

PEPPERELL COMMUNITY PRESERVATION COMMITTEE BYLAW PURSUANT TO MGL 44b

Chapter 1: Establishment

Annually, there is hereby established a Community Preservation Committee, consisting of seven (7) 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:

Appointments to the Community Preservation Committee, (CPC shall be for three years except that the initial appointments to the CPC shall be staggered with two appointees for one year, two appointees for two years and three appointees for three years.

- a. One member of the Planning Board (created by Section 81a of Chapter 41) as designated by the Planning Board shall be for three years except the initial appointment will be for a term of one year.
- b. One member of the Conservation Commission (created by Section 8C of Chapter 40) as designated by the Conservation Commission shall be for three years except the initial appointment will be for a term of one year.
- c. One member of the Historical Commission (created by Section 8D of Chapter 40) as designated by the Historical Commission shall be for three years except the initial appointment will be for a term of two years.
- d. One member of the Recreation Commission (created by Section 2 of Chapter 45) as designated by the Recreation Commission shall be for three years except the initial appointment will be for a term of two years.
- e. One member of the Housing Authority Board (created by Section 3 of Chapter 121B) as designated by its Housing Authority Board shall be for three years except the initial appointment will be for a term of three years.
- f. Two members of the general public, not town employees or currently holding elected or appointed positions, with the first for a term of one year and the second for a term of two years, as designated by the Select Board. Subsequent terms for the two general public representatives will be for three years.

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.

Should any of the Commissions, Boards, Councils or Committees who have appointment authority under this Chapter be no longer in existence for what ever reason, the appointment authority for that Commission, Board, Council, or Committee shall become the responsibility of the Select Board.

Chapter 2: Duties

1. The Community Preservation Committee shall annually study the needs, possibilities and resources of the town regarding community preservation. The committee shall consult with existing municipal boards, including the Select Board, the Conservation Commission, the Historical Commission, the Planning Board, the Recreation Commission 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 affordable housing; and for the rehabilitation or restoration of open space and affordable housing that is acquired or created with Community Preservation Funds.
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 recommended action to set aside for later spending funds for general purposes that are consistent with community preservation.

Chapter 3: 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. 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 of the quorum. Recommendations to the Town Meeting shall include their anticipated costs.

Chapter 4: Severability

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.

Chapter 5: 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.