

**CHARTER TRANSITION COMMITTEE**  
**ISSUE NUMBER 013 RESPONSE**

Here's the resolution for issue #13 on the date conflict from the Town Attorney. They key is Roger's statement and that a change will need to be made by a future charter review sub-committee.

Donald Bates  
[dbatespm@verizon.net](mailto:dbatespm@verizon.net)

**From:** Keith Lapointe <[klapointe@nattleboro.com](mailto:klapointe@nattleboro.com)>  
**Subject:** FW: Bylaw Publication Requirements - Opinion Needed  
**Date:** August 26, 2019 at 8:19:07 AM EDT  
**To:** Town Council <[TownCouncil@nattleboro.com](mailto:TownCouncil@nattleboro.com)>, Susan Harvey <[sharvey@nattleboro.com](mailto:sharvey@nattleboro.com)>, Michael Gallagher <[mgallagher@nattleboro.com](mailto:mgallagher@nattleboro.com)>, "dbatespm@verizon.net" <[dbatespm@verizon.net](mailto:dbatespm@verizon.net)>

All,  
Please see below. As has been previously raised, there is an inconsistency in the Charter in regards to the language related to the posting of bylaws. The opinion of Town Attorney is that we adhere to the 14 day requirement.  
Don, please share with the CTC.

Keith Lapointe  
Council President  
North Attleboro Town Council

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From: p [[roger\\_ferris@verizon.net](mailto:roger_ferris@verizon.net)]  
Sent: Thursday, August 22, 2019 2:59 PM  
To: Keith Lapointe  
Subject: Re: Bylaw Publication Requirements - Opinion Needed

Keith. I recommend that we follow the 14 day rule, primarily most notice requirements by statute require 14 days, for instance any zoning by-law or change requires that amount of time for newspaper publication. I understand that there is a school of thought that the Home Rule procedures statute ch.43B, s.20. allows great latitude but I do not believe it extends to this issue. I cannot reconcile the both sections but it does state "at least five days", so it is not at odds with holding to the 14 day rule.

Roger

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-----Original Message-----  
From: Keith Lapointe <[klapointe@nattleboro.com](mailto:klapointe@nattleboro.com)>

To: [roger\\_ferris@verizon.net](mailto:roger_ferris@verizon.net) <[roger\\_ferris@verizon.net](mailto:roger_ferris@verizon.net)>  
Cc: Michael Gallagher <[mgallagher@nattleboro.com](mailto:mgallagher@nattleboro.com)>; Adam Scanlon <[AdamScanlon@nattleboro.com](mailto:AdamScanlon@nattleboro.com)>  
Sent: Thu, Aug 22, 2019 9:59 am  
Subject: Bylaw Publication Requirements - Opinion Needed

Roger,

A question has been raised regarding the requirements for posting of bylaws, prior to voting. If you look at Section 2-6 (a), it says 14 days; however if you look at Section 2-8 it says 5 days. It is not clear to us on the purpose of Section 2-8 and it seems to contradict Section 2-6. The Charter Transition Committee has been unable to provide further guidance and has recommended we consult with you for a final opinion. (See attached note from the Charter Transition Committee)

Please advise as soon as possible as we have a few bylaws that are pending Council action and we want to avoid a posting issue. In the absence of further guidance, we will use the longer period (14 days), however it would be helpful to have a legal opinion on the purpose and relation of Section 2-8.

Keith Lapointe  
Council President  
North Attleboro Town Council