

[Print](#)

Watertown, MA Code of Ordinances

CHAPTER 36: COMMUNITY PRESERVATION COMMITTEE

Section

- 36.01 Establishment
- 36.02 Membership and term
- 36.03 Operations
- 36.04 Duties
- 36.05 Effective date

§ 36.01 ESTABLISHMENT.

There is hereby established a Community Preservation Committee, consisting of nine voting members pursuant to the provisions of Mass. Gen. Laws Ch. 44B.

(Ord. O-2018-59, passed 6-26-2018)

§ 36.02 MEMBERSHIP AND TERM.

The composition of the Committee and the appointment authority for the Committee members shall be as follows.

(A) *Statutory membership.*

(1) There shall be five statutory members of the Committee designated as provided herein.

- (a) One member of the Planning Board as designated by the Board.
- (b) One member of the Conservation Commission as designated by the Commission.
- (c) One member of the Historical Commission as designated by the Commission.
- (d) One member of the Housing Authority as designated by the Authority.

(e) One member appointed by the Town Manager who shall be a resident or employee of the town who acts in the capacity or performs like duties of a Board of Park Commissioners.

(2) Any vacancy in the statutory membership shall be filled for the remainder of the unexpired term in the same manner as the original designation,

(3) Should any of the statutory entities listed above no longer be in existence for whatever reason, the Town Manager shall appoint a member who acts in the capacity or performs like duties of such statutory entity.

(B) *Appointed membership.* There shall be four members appointed by the Town Manager and confirmed by the Town Council.

(1) The four appointed members shall be residents of the town and shall not be employees or appointees under the authority of the Town Manager or elected officials of the town, at the time of appointment or during the pendency of their terms. Acceptance of employment, appointment or election, or removal of residence from the town, shall be deemed a vacating of office.

(2) The Town Manager should seek to appoint members who are not just advocates for open space and land for recreational use, historic resources, and community housing, but who also:

(a) Have deep connections to different constituencies within the town to make it more responsive to the needs of its residents;

(b) Can bring specific skills to the execution of tasks required by the Committee;

(c) Can bring specific outlooks that may not normally be heard through the town's routine procedures; and

(d) Value new approaches and ideas to identifying projects outside the town's routine budget priority process.

(3) Publication and outreach for these positions must be widely advertised, using all available methods, including but not limited to, current methods, but also using social media as an additional tool.

(4) Any vacancy in the appointed membership shall be filled for the remainder of the unexpired term in the same manner as the original appointment.

(C) *Term.*

(1) Statutory and appointed members shall serve for alternating three-year terms, or for such shorter periods as they remain eligible for designation or appointment.

(2) Initial terms shall be as follows:

(a) One year: Planning Board designee and two resident members;

(b) Two years: Conservation Commission and Historical Commission designees, and one resident member;

(c) Three years: Housing Authority designee, appointed statutory member, and one resident member.

(D) *Removal.* Any member of the Committee may be removed by their respective designating or appointing authority, for cause as determined by each such respective designating or appointing authority.

(E) *Annual election of chair and other officers.* The Committee shall annually elect one of its members to serve as chairperson, and may elect such other officers, adopt procedural rules and regulations, and establish such subcommittees as it deems appropriate; provided, however, that nothing herein shall prevent the Committee from reorganizing from time to time.

(Ord. O-2018-59, passed 6-26-2018)

§ 36.03 OPERATIONS.

(A) The 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 Committee shall constitute a quorum.

(B) Each fiscal year, the Committee shall recommend to the Town Manager an operational and administrative budget, which cannot exceed five percent of the Community Preservation Fund's estimated annual revenues. The Committee shall provide budget recommendation(s) as requested to the Town Manager.

(C) Members of the Committee shall not be compensated by the town in any way for their service on the Committee, with the exception being a member who may also be a town employee as set forth in § 36.02(A)(1)(e).

(D) The Committee shall report to the Town Council twice during each fiscal year and at other times as may be requested.

(Ord. O-2018-59, passed 6-26-2018)

§ 36.04 DUTIES.

The Community Preservation Committee shall have all powers and duties as set forth in Mass. Gen. Laws Ch. 44B, and in particular Mass. Gen. Laws Ch. 44B, § 5, as may be amended.

(Ord. O-2018-59, passed 6-26-2018)

§ 36.05 EFFECTIVE DATE.

(A) Following Town Council approval of Ordinance O-2018-59, each appointing authority shall have 60 days to make initial designations or appointments to the Community Preservation Committee. Should any appointing authority fail to make its appointment within that allotted time, the Town Manager shall make the appointment for the membership of such appointing authority.

(B) The position of Community Preservation Committee member shall be classified as a special municipal employee position for the purposes of Mass. Gen. Laws Ch. 268A, the conflict of interest law.

(Ord. O-2018-59, passed 6-26-2018)