

Sample Town Meeting or City Council Vote Language for Municipal Land Acquisition Projects

The following is a sample vote authorizing the acquisition of conservation land using MVP grant program financial assistance. This is intended only as a point of reference. **Municipal Counsel should always be consulted when drafting Town Meeting warrant articles or City Council resolutions.** The draft article or order should be submitted with the application and to MVP staff for review prior to the Town Meeting or City Council Meeting to ensure compliance with the grant program.

Sample for Conservation Acquisition Project –Town Meeting Warrant Article

To see if the CITY/TOWN will vote to appropriate, and authorize the Treasurer with the approval of the Selectmen [describe method of appropriation and/or borrowing according to M.G.L. Chapter 44, note particularly Section 8C], to borrow the sum of \$TOTAL PROJECT COST, for the purpose of purchasing for conservation and passive recreation purposes, by eminent domain or negotiated purchase or otherwise, a certain property together with buildings thereon, known as the PROPERTY NAME consisting of XXX acres, more or less, as shown on a plan entitled "Plan of Land in MUNICIPALITY made by SURVEYING FIRM dated XX/XX/XX"; that said land be conveyed to said CITY/TOWN under the provisions of Massachusetts General Laws, Chapter 40, Section 8c, and as it may hereafter be amended and other Massachusetts statutes relating to Conservation, to be managed and controlled by the Conservation Commission of MUNICIPALITY, and the Conservation Commission be authorized to file on behalf of MUNICIPALITY any and all applications deemed necessary for grants and /or reimbursements from the Commonwealth of Massachusetts deemed necessary under Chapter 132A, Section 11 and/or any others in any way connected with the scope of this Article, and the CITY/TOWN and the Conservation Commission be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of MUNICIPALITY to affect said purchase.

Sample for Conservation Acquisition Project –City Council Vote

A RESOLUTION TO APPLY FOR, ACCEPT, AND EXPEND A GRANT FROM THE COMMONWEALTH OF MASSACHUSETTS EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS, MUNICIPAL VULNERABILITY PREPAREDNESS (MVP) PROGRAM

WHEREAS: The Commonwealth of Massachusetts Executive Office of Energy and Environmental Affairs is making funding available through the MVP Program;

WHEREAS: The MVP Program was established in 2017 as part of Executive Order 569 and provides support for cities and towns in Massachusetts to identify climate hazards, assess vulnerabilities, develop action plans to improve resilience to climate change, and implement those actions; and where land protection can serve as an important action to mitigate the impacts of a changing climate;

WHEREAS: The permanent preservation of open space is a priority of the NAME OF THE CITY; and

WHEREAS: The CITY will vote to appropriate, and/or borrowing according to M.G.L. Chapter 44, notes particularly Section 8C], to borrow the sum of \$TOTAL PROJECT COST, for the purpose of purchasing for conservation and passive recreation purposes, by eminent domain or negotiated purchase or otherwise.

WHEREAS: The NAME OF THE CITY has identified an assembly of parcels of TOTAL LAND ACRAGE known as PROJECT NAME that would be preserve for PURPOSE OF THE PROJECT.

WHEREAS: The NAME OF THE CITY intends to submit an application to EEA to fund \$XX of the PURCHASE IN FEE/CONSERVATION RESTRICTION for the property known as PROJECT NAME.

NOW THEREFORE, BE IT RESOLVED:

- 1.That the City Manager be and is hereby authorized and requested to file an application with EEA for an MVP grant;
- 2.That the city manager be and is hereby authorized to accept grant funds and execute contracts, and any amendment thereto, in order to carry out the terms, purposes, and conditions of EEA MVP Grant Program;
- 3.That the city manager be and is hereby authorized to take such other actions as are necessary to carry out the term's purposes, and conditions of the MVP Grant Program.