

TOWN OF YARMOUTH

OFFICE OF THE TOWN CLERK

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~~GEORGE F. PARABE, CMC~~

Jane E. Hastings, CMC

ANNUAL TOWN MEETING MATTACHEESE MIDDLE SCHOOL

APRIL 12, 2005

ARTICLE 10: To see if the Town will vote to amend the Code of the Town of Yarmouth by adding the following as Chapter 23:

Community Preservation Committee

OK
Section 23-1. Membership of the Committee – There is hereby established a Community Preservation Committee, consisting of nine (9) voting members appointed by the Board of Selectmen pursuant to the provisions of Section 298 of Chapter 149 of the Acts of 2004, as amended by Sections 129-133 of Chapter 352 of the Acts of 2004 and the Yarmouth Town Charter Chapter 5. The composition of the Committee, shall consist of: one (1) member of the Conservation Commission, one (1) member of the Historic Commission, one (1) member of the Planning Board, one (1) member of the Recreation Commission, one (1) member of the Yarmouth Housing Authority, one (1) member of the Affordable Housing Committee, one (1) member of the Land Bank or Open Space Committee, and two (2) additional members to be determined by the Board of Selectmen. Upon initial appointment, three (3) members shall be appointed for three (3) years, three (3) members shall be appointed for two (2) years, and three (3) members shall be appointed for one (1) year and, thereafter, serve three (3) year terms. Should any of the committee members resign, the Board of Selectmen shall appoint a suitable person to serve in his or her place. Any member of the committee may be removed by the Selectmen, with prior notice to the member.

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum. A majority of the members shall constitute a quorum.

Section 23-2. Duties – The Community Preservation Committee shall study the needs, possibilities, and resources of the town regarding community preservation. The Committee shall consult with municipal boards and committees in conducting such studies. The Committee shall issue a report stating its findings and recommendations to the Board of Selectmen and Town Meetings on projects to be funded by resources in the Community Preservation Fund.

Section 23-3. Recommendations - The Community Preservation Committee shall make recommendations to the 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.

In every fiscal year, the Community Preservation Committee shall recommend that Town Meeting spend, or set aside for future spending, not less than ten percent (10%) of the net annual revenues for community housing purposes, not less than ten percent (10%) of the net annual revenues for open space and not less than ten percent (10%) of the net annual revenues for historic resources purposes.

In every fiscal year, the Community Preservation Committee may recommend that Town Meeting spend or set aside for future spending the remaining seventy percent (70%) of the net annual revenues for purposes that are consistent with the Community Preservation Act.

The Community Preservation Committee may recommend the issuance of general obligation bonds or notes in anticipation of revenues to be raised pursuant to Section 3 of the Act, the proceeds of which shall be deposited in the Community Preservation Fund.

Section 23-4 Effective Date - Provided that the Community Preservation Act is accepted at the 2005 Annual Town Election, this section shall take effect upon approval by the Attorney General of the Commonwealth of Massachusetts and after all the requirements of the Massachusetts General Laws, Chapter 40, Section 32 have been met.

Or to take any other action relative thereto.

(Board of Selectmen)

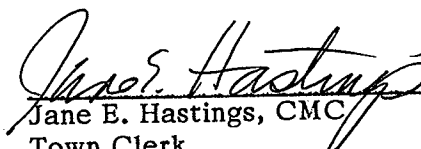
Acting on Article 10.

On motion made by Jerome Sullivan, and duly seconded, the Selectmen and Finance Committee recommended, to move Article 10 as printed in the warrant.

The vote on Article 10 carries unanimously.

9:35 P.M.

A True Copy Attest:


Jane E. Hastings, CMC
Town Clerk
Town of Yarmouth
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