

ARTICLE 7.110. Community Preservation Committee [added STM 11-14-16, art. 18]

ART. 7.110. SECTION 1. General

Under the provisions of the Massachusetts Community Preservation Act (Sections 3 through 7 inclusive of M.G.L., Chapter 44B), there is hereby established in the Town of Wrentham a Committee to be known as the "Community Preservation Committee".

ART. 7.110. SECTION 2. Role and Responsibility

A. Such Committee shall consist of nine (9) members as described below:

- one member of the Conservation Commission established under Section 8C of M.G.L., Chapter 40, as designated by that commission
- one member of the Historical Commission established under Section 8D of said Chapter 40, as designated by that commission
- one member of the Planning Board established under Section 81A of M.G.L., Chapter 41 and Article 3, Section 3.7 of the Charter of the Town of Wrentham, as designated by that board
- one member of the Board of Park Commissioners established under Section 2 of M.G.L., Chapter 45, as designated by the Board of Selectmen in their role as the Board of Park Commissioners
- one member of the Housing Authority established under Section 3 of M.G.L., Chapter 121B and Article 3, Section 3.10 of the Charter of the Town of Wrentham, as designated by that authority
- one member of the Open Space Committee established under Article 7.40 of these bylaws, as designated by that committee
- one member of the Recreation Committee established under Article 8.30 of these bylaws, as designated by that committee
- two (2) at-large citizen members, who shall not be paid employees of the Town nor members of any Town body which designates or appoints members to this Committee, appointed by the Board of Selectmen

B. The designees of the above-listed municipal entities shall be appointed forthwith to the Committee by the Board of Selectmen.

All terms shall expire on June 30. Each Committee member's term shall be for three years, except for the Committee's initial appointments, which shall be as stated below, so as to have an equal number of terms expiring each year:

- the initial appointment of the Conservation Commission member, the Historical Commission member and the Planning Board member shall each be for three years
- the initial appointment of the Board of Park Commissioners member, the Housing Authority member and one at-large citizen member shall each be for two years
- the initial appointment of the Open Space Committee member, the Recreation Committee member and one at-large citizen member shall each be for one year

The initial appointments of the Committee shall be made in accordance with Section F of this Article. The tenure of any initial term beginning less than 180 days prior to June 30 shall be calculated as if starting on July 1, so that, for example, a member appointed in April for an initial one-year term may serve that term until June 30 of the following year.

At the initial appointment, the Board of Selectmen shall assign to one Committee member the responsibility to call the Committee to its initial meeting.

If a designating body's member leaves the Committee for any reason, the designating body shall within thirty days submit to the Board of Selectmen the name of one of its members as a replacement to serve for the remainder of the unexpired term. The Board of Selectmen shall forthwith appoint the replacement to the Committee. The Board of Selectmen shall similarly

3926 appoint a replacement for a departing at-large citizen member to serve the remainder of that
3927 member's unexpired term.
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- 3929 C. The Community Preservation Committee shall study the needs, possibilities, and resources of the
3930 Town regarding community preservation. The Committee shall consult with existing municipal
3931 boards, including the Conservation Commission, the Historical Commission, the Planning Board,
3932 the Board of Park Commissioners, the Open Space Committee, the Recreation Committee and
3933 the Housing Authority. As part of its study, the Committee shall hold one or more public
3934 informational hearings each year on the needs, possibilities and resources of the Town regarding
3935 community preservation possibilities and resources, notice of which shall be posted publicly and
3936 published for each of the two weeks preceding a hearing in a newspaper of general circulation in
3937 Wrentham.

- 3938 D. The Community Preservation Committee shall make recommendations to Town Meeting for the
3939 acquisition, creation and preservation of open space; for the acquisition, preservation,
3940 rehabilitation and restoration of historic resources; for the acquisition, creation, preservation,
3941 rehabilitation and restoration of property for recreational use; for the acquisition, creation,
3942 preservation and support of community housing; and for the rehabilitation or restoration of open
3943 space and community housing that is acquired or created as provided in this section. With
3944 respect to community housing, the Committee shall recommend, wherever possible, the reuse of
3945 existing buildings or construction of new buildings on previously developed sites.

3946 The Community Preservation Committee may include, in its recommendation to the Town
3947 Meeting, a recommendation to set aside for later spending funds for specific purposes that are
3948 consistent with community preservation but for which sufficient revenues are not then available in
3949 the Community Preservation Fund to accomplish that specific purpose, or to set funds aside for
3950 later spending for general purposes that are consistent with community preservation. The
3951 Committee may recommend the issuance of general obligation bonds or notes in anticipation of
3952 revenues to be raised pursuant to the Massachusetts Community Preservation Act.
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3954 In every fiscal year, the Community Preservation Committee shall recommend in accordance with
3955 M.G.L., Chapter 44B, either that Town Meeting spend, or set aside for later spending, not less
3956 than ten percent (10%) of the annual revenues of the Town's Community Preservation Fund in
3957 each of the following areas: (a) open space and land for recreational use, (b) historic resources,
3958 and (c) community housing.
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3960 No expenditures shall be made from the Community Preservation Fund without the approval of
3961 Town Meeting. Town Meeting may not appropriate or reserve any Community Preservation Fund
3962 monies on its own initiative without a prior recommendation by the Committee. Town Meeting
3963 may, however, approve such additional non-Fund appropriations as it deems appropriate to carry
3964 out the recommendation of the Committee. Subject to and without limitation of the foregoing, in
3965 performing the duties and responsibilities of the legislative body as set forth in the Community
3966 Preservation Act, Town Meeting shall, in its sole and absolute discretion, have the power and
3967 authority to accept, reject or modify, in whole or in part, any recommendation by the Community
3968 Preservation Committee.
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3970 The Community Preservation Committee shall submit a recommendation for Town Meeting
3971 approval for annual administrative and operating expenses for the Committee, in an amount not
3972 to exceed five percent (5%) of the annual revenues of the Community Preservation Fund.
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3974 The Committee shall comply with the provision of the Open Meeting Law (G.L. c.39, s23B). The
3975 Committee shall keep a full and accurate account of all of its actions including its
3976 recommendations and the action taken on them, and records of all appropriations or expenditures
3977 made from the Community Preservation Fund. The records of the Committee shall be public
3978 records, to the full extent provided by law.

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3980 E. Requirement for a Quorum and Cost Estimate Requirement
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3982 The Community Preservation Committee shall not meet or conduct business without the
3983 presence of a quorum. A majority of the members of the Committee shall constitute a quorum.
3984 The Committee shall approve its actions by majority vote of the quorum. Recommendations to
3985 Town Meeting shall include anticipated costs of the proposed appropriation and a description of
3986 the project.
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3988 F. Amendments
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3990 This section may be amended from time to time by a majority vote of Town Meeting, provided that
3991 such amendment would not cause a conflict to occur with M.G.L., Chapter 44B.
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3993 G. Severability
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3995 In case any section, paragraph or part of this bylaw be for any reason declared invalid or
3996 unconstitutional by any court of last resort, every other section, paragraph or part shall continue
3997 in full force and effect.
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3999 H. Effective Date
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4001 This bylaw shall take effect after all requirements of M.G.L., Chapter 40, Section 32 have been met,
4002 including approval by the Attorney General of the Commonwealth, and the acceptance of M.G.L.,
4003 Chapter 44B, Sections 3 through 7 inclusive, by the Town at a town-wide election. Each designating
4004 body shall make its initial designation within sixty days after the later of approval of this bylaw by the
4005 Attorney General, or acceptance of M.G.L., Chapter 44B, Sections 3 through 7 inclusive, at a town-
4006 wide election. The Board of Selectmen shall appoint said designees and the citizen members at-
4007 large within ninety days after the later of approval of this bylaw by the Attorney General, or
4008 acceptance of M.G.L., Chapter 44B, Sections 3 through 7 inclusive, at a town-wide election.
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