



TOWN CLERK

**TOWN OF ACTON**  
472 MAIN STREET  
ACTON, MASSACHUSETTS, 01720  
TELEPHONE (978) 929-6620  
FAX (978) 264-9630  
clerk@acton-ma.gov

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SEPTEMBER 30, 2020

MIDDLESEX, SS:

ON THE ABOVE DATE, I POSTED ATTESTED COPIES OF THE AMENDMENT TO THE TOWN CHARTER, ARTICLE #2, WHICH PASSED AT THE SPECIAL TOWN MEETING THAT CONVENED ON SEPTEMBER 8, 2020. THE ARTICLE MENTIONED FOR THE TOWN CHARTER WAS APPROVED BY THE ATTORNEY GENERAL, MAURA HEALY ON SEPTEMBER 29, 2020 AND IS POSTED AT THE FOLLOWING PLACES IN THE TOWN OF ACTON:

NAGOG WOODS POST OFFICE, TOWN HALL, WEST ACTON POST OFFICE, CENTER POST OFFICE, CENTER LIBRARY AND PUBLIC SAFETY FACILITY;

AS WELL AS THE TOWN WEB PAGE.

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CONSTABLE

CLAIMS OF INVALIDITY BY REASON OF ANY DEFECT IN THE PROCEDURE OF ADOPTION OR AMENDMENTS OF THESE BYLAWS MAY ONLY BE MADE WITHIN NINETY DAYS (90) PER CHAPTER 40, SECTION 32, OF THE GENERAL LAWS OF THE COMMONWEALTH.

EVA K. SZKARADEK  
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](http://www.mass.gov/ago)

September 29, 2020

Board of Selectmen  
Town of Acton  
47 Main Street  
Acton, MA 01720

**Re: Acton Special Town Meeting of September 8, 2020 – Case # 9920  
Warrant Article # 2 (Charter)**

Dear Board of Selectmen:

**Article 2** - Pursuant to the provisions of G.L. c. 43B, § 10, we have reviewed the vote taken under Article 2 at the September 8, 2020 Acton Special Town Meeting. Chapter 43B, Section 10 (c), requires the Attorney General to furnish “a written opinion setting forth any conflict between the proposed amendment and the constitution and laws of the commonwealth.”

We do not find any conflict between the charter amendment vote adopted under Article 2 and the Constitution or laws of the Commonwealth (“state law”). Our review is confined to the proposed charter amendments reflected in Article 2 and submitted to us for review and does not include a review of the existing text in the Town’s charter. However, we remind the Town to consult with Town Counsel to ensure compliance with the charter amendment procedures established under G.L. c. 43B, §§ 11 and 12, including the filing requirements for approved charter amendments which states in relevant part:

Section 12. Certificates in quadruplicate shall be prepared setting forth any charter that has been adopted or revised and any charter amendments approved and shall be signed by the city or town clerk. One such certificate shall be deposited in the office of the state secretary and shall be kept under the custody of the archivist of the commonwealth, one shall be deposited in the office of the director of housing and community development, one shall be deposited in the office of the attorney general and the other shall be recorded in the records of the city or town and deposited in its archives.

Very truly yours,  
MAURA HEALEY  
ATTORNEY GENERAL

*Kelli E. Gunagan*

By: Kelli E. Gunagan  
Assistant Attorney General  
Municipal Law Unit  
10 Mechanic Street, Suite 301  
Worcester, MA 01608  
(508) 792-7600

cc: Town Counsels Stephen D. Anderson and Nina Pickering-Cook  
Town Clerk Eva K. Szkaradek



TOWN CLERK

A TRUE COPY, ATTEST:

*Eva K. Sykora deK*

TOWN CLERK, ACTON, MA

TOWN OF ACTON  
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**EXCERPT OF THE SPECIAL TOWN MEETING HELD  
TUESDAY, SEPTEMBER 8, 2020, 6:00 P.M.  
ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL UPPER GYMNASIUM  
(INDOOR, SOCIALLY-DISTANCED SEATING)  
AND THE ADJACENT PARKING LOT (OUTDOOR, SOCIALLY-DISTANCED SEATING)**

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**Article 2 Amend Town Charter – Title of the Chief Executive  
(Two-thirds vote)**

To see if the Town will vote, pursuant to Section 8-3 of the Charter of the Town of Acton and Chapter 43B of the Massachusetts General Laws, to change the name of the “Board of Selectmen” to the “Select Board” and references to its members from “Selectmen” to “Members,” contingent upon the voters of the Town approving a ballot question regarding acceptance of these changes by a majority vote at the next annual election; or take any other action relative thereto.

**MOTION:** Mr. Martin moves that the Town amend the Town Charter as set forth in the Article.

**MOTION CARRIES**

**Declared 2/3 by Moderator\***

\*Town of Acton has accepted MGL CH 39 Sec 15 at its Annual Town Meeting April 2001,  
Article 43 and the amended Bylaw 5A was approved by the Attorney General on Aug. 6, 2001.  
(The Town Meeting Moderator is not required to count a 2/3 required vote.)