

ARTICLE LI
COMMUNITY PRESERVATION COMMITTEE

Sec. 2-289. Establishment. [Ord. No. 1179, § I, 2-14-2017¹]

There is hereby established a municipal board to be known as the "Community Preservation Committee."

Sec. 2-290. Composition and appointment. [Ord. No. 1179, § I, 2-14-2017]

- (a) The Community Preservation Committee shall consist of nine voting members pursuant to Massachusetts General Laws, Chapter 44B, and the City Charter. The composition of the Committee, the appointment authority and the term of office for the Committee members shall be as follows:
- (1) One member of the Community Development Board (created by MGL c. 43c, § 12) as designated by the Board for a term of one year.
 - (2) One member of the Conservation Commission (created by MGL c. 40, § 8c) as designated by the Commission for a term of one year.
 - (3) One member of the Historical Commission (created by MGL c. 40, § 8D) as designated by the Commission for a term of one year.
 - (4) One member of the Board of Park Commissioners (created by MGL c. 45, § 2) as designated by the Board for a term of one year.
 - (5) One member of the Housing Authority Board (created by MGL c. 121B, § 3) as designated by its Board of Directors for a term of one year.
 - (6) Four at-large members appointed by the Mayor subject to City Council approval for a term of three years, in accordance with the City Charter. The four at-large members shall not be elected officials or City staff whose responsibilities directly involve administering Community Preservation Act funds or programs. Terms shall be so arranged that as to equal a number as possible shall expire each year.
- (b) 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.
- (c) Should any of the commissions, boards, councils or committees who have appointment authority under this chapter be no longer in existence for whatever

1. Editor's Note: This ordinance was originally adopted as Art. L, but was redesignated as Art. LI as an Art. L already existed. In addition, the sections within this article were originally adopted as §§ 2-288 through 2-294. They were renumbered as §§ 2-289 through 2-295, respectively, as a § 2-288 already existed.

reason, the appointment authority for that commission, board, council, or committee shall become the responsibility of the Mayor.

Sec. 2-291. Duties. [Ord. No. 1179, § I, 2-14-2017]

- (a) The Community Preservation Committee shall study the needs, possibilities and resources of the City regarding community preservation. The Committee shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Community Development Board, the Board of Parks Commissioners and the Pittsfield 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 City 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 City. The Committee may, after proper appropriation, incur expenses as permitted by state law using funds from the Community Preservation Fund to pay such expenses.
- (b) The Community Preservation Committee shall make recommendations to the City Council 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 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.
- (c) The Community Preservation Committee may include in its recommendation to the City Council 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.

Sec. 2-292. Requirement for quorum; cost estimates required. [Ord. No. 1179, § I, 2-14-2017]

- (a) 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.

(b) Recommendations to the City Council shall include their anticipated costs.

Sec. 2-293. Amendments. [Ord. No. 1179, § I, 2-14-2017]

The Community Preservation Committee shall, from time to time, review the administration of this article, making recommendations, as needed, for changes in the article and in administrative practice to improve the operations of the Community Preservation Committee. This article may be amended from time to time by a majority vote of the City Council, provided that the amendments would not be in conflict with Chapter 44B of the Massachusetts General Laws.

Sec. 2-294. Severability. [Ord. No. 1179, § I, 2-14-2017]

In case any section, paragraph or part of this article is 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.

Sec. 2-295. Time frame for initial appointments. [Ord. No. 1179, § I, 2-14-2017]

Following City Council approval of this article, each appointing authority shall have 60 days to make their initial appointments to the Community Preservation Committee.