

§4-322 COMMUNITY PRESERVATION COMMITTEE

A. Establishment

There is hereby established a Community Preservation Committee, consisting of nine (9) voting members pursuant to MGL Chapter 44B. The composition of the committee, the appointment authority and the term of office for the committee members shall be as follows:

- a. One member of the Planning Board as designated by the Board;
- b. One member of the Conservation Commission as designated by the Commission;
- c. One member of the Historical Commission as designated by the Commission;
- d. One member of the Playgrounds and Recreation Commission as designated by the Commission;
- e. One member of the Housing Authority Board as designated by its Board of Directors;
- f. One member of the School Committee as designated by the Committee;
- g. Three at-large members appointed by the Board of Selectmen.

Members of the Community Preservation Committee shall serve for a term of three years or until the person no longer serves on the board or commission being represented. Any vacancy on the Community Preservation Committee shall be filled by the commission, authority or board that designated the member who creates the vacancy by designating another member for the unexpired portion of the term.

Should any of the commissions or boards who have appointment authority under this Section be no longer in existence for whatever reason, the appointment authority for that commission or board shall become the responsibility of the Board of Selectmen.

B. Duties

1. The Community Preservation Committee shall study the needs, possibilities and resources of the Town regarding community preservation. The Committee shall consult with existing municipal boards, including the Board of Selectmen, the Conservation Commission, the Historical Commission, the Planning Board, the Playgrounds and Recreation Commission and the Housing Authority, or persons acting in those capacities or performing like duties, in conducting such studies. 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. The Committee may, after proper appropriation, incur expenses as permitted by state law using funds from the Community Preservation Fund to pay such expenses.
2. The Community Preservation Committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space; for the acquisition, preservation, rehabilitation and restoration of historic resources; for the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use; for the acquisition, creation, preservation and support of community housing; and for the rehabilitation or restoration of open space and community housing that is acquired or created with Community Preservation funds. With respect to community housing, the Community Preservation Committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.
3. The Community Preservation 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 recommend to set aside for later spending funds for general purposes that are consistent with community preservation.

C. Requirement for a quorum and cost estimates

The Community Preservation Committee shall not meet or conduct business without the presence of a quorum and shall keep a written record of its proceedings. A majority of the members of the Community Preservation Committee shall constitute a quorum. The Community Preservation Committee shall approve its actions by majority vote. Recommendations to the Town Meeting shall include their anticipated costs.

D. Amendments

The Community Preservation Committee shall, from time to time, review the administration of this Section, making recommendations, as needed, for changes in the Section and in administrative practice to improve the operations of the Community Preservation Committee. This Section may be amended from time to time by a majority vote of the Town Meeting, provided that the amendments would not be in conflict with Chapter 44B of the Massachusetts General Laws.

E. Severability

In case any paragraph or part of this Section be for any reason declared invalid or unconstitutional by any court of competent jurisdiction, every other paragraph or part shall continue in full force and effect.

F. Effective Date

Following Town Meeting approval, this Section shall take effect immediately upon approval by the Attorney General of the Commonwealth and publication as required by law. Each appointing authority shall have thirty days after approval by the Attorney General to make its initial appointments.