



TOWN OF LANCASTER

OFFICE OF THE TOWN CLERK

Lisa J. Johnson
Town Clerk

Amie C. Martin
Assistant Town Clerk

September 27, 2021

Certificate of Vote

ARTICLE 13

Community Preservation Committee Bylaw Board of Selectmen

To see if the Town will vote amend the Town's General Bylaws by inserting new Chapter 17, Article X therein entitled "Community Preservation Committee" as follows, or act in any manner relating thereto:

§17-22: Establishment

There is hereby established a Community Preservation Committee, consisting of seven (7) voting members pursuant to MGL Chapter 44B, Section 5. The composition of the committee, the appointment authority and the term of office for the committee members shall be as follows:

- a. One member of the Planning Board (created by G.L. c. 41, §81a) as designated by the Board for a term of three (3) years
- b. One member of the Conservation Commission (created by G.L. c. 40, § 8C) as designated by the Commission for a term of three (3) years
- c. One member of the Historical Commission (created by G.L. c. 40, §8D) as designated by the Commission for a term of three (3) years
- d. One member of the Recreation Committee (created by G.L. c. 45, §2) as designated by the Board for a term of three (3) years.
- e. One member of the Housing Authority Board (created by G.L. c. 121B, §3) as designated by its Board of Directors for a term of three (3) years.
- f. Two (2) at large members of the general public, not town employees or currently holding elected or appointed positions, for a term of three (3) years, as designated by the Board of Selectmen.

Any vacancy on the Community Preservation Committee shall be filled by the commission, authority or board that designated the member who creates the vacancy by designating another member in accordance with the above for the unexpired term.



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Should any of the commissions, boards, or authorities who have appointment authority under this Chapter be no longer in existence for whatever reason, the appointment authority for that commission, board, or authority shall become the responsibility of the Board of Selectmen.

§17-23: 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 Board of Selectmen, the Conservation Commission, the Historical Commission, the Planning Board, the Recreation Committee 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 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. The Committee may, after proper appropriation, incur expenses as permitted by state law using funds from the Community Preservation Fund to pay such expenses.
2. The Community Preservation Committee shall make recommendations to 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, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created with Community Preservation Act Funds. 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.
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 Act Fund to accomplish that specific purpose or recommended action to set aside for later spending funds for general purposes that are consistent with community preservation.

§17-24: Requirement for a quorum and cost estimates

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum and shall keep a written record of its proceedings, and shall conduct all meetings in accordance with the requirements of the Open Meeting Law. A majority of the members of the Community Preservation Committee shall constitute a quorum. The Community Preservation

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Committee shall approve its actions by majority vote of the quorum. Recommendations to the Town Meeting shall include the Committee's anticipated costs.

§17-25: Amendments

The Community Preservation Committee shall, from time to time, review the administration of this bylaw, making recommendations, as needed, for changes in the bylaw and in administrative practice to improve the operations of the Community Preservation Committee. This Bylaw may be amended from time to time by a majority y

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.

§17-27: Effective Date

Following Town Meeting approval of this bylaw, this Chapter shall take effect immediately upon approval by the Attorney General of the Commonwealth and proper posting by the Town according to G.L. c. 40, § 32. Each appointing authority shall have sixty days after this bylaw takes effect to make their initial appointments.

Motion: Move to accept the provisions of Massachusetts General Laws Chapter 44, Section 55C, and establish a Community Preservation Committee and further, to amend the General Bylaws of the Town to insert a new Chapter entitled: Community Preservation Committee, as written in the warrant.
(Majority vote required)

Motion made by Jason Allison and received second. Motion passed with 202 Yes votes and 19 No votes.



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Attest:

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