

Bylaw Review Committee Meeting  
December 5, 2019

Members Present: Alisa Brewer, Patricia De Angelis, Bernie Kubiak, Bob Ritchie (Chair), Evan Ross.  
Staff Present: Geoff Kravitz

No members of the public present

Meeting convened at 2:37 PM

Minutes of 11/15/19: accepted by acclamation. Decision: Chair authorized to approve any outstanding sets of minutes.

Bylaw crosswalk document reviewed: no changes, constitutes the final document

State Statutes listing: no changes, constitutes the final document

Special Acts: original document reformatted to better display disposition of each, added notes with some updates. Document now in final form

Committee report: discussion of language around Affordable Housing Trust. Town created a trust but there is no trust recorded. One need not register the trust until an actual purchase of property. Best practice is to have a document that describes the trust. No signed document is available. There is a trust document that was drafted at the time the trust was voted. That document should be reviewed, modified as needed, and considered for filing. Brewer noted that the trust is active. Apparently, a decision was made that the names on the trust document would have to change each time there was turnover on the trustees. The Department of Revenue presumes that a trust document exists. Property cannot be purchased or sold without a document that can be registered. Following a discussion regarding best practices and the need to file a trust document, Decision: reinstate the original language of the bylaw, removing reference to the Selectboard and note in our report to the Council the need to review the draft trust document, add current membership, sign it, and properly file the document in accordance with the bylaw. Language requiring the filling of unexpired terms is removed to conform to current practices. Eliminated the requirement of a hearing before removing a member of the trust to conform to provisions of the charter and current practices. Add a recommendation that the affordable housing trust submit at least an annual report as required of other committees.

Discussion on presentation: provide a brief presentation, given all the documentation provided to the councilors. All members of the committee will be present, Ritchie will present on behalf of the group. Packet of materials for the December 16<sup>th</sup> meeting will be sent via the Town Clerk and Council President to be sent out by December 10<sup>th</sup>.

Meeting adjourned at 4:00 PM

Respectfully submitted,  
Bernie Kubiak, Clerk

Documents Referred to:  
Bylaw crosswalk document  
State statutes accepted by town list  
Special Acts of the legislature for Amherst list  
Recommended draft of General Bylaws  
Committee Report to the Council