

COMMUNITY PRESERVATION ACT ORDINANCE

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ORDERED: that Chapter 4 of the General Ordinances of the Town of West Springfield be amended by adding new Section 4 - 112 establishing a Community Preservation Committee and Chapters be renumbered accordingly:

Section 4-112

Community Preservation Committee

1: Membership and Organization:

There is hereby established a Community Preservation Committee consisting of nine (9) voting members pursuant to MGL, Chapter 44B. The composition of the Committee, the appointment authority and the term of office for the Committee members shall be as follows:

- (a) One member of the Conservation Commission - as designated by the Commission for a term of three (3) years
- (b) One member of the Historical Commission - as designated by the Commission for a term of three (3) years
- (c) One member of the Planning Board - as designated by the Board for a term of three (3) years
- (d) One member of the Park and Recreation Commission - as designated by the Commissioners for a initial term of one (1) year and thereafter for a term of three (3) years
- (e) One member of the Housing Authority - as designated by the Authority for an initial term of two (2) years and thereafter a term of three (3) years
- (f) One member of the Council on Aging - as designated by the Council for an initial term of one (1) year and thereafter a term of three (3) years
- (g) Three (3) members, who are residents of the town of West Springfield, to be appointed by the Mayor in accordance with Section 3-3 of the West Springfield Home Rule Charter, one member's initial term of one (1) year and thereafter a term of three years; two members' initial term of two (2) years and thereafter a term of three (3) years.

Should any of the Commissions, Boards, Councils, Committees or Authorities (hereinafter "Boards") who have appointment authority under this Chapter be no longer in existence, the appointment authority of said Boards shall become the responsibility of the Mayor in accordance with Section 3-3 of the West Springfield Home Rule Charter.

Should any member of the Committee appointed by the above Boards cease to serve as a member of the appointing Boards, his term shall automatically expire.

2: Duties:

- (a) The Community Preservation Committee shall conduct an initial study identifying and evaluating the community preservation needs of the Town of West Springfield.
- (b) The Community Preservation Committee, in developing the initial needs study and the annual reviews, shall consult with the Conservation Commission, the Historical Commission, the Planning Board, the Park & Recreation Commission and the Housing Authority and, in addition, may consult with any other municipal department.
- (c) The Community Preservation Committee shall make written recommendations to the Town Council for funding of acquisitions and initiatives. The recommendations shall comply with the Community Preservation Act as set forth in MGL Chapter 44B. The Committee shall include with its recommendations, any pertinent financial information in its possession, regarding estimated acquisition costs, financing options, administrative expenses, debt services and any existing or ongoing operating expenses.
- (d) The Community Preservation Committee shall hold at least one public informational hearing as part of the initial study and a public hearing as part of the annual review process. Notice of the public hearing shall be posted at least two (2) weeks before the hearing date. Notice of the informational meeting shall also be published in a newspaper of general circulation in the Town of West Springfield for each of the two (2) weeks before the hearing date.

3: Quorum Requirement:

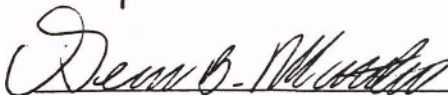
The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the Community Preservation Committee shall constitute a quorum. The Committee shall approve its actions by a majority vote of those members present and voting.

4: Severability:

hi case any section, paragraph or part of this chapter 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.

**Per order of the West Springfield Town Council, by a vote of 9 in favor 0 opposed,
approved on the & day of fak?rOC\r\J 2009**

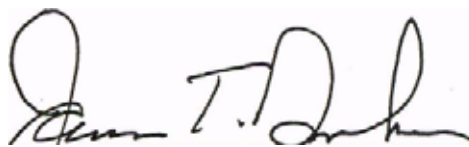
Date


Gerard B. Matthews, Town Council President

Approved as to form and legality.

Date

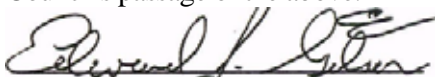
February 13, 2009



James T. Donahue, Town Attorney

Pursuant to Section 3-7 of the West Springfield Home Rule Charter, I hereby approve the
_____, Council's passage of the above.

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Date

Edward J. Gibson, Mayor

Pursuant to Section 3-7 of the West Springfield Home Rule Charter, I hereby disapprove
the Council's passage of the above.

Date

Edward J. Gibson, Mayor

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