

**TOWN WARRANT
FOR THE ANNUAL TOWN MEETING
FY' 2024
THE COMMONWEALTH OF MASSACHUSETTS**

FRANKLIN SS.

To either of the Constables of the Town of Shelburne in the County of Franklin

IN THE NAME OF THE COMMONWEALTH OF MASSACHUSETTS, you are hereby directed to notify and warn the inhabitants of said Town, qualified to vote in elections and in Town affairs, to meet at the **Buckland-Shelburne Elementary School, 75 Mechanic Street** in said **Shelburne on Tuesday, May 2, 2023, at 6:30 o'clock in the evening**, then and there to act on the following articles:

ARTICLE 27. To see if the Town will adopt the following CPA Bylaw in accordance with Chapter 44B, Section 5(a) of the General Laws, otherwise known as the Massachusetts Community Preservation Act:

1. Required members.

There shall be five required members of the Shelburne CPA Committee (the "CPC"):

- A. One member of the Conservation Commission as designated by the Commission for a term of one year;
- B. One member of the Planning Board as designated by the Board for a term of one year.
- C. One member of the Recreation Committee as designated by the Committee for a term of one year;
- D. One member, a resident of the Town who does not currently hold elected or appointed office, nor currently serves as a municipal employee, who is interested in promoting historic preservation in the Town, appointed by the Select Board for a term of three years; and
- E. One member, a resident of the Town who does not currently hold elected or appointed office, nor currently serves as a municipal employee, who is interested in promoting affordable housing in the Town, appointed by the Select Board for a term of three years.

2. Members at Large.

There shall be four at large member of the CPC who shall be appointed as follows:

- A. One member of the Open Space Committee as designated by the Committee for a term of one year.
- B. One member of the Agricultural Commission as designated by the Committee for a term of one year.
- C. Two at large members, residents of the Town who do not currently hold elected or appointed office, nor currently serve as a municipal employee, appointed by the Select Board for terms of three years.

3. Notwithstanding the term provisions set forth above, two of the members appointed by Select Board shall serve for an initial term of three years, two shall serve for an initial term of two years, and one shall serve for an initial term of one year. Thereafter all members shall serve for three years. Terms of all CPC members shall run with the Town's fiscal year - from July 1 through June 30.

4. Any vacancy on the CPC shall be filled by the Board, Commission, or Committee that designated the member who creates the vacancy by designating another member in accordance with the above for the unexpired term.

5. Should any of the Boards, Commissions, or Committees who have appointment authority under this Bylaw shall be no longer in existence for whatever reason, the appointment authority for that Board, Commission, Committee shall become the responsibility of the Select Board.

6. Duties

The CPC's operations shall be governed by Chapter 44B of the Massachusetts General Laws, as amended from time to time.

A. The CPC shall study the needs, possibilities and resources of the Town regarding community preservation. The CPC shall consult with existing municipal boards, including the Select Board, the Conservation Commission, the Planning Board, the Recreation Committee, and the Open Space Committee, in conducting such studies. As part of its study, the CPC 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 CPC may, after proper appropriation, incur expenses as permitted by state law using funds from the community preservation fund to pay such expenses.

B. The CPC 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 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 CPC shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

C. 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 recommended action to set aside for later spending funds for general purposes that are consistent with community preservation.

7. Meetings and Anticipated Costs

The CPC 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 CPC shall constitute a quorum. The CPC shall approve its actions by majority vote of the quorum. Recommendations to the Town Meeting shall include their anticipated costs.

8. Reporting

The CPC should coordinate with applicable municipal officials to provide the information required by reports required by the CPA and ensure that annual reports are timely filed.

9. Amendments

The CPC shall, from time to time, review the administration of this Bylaw, making recommendations, as needed, for changes in the By-law and in administrative practice to improve the operations of the CPC. This Bylaw may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not be in conflict with Chapter 44B of the Massachusetts General Laws.

10. Effect of CPA revocation

Upon revocation of the CPA, the CPC shall continue to provide spending recommendations for remaining community preservation funds that are not required for the satisfaction of outstanding obligations.

11. Severability

In case any section, paragraph or part of this Bylaw 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.

12. Effective Date

Following Town Meeting approval of this Bylaw, this Bylaw 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.