

## **Chapter XXV COMMUNITY PRESERVATION COMMITTEE**

*(Section added STM 6.28.05 – Approved by AG 9.16.05 – Posted 9.22.05)*

### **A. 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 appointing authority and terms of office for the committee members shall be as follows:

One member of the Conservation Commission as designated by said Commission for a term of three (3) years;

One member of the Historical Commission as designated by said Commission for a term of three (3) years;

One member of the Affordable Housing Committee as designated by said Committee for a term of three (3) years;

One member of the Parks and Recreation Commission as designated by said Commission for an initial term of two (2) years and thereafter for a term of term of three (3) years;

One member of the Planning Board as designated by said Board for an initial term of one (1) year and thereafter for a term of three (3) years;

Four (4) members from the voters at large to be appointed by the Board of Selectmen, two (2) members to be appointed for terms of one (1) year and thereafter for terms of three (3) years, and two (2) members to be appointed for terms of two (2) years and thereafter for terms of three (3) years.

Should any of the Commissions, Boards, Committees or individuals having appointing authority under this by-law no longer exist for whatever reason, the appointing authority for that Commission, Board, Committee or individual shall become the responsibility of the Board of Selectmen.

### **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 Parks and Recreation Commission and the Affordable Housing Committee 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, notices 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 to acquire, create, preserve, rehabilitate or restore:
  - Community Housing;
  - Open Space;
  - Land for Recreational Use; or
  - Historic Resources

3. The Community Preservation Committee may include in its proposal to Town Meeting, a recommendation to set aside for later spending, funds for purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund. The Community Preservation Committee may recommend the issuance of general obligation bonds or notes in anticipation of revenues to be raised pursuant to MGL Chapter 44B, Section 3, the proceeds of which shall be deposited in the Community Preservation Fund.
4. As provided in the Massachusetts Community Preservation Act, no expenditures shall be made from the Community Preservation Fund without the approval of Town Meeting.
5. The Community Preservation Committee will submit an annual administrative and operating budget for the Community Preservation Committee which cannot exceed five percent (5%) of the annual revenues in the Community Preservation Fund, to Town Meeting for approval.

#### **C. Requirement for a Quorum**

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Committee shall constitute a quorum. The Community Preservation Committee shall approve its actions by a majority vote.

#### **D. Requirement for Cost Estimates**

Proposals to Town Meeting shall include their anticipated costs.

#### **E. Exemptions**

Taxpayers qualifying for the low-income exemption or the low and moderate-income senior exemption as provided for in MGL Chapter 44B shall submit an application for the exemption on a form provided by the Board of Assessors within three (3) months after the tax bill or notice is sent.

#### **F. Severability**

In event 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.

#### **G. Effective Date**

This by-law shall take effect upon approval of the Attorney General of the Commonwealth, and after all requirements of MGL Chapter 40 Section 32 have been met. Each appointing authority shall have thirty (30) days after approval by the Attorney General to make their initial appointments.

### **Chapter XXVI 'SEWER ASSESSMENT' BY-LAW**

*(Section added STM 4.11.06, AG Approval posted 6/12/06)*

1. Introduction and Authority