

Town of Wenham

Town Hall
138 Main Street
Wenham, MA 01984

Town Clerk

TEL 978-468-5520 x.1

FAX 978-468-8014

June 30, 2021

**RE: Wenham Annual Town Meeting – May 1, 2021
By Law Decision from the Attorney General's Office
Warrant Article #11 (General)**

To Whom It May Concern:

Please be advised the letter of decision from the Attorney General's Office for the above referenced bylaws is attached, along with the certified vote of each article from the above-mentioned Town Meeting date.

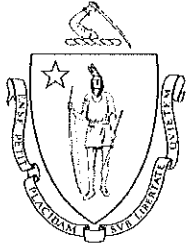
Pursuant to MGL Chapter 40, section 32, general bylaws take effect on the date of this posting – June 30, 2021.

Claims of invalidity by reason of any defects in the procedure of adoption or amendment may only be made within 90 days of this posting.

ATTEST:



Trudy L. Reid, CMMC
Town Clerk



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

MAURA HEALEY
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

June 29, 2021

Trudy L. Reid, Town Clerk
Town of Wenham
138 Main Street
Wenham, MA 01984

Re: **Wenham Annual Town Meeting of May 1, 2021 -- Case # 10067**
Warrant Article # 11 (General)

Dear Ms. Reid:

Article 11 - We approve Article 11 from the May 1, 2021 Wenham Annual Town Meeting.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

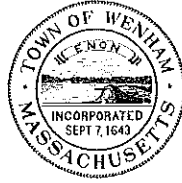
Very truly yours,

MAURA HEALEY
ATTORNEY GENERAL

Nicole B. Caprioli

By: Nicole B. Caprioli
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 ext. 4418

cc: Town Counsel Lauren F. Goldberg



RECORD OF ACTION AND CERTIFICATION OF
ANNUAL TOWN MEETING
SATURDAY, MAY 1, 2021
WENHAM PINGREE PARK

ARTICLE 11: **Select Board**

To see if the Town will vote to change the name of the “Board of Selectmen” to “Select Board”, by amending the General Bylaws to strike the words, “Board of Selectmen”, “Selectmen” and “Selectman” and inserting, in place thereof, respectively, as follows, “Select Board” and “Select Board member”, and further, to delete the first paragraph of Section 5-6(B) and insert therein the following:

Powers and duties. The Select Board shall serve as the chief executive officer and policymaking entity of the Town and have and exercise all the powers and duties vested in boards of selectmen under the General Laws or by vote of the Town, and such other authority as specified herein, including but not limited to the following; provided, however, that notwithstanding any of provision of this bylaw, Select Board shall not act to derogate from the statutory authority of multiple-member bodies and other appointees of the Board and departments under its responsibility or any other multiple-member bodies, officers and employees of the Town.

And, further, to authorize the Town Clerk, with the approval of the Town Administrator, to make such other changes to the bylaws with respect to grammar as may be needed to ensure that such changes are properly integrated into the General Bylaws. Or take any other action relative thereto.

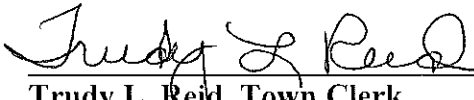
Recommendation of the Board of Selectmen: 2-0-0

Vote needed: Simple Majority

MOTION: Motion was made by Board of Selectmen Chair Gary Cheeseman as printed in the warrant, and the motion was 2nd.

ACTION: After a few comments made by voters in attendance, Interim Moderator Mr. Feeherry called for a vote. By a show of voter cards, Mr. Feeherry declared Article 11 passed by the majority.

ATTEST:



Trudy L. Reid, Town Clerk