



THE COMMONWEALTH OF MASSACHUSETTS  
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August 17 2020

Carol A. Harris, Town Clerk  
Town of Templeton  
P.O. Box 620  
East Templeton, MA 01438

**Re: Templeton Annual Town Meeting of June 17, 2020 -- Case # 9783  
Warrant Articles # 7, 8, 9, 10, 11, and 12 (General)**

Dear Ms. Harris:

**Articles 7, 8, 9, 10, 11, and 12** – We approve Articles 7, 8, 9, 10, 11, and 12 from the Templeton June 17, 2020, Annual Town Meeting. Our comments on Article 11 are provided below.

**Article 11** - Article 11 makes a number of changes to Chapter 9, Article 1, Advisory Committee,” of the Town’s general by-laws. One change adds a new Section 9-7, “Committee Liaisons,” which provides as follows (with emphasis added):

The Committee may appoint members as liaisons to boards and standing committee to attend meetings of the various entities of the Town and School District and *delegate to them such powers as it deems expedient.*

As quoted above, Section 9-7 authorizes the Advisory Committee to appoint members as liaisons to other town boards and committees. The liaisons will attend meetings of the board or committee and the Advisory Committee will “delegate to [the liaisons] such powers “as [the Advisory Committee] deems expedient.” By using the phrase “delegate to [the liaisons] such powers as [the Advisory Committee] deems expedient,” the by-law appears to give the Advisory Committee broad authority to delegate any and all powers it deems convenient. We approve Section 9-7. However, we caution the Town that the Advisory Committee must apply this text consistent with any limitations placed on its ability to delegate its power and duties to one member who is acting as a liaison to another town board or committee. Therefore, we suggest that the Town discuss the application of this text with Town Counsel.

**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

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cc: Town Counsel Thomas Harrington