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# Town of West Bridgewater

OFFICE OF TOWN CLERK

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## SPECIAL TOWN MEETING

JUNE 9, 2008

7:15 P.M.

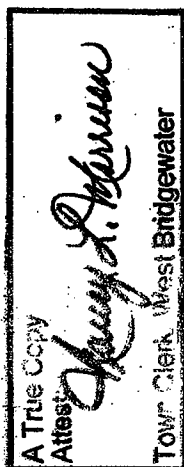
WEST BRIDGEWATER MIDDLE/SENIOR HIGH SCHOOL AUDITORIUM  
SPECIAL TOWN MEETING ADJOURNED 9:40 P.M.

Art. 7.

To see if the Town will vote to establish a Community Preservation Committee Bylaw as Article 48 in the Town's General By-Laws as described as follows:

### Chapter 1. Establishment

- (1) There is hereby established a Community Preservation Committee consisting of nine voting members pursuant to Massachusetts General



Laws Chapter 44B. The Committee shall consist of the following members:

One (1) member of the Historical Commission as designated by said Commission for a term of three (3) years.

One (1) member of the Conservation Commission as designated by said Commission for a term of three (3) years.

One (1) member of the Forestry and Parks Department as designated by the Forestry Superintendent for a term of three (3) years.

One (1) member of the West Bridgewater Housing Authority as designated by the Authority for an initial term of two (2) years and thereafter for a term of three (3) years.

One (1) member of the Planning Board as designated by said Board for an initial term of two (2) years and thereafter for a term of three (3) years.

One (1) member of the Open space Committee as designated by said Committee for an initial term of two (2) years and thereafter for a term of three (3) years.

Three (3) additional at-large members to be designated by the Board of Selectmen for an initial term of one (1) year and thereafter for terms of three (3) years.

- (2) The term for the first-appointed Community Preservation Committee will begin on July 1, 2008, ending on June 30 at end of said term. Subsequent terms will begin on July 1 of each year and 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 Section (1) above for the unexpired term.
- (3) Should any commission, authority or board designating a member for the Community Preservation Committee cease to exist for whatever reason the Board of Selectmen will determine the appropriate alternative designating commission, authority or board.

## **Chapter 2. Duties**

- (1) The community preservation committee shall study the needs, possibilities and resources of the town regarding community preservation. The committee shall consult with existing municipal boards, including the conservation commission, the historical commission, the planning board, the parks and recreation committee 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, including on the Town's web page and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town. The Committee will file an annual report on its activities to the Town Clerk.
- (2) The Community Preservation Committee shall make recommendations to the Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, rehabilitation, restoration and preservation of historic resources; for the acquisition, creation and preservation of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of such open space, land for recreational use and community housing that is acquired or created as provided in this section. 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.
- (3) The Community Preservation Committee may include in its recommendations 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 funds 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.

### **Chapter 3. Requirements for a quorum and cost estimates**

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. 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. Meetings will be held in accordance with the open meeting law. Recommendations to the Town Meeting shall include their anticipated costs.

### **Chapter 4. Amendments**

The Community Preservation Committee shall, from time to time, review the administration of this By-law, making recommendations, as needed, for changes in the By-law and in administrative practice to improve the operations of the Community Preservation Committee. 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.

### **Chapter 5. Severability**

In case any section, paragraph or part of this By-Law 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 6. Effective Date**

Since the Community Preservation Act was approved by the voters at the April 2008 Town Election, and following Town Meeting approval of this By-Law at the June 2008 Town Meeting, this By-Law shall take effect immediately upon approval by the Attorney General of the Commonwealth. Each appointing authority shall have thirty days after approval by the Attorney General to make their initial appointments. Should any appointing authority fail to make their appointment within that allotted time, the Selectmen shall make the appointment, or take any action relative thereto.

**MOVE: THAT THE TOWN VOTE TO ADOPT A COMMUNITY PRESERVATION COMMITTEE BYLAW AS ARTICLE 48 IN THE TOWN'S GENERAL BY-LAWS AS PRINTED ON THE WARRANT AND ESTABLISH SAID COMMITTEE FORTHWITH.**

**UPON VOTE, MOTION PASSED BY MAJORITY**

*Submission #2*