

Northfield CPC Bylaw (Spring 2009 TM)

Article 15. (Submitted by the Selectboard, approved by TM, submitted to AG office for approval)

Move that the Town vote to approve the following General Bylaw:

TOWN OF NORTHFIELD
Community Preservation Committee Bylaw

1. Establishment

The Town of Northfield hereby establishes a Community Preservation Committee (CPC), consisting of nine (9) voting members pursuant to M.G.L. Chapter 44B, Section 5. The composition of the committee, the appointing 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
- One member of the Historical Commission as designated by the Commission
- One member of the Planning Board as designated by the Board
- One member of the Recreation Commission as designated by the Commission
- One member of the Open Space Committee as designated by the Committee
- One member of the Finance Committee as designated by the Committee
- One member to act in the capacity of, or perform like duties of, a member of a Housing Authority; this member is to be appointed by the Selectboard
- Two community-at-large members to be appointed by the Selectboard

The term for appointed and designated CPC members shall begin on July 1, 2009, or the effective date of this bylaw, whichever is later and shall end on June 30, 2010. Thereafter, each member of the CPC shall serve for a term of one year 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 commissions, boards, or committees who have appointing authority under this bylaw be no longer in existence for whatever reason, the appointing authority for that commission, board, or committee shall become the responsibility of the Selectboard.

2. Duties

The CPC shall study the needs, possibilities, and resources of the town regarding community preservation. The committee shall consult with existing municipal boards and committees, including those having representatives on the CPC, 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 each calendar year 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.

3. Recommendations to the Town

In accordance with M.G.L. Chapter 44B, Section 5, the CPC 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 acquisition, 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 CPC shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites. The terms of this section are correspondingly adjusted to the terms of any successor to M.G.L. Chapter 44B, Section 5.

4. Set Aside Recommendations

The CPC 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.

5. Annual Revenues; Open Space, Historic Resources and Community Housing

In every fiscal year, the CPC 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 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.

6. Requirement for a Quorum and Cost Estimates

The CPC shall not meet or conduct business without the presence of a quorum. A majority of the members of the CPC shall constitute a quorum. The CPC shall approve its actions by majority vote of the entire membership. Recommendations to the Town Meeting shall include their anticipated costs.

7. Amendments

The CPC 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 CPC. The first review shall be completed no later than January 1, 2012, and subsequent reviews shall be completed in no more than five-year intervals.

This bylaw may be amended from time to time by a majority vote of the Town Meeting, consistent with the provisions of M.G.L. Chapter 44B.

8. Severability.

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

9. Effective Date

This bylaw shall take effect upon approval by the Attorney General of the Commonwealth and after all requirements of M.G.L. Chapter 40, Section 32 have been met. Each appointing authority shall have thirty (30) days after the effective date to make its appointments.

By _____ Yes _____ No _____