

Town of Wilbraham

SECTION 519 COMMUNITY PRESERVATION COMMITTEE (ATM, 5/6/02, Art.8)(ATM, 5/15/06, Art.23)

a.) There shall be a Community Preservation Committee of nine members, including one member each from the following committees as designated by majority vote of those committees, and three at large members appointed by the Board of Selectmen: Conservation Commission, Historical Commission, Planning Board, Playground & Recreation Commission, Housing Authority and Open Space & Recreation Committee. The terms of the first members shall be as follows: appointees of the Board of Selectmen, Conservation Commission and Open Space & Recreation Committee shall be three (3) years; appointees of the Historical Commission and Playground & Recreation Commission shall be two (2) years; and appointees of the Planning Board and Housing Authority shall be one (1) year. Their successors shall be appointed for terms of three (3) years each. Other than the at-large members appointed by the Board of Selectmen, members of the Community Preservation Committee must remain voting members of the committee that appointed them. In those instances where members of the Community Preservation Committee cease to be voting members of the committee that appointed them, the appointing committee shall designate a voting member to fill the remainder of the unexpired term.

b.) The Community Preservation Committee shall study the needs, possibilities and resources of the town regarding community preservation. The committee shall consult with other municipal boards. As part of its study, the committee shall hold one or more public informational hearings, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation.

c.) The committee shall make recommendations to Town Meeting 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.

d.) The committee may include in its recommendation to 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 for general purpose that are consistent with community preservation.

e.) After receiving such recommendations from the committee, Town Meeting shall then take such action and approve such appropriations from the Community Preservation Fund and such additional appropriations as it deems appropriate to carry out the recommendations of the committee.

f.) For the purposes of community preservation the committee may recommend to Town Meeting that the town take and the town may then take by eminent domain under Chapter

79, the fee or any lesser interest in real property or waters located in the town if such taking has first been approved by a two-thirds vote of Town Meeting. Upon a like recommendation and vote, the town may expend monies in the Community Preservation Fund, if any, for the purpose of paying, in whole or in part, any damages for which the town may be liable by reason of a taking for the purposes of community preservation.

g.) Applications for exemption from the Community Preservation Act surcharge must be filed with the Office of the Board of Assessors no later than three months after the actual (not preliminary) tax bills are mailed for the fiscal year.

The committee and the Town Meetings shall conduct business in accordance with Section 5 of Chapter 44B of the Massachusetts General Laws.

SECTION 520: AGRICULTURAL COMMISSION (ATM, 5/15/06, Art. 4)

a.) The Board of Selectmen shall appoint an Agricultural Commission of five members, of which the majority of the membership shall be substantially engaged in the pursuit of agriculture. The members shall be appointed: two members for a term of three years; two members for a term of two years and three thereafter; and one member for a term of one year and three years thereafter. Appointments shall be filled by the Selectmen who shall consider recommendations of the Commission.

b.) The mission of the Commission shall be to: represent the farming community, encourage the pursuit of agriculture, promote agriculture-based economic activities and preserve, revitalize and sustain the town's agricultural businesses and lands.