

# **TOWN of HUBBARDSTON**

## **GENERAL BYLAWS**

Updated through January 2018



Bylaws originally approved by the Attorney General of the Commonwealth of Massachusetts on April 22, 1969, and including all subsequent amendments approved by the Attorney General of the Commonwealth of Massachusetts up to January 2018, with the exception of Zoning Bylaws.

A Capital Improvement Planning Committee shall consist of 5 members appointed as per the Town Charter, Article 4, Section 4-2-3. The Committee shall develop policies and procedures for submission and evaluation of requests for proposed capital outlays involving major non-recurring tangible assets (facilities, vehicles, equipment, and infrastructure) that have a useful life of at least three years and have a total cost of over \$10,000. The Committee shall submit a capital plan annually to the Town Administrator in accordance with the Town Charter, Article 5, Section 2.

## **SECTION 2.2 Community Preservation Committee**

### **A: Establishment**

There is hereby established a permanent committee of the Town to be known as the Community Preservation Committee, consisting of nine voting members, pursuant to G.L. c. 44B, §5. The composition of the committee, the appointing 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;
- (2) One member of the Historical Commission as designated by the Commission;
- (3) One member of the Planning Board as designated by the Board;
- (4) One member of the Housing Authority as designated by the Authority;
- (5) One member of the Board of Park Commissioners as designated by the Commissioners;
- (6) One member of the Open Space Committee as designated by the Committee;
- (7) One at-large member as designated by the Board of Selectmen;
- (8) One at-large member as designated by the Board of Selectmen;
- (9) One at-large member as designated by the Board of Selectmen.

Each member of the Committee shall serve 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 and commissions, boards, or committees who have appointing authority under this bylaw 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 hearing.

### **B: Duties**

(1) 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 department of public works, 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 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 posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.

(2) 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; for the acquisition, creation and preservation of land for recreational use; for the acquisition, 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. Recommendations to the Town Meeting shall also include the committee's anticipated costs.

(3) 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.

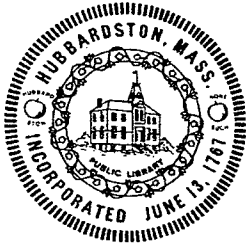
(4) In every fiscal year, the community preservation committee must recommend either that the legislative body spend, or set aside for later spending, not less than 10% of the annual revenues in the Community Preservation Fund for open space (not including land for recreational use); not less than 10% 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.

**C. Exemption Application Deadline**

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.

**D. Effective Date**

This bylaw shall take effect upon approval by the Attorney General of the Commonwealth, and after all requirements of G.L. c.40, §32 have been met. Each appointing authority shall have thirty days after approval by the Attorney General to make their initial appointments.



Joyce E. Green  
Town Clerk

THE TOWN OF  
HUBBARDSTON, MASSACHUSETTS

Office of the Town Clerk

P.O. Box H

Hubbardston, MA 01452

(978) 928-5244 FAX (978) 928-1402

CERTIFIED COPY OF VOTE

At a legal meeting of the qualified voters of the Town of Hubbardston held on April 10, 2007, the following business was transacted under Article 23:

ARTICLE 23. **Motion**, Paul Hale that the Town vote to amend the General Bylaws by adding the following to CHAPTER XII. COMMITTEES:

Section 2.2 Community Preservation Committee

A: Establishment

There is hereby established a permanent committee of the Town to be known as the Community Preservation Committee, consisting of nine voting members, pursuant to G.L. c. 44B, §5. The composition of the committee, the appointing 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;
- (2) One member of the Historical Commission as designated by the Commission;
- (3) One member of the Planning Board as designated by the Board;
- (4) One member of the Housing Authority as designated by the Authority;
- (5) One member of the Board of Park Commissioners as designated by the Commissioners;
- (6) One member of the Open Space Committee as designated by the Committee;
- (7) One member of the Recreation Commission as designated by the Commission;
- (8) One at-large member as designated by the Selectboard;
- (9) One at-large member as designated by the Selectboard.

Each member of the Committee shall serve 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 and commissions, boards, or committees who have appointing authority under this bylaw 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 hearing.

B: Duties

- (1) 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 department of public works, 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 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 posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.

(2) 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; for the acquisition, creation and preservation of land for recreational use; for the acquisition, 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. Recommendations to the Town Meeting shall also include the committee's anticipated costs.

(3) 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.

(4) 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.

**C. Exemption Application Deadline**

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.


**D. Effective Date**

This bylaw shall take effect upon approval by the Attorney General of the Commonwealth, and after all requirements of G.L. c.40, §32 have been met. Each appointing authority shall have thirty days after approval by the Attorney General to make their initial appointments.

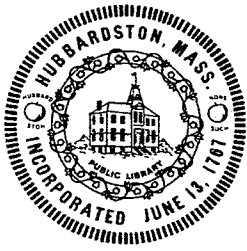
**Second:** James Ramsey

**Vote:** Motion carries, majority affirmative vote

A true copy, Attest:

  
Joyce E. Green, Town Clerk

(Town Seal)



Joyce E. Green  
Town Clerk

THE TOWN OF  
HUBBARDSTON, MASSACHUSETTS  
Office of the Town Clerk  
P.O. Box H  
Hubbardston, MA 01452  
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CERTIFIED COPY OF VOTE

At a legal meeting of the qualified voters of the TOWN OF HUBBARDSTON, held on November 13, 2008, the following business was transacted under Article 10:

**ARTICLE 10. Motion,** Matt Castriotta, that the Town vote to amend the Hubbardston General Bylaws Chapter XII, Committees, Section 2.2(A) Community Preservation Committee by deleting Item (7) which reads *One member of the Recreation Commission as designated by the Commission* and adding Item (7) One at-large member as designated by the Board of Selectmen.

**Second:** Kristie Casey

**Vote:** Motion carries, majority affirmative vote.

A True Copy,  
Attest:

Joyce E. Green  
Town Clerk

(seal)