



Office of
Town Clerk

TOWN OF MARSHFIELD

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Sheila M. Sullivan, CMC
Town Clerk

TOWN CLERK'S CERTIFICATE

The following is a true copy of the vote taken under Article 10 of the Annual Town Meeting of the Town of Marshfield held at the Furnace Brook School on April 23, 24, and 26, 2001. The vote under Article 10 was taken on April 23, 2001.

ARTICLE 10 The Town **VOTED** to amend its bylaw by adding a new section to establish a Community Preservation Committee pursuant to M.G.L. Chapter 44B

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:

One member of the Conservation Commission as designated by the Commission for a term of three years.

One member of the Historical Commission as designated by the Commission for a term of three years.

One member of the Planning Board as designated by the Board for a term of three years.

One member of the Recreation Commission as designated by the Commission for a term of three years.

One member of the Housing Authority as designated by the Authority for a term of three years.

Four members to be appointed by the Board of Selectmen, two members to be appointed for a term of one year and thereafter for a term of three years and two members 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 section of the by-law be no longer in existence for what ever reason or for what ever reason fail to appoint an individual to the committee, the appointment authority for that Commission, Board, Council, or Committee shall become the responsibility of the Board of Selectmen.

2: 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 recreation council 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.

(2). The community preservation committee shall make recommendations to the Town Meeting 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 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.

(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.

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 majority vote. Recommendations to the Town Meeting shall include their anticipated costs.

4: Amendments

This section of the by law 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.

5: Severability

In case any section, paragraph or part of this section of the by law 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.

6: Effective Date

Following Town Meeting approval, this By-law Section shall take effect immediately upon (1) acceptance by the town of the Community Preservation Act MGL Chapter 44B at the town election on April 28, 2001 and (2) approval by the Attorney General of the Commonwealth. Each appointing authority shall have ten days after approval by the Attorney General to make their initial appointments. Should any appointing authority fail to make their appointment within that allotted time, the Selectmen shall make the appointment.

UNANIMOUS VOTE

A true copy, ATTEST:

A handwritten signature in cursive script, reading "Sheila M. Sullivan".

Sheila M. Sullivan, CMC
Town Clerk