



# TOWN OF WESTFORD

TOWN CLERK

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## CERTIFIED COPY OF VOTE

At a legal meeting of qualified voters of the Town of Westford, held on May 5, 2001 and continued until May 7, 2001, the following business was transacted under Article 23:

**Article 23:** Voted unanimously that the Town amend the Westford Code by adopting a new Chapter 14 to be entitled "Community Preservation Committee:"

A motion to amend to define "community housing" failed for lack of a majority.

### **Chapter 14. Community Preservation Committee**

A motion to have two members of the committee elected instead of appointed failed for lack of a majority.

#### **Section 1: Establishment**

There is hereby established a Community Preservation Committee ("Committee"), consisting of nine (9) voting members pursuant to MGL Chapter 44B. The composition of the Committee, 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 the Conservation Commission for a term of three years.

One member of the Historical Commission as designated by the Historical Commission for a term of three years.

One member of the Planning Board as designated by the Planning Board for an initial term of two years and thereafter for a term of three years.

One member of the Recreation Commission as designated by the Recreation Commission for an initial term of two years and thereafter for a term of three years.

One member of the Housing Authority as designated by the Housing Authority for an initial term of one year and thereafter for a term of three years.

Four members to be appointed by the Board of Selectmen, two members to be appointed for a term of one year and thereafter for a term of three years, one member to be appointed for a term of two years and thereafter for a term of three years, and one member to be appointed for a term of three years.

If there are no persons acting in the capacity of or performing like duties of any such commission, board or authority the Board of Selectmen shall have the authority to

appoint a member representative of such commission, board or authority. Should any individual be unable to complete his/her term of appointment, the appointing authority of that individual shall appoint a new member to complete the term.

## **Section 2: Duties**

- (1). The Committee shall study the needs, possibilities and resources of the town regarding community preservation before making any recommendation to Town Meeting. The Committee shall consult with existing municipal boards, including but not limited to the Conservation Commission, the Historical Commission, the Planning Board, the Recreation Commission and the Housing Authority, or persons acting in those capacities or performing like duties, in conducting such studies. The Committee shall consult with other town boards, commissions or committees as it deems necessary. 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 and published for each of two weeks preceding a hearing in a newspaper of general circulation in the town.
- (2). The Committee shall make recommendations to the Town Meeting based on its studies for the acquisition, creation and preservation of open space, for the acquisition and preservation of historic resources, for the acquisition, creation and 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. With respect to community housing, the Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.
- (3). The Committee may include in its recommendation 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 revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds in the Community Preservation Fund for general purposes that are consistent with community preservation. Recommendations to the Town Meeting shall include the anticipated costs of such recommendations.
- (4). The Committee shall keep a full and accurate account of all of its actions, including its recommendations and the action taken on them and records of all appropriations or expenditures made from the Community Preservation Fund. The committee shall also keep records of any real property interests acquired, disposed of or improved by the city or town upon its recommendation, including the names and addresses of the grantors or grantees and the nature of the consideration. The records and accounts shall be public records.

## **Section 3: Requirement for a quorum**

The 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. All meetings of the community preservation committee shall be held in accordance with the Open Meeting law, MGL c. 39, §23B. The community preservation committee shall approve its actions by majority vote.

## **Section 4: Amendments**

This Chapter may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not cause a conflict to occur with MGL, Chapter 44B.

**Section 5: Severability**

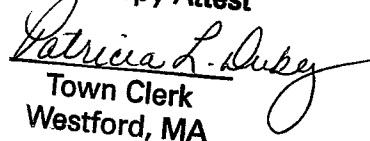
In case any section, paragraph or part of this chapter be for any reason declared invalid or unconstitutional by any court of last resort, every other section, paragraph or part shall continue in full force and effect.

**Section 6: Effective Date**

Following Town Meeting approval, this Chapter 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 its appointment within the allotted time, the Town Manager shall make the appointment.

A True Copy Attest

  
Town Clerk  
Westford, MA