

# Citizens Petition:

Correcting the appointing  
authority to match the  
enabling Legislation MGL 44B  
for Community Preservation  
Committee Members

# Who we are and why we are proposing this change:

- What is Community Preservation Act
- What is Community Preservation Committee
- What problem are we solving

- Out of the 196 Cities/Towns that have enacted the CPA, **175 or 89.2%** follow the Chapter 44B language as written with members being designated by the Commission/Board or Committee they represent and not appointed by Town/City Leadership.
- That leaves only 21 that require Town/City leadership appointment for the designees who are the representatives from Boards/Committees and Commissions.
- Of those 21 only 3 were created after 2006. The commonality being that 18 were created in Towns that were early adopters of CPA, much like Southborough which adopted the CPA in 2003 at Town Election by ballot.

- Surrounding Towns of Westborough, Hopkinton, Northborough, Ashland and Sudbury all follow the MGL Chapter 44B language as written and only require the Select Board to appoint the at-large seats.
- Historically in the 20 years of CPA in Southborough, the Board/Committee and Commission representatives have been appointed by the Select Board on the consent agenda as a formality and only the at-large seats by interview. Which happened on 8/6/24 when a new Southborough Housing Opportunity Partnership Committee member (SHOPC) was appointed on the consent agenda with no interview or having to appear.

## Article IV 9-16(A) Establishment

There is hereby established a Community Preservation Committee consisting of nine voting members pursuant to the Massachusetts General Laws, Chapter 44B. ~~The Committee shall be appointed by the Select Board and shall consist of the following members:~~

**The composition of the Committee, the appointment authority and the term of office for the Committee Members shall be as follows:**

- 1) One member of the Historical Commission as designated **by a majority vote of** the Commission for an initial term of three years and thereafter for a term of three years.
- 2) One member of the Housing Authority as designated **by a majority vote of** the Authority for an initial term of one-year and thereafter for a term of three years.
- 3) One member of the Conservation Commission as designated **by a majority vote of** the Commission for an initial term of two years and thereafter for a term of three years.
- 4) One member of the Planning Board as designated **by a majority vote of** the Board for an initial term of two years and thereafter for a term of three years.
- 5) One member of the Recreation Commission as designated **by a majority vote of** the Commission for an initial term of one-year and thereafter for a term of three years.
- 6) One member of the Open Space Preservation Commission as designated **by a majority vote of** the Commission for an initial term of three years and thereafter for a term of three years.
- 7) One member of the Southborough Housing Opportunity Partnership Committee (SHOPC) as designated **by a majority vote of** by the ~~Commission~~ **Committee** for a term of three years.
- 8) Two members at large to be appointed **by a majority vote of** the Select Board, for an initial term of one-year and thereafter for a term of three years.

\*Bold denotes new and strikethrough denotes removed\*

# Supported by:

- By over 100 residents that signed the Citizens Petition.
- The Planning Board
- Open Space Preservation Commissioners
- Recreation Commission
- Conservation Commission
- Southborough Housing Authority

Making these corrections brings our bylaw up to current best practice statewide, aligns with language in the state enabling legislation, and allows the CPC to continue its important work with a committee unhampered by blocked appointments and representing diverse viewpoints among Board, Committee, and Commission representatives and Select Board appointed citizens-at-large.