

# Town of Franklin

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OFFICE OF THE TOWN ADMINISTRATOR

November 13, 2020

**To:** Town Council  
**From:** Jamie Hellen, Town Administrator  
**RE: Community Preservation Act Bylaw**

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Congratulations to the Town of Franklin for adopting the Community Preservation Act. 2020 marks the twentieth anniversary of the law being signed by Governor Cellucci. Better late than never, as the Town expects great things to happen in the future for the community from this new tool.

As a result, the Town will need to form a new chapter in the town code relative to CPA, most notably the formation of a Community Preservation Committee (CPC). The statute requires five (5) boards to have one (1) member on the CPC. Those are the Planning Board, Conservation Commission, Historical Commission, Recreation Advisory Board and the Housing Authority. I am proposing to add one more standing committee in the Agricultural Commission.

The statute allows for a maximum of nine (9) seats overall. My proposal before you includes six (6) of those seats being annual appointments from the above six standing committees. This is common practice in most communities. Additionally, I am proposing three (3) At-Large appointments. Once a final bylaw is approved by the Town Council, I will hold a public posting of interest in serving on these at-large seats. The at large will be three (3) years terms, each staggered, to begin a staggering of those terms.

The bylaw proposal suggests appointments are confirmed through the same process outlined in the Town Charter: nomination is from the Administrator and ratified by the Town Council. In this scenario, the six standing committees will nominate their own member to go through the rest of the process.

It is important to note that most of the mechanics of CPA are embedded in state law. There is little local discretion other than how the funds are allocated, which is 100% local discretion. [MGL Chapter 44B](#) governs most of Community Preservation and interested parties should read that statute. Additionally, interested residents should read [www.communitypreservation.org](http://www.communitypreservation.org) for a look at the latest CPA news, history and questions. Their website and staff will be a great resource for the community as Franklin begins its CPA journey.

Collections for CPA begin in FY22 (July 1, 2021). It will take a full year off collections to raise local funds. Then to receive a state match (anticipated first state match would be October 2022).



## TOWN OF FRANKLIN

### BYLAW AMENDMENT 20-864

#### A BYLAW TO AMEND THE CODE OF THE TOWN OF FRANKLIN TO ADD A NEW CHAPTER 16 COMMUNITY PRESERVATION COMMITTEE

The Code of the Town of Franklin is hereby amended to add a new chapter: Chapter 16 Community Preservation Committee, as follows:

#### Chapter 16 Community Preservation Committee

##### Section 16-1 Establishment and Authority

There is hereby established a Community Preservation Committee (hereinafter: "CPC") consisting of nine (9) appointed members, as provided in G.L. Chapter 44B, Section 5. The CPC shall have the legal authority and shall perform the duties and functions specified in G.L. Chapter 44B.

##### Section 16-2 Composition

One member of Conservation Commission  
One member of Historical Commission  
One member of Planning Board  
One member of Recreation Advisory Board  
One member of the Housing Authority  
One member of the Agricultural Commission  
Three (3) Citizens at Large

##### Section 16-3 Appointment and Term

The representative members of the six Town bodies identified in Section 16-2 shall each be nominated by the respective Town body of which he/she is a member to the Town Administrator for the Town Administrator's appointment and Town Council's ratification for a one (1) year term; the three citizens at large shall each be appointed by the Town Administrator and ratified by the Town Council for a three (3) year term, provided that two shall initially be appointed for a two year and a one-year term, so that the citizen at large terms will be staggered. All terms shall commence on July 1 and terminate on June 30. Each representative member must remain a member of the respective Town body of which he/she is a member during his/her term as a CPC member.

Section 16-4 CPC Officers

The CPC shall have a Chair, Vice Chair, and Clerk, to be voted by the CPC membership at its first meeting following annual appointments. The Chair shall preside at meetings and shall be responsible for calling all meetings and for timely preparation and posting of meeting agendas and otherwise complying with the notice requirements of the Open Meeting Law, G.L. Chapter 30A, Sections 18 through 25. The Vice Chair shall preside at meetings in the absence or recusal of the Chair. The Clerk shall be responsible for accurate and timely preparation of meeting minutes.

This bylaw shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

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**DATED:** \_\_\_\_\_, 2020

**VOTED:**  
**UNANIMOUS:** \_\_\_\_\_

**A True Record Attest:**

**YES:** \_\_\_\_\_ **NO:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

**ABSENT:** \_\_\_\_\_

**RECUSED:** \_\_\_\_\_

**Nancy Danello,**  
**Temporary Town Clerk**

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**Glenn Jones, Clerk**  
**Franklin Town Council**