

Westfield

ORDINANCE NO. 1348

CITY OF WESTFIELD

IN CITY COUNCIL

MARCH 6, 2003

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, MASSACHUSETTS, ADOPTED JUNE 7, 1993.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WESTFIELD AS FOLLOWS:

That Chapter 2 of the Code of Ordinances be and is hereby amended by adding at Article IV, a new Division 10 with new sections to be numbered 2-444 through 2-447 as follows:

DIVISION 10. COMMUNITY PRESERVATION COMMITTEE

Sec. 2-444. Established.

There is hereby established in the city in accordance with the provisions of chapter 44B of the Massachusetts General Laws, Massachusetts Community Preservation Act ("the Act"), a committee to be known as the Community Preservation Committee ("the committee").

Sec. 2-445. Purpose; Powers and Duties.

The purpose of the committee shall be to undertake the duties of a community preservation committee as set forth in the Act. In furtherance thereof, the committee shall exercise all powers and perform all duties set forth in the Act as it may from time to time be amended.

Sec. 2-446. Membership; Term of Office; Vacancy; Special Municipal Employees.

(a) The committee shall consist of seven (7) members, one each to be designated by (i) the Conservation Commission; (ii) the Historical Commission; (iii) the Planning Board; (iv) the Parks and Recreation Commission, and (v) the Westfield Housing Authority, from among their membership; and two citizens of the city to be appointed by the mayor subject to confirmation by the city council.

(b) The term of each committee member shall be three years, subject to the following. When the committee is first constituted, the term shall be from the date of designation or appointment to the first Monday of the month of February next following and three years thereafter. Members shall serve until resignation, duly accepted, or until a successor is duly qualified and appointed.

(c) Subject to section 2-446(d), below, any vacancy occurring otherwise than by expiration of a term shall be filled for the unexpired term in the same manner as the original appointment.

(d) In the event of the dissolution of one of the appointing authorities as designated, the position on the committee filled by said appointing authority shall be declared vacant and said vacancy shall, unless otherwise mandated by state law, be filled by the mayor as if the position were one of the two citizen appointments reserved to the mayor, above.

(e) Committee members shall serve part-time without compensation, and are hereby classified as special municipal employees within the meaning of chapter 268A of the Massachusetts General Laws.

Sec. 2-447. Organization.

(a) The committee shall meet no less frequently than once each calendar quarter with special meetings to be called by the chairperson as necessary. A chairperson shall be elected at the first meeting of the committee and at the first regular quarterly meeting of each calendar year thereafter. The first order of business after the election of the chairperson shall be the designation of the date and time of the regular quarterly meetings.

(b) The committee shall not conduct business without the presence of a quorum and, in the absence of a quorum, shall not meet other than to set a date and time for the next meeting. A majority of the members of the committee shall constitute a quorum. The committee shall approve its actions by majority vote.

(c) The committee may adopt and promulgate such lawful rules and regulations, not inconsistent with its powers and duties, as it deems appropriate for the conduct of its business. No proposed rule or regulation shall be adopted at the meeting at which it is first introduced provided, however, that amendments to a previously introduced rule or regulation may be made and voted on at the meeting in which first offered. Rules and regulations shall be codified and shall not be effective until filed with the City Clerk.

Presented to the Mayor
For approval March 24, 2003
Karen M. Fanion, City Clerk

Approved by the Mayor
March 24, 2003
Richard K. Sullivan, Jr., Mayor