

FORM 2, Submission #2, Town Meeting Action

OFFICE OF
TOWN CLERK
TREASURER – COLLECTOR OF TAXES
TOWN OF TRURO, MA 02666-2012

ANNUAL TOWN MEETING, APRIL 29, 2008

ARTICLE SEVEN: COMMUNITY PRESERVATION ACT APPROPRIATIONS

Section five: INCREASE THE SIZE OF THE COMMUNITY PRESERVATION
COMMITTEE

To see if the Town will vote to amend Chapter VII, Section 1, Community Preservation Committee, of the General By-laws of the Town of Truro, by deleting the word "seven" in section (a) and substituting therefore the word "nine", and by deleting the words "one member at large" in section (b) and substituting therefore the words "three members at large" or take any other action relative thereto.

Requested by Community Preservation Committee

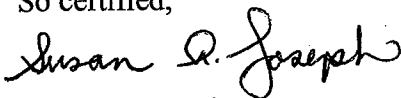
Board of Selectmen Recommendation: 5 - 0

Community Preservation Committee Recommendation: 5-0

Comment: The Community Preservation Committee seeks to increase the size of the committee to add more "at large" members as a way of involving more people in the Committee's work, particularly individuals not already involved in other Committees and therefore representative of areas of interest under the Act.

Motion to move Article 7 Section 5 as printed in the warrant and delete the words, "or take any other action relative thereto." Motion passes unanimously.

So certified,



Susan A. Joseph
Temporary Town Clerk, Town of Truro
April 30, 2008

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ANNUAL TOWN MEETING, APRIL 26, 2006 (adjourned session)

ARTICLE 21: CHANGE COMMUNITY PRESERVATION ACT BYLAW To see if the Town will amend the "Implementation of the Community Preservation Act Bylaw, adopted by the 2005 Town Meeting by adding the words "or special" between the words "Annual" and "Town Meeting" in each of the following paragraphs.

Section 2(b) – paragraphs 1,3 and 4 and

(d)-paragraph 1 and

Section 3 - paragraph 2

Or to take any other action relative thereto.

Requested by the Community Preservation Committee

Community Preservation Committee Recommendation 6-0

Local Comprehensive Plan Committee Recommendation 6-0


Finance Committee Recommendation: 3-0

Board of Selectmen Recommendation: 4-0

Comment: as amended, in each instance the phrase would read "annual or special town meeting." The intent of the law (the Community Preservation Act) is to have the legislative arm of town government make decisions, regardless of the time of year. With the amendment, any town meeting, annual or special, may vote on recommendations brought to this body by the Community Preservation Committee.

Motion to move Article 21 as printed in the warrant, and delete the words, "or take any other action relative thereto." Motion carries.

So certified,



Cynthia A. Slade

Town Clerk, Town of Truro

May 23, 2006

TOWN MEETING ACTION/ TOWN OF TRURO

ANNUAL TOWN MEETING, APRIL 26, 2005

ARTICLE 28. IMPLEMENTATION OF THE COMMUNITY PRESERVATION ACT.

To see if the Town will vote to adopt the following as a general bylaw, the provisions of Massachusetts General Laws Chapter (hereafter G.L.c.) 44B, Sections 2 and 5:

Section 1; Creation of the Community Preservation Committee

(a) Purpose

There is hereby established a Community Preservation Committee (hereafter CPC) consisting of nine voting members pursuant to the Provisions of G.L. c.44B, sec. 5, including its definitions. The CPC shall study the needs, possibilities and resources of the Town regarding community preservation. The CPC shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space, for the acquisition and preservation of historic resources, for the acquisition, creation, preservation of land for recreational use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided in this section.

(b) Membership of the CPC

The composition of the CPC, 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 said Commission; one member of the Historical Commission, as designated by said Commission; one member of the Housing Authority, as designated by said Authority; one member of the Open Space Committee, as designated by said Committee; one member of the Planning Board, as designated by said Board; one member of the Recreation Commission, as designated by said Commission; and three members at large, to be appointed by the Board of Selectmen. Each member of the Committee shall serve for a term of three years, or until the person no longer serves in the position or on the board or committee as set forth above, whichever is earlier. Vacancies on this Committee shall be filled by the corresponding appointing authority. Should any of the boards, commissions, or committees who have appointing authority under this by-law be no longer in existence for whatever reason, the Board of Selectmen shall appoint suitable person(s) to serve in their place(s).

(c) Responsibilities

The CPC shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Housing Authority, the Open Space Committee, the Planning Board, the Recreation Commission, and the Local Comprehensive Plan Committee or persons acting in those capacities or performing like duties, in conducting its studies. As part of its study, the CPC shall hold one annual public informational hearing, or more at its discretion, 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.

When necessary, the CPC will be responsible for interpreting the CPA (and related regulations),

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and for ensuring that it is properly and legally implemented in Truro. The CPC may consult with the Board of Selectmen in this regard.

Section 2; Administration

(a) Proposals for consideration by the CPC may be submitted at any time, by any regularly-constituted town committee or any group of ten (10) or more citizens, but no later than November 1 of the calendar year, said proposals to be submitted in writing and signed by a quorum of the members.

(b) In every fiscal year, the CPC must recommend that the Annual Town Meeting either 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.

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 CPC may include in its recommendation(s) to the Annual 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.

The CPC allocation recommendation to the Annual Town Meeting must account for 100% of all annual revenues and revenues previously set aside, and shall be in the form of an Article in the Warrant, for Town Meeting consideration.

(c) For those committees receiving community preservation funds, these funds shall only augment them, not replace existing operating funds. No single purpose shall dominate over a long period of time, i.e. not to exceed five years.

(d) Prior to the Annual Town Meeting and after receiving recommendation(s) from the CPC (by February 1), the Board of Selectmen and the Finance Committee shall each meet at a regularly-scheduled meeting to deliberate and vote on them, and shall provide their committee recommendation(s) within the CPC Article(s) in the Warrant.

Section 3

Requirement for a Quorum and Cost Estimates: The CPC shall comply with the provisions of the Open Meeting Law, G.L. c. 39, sec. 23B and the Truro Town Charter. The Committee shall not meet or conduct business without the presence of a majority of the members of the CPC. The CPC shall approve its actions by majority vote of those present.

Recommendations to the Annual Town Meeting shall include the committee's anticipated administrative and operating costs, not to exceed five percent (5%) of the annual revenues in the Community Preservation Fund.

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Section 4

Amendments: This by-law may be amended from time to time by a majority vote of the Town Meeting, consistent with the provisions of G.L. c.44B.

Section 5

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

Section 6

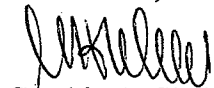
When Effective: Provided that the Community Preservation Act, MGL c. 44B, is accepted at the 2005 Annual Town election, this section shall take effect upon approval by the Attorney General of the Commonwealth and after all requirements of MGL. c. 40, sec. 32 have been met. Each appointing authority shall have thirty (30) days after the effective date to make its appointments.

Requested by the Community Preservation Act Bylaw Development Committee
Community Preservation Act Bylaw Development Committee recommendation: 4-0
Historical Commission 4-0
Board of Selectmen Recommendation: 5-0

Comment: This bylaw establishes a Community Preservation Committee to carry out the duties and responsibilities required under the Community Preservation Act, adopted at Special Town Meeting, October 26, 2004, and set forth the process by which these responsibilities shall be accomplished. Final approval awaits the voter's decision at Town election, May 10, 2005 and approval of the Attorney General.

Motion to move Article 28 as presented in the warrant with the following changes: Section 1(a) delete...consisting of "nine" voting members... and replace with ...consisting of "seven" voting members, and to change Section 1 (b) delete... "three" members at large....and replace with... "one" member at large. Motion passes.

So certified,



Cynthia A. Slade
Town Clerk, Town of Truro
June 29, 2005