

Massachusetts Department of Revenue Division of Local Services

Alan LeBovidge, Commissioner Gerard D. Perry, Deputy Commissioner



October 23, 2006

Jennifer Dopazo
Town Counsel
Town of Brookline
333 Washington Street
Brookline, MA 02445

Re: Community Preservation Act – Implementation Expenses
Our File No. 2006-371

Dear Ms. Dopazo:

You asked about the use of community preservation fund monies for implementation expenses.

We do not believe community preservation fund monies may be used to pay for administrative or operating expenses incurred by general government departments, such as the assessors, treasurer/collector, accounting officer, town counsel or others, in implementing the Community Preservation Act (CPA). G.L. c. 44B. The CPA provides that monies in the community preservation fund may be used for certain categories of allowable projects and "for the administrative and operating expenses of the community preservation committee." G.L. c. 44B, §6 (emphasis added). Also see G.L. c. 44B. ("The expenditures from the fund shall be limited to ... providing administrative and operating expenses to the committee.")(emphasis added). We read the language as limiting the use of fund monies for administrative and operating purposes to those incurred by the community preservation committee itself in carrying out its statutory duties.

If you have any further questions, please do not hesitate to contact me again.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kathleen Colleary". The signature is written in a cursive, flowing style.

Kathleen Colleary, Chief
Bureau of Municipal Finance Law

KC