

## ARTICLE V - COMMITTEES APPOINTED BY THE BOARD OF SELECTMEN

### SECTION 500 COMMITTEES, COUNCILS, BOARDS, AND ETC.

a.) In addition to those committees appointed by the Board of Selectmen as required by Mass. Gen. Laws or by these By-Laws, the Board of Selectmen may from time to time appoint such other committees as they may believe prudent for the governance of the Town.

b.) Appointments shall be made by the Board of Selectmen for a specified term or until a successor is appointed unless otherwise provided by statute, these By-Laws or the appointing authority.

c.) Qualified candidates for appointment by the Board of Selectmen must be voters in town, unless otherwise provided for by Mass. Gen. Laws or by these By-Laws.

### SECTION 501 COUNCIL ON AGING

a.) The Board of Selectmen shall appoint a Council on Aging consisting of seven members each one of whom shall be appointed for a term of three (3) years. The term of no more than three members shall expire in any one (1) year.

b.) The Council shall annually elect its chairman and other officers it deems appropriate.

c.) The duties of the Council on Aging shall be to: (1) ascertain the needs of the community's elderly population; (2) educate the community and enlist the support and participation of all citizens concerning these needs; (3) design, promote or implement services to fill these needs, or coordinate present existing services in the community; and (4) promote and support other constructive programs in the community relative to its responsibilities.

d.) The Council on Aging shall give an annual report to the Board of Selectmen with a copy of that report to be directed to the Commonwealth of Massachusetts, Department of Elder Affairs. Mass. Gen. Laws, Chapter 40, Section 8B.

### SECTION 502 CAPITAL PLANNING COMMITTEE (Amended ATM 4/29/89 Art. 19)

There shall be a Capital Planning Committee. The Committee shall be made up of five members, each appointed for three (3) year staggered terms. Three members shall be appointed by the Board of Selectmen, and initially, one member shall be appointed for one year, one member for two years, and one member for three years. The Finance Committee shall appoint two members, and initially one member shall be appointed for one year and one member for two years. These appointments shall run with the fiscal year. Any vacancy occurring shall be filled for the unexpired term in the same manner as the original appointment.

The Capital Planning Committee shall annually review the Town's capital improvement program, if any, and shall review proposals for the construction of municipal buildings, including schools, the acquisition of land or personal property, and they shall make recommendations to the Board of Selectmen, the Finance Committee and the Town Meeting at times they deem necessary, but at least by the time of any annual departmental budget hearing, within the Annual

Town Report, and at the Annual Town Meeting in conjunction with the Finance Committee report to the Town Meeting.

#### SECTION 503 CONSERVATION COMMISSION

a.) The Board of Selectmen shall appoint a Conservation Commission, consisting of seven members, each one of whom shall be appointed for a term of three (3) years. The terms of not more than three members shall expire in one (1) year.

b.) The Conservation Commission shall discharge such duties as are conferred upon it by state statute or by any Wilbraham Conservation By-Law.

#### SECTION 504 FINANCE COMMITTEE

a.) The Board of Selectmen shall appoint a Finance Committee consisting of nine members, no one of whom shall hold any elected town office. Three persons shall be appointed each year following the conclusion of the fiscal year for a term of three (3) years.

b.) Said committee shall annually choose its own chairman. Vacancies occurring on said committee may be filled at any time by the Selectmen with the appointment being for the unexpired term. To this committee shall be referred all articles in the Town warrant calling for appropriations. The Committee shall consider all matters proposed to be acted upon at Town Meetings, but it shall not report on such matters as may have been referred to other committees by vote of the Town.

c.) No vote shall be passed at any Town Meeting involving the appropriation or expenditure of any sum of money, the subject matter of which has not first been considered and reported on by said committee.

d.) It shall be the duty of this committee to investigate the needs of the Town, particularly the financial requirements of the several departments, and to ascertain and recommend the amount required to carry out the work of the Town for the ensuing year.

e.) Five members of the committee shall constitute a quorum for the transaction of business.

#### SECTION 505 BOARD OF FIRE COMMISSIONERS

The Board of Selectmen may appoint a Board of Fire Commissioners to consist of three members, each of whom shall serve for a three (3) year term, one such member to be appointed each year.

#### SECTION 506 ADVISORY BOARD OF HEALTH

The Board of Selectmen may appoint an Advisory Board of Health to consist of not more than seven members, for a term of one (1) year.

## SECTION 507 HISTORICAL COMMISSION

The Board of Selectmen shall appoint a Historical Commission to consist of three to seven members, each one of whom shall be appointed for a staggered term not to exceed three (3) years.

## SECTION 508 INDUSTRIAL DEVELOPMENT FINANCING AUTHORITY (Art. IV, Sec. 8)

The Board of Selectmen shall appoint an Industrial Development Financing Authority of five persons in accordance with the provisions of the Acts of 1967, Chapter 772.

## SECTION 509 PERSONNEL BOARD (Art. IV, Sec. 5)

a.) The Board of Selectmen shall appoint a Personnel Board of five members, the members to hold staggered terms of three (3) years.

b.) Said board shall advise the Board of Selectmen on all matters pertaining to personnel policy.

c.) The Board of Selectmen shall from time to time adopt personnel policies relating to all positions not otherwise covered by collective bargaining agreement, except with reference to positions filled by popular election. A copy of all personnel policies as adopted by the Board of Selectmen shall be filed with the Town Clerk.

d.) Wage and classification plans shall be adopted in the manner required by state law. (Amended ATM 4/30/88 Art. 17)

## SECTION 510 PLAYGROUND AND RECREATION COMMISSION (Art. IV, Sec. 7)

a.) The Board of Selectmen shall appoint a Playground and Recreation Commission, consisting of seven members, each one of whom shall be appointed for a staggered term not to exceed three (3) years.

b.) The commission shall have the jurisdiction of all matters relating to the town golf course.

c.) The commission shall appoint a recreation director for a term not to exceed three years.

## SECTION 511 REGISTRARS OF VOTERS

a.) The Town shall have a Board of Registrars, consisting of the Town Clerk and three other persons who shall be appointed for a staggered term of three (3) years by the Board of Selectmen. The members of the Board of Registrars shall represent the two leading political parties, and in no case shall an appointment be made which shall cause the Board of Registrars to have more than two members, including the Town Clerk, of the same political party.

b.) The Board of Registrars shall appoint such Deputy Registrars as shall be required by law.

## SECTION 512 SEWER ADVISORY COMMITTEE (Art. IV, Sec. 7)

a.) The Board of Selectmen shall appoint a Sewer Advisory Committee, to consist of five members, each of whom shall be appointed for a staggered term not to exceed three (3) years.

b.) Said Sewer Advisory Committee shall have all the powers and authority usually conferred upon a Sewer Committee under the Mass. Gen. Laws relative to sewer commissions, as modified by Special Acts of 1987, Chapter 216, creating a Department of Public Works.

## SECTION 513 CULTURAL COUNCIL

The Board of Selectmen shall appoint a local cultural council to be known as the "Wilbraham Cultural Council" consisting of seven members. Members shall be appointed for staggered terms of three (3) years and no member shall be appointed to more than two consecutive terms. Members shall have demonstrated scholarship or creativity in, or distinguished service to, the arts, humanities or interpretive sciences.

## SECTION 514 ZONING BOARD OF APPEALS

a.) The Board of Selectmen shall appoint a Zoning Board of Appeals as provided by Mass. Gen. Laws, and the Zoning Board of Appeals shall have all the powers and duties provided for by those laws.

b.) Said Board shall consist of three members, each of whom shall serve for a three (3) year term, one such member to be appointed each year. Two associate members shall also be appointed for a term of three (3) years, so that in the case of a vacancy, inability to act or interest on the part of a member of said board, his place may be taken temporarily by an associate member. No person holding an elective town office shall be eligible to serve as a member or associate member of the Board of Appeals. Said Board shall elect annually a chairman from its own members.

c.) Appeals may be taken to the Zoning Board of Appeals by any person aggrieved by reason of his inability to obtain a permit from the building inspector and for any other reason permitted by the Zoning By-Laws of the Town or Mass. Gen. Laws. Any such appeal shall be taken within a reasonable time provided by rule of the Board of Appeals by filing with the Town Clerk a notice of appeal specifying the grounds thereof.

The Zoning Board of Appeals shall have the power to authorize upon appeal, or upon petition, such permits and variances as it is empowered to act upon by general statute or Zoning By-Law of the Town of Wilbraham.

## SECTION 515 BY-LAW STUDY COMMITTEE (Amended ATM 4/29/89, Art. 20)

a.) The Board of Selectmen shall appoint, from time to time, but in no event less than every five (5) years, a By-Law Study Committee, consisting of five members, each of whom shall be appointed for a term of one (1) year. The Town Clerk shall be an ex-officio member of the Committee.

b.) The By-Law Study Committee shall assist the Town Clerk in updating the By-Laws ensuring their proper order and publication.

SECTION 516 AMBULANCE OVERSIGHT COMMITTEE (ATM 4/24/92 Art. 13)

The Board of Selectmen shall appoint an Ambulance Oversight Committee, consisting of five members, whose duties shall include making recommendations to the Board of Selectmen regarding the operation of emergency ambulance service within the Fire Department, establishment of fee abatement guidelines and procedures, and review and acceptance or rejection of requests for abatements of fees. Members shall be appointed for staggered terms not exceeding three years.

SECTION 517 COMMISSION OF DISABILITY (ATM 4/25/92 Art. 21)

a.) The Board of Selectmen shall appoint a Commission on Disability of nine members, a majority of whom must be persons with disabilities as defined by U.S. Public Law 103-336, the Americans with Disabilities Act. One member shall be of the immediate family of a person with a disability, and one member shall be an elected or appointed municipal official. The terms of the first members of said commission shall be for one, two or three years, and so arranged that the term of one-third of the members expires each year, and their successors shall be appointed for terms of three (3) years each.

b.) The Commission shall advise and assist municipal officials in ensuring compliance with federal and state disability laws; review policies and activities of municipal departments and boards as they affect persons with disabilities; provide information, referral, and technical assistance to individuals, businesses and organizations in all matters pertaining to disability; and coordinate the activities of other local groups organized to meet the needs of persons with disabilities.

SECTION 518 OPEN SPACE AND RECREATION COMMITTEE (ATM 5/3/99, Art. 25)

a.) The Board of Selectmen shall appoint an Open Space and Recreation Committee of 12 members, each of whom shall be appointed for a staggered term not to exceed three (3) years.

b.) The purpose of the committee shall be to (1) develop and update an Open Space and Recreation Plan for the town; and (2) coordinate the implementation of the Open Space and Recreation Plan approved by the town.

SECTION 519 COMMUNITY PRESERVATION COMMITTEE (ATM, 5/6/02, Art.8)(ATM, 5/15/06, Art.23)

There shall be a Community Preservation Committee of nine members, including one member each from the following committees as designated by majority vote of those committees, and three at large members appointed by the Board of Selectmen: Conservation Commission, Historical Commission, Planning Board, Playground & Recreation Commission, Housing Authority and Open Space & Recreation Committee. The terms of the first members shall be as

follows: appointees of the Board of Selectmen, Conservation Commission and Open Space & Recreation Committee shall be three (3) years; appointees of the Historical Commission and Playground & Recreation Commission shall be two (2) years; and appointees of the Planning Board and Housing Authority shall be one (1) year. Their successors shall be appointed for terms of three (3) years each. Other than the at-large members appointed by the Board of Selectmen, members of the Community Preservation Committee must remain voting members of the committee that appointed them. In those instances where members of the Community Preservation Committee cease to be voting members of the committee that appointed them, the appointing committee shall designate a voting member to fill the remainder of the unexpired term.

The Community Preservation Committee shall study the needs, possibilities and resources of the town regarding community preservation. The committee shall consult with other municipal boards. As part of its study, the committee shall hold one or more public informational hearings, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation.

The committee shall make recommendations to Town Meeting for the acquisition, creation and preservation of open space, for the acquisition and preservation of historic resources, for the acquisition, creation and preservation of land for recreational use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

The committee may include in its recommendation to 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 to set aside for later spending funds for general purpose that are consistent with community preservation.

After receiving such recommendations from the committee, Town Meeting shall then take such action and approve such appropriations from the Community Preservation Fund and such additional appropriations as it deems appropriate to carry out the recommendations of the committee.

For the purposes of community preservation the committee may recommend to Town Meeting that the town take and the town may then take by eminent domain under Chapter 79, the fee or any lesser interest in real property or waters located in the town if such taking has first been approved by a two-thirds vote of Town Meeting. Upon a like recommendation and vote, the town may expend monies in the Community Preservation Fund, if any, for the purpose of paying, in whole or in part, any damages for which the town may be liable by reason of a taking for the purposes of community preservation.

g.) Applications for exemption from the Community Preservation Act surcharge must be filed with the Office of the Board of Assessors no later than three months after the actual (not preliminary) tax bills are mailed for the fiscal year.

The committee and the Town Meetings shall conduct business in accordance with Section 5 of Chapter 44B of the Massachusetts General Laws.

SECTION 520: AGRICULTURAL COMMISSION (ATM, 5/15/06, Art. 4)

The Board of Selectmen shall appoint an Agricultural Commission of five members, of which the majority of the membership shall be substantially engaged in the pursuit of agriculture. The members shall be appointed: two members for a term of three years; two members for a term of two years and three thereafter; and one member for a term of one year and three years thereafter. Appointments shall be filled by the Selectmen who shall consider recommendations of the Commission.

The mission of the Commission shall be to: represent the farming community, encourage the pursuit of agriculture, promote agriculture-based economic activities and preserve, revitalize and sustain the town's agricultural businesses and lands.