment authority under this Section be no longer in existence for whatever reason, if a successor Commission, Board, Authority or Committee is created, the appointment authority shall remain with the successor, but if no successor Commission, Board, Authority or Committee is created, 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 hearing.

Section 2: Duties

(1). The Committee shall study the needs, possibilities, and resources of the town regarding community preservation. The Committee shall meet monthly, notice of which shall be posted publicly as required. The Committee shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Planning Board, the Parks and Fields Commission and the Housing Authority, or boards acting in those capacities or performing like duties, in conducting such studies. As part of its study, the Committee shall hold an annual public informational hearing, and may hold such additional public information hearings as it deems appropriate, on the needs, possibilities and resources of the town regarding community preservation possibilities and resources prior to the annual Town Meeting, 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 community housing, the Committee shall recommend, wherever



Town of Hanson

OFFICE OF TOWN CLERK
542 LIBERTY STREET
HANSON, MASSACHUSETTS 02341

Town Clerk
Sandra E. Harris, CMC, CMMC
Assistant Town Clerk
Elizabeth Sloan
781-293-2772 Fax 781-294-0884

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 to accomplish that specific purpose or to set aside for later spending for general purposes that are consistent with community preservation.

(4). In every fiscal year, the Committee must recommend either that the Town Meeting spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for:

- (a) Open space (not including land for recreational use);
- (b) Historic resources; and
- (c) Community Housing

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

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

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 Committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include their anticipated costs.



Town of Hanson

OFFICE OF TOWN CLERK
542 LIBERTY STREET
HANSON, MASSACHUSETTS 02341

Town Clerk
Sandra E. Harris, CMC, CMMC
Assistant Town Clerk
Elizabeth Sloan
781-293-2772 Fax 781-294-0884

Section 4: Amendments

This Section 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 MGL, Chapter 44B.

Section 5: Rules, Regulations, Policies and Procedures

After public notice and public hearing the Committee may promulgate rules, regulations, policies and procedures to achieve the purpose of this by-law. Failure by the Community Preservation Committee to promulgate such rules, regulations, policies and procedures or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this by-law.

Section 6: Annual Community Preservation Plan

Annually, the Committee shall produce a Community Preservation Plan. The Plan shall be published and available to any interested resident and be on file at the Town Hall. The Plan shall describe the community's preservation needs and goals for the year in the following categories: open space, historical preservation, community housing and recreation. The plan shall also include a budget and selection criteria for proposed projects as well as an assessment of achievements with respect to the previous year's goals.

Section 7: Severability

In case any section, paragraph or part of this Section 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 8: Effective Date

Provided that the Community Preservation Act is accepted at the 2008 Annual Town Election, this Bylaw shall take effect upon approval of the Attorney General of the Commonwealth, and after all the requirements of General Laws Chapter 40, Section 32 have been met. Each appointing authority shall have thirty days after approval by the Attorney General to make its initial appointment.

Proposed by the Conservation Commission



Town of Hanson

OFFICE OF TOWN CLERK
542 LIBERTY STREET
HANSON, MASSACHUSETTS 02341

Town Clerk
Sandra E. Harris, CMC, CMMC
Assistant Town Clerk
Elizabeth Sloan
781-293-2772 Fax 781-294-0884

Explanation: If the Town accepts the CPA, then a committee must be created to administer the fund, set priorities, make recommendations and manage projects that use CPA funds. The alternative to structuring the Committee now will be to wait until Town Meeting scheduled for the Spring of 2009. No work could be undertaken under the CPA until then. If the CPA is not passed by ballot then this proposed by-law shall become null and void.

Finance Committee refers to Town Meeting.

VOTED Aye, voice pursuant to the provisions of G.L. c.44B, s5, to amend the Town Bylaws to adopt a new general bylaw Article 2-20 creating a community Preservation Committee as printed in the warrant.

A true copy of the vote, Attest:

Sandra E. Harris, CMC, CMMC
Town Clerk