

City of Waltham Community Preservation Committee

FY 2007-08 PLAN

ARTICLE I

ORGANIZATION

Section 1 ORGANIZATION

The Waltham Community Preservation Committee is established and organized under authority of Article XXX, Community Preservation Committee Ordinance No. 30452, Chapter 2 of the General Ordinance of the City of Waltham as amended.

Section 2 CHAIRPERSON

The Committee Members shall annually at the first meeting in each fiscal year elect a Chairperson by majority vote.

Section 3 COMMITTEE MEMBERS

A. In the event that a Committee Member is unable for any reason to complete serving a term, whether by failure of reappointment or otherwise, the board, commission or authorized body responsible for designating said Committee Member shall forthwith designate another of its members to complete the remainder of the term.

B. Any Committee Member may be removed for cause by his or her designating authorized body after a hearing.

C. All Committee Members shall serve on the Committee without compensation.

Section 4 CLERK

A. The Committee Members shall annually at the first meeting in each fiscal year elect a Clerk by majority vote who will call the roll and audit the notes of all meetings.

B. In the absence of the Clerk, the CPA Program Manager shall act as Clerk.

Section 5 VICE-CHAIRPERSON

In addition to the election of the Chairperson and the Clerk the Committee at its annual meeting shall elect a Vice-Chairperson.

In the absence or inability to serve of the Chairperson for any reason, the Vice-Chairperson shall preside over and carry on the affairs of the Committee with the same powers and duties as the Chairperson.

Section 6 MEETINGS

A. The Waltham Community Preservation Committee will meet a minimum of four times each fiscal year on the 3<sup>rd</sup> Tuesday of designated months at 7:30PM in the City Council Chamber unless otherwise changed by the Committee. The meetings shall be open to the public. Meeting times, dates and locations shall be posted on the City Hall Bulletin Board forty-eight (48) hours or more previous to each meeting. They will also be posted on the City of Waltham Community Preservation Committee web site <http://www.city.waltham.ma.us/>.

Roberts Rules of Order shall be utilized for any contingency not covered by these regulations.

#### Section 7 SPECIAL MEETINGS

Special meetings may be called by the Chairperson or at the request of any two members of the Board. Written notice thereof shall be given to each member at least forty-eight (48) hours before the time set, and shall be held in the Council Chamber or other suitable place within or out of City Hall at such time and place as may be designated.

#### Section 8 ORDER OF MEETING

- A. Chairperson: Call the meeting to order
- B. Clerk: Call the roll.
- C. Chairperson or staff: Announcements
- D. Chairperson or staff: Read or describe Correspondence
- E. New business
- F. Old business
- G. Chairperson: Public Meetings/Hearings

### **ARTICLE II**

#### **STAFF**

#### Section 1 JOB DESCRIPTION

CPA Program Manager – The CPA Program Manager is responsible for all aspects of managing the implementation of the Massachusetts Community Preservation Act (CPA) as it relates to the City of Waltham. The Manager organizes the activities of the five-member Community Preservation Committee, including: creating short-term and long-range Program goals and performance objectives; monitoring and tracking legislation and local initiatives related to the Community Preservation Act; evaluating needs, possibilities, and resources of the City regarding community preservation; analyzing costs, performing project reviews, and recommending priorities for funding; developing reports and making presentations to elected and appointed officials and the general public; administering Waltham's Community Preservation Fund; monitoring projects that have been funded with Community Preservation funds; and monitoring compliance with

Community Preservation Act requirements including procurement and contract procedures. Other responsibilities and activities may be assigned by the Committee and Chairperson.

The salary of the Community Preservation Act Program Manager is determined by the City Council from recommendations by the Waltham Community Preservation Committee.

## Section 2 TEMPORARY STAFF

Temporary staff will be under the direction of the Community Preservation Act Program Manager as assigned by the Chairperson and Committee.

## **ARTICLE III**

### **APPLICATIONS FOR FUNDING FROM THE C.P.C.**

## Section 1 SUBMISSION REQUIREMENTS

Proposals for Community Preservation funding must be submitted using the City of Waltham Community Preservation Committee (CPC) Forms CPA-1 and CPA-2. All information requested on the application forms must be included with the proposal.

Applications must be typewritten and seven (7) copies (including one unbound and reproducible copy) of the application and all supporting documentation must be submitted to: C/O Waltham Community Preservation Committee (CPC), Waltham City Hall, 610 Main Street, Waltham, MA 02452, CPC Office telephone 781-314-3117. The office of the CPC and Community Preservation Act Program Manager is located at 11 Carter Street.

## Section 2 APPLICATION FORMS

City of Waltham Community Preservation Committee (CPC) Forms:

- A. Application for Community Preservation Funding Form CPA-1
- B. Waltham Community Housing Application Form CPA -2

## Section 3 APPLICATION FILING PERIOD

As needed a time period and deadline within which Application Forms will be accepted will be advertised. The period and deadline will be determined by the Community Preservation Committee for each open period for Applications.

Applications will be accepted only at this time, unless an applicant demonstrates that a significant opportunity would be lost if not considered outside the normal funding schedule.

Please note, if a proposal is on City-owned land, either the applicant or the co-applicant must be the City Board, Commission, or Department in control of the land (for example, if the proposal is on Park or Recreation land, then the Recreation Board must either be an applicant or co-applicant).

If the proposal is a community housing project, applicants must submit Waltham Community Housing Application Form CPA -2. If the proposal combines community housing with

any other funding category, both of the Application for Community Preservation Act Funds Forms CPA-2 and the CPA -1 Application must be submitted.

For further information about the application process, contact The Waltham Community Preservation Committee, Waltham City Hall, 610 Main Street, Waltham, MA 02452, 781-893-3117.

#### Section 4 Review by the Community Preservation Committee

Each Application will be acknowledged as it is received. It will be reviewed for completeness and the applicant will be notified if additional information is required. Incomplete applications may not be eligible for consideration during the current funding round at the discretion of the Committee. All complete Applications will be available as public information for review, and further information will be accepted upon request from the Committee, City Councillors, or other interested parties, until the Committee recommendation to the City Council for funding is approved. All applicants will be given an opportunity at a public meeting to briefly present the scope and details of their project. Further public meetings may be held to obtain information and elicit responses to questions from the CPC, members of the City Council, interested parties and the public. The CPC will schedule public meetings to discuss the merits of complete applications and to make funding recommendations.

#### Section 5 FUNDING DECISIONS AND PROCESS

The CPC will submit recommendations for funding to the City Council, and for review by all applicable City parties. Following a City Council vote for appropriation of the CPC recommendation for funding, the City Clerk will issue the appropriation Order, within 20 days, unless City Council schedules or issues intervene.

Approved funds will be appropriated to a designated City department head for oversight and implementation. Projects on City-owned land will be administered by the City department that is responsible for that land. Public bidding under applicable statutes (MGL c. 30, 30B, and 149).may be required.

Projects on private land will require a funding agreement between the City and the applicant. The CPC will monitor all projects, require a complete project timeline prior to the start, and quarterly status reports until project completion.

### **ARTICLE IV**

#### **HEARINGS**

#### Section 1 TIME OF HEARINGS

If necessary, public hearings will be held. The date and time of hearings will be announced by the Committee, published in a local newspaper for each of at least two weeks prior, posted on the City Clerk's Bulletin Board with a minimum of 48 hours notice and on the CPC/CPA website. All State statutes, regulations and City Ordinances will apply.

## Section 2 LEGAL NOTICES

Will follow directions from the open meeting law, conflict of interest law and the Waltham City Ordinance #30452. Notice of hearings shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the city, and published electronically on the city's web site.

## Section 3 PLACE OF HEARINGS

Hearings will take place in the Waltham City Council Chambers unless otherwise designated by the Community Preservation Committee.

## Section 4 QUORUM

A quorum of the five (5) Member Waltham Preservation Committee shall be three (3). Any action taken by the Committee requires three (3) votes to pass or deny.

## Section 5 METHODOLOGY

Roberts Rules of Order– At the discretion of the Committee, public hearings shall follow the normal procedures of Roberts Rules of Order.

# **ARTICLE V**

## **BUDGET**

### Section 1 CPC ALLOCATIONS

The Waltham CPC will make its allocations before the setting of the tax rate for the next fiscal year. In the case of fiscal year 2008 the Committee should have its recommendations to the Waltham City Council on or before November 1, 2007. The required minimum allocations are 10% open space, 10% community housing, 10% historical and the balance to open space recreation or a budget reserve.

### Section 2 BUDGET

The Waltham Community Preservation Committee budget may not exceed 5% of the combined modified 2% surcharge of the Waltham real estate tax levy plus the State matching funds.

### Section 3 OTHER

In accordance with state statutes the City Treasurer and Collector of Taxes established the Community Preservation Fund from which the funding will be dispersed.

Any other state regulations or DOR directives not mentioned here shall be in full force and effect.

The CPC reserves the right to modify the CPC Plan or Applications at any time. Changes will be published and the CPC Plan or Applications updated immediately on a CPC vote.