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January 30, 2026

Lucille A. Dalton, Town Clerk
Town of Southampton
210 College Highway, Suite 2
Southampton, MA 01073

Re: Southampton Special Town Meeting of December 6, 2025 – Case # 12152
Warrant Articles # 2, 3, and 4 (General)

Dear Ms. Dalton:

Article 2 - We approve Article 2 from the December 6, 2025 Southampton Special Town Meeting.

Articles 3 and 4 - Under Article 3, the Town voted to amend its general by-laws by repealing the Town's "Personnel bylaw." Under Article 4, the Town voted to amend Chapter 61, "Personnel Policy and Procedures Board Update," to make several changes to its Personnel By-law. The Town's Personnel By-law provides in relevant part that "This by-law is adopted pursuant to the authority granted by Article LXXXIX of the Constitution of the Commonwealth and General Law, chapter 41, sections 108A and 108C." Section "Purpose and Authorization."

We take no action on Articles 3 and 4 because amendments to Personnel by-laws adopted under G.L. c. 41, §§ 108A and/or 108C are not subject to the Attorney General's review and approval under G.L. c. 40 § 32. See G.L. c. 41, § 108A (the Legislature authorized towns to adopt by-laws to establish employment classification plans but exempted such by-laws from the Attorney General's review and approval); and G.L. c. 41, § 108C (the Legislature authorized towns to adopt consolidated personnel by-laws, including compensation provisions, but exempted such by-laws from Attorney General review and approval).

The Town's Personnel By-law is the type of by-law expressly exempt from the Attorney General's review under G.L. c. 41, §§ 108A and 108C. For this reason, we take no action on Articles 3 and 4. The Town should consult with Town Counsel with any questions on this issue.

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.

Very truly yours,

ANDREA JOY CAMPBELL
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cc: Town Counsel Michelle E. Randazzo