



Commonwealth of Massachusetts
DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Chrystal Kornegay, Undersecretary

APR 26 2016

Ms. Sandra J. Burgess
Town Clerk
Town Hall
4 Boltwood Avenue
Amherst, MA 02114

Dear Ms. Burgess:

DHCD has been informed that a charter commission was elected at the Amherst municipal election held on March 29, 2016.

This letter meets the agency's responsibility to "notify the commission of the dates for submission of its reports and the available date or dates that such reports can be placed on its ballots." (Massachusetts General Laws, Chapter 43B, section 6, as amended by Chapter 163, section 7 of the Acts of 1975, and Chapter 204 of the Acts of 1996.)

General Law, Chapter 43B, section 9, provides that a charter commission shall submit its preliminary report within sixteen months after its election, and its final report within eighteen months after the election. While not permitted to take a longer period of time, the commission may submit preliminary and final reports at earlier times than the expiration of the express periods. For those communities that have biennial elections, the eighteen month schedule has the following practical effect: the charter commission's final report must be completed six months prior to the election at which it will be voted upon.

For your community, the charter commission having been elected on March 29, 2016, the following dates govern the filing of the commission's reports:

The preliminary report must be filed, as provided in General Laws, Chapter 43B, section 9, within sixteen months of the commission's election, i.e., on or before July 31, 2017.

The preliminary report is required to be published in a newspaper of general circulation in the community, and the commission "shall furnish two copies to the attorney general and the department of housing and community development" (Massachusetts General Laws, c. 43B, section 9 [b], as amended by Chapter 161, section 283 of the Acts of 1998.)

The final report must be filed, as provided in General Laws, Chapter 43B, section 9, within eighteen months of the commission's election, i.e., on or before September 29, 2017.

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Please note that the date for filing the final report must also be at least two months before the election at which the question of charter adoption is to be voted upon (see Massachusetts General Laws, c. 43B, s. 11). Note also that the commission must prepare its calendar to allow for publication of the preliminary report, public hearing on the preliminary report (as required by c. 43B, section 9), and preparation of final report (also referred to as the proposed charter) within the eighteen month time frame.

"A copy of said final report shall also be submitted to the department of housing and community development and the attorney general." (Massachusetts General Laws, c. 43B, s. 9[c]).

Sincerely,


Chrystal Kornegay
Undersecretary