

BOARD OF SELECTMEN
221 MAIN STREET
BOYLSTON, MA 01505

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COMMONWEALTH OF MASSACHUSETTS

Town of Boylston, Massachusetts

Special Town Meeting

January 13, 2020

WARRANT FOR THE SPECIAL TOWN MEETING

January 13, 2020

COMMONWEALTH OF MASSACHUSETTS

WORCESTER: SS

BOYLSTON

To either of the Constables of the Town of Boylston in the County of Worcester within the Commonwealth aforesaid:

GREETING:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Boylston aforesaid, qualified to vote in elections and Town affairs, to meet at the **SPECIAL TOWN MEETING** on **Monday the thirteenth (13th) day of January, 2020 AD, at seven o'clock (7:00) P.M.**, at the Tahanto Regional High School Auditorium, 1001 Main Street, Boylston, MA, to take any action relative to the business of the Town as set forth in Articles one (1) through six (6) of this warrant; and if necessary, at its adjournment which shall be Tuesday, the fourteenth (14th) day of January 2020 AD at seven o'clock (7:00) P.M. at the Tahanto Regional High School Auditorium;

Voters of the Town of Boylston, Massachusetts, met in the auditorium of the Tahanto Regional High School according to legal notice on December 19, 2019. With 62 registered voters, Selectmen James Wood, James Underwood and Matt Mecum were present. Also present were Town Administrator, April Steward, Town Counsel, Stephen Madaus and Town Clerk Lisa Johnson. Kimberly Kohler, Moderator called the meeting to order at 7:01 p.m. Ms. Kohler stated we had the required quorum present, Calling of the meeting and officer's return of service are in order as required. She set the bounds of the hall and introduced the Town officials. The Pledge of Allegiance was said. A MOTION by the Moderator to waive the reading of the warrant was made and a second from audience was made. Vote on the MOTION passed.

ARTICLE 1: To see if the Town will vote to accept as a public way Cross Street, as laid out heretofore by the Board of Selectmen and according to the boundaries and measurements shown on a plan entitled "Acceptance Plan of Cross Street", dated November 6, 2019, prepared by Thompson-Liston Associates, Inc., and on file at the office of the Town Clerk, to use said way for all purposes for which public ways are used in the Town of Boylston; or act in any other way thereon.

Sponsor: Board of Selectmen

Planning Board Recommendation: To be made at Town Meeting

MOTION: I move that the town vote to accept as a public way Cross Street, as laid out heretofore by the Board of Selectmen and according to the boundaries and measurements shown on a plan entitled "Acceptance Plan of Cross Street", dated November 6, 2019, prepared by Thompson-Liston Associates, Inc., and on file at the office of the Town Clerk, to use said way for all purposes for which public ways are used in the Town of Boylston.

MOTION made by James Wood with second by audience member to accept this article as read. Planning Board recommends and explanation by Peter Caruso given. After minor discussion Vote taken on MOTION. MOTION passes unanimously.

ARTICLE 2. To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to adopt a special act, as generally set forth below, to allow Anthony Sahagian to continue to serve in the position of Police Chief until December 31, 2021, provided, however, that the General Court may make clerical or editorial

changes of form only to the bill, unless the Board of Selectmen approves amendments thereto before enactment by the General Court, which amendments shall be within the public purposes of said petition:

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Section 1. Notwithstanding any general or special law to the contrary, Anthony Sahagian, chief of police of the town of Boylston, may continue to serve in the position until December 31, 2021, until the date of his retirement, or until the date he is relieved of his duties by the board of selectmen of the town of Boylston, whichever occurs first; provided, however, that he is mentally and physically capable of performing the duties of his office. The board of selectmen may, at its own expense, require that Anthony Sahagian be examined by an impartial physician designated by them to determine such capability. No further deductions shall be made from the regular compensation of Anthony Sahagian under chapter 32 of the General Laws for any service subsequent to November 1, 2018, and upon retirement, he shall receive a superannuation retirement allowance equal to that which he would have been entitled had he retired on that date.

Section 2. This act shall take effect upon its passage.

; or do or act relating thereto.

Sponsor: Board of Selectmen

MOTION: I move that the town vote to authorize the Board of Selectmen to petition the General Court to adopt a special act, as generally set forth in Article 2 of the printed Warrant, to allow Anthony Sahagian to continue to serve in the position of Police Chief until December 31, 2021, provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments thereto before enactment by the General Court, which amendments shall be within the public purposes of said petition.

MOTION made by James Underwood as written and second from Ron Aspero. Vote taken on MOTION. MOTION passes unanimously.

ARTICLE 3. To see if the Town will vote to authorize the Board of Selectmen to make available for lease, for a term not to exceed thirty (30) years, the Town-owned property known as the Gough House, located at 221 Main Street, and upon such other terms and conditions as the Board of Selectmen deem to be in the best interests of the Town;

Or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee recommendation: will be made at Town Meeting.

MOTION: I move that the town vote to authorize the Board of Selectmen to make available for lease, for a term not to exceed thirty (30) years, the Town-owned property known as the Gough House, located at 221 Main Street, and upon such other terms and conditions as the Board of Selectmen deem to be in the best interests of the Town.

MOTION was made by Matt Mecum as written and second by James Wood. Fiance Committee recommends approval. Vote taken on MOTION. MOTION passes unanimously.

ARTICLE 4. To see if the Town will vote to authorize the Board of Selectmen to make available for lease, for a term not to exceed thirty (30) years, the Town-owned property known as the Flagg Estate, located at 1 Elmwood Place and upon such other terms and conditions as the Board of Selectmen deem to be in the best interests of the Town;

Or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee recommendation: will be made at Town Meeting.

MOTION: I move that the town vote to authorize the Board of Selectmen to make available for lease, for a term not to exceed thirty (30) years, the Town-owned property known as the Flagg Estate, located at 1 Elmwood Place, and upon such other terms and conditions as the Board of Selectmen deem to be in the best interests of the Town.

MOTION was made by James Wood as written and Second by Matt Mecum. Fiance Committee recommends approval. Vote taken on MOTION. MOTION passes unanimously.

ARTICLE 5. To see if the Town will vote to amend the Personnel By-Law by:

- (i) inserting in Section 3, “Definitions”, a new definition of the term “Contract Employee”, to read: “*An appointed department head of the Town who has entered into a contract with the Town for a term of such employment, as permitted by general law or by provisions of this Bylaw*”, and by appropriately re-lettering the defined terms that follow;
- (ii) in Section 5, subpart E and F, replacing the references to “Section 12” therein with references to “Section 10”;
- (iii) inserting a new Section 11, to be entitled “Department Head Contracts”, and to read as follows:

Section 11. Department Head Contracts

The Town, acting through its Board of Selectmen, may provide an employment contract for appointed department heads for a period of up to three (3) years, to provide for the salary, fringe benefits and other conditions of employment, including but not limited to severance pay, relocation expenses, reimbursement of expenses incurred in the performance of duties or office, liability and disability insurance and leaves of absence.

Such an employment contract shall prevail over and preempt any provision of this Personnel By-Law, or of any local rule or regulation covering the subject matter of the employment contract.

Funding of the employment contract shall be subject to annual appropriation by the Town Meeting.

Nothing contained in this section shall affect the appointment or removal powers of the Board of Selectmen over the department heads. This section does not grant tenure.

The Board of Selectmen may adopt rules and regulations relative to the administration of this section.

and re-numbering Sections 12 – 20 of the Personnel By-law to be Sections 13 – 21, respectively.

Or act in any other way thereon.

Sponsor: Board of Selectmen

Finance Committee recommendation: will be made at Town Meeting.

MOTION: I move that the town vote to amend the Personnel By-Law by inserting in Section 3, “Definitions”, a new definition of the term “Contract Employee”, to read: “An appointed department head of the Town who has entered into a contract with the Town for a term of such employment, as permitted by general law or by provisions of this Bylaw”, and by appropriately re-lettering the defined terms that follow; and in Section 5, subpart E and F, replacing the references to “Section 12” therein with references to “Section 10”; and by inserting a new Section 11, to be entitled “Department Head Contracts” to read as printed in Article 5 of the warrant.

MOTION was made by Matt Mecum as written and second by James Wood. Finance Committee recommends approval. After small discussion vote was taken on MOTION. MOTION passes unanimously.

ARTICLE 6. To see if the Town will vote to amend Section 23 in Article VI of the General Bylaws, entitled “Right to Farm”, by deleting subsection 23.4 therein, entitled “Disclosure Notification”, and renumbering subsections 23.5, 23.6, and 23.7, accordingly.

Sponsor: Board of Selectmen

MOTION: I move that the town vote to amend Section 23 in Article VI of the General Bylaws, entitled “Right to Farm”, by deleting subsection 23.4 therein, entitled “Disclosure Notification”, and renumbering subsections 23.5, 23.6, and 23.7, accordingly.

MOTION was made by James Underwood and second received by audience member to Pass Over this article. Vote taken on MOTION. MOTION passes unanimously.

And you are hereby directed to serve this Warrant by posting up attested copies thereof, one at the Municipal Office Building (Town Hall), one at the Boylston Post Office, one at the Public Library and one at the Boylston Light Department over fourteen (14) days and two (2) Sabbath days at least before the time of holding said meeting.

Hereof fail not and make return of this Warrant with your doings thereon to the Town Clerk at the time and place of the meeting aforesaid.

MOTION was made to adjourn this meeting with all business completed by Dave Butler second from audience member. Vote taken on the MOTION. MOTION passed unanimously.

Meeting adjourned at 7:22PM.

Respectfully Submitted,
Lisa J. Johnson
Boylston Town Clerk

Given our hands this 16th (sixteenth) day of December, in the year two-thousand and nineteen

Boylston Board of Selectmen

Matthew Mecum

James Wood

James Underwood