

## **Article 21C – Community Preservation Committee**

### **Section 1 Establishment, duties and organization**

- (a) The Natick Community Preservation Committee (CPC) is hereby established to carry out the functions and duties of such a community preservation committee as provided in General Laws Chapter 44B, the Community Preservation Act (CPA), including,
- (1) The CPC shall study the needs, possibilities, and resources of the Town regarding community preservation.
  - (2) The CPC shall make recommendations to the Town Meeting for funding of projects that involve open space, historic resources, land for recreational use, and community housing and that meet the other requirements in General Laws Chapter 44B, including that such funds shall not be used for maintenance.
  - (3) It is the intent of this Bylaw that, to the extent possible, projects using CPA funds seek to leverage other funding resources. CPA funds shall not replace existing operating funds, only augment them per MGL Chapter 44B Section 6.
- (b) The CPC shall annually elect one of its members to serve as chairperson and may elect such other officers, adopt procedural rules and regulations, and establish any subcommittees as it deems appropriate.
- (c) The CPC shall evaluate all requests for project funding from the Community Preservation Fund in accordance with the goals of the CPA and the guidelines and procedures established by the CPC.
- (d) The CPC shall meet annually with the Select Board, separately from review of project funding recommendations and the annual budget, to review the status of the Community Preservation Fund, Natick's community preservation program, and the Bylaw. The Select Board may request additional meetings with the CPC as needed.

### **Section 2 Composition; eligibility, terms of office, term limits**

- (a) The CPC shall consist of nine (9) members, as follows:
- (1) The Conservation Commission, Planning Board, Natick Housing Authority, Historical Commission, and Recreation and Parks Commission shall each designate one of its members, , to serve as a member of the CPC (the "statutory members").
  - (2) The remaining four (4) members (the "appointed members") shall be appointed by the Select Board. In making such appointments, the Select Board shall be guided by the goals that the CPC's overall membership includes persons with relevant professional expertise and represents the diversity of the Town's residents and precincts.
  - (3) No appointed member shall be an employee of the Town or elected official of the Town, not including Town Meeting members.
  - (4) The CPC shall not meet or conduct business without the presence of a quorum. A majority of the members of the CPC shall constitute a quorum. The CPC shall approve its actions by majority vote of those members present at a meeting. Recommendations to Town Meeting shall include the anticipated costs.
- (b) Each appointing authority shall appoint their representative within sixty (60) days of this bylaw taking effect. Any subsequent appointments due to vacancy must also be filled by the

appointing authority within sixty (60) days.

- (c) Members shall serve for terms of three (3) years or until their successors shall take office. Appointments shall allow for staggered terms.
- (d) No person shall be eligible to serve as a member for more than twelve (12) years of total service.
- (e) Statutory or appointed members who remove their residence from the town shall be considered to have resigned from the CPC.

### **Section 3 Mechanisms for legislative approval**

- (a) The CPC shall make recommendations to Town Meeting for uses of the Community Preservation Fund consistent with MGL Chapter 44B Section 5(b)2-4.
- (b) The CPC may include in its package to Town Meeting a recommendation to set aside for later spending funds for specific purposes consistent with community preservation, but for which sufficient revenues are not then available in the Community Preservation Fund. These recommendations must be identified to accomplish that specific purpose.
- (c) In each fiscal year and upon the recommendation of the Community Preservation Committee, Town Meeting shall spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for open space and recreation, not less than 10 per cent of the annual revenues for historic resources and not less than 10 per cent of the annual revenues for community housing, per MGL Chapter 44B.
- (d) After receiving a project funding recommendation from the CPC, Town Meeting may approve appropriations from the Community Preservation Fund for an amount up to and including that recommended by the CPC; may vote not to appropriate the recommended funds; or may refer the funding recommendation to the CPC for reconsideration.

### **Section 4 Administration and operations**

In response to the annual program budget proposed by the CPC, Town Meeting shall make appropriations from the Community Preservation Fund as it deems necessary for the CPC's administrative and operating expenses, including staffing per Article 24 of the Natick Town Bylaws. Such appropriations shall not exceed five (5) percent of the annual revenues in the Community Preservation Fund, and may be augmented by additional Town funds.

### **Section 5 Amendments**

The provisions of this Article shall be interpreted and applied at all times consistently with the provisions of Chapter 44B of the General Laws, as Chapter 44B may be from time to time amended, and with the provisions of any relevant general or special law.

The CPC shall, from time to time, review the administration of this bylaw, making recommendations, as needed, for changes in the bylaw and in administrative practice to improve the operations of the CPC.

### **Section 6 Severability**

In case any section, paragraph or part of this Bylaw 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.